

Nanhua University Students Appeal Regulation

- Article 1 In order to protect students' rights, solve disputes, build a harmonious campus and give play to educational functions, this regulation is set on the basis of University Law art.13, Undergraduate and College Students Appeal Regulation and Art.18 of article of incorporation of Nanhua University.
- Article 2 Students, student associations and other relevant student self-government organizations may appeal to the improper decision or admonition of schools according to this regulation. Students refer to who own student status of Nanhua University, while student self-government organizations refer to lawfully registered student community in school. Appeal of student self-government organizations should first pass in general member meeting, and documentary proof was needed.
- Article 3 The Student Appeals Judgment Committee (hereinafter referred to as this Committee) is consisted of the following 19 members.
- 1.Ten teacher deputies: two teachers from each college who do not hold administrative position
 - 2.Five student deputies: elected by student self-government organizations, each college should have at least one deputy.
 - 3.A legal professional.
 - 4.A counselor professional.
 - 5.A education professional.
 - 6.A special education professional.
- Attendant in a student affairs meeting or the person responsible for student s' commendation and admonition should not be a member of this Committee. Each gender should occupy one third of this Committee. Experts, scholars or professional counselor should be invited in meeting of appeal cases.
- Article 4 The members of this Committee are hired by principal in a non-paid position for one year. If one of those members resigns, the original unit should re-elect a new member.
- Article 5 The chairman of this Committee is elected by members and reported to the principal for approval. Term of service of a chairman is one year and may re-elect for second term. The chairman is the convener of a meeting. The chairman may convene a temporary meeting as required by three committees and above.
- Article 6 The administrative duties of this Committee are handled by the Students Counseling Center of the Students Affairs Office. One executive secretary is appointed by the director of Students Counseling Center. The expenditure will be absorbed by the Student Affairs Office for teaching, training and auxiliary services.

- Article 7 A meeting can be held only there are one-half of the members attended to the meeting. Judgment decision should make on approval of at least two third of members attended to the meeting. The rest of the resolutions should be passed by a majority of the members attended. If a member is unable to attend the meeting for some reason, he or she may not appoint a deputy; however, counselor, legal professional and special education professional may appoint a deputy with the same professional background.
- Article 8 Before a case is started to be judged, the claimant may apply members who **may affect the impartiality of the appraisal to avoid it**. Members of this Committee also may apply to avoid it for the same situation. Approval or not on the application will make by this Committee.
- Article 9 Students' appeal should be made within 30 days after receive school's or student self-government organization's statement of admonition. Student self-government organizations' appeal should first pass in general member meeting and hand in documentary proof. This Committee will not accept overdue application except for uncontrollable factors which claimant may have 10 more days to submit an application after the uncontrollable factors were perished. Applications overdue one year and above will not be accept anymore. However, this Committee should suggest remedial measures for special cases.
- Article 9-1 If a student appeals for sexual assault, sexual harassment or sexual bullying in campus, the case will be classify to Gender Equality Education Law Article 28 (2) and deal in accordance to relevant provisions of Gender Equality Law.
- Article 10 Claimant should fill in the appeal letter in detail and list out the following items including claimant's signature, and hand in with the attachments of original measures, relevant documents and evidence.
- 1.Claimant's name, date of birth, ID number, residence, contact number, name of department, grade and student number.
 - 2.The original unit of giving disciplinary measure.
 - 3.The facts and reasons of the appeal.
 - 4.Desired remedial measures.
 - 5.Attachments of documents and evidence.
- Article 10-1 Student association or other student self-governing organizations should elect at most 3 representatives and attach a letter of appointment when making an appeal. If the appeal letter is not in accordance with the provisions of the preceding two articles, claimant should be notified to make corrections within 7 days. Those who fail to make corrections before deadline will be directly judge by this Committee. This Committee may form an investigation team by 3 to 5 members to carry out investigation for cases which are necessary to be investigated.

- Article 10-2 Students, students' association and other relevant student self-government organizations can make appeal one time for each case. Claimant may withdraw all or part of the case before the judgment decision letter is made. Second appeal is not available for the same case after withdrawn.
- Article 11 After an appeal was made, claimant should submit written notification to this Committee if required petition, administrative litigation, civil litigation or criminal proceedings to the same case. This Committee should suspend judgment of the case after being notify and inform the claimant about it. This Committee may continue to judge the case and give written notification to the claimant if the preceding factor is canceled and the claimant requested this Ccommittee to continue in written form. Case of appeal to being withdraw and expel from school is not subject to this limit.
- Article 12 The convening of meeting of this Committee should be non-disclosure, however this Committee should inform the claimant, representatives of the original unit of giving disciplinary measure and related parties to attend the meeting. This Committee should keep all the members' opinions and votes in meeting and personal information of claimants in cases involving student privacy confidential.
- Article 13 This Committee should hand in the copy of appeal letter and relevant documents to the original unit of giving disciplinary measure within 3 days from the date receive an appeal letter, to request them provide an explanation. Relevant unit should send back a description file with relevant documents to this Committee within 7 days. Relevant unit may cancel or change the disciplinary measure and inform this Committee as the appeal is considered as justifiable. If relevant unit fails to provide explanation before deadline, this Committee may judge the case by themselves.
- Article 14 This Committee should complete the judgment decision letter within 30 days from the second day of receiving the appeal letter except the situation of suspension of judgment, and the claimant and original unit of giving disciplinary measure should be informed of this situation. Time limit can be extended to not more than 2 months for only one time and claimant should be informed, however, it cannot be extend for cases involving punishment of expulsion from school. For those who need to make corrections in accordance with Article 10, date will be count from the second day corrections were made; while in the situation of suspension of judgment in accordance with Article 11, date will be recalculate from the second day of resume judgment.
- Article 15 Students can request to continue study in school if judgment for appeals regarding to suspension from school is not decided. After receiving the request above, school should inquire advices from this

Committee, and give a written reply within one week after judging the students' living and academic situation. School should state student's rights and responsibility clearly for students who approved to continue study. School may not give a certificate of graduation for those students, while study of courses, evaluation of performance, commendation and admonition of the students should be deal as present students.

Article 16 This Committee should first make a conclusion on an appeal case and draft a judgment decision letter for discussion. The judgment decision letter should be signed by the chairman. The facts and reasons should be recorded besides the main text in judgment decision letter. This Committee should suggest if there is any remedial measure. A judgment decision letter should be written for those rejected appeal cases with main text and reasons as the content. The judgment decision letter should record remedial measures for students who are not satisfied with the judgment in accordance with provisions of Article 18 or 20.

Article 17 The judgment decision letter should sent to principal for approval according to its affiliation to this Committee and then to the claimant and the original unit of giving disciplinary measure. Relevant units in school should carry out the measures wrote in the judgment decision letter. This Committee should inform the original unit of giving disciplinary measure while sending the judgment decision letter for principal's approval. If the unit considers there are difficulties in carry out those measures, they should report facts and reasons about it to principal and this Committee within 10 days from the day they are informed. This Committee should make reconsideration on the judgment for the limit of one time if principal consider the facts and reasons given are reasonable. If the claimant and the original unit of giving disciplinary measure cannot list out facts and reasons on time, the time limit for this Committee to accept re-appeal case and make reconsideration on the judgment can be extend. Measures should be carried out after administrative procedures for the judgment decision letter are completed.

Article 18 Claimant may re-appeal if not satisfy with the judgment within 30 days from the second day judgment was made. In this situation, claimant should submit appeal letter and judgment decision letter wrote by this Committee to school for written respondent and then to the Ministry of Education. School should provide written respondent immediately when received the appeal letter, and submit to Ministry of Education with relevant attachments. Ministry of Education can transfer the case back to school if the appeal case has not went th rough the appeal procedures in school.

Article 19 The claimant should accept the judgment given by this Committee. If claimant disagrees with the judgment decision, new evidence should

be provided within 10 days from the day judgment decision letter was received to re-appeal with a limit of one time. If the original decision is maintained to appeal cases related to withdrawal from school, the students' study of courses and status as a student will be deal with the following provisions.

1.The last date of study stated on the certificate will be the date disciplinary act was taken.

2.Credit certificate will be given to courses studied during the time of appeal.

If original decision is maintained to appeal cases related to expulsion from school, the students' military service and refund standards will be deal with the following provisions.

1.Military service draftee should report within 30 days after the judgment decision was made for record in "Name List of Leaving School Students with Eliminated Factors of Suspended Draft".

2.Refund standard is deal in accordance with "College and above Tuition and Miscellaneous Fees Receiving Regulation" Article 15 and "College and above Receive Fees from Students Regulation" Article 8.

Article 20 Claimant may appeal for remedial measures according to law if not satisfy with the judgment decision other than administrative sanctions made by school after appealing to school.

Article 21 This regulation was reviewed in school affairs meeting and implemented on approval of Ministry of Education. Any subsequent amendments will undergo the same procedures.