**高雄醫學大學學生申訴辦法**

**Kaohsiung Medical University Student Appeals Regulations**

84.05.05 教育部台（84）訓字第020650號函核定
1995.05.05 Approved in the Tai (84) XunZi No. 020650 Letter released by the Ministry of Education

84.06.05 （84）高醫法字第041號函訂定頒布
1995.06.05 Promulgated in the (84) GaoYiFaZi No. 041 Letter

依教育部86.05.12台（86）訓（一）第86051423三號函修正
1997.05.12 Revised in accordance with the Tai (86) Xun (I) No. 86051423 Letter released by the Ministry of Education

經教育部86.07.08台（86）訓（一）第8607781號函核定
1997.07.08 Approved in the Tai (86) Xun (I) No. 8607781 Letter released by the Ministry of Education

86.08.05 高醫校法第046號公布
1997.08.05 Announced in the GaoYiXiaoFaZi No. 046 Letter

依教育部95.07.28台訓(二)字第0950105969號函意見修正
2006.07.28 Revised in accordance with the TaiXun (II) Zi. No. 0950105969 Letter released by the Ministry of Education

經教育部95.08.14台訓(二)字第0950119328號函核定
2006.08.14 Approved in the TaiXun (II) Zi No. 0950119328 Letter released by the Ministry of Education

95.08.16 高醫校法字第0950100032號函公布
2006.08.16 Announced in the GaoYiXiaoFaZi No. 0950100032 Letter

97.01.23 96學年度第3次校務會議通過
2008.01.23 Passed in the 3rd University Council of the 96th academic year

97.02.27 台訓(二)字第0970029900號函核定
2008.02.27 Approved in the TaiXun (II) Zi No. 0970029900 Letter

97.03.03 高醫秘字第0971100952號函公布
2008.03.03 Announced in the GaoYiMiZi No. 0971100952 Letter

98.06.29 97學年度第4次校務暨第11次行政聯席會議通過
2009.06.29 Passed in the 4th University Council and 11th Administrative Joint Meeting of the 97th academic year

經教育部98.08.04台訓(一)字第0980128916號函核定
2009.08.04 Approved in the TaiXun (I) Zi No. 0980128916 Letter released by the Ministry of Education

98.08.10 高醫秘字第0980005683號函公布
2009.08.10 Announced in the GaoYiMiZi No. 0980005683 Letter

100.10.20 100學年度第1次校務暨第3次行政聯席會議通過
2011.10.20 Passed in the 1st University Council and 3rd Administrative Joint Meeting of the 100th academic year

依教育部100.12.01臺訓(一)字第1000215971號函意見修正
2011.12.01 Revised in accordance with the TaiXun (I) Zi. No. 1000215971 Letter released by the Ministry of Education

100.12.23 100學年度第1次臨時校務會議通過
2011.12.23 Passed in the 1st Temporary University Council of the 100th academic year

依教育部101.01.06臺訓(一)字第1010000426號函意見修正
2012.01.06 Revised in accordance with the TaiXun (I) Zi. No. 1010000426 Letter released by the Ministry of Education

經教育部101.01.19臺訓(一)字第1010010657號函核定
2012.01.19 Approved in the TaiXun (I) Zi No. 1010010657 Letter released by the Ministry of Education

101.02.02 高醫秘字第1011100254號函公布
2012.02.02 Announced in the GaoYiMiZi No. 1011100254 Letter

102.04.11 101學年度第3次校務會議通過
2013.04.11 Passed in the 3rd University Council of the 101st academic year

經教育部102.04.26台教學（二）字第1020060748號函核定
2013.04.26 Approved in the TaiJiaoXue (II) Zi No. 1020060748 Letter released by the Ministry of Education

102.05.03 高醫秘字第1021101356號函公布
2013.05.03 Announced in the GaoYiMiZi No. 1021101356 Letter

104.07.23 103學年度第6次校務會議通過
2015.07.23 Reviewed and approved in the 6th University Council of the 103rd academic year

經教育部104.08.28臺教學（二）字第1040113217號函核定
2015.08.28 Approved in the TaiJiaoXue (II) Zi No. 1040113217 Letter released by the Ministry of Education

104.09.08 高醫秘字第1041102965號函公布
2015.09.08 Announced in the GaoYiMiZi No. 1041102965 Letter

108.05.29 107學年度第4次臨時校務會議通過
2019.05.29 Passed in the 4th Temporary University Council of the 107th academic year

經教育部108.07.18臺教學（二）字第1080089992號函核定
2019.07.18 Approved in the TaiJiaoXue (II) Zi No. 1080089992 Letter released by the Ministry of Education

108.07.29 高醫秘字第1081102532號函公布
2019.07.29 Announced in the GaoYiMiZi No. 1081102532 Letter

108.12.20 108學年度第2次校務會議通過
2019.12.20 Passed in the 2nd University Council of the 108th academic year

109.03.26 108學年度第3次校務會議通過
2020.03.26 Passed in the 3rd University Council of the 108th academic year

經教育部109.04.29臺教學（二）字第1090062062號函核定
2020.04.29 Approved in the TaiJiaoXue (II) Zi No. 1090062062 Letter released by the Ministry of Education

109.05.08 高醫秘字第1091101247號函公布
2020.05.08 Announced in the GaoYiMiZi No. 1091101247 Letter

111.09.08 111學年度第1次校務會議通過
2022.09.08 Reviewed and approved in the 1st University Council of the 111th academic year

經教育部111.10.12臺教學（二）字第1110097609號函核定
2022.10.12 Approved in the TaiJiaoXue (II) Zi No. 1110097609 Letter released by the Ministry of Education

111.10.14 高醫秘字第1110011039號函公布
2022.10.14 Announced in the GaoYiMiZi No. 1110011039 Letter

|  |  |
| --- | --- |
| 第1條Article 1 | 本校為保障學生學習、生活與受教權益，增進校園和諧，依據大學法第三十三條及本校組織規程第二十條規定，訂定本辦法。To protect students' learning, living, and educational rights, and promote harmony on campus, KMU has formulated the Student Appeal Regulations (hereinafter referred to as the Regulations) in accordance with Article 33 of the University Act and Article 20 of KMU's Organizational Regulations. |
| 第2條Article 2 | 學生、學生會及其他相關學生自治組織（以下簡稱申訴人）對於本校之懲處、其他措施或決議，認為違法或不當，致損害其權利或利益者，得依本辦法之規定，向本校學生申訴評議委員會（以下簡稱申評會）提出申訴。Students, Students’ Union, and other relevant student autonomous organizations (hereinafter referred to as the Appellant) who believe that the punishment, other measures, or resolutions imposed by KMU are illegal or inappropriate and cause harm to their rights or interests, shall file an Appeal to the Review Committee for Students' Appeals (hereinafter referred to as the Review Committee) in accordance with the provisions of the Regulations.前項所稱學生，指本校對其為懲處、其他措施或決議時，具有學籍者。但依性別平等教育法第三十四條、校園霸凌防制準則第二十七條對申復結果不服提起申訴者，不在此限。The term 'student' mentioned in the preceding paragraph refers to a student enrolled in KMU when KMU imposes punishment, other measures, or resolutions on him/her. However, appeals filed under Article 34 of the Gender Equity Education Act or Article 27 of Regulations Governing Prevention and Control of Bullying on Campuses are exempt from this restriction. |
| 第3條Article 3 | 依本辦法提起之申訴案件由申評會執行秘書受理。The appeal filed in accordance with the Regulations shall be accepted by the Executive Secretary of the Review Committee.前項執行秘書應負責申評會相關行政作業事宜。The Executive Secretary referred to in the preceding paragraph shall be responsible for the administrative affairs related to the Review Committee. |
| 第4條Article 4 | 申評會之組成，依下列規定辦理：The composition of the Review Committee shall be as follows:1. 置委員十一人，由校長遴聘之，其中應有本校學生會代表擔任委員；未兼行政職務之教師不得少於委員總數之二分之一；任一性別委員應占委員總數三分之一以上。

1. The President shall appoint eleven members, with including representatives from the Students’ Union serving as members; teachers who do not concurrently hold administrative positions shall not be less than half of the total number of members; members of any gender shall account for more than one-third of the total number of members.1. 應有法律、教育、心理學者專家擔任委員。亦得視申訴個案需求，於個案會期內推選增加具境外學生輔導經驗或具人事相關法規專業之臨時委員。

2. There shall be experts in law, education, and psychology as members. Depending on the needs of specific appeal cases, additional temporary members with experience in counseling overseas students or expertise in personnel-related regulations shall be appointed.1. 擔任學生獎懲委員會之委員或負責學生獎懲決定、調查之人員，不得擔任申評會委員。

3. Personnel who serve as members of the Student Rewards and Punishments Committee or take charge of decisions and investigations of student rewards and punishments shall not serve as members of the Review Committee.前項委員，任期一年。期滿得續聘之。The term of office of the members mentioned in the preceding paragraph is one year. The term of office shall be renewed upon expiration.校外委員開會時，酌支出席費及交通費，並依本校相關規定辦理。Pursuant to the relevant regulations of KMU, off-campus committee members shall be paid the attendance fee and transportation fee when attending the meeting. 申評會會議由校長召集，但主席由委員於每次開會時互選出乙名委員擔任之。The meeting of the Review Committee is convened by the President, and the Chairman is elected by the members themselves during each meeting.申評會開會時應有委員三分之二以上出席，除評議書之決議，應有出席委員三分之二以上同意外，其餘事項之決議，以出席委員過半數行之。At the meeting of the Review Committee, more than two-thirds of the members shall be present. Except for the resolution in the review statement, which requires the consent of more than two-thirds of the attending members, resolutions on other matters shall be made by more than half of the members present.申訴人對於申評會之委員有與申訴案件有利害關係者，得申請該委員迴避；或前項之申請，由申評會決議之。申評會之委員若曾參與申訴人案件之審議，應自行迴避。The appellant shall apply for the withdrawal of a member of the Review Committee who has an interest in the appeal, or the application referred to in the preceding paragraph shall be decided by the Review Committee. If a member of the Review Committee has participated in the deliberation of the appellant's case, they shall recuse himself/herself. |
| 第5條Article 5 | 處理特殊教育學生之申訴案件，應組成特殊教育學生申訴評議委員會（以下簡稱特教學生申評會）。To handle the appeal cases of special education students, a Special Education Student Appeal Committee should be formed. （herein referred to as SESAC）。特教學生申評會會議之組成、任期、會議召開、陳述意見、表決、評議決定及保密等相關規定，依教育部特殊教育學生申訴服務辦法規定辦理。The Regulations on SESAC released by the Ministry of Education shall handle the composition, term of office, convening of meetings, presentation of opinions, voting, review results, and confidentiality of the Review Committee for Special Education Students. |
| 第6條Article 6 | 申訴人就同一案件向本校提起申訴，以一次為原則。An appellant may only file one appeal to KMU for the same case |
| 第7條Article 7 | 申訴人對於本校之懲處、其他措施或決議不服者，應於收到或接受相關懲處、措施或決議之次日起三十日內，以書面向申評會提起申訴。If the appellant is dissatisfied with the punishment, other measures, or resolutions made by KMU, they must submit a written appeal to the Review Committee within 30 days from the day after receiving or accepting the relevant punishment, measures, or resolutions.申訴人因天災或其他不應歸責於己之事由，致遲誤前項申訴期間者，於其原因消滅後十日內，得以書面敘明理由向申評會申請受理評議。但遲誤申訴期間已逾一年者，不得為之。If the appellant delays the appeal period due to natural disasters or other uncontrollable reasons, they must submit a written explanation within ten days after the cause of the delay is eliminated and apply to the Review Committee for reconsideration. However, no appeal may be filed after more than one year. |
| 第8條Article 8 | 學生因校園性侵害、性騷擾、性霸凌、校園霸凌事件提起申訴，依性別平等教育法、校園霸凌防制準則相關規定辦理。The appeals filed by students about campus sexual assault, sexual harassment, or sexual bullying shall be handled in accordance with the Gender Equity Education Act and the Guidelines for the Prevention of Bullying on Campus. |
| 第9條Article 9 | 本校於收到申訴書之次日起，應於三十日內完成評議，必要時得予延長，並通知申訴人，延長以一次為限，最長不得逾二個月。但涉及退學、開除學籍、足以改變其學生身分及損害其受教育機會類此處分之申訴案，不得延長。KMU shall complete the review within 30 days from the day after receiving the appeal. If necessary, the review period shall be extended, but the extension shall not exceed two months. The appellant shall be notified of the extension. However, no extension shall be granted for appeals involving dropout, expulsion, or other punishments that significantly alter their student status and damage their educational opportunities. |
| 第10條Article 10 | 申訴案之提起，應以申訴書為之，並載明下列事項：The filing of a Appeal shall be made in a written petition, which shall specify the following matters:一、申訴人之姓名、性別、系（所）級別、住址、聯絡電話。1. The name, gender, department (institute), address, and contact number of the appellant.二、申訴之理由、具體事實並應檢附有關之文件及證據。2. The reasons for the appeal, specific facts, and relevant documents and evidence shall be attached.三、原處分單位及關係人。3. The unit that makes the punishment and related parties.四、申訴人之簽名或蓋章。4. Signature or seal of the appellant.五、完成年、月、日。5. The date of completion.申評會認為申訴書不合規定，而其情形可補正者，應通知申訴人於七日內補正，其補正期間應自評議期間內扣除。If the Review Committee considers that the appeal does not meet the requirements and the appeal can be modified, it shall notify the appellant to modify within seven days, and the period for modifying the appeal shall be deducted from the period of review. |
| 第11條Article 11 | 本校處理申訴案件時，得經申評會決議，成立調查小組調查之。調查小組以三人至五人為原則，小組成員由校長遴選聘任之。When handling the appeal, KMU shall establish an investigation team to investigate the case upon the resolution of the Review Committee. The investigation team, in principle, shall consist of three to five members appointed by the President. |
| 第12條Article 12 | 申訴提起後，於申訴評議書送達前，申訴人得撤回申訴。After the appeal is filed, the appellant may withdraw it before the review statement is delivered to the appellant. |
| 第13條Article 13 | 申訴提起後，申訴人就申訴事件或其牽連之事項，提出訴願或訴訟者，應即以書面通知本校，由本校轉知申評會。After the appeal is filed, if the appellant files a petition or lawsuit regarding the appeal or its related matters, they shall immediately notify KMU in writing, and KMU shall inform the Review Committee.申評會依前項通知或依職權獲知前項情事時，得停止評議，並以書面通知申訴人；於停止原因消滅後，經申訴人、原措施單位通知，或申評會知悉時，應繼續評議，並以書面通知申訴人。申訴案件全部或一部之評議決定，以訴願或訴訟之法律關係是否成立為據者，申評會於訴願或訴訟程序終結前，得停止評議，並以書面通知申訴人；於停止原因消滅後，得繼續評議，並以書面通知申訴人。When the Review Committee learns of the circumstances in the preceding paragraph in accordance with the notice or ex officio, it shall stop the review and notify the appellant in writing. After the cessation of the cause is eliminated, upon notification by the appellant, the unit that takes original measures, or when the Review Committee becomes aware, it shall continue to evaluate and notify the appellant in writing. If the review results of all or part of the appeal are based on whether the legal relationship of the petition or litigation is established, the Review Committee shall suspend the review before the conclusion of the petition or litigation process, and notify the appellant in writing. After the cessation of the cause is eliminated, further review shall be conducted and the appellant shall be notified in writing.退學、開除學籍、足以改變其學生身分及損害其受教育機會類此處分之申訴案件，不適用前二項規定。However, no extension shall be granted for appeals involving dropout, expulsion, or other punishments that are significantly alter their student status and damage their educational opportunities. |
| 第14條Article 14 | 申訴案件之評議以不公開為原則。申訴案件之評議得通知申訴人、原單位之代表及關係人到場說明或陳述意見。In principle, the review of the appeal shall be not open to the public. During the review of the appeal, the appellant, representatives of the original unit, and related persons shall be notified to present to explain or state their opinions. |
| 第15條Article 15 | 申評會之評議、表決及委員意見，應予保密。The evaluation, voting, and opinions of members of the Review Committee shall be kept confidential. |
| 第16條Article 16 | 就退學、開除學籍、足以改變其學生身分及損害其受教育機會類此處分之申訴案件，於評議決定確定前，本校應依學則或相關規定，依職權或依學生書面之申請，使學生繼續在本校肄業。Before deciding on the case of dropout, expulsion, or other punishments that are significantly alter their student status and damage their educational opportunities, KMU shall, in accordance with the School Constitution or relevant regulations, ex officio or the student's written application, allow the student to continue his/her studies in the school.本校收到前項學生提出之申請者，應徵詢申評會之意見，並衡酌該生生活、學習狀況，於七日內以書面回覆，並載明學籍相關之權利與義務。If KMU receives an application from a student referred to in the preceding paragraph, it shall seek the opinions of the Review Committee and take into account the student's living and learning conditions. Within seven days, it shall provide a written reply, specifying the rights and obligations related to the student's status. |
| 第17條Article 17 | 依前條申訴經本校同意在校肄業者，除不得發給學位證明書外，其餘學籍事項均比照在校生處理。Those who have made an appeal in accordance with the preceding article and obtained the consent of KMU to complete their studies on campus shall not be issued a degree certificate, and all other matters related to their student status shall be treated in the same manner as students currently enrolled. |
| 第18條Article 18 | 評議決定書應載明下列事項：The review statement shall specify the following items:1. 申訴人之姓名、性別、系（所）級別、住址、聯絡電話。

1. The name, gender, department (institute), address, and contact number of the appellant.1. 主文、事實及理由。

2. Main text, facts, and reasons.1. 不受理之申訴案件亦應作成評議書，惟其內容只列主文和理由。

3. An appeal that is not accepted shall also be written as a review statement, but its content shall include the main text and reasons only.1. 評議決定書應依第十九條規定，記載不服申訴評議決定之救濟方法。

4. The review statement shall, in accordance with the provisions of Article 19, record the remedies for dissatisfaction with the review results.1. 作成之年、月、日。

5. The date of completion.1. 申評會出席委員署名。

6. Signatures of members attending the meeting of the Review Committee.評議決定書以中文書寫為主，若申訴案件與境外學生有關，須以英語或中英雙語的方式書寫。The review results shall be mainly written in Chinese. If the appeal involves overseas students, it shall be written in English or in both Chinese and English. |
| 第19條Article 19 | 評議決定書應經校長核定後，送達申訴人。評議決定書陳校長核定時，應知會原為懲處、措施或決議之單位。The review results shall be approved by the President and then delivered to the appellant. When the review results are approved by the President, the original unit that has imposed punishments, measures, or resolutions shall be notified.原為懲處、措施或決議之單位認有牴觸法令或窒礙難行者，應於十日內，以書面敘明具體事實及理由，陳報校長，並副知申評會；校長認為有理由者，得移請申評會再議，並以一次為限。If the original unit that has imposed punishments, measures, or resolutions reckons that it is in violation of the law or that it is difficult to implement, the unit shall, within ten days, report the specific facts and reasons in writing to the President and notify the President. If the President deems it justified, they shall require the Review Committee for reconsideration and it shall be done only once. |
| 第20條Article 20 | 評議決定經核定後，本校應依評議決定執行。退學、開除學籍、足以改變其學生身分及損害其受教育機會類此處分之申訴案件，經評議確定維持原處分者，其相關修業證明文件，依本校學則及下列規定辦理：After the review results are approved, KM shall implement them accordingly. For appeals involving dropout, expulsion, or other punishments that are sufficient to change the student's status and jeopardize his/her educational opportunities, if it is determined that the original punishment shall be upheld after review, the relevant academic documents shall be handled in accordance with the School Constitution of KMU and the following provisions:1. 修業證明書所載修業截止日期，以原處分日期為準。

1. The expiration date of the study stated in the certificate of study shall be based on the original date of the punishment.1. 申訴期間所修習科目學分，得發給學分證明書。

2. The credits of the courses taken during the appeal period shall be issued with a certificate of credits.1. 役男「離校學生緩徵原因消滅名冊」，於申訴結果確定後三十日內冊報。

3. The List of Reasons for the Elimination of Suspension of Students Who Leave School shall be filed and reported within 30 days after the results of the appeal are finalized.1. 退費基準依專科以上學校向學生收取費用辦法第八條及專科以上學校學雜費收取辦法第十五條規定辦理。

4. Refunds shall be made in accordance with Article 8 of the Regulations for Collecting Fees from Students at Junior Colleges and Institutions of Higher Education and Article 15 of the Regulations for Collecting Miscellaneous Fees from Students at Junior Colleges and Institutions of Higher Education. |
| 第21條Article 21 | 申訴人就本校所為之行政處分，經向本校提出申訴而不服其決定，得自申訴評議書送達次日起三十日內，繕具訴願書，檢附申訴評議決定書，經本校向教育部提起訴願。If the appellant files an appeal against the administrative sanctions imposed by KMU and refuses to accept its decision, they shall, within 30 days from the date of the review statement, prepare a petition, attach the appeal and review statement, and file a petition with the Ministry of Education through KMU.本校收到前項訴願書，應儘速附具答辯書，並將必要之關係文件送交教育部。Upon receiving the petition referred to in the preceding paragraph, KMU shall promptly attach a defense and submit the necessary documents to the Ministry of Education.申訴人就本校所為之行政處分，未經本校申訴程序救濟逕向教育部提起訴願者，教育部須將訴願案移由本校依照學生申訴程序處理。If the appellant files a petition with the Ministry of Education regarding the administrative sanctions imposed by KMU without obtaining relief through KMU's appeal procedure, the Ministry of Education shall transfer the petition to KMU for processing in accordance with the appeal procedure for students.申訴人就本校所為行政處分以外之懲處、其他措施或決議，經向本校提起申訴而不服其決定，得按其性質依法提起訴訟，請求救濟。If the appellant files an appeal with KMU regarding penalties, other measures, or resolutions other than administrative sanctions imposed by KMU and refuses to accept its decision, they shall file a lawsuit according to the nature of the case and request relief in accordance with the law. |
| 第22條Article 22 | 評議決定、訴願決定或行政訴訟判決撤銷本校原退學、開除學籍、足以改變其學生身分及損害其受教育機會類此處分者，應依本校學則第五十七條所定期限、程序規定辦理復學。If a review decision, appeal decision, or administrative litigation judgment revokes the original withdrawal or expulsion from the school, or other punishments that are significantly alter their student status and damage their educational opportunities, KMU shall allow the student to continue to study in accordance with the time limit and procedural provisions stipulated in Article 57 of the School Constitution. |
| 第23條Article 23 | 學生申訴制度應列入學生手冊或網頁公告，廣為宣導，使學生了解申訴制度之功能。The student appeal system shall be included in the student handbook or website announcement, and widely publicized so that students understand its functions. |
| 第24條Article 24 | 本辦法經校務會議通過，報請教育部核定後公布實施，修正時亦同。The Regulations shall be approved by the University Council and then submitted to the Ministry of Education for review before promulgation and implementation. The same applies to amendments. |