

# 義守大學研究生助學金實施辦法

91年9月10日修訂通過

100年10月31日校長核定公告修正全文

106年7月24日校長核定公告修正全文

第一條 為補助義守大學(以下簡稱本校)碩、博士班研究生擔任研究獎助生以協助從事各系所學習範疇之研究工作並保障其權益，依教育部頒訂「專科以上學校獎助生權益保障指導原則」規定，特訂定本辦法。

第二條 本校研究獎助生助學金(以下簡稱助學金)經費來源分為學校自籌及教育部補助二部分，其中學校自籌款由學生事務處(以下簡稱學務處)編列。

第三條 本辦法所稱研究獎助生，指獲研究獎助之學生為發表論文或符合畢業條件，參與與自身研究相關之研究計畫或修習研究課程，在接受教師之指導下，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。

第四條 研究獎助生參與以學習為主要目的及範疇之「課程學習」研究活動，非屬於有對價之僱傭關係，其範疇如下：

- 一、指為課程、論文研究之一部分，或為畢業之條件。
- 二、前課程或論文研究或畢業條件，係本校依大學法授權自主規範，包括實習課程、田野調查課程、實驗研究或其他學習活動。
- 三、該課程、論文研究或畢業條件應一體適用於本國學生、外國學生、僑生、港澳生或大陸地區學生。
- 四、符合前三款條件，未有學習活動以外之勞務提供或工作事實者。

屬研究獎助生範疇之學習活動，應符合下列原則：

- 一、該學習活動，應與前項所定範疇有直接相關性為主要目的，並於授課或指導教師之指導下，經研究獎助生個人與指導教師同意為之。

- 二、研究獎助生所屬各系所應有明確對應之課程、實習活動、論文研究指導等，並就其相關學習準則、評量方式、學分或畢業條件採計及補助方式等予以明定且公告之。
- 三、教師應有指導研究獎助生學習專業知識之行為。
- 四、研究獎助生參與前開學習活動期間，得因學習活動支領助學金。
- 五、研究獎助生參與學習活動，其權益保障或相關保險，應依大學法、學位授予法及相關法規規定辦理，並於本校學生相關章則中規範。

第五條 助學金申請資格及核發規定如下：

- 一、申請資格：具本校正式學籍之在學研究生。
- 二、申請時程：每學期申請一次，研究生應於每學期開學後，依公告向各系所辦理申請，每位研究獎助生以補助單一課程學習為限。
- 三、核發規定：
  - (一) 由各系所核定助學金，碩士班研究生每人每學期申領上限為新臺幣(以下同)二萬元、博士班研究生二萬八千元。
  - (二) 請領程序：助學金由各系所彙整請領明細表，於規定時限內逕送學務處辦理。
  - (三) 依據研究獎助生該學期之學習成效，於學期中及學期末分別核發助學金。
- 四、經費來源：以教育部補助款為主要經費來源，不足部分由學校自籌款支應。其預算金額依各系所研究生(含在職生)人數比例平均分配。(分配比例：碩士班八位在職生相當於一位一般生)
- 五、研究生於擔任研究獎助生期間，若有違反本校相關規定者，得經系所務會議撤銷其補助。
- 六、助學金之申請方式及審查標準等相關細則，由各系所

務會議訂定，並送各學院彙整審查後，陳校長核定後實施。

第六條 研究獎助生於學習活動之相關研究成果著作權之歸屬，其認定如下：

- 一、研究獎助生在校期間所完成之報告或所撰寫之論文，如指導之教授僅為觀念指導，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）。
- 二、前款報告或論文，指導之教授不僅為觀念之指導，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，研究獎助生及指導之教授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授之共同同意後，始得為之。
- 三、研究獎助生與指導之教授間，應事先就相關研究成果著作權之歸屬及事後權利行使方式等事項，達成協議或簽訂契約。
- 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（如指導之教授）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。

第七條 研究獎助生對於學習活動之措施或處置，認為違法或 不當，致損害其權利或利益者，得依本校「學生申訴處理辦法」規定提出申訴。

研究獎助生提出申訴前，應由所屬系所先行協調處理，並向學務處提出書面說明。

第八條 本辦法如有未盡事宜，悉依教育部及本校等相關規定辦理。

第九條 本辦法經校務會議審議通過，陳請校長核定後自公告日實施。

# Regulations for Postgraduate Scholarships at I-Shou University

Amendments adopted on September 10, 2002

Amendments to the Regulations ratified and promulgated  
by the President on October 31, 2011

Amendments to the Regulations ratified and promulgated  
by the President on July 24, 2017

- Article 1 The Regulations for Postgraduate Scholarships at I-Shou University (hereinafter referred to as “the Regulations”) are made pursuant to the Regulations Governing the Protection of Rights of Students Receiving Scholarships at Institutions of Higher Education promulgated by the Ministry of Education with the aim of granting scholarships to master’s and PhD students at I-Shou University (hereinafter referred to as “the University”) who assist departments with research as well as protecting their rights.
- Article 2 There are two sources of funding for the postgraduate scholarships mentioned herein: self-provided fund and subsidies from the Ministry of Education, and the self-provide fund is budgeted by the Office of Student Affairs.
- Article 3 Postgraduates receiving scholarships (hereinafter referred to as “postgraduate recipient”) herein mentioned are those who take part in research projects related to their areas of expertise or take research-related courses in order to publish a thesis/dissertation or to satisfy the graduation requirements. With the instructions of their supervisors, they assist in conducting research and learn and get practical experiences on research with an eye to improving their research skills and producing research results.
- Article 4 Postgraduate recipients shall take part in learning-oriented research activities specified within the following scope instead of payment-oriented activities:
1. The activities are part of a course(s) or the thesis/dissertation research, or one of the graduation requirements.
  2. The activities include internships, field research, experiments or other learning activities arranged by the University based on the autonomy authorized by the University Act.
  3. The activities or the graduation requirements shall be equally applicable to domestic students, international students, overseas Chinese students, and students from Hong Kong, Macau and China.
  4. The activities shall meet all of the aforesaid requirements and the aim is

learning only.

Learning-oriented activities shall adhere to the following principles:

1. The activity shall be directly related to the aforesaid scope and can only be carried out under the instructions of the course instructor or supervisor with the approval of the postgraduate recipient and the supervisor.
2. The department of the postgraduate recipient shall offer corresponding courses, practicums, and thesis/dissertation instructions, and announce relevant learning rules, assessment methods, the recognition of credits or graduation requirements, and subsidies.
3. The instructor or supervisor shall give instructions to the postgraduate recipient on gaining professional knowledge.
4. The postgraduate recipient may receive scholarships for taking part in the aforesaid learning-oriented activities.
5. When the postgraduate recipient takes part in learning-oriented activities, the protection of rights and related insurances shall be subject to the University Act, the Degree Conferral Law and other applicable laws, and the University shall specify the applicable rules in student-related regulations and rules.

#### Article 5

Application Requirements and Approval Criteria:

1. **Qualification Requirement:** Postgraduates who are currently enrolled at the University.
2. **Application Time:** Postgraduates shall file an application to the department after the first day of school every semester. Each postgraduate can apply once every semester for one course only.
3. **Approval Criteria:**
  - a. The scholarship shall be approved and granted by departments. Master's students may be granted up to NT\$20,000 every semester, and PhD students may be granted up to NT\$28,000 every semester.
  - b. **Procedure:** Each department shall compile the applicant list and submit it to the Office of Student Affairs within the prescribed time.
  - c. The scholarship will be granted during the semester and at the end of the semester based on the postgraduate recipient's learning outcomes during the semester.
4. **Sources of Funding:** The subsidies from the Ministry of Education is the main source of funding, and the difference shall be paid with the self-provided fund. The budget amount shall be allotted based on the proportion of postgraduates (including in-service postgraduates) of each department. (Eight in-service

master's students are equal to one daytime master's student.)

5. If any postgraduate recipient has violated relevant regulations or rules of the University, he/she will be suspended from receiving the scholarship by the Departmental Affairs Council.
6. Details about application methods and approval criteria shall become effective after being made by the Departmental Affairs Council, reviewed by the college, and ratified by the President.

Article 6

The copyright of the research achievements obtained during learning-oriented activities shall be handled according to the following rules:

1. Pursuant to the Copyright Act, the copyright (including moral rights and economic rights) of the research report or the thesis/dissertation shall belong to the postgraduate recipient, provided that such report or thesis/dissertation has been completed by the postgraduate recipient along with conceptual guidance given by the instructor or supervisor.
2. The copyright (including moral rights and economic rights) of the research report or the thesis/dissertation shall belong to the postgraduate recipient and the instructor/supervisor, provided that such report or thesis/dissertation has been jointly completed and cannot be separately exploited. The joint copyright cannot be utilized until the approval of the postgraduate recipient and the instructor/supervisor has been obtained.
3. In terms of the ownership and utilization of the copyright, the postgraduate recipient and the instructor/supervisor shall make an agreement or sign a contract in advance.
4. Pursuant to Paragraph 2 of Article 5 of the Patent Act, the postgraduate recipient has the right to apply for a patent pursuant to Paragraph 1 of the same article if he/she is the inventor, the utility model creator, or the designer of the research achievement. Notwithstanding the foregoing, another person (e.g., the instructor or supervisor) may be recognized as a joint inventor if he/she has significant contributions to the research achievement.

Article 7

Postgraduate recipients may put forward an appeal pursuant to the Regulations for Handling Students' Grievances by I-Shou University if they consider any measure or act illegal or inappropriate and their rights or interests are infringed.

Before an appeal is put forward, the postgraduate recipient shall negotiate with his/her department and submit an explanation in writing to the Office of Student Affairs.

Article 8

Any matter not mentioned herein shall be subject to the applicable regulations and

rules of the Ministry of Education and the University.

Article 9        The Regulations become effective on the third day of promulgation after being adopted by the University Council and ratified by the President.

*Note: In the event of any disputes or misunderstanding as to the interpretation of the language or terms of these Regulations, the Chinese language version shall prevail.*