

**NATIONAL TAIWAN UNIVERSITY**  
**Directives for the Prevention of Sexual Assault, Sexual Harassment, and Sexual Bullying on Campus**

March 23, 2019 Amended and passed by the University Council  
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**Chapter I General Provisions**

- Article 1 The National Taiwan University (NTU or “the University”) *Directives for the Prevention of Sexual Assault, Sexual Harassment, and Sexual Bullying on Campus* (“the Directives”) are formulated in accordance with Article 20 of the *Gender Equity Education Act* (“the Act”) and Article 34 of the *Regulations on the Prevention and Handling of Sexual Assault, Sexual Harassment, or Sexual Bullying on Campus* (“the Regulations”) to effectuate substantive gender equity and to establish a system for the prevention and handling of sexual assault, harassment, and bullying on campus.
- Article 2 The terms “sexual assault, sexual harassment, and sexual bullying on campus” or “on-campus sexual assault, harassment, and bullying” herein shall refer to incidents of sexual assault, harassment, and bullying involving parties who are a faculty member, staff member, worker, or student of the University at the time of the incident, with at least one of the parties involved being a student. Students of other institutions who fall victim to a sexual assault, harassment, or bullying incident shall also be covered by the provisions herein.
- The definitions of the “faculty member,” “staff member,” “worker,” and “student” listed in the preceding paragraph are as follows:
1. “Faculty” or “faculty member”: Full- and part-time faculty members, substitute instructors and teachers, nurse educators, military training instructors, and other personnel for teaching, research, and teacher education at the University
  2. “Staff”, “staff member”, and “worker”: Any person not defined as a faculty member under the preceding subparagraph who performs work at the school on a fixed or periodic schedule
  3. “Student”: Persons with formal student status at the University, persons enrolled in the School of Professional Education and Continuing Studies, and exchange students
- Article 3 The Gender Equity Education Committee (“the Committee”) is the competent organization for on-campus sexual assault, harassment, and bullying incidents experienced by the faculty, staff, and students at the University. The Committee shall collect and compile information pertaining to the prevention and redress of sexual assault, harassment, and bullying on campus into a brochure or website to raise awareness. The Committee shall also proactively share such information with involved parties when handling on-campus sexual assault, harassment, and bullying incidents.

The information described in the preceding paragraph shall include but not limit to the following:

1. Definitions and possible forms of as well as the applicable regulations for on-campus sexual assault, harassment, and bullying
2. Protection of the rights and interests of victims, and assistance provided by the University
3. Mechanisms for petitions for investigation, appeals, and remedial action
4. Related supervisory authorities and competent units
5. Support groups and networks that offer resources and assistance
6. Other information deemed necessary by the Committee

Article 4 The University shall undertake the following educational measures to combat sexual assault, harassment, and bullying on campus and to promote awareness of and respect for sexual and physical autonomy among the faculty, staff, and students:

1. Organization of annual campus sexual assault, harassment, and bullying prevention campaigns for the faculty, staff, and students; evaluation of the effectiveness of the campaigns
2. Organization of annual on-the-job training for personnel of the Committee and other units that handle on-campus sexual assault, harassment, and bullying incidents at the University
3. Encouraging the personnel described in the preceding subparagraph to participate in on- and off-campus workshops and seminars on sexual assault, harassment, and bullying; providing official leave and subsidies for participation in such seminars
4. Publication of the provisions herein through multiple channels, including in faculty/staff employment contracts and the Student Handbook
5. Encouraging victims and witnesses to report acts of sexual assault, harassment, and bullying as early as possible for timely investigation and collection of evidence

## **Chapter II Campus safety planning**

Article 5 The Office of General Affairs shall take the following measures to improve the safety of high-risk areas on campus in order to combat sexual assault, harassment, and bullying on campus:

1. Review of overall campus safety and periodic review of venue/facility planning and usage with consideration of spatial configuration, management, security, signage, emergency reporting facilities, evacuation routes, lighting, and visibility, among other safety factors
2. Maintenance of a record of locations where previous incidents of sexual assault, harassment, or bullying have taken place; publication of a map indicating high-risk areas on campus based on actual needs

Reviews of venue/facility planning and usage, as described in Subparagraph 1 of the preceding paragraph, shall be informed by the faculty, staff, and students' varying physical and mental capacities and the differences in their

linguistic and cultural backgrounds in order to produce the appropriate safety plans and instructions. The scope of review shall extend to all dormitories, sanitation facilities, and shuttle buses on campus.

The Office of General Affairs shall establish a single point of contact to be in charge of communicating and coordinating campus safety affairs.

- Article 6 The Office of General Affairs shall hold regular campus safety review meetings to seek the opinions of spatial design professionals, faculty/staff members, students, and other campus users. The Office of General Affairs shall also release results of the review described in the preceding article and the associated meeting minutes to the public and keep track of the progress of improvements to high-risk areas on campus.

### **Chapter III Guidelines on Educational and Interpersonal Interactions on and off Campus**

- Article 7 Faculty, staff, and students of the University shall respect gender diversity and individual differences when taking part in educational activities, performing duties, or interacting with others both on and off campus.

- Article 8 Faculty/staff members are prohibited from developing sexual or gender-related interpersonal relationships with students that violate professional ethics in the context of teaching, instruction, training, evaluation, management, or consultation, as well as when providing students with job opportunities.

Faculty/staff members who become aware that their relationship with a student may violate professional ethics, as described in the preceding paragraph, shall either remove themselves from the situation or report it to the University for handling.

The University shall take appropriate measures to address violations of the preceding two paragraphs by faculty/staff members in accordance with the applicable regulations.

- Article 9 Faculty, staff, and students of the University shall respect others' sexual and physical autonomy and shall refrain from the following behavior:

1. Unwelcome sexual advances
2. Dealing with conflicts related to sex or gender through coercive or violent means
3. Other inappropriate behavior related to sex or gender

### **Chapter IV Principles for Handling On-Campus Sexual Assault, Harassment, and Bullying**

- Article 10 The University shall provide adequate protections for alleged perpetrators, applicants (who may be whistle-blowers or victims), investigators, and individuals offering assistance during investigations, and shall expressly delineate the consequences for any form of retaliation or intimidation, false accusations, or other misconduct in accordance with the applicable regulations.

Article 11 While a sexual assault, harassment, or bullying incident is being processed in accordance with the provisions herein, reasonable safeguards shall be implemented to protect the dignity and reputation of the parties involved, and all facts and evidence shall be taken into consideration whether favorable or unfavorable to the alleged perpetrator.

Article 12 For an investigation not based upon an application by the victim or their legal representative, interactions between the victim and other parties involved shall be minimized during the investigative process in respect of the victim's wishes. If a victim expressly requests the termination of an investigation in writing, the University shall assess the pertinent information and take appropriate measures that prioritize the well-being and privacy rights of the victim, while adhering to the boundaries set by the law.

Article 13 Pursuant to Article 21, Paragraph 1 of the Act, if the President or any faculty member, staff member, or worker at the University becomes aware of an alleged on-campus sexual assault, harassment, or bullying incident, they shall immediately notify the Committee, which shall then notify the competent social services and educational authorities of the local administrative region within 24 hours as required by the applicable regulations.

During the reporting process described in the preceding paragraph, any personally identifiable information (such as names) of the parties involved or of the whistle-blower shall be kept confidential unless such information is required for investigation or the maintenance of public safety, or is otherwise required by law.

Article 14 The Committee shall refer victims to the competent agencies for necessary assistance based on their physical and mental condition.

## **Chapter V Procedures for Handling On-Campus Sexual Assault, Harassment, and Bullying**

Article 15 Petitions for investigation of on-campus sexual assault, harassment, or bullying incidents may be filed with the Committee by the victims themselves, their legal representatives, or any other persons (whistle-blowers). Any unit of the University that becomes aware of a sexual assault, harassment, or bullying incident on campus shall immediately notify the Committee to step in.

Article 16 The Committee shall produce a record of receipt for all investigation petitions, reports, or referrals, and shall ask the applicant to affix a signature or seal onto the report as confirmation of its accuracy.

The record described in the preceding paragraph shall contain the following information:

1. The applicant's name, national identification number, affiliated institution, job title, residential address, contact number, and the application date
2. For a petition for investigation, the victim's date of birth (The Committee may request the information if not indicated).

3. For a petition for investigation filed by a legal representative, a power of attorney that indicates the applicant's and the representative's names, national identification numbers, residential addresses, and contact numbers
4. Any factual information or evidence that substantiates the claims under investigation or being reported.

Article 17 After accepting an application, should the Committee determine that the victim or the alleged perpetrator of the incident does not meet the criteria set forth under Article 2 herein and that the procedures delineated herein do not apply to the case, the Committee shall, in accordance with its authority, forward the case to an agency with jurisdiction and notify the applicant within seven days.

In the event that the alleged perpetrator is the NTU President, the Committee shall file a request for an investigation with the Ministry of Education.

Article 18 If a report is made anonymously, the Committee shall attempt to obtain the names (and other necessary information) of the whistle-blower and the victim through appropriate means. Pursuant to Article 29, Paragraph 2, Subparagraph 2 of the Act, any anonymous reports for which the whistle-blower refuses to provide the necessary information shall not be processed.

Article 19 The Committee shall designate a preliminary review group consisting of 3 members within 3 days after receiving an application.

Resolutions arising from preliminary reviews shall be decided by a majority vote of the members appointed in accordance with the preceding paragraph.

When the Committee receives a petition for investigation or an incident report, it shall notify the applicant in writing within 20 days upon receipt as to whether the petition or report is accepted. The applicant shall be informed of the specific reason(s) for non-acceptance, as well as the deadline and competent unit for appeal.

An applicant who does not receive notice by the aforementioned deadline or who receives a non-acceptance notice may file an appeal with the Committee in writing within 20 days, starting from the day following the receipt of the notice. If the appeal is filed verbally, the Committee shall produce a formal record and read it back to, or have it read by, the applicant, who shall affix a signature or seal as confirmation of its accuracy.

Appeals of non-acceptance of a petition or report shall be limited to one per incident.

Upon receiving an appeal, the Committee shall notify the applicant of its decision in writing within 20 days.

Article 20 When the Committee accepts a case, it shall establish an ad hoc investigative team to investigate the evidence and facts of the case. In principle, the investigative team shall be composed of 3 or 5 members who meet the criteria set forth under Article 30, Paragraph 3 of the Act and Article 22 of the Regulations.

The victim's counselor(s) may not participate in the investigation of the sexual assault, harassment, or bullying incident; individuals involved in the investigation and handling of the incident may not serve in any advisory capacity to the victim.

Members of the investigative team shall be issued official leave, travel allowances, and other reimbursement by the head of their unit and the Personnel Office pursuant to the applicable laws and University regulations.

Article 21 The Committee shall complete the investigation within two months upon accepting the petition or report. The deadline for an investigation may be extended up to 2 times (up to 1 month each time) when necessary. Both the applicant and the alleged perpetrator shall be notified in the event of an extension.

Article 22 Unless otherwise required by law, documents containing the names of the alleged perpetrator, victim, whistle-blower, and/or witness(es) shall be sealed and may not be made available to anyone other than the investigative and judicial agencies.

With the exception of the original case documents, the personnel investigating or handling an on-campus sexual assault, harassment, or bullying incident shall delete or redact the names and any identifiable personal information of the alleged perpetrator, victim, whistle-blower, and witnesses on all records produced.

Article 23 All personnel involved in the handling of on-campus sexual assault, harassment, or bullying incidents shall maintain confidentiality and provide appropriate safeguards for the victim, their legal representatives, and any named whistle-blowers, except where the disclosure of such information is necessary to the investigation itself or for the safety of the general public.

Persons required to maintain confidentiality who disclose any confidential information shall be referred to the responsible unit for processing in accordance with the law.

Article 24 The Committee shall appoint a designated spokesperson for on-campus sexual assault, harassment, or bullying incidents to prevent the over-exaggeration of facts and to safeguard the rights, interests, and privacy of the parties involved.

Article 25 In order to safeguard the rights to education and work of the parties involved in an on-campus sexual assault, harassment, or bullying incident, the University may take or provide the necessary measures or assistance set forth under Article 25 of the Regulations, the costs associated with which shall be covered by a dedicated fund of the University.

Article 26 Investigations of on-campus sexual assault, harassment, or bullying incidents conducted by the Committee shall be independent from the results of litigation or legal proceedings if any such litigation or proceedings is/are ongoing.

Article 27 If the Committee is rendered unable to continue with an investigation due to factual reasons such as the applicant withdrawing the petition for investigation or the alleged perpetrator losing their original status, the

Committee shall consider the relevant circumstances and take appropriate action in accordance with the law.

The Committee's investigations and procedures shall be independent from the results of litigation or legal proceedings regarding the underlying occurrence of a case or if any such litigation or proceedings is/are ongoing.

Article 28 When an investigative team of the Committee conducts an investigation in accordance with the provisions herein, the alleged perpetrator, the applicant, and the individuals or units invited to aid in the investigation shall cooperate and provide all relevant information.

The University may report those who violate the provisions of Paragraph 1 without justifiable cause to the supervisory authority for a fine of NT\$10,000 to NT\$50,000 in accordance with Article 36, Paragraph 2 of the Act. Fines may continue to be issued until the violator agrees to cooperate or provide the relevant information.

Article 29 If the alleged perpetrator under investigation, the applicant, or any individual invited to aid in the investigation is a minor, their legal representatives may be notified to accompany the minor after obtaining their consent.

Article 30 The Committee shall inform the parties involved and their legal representatives of their rights and the available channels of redress or refer them to the competent agencies.

Article 31 Confrontation between the alleged perpetrator, the applicant, and/or the witness(es) shall be avoided if an unequal power relationship exists between the said parties. To provide reasonable protection for the alleged perpetrator's right of reply, however, the Committee may, without breaking confidentiality, produce a written record or summary of the incident for perusal by the alleged perpetrator, victim, or individuals aiding in the investigation.

Article 32 To clarify matters of legal liability, in the event that a claim is withdrawn by the applicant, the Committee may move to proceed with the investigation of its own accord or upon the request from the alleged perpetrator.

Article 33 Upon completion of the investigation, the investigation team shall forward the investigative report to the Committee for a resolution.

Upon ruling that a case constitutes on-campus sexual assault, harassment, or bullying, the Committee shall submit the ruling and investigative report described in the preceding paragraph to the responsible unit of the University and suggest the appropriate disciplinary action in the report.

Upon ruling that a case does not constitute on-campus sexual assault, harassment, or bullying, the Committee shall produce a written investigative report expressly stating the facts and reasons for the ruling, along with the deadline and responsible unit for appeal, notify the applicant and the alleged perpetrator of the results, and provide the complete investigative report with all personal data of the applicant, alleged perpetrator, and witness(es) redacted.

Article 34 Upon receiving the investigative report described in Paragraph 2 of the

preceding article, the responsible unit of the University shall administer the necessary disciplinary measures in accordance with the applicable regulations and notify the Committee of the results within two months. The determination of facts related to on-campus sexual assault, harassment, and bullying incidents shall be based on the investigative report produced by the Committee.

Article 35 For serious on-campus sexual assault, harassment, or bullying incidents, the University may subject the perpetrator(s) to one or several of the disciplinary actions described in the following subparagraphs in addition to any punishments required by the applicable laws and regulations:

1. With the consent of the victim or their legal representative, the issuance of an apology to the victim
2. Eight hours of gender equity education and training
3. Counseling
4. Other measures consistent with the goals of gender equity education

For minor sexual harassment or bullying incidents, the University may subject the perpetrator only to the appropriate disciplinary action described in any of the subparagraph in the preceding paragraph.

Article 36 The Committee shall take sole custody of records produced in accordance with Article 27, Paragraph 1 of the Act.

Records described in the preceding paragraph shall include original case files and investigative reports.

Original case files, as described in the preceding paragraph, shall be kept confidential. The files shall include the following information:

1. The occurrence time and type of the case
2. Parties involved in the incident, including the applicant and alleged perpetrator
3. Personnel who handled the incident and the associated procedures and records
4. Documents produced during the handling of the incident, including evidence and other relevant information
5. The alleged perpetrator's name, job title/student status, and family background

Investigative reports, as described in Paragraph 2, shall include the following information:

1. The occurrence time and type of the case and the parties involved (referred to in codenames)
2. Course of action and concluding opinions

Any original case files that have been in the Committee's custody for more than three years shall be filed and retained as confidential documents.

Article 37 Upon becoming aware that the perpetrator of an on-campus sexual assault, harassment, or bullying incident has transferred to another institution to study or work, the University shall, within one month of becoming aware of the transfer, notify the said institution where the perpetrator is currently

studying or working. The contents of the notification shall be limited to the occurrence time and type of the confirmed on-campus sexual assault, harassment, or bullying incident, as well as the name of the perpetrator and their job title or student status at the time of the incident.

Upon receiving the file of a perpetrator of a sexual assault, harassment, or bullying incident from another institution, the University shall implement necessary follow-up and counseling measures but may not release the perpetrator's name or other personally identifiable information without just cause.

Article 38 The alleged perpetrator of an on-campus sexual assault, harassment, or bullying incident may not retaliate, intimidate, threaten, harm, or engage in any other illegal or inappropriate behavior against the applicant, their relatives, or individuals involved in handling the incident. Violators shall be subject to the *Criminal Code* or be handled by the University in accordance with other applicable laws and regulations.

## **Chapter VI Appeal Procedures for On-Campus Sexual Assault, Harassment, and Bullying Cases**

Article 39 If the applicant wishes to dispute the results of an investigation conducted in accordance with Article 33, Paragraph 3 herein or if the perpetrator wishes to dispute the handling results under Article 34 herein, they may do so within 20 days upon receiving the written notice by filing an appeal with the Executive Vice President's Office detailing the specific reasons for the appeal in writing. If the appeal is filed verbally, a formal record shall be produced and be read to/by the other party (i.e., the applicant or perpetrator), who shall affix a signature or seal as confirmation of its accuracy.

Upon receiving an appeal, the Executive Vice President's Office shall handle it in accordance with the following procedures:

1. Upon acceptance of an appeal, the Executive Vice President Office shall establish an ad hoc review committee to issue a decision supported by the facts and notify the appellant of the results in writing within 30 days.
2. The review committee described in the preceding paragraph shall be composed of 3 to 5 members who are experts, scholars, or legal professionals specializing in gender equality. Female members shall make up at least half of the committee, while members with a professional qualification in the investigation of on-campus sexual assault, harassment, and bullying shall make up at least one third of the committee.
3. Individuals who previously took part in the factual investigation or issuance of disciplinary action in the same case may not serve on the ad hoc committee.
4. Members of the ad hoc committee shall select a convener from among themselves to serve as chair of the committee's meetings.
5. If necessary, the ad hoc committee may request the appellant to make a statement or invite members of the Committee or the original investigative team to attend its meetings.

6. If the ad hoc committee finds that there are reasonable grounds for the appeal, it shall notify the responsible unit to issue a new decision.
7. The preceding paragraph may apply mutatis mutandis to withdrawal of appeals, which the appellant may do so at any time prior to the issuance of the appeal results.

If the appeal deliberation finds major flaws with the investigation or handling results described in the first paragraph, the case shall, depending on the circumstances, be reversed and remanded to the Committee or the unit that issued the disciplinary action for a new decision.

Appeals described in Paragraph 1 shall be limited to once per incident.

Article 40 If the applicant or the alleged perpetrator wishes to dispute the results of the appeal issued by the University, they may do so by filing a further appeal with the Student Grievances Committee, Faculty Member Grievances Committee, Staff Member Grievances Committee, or Technical Worker and Janitor Grievances Committee of their associated institution within 30 days after receiving the written notice in accordance with Article 34 of the Act.

## **Chapter VII Supplementary Provisions**

Article 41 The responsible units of the University shall include Articles 7, 8, and 9 herein in faculty/staff employment contracts and the Student Handbook.

The provisions described in the preceding paragraph shall include the following matters:

1. Campus safety planning
2. Guidelines on interpersonal interaction on and off campus, both in teaching and other applicable scenarios
3. Promotion of zero-tolerance policy for sexual assault, harassment, and bullying on campus
4. Definitions and potential manifestations of sexual assault, harassment, and bullying on campus
5. Responsible unit(s) for claims and reports of sexual assault, harassment, and bullying incidents on campus, along with their contact email, phone number for accepting claims/reports, and reporting procedures
6. Procedures for the investigation and handling of sexual assault, harassment, and bullying incidents on campus
7. Procedures for the appeal of and redress for on-campus sexual assault, harassment, and bullying incidents
8. Warnings against retaliation
9. Privacy and confidentiality
10. Other matters related to the prevention of sexual assault, harassment, and bullying on campus

Article 42 The Directives shall be passed by the Committee, the Administrative Meeting, and the University Council and then implemented on the date of promulgation.

Article 43 Other relevant regulations shall apply, whether directly or mutatis mutandis,

to any matters not addressed herein.