

國立中山大學全校性研究獎助生之要件及分流基本規範

Guidelines on Handling Subsidies for Student's

Research Learning Activities

111 年 10 月 19 日 本校 111 學年度第 1 學期第 4 次行政會會議通過

Approved at the 4th Executive Meeting on October 19 2022

- 一、國立中山大學（以下簡稱本校）為培育具潛力之學士、碩博士生具備研究、溝通、領導等實務能力，並提供學生經由擔任研究獎助生接受指導教授/授課教師/計畫主持人指導，獲得研究實習之成長經驗，提高學生學習成效，並培養其研究能力，亦兼顧保障研究獎助生之學習權益，依據教育部頒「專科以上學校獎助生權益保障指導原則」、「國立中山大學研究獎助生作業要點」及「國立中山大學研究獎助生關係審查委員會設置要點」，訂定本基本規範。

I. These guidelines are formulated in accordance with the MOE's *Principles for the Protection of Subsidized Students' Rights and Interests at Higher Education Institutions* and the University's *Guidelines on Subsidizing Students for Participating in Research Learning Activities* and *Guidelines on the Establishment of Research Learning Activity Bilateral Relationship Review Committee*, in order to cultivate undergraduate and graduate students' practical skills in research, communication, and leadership by participating in research learning activities under the guidance of their research advisor/teaching faculty/principal investigator (PI) to obtain hands-on research experiences and enhance their learning effectiveness. The University shall also safeguard rights and interests of the students.

- 二、本校研究獎助生，指獲研究獎助之學生為發表論文或符合畢業條件，於其修業期間參與與自身研究相關之研究計畫或修習研究課程，在接受指導教授/授課教師/計畫主持人之指導下，協助相關研究執行，學習並實習研究實務，以提升研究能力及發展研究成果為目的者。

II. Students who receive a subsidy for participating in research learning activities refer to those who publish papers, participate in projects, or take courses related to their research during their period of studies. They shall be guided by their research advisor/teaching faculty/PI to assist in certain relevant research and learn from research practices, with the aim of enhancing their research capacity and research results.

三、本校各系所、計畫執行單位或教師於進用研究獎助生前，應循校內行政程序

並檢附下列書面合意資料，以辦理關係認定：

III. Before students participate in research learning activities, individual departments/institutes or faculty conducting research projects shall follow proper procedures to submit the following agreement documentation to determine the bilateral relationship:

(一)國立中山大學研究獎助生關係型態確認單。

(1) a form of determining a bilateral relationship in research learning activities,

(二)論文/研究學習指導實施計畫(含附件之評量表)。

(2) a guidance plan for thesis/dissertation or research learning activities (including an assessment form), and

(三)學術研究倫理教育課程修習或研習證明(至少 6 小時)。

(3) a proof of the completion of Academic Research Ethics Course (at least 6 hours).

四、外校學生之關係認定是否屬於研究獎助生由其就讀學校認定，其提交之書面

合意資料應經三方(外校學生、就讀學校及本校之指導教授/授課教師/計畫主持人)同意後共同簽署。

IV. The enrollment status of non-NSYSU students shall be verified and provided by their university. The agreement documentation shall be jointly signed by the three parties, including the students, their university and their research advisor/teaching

faculty/PI of the University.

五、研究獎助生參與研究學習計畫類型包括：

V. The types of research learning activities herein shall include:

(一)實習課程。

(1) an internship course

(二)田野調查課程。

(2) a fieldwork course

(三)實驗研究、調查分析、搜集與整理資料、文獻探討。

(3) an experimental research, investigation & analysis, data collection & compilation, and literature review

(四)學習撰寫研究報告、研究論文或畢業論文指導相關課程。

(4) courses related to writing research reports/papers or guidelines of writing thesis/dissertation

(五)其他與研究相關之學習活動等。

(5) other research-related learning activities

六、研究獎助生參與前開學習活動期間，得因研究學習支領獎助學金或必要之研究或實習津貼或補助，惟研究獎助生知悉並同意並非僱傭關係，本校及指導教師對其並不負有辦理勞工保險及全民健康保險之義務。

VI. During the research learning activities stipulated in the preceding Article, students may receive a subsidy for research learning, or an allowance/stipend for necessary research or internship. However, the students shall understand that they are not considered as an employee. Therefore, the University and the faculty shall bear no obligation to provide the students with Labor Insurance and National Health

Insurance.

七、本校針對研究獎助生從事研究學習活動期間，除原有學生團體保險外，應參照勞動基準法規定職業災害補償額度以加保商業保險方式增加研究獎助生活保障範圍，並由學校編列經費或以研究計畫相關經費支應。

VII. When students participate in research learning activities, the University shall cover them with a business insurance for possible occupational accidents in accordance with the Labor Standards Act, in addition to their student group insurance. The premium shall be paid out from the University or related research projects.

八、外校學生擔任本校研究獎助生之商業保險費用由本校之指導教授/授課教師/計畫主持人相關計畫項下支應。

VIII. The premium of a business insurance for non-NSYSU students shall be paid out from relevant research projects of the University's research advisor/faculty/PI.

九、本校研究獎助生支領費用依據「國家科學及技術委員會補助專題研究計畫助理人員約用注意事項」及「教育部補助及委辦計畫經費編列基準表」規定辦理。如計畫另有規定者，依其規定辦理。

IX. Students shall receive the subsidy in accordance with the NSTC's *Notes for Subsidizing Research Project Assistant* and the MOE's *Standard Table for Budget Allocation of the MOE Subsidized or Commissioned Projects*, unless otherwise stipulated by the provisions of the research project.

十、學生擔任研究獎助生期間，學生或指導教授/授課教師/計畫主持人任何一方因故欲中途修改論文/研究學習指導實施計畫內容，需經雙方同意後親筆簽署「中途修改同意書」，各自留存 1 份，並上傳至兼任助理系統備查。

X. During research learning activities, if either the student or the research advisor/teaching faculty/PI intends to modify the content of

thesis/dissertation/research learning activities, both parties shall mutually consent and sign the Agreement on Changes to the Content of Research Learning Activities. Each party shall keep one copy of the signed agreement, with a soft copy uploaded to the System of Part-time Assistants for reference.

十一、指導教授/授課教師/計畫主持人與研究獎助生間，應就相關研究成果著作權之歸屬及權利行使方式等事項，事先達成協議或簽訂契約。

XI. Before the student joins a research project, the research advisor/teaching faculty/PI and the student shall reach an agreement or sign a contract regarding the copyright ownership and the derived proceeds.

十二、研究獎助生於學習活動之相關研究成果歸屬，其認定如下：

XII. The ownership of research results shall be determined as follows:

(一)因受政府機關補助、出資、委託或以本校校務基金編列預算執行科學技術研究發展或產學合作產出之成果，除本校與第三方另有約定其成果歸屬依該約定外，財產權歸屬本校或政府機關所有，人格權歸屬創作人。

(1) Regarding the ownership of research results from research projects or industry-academia collaboration either subsidized/funded/commissioned by government agencies or sponsored by the University's Endowment Fund, the property right shall be reserved for the University or the government agencies and the moral rights for the researchers, unless otherwise agreed upon separately by both the University and the third party.

(二)研究獎助生在校期間所完成之報告或碩、博士學生所撰寫之論文，如指導教授/授課教師/計畫主持人僅為觀念指導，並未參與內容表達之撰寫，而係由研究獎助生自己撰寫報告或論文內容，依著作權法規定，研究獎助生為該報告或論文之著作人，並於論文完成時，即享有著作權（包括著作人格權及著作財產權）。

- (2) If a research report or a thesis/dissertation is written by the student during the period of studies and the research advisor/teaching faculty/ PI only provides conceptual guidance without participation in the writing, the student shall be the author and be entitled to the copyright (including both moral right and property right) in accordance with the *Copyright Act*.

(三)前項報告或論文，指導教授/授課教師/計畫主持人不僅為觀念之指導，且參與內容之表達而與研究獎助生共同完成報告或論文，且各人之創作，不能分離利用者，為共同著作，研究獎助生及指導教授/授課教師/計畫主持人為報告或論文之共同著作人，共同享有著作權，其共同著作權（包括著作財產權及著作人格權）之行使，應經研究獎助生及指導之教師之共同同意後，始得為之。

- (3) If the research advisor/teaching faculty/PI not only provides conceptual guidance but also participates in writing the aforementioned research report or thesis/dissertation, both parties shall be deemed the co-authors and entitled to the copyright (including both moral right and property right). Matters regarding the copyright ownership and the derived proceeds shall be addressed after both parties reach an agreement.

(四)研究獎助生於學習活動之相關研究成果之專利權歸屬，依專利法第五條第二項規定，研究獎助生自身為發明人、新型創作人、設計人之情形，對其所得之研究成果享有專利申請權，得依同條第一項規定向專利專責機關申請專利。但他人（如指導之教師）如對論文研究成果之產出有實質貢獻，該他人亦有被認定為共同發明人之可能。

- (4) The ownership of patent right resulting from a student's research learning activity shall be determined in accordance with Paragraph 2 of Article 5 of *the Patent Law*. If the student is the inventor, creator of utility model, or designer, he/she shall be entitled to apply for a patent from a competent

authority in accordance with Paragraph 1 of Article 5 of *the Patent Law*. However, if another individual (such as the research advisor) also makes concrete contribution to the research result, he/she may be deemed the co-inventor.

十三、研究獎助生權益、分流爭議處理及其他未盡事宜，依教育部「專科以上學校獎助生權益保障指導原則」、本校「學生兼任助理學習與勞動權益保障處理要點」及研究獎助生相關辦法辦理。

XIII. Matters not covered herein regarding the rights and interests of subsidized students as well as any dispute settlement shall be handled in accordance with the MOE's *Principles for the Protection of Subsidized Students' Rights and Interests at Higher Education Institutions* and the University's *Guidelines on Protecting Rights and Interests of Students as Part-time Assistants During Learning and Labor Work* and other relevant regulations.

十四、本基本規範經本校研究獎助生關係審查委員會通過後實施，修正時亦同。

XIV. These guidelines are approved by Research Learning Activity Bilateral Relationship Review Committee before implementation. Amendment to these guidelines shall follow the same procedure.