

Regulations for Handling Students' Grievances by National Changhua University of Education

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Article 1 The Regulations was formulated pursuant to Paragraph 4,Article 33of University Lawas well as MOE's "University and College Student Appeals Procedural Guidelines" to establish a grievance system for handling students' appeals in order to protect student's rights of study, living and education as well as to build a harmonious campus.

Article 2 Any students of our school (undergraduates, postgraduates and students of College of Extension Education are included), the Students' Union or any student self-governing organizations (hereinafter referred to as the complainant)shall file an appeal if their rights or interests are infringed by the punishments, measures or resolutions made by the University that are considered illegal or inappropriate.

The aforementioned student is referred to those holding a valid student status when they are punished or infringed by the measure or resolution made by the University.

Article 3 Student Appellate Committee (hereinafter referred to as the Committee) is established to deal with appeals filed by students.

Article 4 The organizational structure and rules of the Committee are set as follows:

A. The Committee comprises several members appointed by the President, including administrative supervisor representatives, instructor representatives and student representatives. The number of the instructors who are not serving as administrative personnel shall not less than half of the total number of Committee members. The number of member for either gender shall be more than one third of the total number of Committee members.

- 1) Administrative supervisor representatives: four members include Chief Secretary, Dean of General Affairs, Dean of Research and Development and Director of General Education Center.
- 2) Instructor representatives: Two instructors without serving as administrative personnel are selected by each academic department. A one-year term is renewable if they are selected again.
- 3) Student representatives: one representative for Students' Union and Graduate Student Association each.
- 4) If the complainant is a student, his/her advisor and one representative from departmental student association shall be regarded as Committee Members, Dean of the college and Head of the department the complainant is studying at are ex-officio attendants. If the complainant is Students' Union or any student self-governing organizations, their instructor and one representative from Student Council shall be regarded as Committee Members.
- 5) The Committee should include academics and experts in law, education or psychology from inside and outside the school. Those in the fields of medicine, sociology, and guidance and counselling shall also be included if necessary.
- 6) Members of Student Reward and Disciplinary Committee or people involved in the investigation and decision-making for students' penalty or reward shall not be selected as a member of the Committee.

B. Meetings of the Committee are convened by Office of Student Affairs (hereinafter referred to as OSA). The Chair of the meeting shall be elected by the members attended.

C. Two third (included) of total members are required for holding a meeting. The resolutions shall be reached by two third (included) of the attending members.

D. Expenditure of the Committee is funded by OS Awhile personnel are assigned by OSA likewise.

Article 5 Procedure for handling appeals:

- A. Appeals from undergraduates, postgraduates, Students' Union or any student self-governing organizations shall be filed to Guidance and Counseling Section of OSA; students of College of Extension Education shall file their appeals to Academic Affairs Section of the College. Both Sections above are in charge of counselling, collection, arrangement and contact for appeal cases.
- B. If a complainant raises objections to the punishments, measures or resolutions made by the University, the complainant shall file a written appeal to the Committee within ten days from the following day of servicing or announcing the punishment, measures or resolution. Facts and relevant supporting documents shall be attached to the written appeal. Complainants who miss the prescribed deadline due to natural disasters or any matter that the complainant should not be to blamed for may apply to the Committee for late appeal approval by providing an explanatory statement within ten days of the date on which the reason for delay no longer exists. The aforementioned rule is not applicable when it has been more than one year since the prescribed deadline.
- C. The Committee shall hold a meeting and make an appeal resolution statement within thirty days at the latest from the following day of receiving an appeal. The Committee may extend the aforementioned period to a maximum of two months whenever necessary, but only once at the same time, and shall notify the complainant concerned of the extension. It should be noted that the aforementioned extension does not apply to an appeal against a disciplinary action of expulsion, dismissal and the like. The Committee will request the complainant to provide correct and/or supplementary documents within seven days in the case of incomplete appeal. The number of days required for documentation correction shall be deducted from the total days for appeal deliberation.
- D. Complainants are allowed to withdraw their appeals before the written appeal is delivered. Should the complainant decide to take legal action once an appeal has been filed, the complainant shall notify the school in writing without delay and the school is then required to pass this information on to the Committee. The Committee shall stop all proceedings regarding the appeal and inform the complainant after receiving the notification as described above or notification from higher authorities. Should the complainant wish to proceed with the appeal, the complainant may submit a paper request after all legal matters have no longer existed. The complainant will be notified of the decision in a paper document. The Committee shall stop all proceedings even if partial results have already been attained should a legal basis be established. The complainant shall be notified of this action. The appeal may proceed after all legal matters have been settled and the complainant has been notified. The two aforementioned rules do not apply to an appeal against a disciplinary action of expulsion, dismissal and the like.
- E. In the cases of involving expulsion, dismissal and the like, complainants may apply in writing for continuing studies at the University before a decision is made. Upon receiving such an application, the University shall reply in writing within seven days after consulting the Committee and taking into consideration the complainant's daily and academic performance. At the same time, the rights and obligations related to student enrollment status applicable to the complainant concerned shall be clearly stated along with the reply.
- F. During the appeal arbitration, the Committee may recommend the University to suspend the aforementioned disciplinary action.
- G. As for complainants who are permitted to continue studies under the consent of the University, regulations and rules regulating course registration, scoring, rewards and punishments are the same as those that apply to enrolled students, except that no diploma is issued by the University.

Article 6 Principles for handling appeals:

- A. Complainants shall file an appeal for the same issue only once.
- B. Committee members shall review cases in accordance with relevant regulations with fairness and justice borne in mind.
- C. Committee meetings are restricted to committee members in principle. The Committee may invite complainants, related parties, personnel sent by relevant units to attend and give statements. Process of decision-making and opinions expressed by individual Committee members shall be kept confidential at all times.
- D. When the Committee begins to deliberate an appeal, the Committee shall excuse any committee

member involved in the matter being appealed against.

- E. The primary information of the appeals that involve complainant's privacy shall be kept confidential and provided with appropriate guidance.
- F. An "investigation panel" shall be set up and comprised two to three members after being decided by the Committee if the appeal is needed to be investigated.

Article 7 An appeal resolution statement shall include the main body, facts and reasons. The Committee shall also produce an appeal resolution statement for rejected appeals, but the facts can be excluded. The Committee shall also clearly state possible administrative relief measures on the statement as per Article 11 of the Regulations. For the appeals that are beyond the scope of the Regulations, a resolution statement shall also be made and submitted to the Committee to proceed dismissal after the administrative procedure is completed. The Committee may make suggestions in this regard.

Article 8 The Committee shall notify the determining unit after the appeal resolution statement is ratified by the President. If the determining unit believes that the appeal resolution is contradictory to the law or has difficulty in implementing the appeal resolution, it shall submit facts and concrete reasons in a written form to President and copy it to the Committee within the regulated time period. The President will deliver the appeal resolution to the Committee for reconsideration if there is any adequate reason, but the request for reconsideration shall be made only once. The appeal resolution statement that is ratified by the President after all the administrative procedure is done shall be delivered to the complainant concerned and implemented by the University based on the resolution.

Article 9 If the disciplinary action of expulsion, dismissal and the like of a complainant remains upheld after an appeal, the complainant's study and status shall be handled as follows:

- A. The date of termination of studies stated on the Certificate of Study is the date on which the disciplinary action is first issued.
- B. A Certificate of Credits shall be issued for the credits obtained during the appeal is processing.

Article 10 The following rules apply to military services and tuition refund should the disciplinary action of expulsion, dismissal and the like remains upheld after an appeal:

- A. A name list of students whose reasons for military draft deferral no longer exist within thirty days of ratification of an appeal resolution statement shall be submitted to the local military service authority.
- B. The tuition refund is managed pursuant to Article 8 of the Student Fee Regulations for Junior Colleges and Institutions of Higher Education as well as Article 15 of the Tuition Fee Regulations for Junior Colleges and Institutions of Higher Education.

Article 11 If a complainant raises objections to the appeal results of the administration action meted out by the University, the complainant can submit an administrative appeal statement along with the appeal resolution statement provided by the University to the MOE through the University within thirty days from the following day the appeal resolution statement is received. After receiving the administrative appeal statement mentioned in the preceding paragraph, the University shall immediately prepare and submit an explanatory statement and relevant documents to the MOE along with documents provided by the complainant. If a complainant raises objections to the appeal results of the punishment, measures or resolution other than the administration action given by the University, the complainant can file a lawsuit to request administrative relief.

Article 12 If a complainant directly files an administrative appeal to the MOE for the administration action meted out by the University instead of following the appeal procedures of the University, the MOE shall refer such an appeal to the University to handle as per due appeal procedures.

Article 13 If a complainant is granted relief after filing an administrative appeal or administrative lawsuit, the following measures shall apply:

- A. After another disciplinary action of withdrawal of expulsion, dismissal and the like is required as per the administrative appeal decision or the judgment on the administrative lawsuit, and the complainant concerned is permitted to resume the studies, the University shall guide and assist the complainant in applying for resumption should the complainant does not manage to do so promptly due to special reasons. As for students who have already served in the army, the University shall help them retain the student enrollment status, and guide and assist them in applying for resumption right after discharge from the army. These students may apply for suspension of schooling for the period of absence before resuming studies at the University.
- B. The complainant concerned shall resume the studies by completing the withdrawal procedure of expulsion in accordance with the University's regulations.

Article 14 Supplementary Provisions:

- A. The Regulations functions as the relief for the infringement of student's rights instead of opinion feedback. Therefore the Regulations shall be propagated during every weekly assembly for students to understand its functions.
- B. OSA provides students with a dedicated box for collecting their opinions in petition, suggestion, report or other ways of expressions to fully communicate with students of the University.
- C. The appeals related to campus sexual assault, sexual harassment or sexual bullying that are defined in Paragraph 2, Article 28 of the Gender Equity Education Act filed by students shall be managed pursuant to the Act.

Article 15 The Regulations shall go into effect after being approved by the University Affairs Meeting and ratified by MOE. The same procedure shall be applied to the amendments likewise.