

# Chung Hua University

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Article 1 To safeguard students' rights and interests in learning, campus life, and education, and to promote campus harmony, Chung Hua University hereby establishes the Student Appeals Review Committee (hereinafter referred to as the "Committee") in accordance with Paragraph 4, Article 33 of the University Act and Article 16 of the Organizational Regulations of Chung Hua University.

Article 2 The Committee shall consist of seven to thirteen members. Depending on the nature of an appeal case, relevant experts may be appointed as additional members on a temporary basis.

The members referred to in the preceding paragraph shall be appointed by the President of the University and shall consist of three to five faculty representatives, two to six professionals with expertise in law, education, psychology, counseling, or related fields, and two student representatives (the President of the Student Association, the Speaker of the Student Council, or a representative recommended by each college). Faculty members who do not concurrently hold administrative positions shall constitute no less than one-half of the total membership. Members of either gender shall constitute no less than one-third of the total membership.

No person serving as a member of the Student Rewards and Disciplinary Committee, or responsible for making disciplinary decisions or conducting disciplinary investigations, may serve as a member of the Committee.

In the event that an appeal involves a student with special education needs, at least two additional members shall be appointed from among external scholars or experts in special education, representatives of parent organizations for students with special education needs, or other professionals specializing in special education. Such additional members shall be qualified to serve only for the review of the specific appeal case and shall not be subject to the prescribed term of office or membership limits applicable to the Committee.

A Committee constituted in accordance with the preceding paragraph shall serve as the University's Student Appeals Review Committee for Students with Special Education Needs. Meetings concerning such cases may be convened only when all additionally appointed members referred to in the preceding paragraph are present.

The Convener, who shall also serve as the Chairperson of the Committee, shall be elected by and from among the faculty members of the Committee. The term of office of both the Convener and the Committee members shall be one year. The Office of Student Affairs shall provide administrative support for the Committee.

Meetings of the Committee shall require the attendance of at least two-thirds of all members. Resolutions shall be adopted only upon the approval of at least two-thirds of the members present. Members who are unable to attend a meeting for any reason may not appoint a proxy to attend on their behalf.

Article 3     Students, the Student Association, and other relevant student self-governing organizations of the University may file an appeal with the Committee if they consider that a disciplinary action, other measure, or decision taken by the University concerning their educational rights and interests is unlawful or improper and has infringed upon their rights or interests.

For the purposes of the preceding paragraph, the term "student" refers to:

- (1) A person who holds student status at the time the University imposes a disciplinary action, other measure, or decision.
- (2) A person who files an appeal against the result of a reconsideration pursuant to Subparagraph 3, Paragraph 1, Article 39 of the Gender Equity Education Act.
- (3) A person who files an appeal against the final substantive decision pursuant to Paragraph 3, Article 46 and Article 48 of the Regulations Governing the Prevention of Campus Bullying.

Where an appeal involves a student with special education needs, it shall be handled in accordance with the Regulations Governing Appeal Services for Students and Preschool Children with Special Education Needs currently prescribed by the Ministry of Education.

Article 4     Students, the Student Association, and other relevant student self-governing organizations that object to any disciplinary action, other

measure, or decision of the University shall file a written appeal with the Committee within thirty days, excluding weekends and national holidays, commencing on the day following receipt of or notification of such disciplinary action, measure, or decision.

The date on which the Committee receives the written appeal shall be deemed the date on which the appeal is filed.

Where an appellant mistakenly files an appeal with an institution other than the competent authority, the date on which such institution receives the appeal shall be deemed the filing date.

If an appellant fails to meet the prescribed filing deadline due to force majeure, the appellant may, within ten days after such cause ceases to exist, submit a written explanation of the reasons to the Committee and file the appeal accordingly. However, no appeal may be filed if more than one year has elapsed since the expiration of the filing period.

Where the appellant does not reside in the locality of the Committee, the statutory filing period shall exclude the time required for mail delivery or transit. This provision shall not apply where the appellant has an authorized representative residing in the locality of the Committee who is able to perform the appeal procedures within the prescribed period.

The exclusion of transit time referred to in the preceding paragraph shall be governed, *mutatis mutandis*, by the regulations governing the exclusion of transit time under the administrative appeal system.

Article 5      A written appeal shall state the appellant's name, student ID number, department and year of study, address, telephone number, the facts and grounds of the appeal, and the remedy sought. Where the appeal is filed by the Student Association or another relevant student self-governing organization, the name of its responsible representative shall also be provided. Relevant supporting documents and evidence shall accompany the appeal. In exceptional circumstances, the appellant may present the relevant facts orally to the receiving officer, who shall prepare a written record to be confirmed and signed by the appellant. Anonymous appeals shall not be accepted.

Article 6      Meetings of the Committee shall, as a general principle, be conducted in closed session. However, the Committee may invite the appellant, representatives of the unit that imposed the original disciplinary action or decision, and other relevant persons (including the department chair, academic advisor, and military education counselor) to attend the meeting and provide explanations.

Article 7      The Committee shall complete its review within thirty (30) days from the day following its receipt of a written appeal. Where necessary, the review period may be extended once, provided that the appellant is notified accordingly. Such extension shall not exceed two (2) months. However, no extension shall be granted for appeals involving dismissal,

expulsion, or other similar disciplinary actions affecting student status.

Before a written appeal decision is issued, the Committee may recommend that the enforcement of the original disciplinary action or decision against the appellant be suspended.

Article 8 The voting results of the Committee and the individual opinions expressed by its members shall be kept confidential.

In appeal cases involving a student's right to privacy, the appellant's personal information shall be kept confidential, and appropriate counseling or support services shall be provided where necessary.

Article 9 During the appeal proceedings, if the appellant, the Student Association, or any other relevant student self-governing organization initiates an administrative appeal, administrative litigation, civil litigation, or criminal proceedings concerning the subject matter of the appeal or matters related thereto, the Committee shall be notified immediately in writing.

Upon becoming aware of such proceedings, the Committee shall immediately suspend its review and shall resume the review after the cause for suspension no longer exists.

The foregoing provision shall not apply to appeals involving dismissal or expulsion from the University.

Article 10 In the case of an appeal against withdrawal from the University, expulsion, or other similar disciplinary action, the student may submit a written request to the University to continue his or her studies pending the final appeal decision.

Upon receipt of such request, the University shall consult the Committee and, after considering the student's living and academic circumstances, provide a written response within one (1) week, specifying the student's rights and obligations relating to student status.

Where the University approves the student's continued enrollment during the appeal process, the student shall, except for being ineligible to receive a diploma, enjoy the same rights and be subject to the same requirements regarding course enrollment, academic assessment, rewards, and disciplinary measures as other enrolled students.

Article 11 As a general principle, students, the Student Association, and other relevant student self-governing organizations may file only one appeal with the Committee regarding the same matter.

Appeals concerning academic grades or evaluations shall first be processed through the procedures of the relevant department, college, and the Office of Academic Affairs. If the appellant remains dissatisfied with the outcome, an appeal may then be submitted to the Committee for review.

Article 12 Where an appeal requires investigation or on-site fact-finding, the Committee may, by resolution, appoint three (3) to five (5) members to

form an investigation panel.

Appeals arising from campus gender-related incidents or campus bullying incidents shall be handled in accordance with the Gender Equity Education Act and the Regulations Governing the Prevention of Campus Bullying, as applicable.

Article 13 he Committee shall conduct its review in accordance with the principles of fairness and justice and the relevant regulations of the University. Upon completion of its review, the Committee shall prepare a written appeal decision, which shall be signed by the Convener.

Article 14 A written appeal decision shall include the disposition, findings of fact, and reasons for the decision. A written appeal decision shall also be prepared for appeals that are not accepted for review; however, in such cases, the findings of fact may be omitted.

The written appeal decision referred to in the preceding paragraph shall also specify, in accordance with Article 16 or Article 17, the remedies available to an appellant who is dissatisfied with the decision.

The written appeal decision shall, upon approval by the President of the University, be served on the appellant and the unit that imposed the original disciplinary action or decision.

Article 15 When a resolution of the Committee is submitted to the President of the University for approval, a copy shall simultaneously be provided to the unit that imposed the original disciplinary action or decision. If that unit considers the resolution to be inconsistent with applicable laws or regulations, or impracticable due to factual circumstances, it shall, within two weeks, submit specific reasons to the President through the prescribed administrative procedures, with a copy provided to the Committee.

If the President considers such reasons to be justified, the matter may be referred back to the Committee for reconsideration. Such reconsideration shall be limited to one occasion.

Upon completion of the required administrative procedures, the relevant units shall implement the written appeal decision without delay.

A written appeal decision concerning a student with special education needs shall be submitted to the Ministry of Education for recordation.

Where an appeal against withdrawal from the University is denied and the original disciplinary action is upheld, the student's academic record and student status shall be handled as follows:

- (1) The date of withdrawal stated on the certificate of attendance shall be the date of the original disciplinary action.
- (2) Credits earned for courses successfully completed during the appeal period may be certified by the University through the issuance of an academic credit certificate.

Where an appeal against withdrawal from the University, expulsion, or any similar disciplinary action is denied and the original disciplinary

action is upheld, matters relating to military service and tuition and fee refunds shall be handled as follows:

- (1) For male students subject to military conscription, the list of students whose grounds for deferment have ceased due to leaving the University shall be reported to the competent authority within thirty days after the appeal decision becomes final.
- (2) Tuition and fee refunds shall be processed in accordance with Article 8 of the Regulations Governing Fees Charged by Institutions of Higher Education and Article 15 of the Regulations Governing the Collection of Tuition and Miscellaneous Fees by Institutions of Higher Education.

Article 16 Where a student is subject to an administrative disposition by the University and remains dissatisfied after completing the University's appeal procedure, the student may, within thirty (30) days from the day following receipt of the written appeal decision, prepare a petition for administrative appeal, attach the University's written appeal decision, and submit it through the University to the Ministry of Education.

Where a student files an administrative appeal directly with the Ministry of Education without first completing the University's appeal procedure, the Ministry of Education shall transfer the case to the University for handling in accordance with these Regulations.

Article 17 Where a student remains dissatisfied with the University's decision on an appeal concerning disciplinary actions, other measures, or decisions other than administrative dispositions, the student may seek judicial relief by initiating legal proceedings in accordance with the applicable laws, depending on the nature of the case.

Article 18 Where, pursuant to the decision of an administrative appeal or the judgment of an administrative court, a new disposition is made and the student's reinstatement is approved, but the student is unable to resume studies in a timely manner due to special circumstances, the University shall provide assistance in facilitating the student's reinstatement. For students subject to compulsory military service who have entered active service and are therefore unable to resume their studies, the University shall retain their student status and, upon completion of military service, assist them in resuming their studies with priority. The period during which the student leaves the University prior to reinstatement may be retroactively processed as an approved leave of absence.

Article 19 An appellant may withdraw an appeal at any time before the Committee issues its written appeal decision.

Article 20 Appeals filed under a false identity or submitted anonymously shall not be accepted. Any person who knowingly files a false accusation or intentionally defames another person shall be dealt with in accordance with the applicable laws and regulations.

- Article 21 Any member of the Student Appeals Review Committee who has a conflict of interest or is otherwise involved in an appeal case shall voluntarily recuse himself or herself from participating in the review of that case.
- Article 22 Where an appellant remains dissatisfied with the decision after the administrative procedures relating to the appeal have been completed, the appellant may seek relief in accordance with the applicable laws.
- Article 23 These Regulations shall be implemented upon approval by the University Council and subsequent approval by the Ministry of Education. The same procedure shall apply to any amendments hereto.