

Regulations on Prevention, Complaint, and Punishment of Sexual Harassment of School Staff

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- Article 1 Pursuant to the Sexual Harassment Prevention Act, Regulations of Sexual Harassment Prevention, and Act of Gender Equality in Employment, KMU has formulated the Regulations on Prevention, Complaint, and Punishment of Sexual Harassment of School Staff (hereinafter referred to as "the Regulations") to prevent sexual harassment and provide a friendly environment free from sexual harassment, thus protecting the rights and interests of victims.
- Article 2 The Regulations shall apply to any sexual harassment that occurs among school staff (including contract employees) of KMU under Article 2 of the Sexual Harassment Prevention Act and Article 12 of the Act of Gender Equality in Employment. However, the provisions of the Regulations shall not apply to those who are subject to the Gender Equity Education Act.
- Article 3 Excluding sexual assault crimes, the sexual harassment referred to herein means the sexual or gender-related behavior against the will of a male or female and meeting any of the following circumstances:
1. In the course of school staff executing their duties, anyone makes a sexual request, uses verbal or physical conduct of a sexual nature or with an intent of gender discrimination, causes them a hostile, intimidating, and offensive working environment leading to infringe on or interfere with their dignity, physical liberty or affects their job performance.
 2. A supervisor explicitly or implicitly makes a sexual request toward school staff or applicants, uses verbal or physical conduct of a sexual nature, or with an intent of gender discrimination as an exchange for the establishment, continuance, or modification of a labor contract or as a condition to their placement, assignment, compensation, evaluation, promotion, demotion, award, and discipline.
 3. Any person who displays or broadcasts text, pictures, sounds, images, or other objects, or creates a situation that causes another person to feel scared, hostile, offended, or improperly affects another person's work, education,

training, services, plans, activities or routine life, by discriminatory or insulting language and conduct, or in any other manners.

4. Allow oneself or another person to provoke, lose, or impair the interest and right related to work, learning, training, service, plan, and activity on condition that another obeys or rejects the behavior.

Article 4 To prevent and control sexual harassment, KMU shall take measures and promote the following measures:

1. Provide education and training on preventing and treating sexual harassment.
2. Promulgate a written statement prohibiting sexual harassment in the workplace.
3. Handle the appeal confidentially and protect the appellant from any retaliation or other unfavorable treatment.
4. If the parties involved require counseling, medical treatment, etc., they may be referred to relevant units or specialized institutions of KMU for physical and mental counseling or treatment depending on the situation.
5. Set up a dedicated telephone, fax, dedicated mailbox, or email to accept appeals, and disclose these measures publicly.

Article 5 The Gender Equity Education Committee (hereinafter referred to as "the Committee") is responsible for reviewing and investigating appeals related to sexual harassment under the Sexual Harassment Prevention Act and the Act of Gender Equality in Employment. However, student representatives and parent representatives do not participate in the handling of appeals regarding sexual harassment by school staff. The proportion of female representatives of the survey members shall not be less than half, and experts and scholars may be hired as necessary.

Article 6 The appeal regarding sexual harassment may be submitted to the Human Resources Office of KMU in words or in writing within the statute of limitations prescribed by law. The Human Resources Office shall transfer the appeal to the Committee for processing within three days of receiving it. In case of a verbal complaint, the person or unit that accepts the complaint shall make a record, which shall be read by the appellant, or be read to the appellant, and signed or sealed by the appellant after confirming that the contents are correct.

The aforementioned text record of a written or verbal application or report shall contain the following items:

1. The appellant's name, gender, date of birth, ID number, service unit and title, residence, contact phone number, and date of appeal.
2. If there is an agent, a power of attorney shall be submitted, which shall specify

the agent's name, gender, date of birth, ID number, occupation, residence, contact phone number, and relationship with the appellant.

3. The facts and contents of the complaint.
4. Relevant evidence or witnesses may be obtained.
5. If the record of the petition or verbal statement does not conform to the preceding example, and it can be corrected, the appellant shall be notified to make corrections within 14 days.

If the head of KMU is involved in sexual harassment under the Act of Gender Equality in Employment, the appellant shall file an appeal with the Ministry of Education and the handling procedures shall be performed in accordance with relevant regulations of the Ministry of Education.

Article 7 Appeals of sexual harassment shall not be accepted under any of the following circumstances:

1. Those who file an appeal after the deadline.
2. A record of the petition or verbal statement that has not been corrected within the prescribed time limit.
3. The same incident has already been processed.

If KMU does not accept an appeal of sexual harassment, it shall notify the person concerned in writing within 20 days of receiving or transferring the appeal and shall state the reasons.

Article 8 KMU shall investigate sexual harassment in accordance with the following principles:

1. The investigation of sexual harassment incidents shall be conducted in an undisclosed manner, and the privacy and personal legal interests of the parties involved shall be protected.
2. The investigation of sexual harassment shall be conducted in an objective, impartial, and professional manner, and conform to the principle of avoiding conflicts of interest. The parties concerned shall be allowed to fully state their opinions and reply.
3. If the victim's statement is clear and there is no need to interrogate, repeated interrogations shall be avoided.
4. In the case of an investigation of sexual harassment, the parties concerned and related persons may be notified to explain the scene, and the relevant scholars and experts may be invited to assist.
5. If there is a power imbalance between those directly involved or witnesses, confrontation(s) shall be avoided.

6. When necessary, written information may be produced without infringing the obligation of confidentiality, and be provided to those directly involved, or summarized and read to those directly involved.
7. The names and other information that may lead to the identification of those directly involved in a sexual assault incident shall be kept confidential, except for the necessity of investigation or public safety concerns.
8. During the investigation of sexual harassment incidents, psychological counseling, and legal assistance may be referred or provided depending on the physical and mental condition of the person involved.
9. No one who participates in an appeal, investigation, inquiry, or trial process of a sexual harassment case, by filing a complaint, reporting, accusing, initiating a lawsuit, testifying, providing assistance, or other actions, shall be subject to improper discrimination.

Article 9 Unless there are force majeure factors, the Committee shall start the investigation within seven days of receiving or transferring the appeal, and complete the investigation within two months. If necessary, the investigation may be extended by one month, and the appellant shall be notified.

The Committee shall resolve the appeal with the reasons attached and may make recommendations for disciplinary or other handling, which shall be submitted to the relevant units of KMU for implementation.

The preceding resolution shall be notified in writing to the appellant and his/her counterpart. The written notice shall include the reasons for the resolution, the deadline for the reapplication, the acceptance unit, and the remedies such as re-appeal.

If the appellant and the counterpart have objections to the resolution of the appeal, they may file a reapplication with the Committee within 20 days of receiving the written notice. Reapplication is limited to one time.

After receiving a reapplication, KMU shall handle it in accordance with the procedure below:

1. After the Committee has received the written application form, it shall form an evaluation team. The team shall come to a reasoned judgment within thirty days and provide a written notification of the decision on the reapplication to the person making the reapplication.
2. The evaluation team described in the preceding paragraph shall include three or five experts in gender equity education or legal professionals. Moreover, female members shall account for at least one-half of the team. Experts and

scholars with a background in the investigation of campus sexual assault, sexual harassment, or sexual bullying shall account for at least one-third of the team.

3. Members of the Committee or investigation team shall not serve as members of the evaluation team.
4. When the evaluation team conducts a meeting, the members of the team will select a convener who will chair the meeting.
5. While the meeting is in progress, should the need arise, the person making the reapplication will be allowed to make a statement, and the members of the Committee or investigation team shall be invited to be present to make explanations.
6. When there is cause for a reapplication, the relevant authorized agencies will be informed of the decision on the reapplication, and the authorized agencies shall be responsible for remaking decisions.
7. Before the decision of the reapplication as described in the preceding subparagraph is sent to the person making the reapplication, the said person may withdraw the reapplication in accordance with relevant provisions.

If the appellant and the counterpart have an objection to the trial results of the appeal, or if the investigation is not completed within the deadline, they may file a re-appeal with the Kaohsiung City Government within 30 days from the expiration of the deadline or the day after the notification of the investigation results is received.

Article 10 If the appellant withdraws the appeal during the case review period, it shall be done in writing. After it is submitted to the Human Resources Office, the case shall be terminated for future reference, and the Human Resources Office shall inform the Committee. After the appeal is withdrawn, no appeal shall be filed on the same subject matter.

Article 11 The investigation and handling by the Committee shall not be affected by the judicial proceedings.

Article 12 The parties involved in sexual harassment shall apply for mediation in writing or verbally to the Committee. If the incident is successfully mediated, a mediation agreement shall be prepared and signed by both parties. However, the Committee may continue to scrutinize the case if it is a serious one.

Article 13 If an act of sexual harassment is found to be substantiated, KMU may, depending on the severity of the case, transfer the perpetrator to another position, demote him/her, reduce his/her salary, punish him/her, or deal with him/her in other ways

in accordance with the relevant regulations. If a criminal offense is involved, assistance shall be provided to the appellant in filing a complaint. If the sexual harassment is proved to be a false accusation, KMU may, depending on the severity of the case, punish or deal with the appellant in accordance with the relevant laws and regulations.

Article 14 KMU shall conduct follow-up examinations and supervision on the review results of sexual harassment to ensure that disciplinary or disciplinary measures are implemented effectively and to avoid the occurrence of similar incidents or retaliation.

Article 15 KMU shall register the members of the investigation team on official business and pay the transportation or related expenses according to the law or its regulations.

Article 16 Any matters not covered in the Regulations shall be handled in accordance with relevant provisions.

Article 17 After being reviewed and approved by the Committee and University Council, the Regulations 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.**