

# 國立勤益科技大學教師申訴評議委員會組織及評議要點

## National Chin-Yi University of Technology

### Organizational Rules and Review Guidelines for the Teacher Appeal Review Committee

113 學年度第 1 學期第 1 次臨時校務會議修正第 4 點、第 6 點，113 年 12 月 27 日勤益科大人字第 1131700641 號函發布實施

Points 4 and 6 amended at the First Ad Hoc University Affairs Faculty Meeting in the fall semester of the 2024 academic year, and promulgated by Official Letter No. 1131700641 on December 27, 2024.

#### 第1章 總則

#### Chapter I General Provisions

- 1、為保障教師權益並促進校園和諧，爰依教師法及教育部頒布教師申訴評議委員會組織及評議準則及本校組織規程之規定，設置本校教師申訴評議委員會(以下簡稱本會)。

To protect faculty rights and promote campus harmony, the University has established a Teacher Appeal Review Committee (the "Committee") pursuant to the Teachers Act, the Regulations Governing the Organization and Review of Teacher Appeal Review Committees promulgated by the Ministry of Education, and the University's organizational regulations.

- 2、教師對學校有關其個人之措施，認為違法或不當，致損害其權益者，得向本會提起申訴。教師因學校對其依法申請之案件，於法定期間內應作為而不作為，認為損害其權益者，亦得向本會提起申訴；法令未規定應作為之期間者，其期間自學校受理申請之日起為二個月。

Faculty members who consider that a measure taken by the University with respect to their personal interests is unlawful or inappropriate and thereby infringes upon their rights may file an appeal with the Committee. Faculty members may also file an appeal with the Committee if they believe their rights have been infringed upon due to the University's failure to act within the statutory time period in cases for which they have lawfully applied. Where no statutory period is specified by law, the period shall be deemed to be two months from the date on which the University accepted the application.

- 3、學校如不服本會評議之決定者，亦得向中央主管教育行政機關之教師申訴評議委員會提起再申訴。

If the University disagrees with the Committee's decision, it may file a further appeal with the Faculty Appeals and Review Committee of the central competent education authority.

#### 第2章 組織

#### Chapter II Organization

- 4、本會置委員十五至二十一人，任期二年。但新任委員尚未產生前，原委員任期延長至新任委員產生為止。委員由本校專任教師、社會公正人士、學者專家、本地區教師組織代表及學校代表擔任。其中社會公正人士、學者專家及學校代

表由校長各遴聘一人擔任之；本地區教師組織代表由本校教師會推薦一人擔任之。學校教師評審委員會委員不得擔任本會委員。本會任一性別委員不得少於委員總數三分之一，又未兼行政職務之教師其人數不得少於委員總數三分之一。

The Committee shall consist of 15-21 members, each serving a two-year term. If new members have not yet been elected by the end of the term, incumbent members shall continue to serve until new members take office. Members shall include full-time faculty members of the University, impartial public figures, scholars and experts, representatives of local teachers' organizations, and University representatives, from among whom one impartial public figure, one scholar or expert, and one University representative shall each be appointed by the president. The representative of the local teachers' organization shall be recommended by the University Faculty Association. Members of the Faculty Evaluation Committee may not concurrently serve as members of the Committee. Neither gender shall constitute less than one-third of the total membership of the Committee. In addition, the number of non-administrative faculty members shall constitute no less than two-thirds of the total membership.

委員中專任教師之推選以各學院二位委員為基準(任一性別委員不得少於委員三分之一)，並以講師以上教師每超過六十人增加一位委員之計算方式，由各該學院院務會議就未兼任行政職務之教師中推選之(通識教育學院進行推選時，並將體育室及語言中心之教師一併納入作業)；各學院應依性別比例酌列候補委員若干人。經各學院推選之委員連同其他委員計算總數，未能符合第二項任一性別或未兼行政職務教師之比例時，得由校長遴聘若干適格教師擔任委員，以符規定。本會委員因故出缺時，繼任委員之任期至原任期屆滿之日止。

The selection of full-time faculty members shall be based on two representatives from each college (with neither gender constituting less than one-third of the total), plus one additional representative for every 60 faculty members at the rank of lecturer or higher, elected by the respective College Affairs Faculty Meeting from among non-administrative faculty members (in the case of the College of General Education, faculty members of the Physical Education Office and the Language Center shall also be included in the selection process). Each college shall also prepare a list of alternate members in proportion to gender representation. If the combined number of elected and appointed members does not meet the required proportion of either gender or the required proportion of non-administrative faculty members specified in paragraph 2, the president may appoint qualified faculty members as additional members to ensure compliance with these requirements. If a Committee member is unable to continue serving, a successor shall serve for the remainder of the original term.

委員有下列情形之一者，喪失擔任本會委員資格，由候補委員遞補；其任期至原任期屆滿之日止：

A Committee member shall forfeit their eligibility to serve on the Committee if they fall under any of the following circumstances, in which case an alternate member shall assume their position. The successor's term shall last until the expiration of the original term:

(1) 借調、留職停薪、休假研究或其他事由期間連續達三個月以上。

They are on secondment, unpaid leave, research leave, or other leave of absence for a continuous period of three months or more.

(2) 代表類別之身分喪失。

They no longer meet the criteria or have lost the status under which the individual was appointed as a representative.

(3) 其他因故不能擔任。

They are unable to serve due to other reasons.

- 5、 本會置主席一人，由委員互選產生之，負責主持委員會議，任期一年，連選得連任，但校長不得擔任本會主席。

The Committee shall have one chairperson elected by and from among its members who shall preside over Committee meetings. The term of office shall be one year, and the chairperson may be re-elected. The president of the University may not serve as the chairperson of the Committee.

前項主席因故不能主持委員會議時，由其指定委員一人代理主席。主席未指定時，由委員互推一人代理之。

If the chairperson is unable to preside over a Committee meeting, he or she shall designate a member to act on his or her behalf. If no such designation is made, the members shall elect one member from among themselves to serve as acting chairperson.

- 6、 本會置執行秘書一人，由校長遴聘本校具有法律專長之行政人員兼任之，負責申訴案件文書處理事宜及其相關行政作業，但不得支領職務加給。

The Committee shall have one executive secretary, appointed by the president from among the University's administrative staff, with legal expertise who shall concurrently assume the post. The executive secretary shall be responsible for handling documentation and administrative matters related to appeals, but shall not receive additional compensation for the position.

本會委員為無給職，但校外委員或列席法律專業人員，得依相關規定支給出席費或評議書撰稿費。

Committee members shall serve without remuneration; however, external members or attending legal professionals may be paid meeting attendance fees or honoraria for preparing review reports in accordance with relevant regulations.

- 7、 本會委員會議，由校長或其指定之人員召集之。

Committee meetings shall be convened by the president or by a person designated by the president.

- 8、 前項委員會議經委員總數二分之一以上之書面請求，召集人應於二十日內召集之。

If more than one-half of Committee members submit a written request, the convener shall convene a meeting within 20 days.

### 第3章 申訴之提起

### Chapter III Filing of Appeals

- 9、申訴之提起，應於收受或知悉措施之次日起三十日內以書面為之；再申訴應於申訴評議書達到之次日起三十日內以書面為之。

An appeal shall be filed in writing within 30 days from the day following receipt of or knowledge of the decision in question. A re-appeal shall be filed in writing within 30 days from the day following receipt of the written decision of the appeal review.

前項期間，以受理之申評會收受之日期為準。

The period prescribed in the preceding paragraph shall be calculated from the date on which the appeal is received by the Committee with authority over the matter.

申訴人誤向應受理之申評會以外之機關或學校提起申訴者，以該機關或學校收受之日，視為提起申訴之日。

If the appellant mistakenly files the appeal with an institution or school other than the Committee with authority over the matter, the date of receipt by that institution or school shall be deemed the date of filing.

本校應以可供存證查核之方式送達其措施於申訴人者，以該送達之日為知悉日。

Where the University is required to deliver its decision to the appellant, the date of delivery of the decision shall be deemed the date of awareness of the decision.

- 10、申訴人不在受理申評會所在地住居者，計算法定期間，應扣除在途期間。但有申訴代理人住居受理申評會所在地，得為期間內應為之申訴相關行為者，不在此限。

If the appellant does not reside in the same locality as the Committee, the time in transit shall be excluded from the calculation of the statutory period. However, this shall not apply if the appellant has an authorized representative residing in the same locality as the Committee who is able to carry out relevant appeal actions within the period.

前項扣除在途期間，準用訴願扣除在途期間辦法之規定。

The exclusion of time in transit referred to in the preceding paragraph shall be handled in accordance with the provisions of the Regulations Governing the Exclusion of Transit Time in Administrative Appeals.

- 11、二人以上對於同一原因事實之措施共同提起申訴時，準用訴願法第二十一條至第二十七條規定。

Where two or more persons jointly file an appeal against the same decision arising from the same factual circumstances, Articles 21-27 of the Administrative Appeal Act shall apply mutatis mutandis.

申訴應具申訴書，載明下列事項，由申訴人或代理人簽名或蓋章，並應檢附原措施文書、有關之文件及證據：

An appeal shall be accompanied by an appeal petition, which shall bear the signature or seal of the appellant or his or her representative, and shall include

the following details. The petition shall also be accompanied by the original document of the decision being appealed with relevant supporting documents and evidence:

- (1) 申訴人姓名、出生年月日、身分證明文件字號、服務單位及職稱、住居所、電話。

The appellant's name, date of birth, identification certificate number, employing unit and position, residence, and telephone number.

- (2) 有代理人者，其姓名、出生年月日、身分證明文件字號、服務單位及職稱、住居所、電話。

If represented, the representative's name, date of birth, identification certificate number, employing unit and position, residence, and telephone number.

- (3) 為原措施之學校。

The school that issued the original decision.

- (4) 收受或知悉措施之年月日、申訴之事實及理由。

The date of receipt or awareness of the decision with the facts and reasons for the appeal.

- (5) 希望獲得之具體補救。

The specific remedy sought.

- (6) 提起申訴之年月日。

The date on which the appeal was filed.

- (7) 受理申訴之學校申評會。

The Teacher Appeal Review Committee of the school in receipt of the appeal.

- (8) 載明就本申訴事件有無提起訴願、訴訟；其有提起者，應載明向何機關或法院及提起之年月日。

A statement as to whether any administrative appeal or litigation has been filed in relation to the matter. If so, the authority or court to which it was filed and the date of filing shall be specified.

依第二點第二項規定提起申訴者，前項第三款、第四款所列事項，應作為之學校提出申請之年、月、日及法規依據，並附原申請書影本及受理申請學校之收受證明。

Where an appeal is filed pursuant to Paragraph 2, Article 2 of these Guidelines, the items listed in subparagraphs 3 and 4 above shall instead specify the year, month, and day on which the relevant application was filed with the school and the legal basis thereof with a copy of the original application and proof of receipt by the school.

- 12、再申訴時，應另檢附原申訴書、原申訴評議書，並敘明其受送達原申訴評議書之時間及方式。

In case of a re-appeal, the petition shall also include a copy of the original appeal petition, the original appeal decision, and a statement of the date and manner in which the original appeal decision was served.

提起申訴不合法定程式，其情形可補正者，應通知申訴人於二十日內補正。

Where an appeal does not comply with statutory procedures but can be corrected, the appellant shall be notified to make the necessary corrections within 20 days.

#### **第4章 申訴之評議**

#### **Chapter IV Review of Appeals**

- 13、本會應自收受申訴書之次日起十日內，以書面檢附申訴書影本及相關書件通知學校提出說明。

Within 10 days from the day following receipt of the appeal petition, the Committee shall notify the University in writing and provide a copy of the appeal petition and relevant documents explaining the situation.

學校應自前項書面通知到達之次日起二十日內，擬具說明書連同關係文件，送交本會，並應將說明書抄送申訴人。但學校如認申訴為有理由者，得自行撤銷或變更原措施，並函知本會。

Within 20 days from the day following receipt of the written notification in the preceding paragraph, the University shall prepare a written statement and relevant documents and submit them to the Committee. A copy of the statement shall also be provided to the appellant. If the University considers the appeal justified, it may revoke or modify the original decision at its own discretion and inform the Committee in writing.

學校如屆前項期限未提出說明者，本會應予函催；其說明欠詳者，得再予限期說明，屆期仍未提出說明或說明欠詳者，本會得逕為評議。

If the University fails to provide an explanation within the designated timeframe, the Committee shall issue a written reminder. If the explanation is insufficient, the Committee may require it to be supplemented also within a designated timeframe. Should the University fail to submit an explanation or provide sufficient clarification within the designated timeframe, the Committee may proceed directly with its review.

第一項期間，於依前點規定補正者，自補正之次日起算；未為補正者，自補正期限屆滿之次日起算。

The timeframe specified in Paragraph 1 shall be recalculated from the day following the date of correction if the appeal petition is supplemented in accordance with the preceding article. If no correction is made, the timeframe shall be calculated from the day following the expiration of the correction deadline.

學校提起再申訴時，應告知原申訴人得於期限內補提說明。

If the University files a re-appeal, it shall notify the original appellant that supplementary explanations may be submitted within a designated timeframe.

- 14、申訴提起後，於評議書送達申訴人前，申訴人得撤回之。申訴經撤回者，本會應終結申訴案件之評議，並以書面通知申訴人及學校。

After an appeal is filed, and before the written decision of the Committee is served to the appellant, the appellant may withdraw the appeal. If an appeal is withdrawn, the Committee shall terminate its review of the case and notify the appellant and the University in writing.

申訴人撤回申訴後，不得就同一原因事實重行提起申訴。

Once an appeal has been withdrawn, no appeal may be filed again related to the same case based on the same facts.

- 15、申訴人誤向本會以外之機關或學校提起申訴者，收受之機關或學校應於十日內將該事件移送本會，並通知申訴人。

If an appellant mistakenly files an appeal with an institution or school other than the Committee, the institution or school in receipt of the appeal shall transfer the case within 10 days to the Committee and notify the appellant accordingly.

- 16、申訴案件全部或一部之評議決定，以訴願、訴訟或勞資爭議處理之法律關係是否成立為據者，本會於訴願、訴訟或勞資爭議處理程序終結前，得停止申訴案件之評議，並以書面通知申訴人；於停止原因消滅後，經申訴人、原措施學校通知，或申評會知悉時，應繼續評議，並以書面通知申訴人。

If the decision in an appeal case, in whole or in part, depends on the outcome of an administrative appeal, litigation, or labor dispute resolution, the Committee may suspend its review of the appeal until such proceedings have been concluded, and shall notify the appellant in writing. Once the reason for suspension no longer applies, either upon notification by the appellant, the original decision-making unit, or the Committee's own knowledge, the Committee shall resume its review and notify the appellant in writing.

教師依訴願法提起訴願後，復依本要點提起申訴者，本會應停止評議，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，或本會知悉時，應繼續評議，並以書面通知申訴人、原措施單位。

If a teacher files an administrative appeal under the Administrative Appeal Act and subsequently files an appeal under these Guidelines, the Committee shall suspend its review and notify the appellant in writing. Once the reason for suspension no longer applies, either upon notification by the appellant, the original decision-making unit, or the Committee's own knowledge, the Committee shall resume its review and notify both the appellant and the original decision-making unit in writing.

- 17、本會會議，以不公開為原則。

Committee meetings shall, in principle, be closed sessions.

本會評議時，得經委員會決議邀請申訴人、關係人、學者專家或有關機關指派之人員到場說明。

When deliberating an appeal, the Committee may, by resolution, invite the appellant, related parties, scholars and experts, or personnel designated by relevant agencies to provide explanations in person.

申訴人或本校申請到場說明而有正當理由者；本會得指定時間地點通知其到場說明。

If the appellant or the University wishes to provide explanations in person and has just cause to do so, the Committee may designate the time and place for such in-person meeting.

依前二項規定到場說明時，得偕同輔佐人一人至二人為之。

When appearing in accordance with the preceding two paragraphs, the appellant may be accompanied by one or two assistants.

申訴案件有實地了解之必要時，得經本會會議決議，推派委員三至五人為之；並於委員會會議時報告。

If an on-site investigation of the appeal case is deemed necessary, the Committee may, by resolution, assign three to five members to conduct an investigation and report to the Committee meeting.

18、本會委員有下列情形之一者，應自行迴避，不得參與評議：

A Committee member shall recuse himself or herself from deliberations in any of the following circumstances:

(1) 行政程序法第三十二條所定各款情事之一。

In the event of any of the circumstances in Article 32 of the Administrative Procedure Act.

(2) 於申訴案件有利害關係者。

If there is a conflict of interest in the case.

(3) 曾參與原措施或前救濟程序者。

If they have participated in the original decision or prior remedial procedures.

有具體事實足認本會委員就申訴案件有偏頗之虞者，申訴人得舉其原因及事實向本會申請委員迴避。本項申請有無理由，由本會會議決議之。

Where concrete facts give reason to believe that a Committee member may be biased in an appeal case, the appellant may apply to the Committee for the member's recusal, stating the reasons and facts therefor. Whether such an application is justified shall be determined by resolution of the Committee.

本會委員有第一項所定情形不自行迴避，而未經當事人申請迴避者，應由委員會依職權命其迴避。

Where a Committee member who should recuse himself or herself under Paragraph 1 fails to do so and no recusal is requested by the parties, the Committee shall order the recusal ex officio.

本會委員於評議程序中，除經本會決議外，不得與當事人、代表其利益之人或利害關係人為程序外之接觸。

During the review process, Committee members shall not, except following resolution of the Committee, have ex parte contact with the parties, persons representing their interests, or interested parties.



- 19、申訴人或代理人得向本會請求閱覽、抄錄、複印或攝錄有關資料或卷宗，或預納費用請求付與繕本、影本或節本。但以主張或維護其法律上利益且有必要者為限。

The appellant or his or her representative may request the Committee to review, transcribe, copy, or photograph relevant documents or files, or pay the required fees in advance to obtain transcripts, copies, or extracts. Such access shall be limited to instances where it is necessary to assert or protect legal rights and interests.

前項運作事項，準用訴願法規定辦理。

The provisions of the Administrative Appeal Act shall apply mutatis mutandis to the matters set forth in the preceding paragraph.

## **第5章 評議之決定**

### **Chapter V Decision Following Review**

- 20、本會之評議決定，除依第十六點規定停止評議者外，自收受申訴書之次日起，應於三個月內為之，並應作成評議決定書；但必要時，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。

Except where a review is suspended in accordance with Point 16, the Committee shall render a decision in writing within three months from the day following receipt of the appeal petition. Where necessary, the period may be extended once for no more than two additional months with notice given to the appellant.

前項期間，於依第十二點規定補正者，自補正之次日起算；未為補正者，自補正期限屆滿之次日起算；依第十六點規定停止評議者，自繼續評議之日起重行起算；於評議決定期間補具理由者，自收受最後補具理由之次日起算。

The period specified in the preceding paragraph shall be calculated as follows: Where corrections are made in accordance with Point 12, from the day following the date of correction; if no correction is made, from the day following the expiration of the correction deadline. Where a review is suspended in accordance with Point 16, from the day on which review is resumed. Where supplementary reasons are submitted during the review period, from the day following receipt of the final supplementary reasons.

- 21、評議書應載明下列事項：

The written decision shall contain the following details:

- (1) 申訴人姓名、出生年月日、身分證明文件字號、服務單位及職稱、住居所。

The appellant's name, date of birth, identification certificate number, employing unit and position, and residence.

- (2) 有代理人或代表人者，其姓名、出生年月日、身分證明文件字號、服務單位及職稱、住居所。

Where there is a representative or agent, his or her name, date of birth, identification certificate number, employing unit and position, and

residence.

- (3) 主文、事實及理由；其係不受理決定者，得不記載事實。

The operative text, facts, and reasons; in cases where the decision rejects the appeal, the facts may be omitted.

- (4) 本會主席署名，本會作成評議書時主席因故不能執行職務者，由代理主席署名，並記載其事由。

The signature of the Committee chairperson. If the chairperson is unable to perform his or her duties at the time of issuance, the acting chairperson shall sign with the reason they are the acting chairperson.

- (5) 評議書作成之年月日。

The date on which the written decision was made.

評議書應附記如不服評議決定，得於評議書送達之次日起三十日內，向中央主管機關之教師申訴評議委員會提起再申訴。

The written decision shall also indicate that the appellant may file a re-appeal with the Teacher Appeal Review Committee of the central competent authority within 30 days from the day following receipt of the written decision if they are dissatisfied with the decision.

- 22、評議書之寄送應以學校名義行之，作成評議書正本，並以足供存證查核之方式，於評議書作成後十五日內，將評議書正本送達申訴人及學校。

The written decision shall be issued in the name of the University. An original copy of the decision shall be prepared and delivered to both the appellant and the University within 15 days of its issuance in a form suitable for recordkeeping purposes.

申訴案件有代理人或代表人者，除其受送達之權限受有限制者外，前項評議書之送達，應向該代理人或代表人為之；代理人或代表人有兩人以上者，送達得僅向其中一人為之。

Where the appellant has an agent or representative, the written decision shall be delivered to such agent or representative unless the authority to receive service is restricted. Where there are two or more agents or representatives, the decision may be served to any one of them.

- 23、本會開會，委員應親自出席會議，經委員總數二分之一以上出席，始得開議。評議之決定應經出席委員三分之二以上同意行之；其他事項之決議，以出席委員過半數之同意行之。

Committee members shall attend meetings in person. A meeting may be convened only when more than one-half of all members are present. A decision on an appeal shall require the approval of at least two-thirds of the attending members. Resolutions on other matters shall require the approval of the majority of attending members.

前項評議決定，委員中有應行迴避之情事者，不計入出席委員人數。

For the purposes of the voting number thresholds in the preceding paragraph, any member required to recuse himself or herself shall not be counted as an

attending member.

- 24、本會之評議決定，以徵詢無異議、舉手或無記名投票表決方式為之；其評議經過及個別委員意見，應對外嚴守秘密。

The Committee shall adopt its decisions by consensus, show of hands, or secret ballot. The deliberation process and the opinions of individual members shall be kept strictly confidential.

前項表決方式及表決結果，應載明於當次會議紀錄；採投票表決者，表決票應當場封緘，經會議主席及委員推選之監票委員簽名，由本會妥當保存。

The method of voting and the voting results specified in the preceding paragraph shall be recorded in the minutes of the meeting. Where a ballot vote is used, the ballots shall be sealed on the spot, signed by the meeting chairperson and ballot counters elected by members, and shall be properly stored by the Committee.

- 25、申訴案件有下列各款情形之一者，應為不受理之評議決定：

An appeal shall be decided as inadmissible in any of the following circumstances:

- (1) 申訴書不合法定程式不能補正，或經通知限期補正而屆期未完成補正。

The appeal petition does not comply with statutory procedures and cannot be corrected, or the appellant fails to correct it within the prescribed period after being notified to do so.

- (2) 提起申訴逾第八點規定之期間者。

The appeal is filed beyond the period stipulated in Point 8.

- (3) 申訴人不適格者。

The appellant lacks standing.

- (4) 原措施已不存在或依申訴已無補救實益者。

The original decision no longer applies or no effective remedy can be obtained through the appeal.

- (5) 依第二點第二項提起之申訴，應作為之學校已為措施。

For appeals filed under Paragraph 2, Point 2, the school that was required to act has already taken a decision.

- (6) 對已評議決定或已撤回之申訴案件就同一原因事實重行提起申訴者。

An appeal is refiled based on the same facts and cause after a decision has already been rendered or the appeal has been withdrawn.

- (7) 依第十六點第二項規定繼續評議，其原措施屬行政處分。

If a review is resumed in accordance with Paragraph 2, Point 16, and the original decision constitutes an administrative disposition.

- (8) 其他依法非屬教師申訴救濟範圍內之事項。

Other matters that, by law, do not fall within the scope of faculty appeal remedies.

- 26、本會於申訴案件評議前，如必要時，得推派委員三人審查，審查委員於詳閱卷

證、研析事實及應行適用之法規後，向本會提出審查意見。

Before rendering a decision on an appeal case, the Committee may, where necessary, assign three members to conduct a preliminary review. After carefully examining the case file, analyzing the facts, and considering the applicable laws and regulations, the reviewing members shall present their opinions to the Committee.

- 27、本會委員會應審酌申訴案件之經過、申訴人所受損害及所希望獲得之補救、申訴雙方之理由、對公益之影響及其他相關情形，為評議決定。

In deliberating an appeal case, the Committee shall take into account the course of events, the harm suffered by the appellant, the remedy sought, the arguments of both parties, the impact on public interest, and other relevant circumstances in rendering its decision.

- 28、申訴無理由者，本會應為駁回之評議決定。

If the appeal is without merit, the Committee shall issue a decision to dismiss the appeal.

原措施所憑之理由雖屬不當，但依其他理由認原措施為正當者，應以申訴為無理由。

If the reasons relied upon for the original decision were not appropriate, but the decision is deemed justified on other grounds, the appeal shall be dismissed as without merit.

- 29、申訴有理由者，本會應為有理由之評議決定；其有補救措施者，並應於評議書主文中載明。

If the appeal has merit, the Committee shall issue a decision in favor of the appellant, and any remedial measures shall be expressly stated in the operative text of the written decision.

前項評議決定撤銷原措施，發回原措施學校另為措施時，應指定相當期間命其為之。

Where the appeal is upheld, revokes the original decision, and the case is endorsed to the original decision-making school for further action, the Committee shall prescribe an appropriate timeframe within which the school must act.

依第二點第二項提起之申訴，本會認為有理由者，應指定相當期間，命應作為之學校速為一定之措施。

Where an appeal is filed pursuant to Paragraph 2, Point 2, and the Committee finds the appeal justified, the Committee shall prescribe an appropriate timeframe within which the responsible school must promptly take the required action.

- 30、本會之評議案件，應由本會執行秘書製作評議記錄附卷，委員於評議中所持與評議決定不同之意見，經其請求者，應列入委員會會議記錄。

The Committee's executive secretary shall prepare the review record to be included in the case file. If any member's opinion differs from the decision

rendered and the member so requests, such dissenting opinion shall be recorded in the minutes of the Committee meeting.

31、評議決定有下列各款情事之一者即為確定：

A review decision shall become final in any of the following circumstances:

- (1) 依規定得提起再申訴，而申訴人、學校於評議書送達之次日起三十日內未提起再申訴者。

Where a re-appeal is permitted, but neither the appellant nor the University files a re-appeal within 30 days from the day following receipt of the written decision.

- (2) 再申訴評議書送達於再申訴人者。

Where the written decision of the re-appeal has been served to the party filing the re-appeal.

## 第6章 附則

### Chapter VI Supplementary Provisions

- 32、依本要點規定所為之申訴說明及應具備之書件應以中文書寫；其書件係引述外文者，應譯成中文，並應附原外文資料。

Explanations submitted in accordance with these Guidelines and any required documents shall be written in Chinese. Where documents cite foreign-language materials, a Chinese translation shall be provided with the original foreign-language text.

因申訴所提出之資料，以錄音帶、錄影帶、電子郵件提出者，應檢附文字抄本，並應載明其取得之時間、地點，及其無非法盜錄、截取之聲明。

If materials submitted for an appeal are in the form of audio recordings, video recordings, or e-mails, a written transcript shall be attached, specifying the time and place of collection with a statement affirming that the materials were not obtained illegally, such as by illegal recording or interception.

- 33、對本會於程序進行中所為之程序上處置不服者，應併同評議決定依法提起救濟。

Any objection to procedural measures taken by the Committee during the review process shall be raised alongside the appeal decision in accordance with the law.

- 34、代理人，除本要點另有規定外，準用訴願法相關規定。申訴文書之送達，除本要點另有規定外，準用行政訴訟法有關寄存送達之規定。

Unless otherwise provided for in these Guidelines, matters concerning representatives shall be handled mutatis mutandis in accordance with the relevant provisions of the Administrative Appeal Act, and the service of appeal-related documents shall be handled mutatis mutandis in accordance with the provisions on substituted service under the Administrative Litigation Act.

- 35、本委員會所需經費，由本校預算相關項目下支應。

The expenses necessary for the operations of the Committee shall be borne by the

University under the relevant budgetary items.

36、本校軍訓教官之申訴案件準用本要點之規定。

Appeal cases involving the University's military education instructors shall be handled mutatis mutandis in accordance with these Guidelines.

本校兼任教師受聘期間，對教師資格審定之申請、審查結果及本校依兼任教師聘任送審處理要點有關其個人終止聘約、停止聘約之執行、待遇、請假與退休金之措施，認為違法或不當致損害其權益者，得準用本要點之規定。

During the period of appointment, part-time faculty members of the University who believe their rights and interests have been infringed upon due to the University's actions regarding teacher accreditation applications, review results, or measures related to termination, suspension, compensation, leave, or pension of part-time faculty in accordance with the University's Guidelines for the Review and Processing of Part-Time Faculty Employment, may file an appeal mutatis mutandis under these Guidelines.

本校編制外專任教師對學校有關其個人之措施，認為違法或不當，致損害其權益者，準用本要點之規定提起申訴，惟不得再向中央申訴評議委員會提起再申訴；或得按其性質依法提起勞資爭議處理或相關訴訟，請求救濟。

Full-time faculty members who believe their rights and interests have been infringed upon by measures taken by the University may file an appeal mutatis mutandis under these Guidelines. However, such individuals may not file a re-appeal with the central Teacher Appeal Review Committee; instead, depending on the nature of the case, they may seek remedies through labor dispute resolution or related legal proceedings.

37、本要點未盡事宜，依照教育部頒布之教師申訴評議委員會組織及評議準則辦理。

Any matters not covered by these Guidelines shall be handled in accordance with the Regulations Governing the Organization and Review of Teacher Appeal Review Committees promulgated by the Ministry of Education.

38、本要點經校務會議審議通過，並經校長核定後實施，修正時亦同。

These Guidelines shall be implemented after deliberation and approval by the University Affairs Faculty Meeting and ratification by the president. Any amendments shall follow the same procedure.