

國立中山大學校園性別事件防治規定

Guidelines on the Prevention of Gender-related Incidents on Campus

94 年 6 月 22 日 93 學年度第 2 學期性別平等教育委員會會議通過
96 年 1 月 4 日 95 學年度第 1 學期第 2 次性別平等教育委員會會議修正通過
98 年 6 月 10 日 97 學年度第 2 學期第 2 次性別平等教育委員會會議修正通過
99 年 10 月 5 日 99 學年度第 1 學期第 2 次性別平等教育委員會會議修正通過
100 年 6 月 9 日 99 學年度第 2 學期第 2 次性別平等教育委員會會議修正通過
101 年 11 月 9 日 101 學年度第 1 學期第 1 次性別平等教育委員會會議修正通過
101 年 12 月 28 日 101 學年度第 2 次校務會議修正通過
102 年 1 月 30 日 教育部臺教學（三）字第 1020008307 號書函准備查
102 年 12 月 20 日 102 學年度第 2 次校務會議修正通過
109 年 3 月 20 日 本校 108 學年度第 3 次校務會議修正通過
109 年 10 月 23 日 本校 109 學年度第 1 次校務會議修正通過
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113 年 12 月 20 日 本校 112 學年度第 1 次校務會議修正通過
Approved and approved at the 1st University Council meeting on December 20, 2024

- 一、為落實性別地位之實質平等，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）及校園性別事件防治準則（以下簡稱防治準則）訂定本規定。
 - I. These guidelines are formulated in accordance with *Gender Equity Education Act* and *Regulations Governing Prevention of Gender-Related Incidents on Campuses* to ensure substantive equity of gender and establish preventive measures and mechanisms for handling gender-related incidents on campus.
- 二、本規定所謂校園性別事件為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：
 - II. The term “gender-related incidents on campus” herein shall be defined as any of the following circumstances, in which one party is the President, faculty, staff or students, and the other party is students.
 - (一) 性侵害：指性侵害犯罪防治法所稱性侵害犯罪之行為。
 - (1) Sexual assault: It refers to offenses as stipulated in *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：
 - (2) Sexual harassment: It refers to any of the following situations and yet to the level of 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。
 - i. explicitly or implicitly engaging in unwelcome sexual or gender-based

verbal or physical conduct that undermines another person's dignity, learning, or work opportunities/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。
 - ii. using sexual or gender-based conduct as a leverage for gaining, depriving, or diminishing learning or work-related rights and interests of self or others
- (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。
 - (3) Sexual bullying: It refers to conduct (other than sexual harassment) that uses verbal, physical, or other forms of violence to demean, attack, or threaten others regarding their gender characteristics, gender traits, sexual orientation, or gender identity.
- (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。
 - (4) Violations of professional ethics related to sex or gender by the President/faculty/staff: It refers to cases where they develop an intimate relationship with a minor student, or exploit unequal power to involve in sex or gender related interactions during teaching, supervision, training, evaluation, management, counseling, or job offer, thereby violating professional ethics.

教師、職員、工友及學生定義如下：

Faculty, staff, and students herein are defined as below:

- (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。
 - (1) Faculty: It refers to full-time, adjunct, acting, and substitute faculty members, military instructors, along with teaching volunteers, interns who conduct teaching activities, internship instructors at internship sites, and other teaching or research personnel.
- (二) 職員、工友：指前款教師以外，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。

(2) Staff: It refers to personnel who regularly perform their duties on campus, volunteers who assist with the University affairs, personnel responsible for student innovation affairs, and other individuals designated by the central competent agencies.

(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。

(3) Students: It refers to individuals with student status, those temporarily without student status due to transition between educational programs, continuing education participants, exchange students, those receiving education internship, visiting students, and other individuals designated by the central competent agencies.

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

III. The University actively promotes measures against gender-related incidents on campus to enhance the awareness of faculty, staff, and students in respecting others' and their own sexual and bodily autonomy. The measures shall be implemented as below:

(一) 針對教職員工生，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。

(1) organizing annual education and awareness campaigns for faculty, staff, and students on the prevention of gender-related incidents on campus, with the outcomes being assessed

(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人員，每年定期辦理相關之在職進修活動。

(2) organizing regular in-service training for both the University's Gender Equity Education Committee (hereinafter referred to as the "Committee") and personnel in relevant units responsible for handling gender-related incidents on campus

(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。

(3) granting official leave and subsidies to the aforementioned personnel as incentives to participate in on/off-campus training regarding the handling of gender-related incidents on campus

(四) 利用多元管道，公告周知本規定所規範之事項，並納入教職員工聘約及學生手冊。

(4) publicizing the code of conduct stipulated herein through multiple

channels and including the code in faculty and staff contract agreements and 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。

(5) encouraging victims or informants of gender-related incidents on campus to promptly file their cases, so as to facilitate evidence collection and investigation

四、 本校處理校園性別事件相關案件時，應由學務處主動提供下列資訊予相關人員：

IV. The Office of Student Affairs (OSA) shall proactively provide relevant personnel with the following information when handling gender-related incidents on campus:

(一) 校園性別事件之界定、類型及相關法規。

(1) definitions, types, and relevant regulations regarding gender-related incidents on campus

(二) 被害人之權益保障及學校所提供之必要協助。

(2) protection of victims' rights and interests, with necessary support provided by the University

(三) 申請調查、申復及救濟之機制。

(3) mechanisms of filing such cases for investigation, grievance, and administrative remedies

(四) 相關之主管機關及權責單位。

(4) relevant competent agencies and responsible units

(五) 提供資源協助之團體及網絡。

(5) groups and networks that provide supportive resources

(六) 其他性平會認為必要之事項。

(6) other matters deemed necessary by the Committee

五、 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：

V. The University shall impose the following measures to improve campus areas of safety concerns and prevent gender-related incidents on campus:

(一) 應依空間配置、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。

- (1) regularly reviewing the planning and use of spaces and facilities, as well as overall safety conditions, based on spatial configuration, management & security system, signage, emergency systems, evacuation routes, lighting, spatial visibility, and other spatial safety factors
- (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。
- (2) recording locations where gender-related incidents occurred, with a safety map being drawn based on actual needs
- (三) 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，公告檢視成果及相關紀錄。
- (3) regularly organizing briefings on the review of campus space safety with professional space designers, faculty, staff, students, and other campus users invited to participate, and publicly announcing review results and related records

前項措施之執行及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 implementation of the aforementioned measures and the progress in campus areas of safety concerns shall be included in the Committee's work report in each semester.

- 六、 本校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。
- VI. The faculty, staff, and students shall respect gender diversity and prevent gender discrimination in the course of teaching, holding activities, performing duties, and interacting with others on or off campus.
- 七、 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、防治準則之規定。
- VII. Cases where students experience sexual harassment during off-campus internship shall be handled in accordance with Paragraph 5 of Article 2 in *Gender Equality in Employment Act*; such cases with the other party as internship instructors at internship sites shall also be subject to *Gender Equity Education Act* and *Regulations Governing Prevention of Gender-Related Incidents on Campuses*.

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 internship instructors at internship sites stipulated in the preceding Paragraph shall refer to those who give instructions, offer professional knowledge, provide practical training, or supervise students in practical operations.

本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，且依本規定第四條提供相關資訊，並依其需求，提供心理諮商與輔導、保護措施、法律協助或其他協助。

The University shall take corrective and remedial measures immediately and effectively once being aware that an intern is a victim of gender-related incidents, and provide psychological counseling, protective measures, legal assistance, or other support as needed, in accordance with Article 4 herein.

- 八、 本校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。

VIII. The faculty and staff shall not involve in sexual behavior or develop a relationship with minor students, thereby violating professional ethics.

本校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。

The faculty and staff shall not involve in sexual behavior or develop a relationship with adult students, especially when they hold unequal power over students in terms of social status, knowledge, age, physical condition, identity, ethnicity, or access to resources during teaching, supervision, training, evaluation, management, counseling, or job offer, thereby violating professional ethics.

本校教職員工發現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處理。

In cases where faculty or staff who discover their relationship with students may violate the professional ethics, as stipulated in the preceding two Paragraphs, they shall proactively withdraw from such relationships and report to the University for further action.

- 九、 本校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。

IX. The faculty, staff, and students shall respect others' and their own sexual and bodily autonomy and avoid unwelcome pursuits. Forcible or violent means shall not be used to handle conflicts related to sex or gender.

十、 本校教職員工知悉發生疑似校園性別事件者，應立即以書面或其他通訊方式通報本校校安防護組，由校安防護組向教育部通報，並視需要轉知諮商與健康促進組依相關法律規定向社政主管機關通報，至遲不得超過二十四小時。

X. Faculty and staff who become aware of a suspected gender-related incident on campus shall immediately notify the Campus Safety and Security Division (CSSD) in writing or by other means. The CSSD shall then report the case to the Ministry of Education (MOE) and, if necessary, forward it to the Counseling and Health Service Division, which shall report to the competent social authorities within 24 hours in accordance with relevant laws.

依本點規定為通報時，除有調查必要、基於公共安全之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。

The names and other identifiable information of the parties involved and the informant shall be kept confidential when cases are reported in accordance with Article 10 herein, except where the disclosure is necessary for investigation, public safety consideration, or unless otherwise stipulated by laws.

十一、 校園性別事件之行為人於行為發生時為本校教職員工生者，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，得以言詞、書面或電子郵件向本校申請調查或檢舉；其以言詞或電子郵件為之者，學生事務處應作成紀錄，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。

XI. If the person involved in gender-related incidents is a faculty/staff member or a student at the time of occurrence, the victim, their statutory agent, or actual caregiver (hereinafter referred to as the “applicant”) as well as the informant may file the case to the University verbally, in writing, or by email. If the case is filed verbally or by email, the OSA shall document and confirm the case by either reading it to or having it reviewed by the applicant or informant with their signature or stamp.

前項書面或言詞、電子郵件作成之紀錄，應載明下列事項：

The case which is filed in writing, verbally, or by email shall be documented with the following information:

(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。

(1) the applicant's or informant's name, ID number, the unit or institution where they work or study, professional title, address, contact number, and date of filing the case for investigation

(二) 申請人申請調查者，應載明被害人之出生年月日。

(2) the victim's date of birth (if the applicant files for investigation)

(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。

(3) a letter of authorization specifying the proxy's name, ID number, address, and contact number (if the applicant authorizes an agent to file for investigation)

(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。

(4) the facts of the case filed for investigation (Relevant evidence shall be documented or attached, if available.)

本校接獲申請調查或檢舉若無管轄權者，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。

If the University does not have jurisdiction over the filed case, the case shall be transferred to another competent authority within seven work days, with the parties involved being notified.

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：

In cases where the University becomes aware of suspected gender-related incidents on campus under any of the following circumstances, the Committee shall assess the impact of the incident on students' rights for education and campus safety. Upon resolution, an investigation shall be initiated as a filed report to clarify the facts, with necessary measures taken to safeguard students' rights and campus safety:

(一) 二人以上被害人。

(1) two or more victims

(二) 二人以上行為人。

(2) two or more persons in concern

(三) 行為人為校長或教職員工。

(3) one of the persons in concern being the President or a faculty/staff member

(四) 涉及校園安全議題。

(4) the incident involving campus safety issues

(五) 其他經性平會認為有以檢舉案形式啟動調查之必要者。

(5) any other circumstances deemed necessary as a filed report by the Committee to initiate an investigation

十二、 本校校園性別事件申請調查或檢舉以學生事務處為收件單位。除有性平法第三十二條第二項所定不受理事由外，應於三日內將該事件交由性平會校園性別事件防治組（以下簡稱防治組）調查處理。任何人不得另設調查機制，違反者其調查無效。

XII. Cases regarding gender-related incidents on campus shall be filed or reported to the OSA which refers the cases (excluding those unacceptable as stipulated in Paragraph 2 and Article 32 of *Gender Equity Education Act*) to the Task Force on the Prevention of Campus Gender-related Incidents (hereinafter referred to as the “Prevention Task Force”) for investigation within three days. Any other investigation mechanisms shall not be established; any investigation conducted thereof shall be deemed invalid.

防治組之工作權責範圍包括審議受理與否、不受理事由之認定、是否成立調查小組及成員組成、撤回申請調查後是否續為調查。

The responsibilities of Prevention Task Force shall include deliberating on the acceptance or rejection of a case, determining the grounds for rejection, deciding whether to establish an investigation team and its members, and determining whether to continue investigating after a case is withdrawn.

經媒體報導之校園性別事件，或本校處理霸凌事件發現有疑似校園性別事件者，視同檢舉，應交由性平會依第一項規定調查處理。疑似被害人不願配合調查時，仍應提供必要之輔導或協助。

Cases reported by the media or any suspected cases discovered during the handling of bullying incidents shall be deemed as filed reports, which shall be referred to the Committee for investigation in accordance with Paragraph 1 of Article 12 herein. In cases where the suspected victim is unwilling to cooperate with the investigation, the University shall nevertheless provide necessary counseling or assistance.

十三、 本校接獲申請調查或檢舉後二十日內，應以書面通知申請人或檢舉人是否受理。不受理之書面通知應敘明理由，並告知申請人或檢舉人申復之期限及受理單位。

XIII. The University shall notify the applicant or informant in writing whether the case is accepted within twenty days of receiving the case for investigation; the applicant or informant shall be notified of the reasons in writing, along with the deadline and the unit which handles grievances.

申請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，向本校秘書室提出申復；其以言詞為之者，本校秘書室應作成紀錄，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。

The applicant or informant may file a grievance with stated reasons in writing to the Office of the Secretariat (OS) within twenty days after receiving the notification of rejection or if not receiving a notification within the period stipulated in the preceding Paragraph. If a grievance is filed verbally, the OS shall document and confirm the grievance by either reading it to or having it reviewed by the applicant or informant with their signature or stamp.

本校秘書室接獲申復後，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。

The OS shall notify the grievant of the result in writing within twenty days after receiving the grievance. If there exist grounds for the grievance, the OS shall refer it to the Committee to revisit the case, and the Committee shall reopen the case in accordance with relevant regulations.

前項不受理之申復以一次為限。

The grievance stipulated in the preceding Paragraph shall be filed only once.

十四、 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及校園性別事件防治準則第二十二條之規定。

XIV. An investigation team may be established by the Committee, and shall consist of three or five members, in principle; the team shall be organized in accordance with Article 33 of *Gender Equity Education Act* and Article 22 of *Regulations Governing Prevention of Gender-Related Incidents on Campuses*.

十五、 本校調查處理校園性別事件時，應依下列方式辦理：

XV. Cases concerning the investigation of gender-related incidents on campus shall be handled in the following manners:

(一) 行為人應親自出席接受調查；當事人為未成年者，接受調查時得由法定代理人或實際照顧者陪同。

(1) The person in concern shall be present for investigation. A statutory agent or actual caregiver may company an involved minor during investigation.

(二) 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。

(2) In cases where a person in concern holds a Disability Card or a valid

special education student identification issued by a competent authority at any level, the investigation team shall consist of at least one member with a special education background.

- (三) 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。
- (3) If there is an imbalance of power among the person in concern, the victim, the informant, or individuals invited to assist in the investigation, confrontation between them shall be avoided.
- (四) 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。
- (4) The name and other identifiable information of the person in concern, the victim, the informant, and individuals invited to assist in the investigation shall be kept confidential, except where the disclosure is necessary for investigation, public safety consideration, or unless otherwise stipulated by laws.
- (五) 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。
- (5) When parties involved, relevant personnel, or units are notified in writing to cooperate with the investigation and provide relevant information, the written notification shall specify the purpose, time, location, and consequences of failing to appear for the investigation in accordance with Paragraph 5 of Article 33 in *Gender Equity Education Act*.
- (六) 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。
- (6) The notification mentioned in the preceding Subparagraph shall specify that parties involved are prohibited from making private contact or disseminating information about the cases on the internet, communication software, or other channels.
- (七) 本校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。
- (7) No University personnel shall inquire about or investigate the cases under any reasons, or ask parties involved to submit self-statements or sign affidavits.
- (八) 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。

(8) When necessary, written materials may be provided to the person in concern, the victim, or individuals invited to assist in the investigation for reading or to convey key points thereof, provided that the materials do not violate confidentiality obligations.

(九) 申請人撤回申請調查時，為釐清相關法律責任，得經防治組決議，或經行為人請求，繼續調查處理。

(9) If a case is withdrawn by the applicant, the investigation may still proceed upon a resolution made by the Prevention Task Force or at the request of the person in concern, in order to clarify relevant legal responsibilities.

(十) 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。

(10) Requests by parties involved to review, transcribe, photocopy, or photograph relevant documentation shall be handled in accordance with *Administrative Procedure Act*.

(十一) 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。

(11) The interview with parties involved during investigation may be audio-recorded or videotaped if necessary, and the records shall be read to or reviewed by them, and then confirmed with their signature or stamp.

十六、依前點第四款規定負有保密義務者，包括參與處理校園性別事件之所有人員。

XVI. Individuals involved in cases shall be subject to confidentiality obligations, as stipulated in Paragraph 4 of Article 15 herein.

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。

Individuals subject to confidentiality obligations under the preceding Paragraph but leaking confidential information shall be punished in accordance with *Criminal Code of the Republic of China* or relevant laws.

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。

Original documentation containing names of parties involved, informants, and witnesses shall be sealed and not be made available for reading or provided to individuals other than the judicial authorities, unless otherwise stipulated by laws.

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。

Except for original materials, the personnel responsible for handling cases shall remove the following from documents and replace them with codes for external use: real names and other identifiable information of parties involved, informants, and witnesses.

十七、為保障校園性別事件當事人之受教權或工作權，本校於必要時得為下列處置，並報教育部備查：

XVII. To protect the right for education or the work of parties involved, the University may take the following measures, when necessary, and shall report them to the MOE 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。

(1) flexibly adjusting their attendance/absence or study assessments, and actively assisting their duties or studies, and not imposing upon them with the regulations regarding leave application, faculty performance assessment, and student academic evaluation

(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。

(2) upon the victim's request to reduce interactions between parties involved, or upon the victim's request or the Committee's assessment of impacts on students' rights for education and campus safety to suspend teaching, supervision, training, evaluation, management, counseling, and job offering between the parties involved, or recuse the person in concern

(三) 避免報復情事。

(3) preventing the occurrence of retaliation

(四) 預防、減低行為人再度加害之可能。

(4) preventing or minimizing the risk of further offenses by the person in concern

(五) 其他性平會認為必要之處置。

(5) other measures deemed necessary by the Committee

當事人非本校之教職員工生時，應通知當事人所屬學校，依前項規定處理。

If parties involved are not members of the University, their affiliated institutions shall be notified to take measures as stipulated in the preceding Paragraph

前項必要之處置，應經性平會決議通過後執行。

The measure stipulated in the preceding Paragraph shall be implemented after a resolution made by the Committee.

- 十八、 本校應視當事人之身心狀況，主動轉介至各相關機構，提供必要之協助，但就該事件仍應依本規定為調查處理。

XVIII. The University shall proactively refer parties involved to relevant agencies for necessary assistance, depending on their physical and mental conditions. Nevertheless, the cases shall still be investigated in accordance with the guidelines herein.

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。

If parties involved are not members of the University, their affiliated institutions shall be notified to provide necessary assistance as stipulated in the preceding Paragraph.

- 十九、 本校於必要時應對於當事人提供下列適當協助：

XIX. The University shall provide parties involved with the following appropriate assistance when necessary:

(一) 心理諮商輔導。

(1) psychological counseling

(二) 法律諮詢管道。

(2) legal consultation

(三) 課業協助。

(3) academic assistance

(四) 經濟協助。

(4) financial assistance

(五) 其他性平會認為必要之協助。

(5) other assistance deemed necessary by the Committee

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。

If parties involved are not members of the University, their affiliated institutions shall be notified to provide appropriate assistance as stipulated in the preceding Paragraph.

前項協助得委請醫師、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。

The assistance stipulated in the preceding Paragraph may be provided by external professionals such as physicians, clinical psychologists, counseling psychologists, social workers, or attorneys.

二十、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。前項之調查程序，不因行為人喪失原身分而中止。

XX. The Committee's investigation shall not be affected by the process or the final outcome of judicial proceedings. The aforementioned investigation shall also not be terminated due to the person in concern losing their current status.

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

XXI. The University shall determine the facts of gender-related incidents on campus based on the investigation report by the Committee in order to respect professional judgment and avoid repeated questioning.

性平會召開會議審議調查報告認定校園性別事件屬實，依其事實認定向本校提出改變身分之處理建議者，本校應檢附經性平會審議通過之調查報告，通知行為人於七日內提出書面陳述意見。

The University shall notify the person in concern to submit a written statement within 7 days if the change of status of the person in concern is suggested after the Committee convenes a meeting, deliberates and confirms the incident in the investigation report.

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，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。

The person in concern stipulated in the preceding Paragraph failing to submit a written statement within the timeframe shall be deemed forfeiting the opportunity to do so. The Committee shall convene a meeting to review the submitted statement. The case shall not be reopened unless there are significant flaws in the investigation or new facts or evidence that affect the original investigation result.

本校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，不得要求性平會重新調查，亦不得自行調查。

When deliberating on the disciplinary action, the responsible unit shall not ask the Committee to reopen the case, nor shall it conduct its own investigation, except for the circumstances stipulated in Paragraph 3 of Article 37 in *Gender Equity Education Act*.

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 person in concern shall be given the investigation report if asked to defend oneself in accordance with relevant regulations during the aforementioned deliberation.

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於七日內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 a disciplinary action is resolved as stipulated in Paragraph 4 of Article 21 herein, the responsible unit shall notify the victim, their statutory agent, or actual caregiver to submit a written or verbal statement within seven days. If the statement is made verbally, the responsible unit shall document and confirm the statement by either reading it to or having it reviewed by the victim, the statutory agent, or the actual caregiver with their signature or stamp. Failure to submit a written statement within the deadline shall be deemed forfeiting the opportunity to do so. The responsible unit shall take into account the written statement if it is submitted.

二十二、校園性別事件經性平會調查屬實後，應移送權責單位懲處，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時，本校應將該事件移送其他機關議處；其經證實誣告之事實者，應依法對申請人或檢舉人為適當之懲處。

XXII. After a gender-related incident on campus is confirmed by the Committee, the case shall be forwarded to the responsible unit, which shall impose one of following disciplinary actions on the person in concern: warnings, demerits, dismissal, suspension, non-renewal of appointment, removal from position, termination of contract, termination of a service relationship, or other appropriate disciplinary measures. If other agencies have jurisdiction under relevant laws or regulations, the University shall refer the case to those agencies.

If an accusation is proven to be false, the applicant or informant shall be subject to appropriate disciplinary action in accordance with relevant laws.

本校依性別平等教育法第二十六條規定 為校園性別事件之懲處時，應命行為人接受心理諮商與輔導之處置，並得命其為下列一款或數款之處置。但終身不得聘任、任用、進用或運用之人員，不在此限：

When disciplinary action is taken for gender-related incidents on campus in accordance with Article 26 of *Gender Equity Education Act*, the person in concern shall receive psychological counseling, along with one or more of the disciplinary measures stipulated in the following Subparagraphs. Nevertheless, the said provision shall not apply to individuals subject to a lifetime ban from any form of employment.

(一) 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。法定代理人或實際照顧者同意時，應以兒童及少年之最佳利益為優先考量，並依其心智成熟程度權衡其意見。

(1) apologizing to the victim, with the consent of the victim, statutory agent, or actual caregiver (The statutory agent or actual caregiver may consent after prioritizing the interests of the child or youth and considering their opinions based on the level of mental maturity.)

(二) 接受八小時之性別平等教育相關課程。

(2) completing eight hours of gender equity education courses

(三) 其他符合教育目的之措施。

(3) other measures consistent with educational objectives

前項處置，由性平會討論決定處置之性質、執行方式、執行期間及費用之支應事宜，並由本校學務處執行，執行時應採取必要之措施，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 Committee shall deliberate on and determine the nature, implementation method, duration, and expenses of the disciplinary measure. The OSA shall take the disciplinary action, along with necessary measures to ensure cooperation and compliance of the person in concern. Additionally, the nature, implementation method, duration, and legal consequences of non-compliance shall be clearly stated in the written notification of the disciplinary measure.

第二項第一款之處置，當事人均為學生時，本校得善用修復式正義或其他輔導策略，促進修復關係。

When both parties involved are students, the University may utilize restorative justice or other counseling approaches to restore their relationship, as per the

disciplinary measure stipulated in Subparagraph 1 of Paragraph 2.

校園性騷擾、性霸凌、校長或教職員工違反與性或性別有關之專業倫理行為情節輕微者，本校得僅依前項規定為必要之處置。

For cases of less severity, such as sexual harassment, sexual bullying, or violations of professional ethics related to sex or gender by the President/faculty/staff, the University may take the disciplinary measure stipulated in the preceding Paragraph.

二十三、 本校將處理結果（包含包括事實認定、處置措施及議處結果）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單位。

XXIII. When the University notifies the applicant, victim, or person in concern in writing of the resolution of the case (including the determined facts, the disciplinary measure, and the result of deliberation), the investigation report shall also be provided, as well as the deadline and responsible units for filing a grievance.

申請人、被害人或行為人對處理結果不服者，得於收到書面通知次日起三十日內，以書面具名理由向本校秘書室申復，並以一次為限。若以言詞為之者，本校秘書室應作成紀錄，經向申請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。

The applicant, victim, or person in concern, who is dissatisfied with the resolution of the case, may file a written grievance with reasons to the OS within 30 days of receiving the written resolution, but such a grievance shall be limited to one only. If the grievance is filed verbally, the OS shall document and confirm the grievance by either reading it to or having it reviewed by the applicant or the person in concern with their signature or stamp.

本校秘書室接獲申復後，依下列程序處理：

Upon the receipt of a grievance, the OS shall proceed with the following procedures:

- (一) 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。
 - (1) A review panel shall be formed. A resolution shall be made within 30 days, and the applicant shall be notified of the result of the grievance in writing.
- (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，其小組成員中，女性人數比例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應占成員總數三分之一以上。

- (2) The review panel shall consist of three to five members who are experts, scholars, and legal professionals with expertise in gender equity education. At least half of the members shall be female and at least one-third of the members shall be experts or scholars with expertise in the investigation on gender-related incident on campus.
- (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。
- (3) Members of the Committee and the investigation team shall not serve in 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。
- (4) The panel members shall elect a convener to chair the meeting.
- (五) 審議會進行時，得視需要給予申復人陳述意見之機會，並得邀請性平會相關委員或調查小組成員列席說明。
- (5) During the review meeting, the grievant may be given the opportunity to present opinions; relevant members of the Committee or the investigation team may be invited to attend 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。
- (6) If there exist grounds for the grievance, relevant responsible units shall be notified of the grievance result to make a new decision. If there are significant flaws in the investigation or new facts or evidence that affect the original investigation result, as stipulated in Paragraph 3 of Article 37 of *Gender Equity Education Act*, the Committee may be asked to reopen the case.
- (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。
- (7) Before the grievance result stipulated in the preceding Subparagraph is delivered to the grievant, the grievance may be withdrawn in accordance with the preceding Paragraph.

調查程序有重大瑕疵，指有下列情形之一者：

Significant flaws in the investigation shall refer to any of the following circumstances:

(一) 性平會或調查小組組織不適法。

(1) the Committee or the investigation team not legally organized

(二) 未給予當事人任一方陳述意見之機會。

- (2) parties involved not given the opportunity to present their statements
- (三) 有應迴避而未迴避之情形。
- (3) failure to recuse where necessary
- (四) 有應調查之證據而未調查。
- (4) failure to investigate necessary evidence
- (五) 有證據取捨瑕疵而影響事實認定。
- (5) flaws in the evidence selection that affect the determination of facts
- (六) 其他足以影響事實認定之重大瑕疵。
- (6) other major flaws that affect the determination of facts

校園性別事件之行為人為教職員工者，申請人或被害人得逕向教育部申復。申請人或被害人向教育部申復時，倘行為人向本校申復，本校應即報請教育部併案審議。

If the person in concern is a faculty or staff member, the applicant or victim may directly appeal to the MOE. In the event where the applicant or victim appeal directly to the MOE and the person in concern file a grievance to the University, the University shall immediately report the case to the MOE for joint review.

性平會於接獲重新調查之要求時，應另組調查小組。

If the Committee receives a request to reopen the case, a new investigation team shall be formed.

二十四、申請人、被害人及行為人對本校之申復結果不服，得於接獲申復結果書面通知書之次日起三十日內，依性平法第三十九條規定提起救濟。

XXIV. The applicant, victim, or person in concern, who is dissatisfied with the grievance result made by the University, may seek administrative remedies in accordance with Article 39 of *Gender Equity Education Act* within thirty days of receiving the written notification of the grievance result.

二十五、本校應建立之校園性別事件之檔案資料，並分為原始檔案與報告檔案，指定由學務處保存二十五年；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。

XXV. The University shall archive gender-related incidents on campus, with the documentation divided into original materials and reports kept by the OSA for 25 years. The documentation in electronic format shall have electronic signatures or be encrypted if necessary.

前項原始檔案應予保密，其內容包括下列資料：

The original materials stipulated in the preceding Paragraph shall be kept confidential, and shall include the following information:

(一) 事件發生之時間、樣態。

(1) the time and situation of the incident

(二) 事件相關當事人（包括檢舉人、被害人、行為人）。

(2) parties involved in the incident (including the informant, the victim, and the person in concern)

(三) 事件處理人員、流程及紀錄。

(3) the personnel handling the incident, with handling process recorded

(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。

(4) documents produced during the handling of the incident, audio recordings of the interview, evidence obtained, and other relevant information

(五) 行為人之姓名、職稱或學籍資料等。

(5) the name and the professional title or academic record of the person in concern

(六) 調查小組提交之調查報告初稿及性平會之會議紀錄。

(6) the draft of investigation report submitted by the investigation team and the minutes of the Committee meeting

第一項報告檔案為經性平會議決通過之調查報告；其內容應包括下列資料：

The reports stipulated in Paragraph 1 of Article 25 herein are the investigation reports approved by the Committee, and shall include the following information:

(一) 申請調查事件之案由，包括當事人或檢舉之敘述。

(1) the reason for filing the case for investigation, including the statement of parties involved or the informant

(二) 調查訪談過程紀錄，包括日期及對象。

(2) records of the interview during investigation, including dates and 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。

(3) statements and responses from the persons being investigated, the applicant, witnesses, and other relevant individuals

(四) 相關物證之查驗。

(4) examination of relevant physical evidence

(五) 事實認定及理由。

(5) facts determined and reasons given

(六) 處理建議。

(6) recommendations for handling the case

二十六、 本校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。

XXVI. When the University obtains evidence regarding incidents stipulated in Paragraph 3 of Article 29 in *Gender Equity Education Act*, such evidence, along with statements from the parties involved, shall be submitted to the Committee for deliberation.

二十七、 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。

XXVII. When the University forwards the case in accordance with Paragraphs 2 and 3 of Article 28 in *Gender Equity Education Act*, the content shall be limited to the time, situation, and name with the professional title or student status of the person in concern of the investigated case.

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。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。

When necessary, the University may provide the next institution where the person in concern will study or work with the following information: necessary counseling, preventive education, relevant disciplinary measures, and other necessary information. If the person in concern is assessed as having no potential risk of re-offense after follow-up counseling, the forwarded report stipulated in the preceding Paragraph may include a note on the person in concern's current status of correction.

二十八、 性平會之委員均為無給職。惟本校教職員工擔任校園性別事件調查小組撰寫調查報告時及非本校教職員工之外聘委員出席會議及撰寫調查報告書時，得支領費用。

XXVIII. The members of the Committee shall serve without remuneration, except for

the University's faculty and staff who serve as the investigation team members to compose the investigation report, as well as external members who attend the Committee meetings or/and compose the investigation report.

二十九、 本規定若有未盡事宜，皆依「性別平等教育法」、「性別平等教育法施行細則」與「校園性別事件防治準則」等相關規定辦理。

XXIX. Matters not covered herein shall be handled in accordance with *Gender Equity Education Act*, *Enforcement Rules for the Gender Equity Education Act*, and *Regulations Governing Prevention of Gender-Related Incidents on Campuses*.

三十、 本規定經性平會會議及校務會議通過後實施，修正時亦同。

XXX. These guidelines are approved by the Committee and the University Council before implementation. Amendments to these guidelines shall follow the same procedure.