

# YUAN ZE UNIVERSITY Student Appeal Regulations

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| January 22, 1996  | Passed by the University Council at its 2 <sup>nd</sup> meeting, Academic Year 1995 - 96              |
| June 21, 1999     | Amended and passed by the University Council at its 2 <sup>nd</sup> meeting, Academic Year 1998 - 99  |
| January 14, 2002  | Amended and passed by the University Council at its 1 <sup>st</sup> meeting, Academic Year 2001 - 02  |
| October 29, 2003  | Amended and passed by Student Affairs Meeting at its 1 <sup>st</sup> meeting, Academic Year 2003 - 04 |
| December 31, 2003 | Amended and passed by the University Council at its 1 <sup>st</sup> meeting, Academic Year 2003 - 04  |
| January 30, 2004  | Approved by the Ministry of Education (MOE) via official letter Tai Hsun (2) Tzu No. 093009717        |
| May 26, 2004      | Amended and passed by Student Affairs Meeting at its 5 <sup>th</sup> meeting, Academic Year 2003 - 04 |
| July 02, 2004     | Amended and passed by the University Council at its 2 <sup>nd</sup> meeting, Academic Year 2003 - 04  |
| August 30, 2004   | Approved by the Ministry of Education (MOE) via official letter Tai Hsun (2) Tzu No. 0930110028       |
| June 05, 2006     | Amended and passed by the University Council at its 2 <sup>nd</sup> meeting, Academic Year 2005 - 06  |
| July 06, 2006     | Approved by the Ministry of Education (MOE) via official letter Tai Hsun (2) Tzu No. 0950097960       |
| June 02, 2008     | Amended and passed by the University Council at its 2 <sup>nd</sup> meeting, Academic Year 2007 - 08  |
| July 02, 2008     | Approved by the Ministry of Education (MOE) via official letter Tai Hsun (2) Tzu No. 0970125547       |
| January 02, 2012  | Amended and passed by the University Council at its 2 <sup>nd</sup> meeting, Academic Year 2011 - 12  |
| March 07, 2012    | Approved by the Ministry of Education (MOE) via official letter Tai Hsun (1) Tzu No. 1010036923       |
| October 30, 2019  | Amended and passed by the University Council at its 1 <sup>st</sup> meeting, Academic Year 2019 - 20  |
| November 14, 2019 | Approved by the MOE via official letter Tai Chiao Hsueh (2) Tzu No. 1080164518                        |
| November 11, 2022 | Amended and passed by the University Council at its 1 <sup>st</sup> meeting, Academic Year 2022 - 23  |
| December 06, 2022 | Approved by the MOE via official letter Tai Chiao Hsueh (2) Tzu No. 1110116878                        |

## Chapter 1: General Provisions

Article 1 In order to safeguard the learning, living, and educational rights and interests of students, provide students with a channel for filing complaints, and handle complaints from Students, Student Associations, or other Autonomous Student Organizations, the Student Appeals Review Committee (hereinafter referred to as "the Committee") shall be established in accordance with Article 33, Paragraph 4 of the *University Act* and Article 11 of the *Organizational Regulations of Yuan Ze University*.

Article 2 Any individual student or any self-ruling student organization (hereinafter the appellant) that disagrees with the imposed penalties or other measures or resolutions taken by the University, on the grounds that it violates the rights and interests of students shall file an appeal with the Committee in accordance with the Regulations.

The term student in this article refers to an individual with student status at the time when a relevant school resolution is made. However, applicants who appeal against a resolution according to Article 34 of the *Gender Equity Education Act* and Article 27 of the *Guidelines for Prevention of Campus Bullying* shall include person not enrolled in a school but in a period of transition between education programs or levels, person undertaking a continuing/extension education program, an exchange student, an education intern, or research trainee.

Article 3 If the appellant has already gone through administrative procedures or coordination with relevant units and is still unable to resolve the issue, they may file a complaint with the Committee. The appellant can only file an appeal with the school once for the same case.

## Chapter 2: Meetings and Committees

Article 4 The Committee consists of 11 to 13 unpaid members, appointed by President and include 1 representative from each college faculty, 3 student representatives, and psychology, education, law scholars. The number of teachers without administrative duties must not be less than half of the total members, and members of any gender must be more than one-third of the total members. Members should elect a chairperson from among themselves. Student representatives shall be elected by representatives of student self-governing organizations at this university, and the number of any student self-governing organizations representatives shall not exceed two-third of the total number of student representatives, including representatives from the Student Association.

Article 5 The term of the Committee members is 1 year, and may be re-elected. Members of the Student Disciplinary Committee, Gender Equity Education Committee, Prevention Of Campus Bullying Response Team, or those involved in student disciplinary, sexual assault, sexual harassment, or sexual bullying on campus, school bullying actions and/or investigations should refrain from appointment.

Article 6 Based on the characteristics of the appeal case, when necessary, the Committee may appoint additional temporary committee members. The term of service of the temporary committee members ends at the end of each case. In addition, when dealing with appeals from students of special education cases, at least two special education scholars or experts, parent representatives, or other professionals related to special education shall be additionally appointed as members of the Committee, in accordance with MOE Regulations for Special Education Student Appeal Service.

Article 7 Committee meetings can only commence with the attendance by at least one-half of the committee members.

All results and review reports of an arbitration require a two-thirds majority of the participating members to pass. Non-student arbitration matters before the Committee only require a simple majority of the participating members to pass. When a committee member withdraws, they will not be counted in the number of attendees.

If a member is an appellant, is related to the appellant, or is an interested party in an appeal, they shall recuse themselves from the review. If an appellant or the unit that issued the sanction deems it necessary that a member of the Committee should recuse themselves from the review, they may submit a request to the Committee with relevant facts and reasons.

The Committee shall determine whether the member in the preceding paragraph should recuse themselves from the case.

Article 8 The funding of the Committee shall be provided by the Office of Student Affairs, and the affairs of the Committee shall be managed by the Office of Student Affairs.

### Chapter 3: Appeals and Handling Procedures

Article 9 If the appellant is unsatisfied with the imposed penalties or other measures or resolutions taken by the University, a written appeal may be submitted to the Committee within 20 days from the day after receiving or accepting the relevant punishment, measure, or resolution, and will not be accepted if filed later than the aforementioned deadline. If the appellant fails to appeal by the deadline due to natural disasters or force majeure, they may request an appeal by submitting a written account of the reasons for the delay to the Committee within 10 days after the termination of the natural disasters or force majeure event. However, if 1

year or more has passed since the appeal deadline, the request will not be accepted.

Article 10 The appellant shall submit the appeal in writing, stating their name, student ID, department, the facts and reasons for the appeal, the desired remedies, and attaching relevant documentation.

Article 11 The Committee shall complete the review within 30 days after the appeal is received and, if an extension is necessary, notify the appellant of the extension. Such extensions shall be limited to once for a period of no more than two months. Appeals involving withdrawal, disciplinary dismissal, cause the appellant to change student status and infringement on educational opportunities, or similar orders shall not be extended.

If the Committee deems the written appeal to be inconsistent with the provisions but believes it can be corrected or supplemented, the Committee may ask the appellant to add supplemental evidence or otherwise correct the appeal within 7 days and the correction time shall be deducted the from the review period.

Article 12 The appellant should notify the Committee of any appeals or litigations regarding or relevant to the filed claim in writing.

Upon receipt of the notice, the Committee should cease to review the appeal case. At the request of the appellant after the end of the petition or lawsuit, the Committee shall continue to review the appeal and send a written notice to the appellant. Should there be any resolution based partially or wholly on the results of the ongoing petition or lawsuit, the Committee shall cease to review the appeal case and send a written notice to the appellant.

An appeal against an order of withdrawal, disciplinary dismissal, cause the appellant to change student status and infringement on educational opportunities, or similar orders is not subject to the regulations stated.

Article 13 The Committee shall generally be held in a non-public manner. However, the appellant, representatives from the original disciplinary unit, and other related persons can be notified to attend and provide statements or express opinions. Depending on the scope and content of the meeting agenda, relevant staff members and professionals may be invited to attend the meeting.

The review, voting, individual opinions of the Committee members, and relevant

information shall be kept confidential.

Article 14 When necessary for investigation or on-site understanding in an appeal case, a "investigation team" consisting of 3 to 5 members may be appointed by the Committee through a resolution.

Article 15 The appellant may withdraw the appeal before the review decision is handed down; after an appeal has been withdrawn, no further appeals regarding the same matter may be filed.

Article 16 Cases related to withdrawal, disciplinary dismissal, cause the appellant to change student status and infringement on educational opportunities, or similar orders that have not yet been resolved shall follow YZU School Regulation Article 44, Paragraph 2, before the outcome is determined, the original decision or disciplinary action will not be terminated because of the appeal but the student will still be allowed to study at the university.

Article 17 Appellants who are permitted to continue their studies as set forth in the preceding article shall not be issued a diploma; however, all courses, academic performance evaluations, and penalties/punishments and rewards shall be handled in a normal manner.

Article 18 A decision document shall contain a main body, an account of facts, and a statement of reasons. A decision document shall also be made for rejected appeals. In such reports, the facts may go unrecorded.

The decision document shall also record remedies for those who wish to dispute the appeal and review decision in accordance with Article 21, Paragraph 1 and Article 22 of the Regulations

#### Chapter 4: Effectiveness and Implementation of Deliberation

Article 19 After the decision document is approved by President, it shall be delivered to the appellant.

The decision document, subject to the approval of President, shall be made known to the sanctioning unit. If the sanctioning unit believes that the ruling is in violation of any regulations or is inconsistent with the facts of the case, it may submit a petition that presents the specific facts of the case and its reasoning therefrom to the President of the University for reconsideration, and send a copy of the petition to the Committee within 7 days after the review decision is received. If President accepts the request, he may request the review committee to deliberate its decision, up to a maximum of 1 time.

Article 20 Upon ratification of the decision document, the University administration shall implement the resolution of the Committee accordingly.

An appellant whose verdict of withdrawal, disciplinary dismissal, cause the appellant to change student status and infringement on educational opportunities, or similar orders, is upheld by the Committee shall be academically dealt with as follows:

1. The date of attendance termination stated in the attendance certificate shall be the date issued in the original sanction.
2. Any credits completed during the appeal period shall be recognized, and the appropriate certifications shall be issued.
3. Pursuant to the List of Deferred Enlistment Revocations for School-leaving Students, draftees must report for military service within 30 days after the appeal result is confirmed.
4. Tuition refunds shall be issued in accordance with Article 8 of the *Regulations for Fee Collection for Colleges, Universities, and Institutes* and Article 15 of the *Regulations for the Collection of Tuition and Miscellaneous Fees for Colleges, Universities, and Institutes*.

## Chapter 5: Appeals

Article 21 If an appellant who has undergone administrative sanctions by the University wishes to dispute the final ruling of the Committee, they may submit a petition with the appeal and final ruling to the Ministry of Education within 30 days after the final ruling was served in accordance with the law.

Upon receipt of the aforementioned petition, the University shall prepare a statement of defense with all due speed and submit the related documents to the Ministry of Education.

Article 22 If an appellant, who has filed an appeal to the Committee regarding penalties/punishments or measures or resolutions other than administrative sanctions and has been rejected, wishes to dispute the final ruling, they may file a lawsuit requesting relief accordingly.

Article 23 The University administration shall work within its capacity to help with the reenrollment of an appellant who cannot get reenrolled in time due to a specific incident. In the case of an enlisted draftee, the University administration shall help him to retain his student status,

to apply for suspension from study, and to be reenrolled after his discharge from military service.

#### Chapter 6: Supplementary Provisions

Article 24 An appeal involving a sexual offense, harassment or bullying, or campus bullying shall be administered in accordance with the Act.

Article 25 These Regulations shall be approved by the University Affairs Council and ratified by the Ministry of Education to be implemented. Amendments shall be processed accordingly.

**If any controversies or disputes occurred regarding clauses of the contract, it shall always refer to its Chinese version.**