

# Guidelines for the Establishment of the Faculty Appeals Committee

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1. To ensure the legality and rationality of measures taken by the university towards teachers, and to promote campus harmony, these guidelines are established in accordance with Article 22 of the University Act, the Ministry of Education's "Organization and Evaluation Criteria for Faculty Appeals Committees," and Article 22 of the University's Organizational Charter.
2. Teachers of the university who believe that measures taken by the university regarding themselves are illegal or inappropriate, resulting in harm to their rights, may file a complaint with the Faculty Appeals Committee of the university (hereinafter referred to as the "Appeals Committee").  
If a teacher believes that his/her rights have been harmed because the university did not act within the statutory period for a case for which he/she applied in accordance with the law, he/she may also file a complaint. If the law does not specify a period for action, the period shall be two months from the date the application is accepted by the university.
3. The Appeals Committee shall consist of fifteen to twenty-one members, all serving without remuneration, with a term of one year. They shall be appointed by the President and include teachers, social justice professionals, scholars, representatives of the university's Teachers' Association, and university representatives. Teachers who do not hold administrative positions must constitute no less than two-thirds of the total number of committee members. The number of members of any gender shall not be less than one-third of the total number of members.  
In the event of a vacancy of the preceding member, the term of office of the succeeding member shall expire on the date of expiration of the original term.
4. The chairperson of the Appeals Committee shall be elected by the members, preside over meetings, serve a term of one year, and may be re-elected consecutively, but the President may not be the chairperson. In the event that the chairperson is unable to preside over a meeting, they shall designate a member to act as chairperson; if the chairperson does not make a designation, the members shall elect

a person to act as chairperson.

5. Meetings of the Appeals Committee shall be convened by the President. If the President is unable to convene a meeting, they shall designate a chairperson to convene it.

If more than half of the members request a meeting in writing, the convener shall convene the meeting within twenty days.

6. The jurisdiction of teachers to lodge appeals and re-appeals is as follows:

Teachers dissatisfied with the Appeals Committee's decision may appeal to the Ministry of Education's Teacher Grievances Committee (hereinafter referred to as the "Central Teacher Grievances Committee").

Teachers dissatisfied with the measures taken by the Ministry of Education may lodge an appeal with the Central Teacher Grievances Committee which shall be considered as a re-appeal.

7. If the university is dissatisfied with the decision of the Appeals Committee, it may also appeal to the Central Teacher Grievances Committee. The jurisdiction of the appeal in these cases shall follow the provisions mentioned in the previous clause.

8. The appeal shall be filed in writing within thirty days from the day following the receipt or knowledge of the measure; a re-appeal shall be filed in writing within thirty days from the day following the receipt of the decision of the appeal body.

For the period mentioned in the preceding paragraph, the date of receipt of the appeal by the appeal body shall prevail.

If the complainant mistakenly lodges an appeal with an authority other than the competent appeal body, the date of receipt by that authority shall be deemed as the date of lodging the appeal.

If the complainant fails to meet the deadline for filing an appeal due to a natural disaster or other circumstances not attributable to the complainant, the complainant may, within ten days after the elimination of the reasons, apply in writing to the appeal body for restoration of the original deadline. However, such an application shall not be made if the deadline for filing the appeal has already exceeded one year. The application for restoration of the original deadline shall be accompanied by the performance of the acts that should have been performed within the original deadline.

9. Appeals must include an appeal letter signed or sealed by the complainants or their representative with documents of the original measures attached including the following information:
- (1) name, date of birth, ID number, unit and position, address of residence, and telephone number of the complainant;
  - (2) name, date of birth, ID number, address of residence, and telephone number of the representative or agent, if any;
  - (3) unit of the original measure;
  - (4) date of receipt or awareness of the measure, the facts and reasons for the appeal;
  - (5) specific remedies sought;
  - (6) date of filing the appeal;
  - (7) the Appeals Committee handling the appeal;
  - (8) whether an appeal, lawsuit, or labor dispute resolution has been filed for the same matter, including the institution or court to which it was filed and the date of filing.

For those who file an appeal according to the second item of the second clause, the units listed in the third and fourth items should be the units that should have taken action, the date of application to the university, and the legal basis, and a copy of the original application and proof of acceptance by the unit receiving the application should be attached.

10. If an appeal is not in accordance with the provisions in the preceding clause, the Appeals Committee may notify the complainant to rectify it within twenty days. If the rectification is not made by the deadline, the Appeals Committee may proceed with the evaluation and investigation.

11. Within ten days from the day following the receipt of the appeal letter, the Appeals Committee shall, in writing, attach a copy of the appeal letter and relevant documents, and notify the unit of the original measure or the relevant unit to provide an explanation.

The unit of the original measure or the relevant unit shall, within twenty days from the day following the receipt of the written notice, prepare an explanatory memorandum and send it to the Appeals Committee along with relevant documents, and shall also send a copy of the explanatory memorandum to the complainant. However, if the unit of the original measure considers the appeal to be justified, it may withdraw or modify the original measure and inform the Appeals Committee in writing.

If the unit of the original measure or the relevant unit fails to submit an explanation within the aforementioned period, the Appeals Committee shall send a reminder in writing. If the explanation is insufficient, a further deadline may be given for clarification. If no explanation is provided or if the explanation is still insufficient by the deadline, the Appeals Committee may proceed with the evaluation and investigation.

12. After filing an appeal, the complainant may withdraw it before receiving the decision document. If the appeal is withdrawn, the Appeals Committee shall conclude the evaluation and notify the complainant,

the unit of the original measure, and the relevant unit in writing. After the complainant withdraws the appeal, he/she may not file the same appeal again for the same reason.

13. In case the decision of an appeal case is entirely or partially based on the establishment of the legal relationship for appeal, litigation, or labor dispute resolution, the Appeals Committee may suspend the evaluation and shall notify the complainant in writing of the suspension before the conclusion of the appeal, litigation, or labor dispute resolution process. Upon the cessation of the reason for suspension, the Appeals Committee shall resume the evaluation upon notification by the complainant or the unit of the original measure, or upon the Appeals Committee's own knowledge, and shall notify the complainant in writing.

If a teacher files an appeal under the Appeal Act and subsequently files a complaint under this Act, the Appeals Committee shall suspend the evaluation and notify the complainant in writing. Upon the cessation of the reason for suspension, the Appeals Committee shall resume the evaluation upon notification by the complainant or the unit of the original measure, or upon the Appeals Committee's own knowledge, and shall notify the complainant in writing.

14. (This clause is deleted.)

15. The meetings of the Appeals Committee shall be held on a non-public basis. During the evaluation, if necessary, the complainant, relevant parties, scholars, experts, or personnel assigned by relevant agencies may be invited to explain the matter upon resolution.

The complainant or the unit of the original measure, if there is a valid reason, may request to appear for an explanation. After the Appeals Committee resolves and agrees in a meeting, they shall notify the individual of the time and place for the appearance.

When appearing for an explanation as stipulated in the preceding paragraph, one to two assistants may accompany them.

When it is necessary to understand the situation on-site in an appeal case, the Appeals Committee may resolve in a meeting to assign at least three members to represent it; and report during the Appeals Committee meeting.

16. A member of the Appeals Committee shall self-recuse and shall not participate in the evaluation under any of the following circumstances:

- (1) Any of the circumstances specified in Article 32 of the Administrative Procedure Act.
- (2) Having an interest in the appeal case.

If there are specific facts indicating that a member of the Appeals Committee may be biased in the appeal case, the complainant may cite the reasons and facts and apply to the Appeals Committee for the member's recusal.

The application in the preceding paragraph shall be decided by the Appeals Committee.

If a member of the Appeals Committee fails to self-recuse under the circumstances specified in paragraph 1 and has not been requested to recuse by the party concerned, the committee shall, ex officio, order the member to recuse.

During the evaluation process, a member of the Appeals Committee shall not have any extrajudicial contact with the complainant, those representing their interests, or interested parties, except as resolved by the committee meeting.

17. The decision of the Appeals Committee, except for cases where the review is suspended in accordance with Article 13, shall be made within three months from the day following the receipt of the appeal; when necessary, an extension may be granted, with notification to the appellant. Such extension shall be limited to one time and shall not exceed two months at most.

The period specified in the preceding paragraph shall be calculated from the day following the correction deadline as stipulated in Article 10 for those who have made corrections; for those who have not made corrections, it shall be calculated from the day following the expiration of the correction period; for cases where the evaluation is resumed in accordance with Article 13, it shall be recalculated from the date the evaluation resumes; for cases where reasons are supplemented during the evaluation decision period, it shall be calculated from the day following the receipt of the final supplementary reasons.

18. The appeal shall be dismissed in the evaluation decision under any of the following circumstances:
- (1) The appeal document is not in compliance with the legal procedure and cannot be corrected, or the correction is not completed by the deadline after being notified to make corrections.
  - (2) The appeal is filed after the period specified in Article 8 has expired.
  - (3) The appellant is not qualified.
  - (4) The original measure no longer exists or the appeal no longer serves any purpose.
  - (5) The appeal filed in accordance with Article 2, paragraph 2, has been taken as a measure by the competent authority.
  - (6) A new appeal is filed for the same reason and facts of a case that has been decided or withdrawn.
  - (7) Continuing the review in accordance with Article 13, paragraph 2, the original measure is an administrative disposition.
  - (8) Other matters that are not within the scope of teacher appeal relief according to the law.

19. When multiple appeals are filed separately based on the same or similar facts or legal reasons, the Appeals Committee may consolidate the evaluations and make a consolidated decision.

Before the evaluation, the Appeals Committee may, when deemed necessary, appoint three to five members to evaluate the case. After reviewing the files and evidence, analyzing the facts, and applying the relevant laws and regulations, the members shall submit their review opinions to the Appeals Committee.

20. The Appeals Committee shall consider the process of the appeal case, the damages suffered by the complainant, the remedies sought, the arguments of both parties, the impact on public interest, and other relevant circumstances in making the evaluation decision.
21. If the appeal is groundless, the Appeals Committee shall make a decision to reject it.  
If the reasons for the original measure are improper but the original measure is deemed legitimate for other reasons, the appeal shall be considered groundless.
22. If the appeal is justified, the Appeals Committee shall make a decision to support it. If there are remedial measures, they shall be specified in the main text of the evaluation decision.  
When the evaluation decision revokes the original measure and sends it back to the original measure unit for another measure, a reasonable period shall be specified for the unit to take action.  
For appeals filed in accordance with Article 2, paragraph 2, if the Appeals Committee considers them justified, a reasonable period shall be specified for the unit to take action.
23. Members of the Appeals Committee shall attend the committee meeting in person. The meeting shall be convened only when more than half of the total members are present; the evaluation decision shall be made only with the consent of two-thirds or more of the attending members; other resolutions shall be made with the consent of more than half of the attending members.  
During the resolution, the recused members shall not be counted as attending members.
24. The evaluation decision of the Appeals Committee shall be made by secret ballot. The process of the review and the individual opinions of the members shall be kept strictly confidential.  
The voting results shall be recorded in the minutes of the meeting; the ballots shall be sealed on the spot and kept properly for five years with the signatures of the chairperson of the meeting and the supervising member elected by the committee.
25. The Appeals Committee shall designate personnel to prepare the evaluation record appendix; if a member requests, the opinions different from the evaluation decision held by the member during the review shall be included in the committee meeting record.
26. The evaluation decision shall include the following:
- (1) Name of the complainant, date of birth, unit and position of service, and address of residence.
  - (2) If there is a representative or agent, their name, date of birth, and address of residence.
  - (3) The original measure unit.
  - (4) Main text, facts, and reasons. If the decision is to dismiss the appeal, the facts may not be recorded.
  - (5) Signature of the chairperson of the Appeals Committee. If the chairperson is unable to perform his/her duties when the evaluation decision is made, the deputy chairperson shall sign and state the reason.
  - (6) Date of the evaluation decision.

The evaluation decision shall include a note that if the decision is not accepted, an appeal may be filed with the Central Teacher Grievances Committee within thirty days from the day following the delivery of the evaluation decision. However, if the evaluation decision cannot be appealed or if the appeal is considered as an appeal, a note shall be included that a lawsuit may be filed with the competent authority within the statutory period according to the nature of the case.

27. The evaluation decision shall be made in the name of the university, and the original copy of the evaluation decision shall be made and preserved in a way that is sufficient for certification and verification in the name of the university. Within fifteen days after the evaluation decision is made, the original copy of the evaluation decision shall be delivered to the complainant and the unit of the original measure.

For appeal cases with representatives or agents, except for those with restricted delivery rights, the delivery of the review decision shall be made to the representative or agent; if there are two or more representatives or agents, the delivery may be made to one of them.

28. The evaluation decision shall become final if no further appeal is filed by the complainant or the unit of the original measure within thirty days from the day following the delivery of the evaluation decision.

29. After the evaluation decision becomes final, it shall be binding on all units; the unit of the original measure shall faithfully implement the review decision.

After the original measure is revoked, the unit responsible for the original measure shall take a new measure in accordance with the review decision and shall inform the Appeal Committee in writing of the handling.

30. The explanations and documents required for appeals under these guidelines shall be written in Chinese; if documents in a foreign language are cited, they shall be translated into Chinese and the original foreign language materials shall be attached.

For materials submitted in the form of audio tapes, video tapes, or emails, a written copy shall be attached, and it shall be stated when and where they were obtained, and a declaration shall be made that they were not illegally recorded or intercepted.

31. The guidelines shall apply to appeals by military training instructors of the university. If there are any matters not covered, the regulations for handling appeals by military training instructors of senior secondary schools and above formulated by the Ministry of Education may be referred to for handling.

32. If there are objections to the procedural dispositions made by the Appeals Committee during the process, remedies shall be sought in accordance with the law together with the review decision.

33. After being reviewed and approved by the University Council, the Guidelines shall be implemented

from the date of publication, and the same applies to amendments.

**\*The English version is for reference only. If there is any inconsistency or ambiguity between the English and Traditional Chinese versions, the Traditional Chinese version shall prevail.**