

# 國立中興大學校園性別事件防治規定

## National Chung Hsing University Rules Governing the Prevention of Campus Gender-Related Incidents

94.9.21 第 314 次行政會議訂定

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114.1.8 第 468 次行政會議(擴大)修正(名稱及全部條文)

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**第一條** 國立中興大學(以下簡稱本校)為落實性別實質平等之教育理念，建立校園性別事件之預防措施與處理機制，特依據「性別平等教育法」(以下簡稱性平法)暨「校園性別事件防治準則」(以下簡稱防治準則)訂定本防治規定。

**Article 1** In order to implement the educational philosophy of substantive gender equality and establish preventive measures and handling mechanisms for campus gender-related incidents, the National Chung Hsing University (hereinafter referred to as the University) has formulated these Rules in accordance with the Gender Equity Education Act (hereinafter referred to as the Gender Equity Act) and the Regulations Governing Prevention of Gender-Related Incidents on Campuses (hereinafter referred to as the Prevention Regulations).

**第二條** 本防治規定用詞，定義如下：

**Article 2** The definitions of terms used in these Rules are as follows:

一、性別平等教育：指以教育方式教導尊重多元性別差異，消除性別歧視，促進性別地位之實質平等。

I. Gender equality education: to generate respect for gender diversity, eliminate gender discrimination and promote substantive gender equality through education.

二、教師、職員、工友及學生：

II. Faculty, staff, workers, and students:

(一) 教師：指專任教師、兼任教師、代理教師、代課教師、教官、運用於協助教學之志願服務人員、實際執行教學之教育實習人員、實習場域之實習指導人員及其他執行教學或研究之人員。

(I) Faculty: full-time instructors, part-time instructors, acting faculty, substitute teachers, military instructors, volunteer teaching assistants, education interns directly involved in teaching, education internship program supervisors, and other individuals engaged in teaching or research.

- (二) 職員、工友：指前目教師以外，固定、定期執行學校事務人員、運用於協助學校事務之志願服務人員、學生事務創新人員及其他經中央主管機關指定者。
- (II) Staff or workers: individuals other than those listed above who perform fixed or regular school-related duties, volunteers assisting in school operations, student affairs innovation specialists, and individuals as designated by the central competent authority.
- (三) 學生：指具有學籍、學制轉銜期間未具學籍者、接受進修推廣教育者、交換學生、教育實習學生或研修生及其他經中央主管機關指定者。
- (III) Students: individuals currently enrolled at a school, individuals not currently enrolled but in the process of transitioning from enrollment in one school to another within the educational system, continuing education program enrollees, exchange students, educational internship students or trainees, and other individuals as designated by the central competent authority.

三、 校園性別事件：指事件之一方為學校校長、教師、職員、工友或學生，他方為學生，並有下列情形之一者：

III. Campus gender-related incidents: incidents in which one party is a school principal, teacher, staff member, worker, or student, and the other party is a student, and which meets one of the following conditions:

(一) 性侵害：指性侵害犯罪防治法所稱性侵害犯罪之行為。

(I) Sexual assault: acts constituting criminal sexual assault as defined in the Sexual Assault Crime Prevention Act.

(二) 性騷擾：指符合下列情形之一，且未達性侵害之程度者：

(II) Sexual harassment: acts meeting one of the following criteria but not constituting sexual assault:

1. 以明示或暗示之方式，從事不受歡迎且與性或性別有關之言詞或行為，致影響他人之人格尊嚴、學習、或工作之機會或表現者。

Engaging in unwelcome sex- or gender-related speech or behavior, whether explicit or implied, which adversely affect the other party's personal dignity, learning, or work opportunities or performance.

2. 以性或性別有關之行為，作為自己或他人獲得、喪失或減損其學習或工作有關權益之條件者。

Sex- or gender-related behavior that serves as the condition for oneself or others to gain or lose rights or interests in learning or work.

(三) 性霸凌：指透過語言、肢體或其他暴力，對於他人之性別特徵、性別特質、性傾向或性別認同進行貶抑、攻擊或威脅之行為且非屬性騷擾者。

(III) Sexual bullying: ridicule, attacks, or threats directed at another person's gender characteristics, gender temperaments, sexual orientation, or gender identity by using verbal, physical or other forms of violence will be under the category of sexual bullying not sexual harassment.

(四) 校長或教職員工違反與性或性別有關之專業倫理行為：指校長或教職員工與未成年學生發展親密關係，或利用不對等之權勢關係，於執行教學、指導、訓練、評鑑、管理、輔導學生或提供學生工作機會時，在與性或性別有關之人際互動上，發展有違專業倫理之關係。

(IV) Sex- or gender-related behavior by a principal or faculty and staff that violates professional ethical standards: cases where a principal or faculty member develops an intimate relationship with an underage student, or exploits an unequal power relationship in the course of teaching, providing guidance to, training, evaluating, managing, or counseling a student, or providing a work opportunity to a student, to develop a relationship that violates professional ethical standards in the context of sex- or gender-related interpersonal interactions.

四、性別認同：指個人對自我歸屬性別之認知及接受。

IV. Gender identity: an individual's perception and acceptance of their own gender.

第三條 本校為積極推動校園性別事件防治教育，以提升教職員生尊重他人與自己性或身體自主之知能，並採取下列措施：

Article 3 The University shall take the following measures to proactively prevent campus gender-related incidents via education, and increase the awareness of faculty, staff, and students of respecting the sexual and physical autonomy of themselves and others:

一、針對教職員生，每年定期舉辦校園性別事件防治之教育宣導活動，並評鑑其實施成效。

I. Regularly organize educational and promotion events each year for faculty, staff, and students, and evaluate the implementation results of the events.

二、針對性別平等教育委員會（以下簡稱性平會）及負責校園性別事件處置相關單位之人員，每年定期辦理相關之在職進修活動。

II. Hold regular in-service training activities each year for the Gender Equity Education Committee (hereinafter referred to as the Committee) members and personnel in its unit responsible for the handling of gender-related incidents on campus matters.

三、鼓勵前款人員參加校內外校園性別事件處置研習活動，並予以公差登記及經費補助。

III. Encourage the committee members and personnel referred to in the preceding subparagraph to take part in research and study activities on campus and off campus on the handling of campus gender-related incidents and register participation as an official work task and provide subsidies for associated expenses.

四、利用多元管道，公告周知本辦法所規範之事項，並納入教職員工聘約及學生手冊。

IV. Make the matters covered by these Regulations publicly known through a wide range of channels; and include them in the employment contracts of faculty, staff members and other employees, and in student handbooks.

五、鼓勵校園性別事件被害人或檢舉人儘早申請調查或檢舉，以利蒐證及調查處

	理。
V.	Encourage the victim or the informant of a campus gender-related incident to apply for an investigation or report the incident at the earliest possible time in order to facilitate the collection of evidence, investigation and handling of the matter.
第四條	本校校長或教職員工生應尊重他人與自己之性或身體之自主，避免不受歡迎之追求行為，並不得以強制或暴力手段處理與性或性別有關之衝突。
Article 4	The President, faculty, staff, and students shall respect other people's and their own autonomy over their sexuality and their body, avoid making unwanted attempts to persuade another person to have a personal relationship with them, and they are not permitted to use force or violent means to handle conflicts related to sex or gender.
第五條	為防治校園性別事件，本校應採取下列措施改善校園危險空間：
Article 5	<p>In order to prevent gender-related incidents on campus, the University shall implement the following measures to improve dangerous areas of the campus:</p> <p>一、依空間配置、管理與保全、標示系統、求救系統與安全路線、照明與空間穿透性及其他空間安全要素等，定期檢討校園空間與設施之規劃與使用情形及檢視校園整體安全。</p> <p>I. Regularly review the planning of campus grounds and facilities and how they are used and inspect overall campus safety, taking into account the spatial configuration, management, and security of indoor and outdoor areas; the signage system; the emergency help system and safe routes; lighting and visibility; and other important safety factors.</p> <p>二、記錄校園內曾經發生校園性別事件之空間，並依實際需要繪製校園安全地圖。前項第一款檢討校園空間與設施之規劃，應考量學生之身心功能或語言文化差異之特殊性，提供符合其需要之安全規劃及說明方式；其範圍，應包括校園內所設之宿舍、衛浴設備、校車等。</p> <p>II. Record the locations where gender-related incidents have occurred on campus, and if necessary, produce a map indicating safe areas. The review of the planning of campus grounds and facilities referred to in Subparagraph 1 of the preceding paragraph shall take into account features of students' physical and mental capabilities, and differences in their language and culture, and provide safety planning and instructions in styles that are suitable for students' needs. The scope of the review shall include on-campus dormitories, washing and toilet facilities, and campus transport vehicles.</p>
第六條	本校應定期舉行校園空間安全檢視說明會，邀集專業空間設計者、教職員工生及其他校園使用者參與。
Article 6	<p>The University shall hold regular inspections of and meetings on the safety of campus areas and invite professional indoor and outdoor space designers, faculty staff members, workers, students, and other users of the campus to participate.</p> <p>前項檢視說明會，學校得採電子化會議方式召開，並應將檢視成果及相關紀錄公告周知。</p>

The University may conduct the inspections and meetings referred to in the preceding paragraph electronically, and they shall make the results of the inspections and the associated records publicly known.

學校檢視校園危險空間改善進度，應列為性平會每學期工作報告事項。

The University's review of progress made improving dangerous areas of the campus shall be an item in the Committee's working report each semester.

第七條 本校校長及教職員工生於進行校內外教學與活動、執行職務及人際互動時，應尊重多元性別差異，消除性別歧視。

Article 7 When undertaking teaching and activities, executing official duties, and engaging in interpersonal interactions, on and off campus, the President, faculty, staff and students shall respect gender diversity and eliminate gender discrimination.

第八條 學生於校外為實習生，實習期間遭受性騷擾時，依性別平等工作法第二條第五項規定辦理；事件之一方為實習場域之實習指導人員者，並適用性平法之規定。

Article 8 When any student experiences sexual harassment while undertaking an internship off campus, the matter shall be handled in accordance with the provisions of Paragraph 5 of Article 2 of the Gender Equality in Employment Act. If one of the parties involved in the incident is an instructor of internship students at the internship site, the provisions of the Act shall also apply.

前項所稱實習場域之實習指導人員，指教導或提供學生專業知能、提供實務訓練及指導學生實務操作訓練之人員。

The term “instructor of internship students at the internship site” in the preceding paragraph refers to any individual who teaches or provides students with professional knowledge and skills, and/or offers practical training, and instructs students receiving practical operations training.

學校知悉實習生為性侵害、性騷擾或性霸凌事件被害人，而非屬性平法適用範圍者，得依性平法第二十五條第三項規定辦理。

If the University becomes aware that a student doing an internship has been a victim of sexual assault, sexual harassment, or sexual bullying, and the matter does not fall within the scope of the Act, it may handle the matter in accordance with the provisions of Paragraph 3 of Article 25 of the Gender Equity Act.

學校知悉實習生為校園性別事件被害人，應採取立即有效之糾正及補救措施。

When the University becomes aware that a student doing an internship has been a victim of a gender-related incident, it shall take immediate and effective corrective and remedial measures.

第九條 本校應蒐集校園性別事件防治及救濟等資訊，以編製手冊或設置網站之方式公告周知，並於處理校園性別事件時，主動提供予相關人員。

Article 9 The University shall compile information on the prevention of gender-related incidents on campus and remedy procedures available and when handling such incidents take the initiative to provide the information to relevant personnel.

前項資訊應包括防治準則第三條第二項所列事項。

The information mentioned above shall include the items listed in Article 3, Paragraph 2 of the Prevention Regulations.

本校應視當事人之身心狀況，於必要時主動轉介至各相關機構，並應對於當事人提供防治準則第二十八條第一項所列協助，其所需費用，由本校性平會編列預算支應之。

本校應提供足夠措施保護行為人、申請人、檢舉人、受邀協助調查之人及調查相關人員，並表明嚴懲報復、恐嚇、誣告及其他不當行為。

The University shall take the initiative to refer the parties involved to agencies able to provide necessary assistance, based on the person's physical and mental condition, and provide the person concerned with the assistance listed in Article 28, Paragraph 1 of the Prevention Regulations. The expenses required shall be covered by the budget of the Committee. The University shall provide adequate measures to protect the offender, applicant, complainant, persons invited to assist in the investigation, and other personnel involved in the investigation, and shall demonstrate its commitment to severely punishing retaliation, intimidation, false accusations, and other misconduct.

#### 第十條

本校校長、教師、職員或工友知悉本校發生疑似校園性別事件者，依性平法第二十二條第一項規定，應立即以書面或其他通訊方式向本校學生事務處通報，並由學生事務處依相關法律規定向直轄市、縣（市）社政及教育主管機關通報，至遲不得超過二十四小時。

Article 10 Should the President, a faculty or staff member or a worker of the University become aware of a suspected campus gender-related incident, in accordance with Article 22, Paragraph 1 of the Gender Equity Act, they shall immediately notify the Office of Student Affairs in writing or by other means of communication. The Office of Student Affairs shall then notify the municipal or county (city) social and educational authorities in accordance with relevant laws and regulations, no later than 24 hours.

通報時除有調查必要、基於公共安全考量或法規另有特別規定者外，對於當事人及檢舉人之姓名或其他足以辨識其身分之資料，應予以保密。

When an incident is reported, the names and any other details sufficient to identify the parties involved or any informant shall be kept confidential except when necessary for the investigation, or based on considerations of public safety, or if the provisions of other regulations apply.

校長、教職員工偽造、變造、湮滅或隱匿他人所犯有終身或議決一年至四年不得聘任、任用、進用或運用之校園性侵害以外校園性別事件之證據，必要時應依相關法規予以解聘、免職、終止契約關係或終止運用關係；他人為學生，所犯校園性騷擾或性霸凌事件情節相當者，準用之。

If the President, a faculty or staff member or a worker forges, alters, destroys, or conceals evidence related to any campus gender-related incident committed by another person, not including any sexual assault that constitutes grounds for the University not being permitted to appoint, employ, or engage the services of that person, either, permanently or for a period of

between one and four years, they shall when necessary be dismissed, discharged from employment, or have their contractual relationship or provision of services arrangement terminated in accordance with the relevant regulations. This applies, mutatis mutandis, if the other person was a student who committed a campus sexual harassment or sexual bullying incident and the circumstances were similar.

前項校長、教職員工適用教師法、教育人員任用條例、公務人員相關法律或陸海空軍相關法律者，其解聘、停聘、免職、撤職、停職或退伍，依各該法律規定辦理；其未解聘、免職、撤職或退伍者，應調離學校現職。

If the Teachers' Act, the Act Governing the Appointment of Educators, related laws pertaining to the civil service, or related laws pertaining to the army, navy, or air force apply to the President, faculty or staff member or worker referred to in the preceding paragraph, their dismissal, suspension of appointment, discharge from employment, permanent dismissal from employment, suspension of employment, or discharge from military service is handled in accordance with the provisions of the law that applies. If they are not dismissed, discharged from employment, permanently dismissed from employment, or discharged from military service, they shall be transferred away from their current position at the University.

第十一條 校長或教職員工與未成年學生，在與性或性別有關之人際互動上，不得發展以性行為或情感為基礎等有違專業倫理之關係。

Article 11 In interpersonal interactions related to sex or gender, the President, faculty and staff are not permitted to develop a relationship based on sexual behavior or emotions with any student who is a minor, thereby violating professional ethics.

校長或教職員工於執行教學、指導、訓練、評鑑、管理、輔導學生或提供學生工作機會而有地位、知識、年齡、體力、身分、族群、或資源之不對等權勢關係時，與成年學生在與性或性別有關之人際互動上，不得發展以性行為或情感為基礎等有違專業倫理之關係。

When the President, faculty or staff is teaching, instructing, training, evaluating, managing, counseling, or providing a work opportunity to a student and there is an unequal power relationship because of their status, knowledge, age, physical strength, identity, ethnicity, or resources, they are not permitted to develop a relationship based on sexual behavior or emotions with any adult student that violates professional ethics regarding interpersonal interactions related to sex or gender.

校長或教職員工發現其與學生之關係有違反前二項專業倫理之虞，應主動迴避及陳報學校或學校主管機關處理。

If the President, faculty or staff finds that their relationship with a student raises concerns that it is in violation of the professional ethics referred to in the two preceding paragraphs, they shall recuse themselves from further interaction with the student and report the matter to the educational institution or its competent authority for it to handle.

第十二條 校園性別事件之被害人、其法定代理人或實際照顧者(以下簡稱申請人)、檢舉人，得以書面向行為人於行為發生時所屬之學校（以下簡稱事件管轄學校）申請調查或檢舉。

但行為人現為或曾為學校校長者，應向行為發生時之學校所屬主管機關（以下簡稱事件管轄機關）申請調查或檢舉。

Article 12 The victim of a campus gender-related incident, their legal representative or actual caregiver (hereunder referred to jointly as the applicant), or the informant, may apply in writing for an investigation or report the incident in writing to the educational institution where the offender was employed or enrolled at the time of the incident (hereunder referred to as the educational institution with jurisdiction). However, if the offender is or was the principal or president of the educational institution, the investigation or report shall be submitted to the competent authority of the educational institution at the time of the incident (abbreviated hereunder to the competent authority with jurisdiction).

前項事件管轄學校，於行為人在兼任學校所為者，為該兼任學校。

If the incident occurred at an educational institution with jurisdiction where the offender was employed part-time, that educational institution is the educational institution with jurisdiction referred to in the preceding paragraph.

本校相關人員應主動告知前項申請人或檢舉人，得依性平法申請調查或檢舉。

Relevant personnel of the University shall proactively inform the applicant or informant mentioned above that they may apply for an investigation or file a report in accordance with the Gender Equity Act.

第十三條 本校以學生事務處為校園性別事件收件單位，除指派專人處理相關行政事宜外，本校相關單位並應積極配合協助。

Article 13 The Office of Student Affairs is designated as the receiving unit for campus gender-related incidents. In addition to assigning dedicated personnel to handle related administrative matters, relevant departments within the University shall proactively cooperate and provide assistance.

為便利校園性別事件之申請調查與檢舉，學生事務處應設置專門受理申請調查或檢舉案之信箱，並為申請人或檢舉人做適當之保密措施。

To facilitate applications for investigations and reporting of gender-related incidents on campus, the Office of Student Affairs shall set up a dedicated mailbox for accepting applications for investigations or reports, and take appropriate confidentiality measures for applicants or informants.

學生事務處收件後，得依性平法第三十二條第二項規定進行初審，並將初審意見送交性平會決定是否受理。性平會得指定或輪派委員組成三人以上之小組決定之。

After receiving an application, the Office of Student Affairs shall conduct a preliminary review in accordance with Article 32, Paragraph 2 of the Gender Equity Act and submit its preliminary review opinion to the Committee for a decision on whether to accept the application. The Committee may designate or rotate members to form a group of three or more people for decision making.

第十四條 事件管轄學校與行為人現所屬學校不同者，應以書面通知行為人現所屬學校派代表參與調查，被通知之學校不得拒絕。

Article 14 If the educational institution with jurisdiction is not the educational institution at which the offender is employed or enrolled, the educational institution where the offender is currently employed or enrolled shall be notified in writing to send a representative to participate in the investigation; the educational institution that has been notified is not permitted to refuse to send a representative.

前項事件管轄學校完成調查屬實者，應將調查報告及處理建議移送行為人現所屬學校依防治準則第三十一條規定辦理。

If the educational institution with jurisdiction referred to in the preceding paragraph concludes its investigation and verifies that a campus gender-related incident occurred, it shall send a copy of the investigation report and its recommendations for the handling of the matter to the educational institution where the offender is currently employed or enrolled for that educational institution to handle in accordance with the provisions of Article 31 of the Prevention Regulations.

第十五條 第十二條第二項之情形，事件管轄學校應以書面通知行為人現所屬專任學校派代表參與調查，被通知之學校不得拒絕。

Article 15 In the situation referred to in Paragraph 2 of Article 12, the educational institution with jurisdiction shall notify the educational institution where an offender is currently employed on a full-time basis in writing that it needs to send a representative to participate in the investigation; the educational institution which has been notified is not permitted to refuse to send a representative.

前項事件管轄學校完成調查屬實者，應將調查報告及處理建議移送行為人現所屬專任學校依防治準則第三十一條規定處理。

If the educational institution with jurisdiction referred to in the preceding paragraph concludes an investigation and verifies that a campus gender-related incident did occur, it shall send the investigation report and its recommendations on handling the matter to the educational institution where the offender is currently employed on a full-time basis for educational institution to handle in accordance with the provisions of Article 31 of the Prevention Regulations.

第十六條 行為人於行為發生時，同時具有校長、教師、職員工友或學生二種以上不同身分者，以其與被害人互動時之身分，定其受調查之身分及事件管轄學校或機關。

Article 16 If at the time when the offense occurred, the offender served in two or more of the following capacities: the President, faculty, staff, worker, or student—the capacity in which the offender was acting at the time when they interacted with the victim determines how the investigation will be conducted, and the educational institution or competent authority with jurisdiction. 無法判斷行為人於行為發生時之身分，或於學制轉銜期間，尚未確定行為人就讀學校者，以受理申請調查或檢舉之學校為事件管轄學校，相關學校應派代表參與調查。但於申請調查或檢舉時，行為人及被害人已具學生身分，由行為人所屬學校為事件管轄學校。

If it is not possible to determine the capacity in which the offender was acting at the time of

the incident, or during a period of transition between educational stages when the offender's educational institution is not yet determined, the educational institution that accepted the application for an investigation or the informant's report is the educational institution with jurisdiction. Any other educational institution involved in the incident shall send a representative to participate in the investigation. However, if at the time the application for an investigation an informant's report is submitted, the offender and the victim are already registered students, the educational institution at which the offender is enrolled is the educational institution with jurisdiction.

第十七條 行為人二人以上，分屬不同學校者，以受理申請調查或檢舉之行為人所屬學校為事件管轄學校，相關學校應派代表參與調查。

Article 17 If there are two or more offenders and they work or study at different educational institutions, the first educational institution where one or more of the offenders works or studies that accepts an application for an investigation or an informant's report is the educational institution with jurisdiction and the other educational institutions involved shall send a representative to participate in the investigation.

第十八條 本校接獲申請調查或檢舉之案件但無管轄權者，應將該案件於七個工作日內移送其他有管轄權者，並通知當事人。

Article 18 If the University accepts an application for an investigation or an informant's report which it does not have jurisdiction over the matter, within seven working days it shall transfer the case to another that has jurisdiction and notify the parties involved.

學制轉銜期間申請調查或檢舉之事件，管轄權有爭議時，由其共同上級機關決定之，無共同上級機關時，由各該上級機關協議定之。

When an application for an investigation or an informant's report is submitted during a period of transition between educational stages, and there is a dispute over which educational institution has jurisdiction, their common higher authority shall make the determination.

When they do not have a common higher authority, the respective higher authorities of each of the educational institutions will come to an agreement.

第十九條 校園性別事件之申請人或檢舉人得以書面、言詞或電子郵件申請調查或檢舉；其以言詞或電子郵件為之者，受理申請調查或檢舉之事件管轄學校或機關應作成紀錄，經向申請人或檢舉人朗讀或使閱覽，確認其內容無誤後，由其簽名或蓋章。

Article 19 The applicant or informant in a campus gender-related incident may apply for an investigation or submit a report in writing, orally, or by email. If the application for an investigation or the report is made orally or by email, the educational institution or competent authority with jurisdiction that accepts the application or the report shall create a printed transcript or printout of the email as a record for the applicant or the informant to sign or affix their personal seal to, after it has been read aloud to them or they have personally read it and they have confirmed that it contains no errors.

前項書面或言詞、電子郵件作成之紀錄，應載明下列事項：

The record of the written, oral, or email application or report referred to in the preceding

paragraph shall include the following items:

- 一、 申請人或檢舉人姓名、身分證明文件字號、服務或就學之單位及職稱、住居所、聯絡電話及申請調查日期。
- I. The name of the applicant or the informant, their identity document number, and the unit and institution where they work or study and their job title if applicable, their current residential address, contact telephone number, and the date of the application for an investigation.
- 二、 申請人申請調查者，應載明被害人之出生年月日。
- II. In an application for an investigation, the applicant shall state the year, month, and day of the victim's birth.
- 三、 申請人委任代理人代為申請調查者，應檢附委任書，並載明其姓名、身分證明文件字號、住居所、聯絡電話。
- III. An applicant who appoints another person as their representative to apply for an investigation on their behalf shall submit a letter of authorization that states the name, identity document number, residential address, and contact telephone number of their representative.
- 四、 申請調查或檢舉之事實內容，如有相關證據，亦應記載或附卷。
- IV. The factual details of the incident that is the subject of the application for an investigation or informant's report. If there is any related evidence, it shall be recorded or be included as an attachment.

本校知悉疑似校園性別事件有下列情形，應由所設性平會評估該事件對學生受教權及校園安全之影響，經會議決議以檢舉案形式啟動調查程序，以釐清事實，採取必要之措施維護學生之權益與校園安全：

If the University becomes aware of a suspected campus gender-related incident that occurs under any of the circumstances listed below, the Committee shall assess the impact of the incident on students' right to education and on campus safety, and if the Committee resolves to initiate investigation procedures treating the matter as a reported case, in order to ascertain the facts and take necessary measures to protect students' rights and campus safety:

- 一、 二人以上被害人。
- I. There are two or more victims.
- 二、 二人以上行為人。
- II. There are two or more offenders.
- 三、 行為人為校長或教職員工。
- III. The offender is the President, or a faculty or staff member, or worker.
- 四、 涉及校園安全議題。
- IV. Campus safety issues are involved.
- 五、 其他經性平會認有以檢舉案形式啟動調查之必要者。
- V. Other circumstances that the Committee considers making it necessary to initiate an investigation treating the matter as a reported case.

第二十條 本校應於接獲申請調查或檢舉後二十日內以書面通知申請人、被害人或檢舉人是否受理。不受理之書面通知應依性平法第三十二條第三項規定敘明理由，並告知申請人、被害人或檢舉人申復之期限及受理單位。

Article 20 The University shall send a written notification of whether an application for an investigation or an informant's report has been accepted for further handling to the applicant, the victim, or the informant within 20 days after receiving the application or the report. A written notification that an application or a report has not been accepted for further handling shall, in accordance with the provisions of Paragraph 3 of Article 32 of the Gender Equity Act, state clearly the reason(s) has not been accepted and inform the applicant, the victim or the informant of the time limit for submitting a request for a reconsideration and the unit that accepts such a request.

申請人、被害人或檢舉人於前項之期限內未收到通知或接獲不受理通知之次日起二十日內，得以書面具明理由，向本校提出申復；其以言詞為之者，本校應做成紀錄，經向申請人、被害人或檢舉人朗讀或使閱覽，確認其內容無誤後，由其簽名或蓋章。

If the applicant, victim or informant does not receive a notification within the period specified in the preceding paragraph or if they receive a notification that their application or their report has not been accepted, they may submit a written request for reconsideration that states the grounds for the request to the University within 20 days from the day after the day that they receive the notification. If they make an oral request for a reconsideration, the University shall create a printed transcript of their request as a record for the applicant, victim or informant to sign or affix their personal seal to, after it has been read aloud to them or they have personally read it and they have confirmed that it contains no errors.

前項不受理之申復以一次為限。

The request for a reconsideration referred to in the preceding paragraph is restricted to being made once only.

本校接獲申復後，應將申請調查或檢舉案交性平會重新討論受理事宜，並於二十日內以書面通知申復人申復結果。申復有理由者，性平會應依法調查處理。

After receiving a request for reconsideration, the University shall give the application for investigation or the informant's reported case to the Committee to once again discuss whether to accept the request handle reopening of ion, and the University shall notify the person making the request for reconsideration of the outcome of their request in writing within 20 days. If there are grounds for the request for reconsideration, the Committee shall investigate and handle the matter in accordance with the law.

第二十一條 經媒體報導之校園性別事件，應視同檢舉，學校或主管機關應主動將事件交由所設之性平會調查處理。疑似被害人不願配合調查時，學校或主管機關仍應提供必要之輔導或協助。

Article 21 Gender-related incidents on campus that have received media coverage shall be treated as having been reported. The University or competent authority with jurisdiction shall take the initiative to refer the matter to the Committee to investigate and handle. When a

suspected victim is not willing to cooperate with an investigation, the University or competent authority shall still provide any counseling or assistance required.

本校處理霸凌事件，發現有疑似校園性別事件者，視同檢舉，由校園霸凌防制委員會移請性平會依前條規定辦理。

If the University handling an incident of bullying suspects that a campus gender-related incident has also occurred, the discovery is deemed equivalent to an informant's report, and the University's anti-bullying response team shall refer the matter to the Committee for handling in accordance with the provisions of the preceding article.

## 第二十二條

### Article 22

本校性平會處理校園性別事件時，得成立調查小組調查之。調查小組以三人或五人為原則，其成員之組成，依性平法第三十三條第三項及第四項規定。

When the Committee handles a campus gender-related incident, it may set up an investigation team to investigate the matter. In principle, an investigation team has three or five members appointed in accordance with the provisions of Paragraph 3 and Paragraph 4 of Article 33 of the Gender Equity Act.

有下列情形之一者，不得擔任前項調查小組成員：

A person in any of the circumstances listed below is not permitted to serve as a member of the investigation team referred to in the preceding paragraph:

一、 違反刑法妨害性自主罪章、妨害性隱私及不實性影像罪章，經緩起訴處分確定或有罪判決確定。

I. Their deferred prosecution or guilty verdict for a violation of the Chapter on Sexual Offenses, or the Chapter on Offense against Sexual Privacy and Synthetic Sexual Videos in the Criminal Code has been affirmed.

二、 違反性平法、性別平等工作法、性騷擾防治法、跟蹤騷擾防制法、兒童及少年性剝削防制條例或其他性別平等相關法規，經依法調查或有關機關查證屬實。

II. Their acting in violation of the Gender Equity Act, the Gender Equality in Employment Act, the Sexual Harassment Prevention Act, the Stalking and Harassment Prevention Act, the Child and Youth Sexual Exploitation Prevention Act, or other gender equality-related legislation has been duly investigated or verified by the relevant authority.

校園性別事件當事人之輔導人員、事件管轄學校或機關性平會會務權責主管及承辦人員，應迴避該事件之調查工作；參與校園性別事件之調查及處理人員，亦應迴避對該當事人之輔導工作。

Any counselor of a party involved in a gender-related incident on campus, or any personnel overseeing or handling the committee affairs of the gender committee of the educational institution or the committee affairs of the gender committee of the competent authority with jurisdiction shall recuse themselves from participating in the investigation work for this incident, and any personnel participating in the investigation and handling of a campus gender-related incident shall recuse themselves from work counseling any of

the parties involved.

針對本校擔任調查小組之成員，應予公差（假）登記。其交通費或相關費用，由事件管轄學校或機關，及派員參與調查之學校支應。

The University shall record time that any personnel spend away from their workplace serving as a member of the investigation team as work-related travel (official leave), and the educational institution or competent authority with jurisdiction and any educational institution that sends a team member to participate in the investigation shall pay any transportation costs or related expenses incurred.

## 第二十三條

性平法第三十三條第三項所定具校園性別事件調查專業素養之專家學者，應符合下列資格之一：

### Article 23

The experts or scholars with professional expertise in the investigation of campus gender-related incidents stipulated in Paragraph 3 of Article 33 of the Gender Equity Act shall satisfy one of the following criteria:

- 一、 持有中央或直轄市、縣（市）主管機關校園性別事件調查知能高階培訓結業證書，且經中央或直轄市、縣（市）主管機關所設性平會核可並納入調查專業人才庫者。
- I. Have a certificate of completion for an advanced campus gender-related incident investigation competency training program provided by the competent authority at the central, special municipality, county or city level and have been approved by the gender committee of the competent authority at the central, special municipality, county or city level and included in its database of investigation professionals.
- 二、 曾調查處理校園性別事件有具體績效，且經中央或直轄市、縣（市）主管機關所設性平會核可並納入調查專業人才庫者。
- II. Have a proven record in the investigation and handling of a campus gender-related incident and have been approved by the gender committee of the competent authority at the central, special municipality, county or city level and included in its database of investigation professionals.

防治準則中華民國一百十三年三月八日修正生效前，經中央或直轄市、縣（市）主管機關所設性平會核可並納入調查專業人才庫者，自防治準則修正生效之日起，當然納入原調查專業人才庫。

A person whom a gender committee established by the competent authority at the central, special municipality, county or city level with jurisdiction approved and whose details were included in an database of investigation professionals before the amendments to the Prevention Regulations came into effect on March 8, 2024 will remain in the original database of investigation professionals.

## 第二十四條

### Article 24

本校調查處理校園性別事件時，應依下列方式辦理：

When the University investigates and handles a campus gender-related incident, it shall proceed as follows:

- 一、行為人應親自出席接受調查；當事人未成年者，接受調查時得由法定代理人或實際照顧者陪同。
- I. An offender shall appear in person for the investigation; if any of the parties involved is a minor, their legal guardian or actual caregiver may accompany them during the investigation.
- 二、被害人、其法定代理人或實際照顧者要求不得通知被害人現就讀學校，且經性平會認定無通知必要者，得不通知。
- II. If the victim, their legal representative, or their actual caregiver requests that the victim's current school not to be notified, and the Committee determines that notification is unnecessary, then notification may be withheld.
- 三、當事人持有各級主管機關核發之身心障礙證明或有效特殊教育學生鑑定證明者，調查小組成員應有具備特殊教育專業者。
- III. If any of the parties involved has a disability certification or a valid certification that they have been identified as having special-needs that was approved and issued by the competent authority, the investigation team shall have members with expertise in special education.
- 四、行為人與被害人、檢舉人或受邀協助調查之人有權力不對等之情形者，應避免其對質。
- IV. If there is an imbalance of power between an offender and a victim, or an informant, or a person invited to assist in the investigation, the educational institution or the competent authority shall avoid any face-to-face meeting between them.
- 五、本校就行為人、被害人、檢舉人或受邀協助調查之人之姓名及其他足以辨識身分之資料，應予保密。但有調查之必要或基於公共安全考量者，不在此限。
- V. The name of any offender, victim, informant, or person invited to assist in the investigation, and any other information sufficient to identify them, shall be kept confidential by the University. This restriction does not apply, however, if such details are required for the investigation or based on considerations of public safety.
- 六、依性平法第三十三條第五項規定以書面通知當事人、相關人員或單位配合調查及提供資料時，應記載調查目的、時間、地點及不到場所生之效果。
- VI. When, in accordance with the provisions of Paragraph 5 of Article 33 of the Gender Equity Act, written notification is given to the parties involved, and to associated personnel or units to cooperate with an investigation and provide information, the notification shall state the purpose of the investigation, the time and location, and the consequences of failure to attend.
- 七、前款通知應載明當事人不得私下聯繫或運用網際網路、通訊軟體或其他管道散布事件之資訊。

- VII. The notification referred to in the preceding subparagraph shall clearly state that the parties involved are not permitted to disseminate any information about the incident through any private communication, or using the internet, communication software, or any other channel.
- 八、事件管轄學校或機關所屬人員不得以任何名義對案情進行瞭解或調查，且不得要求當事人提交自述或切結文件。
- VIII. Persons affiliated with the educational institution or competent authority with jurisdiction are not permitted to use any pretext and undertake to understand or investigate any details of the incident, and they are not permitted to request that the parties involved give a first-hand account or an affidavit.
- 九、本校基於調查之必要，得於不違反保密義務之範圍內另作成書面資料，交由行為人、被害人或受邀協助調查之人閱覽或告以要旨。
- IX. If it is necessary for the University's investigation, other written information which does not violate the obligation of confidentiality may be produced and provided to the offender, the victim, or any person invited to assist in the investigation for them to read or be informed of the essential points.
- 十、申請人撤回申請調查時，為釐清相關法律責任，本校得經性平會決議，或經行為人請求，繼續調查處理。
- X. When an applicant withdraws their application for an investigation, to clarify the related legal liability, the University may continue the investigation, after a resolution to do so is passed by the Committee, or at the request of the offender.
- 十一、當事人申請閱覽、抄寫、複印或攝影有關資料或卷宗，應依行政程序法規定辦理。
- XI. When any of the involved parties applies to view, transcribe, copy, or photograph relevant information or case files, it shall be handled in accordance with the provisions of the Administrative Procedure Act.
- 十二、當事人調查訪談過程紀錄，得以錄音輔助，必要時得以錄影輔助；訪談紀錄應向當事人朗讀或使閱覽，確認其內容無誤後，由其簽名或蓋章。
- XII. The records of the investigation interview process of the parties involved may be supplemented with audio recordings and, when necessary, with video recordings; a transcript of the interview shall be read aloud to the interviewed parties or given to them to read and to sign or affix their personal seal to after they have confirmed that it contains no errors.

第二十五條 依前條第五款規定負有保密義務者，為本校參與處理校園性別事件之所有人員。依前項規定負保密義務者洩密時，應依刑法或其他相關法規處罰。

Article 25 The persons bound by the obligation of confidentiality in accordance with the provisions of Subparagraph 5 of the preceding article include all persons of the University participating in the handling of a campus gender-related incident. If any person(s) responsible for maintaining the confidentiality referred to in the provisions of the

preceding paragraph makes any confidential detail(s) known they shall be subject to punishment in accordance with the Criminal Code or other pertinent legislation.

本校就記載有當事人、檢舉人、證人姓名之原始文書應予封存，不得供閱覽或提供予偵查、審判機關以外之人。但法律另有規定者，不在此限。除原始文書外，調查處理校園性別事件人員對外所另行製作之文書，應將當事人、檢舉人、證人之真實姓名及其他足以辨識身分之資料刪除，並以代號為之。

The University shall seal and store all the original documents which record the names of the parties involved, the informant, and any witnesses and is not permitted to make the documents available to be read by or provided to any person except personnel conducting a legal investigation or a trial. However, this restriction does not apply if otherwise provided by another law. Except in the original documents, the personnel investigating or handling a gender-related incident on campus shall delete and replace the real names and information that may lead to the identification of the parties involved, the informant, or any witness with codes in any documents that they produce for external use.

## 第二十六條

本校為保障校園性別事件當事人之受教權或工作權，受理申請調查或檢舉於必要時得依性平法第二十四條規定，採取下列處置，並報主管機關備查：

## Article 26

In order to safeguard the education or employment rights of the parties involved in a gender-related incident on campus, the University may, when necessary, in accordance with the provisions of Article 24 of the Gender Equity Act, adopt the following measures and report the matter to the competent authority for future reference:

- 一、彈性處理當事人之出缺勤紀錄或成績考核，並積極協助其課業或職務，得不受請假、教師及學生成績考核相關規定之限制。
  - I. Handle the attendance records and performance assessments of the parties involved flexibly, and actively assist them with their academic work or work duties, and it may exempt parties involved from being subject to the regulations pertaining to requesting leave, or to teacher or student performance assessments.
- 二、尊重被害人之意願，減低當事人雙方互動之機會，並得依被害人之申請或由性平會評估該事件對學生受教權及校園安全之影響，中止當事人雙方執行教學、指導、訓練、評鑑、管理、輔導學生或提供學生工作機會之關係，或命行為人迴避。
  - II. Respect the wishes of the victim and reduce the opportunities for interaction between the two parties involved, and the educational institution or competent authority with jurisdiction may, in accordance with the victim's request or based on the Committee's assessment of the effect of the incident on students' right to education and campus safety, discontinue any teaching, instruction, training, evaluation, management, or counseling relationship between the parties involved, or one that provides a work opportunity to a student, or order the offender to avoid contact with the victim.
- 三、避免報復情事。

- III. Avoid situations where retaliation could occur.
- 四、預防、減低行為人再度加害之可能。
- IV. Prevent or reduce the possibility of the offender causing any further harm.
- 五、其他性平會認為必要之處置。
- V. Other measures that the Committee considers necessary.
- 當事人非事件管轄學校之人員時，應通知當事人所屬學校，依前項規定處理。
- When any of the parties involved is not employed by or enrolled at the educational institution with jurisdiction, the educational institution at which that person is employed or enrolled shall be notified to handle the matter in accordance with the provisions of the preceding paragraph.
- 前二項必要之處置，應經性平會決議通過後執行。
- Any of the necessary measures referred to in the two preceding paragraphs shall be implemented after the Committee has passed a resolution.
- 第二十七條**  
本校應依性平法第二十五條第一項規定，視當事人之身心狀況，主動轉介至各相關機構，以提供必要之協助。但本校就該事件仍應依性平法為調查處理。當事人非本校之人員時，應通知當事人所屬學校，依前項規定提供必要之協助。
- Article 27**  
The University shall, in accordance with the provisions of Paragraph 1 of Article 25 of the Gender Equity Act, take the initiative to refer the parties involved to agencies able to provide necessary assistance, based on the person's physical and mental condition. However, the University shall continue to investigate and handle the case in accordance with the Gender Equity Act. When any of the parties involved is not employed by the University, it shall notify the educational institution at which they are employed or enrolled and that the University shall provide any required assistance in accordance with the provisions of the preceding paragraph.
- 第二十八條**  
本校依性平法第二十五條第一項規定，於必要時，應對當事人提供下列適當協助：
- Article 28**  
When necessary the University shall, in accordance with the provisions of Paragraph 1 of Article 25 of the Gender Equity Act, provide the victim with the following appropriate assistance:
- 一、心理諮詢與輔導。  
I. Psychological counseling and guidance.
  - 二、法律協助。  
II. Legal assistance.
  - 三、課業協助。  
III. Assistance with school work.
  - 四、經濟協助。  
IV. Financial assistance.
  - 五、社會福利資源轉介服務。  
V. Referrals to social welfare resources
  - 六、其他性平會認為必要之保護措施或協助。

VI. Other protective measures or assistance that the Committee considers necessary.

當事人非本校之人員時，應通知當事人所屬學校，依前項規定提供適當協助。

When any of the parties involved is not employed by or enrolled at the University, the University shall notify the educational institution at which they are employed or enrolled and that educational institution shall provide appropriate assistance in accordance with the provisions of the preceding paragraph.

前二項協助得委請醫師、臨床心理師、諮商心理師、社會工作師或律師等專業人員為之，其所需費用，本校應編列預算支應之。

The University may request a physician, clinical psychologist, counseling psychologist, social worker, or lawyer to provide the assistance referred to in the two preceding paragraphs and it shall make a budget allocation for the funds required to pay the fees incurred.

第二十九條 性平會之調查處理，不受該事件司法程序是否進行及處理結果之影響。

Article 29. The investigation and handling by the Committee are not affected by whether judicial proceedings are conducted and the conclusions of any handling judicial proceedings.

前項之調查程序，不因行為人喪失原身分而終止。

The procedures for the investigation referred to in the preceding paragraph will not be discontinued as a result of the offender losing their former status.

第三十條 基於尊重專業判斷及避免重複詢問原則，本校對於與校園性別事件有關之事實認定，應依據性平會之調查報告。

Article 30. In accordance with the principles of respecting professional judgment and avoiding repetitive questioning, the University shall make a determination of the facts pertaining to a campus gender-related incident based on the investigation report of the Committee.

本校性平會召開會議審議調查報告認定校園性別事件屬實，依其事實認定對學校或主管機關提出改變身分之處理建議者，由本校或主管機關檢附經性平會審議通過之調查報告，通知行為人限期提出書面陳述意見。

If the Committee meets and reviews an investigation report and finds that a campus gender-related incident did occur and makes a recommendation, based on its determination of the facts, to the educational institution or competent authority to handle the matter by changing the status of the offender, the University or competent authority shall notify the offender of the time limit in which to submit a written statement and attach a copy of the investigation report that was reviewed and approved at the Committee meeting.

前項行為人不於期限內提出書面陳述意見者，視為放棄陳述之機會；有書面陳述意見者，本校性平會應再次召開會議審酌其書面陳述意見，除發現調查程序有重大瑕疵或有足以影響原調查認定之新事實、新證據情形外，不得重新調查。

If the offender referred to in the preceding paragraph does not submit a written statement within the time limit, it will be deemed as they forfeiting the opportunity to make a statement; if the offender makes a written statement, the Committee shall convene

another meeting to consider the offender's written statement. A reinvestigation is not permitted unless the Committee discovers that there was some significant flaw in the investigation procedure or there is some new fact or new evidence that is sufficient to affect the outcome of the original investigation.

本校或主管機關決定議處之權責單位，於審議議處時，除有性平法第三十七條第三項所定之情形外，不得要求本校性平會重新調查，亦不得自行調查。

When the University or competent authority that decides the disciplinary action is reviewing the disciplinary action to be taken, except in the circumstances stipulated in Paragraph 3 of Article 37 of the Gender Equity Act, it is not permitted to require the Committee to reinvestigate the case and it is not permitted to conduct its own investigation.

前項審議議處依相關法規應給予行為人陳述答辯意見時，應檢附經性平會審議通過之調查報告。

The review off the disciplinary action referred to in the preceding paragraph, in accordance with the provisions of the associated regulations, shall give the offender an opportunity to make a statement of defense, the University shall provide a copy of the investigation report reviewed and approved by the Committee to the offender.

第四項議處決定前，權責單位應通知被害人、其法定代理人或實際照顧者限期以書面或言詞提出陳述意見；其以言詞為之者，權責單位應作成紀錄，經向被害人、其法定代理人或實際照顧者朗讀或使閱覽，確認其內容無誤後，由其簽名或蓋章；未於期限內提出書面陳述意見者，視為放棄陳述之機會；有書面陳述意見者，決定議處之權責單位應審酌其書面陳述意見。

Before making the decision on the disciplinary action referred to in Paragraph 4, the responsible unit shall notify the victim, or their legal representative or actual caregiver to submit a written or oral statement by a specified time. If an statement is made orally, the responsible unit shall create a printed transcript of the statement for the victim, their legal representative, or actual caregiver to sign or affix their personal seal to after the transcript has been read aloud to them or they have personally read it, and they have confirmed that it contains no errors. If a person fails to submit a written statement by the specified time, it will be deemed as they forfeiting the opportunity to make a statement. If a written statement is submitted, the unit authorized to decide the disciplinary action shall consider the written statement.

### 第三十一條

校園性別事件經本校性平會調查屬實後，本校應依性平法第二十六條第一項規定，對行為人予以申誡、記過、解聘、停聘、不續聘、免職、終止契約關係、終止運用關係或其他適當之懲處。其他機關依相關法律或法規有議處權限，本校應將該事件移送其他權責機關議處；其經證實有誣告之事實者，並應依法對申請人或檢舉人為適當之懲處。

### Article 31.

After the Committee has investigated and verified that a campus gender-related incident occurred, the University shall, in accordance with the provisions of Paragraph 1 of Article

26 of the Gender Equity Act, impose on the offender a formal reprimand, demerit, dismissal, suspension of appointment, non-renewal of appointment, discharge from employment, termination of contractual relationship, termination of provision of services relationship, or some other appropriate sanction. If in accordance with applicable law or regulations another agency is responsible for imposing the disciplinary action, the University shall transfer the case to that responsible authority to do so. If it has been confirmed that a false accusation was made, an appropriate sanction shall be imposed on the applicant or informant in accordance with the law.

性平法第二十六條第二項對行為人所為處置，應由本校命行為人為之，執行時並應採取必要之措施，以確保行為人之配合遵守；處置之性質、執行方式、執行期間及不配合執行之法律效果，應載明於處理結果之書面通知中。

The University responsible for imposing the disciplinary measures shall order the offender to undergo the measures for offenders referred to in Paragraph 2 of Article 26 of the Gender Equity Act, and when the measures are implemented, the University shall take necessary measures to ensure that the offender cooperates and complies. The nature of the measures, how they will be implemented, the period for which they will be implemented, and the legal consequences of non-compliance shall be specified in the written notification of the outcome of the handling of the case.

前項處置應由該懲處之學校或主管機關性平會討論決定下列事項之性質、執行單位或人員、執行方式、執行期間及費用之支應事宜：

The gender committee of the educational institution or competent authority responsible for imposing the measures referred to in the preceding paragraph shall discuss and decide the nature of the following items, the unit or personnel that implement will them, how they will be implemented, the, period for which they will be implemented, and payment of expenses incurred:

一、 行為人接受心理諮詢與輔導。

I. The offender receives psychological counseling and guidance.

二、 行為人經被害人、其法定代理人或實際照顧者之同意，向被害人道歉。

II. The offender apologizes to the victim with the consent of the victim, their legal representative, or actual caregiver.

三、 八小時之性別平等教育相關課程。

III. Eight hours of gender equity education-related courses.

四、 其他符合教育目的之措施。

IV. Other measures that are in keeping with the educational purpose.

前項第四款之措施，必要時，得考量行為人為學生，融入學校之課程教學或宣導活動執行並記錄之。

When necessary, if the offender is a student, consideration may be given to integrating the measures referred to in Subparagraph 4 of the preceding paragraph into the teaching of the educational institution's curriculum or advocacy activities and recording this.

依性平法第二十六條第二項第二款規定命行為人接受八小時之性別平等教育相關課程，應由學校所屬主管機關規劃。

The educational institution's competent authority shall plan the eight-hour gender equality education-related courses that Paragraph 2, Subparagraph 2 of Article 26 of the Gender Equity Act stipulates that the offender be ordered to attend.

第三十二條

本校將處理結果，以書面通知申請人、被害人及行為人時，應一併提供調查報告，並告知申復之期限及受理之單位。

Article 32

When the University sends a written notification of the outcome of the handling of the case to the applicant, the victim, and the offender, it shall also provide the investigation report and inform them of the time limit for requesting a reconsideration, and the educational institution or competent authority which will accept a request for reconsideration.

前項處理結果，內容包括事實認定、處置措施及議處結果。

The outcome of the handling of the case referred to in the preceding paragraph will include the established facts, measures to be taken, and the outcome of disciplinary action.

申請人、被害人或行為人對本校處理之結果不服者，得於收到書面通知次日起三十日內，以書面具明理由向本校申復；其以言詞為之者，本校應作成紀錄，經向申請人、被害人或行為人朗讀或使閱覽，確認其內容無誤後，由其簽名或蓋章。

If an applicant, victim, or offender is dissatisfied with the outcome of the handling of the case by the University, they may submit a written request for reconsideration to the University, specifying the grounds for reconsideration, within 30 days from the day following the day that they received the written notification. If a person makes such a request orally, the University shall create a printed transcript of the request for the applicant, the victim, or the offender to sign or affix their personal seal to, after the transcript has been read aloud to them or they have personally read it and they have confirmed that it contains no errors.

本校接獲申復後，依下列程序處理：

After receiving a request for reconsideration, the University will handle it in accordance with the procedure below:

一、 由本校收件後，應即組成審議小組，並於三十日內作成附理由之決定，以書面通知申復人申復結果。

I. After the University receives the request, it shall set up a review panel and within 30 days make a decision and affix the reasons for the decision, and the University shall give the person who requested a reconsideration a written notification of the outcome of their request.

二、 前款審議小組應包括性別平等教育相關專家學者、法律專業人員三人或五人，其小組成員之組成，女性人數應占成員總數二分之一以上，具校園性別事件調查專業素養之專家學者人數比例於學校應占成員總數三分之一以

上。

- II. The review panel referred to in the preceding subparagraph shall comprise 3 or 5 people who include at least 1 gender equity education expert or scholar and at least 1 legal professional. At least half of the members of the team shall be female. At least one third of the team at the University shall be experts or scholars with professional expertise and experience in the investigation of campus gender-related incidents.
- 三、 原性平會委員及原調查小組成員不得擔任審議小組成員。
- III. Members of the Committee or the investigation team are not permitted to serve as members of the review panel.
- 四、 審議小組召開會議時由小組成員推舉召集人，並主持會議。
- IV. When the review panel conducts a meeting, the members of the panel will select a convener who will also chair its meetings.
- 五、 審議會議進行時，得視需要給予申復人陳述意見之機會，並得邀所設性平會相關委員或調查小組成員列席說明。
- V. When the review panel is holding its meeting(s), if it is considered necessary, it may give the person making the request for reconsideration an opportunity to make a statement, and it may invite members of the Committee or investigation team to attend in a non-voting capacity and provide explanations.
- 六、 申復有理由時，將申復決定通知相關權責單位，由其重為決定。有性平法第三十七條第三項所定調查程序有重大瑕疵或有足以影響原調查認定之新事實、新證據時，得要求性平會重新調查。
- VI. When there are grounds for a request for reconsideration, communicate the decision that grounds exist to the associated responsible unit which will re-handle the case. When there was any significant flaw in the investigation procedure as defined in Paragraph 3 of Article 37 of the Gender Equity Act, or if there is some new fact or new evidence that is sufficient to affect the conclusion of the original investigation, it may ask the Committee to reinvestigate the incident.
- 七、 前款申復決定送達申復人前，申復人得準用前項規定撤回申復。
- VII. Before the decision made on the request for reconsideration referred to in the preceding subparagraph is sent to the person who made the request, that person may withdraw their request mutatis mutandis in accordance with the provisions of the preceding paragraph.

性平法第三十七條第三項及防治準則第三十條第三項所定調查程序有重大瑕疵，指有下列情形之一者：

The significant procedural flaws in the investigation procedure referred to in Paragraph 3 of Article 37 of the Gender Equity Act, and in Paragraph 3 of Article 30 of these Prevention Regulations refers to one of the following circumstances:

- 一、性平會或調查小組組織不適法。
  - I. The composition of the Committee or the investigation team is unlawful.
- 二、未給予當事人任一方陳述意見之機會。
  - II. Failure to provide any one of the parties involved with the opportunity to make a statement.
- 三、有應迴避而未迴避之情形。
  - III. Failure to recuse when recusal is mandatory.
- 四、有應調查之證據而未調查。
  - IV. Failure to investigate evidence that warrants mandatory investigation.
- 五、有證據取捨瑕疵而影響事實認定。
  - V. Flawed acceptance or rejection of evidence which affected the determination of the facts.
- 六、其他足以影響事實認定之重大瑕疵。
  - VI. Other significant procedural flaws sufficient to affect the determination of the facts.

第三十三條 行為人為校長，申請人或被害人依性平法第三十七條第一項但書向學校主管機關申復時，依前條第三項規定辦理。

Article 33 If the offender is the President, when the applicant or victim submits a request for reconsideration to the University's competent authority in accordance with the proviso in Paragraph 1 of Article 37 of the Gender Equity Act, the matter shall be handled in accordance with the provisions of Paragraph 3 of the preceding article.

行為人為學校教職員工，申請人或被害人依性平法第三十七條第一項但書向學校主管機關申復時，準用前條第四項規定處理，並得邀事件管轄學校性平會相關委員或調查小組成員代表列席說明。

If the offender is a faculty or staff member, or worker at the University, when the applicant or victim submits a request for reconsideration to the University's competent authority in accordance with the proviso of Paragraph 1 of Article 37 of the Gender Equity Act, the provisions of Paragraph 4 of the preceding article apply mutatis mutandis, and the competent authority may invite representatives of members of the Committee or the investigation team to attend in a non-voting capacity and provide explanations.

前項申請人或被害人向學校主管機關申復時，倘行為人向學校申復，學校應即報請主管機關併案審議。

When the applicant or the victim referred to in the preceding paragraph submits a request for reconsideration to the University's competent authority, if the offender submits a request for reconsideration to the educational institution, the University shall immediately inform the competent authority and request it to jointly both requests for reconsideration. 審議結果發現學校之處理結果，有違法或不當時，由主管機關所設性平會審議下列處理建議：

If the review finds that the outcome of the University's handling of the case was unlawful

or improper, the gender committee of the competent authority shall deliberate the following proposals for handling the matter:

一、 改核學校處理結果之必要性。

I. Whether there is a necessity to change the outcome of the University's handling of the case.

二、 交回學校依法處理之理由。

II. Whether there are grounds for returning the case to the University to handle in accordance with the law.

三、 追究相關人員責任之處置。

III. Action to take to find the associated person(s) responsible.

### 第三十四條

### Article 34

本校依性平法第二十八條第一項規定建立之檔案資料，應指定專責單位或人員保存二十五年；其以電子儲存媒體儲存者，必要時得採電子簽章或加密方式處理之。

The University shall designate a unit or personnel to preserve the database that it has established Paragraph 1 of Article 28 of the Gender Equity Act for a period of 25 years. If the database is preserved using electronic storage media, when necessary, an electronic signature or encryption may be used for dealing with the data.

依前項規定所建立之檔案資料，分為原始檔案與報告檔案。

The database established in accordance with the provisions of the preceding paragraph shall be divided into archives of original data and archives of report documents.

前項原始檔案內容包括下列資料：

The content of the archives of the original data referred to in the preceding paragraph includes the following information:

一、 事件發生之時間、樣態。

I. The time the incident occurred and its category.

二、 事件相關當事人（包括檢舉人、被害人、行為人）。

II. The parties associated with the incident and the parties involved (the informant, the victim, and the offender).

三、 事件處理人員、流程及紀錄。

III. The personnel handling the case, and the process, and case records.

四、 事件處理所製作之文書、訪談過程之錄音檔案、取得之證據及其他相關資料。

IV. Text documents produced during the handling of the case, audio files of recorded interviews, evidence obtained, and other pertinent information.

五、 行為人之姓名、職稱或學籍資料等。

V. The name, and job title or student registration details of the offender.

六、 調查小組提交之調查報告初稿及性平會之會議紀錄。

VI. The initial draft of the investigation report submitted by the investigation team and the minutes of the Committee meetings.

第二項報告檔案為經性平會議決通過之調查報告；其內容應包括下列事項：

The archives of report documents referred to in Paragraph 2 comprise the investigation report approved by the Committee; its contents shall include the following:

- 一、申請調查事件之案由，包括當事人或檢舉之敘述。
- I. The subject matter of the application for an investigation of the incident, including accounts provided by the parties involved or by an informant.
- 二、調查訪談過程紀錄，包括日期及對象。
- II. Records of interviews conducted during the investigation, including the dates and the interviewees.
- 三、被申請調查人、申請調查人、證人與相關人士之陳述及答辯。
- III. The statements and responses made by the person who was the subject of an application for an investigation, of the person applying for an investigation, of witnesses, and of other pertinent persons.
- 四、相關物證之查驗。
- IV. Assessment of associated material evidence.
- 五、事實認定及理由。
- V. The facts established and the associated reasons.
- 六、處理建議。
- VI. Recommendations for handling the matter.

第一項建立之檔案資料銷毀方式，得準用機關檔案保存年限及銷毀辦法第十三條規定辦理。

The provisions of Article 13 of the Regulation on the Retention Periods and Destruction of Agency Records may be applied mutatis mutandis, for the methods of destruction of the established database referred to in Paragraph 1.

### 第三十五條

學校或主管機關關於取得性平法第二十九條第三項所定事件相關事證資訊，經通知當事人陳述意見後，應提交性平會查證審議。

### Article 35

If the educational institution or competent authority with jurisdiction obtains material evidence related to an incident referred to in Paragraph 3 of Article 29 of the Gender Equity Act it shall submit that material evidence to the gender committee to verify and evaluate after it has notified the parties involved to provide a statement of opinion.

### 第三十六條

本校依性平法第二十八條第二項及第三項規定為通報時，其通報內容應限於行為人經查證屬實之校園性別事件時間、樣態、行為人姓名、職稱或學籍資料。本校應視實際需要，將輔導、防治教育或相關處置措施及其他必要之資訊，提供予次一就讀或服務之學校。

### Article 36

When the University reports an incident in accordance with the provisions of Paragraph 2 and Paragraph 3 of Article 28 of the Gender Equity Act, the content of the report shall be limited to the time that the campus gender-related incident which has been confirmed occurred, the incident category, the offender's name, the offender's job title or details of their student registration. The University shall examine actual needs and if necessary provide information on counseling, preventive education, or related corrective measures,

and other required information to the educational institution where the offender will subsequently be enrolled or employed.

本校就行為人追蹤輔導後，評估無再犯情事者，得於第一項通報內容註記行為人之改過現況。

If after providing follow-up counseling for the offender, the University makes the assessment that such an incident will not be repeated, it may comment that the offender has changed for the better in the report referred to in Paragraph 1.

### 第三十七條

### Article 37

本校知悉涉有校園性別事件之聘任或任用之教職員、公務人員或軍職人員提出退休（伍）或資遣申請時，應依下列規定辦理：

When the University becomes aware that an appointed or employed faculty or other staff member, civil servant, or military personnel member whom it has an appointed or employed has been involved in a campus gender-related incident and that person has applied for retirement (military discharge) or severance with pay, it shall follow the procedures set out below:

- 一、 召開教師評審委員會、教練評審委員會、性平會、考績委員會、人事評審會或依法令組成之相關委員會，就其涉及校園性別事件之違失情節，詳慎審酌是否應依法令作成解聘、停聘或不續聘之決議後，依其身分別適用之法令循程序報請主管機關核准或依校內程序辦理；或依公務員懲戒法規定，移送懲戒或送請監察院審查，及應否依相關法律核予停職或免職。
  - I. Convene the teacher evaluation committee, coaching staff evaluation committee, the Committee, performance review committee, personnel evaluation committee, or any other relevant committee formed in accordance with ordinances to carefully consider the circumstances of the person's improper involvement in the campus gender-related incident and determine whether it must pass a resolution for their dismissal, suspension of appointment, or non-renewal of their appointment, after which in accordance with the ordinances applicable to persons in their work position, follow the procedure to request approval by the competent authority or handle the matter internally in accordance with the University's procedures; or in accordance with the provisions of the Public Functionaries Discipline Act, refer the case to the Disciplinary Court for disciplinary action or request the Control Yuan to review the case and determine whether suspension of employment, or discharge from employment is warranted under related laws.
  - 二、 經召開教師評審委員會、教練評審委員會、性平會、考績委員會、人事評審會或依法令組成之相關委員會審酌後，認為有須依法令作成解聘、停聘或不續聘之決議或依公務員懲戒法規定移送懲戒或送請監察院審查或依相關法律核予停職或免職而不受理其申請退休（伍）或資遣時，應書面通知當事人並敘明理由；如認無須依法令作成解聘、停聘或不續聘之決議或依公務員懲戒法規定移送懲戒或送請監察院審查或依相關法律核予停職或免

職而仍受理其申請退休（伍）或資遣時，應於彙送退休（伍）或資遣案審（核）定權責機關（構）之函內，敘明理由並檢同相關審查資料。

- II. If after its deliberations the teacher evaluation committee, coaching staff evaluation committee, the Committee, performance review committee, personnel evaluation committee, or any other relevant committee formed in accordance with ordinances deliberates, and determines that it is necessary to pass a resolution for dismissal, suspension, or non-renewal of appointment in accordance with ordinances, or in accordance with the provisions of the Public Functionaries Discipline Act, to refer the case for disciplinary action or send it to the Control Yuan requesting a review, or in accordance with pertinent law to approve suspension of employment, or discharge from employment but not accept an application from the person for retirement (or military discharge) or severance with pay, the Committee shall notify the parties involved in writing and set out the reasons in detail. If the Committee determines that it is not necessary for it to pass a resolution for dismissal, suspension, or non-renewal of appointment in accordance with ordinances, or, in accordance with the provisions of the Public Functionaries Discipline Act, to refer the case for disciplinary action or send it to the Control Yuan requesting a review, or in accordance with pertinent law to approve suspension of employment or discharge from employment but still accepts an application from the person for retirement (or military discharge) or severance with pay, the committee shall set out the reasons for its decision in its letter accompanying the related materials it has reviewed and is submitting to the authority (agency) responsible for reviewing and approving the application for retirement (or military discharge) or severance with pay case.
- 三、 前二款所定程序，本校應自收受涉有校園性別事件之所屬教職員、公務人員或軍職人員退休（伍）或資遣案之日起二個月內處理終結；必要時，得延長一次，並於原處理期間屆滿前，將延長之事由通知申請人。
- III. The University shall complete handling the procedures specified in the preceding two subparagraphs within two months from the day it receives the retirement (military discharge) or severance with pay case of a faculty or other staff member, civil servant, or military personnel member involved in a campus gender-related incident. When necessary, one extension may be given, and the applicant will be notified of the reason for the extension before the original processing period expires.

### 第三十八條

本校應依防治準則內容，訂定校園性別事件防治規定，並將防治準則第八條及第九條規定納入校長及教職員工聘約及學生手冊。

### Article 38

The University shall formulate regulations for the prevention of campus gender-related incidents in accordance with the content of the Prevention Regulations and include the

provisions of Article 8 and Article 9 in the employment contracts of the President and of faculty, staff members, and other employees, and in the student handbook.

前項規定之內容，應包括下列事項：

The content of the regulations referred to in the preceding paragraph shall include the following items:

- 一、校園安全規劃。  
I. The campus safety plans.
- 二、校內外教學與活動及人際互動注意事項。  
II. Matters for attention teaching, and in activities and interpersonal interactions on and off campus.
- 三、禁止校園性別事件之政策宣示。  
III. Campus gender-related incident prevention policy statements.
- 四、校園性別事件之界定及樣態。  
IV. Definition and categories of campus gender-related incidents.
- 五、校園性別事件之申請調查或檢舉之收件單位、電話、電子郵件等資訊及程序。  
V. Details of the unit which receives applications for an investigation of campus gender-related incidents or an informant's report of such an incident, and its phone number, email address and the procedure followed.
- 六、校園性別事件之調查及處理程序。  
VI. The procedures for the investigation and handling of campus gender-related incidents.
- 七、校園性別事件之申復及救濟程序。  
VII. The procedures for making a request for reconsideration of a campus gender-related incident and remedy procedures available.
- 八、禁止報復之警示。  
VIII. Warnings prohibiting retaliation.
- 九、隱私之保密。  
IX. Protection of privacy.
- 十、其他校園性別事件防治相關事項。  
X. Other matters pertaining to the prevention of gender-related incidents on campus.

### 第三十九條

本校於校園性別事件調查處理完成，調查報告經性平會議決後，應將處理情形、處理程序之檢核情形、調查報告及性平會之會議紀錄報教育部。申請人、被害人及行為人提出申復之事件，並應於申復審議完成後，將申復審議結果報教育部。

### Article 39

After the University has completed the investigation and handling of a campus gender-related incident, and the Committee has approved the investigation report, it shall submit details of the handling of the matter, the checking of the handling procedure, the investigation report, and the minutes of the Committee's meetings to the Ministry of

Education. If an applicant, a victim, or an offender has made a request for reconsideration, after consideration of the request for reconsideration has been completed, the educational institution with jurisdiction shall report the decision made to the Ministry of Education.

第四十條

Article 40

本防治規定經行政會議通過後實施，修正時亦同。

These Rules and any amendments made hereto shall be implemented upon a resolution passed by the Administrative Meeting.