

NATIONAL TAIWAN UNIVERSITY

Student Appeal Regulations

June 15, 1996	Passed by the University Council at the 1 st adjourned meeting of its 2 nd meeting, spring semester, Academic Year 1995–96
September 06, 1996	Approved by the Ministry of Education (MOE) via official letter Tai (85) Hsun (1) Tzu No. 85515350
October 19, 1996	Amended and passed by the University Council at its 1 st meeting, fall semester, Academic Year 1996–97
November 19, 1996	Promulgated and implemented via NTU official letter (85) Hsiao Hsueh Tzu No. 18531
June 10, 2006	Amended and passed by the University Council at its 2 nd meeting, spring semester, Academic Year 2005–06
July 21, 2006	Approved by the MOE via official letter Tai Hsun (2) Tzu No. 0950107677
January 13, 2007	Amended and passed by the University Council at its 2 nd meeting, fall semester of Academic Year 2006–07
February 06, 2007	Approved by the MOE via official letter Tai Hsun (2) Tzu No. 0960017549
March 24, 2007	Reported to the University Council at its 1 st meeting, spring semester, Academic Year 2006–07
June 13, 2009	Amended and passed by the University Council at its 2 nd meeting, spring semester, Academic Year 2008–09
July 03, 2009	Approved by the MOE via official letter Tai Hsun (1) Tzu No. 0980111557
March 27, 2010	Discussed and passed by the University Council at its 1 st meeting, spring semester, Academic Year 2009–10
May 04, 2010	Approved by the MOE via official letter Tai Hsun (1) Tzu No. 0990071188
March 12, 2013	Passed by the 2,753 rd Administration Meeting
April 23, 2013	Approved by the MOE via official letter Tai Chiao Hsueh (2) Tzu No. 1020024475
July 28, 2015	Passed by the 2,868 th Administration Meeting
August 31, 2015	Approved by the MOE via official letter Tai Chiao Hsueh (2) Tzu No. 1040116603

Chapter I General Provisions

Article 1 (Rationale)

The National Taiwan University (NTU or “the University”) *Student Appeal Regulations* (“the Regulations”) are formulated in accordance with the provisions set forth in Article 33, Paragraph 4 of the *University Act* and Article 54 of the University’s *Organizational Charter* to establish a student appeal system that will protect the rights and interests of students during their period of study at the University.

Article 2 (Competent authority)

Appeals by students, student associations, or other autonomous student organizations shall be handled by the Student Grievances Committee (SGC). The organization, duties, and functions of the SGC shall be separately established.

Chapter II Appeals

Article 3 (Appealing qualification, reasons and identity determination)

Students of the University who believe that the sanctions imposed by the University in regard to their campus life, studies, or right to education have violated the law or their rights and interests may file a complaint with the

SGC in accordance with the Regulations.

The same applies to student associations and other autonomous student organizations that wish to dispute penalties/punishments or other measures and decisions.

“Students” as mentioned in Paragraph 1 refers to those who has been enrolled as a student at the time when the University imposes penalties/punishments, other measures or resolutions against them.

Article 4 (Filing deadline)

Appeals shall be filed within 30 days after the appellant is notified of the penalty/punishment, and will not be accepted if filed later than the aforementioned deadline.

If the appellant fails to appeal by the deadline due to force majeure, they may request an appeal by submitting a written account of the reasons for the delay to the SGC within 10 days after the termination of the force majeure event. However, if one year or more has passed since the appeal deadline, the request will not be accepted.

If the deadline falls on a holiday (excluding winter and summer vacation), it shall be extended to the first school day after the holiday.

Article 5 (Method of appeal)

Appeals should be submitted to the SGC in writing.

Article 6 (Contents of the appeal)

The appeal shall contain the following items and be signed by the appellant:

1. The appellant’s name, age, gender, department and year, student ID number, contact address, and phone number
2. The sanctioning unit
3. The subject matter, facts, and reasons for the appeal
4. Date (year/month/day)
5. Supporting evidence

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

If multiple students file a joint appeal, they may select up to three persons to represent them as their agent by attaching a letter of authorization.

Article 7 (Preparatory procedures)

When the SGC receives an appeal, the chair shall initiate a preparatory procedure for the review. If necessary, the chairperson may invite at least three Committee members with legal or related backgrounds and/or student members to form a preparatory team to carry out the preparation procedure.

The preparatory procedure should include the following items:

1. Determination of whether the appeal complies with the provisions of the Regulations

2. Identification of the subject matter, facts, and reasons for the dispute
3. Development of a list of related persons to attend the review meeting
4. Ensuring that a copy of the appeal is sent to the unit that sanctioned the student, and the procurement of a reply by related persons to the appeal if necessary
5. Other matters necessary for the review preparation

Both the appellant and the unit that issued the penalty/punishment may recommend candidates as the related persons.

A list of all preparatory matters related to the case shall be submitted in writing to the secretary of the SGC for processing. Both the sanctioning unit and the appellant shall be notified of the results of the review.

The preparatory team may reject an appeal case where more than half of at least two-thirds of the team vote by correspondence against acceptance.

Article 8 (Duties and obligations of the sanctioning unit)

The unit that issued the penalty/punishment shall submit the original disciplinary letter, a response to the appeal, and any other related documents to the SGC and the appellant within 10 days from the next day after receiving the copy of the appeal.

If the sanctioning unit determines the appeal to be reasonable, it may revoke or change all or part of the penalty/punishment and notify the SGC of such changes.

If the sanctioning unit fails to submit a response or related documents by the stated deadline, the SGC shall handle the case at its own discretion.

Article 9 (Appeal withdrawals)

The appellant may withdraw all or part of 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 9-1 (Non bis in idem)

Separate appeals about the same matter filed by individual students, student associations, and/or other autonomous student organizations shall be subject to the principle of non bis in idem (appeals cannot be filed twice for the same matter).

Article 10 (Non-compliant or overdue appeals)

If the appeal does not meet the stipulations set forth in Article 3 or Article 4, the SGC shall reject it in writing and may recommend ways to deal with it.

Article 10-1 (Notifying the parties)

The SGC shall notify the appellant, the sanctioning unit, and other related persons of the review meeting prior to the review for such parties to be present for an explanation of the proceedings.

Chapter III The Review

Article 11 (The review period)

The SGC 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 or expulsion from school or similar sanctions shall not be extended.

Article 11-1 (Investigative team)

The SGC may resolve to establish an investigative team, which in principle shall consist of three to five SGC members to investigate the appeal.

Article 12 (Method of review)

During the review, the principles of neutrality and non-disclosure shall be upheld.

During the review, whether the appeal is in accord with the Regulations shall be determined first.

The results of the review, including the reasons for accepting or rejecting the appeal, shall be approved by a simple majority of all members of the SGC.

If the related parties, upon being properly served, fail to provide a reply within the specified period without just cause, attend the review meeting on time, or give a clear and detailed explanation of the circumstances surrounding the matter, the SGC may make a decision at its own discretion after considering the information and evidence at hand.

Article 13 (Confidentiality)

The review, voting and individual opinions of the Committee members during the review meeting shall be kept confidential.

Article 13-1 (Appeals to retain student status)

For appeals of a dismissal or expulsion from school or similar sanctions, the competent authority of the University may allow the appellant to continue their studies at the University until the appeal is resolved, if the appellant wishes to do so and submits an application in writing.

Upon the receipt of an appeal submitted by an appellant as stated in the preceding paragraph, the competent authority of the University shall consult the SGC regarding the appeal, take the applicant's living and educational situation into consideration, and reply to the appellant in writing within seven days and notify them of their rights and obligations as a student.

Appellants who are permitted to continue their studies as set forth in the preceding two paragraphs 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 14 (Contents of the review report)

The review report should include the following:

1. The appellant's name, age, gender, department and year, student ID number, contact address, and phone number
2. The sanctioning unit
3. Ruling, facts, and reasons
4. Unit that issued the verdict
5. Date (year/month/day)

A review report shall also be made for rejected appeals. In such reports, the facts may go unrecorded.

The review report shall also record remedies for those who wish to dispute the appeal and review decision in accordance with Article 16, Paragraph 1 or 3 of the Regulations.

Article 15 (Validity of the review)

The review report made by the SGC shall be confirmed by the Committee, submitted to the president for approval, and then served to the appellant and 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 SGC within 10 days after the review decision is received. Reconsideration shall be limited to once.

If the president believes it is necessary to provide supplementary information for the reconsideration, they may ask the sanctioning unit to provide it within three days.

If the president does not receive the requested supplementary information within the specified time period, or upon receiving it determines that there is insufficient reason for reconsideration, the president may reject the petition for reconsideration.

If reconsideration is deemed necessary and desirable, the president shall refer the petition to the SGC for reconsideration within 10 days of its receipt. When the SGC receives a ruling from the president for reconsideration, it shall notify the parties of the reconsideration and begin the reconsideration process.

The provisions of Articles 11 to 14 of the Regulations shall be accorded *mutatis mutandis* for the procedures for reconsideration by the SGC.

The appeal shall be adopted by the University upon completion of all administrative procedures.

If the SGC upholds the sanction in an appeal regarding a dismissal, matters related to school attendance and enrollment shall be handled 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.

If the SGC upholds the sanction in an appeal regarding a dismissal or expulsion, matters related to military service and tuition refunds shall be handled as follows:

1. 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.
2. 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 IV Appealing the Final Ruling

Article 16 (Appeals and litigation)

If an appellant who has undergone administrative sanctions by the University wishes to dispute the final ruling of the SGC, 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.

If an appellant files an appeal to the Ministry of Education regarding the administrative sanctions of the University without requesting relief through its appeal procedures and the case is transferred back to the University, the University shall handle it in accordance with the Regulations.

If an appellant, who has filed an appeal to the SGC 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 17 (Resumption of studies)

The procedures related to assistance or handling for relief obtained by an administrative appeal and administrative proceedings are as follows:

1. If a dismissal or expulsion ruling is overturned or modified, thus allowing a student to resume their studies, but the student is not able to immediately do so for specific reasons, the University shall offer to assist the student in resuming their studies. NTU shall retain the student status of draftees who have already reported for military service and therefore cannot resume their studies, and assist them in resuming their studies after they are discharged; such students may be granted a suspension of studies during the leave period before they resume studies at the University.
2. If a dismissal or expulsion ruling is overturned or modified, thus allowing a student to resume studies, the dismissal/expulsion shall be revoked in accordance with applicable regulations of the University.

Article 18 (Litigation effectiveness)

If the appellant or any other related parties file a petition or lawsuit of any sort regarding the appeal or related matters while a review is being conducted, they shall notify the SGC of such petitions or lawsuits in writing.

The SGC shall suspend the review upon receipt of such notification and notify

the appellant; once the reason for suspension of the review is eliminated, the SGC shall give written notice to the appellant that the review may be resumed upon the appellant's written request.

If a ruling on all or part of an appeal hinges on whether a legal relationship between the appeal and litigation has been established, the SGC shall suspend the review before the conclusion of the appeal or litigation and notify the appellant in writing; after the reason for the suspension is eliminated, the SGC shall give written notice to the appellant that the review may be resumed.

The provisions stipulated in the previous three paragraphs do not apply to appeals against a dismissal, expulsion, or similar sanctions.

Chapter V Supplementary Provisions

Article 19 (Gender equality appeals)

If the appellant files an appeal alleging sexual assault, sexual harassment, or sexual bullying, the nature of which is attributable to the provisions set forth in Article 28, Paragraph 2 of the *Gender Equality Education Act*, the appeal shall be handled in accordance with the relevant provisions of the *Gender Equality Education Act*.

Article 20 (Effective date)

The Regulations shall be passed by the Student Counseling Committee and the Administrative Meeting, submitted to the MOE for approval, and then implemented on the date of promulgation.