

National Tsing Hua University Gender Equality Education Implementation Regulations

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Chapter 1: General Principles

Article 1

In order to enhance the gender equality awareness of faculty, staff, and students, eliminate gender discrimination, and establish an educational environment of gender equality, the National Tsing Hua University (hereinafter “the University”) enacts these “Gender Equality Education Implementation Measures” (hereinafter “these Measures”) in accordance with the Gender Equality Education Act.

Article 2

For the purposes of these Measures, the following terms shall be defined as follows:

1. **Gender Equality Education:** Refers to educational methods that teach respect for diverse gender differences, eliminate gender discrimination, and promote substantive equality in gender status.
2. **Sexual Assault:** Refers to the acts defined as sexual assault crimes under the Sexual Assault Crime Prevention Act.
3. **Sexual Harassment:** Refers to any of the following behaviors which, while not amounting to sexual assault, include:
 - (a) Engaging, either explicitly or implicitly, in unwelcome verbal or physical conduct related to sex or gender that adversely affects another person’s dignity, learning opportunities, or work performance;
 - (b) Using conduct related to sex or gender as a condition for oneself or others to gain, lose, or diminish educational or employment rights.
4. **Sexual Bullying:** Refers to behavior that, through language, physical actions, or other forms of violence, degrades, attacks, or threatens another person’s gender characteristics, traits, sexual orientation, or gender identity and does not qualify as sexual harassment.
5. **Gender Identity:** Refers to an individual’s self-recognition and acceptance of their gender.
6. **Teachers, Staff, Workers, and Students:**
 - (a) **Teachers:** Include full-time, part-time, adjunct, substitute, and temporary teachers; instructors; volunteers assisting in teaching; student teachers

- engaged in practical teaching; internship supervisors in practice settings; and other personnel engaged in teaching or research.
- (b) **Staff and Workers:** Refer to personnel (other than teachers) who regularly and routinely perform school affairs, including volunteers assisting with school affairs, innovative personnel in student affairs, and others designated by the central competent authority.
 - (c) **Students:** Include individuals with formal academic registration, those in transitional periods without formal registration, participants in continuing or extension education programs, exchange students, student teachers or research trainees, and others designated by the central competent authority.
7. **Campus Gender Incident:** Refers to an incident in which one party is the school principal, a teacher, staff, or worker and the other party is a student.
8. **Violation of Professional Ethics by the Principal or Faculty/Staff Concerning Matters of Sex or Gender:** Refers to situations in which the principal or faculty/staff develop an inappropriate intimate relationship with a minor student, or, by exploiting an imbalanced power relationship during teaching, guidance, training, evaluation, management, counseling, or when providing work opportunities, engage in conduct related to sex or gender that violates professional ethics.

Article 3

The University's admission and enrollment permits shall not involve differential treatment based on gender, gender characteristics, gender identity, or sexual orientation.

Article 4

The University shall not impose differential treatment in teaching, activities, evaluation, rewards and punishments, welfare, or services based on a student's gender, gender characteristics, gender identity, or sexual orientation, except where the nature of the matter is inherently suited only to a specific gender. The University shall actively provide assistance to students who are disadvantaged due to gender, gender characteristics, gender identity, or sexual orientation to improve their situation. In addition, the University shall actively safeguard the right of pregnant students to receive an education and provide necessary support.

Article 5

The pre-service training for newly hired faculty and staff, as well as in-service training courses, shall incorporate content on gender equality education; in particular, teacher education courses shall include topics related to gender equality education. The University shall actively promote prevention education regarding campus gender incidents in order to enhance the ability of the principal, teachers, staff, workers, and students to respect both others and themselves in matters concerning sex and bodily autonomy. Regular annual outreach activities on the prevention of campus gender incidents shall be conducted, and their effectiveness shall be evaluated.

Article 6

In the composition of the University's technical staff evaluation committee, staff grievance committee, teacher evaluation committee, teacher grievance committee, and student grievance committee, members of any gender shall constitute no less than one-third of the total number of committee members.

Article 7

When utilizing textbooks and engaging in educational activities, University teachers shall maintain a gender equality consciousness, dispel gender stereotypes, and avoid gender bias or discrimination. In their teaching, teachers shall present diverse gender perspectives and encourage students to enroll in academic fields beyond traditional gender roles.

Chapter 2: Prevention of Campus Gender Incidents

Article 8

Upon becoming aware of a campus gender incident, in addition to reporting the incident within 24 hours in accordance with relevant laws or regulations, the University shall refer the matter to the University Gender Equality Education Committee (hereinafter “the Gender Equity Committee”) for investigation and handling. No alternative investigation mechanism shall be established; any such alternative investigation shall be deemed invalid.

Furthermore, the principal, teachers, staff, or workers shall not falsify, alter, obliterate, or conceal any evidence regarding a campus gender incident committed by another person.

The Gender Equity Committee shall proactively investigate campus gender incidents that threaten public safety on campus. If an incident is confirmed, immediate preventive measures shall be announced, and relevant units shall be urged to take prompt action.

Article 9

In the investigation and handling of campus gender incidents, the University shall adhere to the principles of objectivity, fairness, and professionalism, providing all parties with sufficient opportunity to present their views and offer rebuttals, while avoiding repetitive questioning. Except where necessary for the investigation or public safety, the names or any identifying information of the parties and the complainants shall be kept confidential.

Article 10

During the investigation and handling of campus gender incidents, the University may take necessary measures to protect the educational or employment rights of the parties involved.

Article 11

In handling campus gender incidents, the University shall inform the parties involved, as well as their legal guardians or actual caregivers, of the rights they may assert and the available remedies. When necessary, the University shall provide psychological counseling and guidance, protective measures, or other appropriate forms of assistance. If a student is a victim of sexual assault, sexual harassment, or sexual bullying but falls outside the scope of the applicable law, the student’s school may apply the provisions of the preceding paragraph. For psychological counseling, guidance, protective measures, or other assistance mentioned in the preceding sentences, the University may appoint professionals such as physicians, clinical psychologists, counseling psychologists, social workers, or lawyers to provide the necessary services. If there is a risk that the complainant may be further victimized, necessary protective measures or other forms of assistance shall be provided.

Article 12

If an investigation confirms that a campus gender incident has occurred, the University shall, in accordance with relevant laws or regulations, either handle the matter internally or refer the perpetrator to other competent authorities for punishment. In addition to requiring the perpetrator to accept psychological counseling and guidance, the University may impose one or more of the following disciplinary measures:

1. With the consent of the victim, their legal guardian, or actual caregiver, the perpetrator may be required to issue an apology to the victim.
2. The perpetrator may be required to attend an eight-hour course on gender equality education.
3. Any other measure that is consistent with the educational objectives.

For psychological counseling and guidance, the University may appoint professionals such as physicians, clinical psychologists, counseling psychologists, social workers, or lawyers to provide the necessary services.

In cases where the campus sexual harassment, sexual bullying, or the principal or faculty/staff's violation of professional ethics in matters of sex or gender is of a minor nature, the University may impose only the measures specified in the preceding paragraph. Measures imposed pursuant to the second paragraph shall be enforced with necessary steps to ensure the perpetrator's compliance. When disciplinary measures involve a change in the perpetrator's status, the perpetrator shall be given the opportunity to submit a written statement of their position.

Article 13

During the investigation of a campus gender incident, the University may, as appropriate, explain relevant matters, the handling methods, and the principles applied. After the investigation is completed, with the consent of the victim, their legal guardian, or actual caregiver, the University may disclose whether the incident occurred, its nature, and the measures taken in handling it; however, the names or any information that may identify the individuals involved shall not be revealed.

Article 14

The University shall establish and maintain an archive for campus gender incidents.

- If the perpetrator is a student and transfers to another school, and if the University deems follow-up counseling necessary, the new school shall be notified within one month after the University becomes aware of the incident.
- If the perpetrator is not a student and transfers to another institution for service, the University shall provide follow-up counseling and notify the institution receiving the individual's services.

Upon receiving notifications as described above, the University shall implement the necessary follow-up counseling for the perpetrator, and without just cause, shall not disclose the perpetrator's name or any identifying information.

The procedures for the establishment, preservation, retention period, destruction, utilization of archival data, as well as the procedures regarding notifications and other related matters,

shall be in accordance with the preventive guidelines stipulated in Article 21, Paragraph 1 of the Gender Equality Education Act.

Article 15

For educational personnel who are employed, appointed, or engaged by the University, if—upon investigation by the Gender Equity Committee or any related committee established in accordance with law—it is confirmed that any of the following circumstances exist, the University shall dismiss, remove from office, terminate the contract, or end the engagement with the individual:

1. The individual has engaged in sexual assault, or in sexual harassment, sexual bullying, or has violated professional ethics regarding matters of sex or gender in a manner that necessitates a lifetime prohibition on employment, appointment, engagement, or utilization.
2. The individual has engaged in sexual harassment, sexual bullying, or in violating professional ethics concerning matters of sex or gender, warranting dismissal, removal from office, termination of the contract, or cessation of engagement, and after due consideration of the circumstances, is determined to be ineligible for employment, appointment, engagement, or utilization for a period of one to four years.
 - For circumstances falling under the first clause, the University shall not employ, appoint, engage, or utilize the individual; if the individual is already employed, appointed, engaged, or utilized, they shall be dismissed, removed from office, have their contract terminated, or have their engagement ended.
 - For circumstances falling under the second clause, during the period of ineligibility (one to four years as determined), the individual shall similarly be barred from employment, appointment, engagement, or utilization.

For personnel not subject to dismissal, removal, termination, or cessation of engagement under the preceding provisions, if it is confirmed by the Gender Equity Committee that the individual has engaged in sexual assault or committed sexual harassment, sexual bullying, or violated professional ethics concerning matters of sex or gender, or has contravened the Child and Youth Sexual Exploitation Prevention Act or the Child and Youth Sexual Abuse Prevention Act, such personnel shall not be employed, appointed, engaged, or utilized; if they are already in service, they shall be dismissed, removed, have their contract terminated, or their engagement ended. In cases where the individual is not subject to a lifetime prohibition but is barred for a period of one to four years as determined by the Gender Equity Committee, the prohibition shall apply during that period.

Article 16

For individuals falling under the circumstances described in the preceding article, the University shall handle the reporting, collection, and inquiry of relevant information.

Before employing or appointing educational personnel or engaging or utilizing other personnel, the University shall, in accordance with the provisions of the Sexual Assault Crime Prevention Act, inquire whether the individual has any criminal record related to sexual assault, and, as prescribed in Article 30, Paragraph 4 of these Measures, inquire whether the individual has ever engaged in sexual assault, sexual harassment, sexual

bullying, violated professional ethics regarding matters of sex or gender, or contravened the Child and Youth Sexual Exploitation Prevention Act or the Child and Youth Sexual Abuse Prevention Act; for individuals already in service, periodic inquiries shall be conducted.

The procedures for reporting, collecting, inquiring, handling, and utilizing such information, as well as other related matters, shall be prescribed by the central competent authority.

For those personnel subject to the Teachers Act, the Educational Personnel Appointment Act, laws related to public servants, or the laws applicable to the armed forces, if they are dismissed, removed, relieved, or discharged due to the circumstances described above, the relevant laws shall apply, along with the provisions of the preceding articles; if they are not dismissed, removed, or discharged, they shall be transferred from their current positions.

For personnel other than those mentioned in the preceding sentence, if they are involved in the circumstances described in Article 15, Paragraph 1 or Paragraph 3, during the investigation period the Gender Equity Committee shall decide to impose a temporary suspension; once the grounds for suspension cease and the individual is reinstated, any unpaid salary shall be compensated in accordance with relevant regulations.

Chapter 3: Application for Investigation and Remedies

Article 17

If the University violates the provisions of these Measures, the victim may apply for an investigation with the Ministry of Education.

If the victim of a campus gender incident—or their legal guardian or actual caregiver—they may submit a written application for an investigation to that school. However, if the perpetrator is or was the school principal, the application must be submitted directly to the Ministry of Education.

Any person who becomes aware of the incidents described in the preceding paragraphs may report the matter to the University or the Ministry of Education in accordance with the prescribed procedures.

Article 18

Upon receiving an application for investigation or a report, the Gender Equity Committee shall notify the applicant, victim, or complainant in writing within twenty days as to whether the application is accepted.

If any of the following circumstances exist upon receiving the application or report, the application shall not be accepted:

1. The matter does not fall within the scope prescribed by these Measures.
2. The applicant or complainant does not use their real name. (Even if the report contains a name, if it is not possible to directly contact and verify the complainant's true identity, it shall be deemed that the applicant or complainant has not used their real name.)
3. The same incident has already been handled.
A written notification of non-acceptance shall state the reasons.
If, within twenty days after the date on which the applicant or complainant should have received the notification, no notification is received or a non-acceptance

notification is received, the applicant or complainant may submit a written appeal stating the reasons to the University or the Ministry of Education.

Article 19

Upon receiving an application or report as provided in the preceding article—unless the circumstances in Article 18, Paragraph 2 apply—the University shall refer the matter to the Gender Equity Committee for investigation and handling within three days.

When the Gender Equity Committee handles the matter, it may establish an investigative panel and designate one member as the convenor. If necessary, part or all of the investigative panel members may be externally appointed; however, if the perpetrator is the principal, a teacher, staff member, or worker, the investigative panel shall be composed entirely of externally appointed members.

Members of the investigative panel shall possess a gender equality consciousness, and female members shall constitute no less than half of the total membership; if necessary, part or all of the members may be externally appointed. Furthermore, experts or scholars with professional expertise in investigating campus gender incidents shall constitute no less than one-third of the total number of committee members.. If the parties involved in the campus gender incident belong to different schools, the investigative panel shall include a representative from the victim's current school. However, if the victim, their legal guardian, or actual caregiver requests that the victim's current school not be notified—and if the Gender Equity Committee deems such notification unnecessary—this requirement shall not apply.

When the Gender Equity Committee or the investigative panel conducts its investigation in accordance with these Measures, the perpetrator, the applicant, and any persons or units invited to assist with the investigation shall cooperate by providing relevant materials and shall not evade, hinder, or refuse.

The investigation and handling by the Gender Equity Committee shall be conducted independently of any judicial proceedings regarding the incident.

In conducting its investigation and handling the case, the Gender Equity Committee shall take into account the imbalance of power between the parties.

The investigation revealed that the individual may have been involved in suspected campus gender-related incidents at another school. The individual's current and previous schools should be notified and cooperate in conducting a thorough investigation into the incident, considering the timing, nature, and other relevant factors of the suspected behavior.

If the investigation reveals that the same perpetrator has engaged in suspected campus gender incidents with different victims, the cases may be consolidated for investigation.

Article 20

The Gender Equity Committee shall complete its investigation within two months after accepting the application or report. If necessary, the investigation period may be extended, but such extension is limited to twice, with each extension not exceeding one month, and the applicant, victim, complainant, and perpetrator shall be notified of any extension.

After completing the investigation, the Gender Equity Committee shall submit a written investigation report along with its recommendations for handling.

Within two months of receiving the investigation report, the University shall either make its own decision on handling the matter or refer it to the relevant competent authority, and shall notify the applicant, victim, complainant, and perpetrator in writing of the facts and reasons underlying the outcome.

Before finalizing its decision, the University may request that a representative from the Gender Equity Committee attend a briefing.

Article 21

If the applicant or the perpetrator is dissatisfied with the handling result provided under Article 20, they may, within thirty days from the date of receiving the written notification, submit a written appeal stating their reasons to the University or the Ministry of Education—this may only be done once. However, if the perpetrator is the principal, teacher, staff member, or worker, the applicant or victim may directly appeal to the competent authority.

If, upon review, the University finds that there were significant flaws in the investigation process or that new facts or evidence have emerged which could affect the original investigation's findings, the University may request that the Gender Equity Committee re-investigate.

For those appealing directly to the competent authority under the proviso of the first paragraph, the re-investigation shall be completed within forty days.

Article 22

Upon receiving a request for re-investigation as provided in the preceding article, the Gender Equity Committee shall form a new investigative panel; the investigative process shall follow the relevant provisions of these Measures.

Article 23

If the applicant, victim, or perpetrator is dissatisfied with the University's appeal decision, they may, within thirty days from the date of receiving the written notification, seek remedies according to the following procedures:

1. **Teachers:** May file a grievance with the Teacher Grievance Committee in accordance with the applicable regulations.
2. **Staff and Technical Personnel:** May file a grievance with the Staff Grievance Committee in accordance with the applicable regulations.
3. **Students:** May file a grievance with the Student Grievance Committee in accordance with the applicable regulations.

Article 24

The University's determination of the facts regarding matters related to these Measures shall be based on the investigation report submitted by the Gender Equity Committee.

Chapter 4: Penal Provisions

Article 25

If the perpetrator violates Article 12, Paragraph 5 by failing to cooperate with the execution of the measures, or violates Article 18, Paragraph 4 by failing to cooperate with the investigation without just cause, the University, in accordance with Article 43, Paragraph 4 of the Gender Equality Education Act, shall report the case to the competent authority for the imposition of a fine ranging from NT\$10,000 to NT\$50,000, and may impose additional fines for repeated non-cooperation or failure to provide the requested materials. However, if the perpetrator is the school principal, the penalty shall be imposed directly by the competent

authority.

If the school principal, teachers, or staff commit any of the following acts, in accordance with Article 36, Paragraph 3 of the Gender Equality Education Act, the University shall report the case to the competent authority for the imposition of a fine ranging from NT\$30,000 to NT\$150,000:

1. Failing to report to the school and the competent authority within 24 hours as required by Article 8, Paragraph 1;
2. Violating the provisions of Article 8, Paragraph 2.

If the school principal neglects to exercise their authority, resulting in the school's failure to enforce the measures under Article 12, Paragraphs 1, 2, or 4 to discipline or take necessary actions to ensure the perpetrator's compliance, the principal shall be fined between NT\$10,000 and NT\$50,000.

Article 26

These Measures shall be implemented upon approval by the University Council.