

Chung Yuan Christian University Gender-related Incident On Campus Prevention and Handling Implementation Directives

Amended by the University Council dated on December 15, 2012

Amended by the letter under Yuan Mi Zi No. 1050002657 dated on August 25, 2016

Amended by the University Council in 2nd semester of the school year of 2020 dated on May 6, 2020

Amended by the University Council in 1st semester of the school year of 2024 dated on Oct 9, 2024

Article 1. Chung Yuan Christian University (hereinafter referred to as the University) has formulated these directives in accordance with the Gender Equality Education Act and the "Gender-related Incident on campus" to establish the "Chung Yuan Christian University Gender-related Incident On Campus Prevention and Handling Implementation Directives" (hereinafter referred to as these Directives).

Article 2. The following terms used that appears in these Directives are hereby defined: Gender-related incident on campus: incidents in which one party is a school principal, teacher, instructor, staff member, worker, manpower of student affairs innovation, project member or student, and the other party is a student, and which meets one of the following conditions:

1. Sexual assault: acts constituting criminal sexual assault as defined in the Sexual Assault Crime Prevention Act.
2. Sexual harassment: acts meeting one of the following criteria but not constituting sexual assault:
 - (1) 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) 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.
3. 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.
4. Gender Identity: an individual's perception and acceptance of his or her own gender.

Sex- or gender-related behavior by a school principal or faculty member that violates professional ethical standards: cases where a school 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.

Article 3. To prevent gender-related incident on campus, the University shall regularly review the overall campus safety. For the campus spaces and facilities, including spatial arrangements, management and security, signage systems, emergency systems and safety routes, and lighting, shall be examined in regular period of time, and record the spaces where sexual assault, sexual harassment, or sexual bullying incidents have occurred, create reports of campus space, and draw campus danger maps based on actual needs to facilitate campus space improvements.

The University shall hold an annual campus space safety review meeting, inviting professional space designers, faculty, staff, students, and other campus users to participate in. The reports and related documentations shall be recorded and promulgate, and the progress of campus danger space improvements shall be included in the gender equality committee's work report each semester.

Article 4. Faculty, staff, and students of the University shall respect and consider the different gender, gender temperament, gender identity, or sexual orientation of others when conducting teaching and interpersonal interactions both on and off-campus.

When the school principal or faculty and staff members are engaged in teaching, guiding, training, evaluating, managing, counseling, or providing work opportunities for students, and exploits an unequal power relationship due to the differences in status, knowledge, age, physical ability, identity, ethnicity, or resources, they must not, in the context of interpersonal interactions related to sex or gender with adult students, develop relationships based on sexual behaviors or emotions that violate professional ethics.

The school principal, faculty, staff member who discover that their relationships with students may violate the aforementioned professional ethics shall proactively avoid or report the matter to the school.

Article 5. The school principal, faculty, staff member, and students shall respect the sexual or bodily autonomy of others and themselves, avoid unwelcome pursuit behaviors, and shall not use coercive or violent means to handle conflicts related to sex or gender.

Article 6. The victim, his/her legal representative, or de facto custodian (hereinafter referred to as the applicant) or anyone may apply or report the investigation in writing statement with their real name to the University. However, the following situations are excluded:

1. If the perpetrator is the head of the University, the application should be made to the Ministry of Education.
2. If the perpetrator is acting in a concurrent position in another school, the application should be applied to that concurrent school.

Article 7. The University principal, faculty, and staff member who becomes aware of gender-related incident on campus shall immediately report it in writing or through other communication methods to the campus security center. The on duty staff of campus security center shall report it to the Ministry of Education's campus security center and social affairs agency as required, no later than twenty-four hours.

Except for necessary investigations, based on the considerations of public safety, or special provisions by law, the names or other information that may lead to their identification of the parties and the informant shall be confidential.

The University principal, faculty, staff member, and students shall not forge, alter, destroy, or conceal the evidences of gender-related incidents on campus committed by others.

In handling a gender-related incident on campus, the school or competent authority shall turn over the case to its Gender Equity Education Committee for investigation and handling. No person shall establish any other means of investigation, and the results of investigations conducted by violators shall be null and void.

Article 8. Applicants or informants of gender-related incidents on campus may request an investigation or report the incident verbally, in writing, or via email. If the application or report is made verbally or via email, the University staff handling the application or report shall create a written statement. This statement must either be read aloud to the applicant or the informant or reviewed by them to verify its accuracy before being signed or stamped.

The written or verbal statement mentioned in the preceding paragraph shall include the following information:

1. The name, identification document number, unit and position of service or study, residence, contact phone number, and date of application for investigation of the applicant or the informant.
2. If the applicant is applying for an investigation, the date of birth of the victim shall be included.
3. If the applicant appoints an agent to apply for an investigation on their behalf, a power of attorney shall be attached, including the agent's name, identification document number, residence, and contact number.
4. The facts of the application for investigation or report. If there is

relevant evidence, it should also be recorded or attached.

Gender-related incidents on campus that have received media coverage shall be treated as having been reported. The educational institution or competent authority with jurisdiction shall take the initiative to refer the matter to its gender committee to investigate and handle. When a suspected victim is not willing to cooperate with an investigation, the educational institution or competent authority shall still provide any counseling or assistance required. If an educational institution 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 educational institution's anti-bullying response team shall refer the matter to the gender committee for handling in accordance with the provisions of the preceding article

If an educational institution or competent authority becomes aware of a suspected campus gender-related incident that occurs under any of the circumstances listed below, its gender committee shall assess the impact of the incident on students' right to education and on campus safety, and if the gender 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:

1. There are two or more victims.
2. There are two or more offenders.
3. The is the principal or president, a faculty or staff member, or worker.
4. Campus safety issues are involved.
5. Other circumstances that the gender committee considers make it necessary to initiate an investigation treating the matter as a reported case.

Article 9. Upon receiving an application for investigation or report of gender-related incident in campus, the University shall forward the evidence and information provided by the applicant or the informant to the gender equality committee for investigation and handling within three days.

The acceptance of the application for investigation or report and the members of the investigation team may be decided by a six-member review team convened by the executive secretary of the gender equality committee. The review team shall include two ex officio members, two teacher members, one staff member, and one student member, with at least half of the members being female.

If the perpetrator is no longer a faculty, staff member, or student of the University or is a concurrent teacher, the University shall notify the perpetrator's current full-time school in writing to send a representative to

participate in the investigation.

For accepted applications for investigation or reports, if the investigation confirms the occurrence of campus sexual assault, sexual harassment, or sexual bullying incidents, the University shall forward the investigation report and handling recommendations to the perpetrator's current full-time school or other competent authorities for handling.

If the University does not have jurisdiction over the received application for investigation or report, the case shall be transferred to the competent authority within seven working days, and the parties involved shall be notified.

Article 10. The gender equality committee 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 twenty 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 state clearly the reason(s) that 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.

The gender equity committee shall reject the application or offense report if one of the following applies:

1. Events not prescribed in the regulations of this Act.
2. Applicants or informants who do not provide their real names.
3. A case that has already been handled and closed.

The applicant, victim, or informant 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 authority with jurisdiction within twenty days from the day after the day that they receive the notification. The request for aforesaid reconsideration is restricted being made once only.

After receiving a request for reconsideration, the University shall notify the person making the request for reconsideration of the outcome of their request in writing within twenty days. If there are grounds for the request for reconsideration, the gender equity committee shall investigate and handle the case.

Article 11. When handling gender-related incidents on campus, the gender equity committee may establish an investigation team for investigation. When necessary, some or all appointed members of the investigation team may be persons from outside the educational institution or competent authority. However, if the offender is a school principal, teacher, staff member, or

worker, an investigation team shall be established, and all of its members shall be external appointees.

The investigation team shall consist of three or five members, with at least half of the members of the team shall be female, and at least one-third of the team at an educational institution shall be experts or scholars with professional expertise and experience in the investigation of campus gender-related incidents.

When the parties involved in a gender-related incident on campus belong to different schools, each investigation team specified in the previous Paragraph shall also include one or more representatives of the school with which the victim is affiliated. However, if the victim, his/her legal representative, or his/her de facto custodian requests that the school where the victim is currently enrolled not be notified, and the gender equity education committee determines that there is no need to make such notification, this requirement does not apply.

Any counselor of a party involved in a gender-related incident on campus 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.

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

Article 12. The gender equity committee shall complete the investigation within two months of accepting the application or report. If necessary, the period may be extended twice, with each extension not exceeding one month. The applicant, victim, informant, and offender shall be notified of the extension.

When gender equity committee 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 authority unit will accept a request for reconsideration.

Article 13. When investigating gender-related incidents on campus, if the parties involved are minors, they may be accompanied by their legal representatives during the investigation. If there is a power imbalance between the offender and the victim, informant, or witness, confrontation

should be avoided.

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. 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.

Article 14. 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. This restriction does not apply, however, if such details are required for the investigation or based on considerations of public safety.

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.

Article 15. During the investigation, the University may, upon resolution by the gender equity committee and approval by the competent authority, 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, to protect their rights to work or study. Measures shall also be taken to prevent retaliation and reduce the possibility of the offender reoffending.

Article 16. When handling sexual assault, sexual harassment, or sexual bullying incidents, the University shall inform the victim or their legal representative of their rights and various remedies, or refer them to relevant agencies for handling. If necessary, psychological counseling, protective measures, or other assistance shall be provided.

Article 17. The investigation and handling by the gender equality committee shall not be affected by whether judicial procedures are conducted or the outcome of such procedures. The investigation process shall not be terminated due to the perpetrator losing their original status.

If the applicant withdraws the application for investigation, the gender equality committee may, by resolution or at the request of the perpetrator, continue the investigation to clarify legal responsibilities.

Article 18. If the gender equality committee's investigation confirms the occurrence of sexual assault, sexual harassment, or sexual bullying incidents, the perpetrator shall be subject to appropriate disciplinary actions, including admonition, demerit, dismissal, suspension, non-renewal, termination of contract, termination of employment, or other appropriate measures.

When handling sexual harassment or sexual bullying incidents, the University shall require the perpetrator to undergo psychological counseling. For minor cases, the perpetrator may be required to take one or more of the following measures:

1. Apologize to the victim with the consent of the victim or their legal representative.
2. Attend eight hours of gender equality education courses.
3. Receive follow-up counseling education for students with severe behavioral deviations.
4. Other measures that meet educational purposes.

The gender equality committee shall notify the applicant, informant, and perpetrator of the handling results in writing, stating the facts, reasons, and appeal provisions.

When requiring the perpetrator to take the measures mentioned in the second paragraph, necessary measures shall be taken to ensure the perpetrator's compliance.

If it is confirmed that there was a false accusation, the applicant or informant shall be subject to appropriate disciplinary actions according to the law.

Article 19. Based on the principles of respecting professional judgment and avoiding repeated questioning, the University shall determine the facts related to campus sexual assault, sexual harassment, or sexual bullying incidents based on the investigation report of the gender equality committee.

When the gender equality committee holds a meeting to review the investigation report and confirms the occurrence of sexual assault, sexual harassment, or sexual bullying incidents, and proposes handling suggestions to change the status of the perpetrator, the investigation report approved by the gender equality committee shall be attached, and the perpetrator shall be notified to submit a written statement within a specified period.

If the perpetrator does not submit a written statement within the specified period, it shall be deemed as a waiver of the opportunity to make a statement. If a written statement is submitted, the gender equality committee shall hold another meeting to review the written statement.

Article 20. If the applicant or perpetrator is dissatisfied with the handling result, they

may submit a written appeal with reasons to the University within twenty days from the day following the receipt of the written notification. If the appeal is made verbally, a record shall be made, read aloud or reviewed by the applicant or perpetrator, confirmed for accuracy, and then signed or stamped. The appeal is limited to one time.

Upon receiving the appeal, the University shall handle it according to the following procedures:

1. The University Secretary's Office shall receive the appeal and form a review team, which shall make a decision with reasons and notify the appellant of the appeal result in writing within thirty days.
2. The review team shall include three or five members, including experts and scholars related to gender equality education and legal professionals. The review team shall consist of at least half female members, and at least one-third of the members shall be experts and scholars with professional knowledge in investigating campus sexual assault or sexual harassment.
3. Original members of the gender equality committee and the original investigation team members shall not serve as members of the review team.
4. When the review team holds a meeting, the members shall elect a convener to preside over the meeting.
5. During the review meeting, the appellant may be given the opportunity to present their opinions as needed, and relevant members of the gender equality committee or investigation team may be invited to attend and explain.
6. If the appeal is justified, the appeal decision shall be notified to the relevant competent authority for a new decision.
7. Before the appeal decision is delivered to the appellant, the appellant may withdraw the appeal according to the preceding provisions.

Article 21. If the applicant or perpetrator is dissatisfied with the appeal result, they may seek relief within thirty days from the day following the receipt of the written notification according to the following provisions:

1. University principal and teachers: According to the provisions of the Teachers' Act.
2. University staff: According to the provisions of the Gender Equality in Employment Act.
3. University students: According to the regulations, file a complaint with the University.

Article 22. The University shall establish and maintain archives of the relevant data according to the regulations. The archives shall be kept by designated

personnel in the Secretary's Office for twenty-five years. If stored in electronic media, signatures or encryption may be used as necessary.

The archives established according to the preceding paragraph shall be divided into original archives and report archives.

The original archives shall be kept confidential and include the following information:

1. The time and nature of the incident.
2. The parties involved in the incident (including the informant, victim, and perpetrator).
3. The personnel handling the incident, processes, and records.
4. Documents produced during the handling of the incident, recordings of interviews, obtained evidence, and other relevant information.
5. The name, position, or academic status, and family background of the perpetrator.
6. The draft investigation report submitted by the investigation team and the meeting records of the gender equality committee.

The report archives shall be the investigation report approved by the gender equality committee and shall include the following information:

1. The case of the application for investigation, including the description of the parties involved or the informant.
2. Records of the investigation and interview process, including dates and subjects.
3. Statements and defenses of the applicant, perpetrator, witnesses, and relevant persons.
4. Examination of relevant physical evidence.
5. Fact-finding and reasons.
6. Handling suggestions.

Article 23. The University's campus sexual assault, sexual harassment, or sexual bullying incident reporting hotline: 03-265-7777, application for investigation or report receiving unit phone: 03-265-1995.

Article 24. Matters not covered by these Guidelines shall be handled in accordance with the Gender Equality Education Act and the Ministry of Education's "Campus Sexual Assault, Sexual Harassment, or Sexual Bullying Prevention Guidelines."

Article 25. These Guidelines shall be implemented after approval by the University Affairs Meeting and ratification by the President. Amendments shall follow the same procedure.