

# Management Details for Student Disputes at Yuan Ze University

- 01.22.1996 Ratified in the 2nd university affair meeting of academic year 1995
- 06.21.1999 Revised and ratified in the 2nd university affair meeting of academic year 1998
- 01.14.2002 Revised and ratified in the 1st university affair meeting of academic year 2001
- 10.29.2003 Revised and ratified in the 1st Student Affair meeting of academic year 2003
- 12.31.2003 Approved in the 1st university affair meeting of academic year 2003
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- 05.26.2004 Revised and ratified in the 5th Student Affair meeting of academic year 2003
- 07.02.2004 Approved in the 2nd university affair meeting of academic year 2003
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- 06.05.2006 Revised and ratified in the 2nd university affair meeting of academic year 2005
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- 06.02.2008 Revised and ratified in the 2nd university affair meeting of academic year 2007
- 07.02.2008 Approved in Tai-hsun (2) Letter 0970125547 from the Ministry of Education

## Chapter 1 General Guideline

Clause 1 This Student Dispute Review Committee (hereafter as the Committee) is organized based on Clause 33.4 of the University Laws, the Management Guidelines of Student Disputes at University or College stipulated by the Ministry of Education, and Clause 11 of YZU Organizational Charter. The responsibility of the Committee is to protect the rights of the students and provide students with a channel to file for a dispute so that the cases related to students, the student association and other autonomous organizations can be handled.

Clause 2 When the students feel the treatment about their rights to receive education violates their rights or may cause their losses or when the student association and other autonomous organizations regard the punishment given by the university or the decisions made by the university as not fair, they can file for a dispute to the Student Dispute Review Committee based on the details in this set of guideline.

Clause 3 Current YZU students, the student association, and other related autonomous student organizations should try to conduct negotiations through administrative procedures or with the help from other related units. If the two approaches fail to solve the issues, a dispute can be submitted to the Committee. Each case is limited to one dispute claim only. If there is any doubt, new evidence is required for the second dispute claim and the approval of the Committee should be obtained. Then the dispute procedures will follow Clause 9 for further processing.

## Chapter 2 Meetings and Committees

Clause 4 This Committee is made of nine to 11 committee members. All members are not paid. The President will choose one teacher representative from each college and a student representative to be on the Committee. Moreover, the specialists from related fields such as psychology, education and law will be invited to be part of the Committee. The total of teachers without administrative positions should not be fewer than 1/2 of the total committee members. The committee members of either gender should account for more than 1/3 of the total committee members. The head of the Committee is elected among the committee members.

Clause 5 The term for all committee members is one year and can be renewed. The members on the Student Reward/Punishment Committee should not be on this committee.

Clause 6 If the nature of the dispute cases handled by this Committee requires the addition of some temporary committee members, their term of service is limited to the length of the related disputes. The total of temporary committee members should not exceed two for each case.

Clause 7 When this Committee meets, the meeting requires 1/2 of the total committee members. Only the final decisions of disputes require the approval of more than 2/3 of the present committee members. Other decisions only require the approval of at least 1/2 of the present committee members. The committee members who may have a conflict of interest in a certain dispute should withdraw themselves from the meeting.

Clause 8 The funding of this Committee is supported by the Office of Student Affairs and the related matters should be handled by the Office of Student Affairs as well.

## Chapter 3 Dispute and Processing Procedures

Clause 9 When students receive the punishment decisions about their life or learning or the student associations and other related student autonomous organizations receive the punishment decisions made by the university or the measures/decisions reached by the university, if they feel the decisions are not fair, a dispute should be filed within 10 days starting from the second day after the decisions are delivered. The dispute should be filed in a written format. No delayed dispute will be handled. If the delay is caused by unforeseeable factors, further explanations can be provided to the Committee for extension.

Clause 10 A dispute filed by students, the student association or other autonomous student organizations should be carried out in a written format. Moreover, the

name, student number, the department (organizations), disputed facts and reasons as well as the desired remedy/other related information should be stated clearly in the written document.

Clause 11 After the Committee receives the dispute, a committee meeting will be called to further review the case. If necessary, other related members can be invited to the meeting. The review should be completed within 20 days. If necessary, the review session can be extended. However, the person/organization filing the dispute should be notified and the extension is limited to once only. The extension should not exceed two months. If the dispute content is related to students' expulsion or withdrawal from the university, no extension will be granted. During the review, the original penalty execution will be postponed based on the recommendation from the Committee.

Clause 12 After a dispute is filed, if the student/organization filing the dispute decides to file a lawsuit, a civil lawsuit, criminal lawsuit, or administrative suit based on the disputed items or related content, this Committee needs to be notified in a written format. Once the Committee receives such a notification, all review will be stopped and resume only after the lawsuit is completed. Nevertheless, the dispute of student expulsion is an exception.

Clause 13 The calling of this Committee's meeting is not open to the public. However, the party filing the dispute and the representatives from the original involved unit or related persons can be notified to attend the meeting for further explanation. The decisions, voting results, and cases that are related to students' privacy will be kept confidential.

Clause 14 When the dispute case requires further investigation or additional explanations, the Committee can make a decision to select 3 to 5 members to form an "investigation team."

Clause 15 The party filing the dispute has the right to withdraw the dispute before the Committee reaches a decision.

Clause 16 When the dispute is related to students' expulsion or withdrawal from the university, the students can submit a written request to continue their study at the university before the review committee reaches a decision. When the university receives such a request, the Committee should be consulted and a written decision will be made within a week by taking into consideration the student's life and learning conditions. The decision will also clearly indicate the student's rights and obligations.

Clause 17 Those who continue their study based on the circumstance described in Clause 16 will not receive their graduation diplomas. However, other details such as grades, performance evaluation and reward/punishment will be handled

in the same manner as the regular students at YZU.

Clause 18 The review result will be approved by the President and delivered to the party filing the dispute as well as the original related units.

#### Chapter 4 Force of the Review Decision and Its Execution

Clause 19 When the Committee has put the decision in a written format, the written decision will be sent to the President for further approval. Moreover, the original unit to carry out the penalty will be notified. If the unit believes the decision is in conflict with the current regulations or the stated facts, concrete facts and reasons should be listed and sent to the President. This Committee should also be notified. If the President believes the reasons are valid, the decision will be sent back to the Committee for further processing (limited to one re-evaluation only). Once the dispute review is completed and has gone through the administrative procedures, the university should execute the decision.

Clause 20 If the dispute is related to expulsion and the review results reached by the Committee remain the same, the status related to the student should be processed in the following ways:

- I. The ending date of course-taking is the same as the original penalty date.
- II. The credits and subjects taken during the dispute period will be qualified for a certificate.

Clause 21 If the dispute is related to expulsion or withdrawal from the university, when the results from the Committee remain the same, the student's military service details and tuition return should be handled based on the following rules:

- I. Those who have to serve in the military have to report their new status with the "Name List for Resuming Military Drafting Procedures" within 30 days after the review results come out.
- II. The tuition return will be handled based on the "Tuition Return for University Students' Expulsion or Withdrawal."

#### Chapter 5 Claims

Clause 22 When the university expels a student or cancels a student's schooling status and the student has filed for a dispute without being further assisted by the university, the student can take the following steps.

- I. The student can prepare a claim within 30 days after he/she receives the dispute results. With the signature of the university, the student can further file a claim at the Ministry of Education. When the student chooses this approach, he/she should also submit the dispute review decision reached by the Review Committee.

II. If a student does not agree to the university's decision of expulsion, withdrawal or other penalty that results in the changed status of the student and has directly filed a claim with the Ministry of Education without communicating with the university for a dispute review, the Ministry of Education can transfer the case back to the Review Committee for procedural handling.

Clause 23 If, based on the claim decision or administrative lawsuit result, the university has agreed to let the student resume his/her study but the student cannot resume the study in time for some reasons, the university will provide necessary assistance to help the student resume his/her study. For the male students who have already joined the military to fulfill their service requirement, the university will keep their admissions. Once the students have completed their military service, the university will help them resume their studies. The period between study withdrawal and resumption will be treated as suspension.

Clause 24 If, based on the claim decision or administrative lawsuit result, the university has agreed to let the student resume his/her study, the university will withdraw the expulsion treatment.

#### Chapter 6 Appendices

Clause 25 The dispute related to "Sexual Harassment or Sexual Violation" will be handled based on YZU's "Handling and Implementation Details for Campus Sexual Violation and Sexual Harassment." The Educational Committee of Gender Equality will be responsible for the review.

Clause 26 This set of guidelines is ratified in the university affair meeting and sent for the Ministry of Education for approval before implementation. All amendments require the same procedures.

#### 【Appendix 1】

## Review Decision Issued by the Student Dispute Review Committee at Yuan Ze University

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| To: | (disputing party and original unit for carrying out the penalty) |
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| Purpose: |
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Explanation:

Student Dispute Review Committee at Yuan Ze University

Chief Committee Member:

Date: \_\_\_\_\_ (mm/dd/year)

If the party has doubts or questions about the review results, please visit the website of the Office of Student Affairs, click on Related Regulations, and refer to Student Dispute Management Details at Yuan Ze University for more details.

If the student involved does not agree to the reviewed decision regarding the penalty of withdrawal or expulsion, the student can fill out a dispute request within 30 days after the review results are delivered. Then the university will prepare for the related documents and send them to the Ministry of Education for filing a claim.

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