

**文藻外語大學校園性侵害性騷擾或性霸凌防治及處理實施規定(核定版)**  
**Regulations for Prevention and Handling of Sexual Assault, Sexual Harassment or Sexual Bullying on Campus (Approved Version)**

民國94年06月25日校務會議通過  
民國96年01月06日校務會議修正通過  
民國96年10月13日校務會議修正通過  
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民國100年06月25日校務會議修正通過  
民國101年10月24日性平會議修正通過  
民國101年11月10日校務會議修正通過  
民國102年9月30日校長核定配合學校改名大學修訂法規名稱  
民國103年04月21日性平會議修正  
民國103年06月07日校務會議修正通過  
民國105年04月25日性平會議修正  
民國105年06月15日校務會議修正通過  
民國105年11月25日性平會議修正  
民國105年12月14日校務會議修正通過  
民國109年01月21日性平會議修正  
**民國109年02月19日校務會議修正通過**

**Revised and approved at the University Affairs Meeting on February 19, 2020**

- 一、文藻外語大學(以下簡稱本校)為營造及維護校園性別友善之學習環境，確保學生受教及成長之權益，並積極防治或處理校園性侵害、性騷擾或性霸凌事件，特依據性別平等教育法（以下簡稱性平法）第二十條第二項及校園性侵害性騷擾或性霸凌防治準則（以下簡稱該準則）第三十四條及本校性別平等教育實施要點之相關規定，制訂定本實施規定（以下簡稱本規定）。To create and maintain a gender-friendly learning environment, to affirmatively protect students' rights to education and growth, and to actively prevent or handle sexual assault, sexual harassment or sexual bullying on campus, Wenzao Ursuline University of Languages (hereinafter the "University") has drawn up the following Provisions (hereinafter the "Provisions") according to the Clause 2 of Article 20 in the Gender Equity Education Act (hereinafter the "Gender Equity Act"), Article 34 of Regulations on the Prevention of Sexual Assault, Sexual Harassment and Sexual Bullying on Campus (hereinafter the "Regulations"), and the University's Provisions for the Implementation of Gender Equity Education.
- 二、本規定用詞定義如下: The following terms that appear in the Provisions are hereby defined:
- (一) 性侵害：指性侵害犯罪防治法所稱性侵害犯罪之行為。Sexual assault: refers to any sexual offense defined according to the 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：Sexual harassment: refers to cases described by the following, but without constituting sexual assault:
1. 以明示或暗示之方式，從事不受歡迎且具有性意味或性別歧視之言詞或行為，致影響他人之人格尊嚴、學習、或工作之機會或表現者。Unwelcome remarks or conduct that explicitly or implicitly carry a sexual or gender discriminating connotation, and thereby adversely affect the other party's human dignity, or the opportunity or performance of his or her learning or work.
  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。A conduct of sexual or gendered nature that serves as the condition for oneself or others to gain or lose rights or interest in learning or

work.

- (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。**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 grouped under the category of sexual bullying, not sexual harassment.**
- (四) 性別認同：指個人對自我歸屬性別的自我認知與接受。**Gender identity: refers to an individual's awareness and acceptance of his or her own gender.**
- (五) 校園性侵害、性騷擾或性霸凌事件（以下簡稱校園性別事件）：指性侵害、性騷擾或性霸凌事件之一方為學校校長、教師、職員、工友或學生，他方為學生者。另，校園性別事件，包括不同學校間所發生者。以上所稱之名詞定義如下：**Sexual assault, sexual harassment, or sexual bullying on campus (hereinafter referred to jointly as campus sexual incidents): refer to sexual assault, sexual harassment, or sexual bullying that involves the school principal, faculty, staff, janitor, or a student as one party and a student as the other party. Campus sexual incidents include sexual incidents that occur between parties from different schools or universities. The terms that appear in the preceding paragraph are hereby defined:**

1. 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之人員**及其他執行教學或研究之人員。**Faculty: full-time teachers, part-time teachers, long-term and short-term substitute teachers, military instructors, volunteers providing teaching assistance, teaching interns actually giving lectures, and other instructors or researchers.**
2. 職員、工友：指前款教師以外，固定、定期執行學校事務，**或運用於協助學校事務之志願服務人員**。**Staff and janitors: people who are not defined as teachers according to the preceding paragraph and perform work at the school on a fixed/periodic schedule, or volunteers who provide support for university affairs.**
3. 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**。**Students: people who are enrolled in a regular program, a continuing/extension education program, a student exchange program or a short-term study program, or transferred to another program without student status during transition, and teaching interns.**

三、本校為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之性或身體之自主，應採取下列措施：**To actively promote prevention education in order to prevent campus sexual incidents, to enhance the knowledge and ability of faculty, staff and students to respect sexuality or body autonomy of others and of one's own, the University shall take the following measures:**

- (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。**Hold educational activities regularly every year to promote prevention of campus sexual incidents for faculty, staff and students, and to evaluate the effectiveness of these activities.**
- (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之人員，每年定期辦理相關之在職進修活動。**Hold in-service education programs regularly every year for personnel of the Gender Equity Education**

Committee (hereinafter the “Committee”) or agencies related to the handling of campus sexual incidents.

- (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。Encourage the aforementioned personnel to participate in on and off campus seminars on the handling of campus sexual incidents, and allow such participations to be registered as official leaves with subsidized expenses.
- (四) 利用多元管道，公告周知相關法規所規範之事項，並納入教職員工聘約及學生手冊。Promulgate relevant regulations through a wide range of channels; including the inclusion of such regulations in faculty and staff employment contracts and student handbooks.
- (五) 依校園性侵害性騷擾或性霸凌防治準則蒐集校園性別事件防治與救濟等之資訊，於處理事件時主動提供予相關人員參考運用。Compile information on the prevention of campus sexual incidents according to Regulations on the Prevention of Sexual Assault and Sexual Harassment, as well as actively provide information to relevant personnel on the handling of such incidents.
- (六) 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。Encourage the victim(s) or complainant(s) of a campus sexual incident to apply for an investigation, or file an offense report at the earliest possible opportunity in order to facilitate evidence collection, investigation and handling.

四、為防治校園性別事件之發生，應依本校性別平等教育實施要點之規定，確實執行校園安全之規劃及教職員工生校內外教學及人際互動的規範。To prevent campus sexual incidents, the University’s Provisions for the Implementation of Gender Equity Education shall be followed to ensure campus safety, and that during the performance of work-related tasks and in interpersonal interactions on and off campus, faculty, staff and students shall follow the relevant regulations.

五、本校教職員工知悉服務學校發生疑似校園性別事件時，應立即依本校【校園性侵害性騷擾或性霸凌事件通報及調查處理程序流程圖】，向校安中心進行通報，至遲不得超過二十四小時。Should faculty or staff members know of a suspected campus sexual incident at the school where they are employed, they shall report the incident to Campus Security Office according to Reporting, Investigation, and Prosecution Procedures for Campus Sexual Assault, Sexual Harassment, and Sexual Bullying Incidents, no later than twenty-four hours after coming to know of the incident.

依前項規定為通報時，除有調查必要、基於公共安全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。

When faculty or staff members report a suspected campus sexual incident in accordance with the preceding paragraph, the names of the involved parties and other information that may lead to personal identification of the parties involved shall be kept confidential, except for investigation necessity, public safety concerns or otherwise specified by relevant laws and regulations.

六、校園性別事件之被害人或其法定代理人(以下簡稱申請人)、檢舉人，得以書面向本校秘書室(以下簡稱收件窗口)申請調查或檢舉；申訴電話為07-3425800，申訴電子信箱為 sc@mail.wzu.edu.tw。但行為人於行為時或現職為學校首長者，應向教育部申請調查或檢舉；如行為人(含兼任教師)非屬本校之人員，則應向行為人於行為發生時所屬學校提出申請或檢舉。The victim of a campus sexual incident or his/her legal representative (hereinafter referred to jointly as the applicant), or a complainant to such an incident may apply for an investigation or submit an offense report in writing to the

Secretariat of the University (hereinafter referred to as “the Recipient”). The telephone number is 07-3425800 and the e-mail address is sc@mail.wzu.edu.tw. If the alleged offender was the President of the University when the incident happened or is the current President of the University, the complainant shall submit a request for an investigation or the offense report to the Ministry of Education.

接獲申請或檢舉後，本校若非事件管轄之學校，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。Upon receiving an application for investigation or an offense report, if the University is not the competent authority for the campus sexual incident, the case shall be transferred to the competent authority within seven days and the parties involved shall be notified in writing.

學制轉銜期間申請調查或檢舉之事件，若管轄權有爭議時，由其共同上級機關決定之，無共同上級機關時，由各該上級機關協議定。In cases where an application for the investigation or an offense report is filed during a period of academic transition, such that there is dispute over which school or authority has jurisdiction, the determination shall be made by the governing authority serving in a supervisory position over both parties. When no such joint authority exists, the governing authorities for the two parties shall make a collaborative determination.

經媒體報導之校園性別事件，應視同檢舉，本校應主動將事件交由性平會調查處理。疑似被害人不願配合調查時，本校仍應提供必要之輔導或協助。Campus sexual incidents that have received media coverage shall be treated as having been reported. The University shall take the initiative to proactively refer the matter to the Committee for investigation. In cases where the suspected victim is unwilling to cooperate with an investigation, the University shall nevertheless provide counseling or assistance as is required.

本校在處理霸凌事件時，發現有疑似校園性別事件者，應視同檢舉，由學校「防治霸凌因應小組」移請性平會處理。In the event that an investigation over a bullying incident reveals a possible campus sexual incident, the campus sexual incident shall be treated as a reported case and the Bullying Prevention Taskforce of the University shall report the suspected case to the Committee for further handling.

本校接獲校園性別事件申請或檢舉時，以秘書室為收件單位，並應於三日內將申請人或檢舉人所提事證資料交付性平會調查處理。The Secretariat will be the Recipient of applications or offense reports of campus sexual incidents. the Secretariat shall pass all relevant evidence and documents to the Gender Equity Committee to initiate an investigation.

本校性平會得組成「校園性別事件處理小組」並依性平法第二十九條第二項規定進行審查是否受理，校園性別事件處理小組之工作權責範圍，由本校性別平等教育委員會「校園性別事件處理小組作業細則」另訂之。University’s Committee ought to organize a Campus Sexual Incidents Operation Group and audit campus sexual incidents according to the Clause 2 of Article 29 in the Gender Equity Education Act to decide whether the incidents is accepted or not. The division of authority and responsibility of Campus Sexual Incidents Operation Group is regulated by the detailed regulations of Campus Sexual Incidents Operation Group that from University’s Committee.

- 七、校園性別事件之申請人或檢舉人，得以言詞、書面或電子郵件申請調查或檢舉；其以言詞或電子郵件為之者，收件窗口應作成紀錄，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。本項書面或言詞、電子郵件作成之紀錄，應載明下列事項：The applicant or complainant may apply for an investigation, or file an offense report of a campus sexual incident verbally, in writing or through e-mail. If the application is made verbally or through e-mail, the Recipient



shall produce documentation of the application and read it out to the applicant or the complainant, or ask him or her to read it in order to confirm its accuracy. Subsequently, the documentation shall be signed or sealed by the applicant or the complainant. The written or documented verbal or e-mail application shall contain the following items:

- (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。The applicant or the complainant's name, national identification number, the institution where he or she is employed or studies, residence and domicile, telephone number and date of the investigation's application.
- (二) 申請人申請調查者，應載明被害人之出生年月日。At the time an application for an investigation is made, the applicant shall state the victim's date of birth, giving year, month and day.
- (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。If the applicant authorizes a representative as his or her investigative applicant, an authorization letter shall be submitted containing the representative's name, national identification number, residence and domicile, and telephone number.
- (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。evidence for which an investigation is requested, or an offense report is being made. Relevant evidence shall also be documented or filed.

八、收件窗口於接獲調查申請或檢舉時，應於受理後二十日內，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依性平法第二十九條第三項規定敘明理由，並告知申請人或檢舉人申復之期限及受理單位。Once the Recipient has received an application or an offense report, he/she shall notify the applicant or complainant regarding whether or not the application has been accepted within twenty days upon receipt. A written notification of rejection shall contain reasons as prescribed in the third circumstance of Article 29 of the Gender Equity Education Act, and the applicant or complainant shall be notified of the re-application deadline and the office that accepts a re-application.

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，向本校申復；其以言詞為之者，本校應作成紀錄，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。If the applicant or complainant does not receive a notification or has received a rejection notification within the deadline defined in the preceding paragraph, he/she may re-apply in writing, with grounds stated, to the University within twenty days from the date of receipt of the rejection notification. For applicant(s) who re-apply verbally, the University shall document the re-application and read the documentation to the applicant or the complainant, or ask him or her to read it to confirm its accuracy. The record shall then be signed or sealed by the applicant or the complainant.

前項不受理之申復以一次為限。Re-application in the preceding paragraph shall be made no more than once.

本校接獲申復後，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。After

receiving a re-application, the University shall **submit the case to the Committee for a decision review and** notify the applicant or complainant of the re-application conclusion in writing within twenty days. In the case of a re-application with legitimate grounds, **the Committee shall investigate and handle the case according to the law.**

九、本校性平會調查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，應注意以下事項：**When the University's Committee handles a campus sexual incident, it may organize an investigation team to handle the case. The team shall be composed of three or five members, and the following rules shall be observed:**

- (一) 小組成員應具性別平等意識，女性人數比例，應占成員總數二分之一以上，必要時，部分小組成員得外聘。處理校園性別事件所成立之調查小組，其成員中具校園性別事件調查專業素養之專家學者之人數比例應占成員總數三分之一以上；雙方當事人分屬不同學校時，相關學校應派代表參與調查。**Members of the investigation team shall have gender equity consciousness, and more than half of its members shall be women. Some members may be invited from outside the University when necessary. At least one-third of the investigation team formed for handling campus sexual events shall be composed of experts or scholars specializing in the investigation of campus sexual events. The investigation team shall include representative(s) of the schools of the involved parties when the two parties belong to different schools.**
- (二) 性平會或調查小組依本要點進行調查時，行為人、申請人及受邀協助調查之人或單位，應予配合，並提供相關資料。**When the Gender Equity Committee or the investigation team conducts an investigation according to the regulations prescribed by the Provisions, the alleged offender, applicant and persons or offices who are invited to assist the investigation shall cooperate and provide pertinent information.**
- (三) 行政程序法有關管轄、移送、迴避、送達、補正等相關規定，於本要點適用或準用之。**Pertinent regulations in the Administrative Procedure Law regarding jurisdiction, transfer, avoidance, service and rectification shall be applied or applies mutatis mutandis in the Provisions.**
- (四) 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，也不因行為人喪失原身分而中止。**The investigation and handling by the Committee shall not be affected by the judicial proceedings and conclusions of the case. The investigation procedure shall not be suspended due to the offender's loss of his or her status at any point of the procedure.**
- (五) 性平會為調查處理時，應衡酌雙方當事人之權力差距。**The Committee shall take into account the difference in power between the two parties in its investigation and handling of the incident.**
- (六) 校園性別事件當事人之輔導人員、**性平會會務權責主管及承辦人員**，應迴避該事件之調查工作；參與校園性別事件之調查及處理人員，亦應迴避對該當事人之輔導工作。**The teacher who has served as a consultant for the parties involved, the supervisor in charge of handling affairs of the Committee, and the officer of the Committee who is responsible for the incident shall take the initiative to avoid participation in the investigation. If an individual has been asked to conduct the investigation of, or handle, the campus sexual incident, he/she shall also avoid the possibility of serving as a consultant for the parties involved.**
- (七) 本校針對擔任調查小組之成員，應予公差（假）登記，**其交通費或相關費用由事件管轄學校及派員參與調查**之學校支應。**For members of the investigation**

team, the University shall record the time spent serving on the investigation team as a work-related leave of absence. The school with jurisdiction and the schools assigning staff to participate in the investigation shall pay any transportation or relevant expenses incurred.

十、前條所定具校園性別事件調查專業素養之專家學者，應符合下列資格之一：  
Experts or scholars specialized in the investigation of campus sexual incidents as prescribed in the preceding article shall meet one of the following qualifications:

(一)持有中央或直轄市、縣(市)主管機關校園性別事件調查知能高階培訓結業證書，且經中央或直轄市、縣(市)主管機關所設性平會核可並納入調查專業人才庫者。Person(s) holding an advanced level of certificate of completion for a campus sexual incidents investigation training program provided by a competent authority at the central, municipal, city or county level. The person(s) shall also be acknowledged by the Committee of the competent authority at the central, municipal, city or county level and included in its investigation specialist database.

(二)曾調查處理校園性別事件有具體績效，且經中央或直轄市、縣(市)主管機關所設性平會核可並納入調查專業人才庫者。Person(s) who have a good performance record in the investigation of campus sexual incidents, and who have been approved by the Committee of the competent authority at the central, municipality, city or county level and included in its investigation specialist database.

十一、若行為人非屬本校之人員應以書面通知行為人現所屬學校派代表參與調查，被通知之學校不得拒絕。If the alleged offender is not employed by the University, the school that employs the alleged offender shall be notified in writing to send a representative to participate in the investigation, and the school notified shall not refuse to do so.

本校完成調查後，凡校園性別事件成立者，應將調查報告及懲處建議移送行為人現所屬學校依防治準則第三十條規定處理。After the investigation of the campus sexual incident has been completed and established, the investigation and suggestions for handling shall be sent to the school of the alleged offender in accordance with Article 30 of the Regulations.

行為人於行為發生時，同時具有校長、教師、職員、工友或學生二種以上不同身分者，以其與被害人互動時之身分，定其受調查之身分，並由該身分之所屬學校調查處理。If at the time of the offense, the alleged offender served in two or more of the following positions, including president, teacher, staff, janitor, or student, the position in which he/she interacted with the victim shall determine the position under whose applicable conditions the investigation will be conducted, and the school or competent authority at which the offender served in this position shall handle the investigation.

無法判斷行為人於行為發生時之身分，或於學制轉銜期間，尚未確定行為人就讀學校者，以受理申請調查或檢舉之學校為事件管轄學校，相關學校應派代表參與調查。In cases in which it is not possible to determine the position in which the alleged offender was serving at the time of the incident, or during a transition period when the alleged offender's status cannot be determined, as when admission to an academic program was still under consideration, the school where the incidents took place shall be the school handling the application for investigation or complainant's report. Other

schools involved in the incident shall send a representative to participate in the investigation.

行為人在二人以上，分屬不同學校者，以先受理申請調查或檢舉之行為人為事件管轄學校，相關學校應派代表參與調查。If two or more persons who belong to different schools are alleged to have been offenders in the same incident, the school where the incidents took place shall be the school handling the application for investigation or complainant's report. Other schools involved in the incident shall send a representative to participate in the investigation.

**十二、**本校調查處理校園性別事件時，應依下列方式辦理：The University shall investigate and handle campus sexual incident according to the following principles:

- (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陪同。**An alleged offender shall appear in person for investigation.** Victim(s) of minor age may be accompanied by their legal representative(s) during investigations.
- (二)被害人或其法定代理人要求不得通知現所屬學校時，得予尊重，且得不通知現就讀學校派員參與調查。**When a victim or a victim's legal representative requests not to notify the school at which the victim is presently enrolled of the case, such request shall be respected and notification shall not be given to the school to assign staff to participate in the investigation.**
- (三)當事人持有各級主管機關核發之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。**When a person involved possesses a valid special education certificate issued by a competent authority at any level, the investigation team shall include special education professionals.**
- (四)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。必要時，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。**When an imbalance of power exists between the offender and the victim, a complainant, or a person requested to assist in the investigation, confrontation should be avoided. When necessary for the investigation, written information may be produced so long as it does not violate the obligation of confidentiality, and be provided to be read or summarized to the alleged offender, the victim, or any person invited to assist in the investigation.**
- (五)依性平法第三十條四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。**When a written notification is given to involved parties, pertinent personnel or organizations to cooperate with an investigation and provide information in accordance with the terms specified in Paragraph 4, Article 30 of the Gender Equity Education Act, the purpose, time and location of an investigation and consequences for failure to appear shall be stated in the notification.**
- (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。**The aforementioned written notification shall clearly state that the involved parties may not engage in private communications or use the Internet, messaging software or any other means to disseminate information about the case.**



**(七)事件管轄學校或機關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。Staff members of the school or agency with jurisdiction shall not gain an understanding of the incident or investigate the incident under any pretext and are not allowed to request involved parties to provide first-hand accounts or affidavits.**

**(八)申請人撤回申請調查時，為釐清相關法律責任，得經本校性平會之決議，或經行為人請求，繼續調查處理。In the event that the applicant withdraws the application for investigation, to clarify the relevant legal liability, with the approval of the Committee, or should the alleged offender request it, the University may continue the investigation.**

**前項第(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。**

**The obligation of confidentiality prescribed in Article 12-4 applies to all people participating in the handling of a campus sexual incident.**

**十三、**為保障校園性別事件當事人之受教權或工作權，本校於必要時得依性平法第二十三條規定，經性平會之決議後採取下列處置，並報主管機關備查：In order to protect the rights to education and the rights to work of the involved parties in a campus sexual incident, with the approval of the University's Gender Equity Committee and in accordance with Article 23 of the Gender Equity Act, the University may take the following measures when necessary:

(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。Handle the attendance record or achievement assessment of the involved persons with flexibility; assist the involved persons' studies or work affirmatively, including regulations related to requests for leaves of absence, and those related to performance appraisals for educators and students.

(二)尊重被害人之意願，減低當事人雙方互動之機會。Respect the wishes of the victim, and reduce the chance of interaction between the two parties.

(三)採取必要處置，以避免報復情事。Avoid situations where vengeful behavior may be undertaken.

(四)預防、減低行為人再度加害之可能。Prevent or reduce the possibility of further assault or harassment by the alleged offender.

(五)其他性平會認為必要之處置。Other measures deemed necessary by the TMU Gender Equality Committee.

當事人若非本校之人員時，應通知當事人所屬學校，依上述規定處理。If the parties involved include persons from other schools, the schools of the involved parties shall be notified to follow the aforementioned regulations.

**十四、**本校在調查處理校園性別事件時，應依性平法第二十四條第一項規定，告知被害人或其法定代理人其得主張之權益及各種救濟途徑，並視當事人之身心狀況，主動轉介至各相關機構處理，必要時，需提供心理諮商輔導、法律諮詢、課業或經濟協助、其他經性平會認定必要的保護措施或協助。但本校就該事件仍應依性平法為調查之處理。In its handling of a campus sexual incident, the University shall follow the first Paragraph of Article 24 of the Gender Equity Act to inform the victim or his or her legal representative of

his or her rights and relief, or refer him or her to related institutions. Psychological counseling, legal consultation, academic or financial assistance and other assistance or protective measures deemed necessary by the Committee shall be provided where necessary. The University's handling of the campus sexual incident shall follow the investigation and recommendation of the Committee.

上述協助得委請醫師、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時，其所需費用，本校應編列預算支應之。The University shall make budgetary provisions for payment of any expenses incurred in order to provide the aforementioned assistance by doctors, clinical psychologists, counseling psychologists, social workers or lawyers.

如當事人非本校人員時，應通知當事人所屬之學校依上述規定提供適當協助。  
If the parties involved include persons from other schools, the schools of the involved parties shall be notified to follow the aforementioned regulations and provide appropriate assistance.

十五、本校性平會應於受理申請或檢舉後二個月內完成調查，必要時，得延長之；延長以二次為限，每次不得逾一個月，並應通知申請人、檢舉人及行為人。After accepting an application or an offense report, the Committee shall complete its investigation within two months. The investigation may be extended twice when necessary, and each extension shall not exceed a period of one month. The applicant, offense-reporter and offender shall be notified of any extension.

性平會調查完成後，應將調查報告及處理建議，以書面向本校提出報告。After the investigation has been completed, the Gender Equity Committee shall submit a written report to the University regarding the investigation and suggestions for handling.

十六、調查處理校園性別事件時，應秉持客觀、公正、專業之原則，給予雙方當事人充分陳述意見及答辯之機會，但應避免重複詢問；調查中對於當事人及檢舉人之姓名或其他足以辨識身分之資料，除有調查之必要或基於公共安全之考量者外，應予保密。In handling campus sexual incident, the Committee shall be objective, fair and professional, allowing both involved parties sufficient opportunities to make their statements and respond to allegations. Repeated interrogation shall be avoided. The party's and complainant's name and other information that may lead to personal identification shall be kept confidential, except for investigation necessity or public safety concerns.

基於尊重專業判斷並避免重複詢問的原則，本校對於與校園性別事件有關之事實認定，應依據性平會之調查報告。In order to respect professional judgment and avoid repeated questioning, the University shall consider the findings to be factual according to its Gender Equality Committee's investigation report relating to an alleged campus sexual incident.

性平會召開會議審議調查報告認定性侵害、性騷擾或性霸凌行為屬實，依其事實認定對學校提出改變身分之處理建議者，由學校檢附經性平會審議通過之調查報告，通知行為人限期提出書面陳述意見。If the Committee convenes a meeting to evaluate an investigation report, finds that sexual assault, sexual harassment or sexual bullying has, in fact, occurred and recommends to the University a change in status for the offender based on the findings, the University shall provide to the offender an investigation report approved at the Committee meeting and notify the offender to submit a written statement by a specified time.

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，除有性平法第三十二條第三項所定之情形外，不得重新調查。If the offender does not submit a written statement mentioned above by the specified time, he/she will be deemed to have forfeited the opportunity to make a statement. If he/she does make a written statement, the Committee shall convene another meeting to review the statement. An investigation cannot be reopened except for the cases prescribed in Paragraph 3, Article 32 of the Gender Equity Education Act.

學校決定議處之權責單位，於審議議處時，除有性平法第三十二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。The unit under the University with the authority to determine applicable penalties shall not demand a reinvestigation by the Committee nor launch an investigation on its own, except for the cases prescribed in Paragraph 3, Article 32 of the Gender Equity Education Act.

- 十七、校園性別事件經性平會調查屬實後，學校應依性平法第二十五條第一項規定，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。若其他機關依相關法律或法規有議處權限時，應將該事件移送其他權責機關議處。申請人經證實有誣告之事實者，並應依相關規定對其為適當之懲處。

After the Committee of the University has investigated a campus sexual incident and determined that the incident has, in fact, occurred, the University shall impose on the offender a reprimand, demerit, dismissal, suspension, non-renewal of appointment, discharge from employment, contract termination, termination of service or other appropriate punishment in accordance with Paragraph 1, Article 25 of the Gender Equity Education Act. If the jurisdiction to impose punishment belongs to another authority, the case shall be transferred to the competent authority for the imposition of punishment. If it is verified that a false accusation was made by an applicant for investigation or complainant, an appropriate punishment shall be imposed on the applicant or complainant according to relevant regulations.

性平法第二十五條第二項對行為人所為處置，學校應命行為人為之，執行時並應採取必要之措施，以確保行為人之配合遵守。The disciplinary measures prescribed in Paragraph 2, Article 25 of the Gender Equity Education Act shall be imposed on the offender by the University and the University shall take necessary actions to ensure the offender's cooperation and compliance with disciplinary requirements.

前項處置，由學校性平會討論決定實施性別平等教育相關課程之性質、執行方式、執行期間及費用之支應事宜；該課程之性質、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 of the University imposing the disciplinary measures stated above shall discuss and determine the nature, instructional method, time schedule and handling of expenses incurred for providing a gender equality course. The nature, instructional method and time schedule of the course and legal consequences of failing to attend the course shall be clearly specified in the written notification of the case result.

- 十八、本校為性騷擾或性霸凌事件之懲處時，應命行為人接受心理輔導之處置，並得命其為下列一款或數款之處置：In imposing penalties for the sexual harassment or sexual bullying, the University shall direct the offender to receive psychological counseling and may impose one or more of the following punitive measures:

- (一)經被害人或其法定代理人之同意，向被害人道歉。Apologize to the victim, with the consent of the victim or his or her legal representative.
- (二)接受八小時之性別平等教育相關課程。Attend eight hours of courses on gender equity education.
- (三)其他符合教育目的之措施。Prescribe other measures that serve an educational purpose.

校園性別事件情節輕微者，本校及其他權責單位得僅依上述規定為必要之處置。In cases in which the incident of sexual harassment or sexual bullying on campus was not serious in nature, the University and other competent authority may only impose the aforementioned penalties.

十九、調查校園性別事件過程中，得視情況就相關事項、處理方式及原則予以說明，並得於事件處理完成後，經被害人或其法定代理人之同意，將事件之有無、樣態及處理方式予以公布。但不得揭露當事人之姓名或其他足以識別其身分之資料。During the investigation of a campus sexual incident, the University may make public a description of pertinent matters, handling methods and principles, where necessary. After the case has been closed and upon the approval of the victim or his or her legal representative, the University may also make public whether the case is established, the type of the case and the handling method of the case. Party names and other information that may lead to their identification shall not be revealed.

二十、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。The University shall seal and store all original documents containing the names of the victim, offender, complainant and witnesses. Unless otherwise provided by law, these documents should not be examined or made available to any person(s) other than the agency in charge of legal investigation or trial.

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。With the exception of the original documents, the names and information that may lead to the identification of the victim, the offender, complainant and witness(es) shall be deleted and replaced with codes in all documents produced by the investigators of campus sexual incidents.

二十一、本校應依性平法第二十七條第一項規定建立校園性別事件及加害人之檔案資料，應由性平會及文書組保存 25 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。所建立之檔案資料，分為原始檔案與報告檔案。The University shall establish a database on campus sexual incidents in accordance with Paragraph 1, Article 27 of the Gender Equity Act and the files shall be kept by the Committee and the Documentation Section for 25 years. Electronic signature or encryption shall be used for data stored in electronic storage media if necessary. The documents shall be categorized into original documents and report documents.

前項原始檔案內容包括下列資料：The aforementioned original documents shall be kept confidential and shall contain the following information:



- (一)事件發生之時間、樣態。The time of occurrence and the type of case.
- (二)事件相關當事人(包括檢舉人、被害人、行為人)。Relevant parties to the case (including the complainant, the victim and the offender)
- (三)事件處理人員、流程及紀錄。Person(s) in charge of handling the case, handling process and case records.
- (四)事件處理所製作之文書、訪談過程之錄音檔、取得之證據及其他相關資料。Documents, recording files of interviews, collected evidence and other relevant information produced during the handling of the case.
- (五)行為人之姓名、職稱或學籍資料、家庭背景等。The name, job title or student school records, and family background of the offender.
- (六)調查小組提交之調查報告初稿及性平會之會議紀錄。The initial draft of the investigation report submitted by the investigation team and meeting minutes of the Committee.

**第二項報告檔案為經性平會議決通過之調查報告；其內容應包括下列事項：Report documents refer to the investigation reports approved by the Committee. An investigation report shall contain the following information:**

- (一)申請調查事件之案由，包括當事人或檢舉之敘述。The cause including accounts provided by the parties involved or the offense report of the incident to be investigated.
- (二)調查訪談過程紀錄，包括日期及對象。Records including dates and interviewees of interviews conducted during the investigation.
- (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。The statements and replies of people under investigation, the person requesting the investigation, witnesses and other people involved.
- (四)相關物證之查驗。Inspection of relevant physical evidence.
- (五)事實認定及理由。Determination of fact and reasons.
- (六)處理建議。Handling recommendations.

當前項行為人轉至其他學校就讀或服務時，本校應於知悉後一個月內，通報行為人現就讀或服務之學校；通報內容應限於行為人經查證屬實之校園性別事件發生時間、樣態、行為人姓名、職稱或學籍資料。When the aforementioned offender transfers to another school for studies or employment, the University shall notify the new school where the offender works or studies within one month from the date of knowing such transfer. The information provided in the notification shall include the time of occurrence and the type of case of the confirmed campus sexual incident, the name of the offender, position or student information.

如本校接獲他校上項通報，應對行為人實施必要之追蹤輔導，非有正當理由，不得公布行為人之姓名或其他足以識別其身分之資料。If the University receives a notification as described in the preceding paragraph from another school, the University shall keep track of the offender and provide counseling where necessary. The University shall not reveal the offender's name or other information that may lead to his/her identification without a legitimate reason.

前項事件管轄學校或機關應視實際需要，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。Depending on actual needs, the University or agency with jurisdiction over the aforementioned incident shall provide information on counseling, preventive education, pertinent responsive measures and other required elements to the next school which enrolls or employs the offender.

輔導後如評估無再犯之情事者，得註記行為人之改過現況。After providing counseling and verifying that no repeat offense is found, the University may state the offender's improved behaviors in the notification.

學校任用教育人員或進用其他專職、兼職人員前，應依性侵害犯罪防治法之規定，查閱其有無性侵害之犯罪紀錄，或曾經主管機關或其他學校性平會調查有校園性別事件行為屬實，並經該管主管機關核准解聘或不續聘之紀錄。In accordance with the provisions of the Sexual Assault Crime Prevention Act, before the school appoints an educator or hires a full-time or part-time staff member, it shall review whether or not a potential candidate for such a position has a criminal record of sexual assault, or has been dismissed or denied a renewed employment due to an investigation by a competent authority or a school's Gender Equity Education Committee finding that an alleged campus sexual incident was in fact perpetrated by the candidate in question.

二十二、學校於取得性平法第二十七條之1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。Relevant evidence specified in Paragraph 3, Article 27-1 of the Gender Equity Education Act shall be submitted to the Committee for verification and review after the involved parties provide their statements.

二十三、本校對於校園性別事件之處理結果，應以書面載明事實及理由通知申請人、檢舉人及行為人，並告知申復之期限及受理窗口為秘書室。In the written notification of the handling conclusions sent to the applicant and the offender, the University shall also provide the investigation report, as well as indicate the deadline for re-application, and the Secretariat will be the Recipient to handle the re-application.

申請人及行為人對於處理之結果有不服者，得於收到書面通知次日起二十日內，以書面具明理由向本校申復；其以言詞為之者，受理窗口應作成紀錄，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。Applicants or offenders who object to the handling conclusion of the University may re-apply in writing, stating their grounds for objection, to the University within twenty days from the date following the date of receipt of the written notification. For those who re-apply verbally, the University shall document the re-application and read it to the applicant or the offender or ask him or her to read it to confirm its accuracy. After the accuracy is confirmed, the documentation shall be signed or sealed by the applicant or the offender.

本校受理窗口接獲申復後，依下列程序處理：After receiving a re-application, the University's Recipient shall handle it in accordance with the following procedures:

- (一) 收件後，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。After receiving the re-application, an evaluation team shall be formed and the team shall come to a reasoned judgment within thirty days and provide a written notification of the decision on the re-application to the applicant.
- (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於學校應占成員總數三分之一以上。The evaluation team described in the preceding paragraph shall include three or five experts in gender equity education or legal professionals. Female members must account for at least one-half of the team. At schools, experts with a background in campus sexual incident investigation shall account for at least one-third of the team.

- (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。Members of the original Committee or original investigation team may not serve as members of the evaluation team.
- (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。When the evaluation team conducts a meeting, the members of the team will select a convener who will also 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，並得邀所設性平會相關委員或調查小組成員列席說明。While the meeting is in progress, should the need arise, the person making the re-application will be given the opportunity to make a statement, and the members of the Committee or investigation team shall be invited to be present to provide an explanation.
- (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。When there is cause for a re-application, the relevant authorized agencies will be informed of the decision on the re-application, and the authorized agencies shall be responsible for re-making a decision.
- (七) 前款申復決定送達申復人前，申復人得準用前規定撤回申復。The grievant may withdraw the case before the arbitration decision is completed.

二十四、申請人或行為人對本校之申復結果不服，得於接獲書面通知書之次日起三十日內，依下列規定提起救濟：Applicants or offenders who are not satisfied with the disposition of the re-application may petition for relief according to the following regulations within thirty days from the date following the date of receipt of the written notification:

- (一) 校長、教師：依教師法之規定。Principals and teachers: regulations prescribed by the Teacher's Act shall apply.
- (二) 職工：依性別工作平等法之規定。Staff: regulations prescribed by the Gender Equality in Employment Act shall apply.
- (三) 學生：依規定向學校提起申訴。Students: regulations prescribed by the school shall apply.

二十五、行為人違反性平法第三十條第四項規定而無正當理由者，由本校報請主管機關處新臺幣一萬元以上五萬元以下罰鍰，並得連續處罰至其配合或提供相關資料為止。An offender who violates the fourth Paragraph of Article 30 without legitimate reasons shall be subjected to a fine not less than 10,000 New Taiwan Dollars and not more than 50,000 New Taiwan Dollars. The University shall report to the competent authority to impose the fine. Consecutive fines may be made until he or she cooperates or provides pertinent information.

二十六、本要點經本校性平會及校務會議通過，陳請校長公告後實施，修正時亦同。These Guidelines become effective after they are approved by the Gender Equity Education Committee and University Development Committee, and ratified by the President. Amendments must follow the same procedure.