Regulations Governing the Appointment and Promotion of Faculty Members of the Department of Law, National Chung Hsing University

Passed by the Joint Meeting of the Department of Financial and Economic Law and the Institute of Technology Law on July 8, 2010.
Amended (Article 7) by the 9th Department Affairs Meeting on January 14, 2011.
Amended (Article 7) by the 19th Department Affairs Meeting on January 19, 2012.
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Chapter I General Provisions

Article 1 These Regulations are enacted in accordance with Article 33 of the Organizational Charter of National Chung Hsing University (hereinafter referred to as "the University") and relevant laws and regulations.

Article 2 Except as otherwise provided by laws and regulations, the appointment and promotion of faculty members at all levels in the Department of Law (hereinafter referred to as "the Department") shall be conducted in accordance with these Regulations.

Article 3 Newly appointed faculty members of the Department shall be classified, based on the attribute of their quota, as College-allocated quota or University competitive quota. An appointment proposal may only be submitted to the Department Faculty Evaluation Committee (hereinafter referred to as the "Department FEC") for deliberation after obtaining the consent of more than one-half of the Department's faculty members, or the consent of the College-level Selection Committee for Newly Appointed Faculty; for University competitive quota, the consent of the University-level Selection Committee for Newly Appointed Faculty is required. However, outstanding scholars—such as Academicians of Academia Sinica, or recipients of the National Science and Technology Council (NSTC) Outstanding Research Award, Special Research Fellow Award, Ministry of Education (MOE) Academic Award, National Chair Professorship, Foundation for the Advancement of Outstanding Scholarship Outstanding Scholar Chair, Ta-You Wu Memorial Award, Academia Sinica Junior Research Investigators Award, or other domestic or international awards recognizing prominent academic achievements—may be exempt from the Selection Committee for Newly Appointed Faculty. Faculty members appointed by the College

(hereinafter referred to as "College-appointed faculty") shall be handled mutatis mutandis.

External peer review (substantive review) of publications for the new appointment, promotion, and rank reclassification of faculty members shall be conducted by the College. However, outstanding scholars meeting the criteria of Paragraph 1, newly appointed faculty assuming administrative leadership positions at the University, or part-time faculty who already hold a university faculty certificate of the corresponding rank issued by the Ministry of Education may be exempt from external peer review. Guidelines for the submission of publications for review shall be established separately.

Newly appointed faculty members who already hold a faculty certificate of the intended appointment rank issued by the MOE and meet the outstanding scholar criteria of Paragraph 1, or those newly appointed as first-tier administrative heads at the University and approved by a majority vote of the Department Affairs Meeting, may be directly submitted to the University FEC for deliberation through administrative procedures. Additionally, newly appointed part-time faculty holding a faculty certificate of the intended rank, or part-time faculty without a certificate who meet the exemption criteria from external review specified in Paragraph 2, may be submitted to the University FEC for recordation after passing the review of the Department-level and College-level FECs.

The new appointment, rank reclassification, promotion, and extension of service of faculty members shall require the attendance of at least two-thirds of the members of both the Department-level and College-level FECs, and the approval of at least two-thirds of the members present and voting, followed by review and approval pursuant to the Regulations Governing the Establishment of the University Faculty Evaluation Committee, before being submitted to the President for appointment approval. The new appointment, rank reclassification, promotion, and extension of service of College-appointed faculty shall be exempt from Department-level FEC evaluation.

Article 4 If a qualification review for the new appointment, rank reclassification, or promotion of a faculty member reveals a violation of regulations governing faculty qualification review, or if academic achievements outside the qualification review involve serious violations of academic ethics, plagiarism, falsification, alteration, or other misconduct, the case shall be handled in accordance with the "Regulations Governing the Review of Teacher Qualifications at Junior Colleges and Institutions of Higher Education", the "Principles for Handling Teacher Qualification Violations at Junior Colleges and Institutions of Higher Education", the "Regulations Governing the Handling of

Teacher Qualification Violations and Violations of Academic Ethics of National Chung Hsing University", and other relevant regulations.

Where the circumstances referred to in the preceding paragraph violate other laws, the matter shall be handled in accordance with the respective applicable laws.

If an applicant is reported or discovered to be involved in the circumstances set forth in Paragraph 1, the applicant may not apply to withdraw the qualification review case, and the case shall proceed according to standard procedures.

Article 4-1 Legal research articles shall comply with the Standards for Recognizing Academic Publications of Faculty Members of the College, and the provisions of the "Evaluation Standards and Guidelines for Submission of Publications for Appointment and Promotion of Faculty Members of the Department of Law, National Chung Hsing University" (hereinafter referred to as the "Department Submission Guidelines").

The term "legal research articles" as used in these Regulations refers to original scholarly law articles (*original articles*), excluding literature reviews/surveys (*reviews*), technical or research project reports (*reports*), or correspondence/commentary pieces (*letters*).

The term "individual academic monograph in the field of law" as used in these Regulations refers to an academic monograph that is neither a textbook nor a collection of essays/collected papers, and satisfies all of the following requirements:

1. Solely authored by the applicant and published or issued by a domestic or foreign academic publishing or issuing entity, explicitly indicating the author's name, publisher's name, publication date and location, and publisher registration/ISBN number.
2. Accompanied by review opinions from at least two peer reviewers provided by the publishing or issuing entity.
3. Recommended by the Department FEC at least two months prior to applying for promotion to undergo anonymous peer review by two external outstanding scholars, and evaluated as possessing an academic standard equivalent to Category 1 legal research articles as stipulated in the Department Submission Guidelines.

The term "pedagogical publication" as used in these Regulations refers to an original journal article (*original article*) that is consistent with the nature of the

law subject taught and published in a Taiwan Social Sciences Citation Index (TSSCI) core journal in the education discipline with a double-blind peer review system involving at least two reviewers, excluding literature reviews (*reviews*), technical or research project reports (*reports*), or correspondence/commentary pieces (*letters*).

Chapter II New Appointments

Article 5 New appointments of faculty members shall be conducted within the allocated faculty quota.

For new faculty appointment cases in the Department, one alternate candidate may be submitted to the College-level and University-level FECs for review and approval; if the alternate candidate is not appointed by August 1 or February 1, the alternate status shall be forfeited.

The appointment of part-time faculty by the Department shall be limited to appointing two part-time faculty members per full-time faculty vacancy, or part-time faculty members with up to 18 teaching hours per academic year. However, part-time faculty appointed using self-raised funds shall not count toward the full-time faculty vacancy quota.

Article 6 Recruitment information for new faculty appointment cases shall be published in mass media or academic publications, with an application period of at least two weeks. Those coming to the University to serve in administrative leadership positions may be exempt from the public recruitment procedure.

If the highest degree of a candidate for a full-time tenure-track/budgeted position was conferred by the University, the candidate must have at least two years of full-time teaching, research, professional, or occupational experience related to their field of study in other public or private institutions after obtaining the degree. However, candidates with exceptional expertise or outstanding performance who are approved by the FECs at all levels shall not be subject to this restriction.

Article 7 A newly appointed full-time Assistant Professor must possess a Ph.D. dissertation in law prior to submission, or at least one Category 1 legal research article published within five years prior to submission as stipulated in the Department Submission Guidelines.

A newly appointed full-time Associate Professor or higher rank faculty member must possess at least two Category 1 legal research articles published after acquiring the teacher certificate of the preceding rank as stipulated in the Department Submission Guidelines. However, the representative publication must have been published within five years prior to submission.

Chapter III Promotion

Article 8 Full-time faculty members of the Department shall select their promotion track based on their professional development orientation:

1. **Academic Track**: Focuses primarily on original legal research articles or individual academic monographs in the field of law.
2. **Teaching Track**: Faculty members who have been awarded University-level Distinguished Teaching Awards, possess outstanding teaching practice or innovative outcomes, or have demonstrated concrete R&D outcomes in curriculum, instructional materials, teaching methods, teaching aids, application of technology media, or assessment tools that effectively enhance student learning outcomes or make significant concrete contributions through campus-wide or external dissemination, may submit pedagogical publications aligned with the nature of the taught law subject as representative works for promotion.

Faculty members applying for promotion shall prepare the following documentation within the application deadline set by the Department, bind them into volumes according to the respective categories and the cover and format specified by the University, and submit them to the Department Office for promotion review. Applications that are not submitted within the deadline, are incomplete, or fail to be compiled and bound as required shall not be accepted by the Department:

- **(1) Research**: Five sets each of representative publications, reference publications, and supporting reference materials complying with these Regulations and the Department Submission Guidelines (cover and binding formats must conform to the Personnel Office guidelines), along with all documents and materials specified by these Regulations and the Department Submission Guidelines. If representative or reference publications have not yet been published at the time of application, proof of acceptance for publication issued by the publisher or issuing entity must be attached.
- **(2) Teaching**: Teaching-related materials for courses taught at the University after acquiring the teacher certificate of the preceding rank as specified in the Department Submission Guidelines.
- **(3) Service and Cooperation**: Materials regarding service and cooperation activities conducted inside and outside the University after acquiring the teacher certificate of the preceding rank as specified in the Department Submission Guidelines.

Qualifications for Promotion from Assistant Professor to Associate Professor:

An Assistant Professor applying for promotion to Associate Professor must satisfy the following provisions:

1. Must have served as an Assistant Professor for at least three years, demonstrated excellent performance in research, teaching, and service/cooperation, satisfied the standards for promotion eligibility in the Department Submission Guidelines, and possessed specialized publications as specified in Item 2.
2. Must possess at least five specialized publications (including representative publications and reference publications):
    - **(1) Academic Track Applicants**: Among the five specialized publications, at least two must be Category 1 legal research articles as specified in the Department Submission Guidelines, and at least three must be Category 1 to Category 4 legal research articles; or one individual academic monograph in law plus at least three Category 1 to Category 4 legal research articles. Unless otherwise provided in the Department Submission Guidelines, the representative publication must have been published during the applicant's tenure at the University within five years prior to submission and after acquiring the teacher certificate of the preceding rank.
    - **(2) Teaching Track Applicants**: Among the five specialized publications, at least two must be pedagogical publications as defined in Article 4-1, at least one must be a Category 1 legal research article as specified in the Department Submission Guidelines, and at least two must be Category 1 to Category 4 legal research articles. The representative publication must include at least one pedagogical publication defined in Article 4-1. Unless otherwise provided in the Department Submission Guidelines, the representative publication must have been published during the applicant's tenure at the University within five years prior to submission and after acquiring the teacher certificate of the preceding rank.
3. The representative publication must be sole-authored by the applicant. Unless otherwise provided in the Department Submission Guidelines, review opinions from at least two peer reviewers under a double-blind system provided by the publishing or issuing entity must be attached.

4. Reference publications may be sole-authored or co-authored with others. Unless otherwise provided in the Department Submission Guidelines, review opinions from at least two peer reviewers under a double-blind system provided by the publishing or issuing entity must be attached. For co-authored reference publications, the applicant must be the first author or corresponding author, and the applicant must submit the form prescribed by the Department Submission Guidelines detailing each co-author's contribution content, contribution percentage, along with the original written consent signed by all co-authors; the number of publications shall be calculated proportionally based on the contribution percentage.

Qualifications for Promotion from Associate Professor to Professor:

An Associate Professor applying for promotion to Professor must satisfy the following provisions:

1. Must have served as an Associate Professor for at least three years, demonstrated excellent performance in research, teaching, and service/cooperation, satisfied the standards for promotion eligibility in the Department Submission Guidelines, and possessed specialized publications as specified in Item 2.
2. Must possess at least seven specialized publications (including representative publications and reference publications):
    - **(1) Academic Track Applicants**: Among the seven specialized publications, at least two must be Category 1 legal research articles as specified in the Department Submission Guidelines, and at least five must be Category 1 to Category 4 legal research articles; or one individual academic monograph in law plus at least four Category 1 to Category 4 legal research articles. Unless otherwise provided in the Department Submission Guidelines, the representative publication must have been published during the applicant's tenure at the University within five years prior to submission and after acquiring the teacher certificate of the preceding rank.
    - **(2) Teaching Track Applicants**: Among the seven specialized publications, at least two must be pedagogical publications as defined in Article 4-1, at least one must be a Category 1 legal research article as specified in the Department Submission Guidelines, and at least four must be Category 1 to Category 4 legal research articles. The representative publication must include

at least one pedagogical publication defined in Article 4-1. Unless otherwise provided in the Department Submission Guidelines, the representative publication must have been published during the applicant's tenure at the University within five years prior to submission and after acquiring the teacher certificate of the preceding rank.

3. The representative publication must be sole-authored by the applicant. Unless otherwise provided in the Department Submission Guidelines, review opinions from at least two peer reviewers under a double-blind system must be attached.
4. Reference publications may be sole-authored or co-authored with others. Unless otherwise provided in the Department Submission Guidelines, review opinions from at least two peer reviewers under a double-blind system provided by the publishing or issuing entity must be attached. For co-authored reference publications, the applicant must be the first author or corresponding author, and the applicant must submit the form prescribed by the Department Submission Guidelines detailing each co-author's contribution content, contribution percentage, along with the original written consent signed by all co-authors; the number of publications shall be calculated proportionally based on the contribution percentage.

Article 9

In principle, seniority for faculty promotion shall be calculated based on teaching experience at the University. Seniority earned from teaching at other universities may be partially recognized upon approval by the FEC. For faculty members who retain salary or leave without pay, or are on approved temporary transfer/secondment but continue to teach at the University, their seniority accrued during the leave with or without pay shall be calculated at half rate, up to a maximum of one year toward promotion. Seniority during temporary transfer/secondment may be counted up to a maximum of two years; periods without teaching responsibilities shall not be counted.

For faculty taking leave without pay to conduct substantive teaching at sister universities under dual-degree programs, such period may be counted at half rate toward promotion seniority up to a maximum of one year, subject to review and confirmation by the Office of Academic Affairs in conjunction with the Office of International Affairs, without being restricted by the preceding paragraph's requirement of continuing to teach at the University.

The calculation of seniority shall be benchmarked to the date when the promotion takes effect.

Article 10 Faculty members of the Department who leave with salary or without pay for more than six months during the given academic year, or who are about to be absent/depart from the University for six months or more, shall not apply for promotion. The same applies to College-appointed faculty.

Article 11 The promotion of faculty members shall follow the procedures set forth in Article 3 to review their performance in teaching, research, and service/cooperation. The evaluation standards for each review item shall be established by the Department Submission Guidelines.

Article 12 Promotion qualifications for part-time faculty members of all ranks shall be handled *mutatis mutandis* in accordance with those for full-time faculty members, except that teaching seniority shall be calculated at half rate.

Chapter IV Rank Reclassification

Article 13 Newly appointed Lecturers in the Department who hold a Ph.D. degree may apply for rank reclassification to Assistant Professor after one year of service; provided, however, that they may not apply for reclassification using their doctoral dissertation or identical publications.

Article 14 In-service personnel who obtained Lecturer or Teaching Assistant certificates prior to the implementation of the amended Statute Governing the Appointment of Educators on March 19, 1997 (R.O.C.) and have continued teaching without interruption may, upon acquiring a doctoral or master's degree, apply for reclassification to Associate Professor or Lecturer pursuant to the University's former Regulations Governing Appointment and Promotion (approved by the 31st University Affairs Meeting).

If a Lecturer's application for reclassification to Associate Professor under the preceding paragraph fails to pass review, the applicant may apply for reclassification to Assistant Professor. Once approved for reclassification to Assistant Professor, the applicant may not apply again for reclassification to Associate Professor using the same degree dissertation or identical publications.

Article 15 Faculty members who obtain a higher-rank teacher certificate issued by the MOE and have specialized publications within the past three years may be reclassified to the higher rank, and their publications may be exempt from external peer review. However, full-time faculty newly appointed on or after February 1, 2014 who apply for reclassification shall still undergo external peer review of publications.

The teaching seniority of full-time faculty earned at a rank equivalent to the reclassified rank prior to reclassification shall not be combined into seniority for future promotion. Publications used prior to reclassification may not be reused for future promotion.

Article 16 Faculty members of the Department who leave with salary or without pay for more than six months during the given academic year, or who are about to be absent/depart from the University for six months or more, shall not apply for rank reclassification. The same applies to College-appointed faculty.

Chapter V Supplementary Provisions

Article 17 Cases regarding new appointment, promotion, and rank reclassification of faculty members shall have external peer reviews conducted by the College. The Department-level and College-level FECs shall conduct evaluations at each level with reference to external review results. Upon passing each level sequentially, the original case file shall be delivered to the Personnel Office no later than the submission deadline set by the University; late submissions shall not be accepted. However, cases submitted under special projects pursuant to Article 8 of the Regulations Governing the Establishment of the University Faculty Evaluation Committee shall not be subject to this restriction. College-appointed faculty shall be exempt from Department-level FEC evaluation.

When reviewing publications and research articles, the Department FEC shall detailedly record the evaluation process, including questions raised by FEC members regarding candidates for promotion or reclassification and the candidates' explanations. The records shall be submitted to higher-level FECs for reference.

Cases for extension of service shall be submitted to the Personnel Office prior to the deadline set by the University.

Article 18 Part-time faculty members who have taught at the University for two semesters, teaching at least two credits per semester, and who are currently teaching at the University in the semester of application submission, may undergo faculty qualification review after deliberation and approval by the Department-level, College-level, and University-level FECs.

However, candidates submitting for Lecturer qualification review must possess specialized publications other than their degree dissertation.

Article 19 Written notification of the outcome of faculty evaluation meetings at all levels shall be provided to the party concerned within seven days after the conclusion of the meeting.

If a faculty member considers that there was procedural flaw or oversight regarding a non-promotion or non-reclassification decision, the faculty member may file an appeal within 30 days upon receiving the notification of the review result from the FEC at any level, in accordance with the "National Chung Hsing University Directives for the Organization and Deliberation of the Faculty Grievances Committee". If an academic unit considers that there was procedural flaw regarding a non-extension of service decision for a faculty member, the academic unit shall file an appeal jointly with the faculty member; the faculty member personally may not demand to initiate the appeal independently.

If the appellant is dissatisfied with the decision of the University Faculty Grievances Committee, a re-appeal may be filed with the Central Faculty Grievances Committee of the Ministry of Education.

Where a faculty member files for administrative relief due to failing promotion or reclassification review, and the grievance handling body or other relief authority requests the University to handle the matter according to relevant laws and regulations, if the matter remains unhandled for over two months and is determined unlawful again by the same grievance handling or relief authority, the FEC of the next higher rank may proceed with the case in accordance with regulations starting from the stage where the case should be re-processed.

Article 20 The renewal of appointment for full-time faculty members shall be deliberated by the Department FEC, after which the roster shall be submitted to the Personnel Office to request approval from the President. Cases involving dismissal, suspension, non-renewal, or severance shall be handled in accordance with the procedures stipulated in the Teachers' Act. Dismissal, suspension, non-renewal, and severance of College-appointed faculty shall be exempt from Department FEC deliberation.

The renewal of appointment for part-time faculty members shall require the attendance of at least two-thirds of the members of the Department FEC and approval by at least two-thirds of the members present and voting before proceeding through administrative procedures. A former full-time faculty member transferring to part-time faculty status must be approved by at least two-thirds attendance and more than one-half consent of the voting members of the Department FEC before proceeding through administrative procedures, and the same shall apply to subsequent renewals. Part-time faculty members who have

not taught at the University for two consecutive years shall follow new appointment procedures upon re-appointment.

Applications by full-time faculty members of the Department for transfer of appointment shall be handled in accordance with the "National Chung Hsing University Directions for Transfer of Full-time Faculty Appointments".

Article 21 (Deleted)

Article 22 Matters concerning faculty qualification review not fully provided for in these Regulations shall be handled in accordance with the "Regulations Governing the Review of Teacher Qualifications at Junior Colleges and Institutions of Higher Education", the "Principles for Handling Teacher Qualification Violations at Junior Colleges and Institutions of Higher Education", and relevant regulations of the University and the College of Law and Politics.

Article 23 These Regulations shall take effect upon approval by the Department Affairs Meeting and submission to the Dean for approval; the same shall apply to any amendments hereto.

In case of any dispute, the explanation should be based on the Chinese version.