

國立彰化師範大學性別平等教育委員會申請調查說明書

National Changhua University of Education

Gender Equality Education Committee

Investigation Application Guideline

96.03.07 本校 95 學年度第 4 次性別平等教育委員會會議通過

100.12.13 本校 100 學年度第 1 次性別平等教育委員會會議修正通過

Passed at the 4th Gender Equality Education Committee Meeting on March 7, 2007

Revised at the 1st Gender Equality Education Committee Meeting on December 13, 2011

一、如何申請調查

I. Applying for Investigation

1. 依據「性別平等教育法施行細則」、「校園性侵害性騷擾或性霸凌防治準則」，以及本校「校園性侵害、性騷擾或性霸凌防治辦法」第八條規定：『校園性侵害性騷擾或性霸凌事件之被害人或其法定代理人(以下簡稱申請人)、檢舉人得以書面向本校性平會申請調查。但校長為加害人時，應向教育部申請調查。』你/妳可以以書面陳述或親自到性平會向承辦人員陳述，要求進入申請調查程序。

1. In accordance with "Enforcement Rules for the Gender Equity Education Act," "Regulations on the Prevention of Sexual Assault, Sexual Harassment or Sexual Bullying on Campus," and Article 8 of "Rules for the Prevention of Sexual Assault Sexual Harassment and Sexual Bullying," "Victims of sexual assault or bullying event on campus or their legal guardians (hereafter referred to as the Applicant) or informants shall request for an investigation with the University's Gender Equality Education Committee in writing. Requests for investigations involving the President of the University shall be made with the Ministry of Education." the Applicant may provide his/her statement to the administrator of the Gender Equality Education Committee in writing or orally to request an investigation.

2. 需載明的資料如下：

2. The following information must be provided during application:

1)申請人或檢舉人姓名、身分證明文件字號、服務或就學之單位及職稱、

住居所、聯絡電話及申請調查日期。

2) 申請人委任代理人代為申請調查者，應檢附委任書，並載明其姓名、身分證明文件字號、住居所、聯絡電話。

3) 申請調查之事實內容及其相關證據。

1) Applicants and informants must provide their names, identification numbers, workplaces or school departments and titles, addresses, contact numbers, and dates of application.

2) Proxies appointed by the Applicant must provide a letter of appointment stating his/her name, identification number, address, and contact number.

3) Facts and evidence must be submitted during the application.

二、調查的程序

II. Investigation Procedures

1. 受理單位(性平會)接到你/妳的申請調查書後，會在3個工作天內，轉給性別平等教育委員會(簡稱『性平會』)調查處理，並視案件性質向主管機關通報。在這個過程中，您的姓名等資料會受到嚴密的保密。

2. 性平會應於接獲你/妳的申請調查或檢舉後20日內，會以書面通知你/妳是否受理。

3. 性平會受理調查案之後，視案情需要，會成立3人或5人的調查小組調查之。

4. 處理結果將以書面通知你/妳及行為人。

1. Once the handling department (Gender Equality Education Committee) receives an application for investigation, it will be sent to the Gender Equality Education Committee within three workdays for processing, and the competent authority may be notified when necessary. The Applicant's name and information are kept strictly confidential during this process.

2. The Gender Equality Education Committee notifies the Applicant in writing of its decision to investigate within 20 days after receiving an application.

3. If an investigation is decided, the Gender Equality Education Committee forms an investigation team comprising three or five members depending on the case.

4. The Applicant and the accused are notified of the investigation results in writing.

三、你/妳將面臨的狀況

III. What to Expect from an Application

你/妳只需要耐心等待調查通知，並於需要時接受性平會的詢問及提供必要資料。如果你/妳擔心調查會影響你/妳就學/就業的權益，可以向性平會提出，性平會將盡一切必要之處置，如彈性處理出缺勤紀錄或成績考核、積極協助課業或職務、減低當事人雙方互動之機會等。

Please wait for a notification patiently and, if needed, provide the information requested by the Gender Equality Education Committee. If you have concerns that the investigation may affect your education/work rights, please raise these concerns with the Gender Equality Education Committee. The Committee will do everything necessary to protect your rights, including flexibly handling your attendance and performance records, actively assisting you in your schoolwork or duties, and minimizing interactions between you and the offender.

四、調查過程中，學校可提供的其他協助

IV. Other Assistance Provided by the University during the Investigation

1. 心理諮商輔導。
 2. 法律諮詢管道。
 3. 課業協助。
 4. 經濟協助。
 5. 其他性平會認為必要之協助。
1. Psychological counseling
 2. Legal counseling
 3. Schoolwork assistance
 4. Financial aid
 5. Other services deemed necessary by the Gender Equality Education Committee

五、你/妳的權益

V. Applicant Rights

1. 你/妳的申請調查案件未收到通知或接獲不受理通知的話，你/妳可於次日起 20 日內，以書面具明理由，向性平會提出申復，性平會接獲申復後，於 20 日內會以書面通知你/妳申復結果。

2. 性平會調查及處理結果將以書面通知你/妳及行為人，若你/妳對性平會處理結果不服，可以在收到書面通知次日起 20 日內，以書面具明理由向性平會申復，性平會接獲申復後，於 20 日內會以書面通知你/妳申復結果。
1. If an applicant does not receive notification about Gender Equality Education Committee's decision to investigate or when the Gender Equality Education Committee decides against launching an investigation, the Applicant may lodge a written dispute containing concrete evidence to support his/her claims with the Gender Equality Education Committee within 20 days. Once the Committee receives the dispute, the Applicant is notified of the Committee's decision in writing within 20 days.
2. The Gender Equality Education Committee sends the investigation outcomes to the Applicant and the accused in writing. If the Applicant is not satisfied with the Committee's decision, he/she may lodge a written dispute containing concrete evidence to support his/her claims with the Gender Equality Education Committee within 20 days. Once the Committee receives the dispute, the Applicant is notified of the Committee's decision in writing within 20 days.

六、其他注意事項

VI. Other Considerations

性平會調查處理校園性侵害或性騷擾事件時，依下列方式辦理：

1. 當事人為未成年者，接受調查時得由法定代理人陪同。
2. 行為人與被害人、檢舉人或證人有權力不對等之情形者，性平會會避免讓你/妳們雙方對質。必要時，得於不違反保密義務之範圍內另作成書面資料，交由行為人閱覽或告以要旨。
3. 申請人撤回申請調查時，性平會得繼續調查處理。

The following steps are taken when investigating sexual assault or abuse events on campus:

1. Underaged parties shall be accompanied by a legal guardian during interrogations.
2. In instances of power asymmetry between offenders and victims, informants or witnesses, the Gender Equality Education Committee will avoid confrontation between the two parties. Without breaching confidentiality, written information may be provided to the parties involved for elaboration when necessary.

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3. The Gender Equality Education Committee may continue investigations if and when an applicant retracts his/her application.