

Measures for the Prevention and Regulations of Academic Misconduct at Tsinghua University

Tsinghua University, Year 2017

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Chapter one: General Provisions

Article 1.

These measures are formulated in order to maintain the academic integrity, regularize academic activities and promote the continuous and healthy development of academic research at Tsinghua University. This document is enacted in accordance with Measures for the Prevention and Regulations of Academic Misconduct in Higher Educational Institutions (Ministry of Education, Order 40), the Regulations of Tsinghua University and The Regulations of Academic Committee in Tsinghua University.

Article 2.

The notion of academic misconduct mentioned in these measures refers to behaviors of faculties, administrative staff or students that violate academic norms and integrity in scientific research and related activities.

Article 3.

The principle of Tsinghua University to handle academic misconduct gives priority to prevention and combines penalty with education.

Article 4.

The mechanism of academic atmosphere development is led by the university and administrative leaders and in the separate charge of the executives in the academic, teaching and personnel divisions. The academic committee plays a leading role while the Academic Degree Evaluation Committee and the Teaching Committee play key roles.

Article 5.

The university provides full support and guarantee to the academic committee to perform its legitimate duties. We aim to construct an academic integrity system which includes education, prevention, supervision and punishment. The academic integrity team is set under the committee to investigate and identify specific behaviors of academic misconduct.

Chapter Two: Case Acceptance and Investigation

Article 6.

The academic committee is the responsible for the investigation and identification of academic misconduct, and the academic integrity team is in charge of implementation. The secretariat of the academic committee is the accepting institution which accepts reports of academic behaviors of faculty, administrative staff or students from any organization or individual.

If any other institution or individual in this university receives a report of academic misconduct, the report shall be transferred to the accepting institution within 15 working days.

Article 7.

The report shall be submitted in written form with real names. It shall also meet the following requirements:

- 1) The report shall have a specific accused person.
- 2) The report shall contain factual evidence of academic misconduct.
- 3) The report shall have objective evidence materials or clues for investigation.

Anonymous reports are not accepted unless they contain clear facts, sufficient evidence or explicit clues.

Article 8.

For reports that meet the requirements, the accepting institution shall issue a decision of either acceptance or refusal within 30 working days. The person or organization who submits the report shall be informed of the decision. For declined real-name reports, the reporter shall be informed of the refusal with explanations in written form.

Article 9.

Once the report is accepted, it shall be transferred to the academic integrity team within 7 working days. The team could entrust an initial review about the rationality of reports and the feasibility of investigation to the departmental academic committee or relevant specialists. The decision of whether to proceed to a formal investigation shall be made within 30 working days after the acceptance.

If the decision is not to proceed, the accepting institution shall notify the reporter, who may raise an objection within 7 working days after receiving the decision, if new evidence is available. The academic integrity team shall review the new evidence and make the decision within 30 working days. If the objection is considered not tenable, the reporter shall be notified.

Article 10.

For academic misconduct that is associated with Tsinghua University and is publicly reported by the media or revealed by other academic institutions or social organizations, the accepting institution shall submit the report to the academic integrity team for initial review according to these measures.

Article 11.

Once the report proceeds to a formal investigation, the accepting institution shall notify the accused person. If the accused behavior involves a funded project, the funder shall be informed.

Article 12.

The academic integrity team is in charge of organizing investigation team to investigate the accused behavior. The investigation team could be formed directly by the academic integrity team members or by designated people. It may also be formed by the departmental academic committee who has a relevant academic background. The investigation team is in charge of investigating the accused behavior.

The investigation team shall consist of no less than 3 members. It may include designated staff from the disciplinary inspection agency and monitoring agency of Tsinghua University. It may also invite specialists from the related discipline to the investigation or provide academic consultancy.

If the accused behavior involves a funded project, the funder may appoint a relevant professional as a member of the investigation team.

For behaviors that have clear facts and strong evidence, the investigation procedure could be simplified. The identification could be directly made by the academic integrity team or 1-2 disinterested specialists designated by the departmental academic committee.

Article 13.

In order to avert suspicion, the investigation team shall not include those who have a direct stake with either the reporter or the accused person, such as their relatives, supervisors, students or collaborators.

The accepting institution shall inform both the reporter and the accused person of the names and organizations of the investigation team members. If either side believes that certain member shall not be included in the team because of the above-mentioned reason, they may raise an objection within 3 working days after the arrival of the notice.

If the objection is considered tenable, the university academic committee shall change that member and notify both the reporter and the accused person.

Article 14.

The methods of investigation may include literature searching, field investigation, experimental testing, inquiring the witnesses, inquiring the reporter and the accused person, etc. If necessary, the investigation team may entrust disinterested specialists or a third-party professional organization to conduct independent investigation or verification.

Article 15.

During the investigation, the investigation team shall listen carefully to the statement and arguments of the accused person and verify the relevant facts, reasons and evidence. A hearing procedure could be applied if necessary.

Article 16.

The relevant institutions and individuals at Tsinghua University shall provide necessary assistance for the investigation team.

The reporter, the accused person and the witnesses shall answer the enquiries truthfully, cooperate with the investigation and provide the relevant evidence. They must not conceal any information or provide false information.

Article 17.

During the investigation, if there appears to be an intellectual dispute or any other form of legal dispute and such dispute may affect the nature of the accused behavior,

the investigation shall be suspended and shall not be reopened until the dispute is resolved.

Article 18.

The investigation report shall be formed under the condition that all the facts are ascertained. The report shall include the investigation organization, the investigation procedure, the ascertained facts and reasons (including the verification of academic misconduct responsibility and the responsible person), the conclusions, etc. It may also propose the suggested treatment to the responsible person.

If there are multiple responsible persons involved in the misconduct, the report shall differentiate the role of each person in the behavior.

Article 19.

In principle, the formal investigation shall be completed within 3 months. For complicated cases, the investigation period may be extended with the consent of the university academic committee. However, the period usually shall not exceed 3 months.

Article 20.

Those who participate in the investigation or have access to the relevant materials must not reveal the personal information of the reporter and the accused person and the investigation progress to any irrelevant party. The investigation team may demand confidentiality about the investigated facts, the investigation procedure and other related issues from the reporter, the accused person, the witnesses and any other relevant person. If necessary, the team may ask the relevant parties to sign a confidentiality agreement and clarify the confidentiality period.

Chapter three: Decision

Article 21.

The academic integrity team of the university academic committee or the directors' meeting is in charge of reviewing the submitted investigation report and listen to the report of the investigation team if necessary. They shall also decide whether the investigated behavior constitutes academic misconduct as well as the nature and details of the behavior. They may also propose the suggested treatment to the university or relevant departments, if necessary.

Article 22.

Any of the following behaviors in academic research and related activities shall be considered academic misconduct:

Plagiarizing others' academic achievements;

Falsifying others' research findings;

Fabrication of research data, documents, cited literature or annotations or presenting fictional research findings;

Authoring papers or research in which one did not participate, misusing others' authorship without consent, using a fictional name as co-author, or not acknowledging others' contribution in a collaborated research;

Providing false information in applying for new projects, achievements or awards or in reviewing academic positions and degrees;

Purchasing or selling papers; hiring ghost-writers or ghost-writing for someone else.

Other behaviors that are seen as academic misconduct in the regulations of relevant academic organizations or research institutions.

Article 23.

Academic misconduct with any of the following circumstances shall be considered as a serious case:

If the academic misconduct has caused further damage to the community;

If the process includes financial transfer or exchange;

If there is any retaliation against the reporter;

If there is any organizational behavior of academic misconduct;

If one has committed academic misconduct multiple times;

Other cases of academic misconduct that result in further negative impact to the community.

Chapter four: Treatment

Article 24.

Based on the decision of the academic integrity committee or the director's meeting of the university academic committee, the university will impose one or several of following treatment on the responsible person according to the nature of behavior and the circumstance:

Issue a circulated reprimand.

Terminate or revoke the relevant research project and cancel the responsible person's eligibility for application.

Revoke the relevant academic award or honorary titles.

Dismiss the responsible person or terminate the employment contract.

Other forms of treatment specified in related laws and regulations.

Students who commit academic misconduct will receive administrative penalty accordingly.

If the misconduct relates directly to the obtained degree, the degree-conferring unit shall defer or refuse the degree-awarding or revoke the already-awarded degree.

Article 25.

Any treatment of academic misconduct shall come with a written decision, the content of which shall include:

The basic information of the responsible person;

The ascertained facts of academic misconduct;

The suggested treatment and reasons;

The remedial measures and time limits;

Other necessary information.

Article 26.

The written decision shall be delivered to the responsible person who shall sign the return receipt in person. The decision goes into effect after its delivery. If the decision is rejected or undeliverable, the university shall post an announcement on an assigned notice board or website for 15 working days. The decision will be considered as delivered at the end of the announcement period.

Article 27.

If the investigated behavior is not considered as academic misconduct, the accused person may apply to the university for eliminating negative influence.

During the investigation, if the reporter is found providing fabricated information or making a false accusation, the case will be considered as a false report, and the reporter shall take responsibility accordingly. If the reporter is a university employee or student, the treatment shall be imposed according to Article 24. If the reporter does not belong to the university, the case and suggested treatment shall be reported to his/her organization.

Article 28.

If any member who participates in the acceptance, investigation and treatment of the case violates the confidentiality agreement and causes negative influence, the university shall impose a penalty or other forms of treatment based on related regulations.

Chapter five: Review

Article 29.

If the reporter or the person responsible for academic misconduct is dissatisfied with the treatment, they may submit a written application to the executive unit for review within 30 days after receiving the decision.

The review does not affect the implementation of the treatment.

Article 30.

If the applicant is dissatisfied with the decision made by the university academic committee, the executive unit shall transfer the case to the committee for discussion. The university academic committee will decide whether to accept the review application within 15 working days and notify the applicant. If the application is accepted, the committee may form another investigation team or entrust a third-party

organization for investigation, and the review conclusion shall be made within 3 months. If the original decision is changed, the executive unit shall change the treatment accordingly. If the applicant does not object to the committee's decision but is dissatisfied with the treatment, the executive unit shall handle the case according to the relevant regulations.

Article 31.

If the applicant is dissatisfied with the review result and submits another application using the same reasons, the application will not be accepted.

Chapter six: Education, Prevention and Supervision

Article 32.

The university aims to construct and optimize the academic governance system, a scientific and fair system for academic evaluation and development and a just atmosphere which is supportive of innovation and tolerant to failures.

All of the research and teaching faculty members, administrative staff and students shall bear a principle of truthfulness and a rigorous academic attitude. They shall abide by the academic integrity and norms while respecting and protecting others' intellectual property rights and other legal rights.

The teachers are responsible for educating and guiding their students with academic morality and norms. They are also responsible for assessing and reviewing their students' academic integrity in their published works and in writing their dissertations.

Article 33.

The schools and departments in Tsinghua University shall optimize the standards and measures for academic evaluation and guide the researchers and students to focus on their studies and reach innovative achievements. The assessment for academic integrity shall be strengthened in annual assessment, position review, employment, project approval, talent scheme and award recommendation.

Article 34.

The university aims to construct and optimize the educational system for academic integrity. The academic norms and integrity shall be included in the core content of teacher training and student curriculum. The schools and departments shall organize

different forms of education and training, especially for new employees and newly admitted postgraduate students.

Article 35.

The university academic committee shall issue annual reports, which include the development of the academic atmosphere.

Article 36.

For those who conceal the fact or are inefficient in handling academic misconduct, the university or an entrusted organization has the right to investigate.

Article 37.

For those who fail to investigate and penalize academic misconducts leading to negative consequences, the relevant parties shall be liable.

For units who commit organizational academic misconduct for advantage, their rights, projects and other benefits related to the misconduct shall be revoked. The person in charge and the executive person shall be held responsible if necessary.

Chapter seven: Supplementary Articles

Article 38.

Academic misconduct committed by students shall be investigated and handled by the academic office, the graduate school and the office of student affairs.

If the reported behavior involving research achievement or intellectual property, the intellectual property management department shall lead or participate in the investigation and treatment.

The investigation and treatment of academic misconduct in affiliates, agencies and Tsinghua employees working at cooperating organizations shall be conducted according to these measures.

Article 39.

The serious academic misconduct shall be reported to the office of academic integrity, Ministry of Education.

Article 40.

The secretariat of the university academic committee reserves the right of interpretation of these measures.

Article 41.

These measures shall enter into force as of the date of promulgation. The Interim Measures for Handling Academic Misconduct in Tsinghua University (Trial) issued by the 7th administrative meeting of 2003-2004 academic year in December 12th 2003 is abolished simultaneously. Related regulations formulated before that do not accord with the said measures should take these measures as the criterion.