

國立臺灣師範大學學生申訴處理辦法

National Taiwan Normal University Student Appeal Processing Guidelines

67、68、70、84、86及95次校務會議修正通過
教育部92.07.03.臺訓(一)字第0920097483號函核定
教育部95.06.23.臺訓(二)字第0950093231號函核定
教育部95.07.27.臺訓(二)字第0950105969號函修正第16、17、18條
教育部97.10.01.臺訓(二)字第0970188068號函修正第18條
98年6月18日第102次校務會議修正通過
教育部98.12.15.臺訓(一)字第0980214007號函修正第15、19條
100年6月22日第106次校務會議臨時會修正通過
100年12月21日第107次校務會議臨時會修正通過
教育部101.2.04.臺訓(一)字第1010017468號函修正第14條
109年5月20日第124次校務會議修正通過修正第3條
110年6月2日第126次校務會議修正通過修正第3、13、19條

第一條 本校依據大學法第33條第4項及本校組織規程第14條第4款及第55條規定，成立國立臺灣師範大學學生申訴評議委員會（以下簡稱本委員會），並訂定國立臺灣師範大學學生申訴處理辦法（以下簡稱本辦法）。

Article 1 NTNU Student Grievances Committee (hereafter “the Committee”) and NTNU Student Appeal Processing Guidelines (hereafter “the Guidelines”) are established in accordance to Clause 4, Article 33 under the University Act and Clauses 4, Article 14 and Article 55 under the NTNU Organization Charter.

第二條 本委員會旨在保障學生、學生會及其他相關學生自治組織之學習、生活與受教等權益，提供其申訴管道，處理其申訴案件。

Article 2 The Committee aims to ensure students’ rights to learning, living, and education as well as protect the rights of student unions and other self-governing student bodies by providing access to appeals and processing appeal cases.

第三條 本委員會之組成，依下列規定辦理：

- 一、本委員會由校長聘請委員若干人組成之，並得視需要聘請有關專家為諮詢委員。另辦理特殊教育學生申訴案件時，應由校長增聘至少二名與特殊教育需求情況相關之特殊教育學者專家或專業人員擔任該次評議會之委員。
- 二、教師代表由校長遴聘之，每學院至少一人，其中須納入法律、教育、心理學者專家，且未兼行政職務之教師不得少於委員總額之二分之一。
- 三、學生代表由學生會推派二人、各學院及僑生先修部之校務會議學生代表各推派一人。
- 四、擔任學生獎懲委員會之委員或負責學生獎懲決定、調查之人員，不得擔任本委員會委員。
- 五、任一性別委員應占委員總數三分之一以上。

主席由委員互選之，任期為一學年，連選得連任。每學年度第一次開會由學務長召集並推選主席。本會主席產生後，會議由主席召集之，主席因故不能召集會議時，由其指定之委員召集之。

本委員會得置秘書二人，均為無給職，委員及秘書之任期為一學年。

Article 3 The Committee is formed based on the following regulations:

1. Members of the Committee are recruited by the University President. Experts in relevant areas may be recruited to serve as advisory committee members where necessary. When handling appeal cases filed by a special education student, the University President shall additionally recruit at least two special education experts or professionals versed in special education needs to serve as members of the Committee.

2. Faculty representatives (at least one from each college) are selected and appointed by the President among which experts/scholars in law, education and psychology must be included and those without administrative duties shall not account for less than half of total.

3. Student members are composed of representatives recommended by the following: two from the student union, one from each college, and one from the Division of Preparatory Programs for Overseas Chinese Students.

4. Members of the Student Reward and Punishment Committee or those involved in the decision of students' reward/punishment actions or investigations shall not serve on the Committee.

5. Members of either gender shall account for at least one third of total.

The Chair of the Committee is selected by and among the Committee members for a term of 1 academic year after which he/she may be re-elected. The first meeting in a given academic year is convened by Dean of Student Affairs during which a Chair would be selected. After the Chair is selected, subsequent meetings will be convened by the Chair. If the Committee Chair is unable to call for meetings for some reason, he/she shall appoint a Committee member as the meeting convener. The Committee may appoint 2 secretaries (both positions are without remuneration). Term of service for Committee members and secretaries is 1 academic year.

第四條 本委員會接受學生、學生會及其他相關學生自治組織之有關學習、生活、獎懲及受教權益等問題之申訴，並依申訴案件性質需要，成立「調查小組」。「調查小組」由本委員會委員三至五人組成，學生代表不得少於總額三分之一，如有必要得邀請其他專業相關人員參加，負責查證工作，並將調查結果提報本委員會處理。

Article 4 The Committee is open to appeals by students, the student union and other self-governing student bodies pertaining to issues such as rights to learning, living, reward/punishment and education. Depending on the nature of the appeal, an investigation group may be formed by 3-5 members of the Committee with student representatives accounting for at least 1/3 of total. If necessary, experts in related issues may be invited to join the group to conduct fact finding investigations and report the

findings to the Committee for further processing.

第五條 學生、學生會及其他相關學生自治組織之申訴案件，由本委員會秘書受理，收件後應儘速依相關程序處理。同一案件之提起申訴以一次為原則。

Article 5 Appeal applications by students, the student union and other related self-governing student bodies shall be submitted to the Committee secretary for filing. Once the application is received, the case will be processed according to relevant procedures as soon as possible. In principle, only one appeal shall be made for the same case.

第六條 本委員會以每月召開一次會議為原則，如無申訴案件則不召開，以處理本校學生之申訴案件。召集人召開會議須委員過半數出席始得召開，評議決定應經出席委員三分之二以上之同意行之；其他事項之決議以出席委員過半數之同意行之。會議召開以不公開為原則，並請申訴人及相關人員列席說明。

Article 6 In principle, the Committee meets once every month to deal with appeals made by NTNU students. The Committee will not convene if there are no appeal cases. The convener may not convene a meeting unless more than half of the Committee members are present. Any resolution or decision on the arbitration shall be agreed upon by at least 2/3 of the members present; other issues can be passed once half of the members present agreed. While the Committee meetings, in principle, are not open to the public; appellants and relevant parties shall be present to provide clarifications.

第七條 本校學生對於本校有關學習、生活、受教權益所為之懲處、其他措施或決議，認有違法或不當因而損害其權益者，或學生會及其他相關學生自治組織，不服學校之懲處或其他措施及決議之事件者，得依本辦法之規定，向本委員會提出申訴。

前項本校學生，係指本校對其處分時，具本校學生身分者。

Article 7 NTNU students may appeal against disciplinary actions, university measures or decisions they deem as illegitimate or inappropriate which have impeded their rights to learning, life or education. The student union and other self-governing student bodies may also file appeals against the University's disciplinary actions or other resolutions with the Committee in accordance with the Guidelines. The above mentioned NTNU students refer to those who are enrolled in NTNU at the time of the disciplinary action.

第八條 本校學生於收到學校對於個人生活、學習、受教權益處分書或學生會及其他相關學生自治組織受到學校之懲處或其他措施及決議之事件後，如有不服，應於次日起三十日內以書面向本委員會提出申訴。申訴人因不可抗力之原因，至逾期限者，得向本委員會聲明理由，請求許可。

申訴人因天災或其他不可歸責於己之事由，致遲誤前項申訴期間者，於其原因消滅後十日內，得以書面敘明理由向本委員會申請評議。但遲誤申訴期間已逾一年者，不得為之。

Article 8 Students, the student union or other self-governing student bodies wishing to file an appeal against a disciplinary action, other university measures or resolutions shall do so in writing and submit it to the Committee within 30 days starting from the next day the disciplinary notification is received or the decision is announced. Appellants failing to file the appeals in time due to an event of force majeure may ask the Committee for an extension with reasons stated. Appellants who missed the deadline for appeals owing to natural disasters or non-self-blamable reasons may apply to the Committee for arbitration within 10 days after the given factor disappears with a written statement explaining the reasons. Those who have missed the appeal period by over a year will not be eligible.

第九條 學生、學生會及其他相關學生自治組織之申訴須填寫申訴書（表格請至學務處網頁下載），並以書面提列具體事實及檢附相關資料，以便本委員會處理，委員會委員、調查小組成員及秘書，對申訴案件之處理及相關事宜，必須加以保密。

Article 9 Students, the student union or other self-governing student bodies wishing to file an appeal must fill out an appeal form (downloadable at the website of Office of Student Affairs), present specific facts in writing with supporting documentations to facilitate the processing by the Committee. Processing of the appeal cases and any related matters must be kept confidential by all Committee members, investigation group members and secretaries.

第十條 本委員會應於收到申訴書之次日起三十日內完成評議；必要時得予延長，並通知申訴學生，延長以一次為限，最長不得逾二個月。但涉及退學、開除學籍或類此處分之申訴案，不得延長。

本委員會認為申訴書不合規定，而其情形可補正者，應通知申訴人於七日內補正。其補正期間應自評議期間內扣除。

Article 10 The Committee shall complete the arbitration within 30 days after an appeal form is received. If an extension is necessary, the Committee shall notify the appellant. The extension can only be allowed once with a maximum of 2 months. Nonetheless, disciplinary decisions involving expulsion or permanent removal of student status are not eligible for extensions. If the Committee thinks the appeal form received does not conform to the regulations but is still amendable, the Committee shall notify the appellant and allow the appellant to amend the filing within 7 days. The amendment period should be deducted when calculating the deadline for arbitration.

第十一條 申訴提起後，申訴人就申訴事件或其牽連之事項，提出訴願或訴訟者，應

即以書面通知學校，由學校轉知申評會。

申評會依前項通知或依職權知前項情事時，應停止評議，並通知申訴人；於停止原因消滅後，經申訴人書面請求，應繼續評議，並以書面通知申訴人。

申訴案件全部或一部之評議決定，以訴願或訴訟之法律關係是否成立為據者，申評會於訴願或訴訟程序終結前，應停止評議，並以書面通知申訴人；於停止原因消滅後，應繼續評議，並以書面通知申訴人。

退學、開除學籍或類此處分之申訴案件，不適用前二項規定。

Article 11 After the appeal is filed, if the appellant files a petition or litigation for the same case or related issues, the University should be informed in writing and pass on the notification to the Committee. Upon receipt or awareness of such notification, the Committee should suspend the arbitration and notify the appellant. The Committee shall resume the arbitration after the suspending factors have discontinued upon the appellant's written request and notify the appellant in a written statement. If the arbitration of the appeal is entirely or partly tied to the ruling of the petition or litigation, the Committee shall suspend the arbitration before such results are finalized and notify the appellant in a written statement. The Committee shall resume the arbitration after the suspending factors have discontinued and notify the appellant in a written statement. The 2 aforementioned rules are not applicable to appeals against expulsion, permanent removal of student status or similar disciplinary actions.

第十二條 退學或開除學籍之申訴，學校於評議未確定前，學生得繼續在校肄業。本校除不得授給畢業證書外，其他修課、成績考核、獎懲得比照在校生處理。

Article 12 For appeals against expulsion or permanent removal of student status, the appellant may remain enrolled before the arbitration is confirmed. While the University would withhold the graduation certificate, the appellant is still entitled to the same treatment as other enrolled students in regards of course taking, grading, and rewards/punishments.

第十三條 申訴人於本委員會作成評議決定書送達前，得以書面撤回申訴案。

Article 13 Before the arbitration result made in writing is received by the appellant, he/she may withdraw the appeal application with a written statement.

第十四條 本委員會之處理結果應以評議決定書通知申訴學生及原處分單位，評議決定書應包括主文、事實、理由等內容。不受理之申訴案件亦應作成評議決定書，惟其內容只列主文及理由。

前項評議決定書並應依第十五條第一項規定，記載不服申訴評議決定之救濟方法。

Article 14 The Committee shall notify the appellant and the unit that imposes the disciplinary action of the arbitration resolution in an arbitration report. The report shall contain

contents such as the main body, facts and reasons. Rejected appeal cases shall also be recorded in an arbitration report, but only the main text body and reasons for rejections are required. The arbitration report shall also cover means of redress available to appellants who remain unconvinced by the arbitration.

第十五條 申訴人就學校所為之行政處分，經向本委員會提起申訴而不服其決定，得自申訴評議決定書送達次日起三十日內，繕具訴願書，檢附學校申訴評議決定書，經學校向教育部提起訴願。

學校收到前項訴願書，應儘速附具答辯書，並將必要之關係文件，送交教育部。

申訴人就學校所為之行政處分，未經學校申訴程序救濟，逕向教育部提起訴願者，請教育部將該案件移由學校依學生申訴程序處理。

申訴人就學校所為行政處分以外之懲處、其他措施或決議，經向學校提起申訴而不服其決定，得按其性質依法提起訴訟，請求救濟。

Article 15 A student who remains unconvinced by the administrative disciplinary actions taken by the University after the Committee's arbitration may file for a petition within 30 days starting from the next day of receiving the arbitration report. The University will send the petition letter to the Ministry of Education along with the arbitration report.

第十六條 本委員會作成評議決定書，陳校長核定時，應副知原處分單位，原處分單位如認為有與法規牴觸或事實上窒礙難行者，應於一週內列舉具體事實及理由陳報校長，並副知本委員會。校長如認為有理由者。得移請本委員會再議，再議之提出以一次為限。評議決定書經完成行政程序後，學校應即採行。

Article 16 While the arbitration report is presented to the President for approval, a copy of the document shall also be sent to the original unit that imposes the disciplinary actions. If the unit believes the result are in violations of regulations or find it difficult to implement, it should present specific facts and causes to the President and a copy to the Committee within a week after receiving a copy of the arbitration report. If the President believes the unit has a convincing cause, the case can be passed on to the Committee for re-arbitration. Re-arbitration proposal is only allowed once. After the re-arbitration proceeds through the administrative procedures, the University should adopt the final results.

第十七條 退學之申訴，經本委員會評議確定維持原處分者，其修業、學籍依下列規定辦理：

一、修業證明書所載修業截止日期以原處分日期為準。

二、申訴期間所修習科目學分及格者，得發給學分證明書。

Article 17 For appeals against expulsion decisions, if the Committee upholds the original disciplinary verdict, matters pertaining to school attendance and enrollment should be dealt with on the following basis:

1. The date of attendance termination stated in the attendance certificate should be based on the date the disciplinary action was originally taken.
2. The credits earned during the appeal period should be recognized; a credit certificate may be issued to the student.

第十八條 退學或開除學籍之申訴，經評議確定維持原處分者，其兵役、退費依下列規定辦理：

- 一、役男「離校學生緩徵原因消滅名冊」於申訴結果確定後三十日內冊報。
- 二、退費基準依專科以上學校向學生收取費用辦法第 8 條及專科以上學校學雜費收取辦法第 15 條之規定辦理。

Article 18 For appeals against decisions on expulsion or permanent removal of student status, if the Committee upholds the original disciplinary verdict, matters pertaining to military duties and tuition refunds should be dealt with on the following basis:

1. The list of draftees who are dropping out and hence losing the eligibility for the deferment of military duties will be reported to the authorities concerned within 30 days after the arbitration result is confirmed.
2. Tuition refunds shall be processed in accordance with Article 8 under The Principle of Varsity Charge and Article 15 under The Principle of Varsity Tuition and Fees Charge.

第十九條 本校學生依評議決定、訴願決定或行政訴訟判決另為處分，並同意其復學者，其因特殊事故無法及時復學時，本校應輔導其復學。對已入營無法復學之役男，本校應保留其學籍，俟其退伍後，輔導優先復學，復學前之離校期間並得補辦休學。依訴願決定或行政訴訟判決另為處分並同意同學復學者，應依規定完成撤銷退學程序。

Article 19 If a decision on expulsion is overturned or modified following the verdict of an arbitration, a petition or litigation, but the student allowed to resume study cannot do so immediately due to special reasons, the University should assist the student in resuming his/her studies. For draftees who have already enrolled in to the military service, the University should retain their student status and assist them to resume study on a prioritized basis after they complete their military duties. Such students should be allowed to apply for suspension of studies after they return to study. Pursuant to the verdict of a petition or litigation, the disciplinary action issuer that agrees to allow the student to resume study shall revoke the expulsion procedures in accordance with relevant regulations.

第二十條 本校學生申訴制度應上網公告，並廣為宣導，使學生瞭解申訴制度之功

能。

Article 20 The student appeal system should be published online and widely publicized among students so that students can become aware of the functions of the appeal system.

第二十一條 為暢通學生意見，本校應另訂規範處理學生之陳情、建議、檢舉及其他方式所表示之意見。

學生因校園性侵害或性騷擾或性霸凌事件提起申訴，其屬性別平等教育法第二十八條第二項申請調查之性質者，依性別平等教育法相關規定處理。

Article 21 To provide access for students to express their opinions, the University shall establish separate guidelines to process student petitions, suggestions and complaints, etc.

Appeal cases involving sexual assaults or harassments which conform to the definition of Clause 2, Article 28 under the Gender Equity Education Act shall be dealt with in accordance with relevant regulations of the Act.

第二十二條 本辦法由學生事務會議訂定，經校務會議通過，報請教育部核定後實施，修正時亦同。

Article 22 The Guidelines and any amendment to the Guidelines shall be promulgated and enacted after approved by the Meeting of University Affairs, and reported to the Ministry of Education for acknowledgement.