

National Yang Ming Chiao Tung University Campus Bullying Prevention Regulations

Approved at the 6th Administrative Meeting for the 110 Academic Year on March 16, 2022

In accordance with Article 11 of the Guidelines for Prevention of Campus Bullying issued by the Ministry of Education, National Yang Ming Chiao Tung (hereinafter referred to as “the University”) has established the National Yang Ming Chiao Tung University Campus Bullying Prevention Regulations (hereinafter referred to as the “Regulations”) and an anti-bullying response team (hereinafter referred to as the “Response Team”) to build an effective prevention mechanism and related problem handling procedures, so as to protect students’ basic rights and interests of learning.

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I. Campus safety planning

In order to prevent school bullying incidents, the University has established a campus bullying prevention and counseling system consisting of educational prevention and publicity, complaint acceptance and response, counseling and evaluation for improvement (The flowchart for bullying prevention is shown in Appendix I). Articles 4 and 5 of the University’s “Regulations on the Prevention of Sexual Assault, Sexual Harassment, and Sexual Bullying on Campus” shall be employed, under which the planning and use of campus space and facilities, including dormitories, bathroom facilities, and school buses shall be checked and evaluated by assessing the space arrangements, management, and security, as well as the signage system, the emergency response system, the planning of secure routes, lighting, transparency of space, and other important factors related to campus safety, which shall be incorporated into the campus safety planning and improvement matters each semester.

II. Definition and Patterns of Campus Bullying

A. Bullying: Refer to an individual or a group of persons intentionally use words, text, images, symbols, physical actions, electronic communications, Internet communications against the persons directly or indirectly disparage, exclude, bully, harass or tease others, which also places the person in a hostile and unfriendly environment and causes psychological, physical or property harm, or affects one’s learning progress.

- B. Campus bullying: Refer to bullying behaviors that occur on and off campus from the principals, teachers, staff, and students (hereinafter referred to as “Faculty, Staff and Students”) towards a student.

Bullying-related incidents that constitute sexual bullying as referred to in Article 2, paragraph 5, of the Gender Equity Education Act, shall be handled in accordance with the provisions of the Act.

III. Precautions for Teachings and Interactions On and Off Campus

- A. Encourage and learn how to communicate rationally, actively help others and maintain interpersonal relationships, and cultivate a sense of responsibility, self-esteem, and respect of others through regular teaching process.
- B. Promote and strengthen the safety use and ethical rules of the Internet and electronic communication tools to prevent improper use and develop a sense of awareness.
- C. Help students to build a good self-image, true-self, and encourage them to think positively through various learning activities on and off campus.
- D. Faculty, Staff and Students are expected to be helpful and respect when they are conducting teaching activities, performing duties or conducting interpersonal interactions on and off campus.
- E. To draw on the cooperation in school bullying prevention among classmates, between teachers and students, between parents and teachers, between the principal and the faculty, and between schools.
- F. Faculty and staff members should take the initiative to care, observe and evaluate various interpersonal interaction situations, provide guidance according to their authority and responsibilities, and make a report, if necessary, to the University’s Response Team for confirmation.

IV. Publicity of policies concerning campus bullying prevention

- A. Faculty, Staff and Students should develop an awareness of bullying prevention and avoid bullying incidents caused by their own behavior, or improper behavior that may affect the work of school bullying prevention.
- B. Measures shall be taken to strengthen the awareness of the rights, obligations and responsibilities for anti-bullying among Faculty, Staff and Students; positive counseling and educational methods shall be taken to arouse the sense of justice and honor, virtues of mutual help and caring, and empathy among students, with the intention of eliminating the occurrence of school bullying.
- C. The content of these Regulations will be publicized on an exclusive webpage so that the faculty, staff, and students understand and observe the University’s anti-bully mechanism and have a deepened awareness of their rights, obligations, and responsibilities.
- D. While performing the publicity, handling or counseling procedures concerning school bullying incidents, the University shall make good use of restorative justice strategies to reduce conflicts, promote reconciliation and improve relationships.
- E. Active assistance and counseling services shall be provided for bully victims and for the alleged offenders who conducted or have the tendency to conduct bullying. For such persons, the authority

should understand and care for their on-campus learning status, human relations, and family life information.

V. Services and Reporting Authority for Campus Bullying Cases

- A. Military Training Office shall be responsible for the reception of bullying complaints, set up anti-bullying hotline and email. Upon receipt of the “Application/Complaint Investigation Form of Campus Bullying Event (Suspected)” (Appendix I) and relevant evidence submitted by the applicant or the complainant will be turned in to the Bullying Prevention Response Team within 3 working days.
- B. The faculty and staff members should report to the Military Training Office immediately when suspected school bullying incidents. The Military Training Office will report the case to the Ministry of Education no later than 24 hour and notify the municipal or county (city) competent authorities, in accordance with the relevant provisions in the Protection of Children and Youths Welfare and Rights Act.

VI. Roles and Responsibilities of Bullying Prevention Response Team

- A. The University has established the Bullying Prevention Response Team which responsible in handling the bullying case of acceptance, investigation, and remedying procedures. The principal or vice-presidents of the University as the convenor of Bullying Prevention Response Team, director of Military Training Office as the executive secretary, other members include teacher representatives, student affair personnel, counselors, scholars shall take part in handling, investigating, confirming, counseling procedures which is related to the bullying case.
- B. The members of the Response Team shall be nominated by the executive secretary and then appointed after the approval of the president is granted.
 - 1. Committee members: 5.
 - (1) Convenor: President or vice-president.
 - (2) Deputy convenor: Dean of Student Affairs.
 - (3) Counselors: Director of Mental Health and Counseling Center.
 - (4) Student Affairs Personnel: Head of Guidance and Counseling Section.
 - (5) Executive Secretary: Director of the Military Training Office.
 - 2. Selected Members: 8 to 9.
 - (1) Faculty and Staff Representatives: 4.
 - (2) On-and-off-campus Scholars: 2 to 3.
 - (3) Student representatives: 2.

- C. Only when more than one-half of all members in the Response Team are present can a meeting take place. Faculty and staff representatives, professional counselors with anti-bullying expertise, members of the University Gender Equity Education Committee, legal professionals, special education professionals, and representatives from institutions, including but not limited to police, health and welfare, and legal affairs may be invited to attend the meeting as required.
- D. In the event that an application for investigation or a complaint is received, an acceptance team consisting of more than 3 members appointed by the executive secretary of the Response Team or by rotation shall be set up to decide whether to accept the application or complaint or not within 3 days.
- E. The acceptance team determines to accept the application or complaint, the executive secretary shall decide whether to establish an investigation team to conduct an investigation. If the establishment is thought necessary, the executive secretary shall also designate and authorize more than 3 investigators from the committee members or scholars on or off campus, who shall be responsible for the investigation and interview of the case and the writing of an investigation report.

VII. Application for investigation procedures

- A. The application for investigation, or the complaint, filed upon a school bullying incident by an applicant or complainant may be made verbally, in writing, or by e-mail. If it is made verbally or by e-mail, the authorized recipient office shall, upon the receipt of the application or complaint, create a text record thereof, and recite it to the applicant or complainant, or allow him or her to examine it for accuracy, after which he or she shall sign or seal the said record. Nonetheless, the application or the complaint filled by a person who does not give his or her real name will not be accepted unless the University has been aware of the bullying. The aforementioned text record of a written or verbal application or complaint shall contain the following items:
 - 1. The applicant or the complainant's name, telephone number, and the date applying for investigation.
 - 2. The applicant applying for an investigation should specify the school where the bullied person is attending.
 - 3. The authorized representative, should there be one, shall enclose a letter of authorization, in which the representative's name and telephone number must be clearly stated.
 - 4. If there is evidence for the facts being filed for investigation or complaint, it must be duly recorded and enclosed as an attachment.
- B. Upon receipt of the application for investigation or complaint, a written reply shall be given within 20 days, notifying the applicant or the complainant whether or not the application or complaint has been accepted, as well as the reasons.
- C. The application for investigation or complaint shall be rejected under any of the following circumstances:
 - 1. The case is not an incident of school bullying.
 - 2. No specific content or the real name of the applicant or complainant is given.
 - 3. It is the same incident that has been handled.

- D. In the event that a school not under investigation receives the application, complaint, or notice of a suspected campus bullying incident, it shall, in addition to reporting it in accordance with the Regulations, transfer the incident to the school under investigation within three working days and notify the Involved Persons.
- E. Upon receipt of an application for investigation or a report, a response team meeting shall be convened within three working days to start the investigation process.

VIII. Investigation and handling procedures (The campus bullying prevention flow chart is shown in Appendix I)

- A. During the investigation of a (suspected) campus bullying case, both Involved Persons shall be given the opportunity to make a statement; an involved person of minor age may be accompanied by a legal guardian during the investigation.
- B. Confrontation shall be avoided between the alleged offender and the victim. Nonetheless, this restriction is not applicable to where the Response Team has obtained the consent of both parties and their legal representatives and there exists no imbalance of power or status.
- C. Confrontation of the alleged offender and the victim with the complaint or the witness shall be avoided. Nonetheless, this restriction is not applicable to where the Response Team has obtained the consent of both parties and their legal representatives and there exists no imbalance of power or status.
- D. If necessary, information pertinent to the case may be recorded in writing so long as it does not violate confidentiality. The respondent should be allowed to read or be provided with a summary of this record.
- E. Unless pertinent to the investigation or in the interest of public safety, the names and any identifying information of the alleged offender, victim, complaint, or parties assisting the investigation shall be kept confidential.
- F. In cases where an applicant withdraws the application for investigation, the University may, subject to the resolution of the Response Team or at the request of the alleged offender, continue the investigation to clarify the relevant legal liability.
- G. The University shall complete the investigation within two months from the second day following the day of accepting the application for investigation, report or transfer of the suspected campus bullying incident; this may be extended up to two times if necessary, each time not exceeding one month, and the applicant and alleged offender shall be notified.
- H. Upon completion of the investigation by the Response Team, it shall submit a written investigation report and handling recommendations to the University.
- I. The University shall, within two months after receiving the investigation report in the preceding paragraph, handle the case on its own or transfer it to the relevant authorities for handling in accordance with relevant laws, regulations, or school rules, and notify the applicant, complainant, and alleged offender of the results of the handling in writing, clearly stating the facts and reasoning thereof.
- J. Applicants and suspected persons will be notified of the case results with written notice and the due date for making the appeal.

IX. Reapplication and relief measures

An applicant or alleged offender who objects to the investigation and handling conclusion of the University may reapply in writing with grounds to the Response Team within twenty days from the date following the date of receipt of the written notification. After accepting a reapplication, an evaluation team shall be formed immediately. The team shall come to a reasoned judgment and provide written notification of the decision on the reapplication to the applicant within 30 days. The reapplication shall be made no more than once. If the applicant or alleged offender objects to the University's decision on the reapplication, he/she may file a complaint in accordance with the Teacher's Act and relevant provisions of the University's Student Appeal Guidelines, or file for administrative relief in accordance with relevant regulations in the Administrative Appeal Act and the Administrative Procedure Law.

X. Measures against Retaliation

- A. To protect involved persons' rights to learning and education, the right to develop mentally and physically, as well as other rights, the following measures, if necessary, which are subject to the resolution of the Response Team, may be taken, and they shall be reported to the competent authorities for reference:
- B. Flexible handling of attendance records or academic performance assessment of the involved persons and the active provision of academic and/or professional assistance not subject to standard absence or evaluation regulations;
- C. Contact restrictions between involved persons, as desired by the complainant; in the event of serious cases, withdrawal or individual teaching or counseling may be given;
- D. Prevent and prohibit retaliation.
- E. Prevent further assault or harassment by the offender.
- F. Other measures

Any of the involved persons are not employed by or enrolled at the University, their respective schools shall be notified in accordance with the regulations in the previous articles.

XI. Privacy and Confidentiality

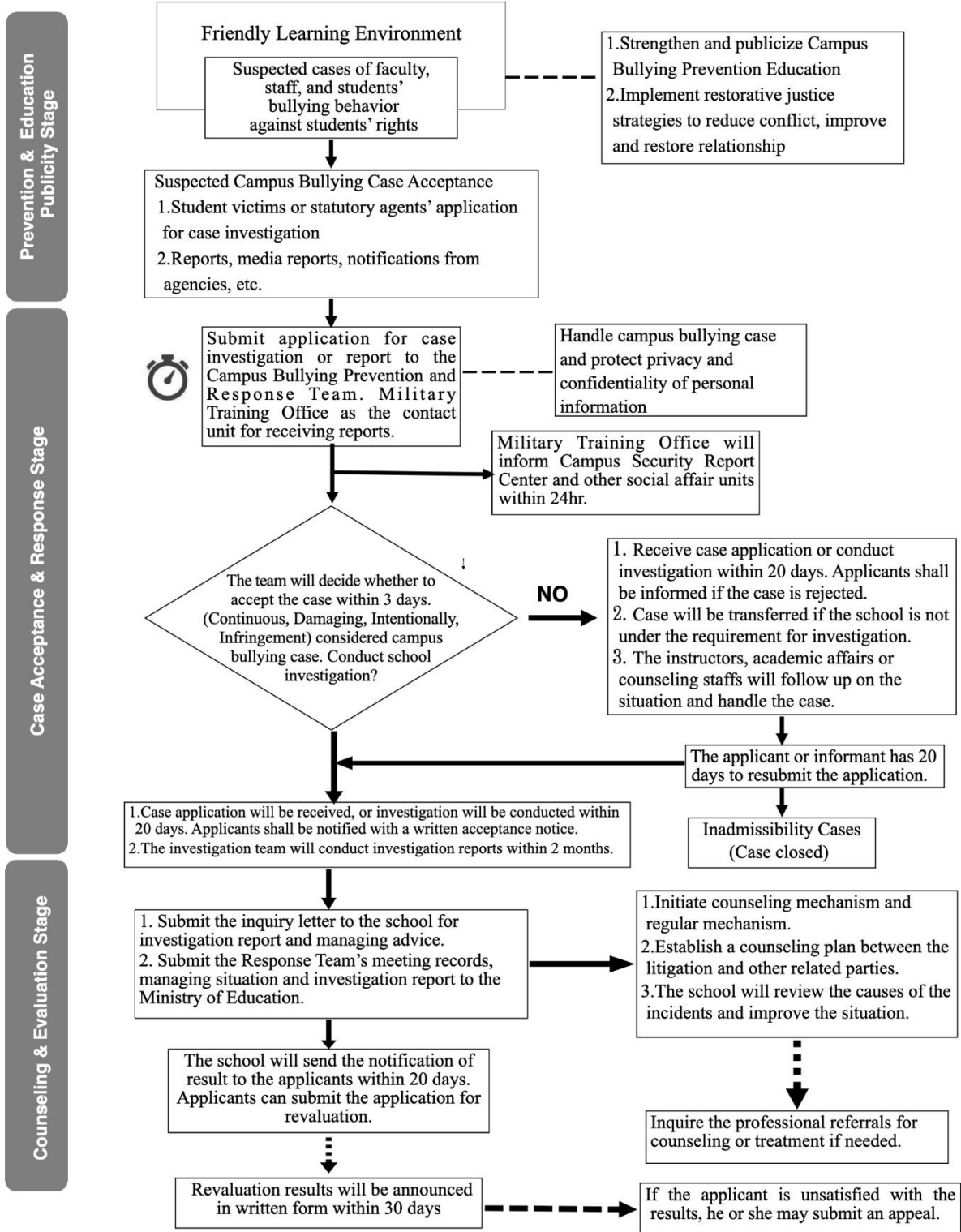
- A. During case handling and counseling, in addition to timely and correct handling, prevention of data disclosure should also be ensured to protect the privacy of the parties involved.
- B. Unless pertinent to the investigation or in the interest of public safety, the names and any identifying information of all involved parties shall be kept confidential.

XII. Miscellaneous Matters

- A. Upon the confirmation of a campus bullying incident by the Response Team, the bullying counseling mechanism shall be immediately activated to provide persistent counseling for the persons involved for improvement.
- B. The bullying counseling mechanism shall develop a counseling plan for the persons involved, where the punishment suggestions or disciplinary measures, counseling content, and the division and schedule of counseling work, shall be clearly stated. Complete counseling records shall be made and improvement outcomes regularly assessed.
- C. If an involved person does not improve after periodic evaluations, he/she may, after obtaining their consent, be referred to professional counselors or medical institutions for correction, treatment and counseling, or to social welfare authorities (agencies) for counseling and placement; if he or she has a legal representative, the legal representative's consent shall be obtained.
- D. Upon the confirmation of a campus bullying incident, the University's relevant environment, educational measures and counseling resources shall be reviewed according to the cause of the incident, and improvement measures shall be taken immediately.
- E. Once the bullying incident is handled, in addition to the meeting minutes of the Response Team, an investigation report specifying the handling and investigation results of the incident, which is subject to the resolution of the Response Team, shall be submitted to the Ministry of Education for future reference.
- F. The expenses from the implementation of the Regulations by each unit in the University may be paid from the unit's operating funds. For the expenses incurred by case investigation and interviews and investigation report writing or other necessary expenses, an application for appropriation may be submitted to the University on a case-by-case basis.
- G. If any of the University's Faculty, Staff and Students violates the provisions of these Regulations, he/she shall be handled, depending on the gravity of the situation.
- H. Matters not covered herein shall be handled in accordance with the Ministry of Education's Regulations Governing the Prevention and Control of Bullying on Campuses as well as relevant law and regulations.
- I. The Regulations, as well as any further amendments, shall take effect after approval by the Administrative Meeting and the ratification by the president of the University.

Figure 1

National Yang Ming Chiao Tung University Campus Bullying Prevention Flow Chart



Attachment 1

National Yang Ming Chiao Tung University Campus Bullying Case Application/Reporting Investigation Form

| | | | | | |
|---|---|---|---|--|-------------|
| Basic Information of Applicants or Informants | 1 <input type="checkbox"/> Victim | | 2 <input type="checkbox"/> Relationship between Informant and Victim: __ | | |
| | □Relationship between Legal Representative and Victim: __ | | | | |
| | Name | Gender | <input type="checkbox"/> Male <input type="checkbox"/> Female | Birth date | Y MD (Age) |
| | Student ID/ID no. (or Passport no.) | Contact number | Department /Service Unit | Occupation | |
| 3 | Email | | | | |
| | Address | County City | Sec Village | Road Lane Alley No Floor | |
| | Document Delivery Address | □Above □Self-pickup □Other (Please do not fill P.O. box): | | | |
| 4 | Victim's information | (1) <input type="checkbox"/> Same as 3. (2) □Name: _____ Gender:□Male □Female School: __Contact number: __ | | | |
| Incident Statements | Suspected Person | | Service Unit/School | □Acknowledge — Name of Service Unit or School: __ □NoneContact number: __ □Unknown | |
| | □Name _____ □Unknown | | | | |
| | Time of Incident | <input type="checkbox"/> Morning Y MD <input type="checkbox"/> Afternoon | Hr. Min | Location of Incident | |
| Matter of Request | Sequence of Incidents | | | | |
| | 1.Expectations and request details for the incident response: | | | | |
| | 2.Issues related to the incident: <input type="checkbox"/> Physically/Mentally Disabled <input type="checkbox"/> Foreigners <input type="checkbox"/> Others __ | | | | |
| Evidence | (Please list the attachment; leave blank if there is no attachment to submit) | | | | |
| | | | | | |
| Applicant/Legal Representative/Informant Signature : | | Date of submission : Y M D | | | |
| Remark | 1. Legal representative must provide letter of authorization. | | | | |
| | 2. In accordance with Paragraph 1, Article 8 of the Personal Information Protection Act, the personal information listed above is collected and only used for the purpose of conducting investigation on campus bullying incidents. | | | | |
| | 3. The school or competent authorities shall submit the case to the Campus Bullying Prevention and Response Team within 3 days when receiving the applications. If the application is inadmissible, applicants will be notified the given date to make an appeal and submit to the receiving unit. | | | | |
| | 4. Applicants or Informants shall make an appeal in written form provided with reasons within 20 days from the day after he/she received application rejection, or he/she did not receive any notification. | | | | |
| | 5. The school or competent authorities' Campus Bullying Prevention Team must complete the investigation within 2 months after receiving the application. If needed, the period for investigation can be extended twice as maximum, each time cannot exceed 1 month. The authority should inform the applicants, informants, and suspected person about period of extension. | | | | |
| | 6. Applicants, informants, authorities, and other related parties should inform the school/Campus Bullying Prevention Team if the person who is related to the case filing civil lawsuit, criminal lawsuit, or administrative lawsuit. | | | | |
| | 7. This application consisted of applicant's personal information will be protected and only used for the purpose of case investigation. Penalty shall be imposed in accordance with lawsuit or other relevant regulations. | | | | |
| | ————— (For Authorized Staff Only) ————— | | | | |
| Receiving Unit | Department Unit | Receiver Name | Occupation | | |
| | Contact no. | Date of receiving | Y M D <input type="checkbox"/> Morning <input type="checkbox"/> Afternoon | Hr. Min | |
| The above incident records are checked and confirmed with the applicant. | | | | | |
| Signature of Recorder : | | | | | |