

National Chengchi University Student Appeal Handling Guidelines

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Chapter 1 General Principles

- Article 1 In order to secure the rights and interests of learning, living and education of students, and to promote harmony on the campus, National Chengchi University (hereinafter referred to as the University) has formulated these Guidelines in accordance with Article 33 of the University Act and Article 48 of the organizational rules of the University.
- Article 2 With regard to the handling of appeals from students; student unions and other relevant student autonomous organizations of the University that are not provided for in these Guidelines, the provisions of other relevant laws and regulations shall apply.
In order to handle appeals from special education students, the relevant provisions of the Regulations Governing Services Provided for Special Education Student Appeal shall apply.

Chapter 2 Student Appeals and Arbitration Committee

- Article 3 In order to handle appeals from students, student unions and other relevant student autonomous organizations, the University has hereby set up the Student Appeals and Arbitration Committee (hereinafter referred to as the Review Committee).
- Article 4 The Review Committee shall have 17 to 19 members for a two-year term; half of which shall be re-elected each year. Teacher committee members may be re-elected; student representatives shall serve a one-year term and may be re-elected.
The Review Committee shall have one convener, who shall be elected by the committee members to serve as the chairman of the meeting.
The committee members shall all be unpaid positions and include the following members:
1. Full-time teachers of the University selected by the president.
 2. Two (2) graduate student representatives and university student representatives each elected by the student union.
 3. One (1) representative each from Office of Academic Affairs, Office of Student Affairs and Office of General Affairs.
- Committee members shall include teachers with expertise in law, education, and psychology. Teachers who do not concurrently hold administrative positions shall not account for less than half of the total number of committee members, and committee members of any gender shall account for one third or more of the total number of committee members.
Committee members who serve as members of the Student Reward and Discipline Committee shall not serve as members of the Review Committee.
The relevant administrative operations of the Review Committee shall be handled by a dedicated person or dedicated unit designated by the president.

Article 4-1 In order to handle appeals from special education students, the University shall additionally recruit for the Review Committee at least two (2) committee members who are scholars or experts in special education, parent (groups) representatives in special education, or other professionals in special education in relation to the status of demands for special education and separately set up the Special Education Student Appeals and Arbitration Committee (hereinafter referred to as the Special Review Committee).

The term of office of the additional committee members mentioned in the preceding paragraph shall not be subject to the limit set out in the provisions of Paragraph 1, Article 4 hereof.

The relevant administrative operations of the Special Review Committee shall be handled by a dedicated person or dedicated unit designated by the president.

Chapter 3 Initiation and Withdrawal of Appeals

Article 5 Students; student unions; and other relevant student autonomous organizations of the University (hereinafter referred to as the Complainant) who believe that disciplinary action; other measures; or resolutions of the University are illegal or improper which cause damage to their rights and interests may file an appeal to the Review Committee in accordance with the provisions of these Measures.

The students mentioned in the preceding paragraph shall refer to those who have the student status at the time when the disciplinary action was imposed by the University. However, according to Article 34 of the Gender Equality Education Act and Article 27 of the Regulations on the Prevention of Bullying on Campus, the condition that “if the applicant or offender is not satisfied with the disposition of the reapplication, the involved may petition for relief” is excluded. Student autonomous organizations shall refer to organizations such as departmental societies, student unions, and postgraduate societies. When exercising the right of proposal, the proposal shall be adopted at the meeting of the department member assembly; student council; postgraduate student representative meeting; etc., and relevant supporting materials shall be attached thereto.

Article 5-1 When the learning, counseling, support services and other matters in relation to rights and interests of special education students are impaired, the students or their guardians or legal representatives may file an appeal to the Special Review Committee of the University.

Article 6 If students; student unions or other relevant student autonomous organizations are not satisfied with the disciplinary action; measures or resolutions of the University after the receipt thereof, they shall file a written appeal to the Review Committee within 30 days from the next day thereof.

If the Complainant misses the deadline for filing an appeal in the previous paragraph due to natural disasters or other factors not attributable to the Complainant, the Complainant may make an application stating the reasons in writing to the Review Committee for accepting the appeal within ten (10) days after the factor is eliminated. However, if it has been over one (1) year since the deadline for filing an appeal has been missed, the aforementioned application shall not be allowed.

With regard to students who are not satisfied with the disposition of expelling from school and expulsion of student status and file a petition directly to the Ministry of Education without resorting to the appeals procedure of the University, where the Ministry of Education transfers such an administrative appeal case to the University in accordance with the regulations for processing the case pursuant to student appeals procedures, the Review Committee of the University shall handle such a case in accordance with the provisions of these Guidelines.

Article 7 Appeals from students, student unions, and other relevant student autonomous organizations shall be filed in writing setting out specific facts and attaching relevant materials thereto. Appeals filed by students, student unions and other relevant student autonomous organizations to the University shall be limited to one filing only for the same case.

Article 8 The Complainant may withdraw the appeal prior to the process of the review decision letter (hereinafter referred to as the Review Decision Letter) is served.

Chapter 4 Appeal Handling Procedures

Article 9 The convening of the Review Committee meeting shall be based on the principle of non-disclosure, and the review, voting and individual comments of committee members shall be kept confidential.

Article 10 The Review Committee shall review the written documents and evidence submitted by the Complainant, and give the Complainant; the representative of the original disposition rendering unit; related parties; and relevant witnesses the opportunity to make a full statement, and may investigate the evidence ex officio when necessary.

When the appeal case requires investigation or on-site inspection to gain better understanding on the case, a resolution may be adopted by the Review Committee to appoint three to five (3-5) committee members to form an investigation team for such a purpose.

Article 11 After the appeal is filed, the Complainant shall immediately notify the Review Committee in writing of the administrative appeal or administrative litigation initiated regarding the complained matter or its related matters. When the Review Committee is informed of the foregoing situation, it shall suspend the review immediately, and shall resume reviewing the case after the reason for the suspension of review is eliminated, except for the appeal against the disposition on expelling from school and expulsion of student status.

Article 12 With regard to the appeal case involving dissatisfaction with the disposition on expelling from school or expulsion of student status, or other similar dispositions, the Complainant may submit a written application to the University for continuance of the study at the University before the review decision is made.

After receiving the request in the preceding paragraph, the University shall consult with the Review Committee and take into consideration of the Complainant's living and learning conditions, and give a written reply within seven (7) days, stating the rights and obligations in relation to student status.

Article 13 If the Complainant is permitted by the University to continue the study at the University in accordance with the provisions of the preceding article, the University shall not grant a graduation certificate to the Complainant, apart from which, other matters regarding taking courses, performance assessment, rewards and discipline shall be handled in the same way as those for current students.

Article 14 The Review Committee shall complete the review within 30 days from the day after receiving the letter of appeal, except for the circumstances in which the review is suspended under Article 11 of these Guidelines.

The time limit for review in the preceding paragraph may be extended if necessary, with only one extension to be allowed and the maximum period not exceeding two (2) months, and the Complainant shall be notified. However, appeal cases involving expelling from school, expulsion of student status, or other similar dispositions shall not be extended.

If the Review Committee considers that the appeal letter is not in conformity to the regulations and such inconformity can be supplemented or corrected, the Complainant shall be notified to make supplements or corrections within seven (7) days. The period for making such supplements or correction shall be deducted from the review period.

Article 15 The Review Committee meeting shall be attended by one-half or more of the committee members, and its resolution shall be adopted by the consent of two-thirds or more of the attending committee members.

Review Committee members shall attend the meeting in person. If committee members need to ask for leave, they may be represented by alternate committee members of the college, student organization or unit to which the committee member who asks for leave belongs.

Chapter 5 Appeal Review Decision

Article 16 The Review Decision Letter shall include the main text, facts, reasoning, and other contents. For appeals that are not accepted, the Review Decision Letter shall also be made but with only the contents of the main text and reasoning being set out.

Article 17 The Review Decision Letter in the preceding article shall state the relief method for dissatisfaction with the appeal review decision in accordance with the provisions of Article 22.

Article 18 The Review Decision Letter shall be delivered to the Complainant and the original disposition rendering unit after being approved by the president.

Chapter 6 Effect of Appeal Review

Article 19 After the review decision is made by the Review Committee, it shall be submitted to the president for approval and a carbon copy thereof shall be sent to the original disposition rendering unit. If the original disposition rendering unit believes that there is conflict between the review decision and regulations or the review decision will be actually difficult to be carried forward, it shall report such to the president setting out specific facts and reasons, and the carbon copy thereof shall be sent to the Review Committee. If the president is in the opinion that it is justified, he/she may refer the case to the Review Committee for re-consideration. However, the re-consideration shall be limited to once only.

After completing the administrative procedures on the review decision, the University shall immediately adopt the decision thereof.

Article 20 With regard to appeals against the disposition on expelling from school, on which the review decision confirms to sustain the original disposition, the schooling and student status shall be handled in accordance with the following rules:

1. The end date for the study period as stated in the course completion certificate shall be based on the date of the original disposition.
2. For the credits on subjects studied during the appeal period, the credit certificate may be issued.

Article 21 With regard to appeals against the disposition on expelling from school and expulsion of student status, on which the review decision confirms to sustain the original disposition, the military service and refund criteria shall be handled in accordance with the following rules:

1. For the draftee-to-be who leaves school, a roster of draftees-to-be whose reasons for draft deferral are eliminated shall be reported within 30 days after the appeal result becomes final.
2. The refund criteria shall be based on and the procedures thereof be handled in accordance with Article 8 of the Regulations Governing Various Fees Charged by Junior Colleges and Institutions of Higher Education and Article 15 of the Regulations

Governing Tuition and Incidental Fees Charged by Junior Colleges and Institutions of Higher Education.

Chapter 7 Administrative Appeals and Administrative Litigation

Article 22 For appeal cases filed against the disposition rendered by the University that is sufficient to change the student status; impair his/her educational opportunities; or other administrative disciplinary action, if the Complainant has failed to receive relief after filing the appeal to the University, he/she may prepare the administrative appeal in writing attaching the Review Decision Letter thereto, and file the administrative appeal to the Ministry of Education through the University within 30 days from the next day upon receipt of the Review Decision Letter.

The Complainant may file a lawsuit according to the nature thereof and request relief against the decision made by the University on the appeal filed against the disciplinary action, other measures or resolutions other than administrative dispositions rendered by the University.

Article 23 When the student has been expelled from school, subject to expulsion of student status or other similar dispositions, which are annulled by the review decision; administrative appeal decision; or administrative litigation judgement, in case of being unable to resume the schooling in time due to special factors, the University shall provide guidance as to how to resume his/her schooling. For the draftee-to-be who has been drafted into military service and unable to resume his schooling, the University shall retain his student status. After he is discharged from the military service, the University shall prioritize the guidance given to him to resume his schooling. For the period of leaving school prior to his resuming the schooling, the application for the suspension of schooling may also be supplementarily made.

Article 24 For the disposition otherwise rendered in accordance with the administrative appeal decision or administrative litigation judgment which grants the student resumption of schooling, the University shall complete the procedures for annulment of the expelling from school in accordance with the regulations.

Chapter 8 Supplementary Provisions

Article 25 The student appeal system shall be in the nature of relief for student rights and interests, and shall be based on the premise that the student's personal rights and interests are impaired. Student petitions, suggestions, reporting and expressions of opinions otherwise made shall not be applicable to the provisions of these Guidelines.

Article 26 If students appeal because of sexual assault on campus, sexual harassment, sexual bullying, and campus bullying, it should be handled with the Gender Equality Education Act, Regulations of the Prevention of Bullying on Campus, and related regulations.

Article 27 These Guidelines shall be approved by the University Council meeting, submitted to the Ministry of Education for approval, and then shall be issued and implemented by the president, which shall also apply to the amendments thereto.