

Regulations for Prevention of Campus Bullying at Kaohsiung Medical University (KMU)

2017.01.12 Passed in the 6th Administrative Meeting of the 106th academic year

- Article 1 These guidelines are established in accordance with Article 24 of the Ministry of Education's Guidelines for Preventing Campus Bullying.
- Article 2 To prevent campus bullying, the university shall implement the following safety and prevention mechanisms:
1. The Office of General Affairs shall regularly review the planning and usage of campus spaces and facilities, including spatial configuration, management and security, signage systems, emergency systems, safe routes, lighting, spatial permeability, and other spatial safety elements, to ensure overall campus safety.
 2. The Human Resources Office and the Office of Student Affairs (hereinafter referred to as the Office of Student Affairs) shall enhance awareness of the rights and obligations related to campus bullying prevention among faculty and students. These regulations shall be incorporated into faculty contracts and student handbooks. During internal and external educational activities, the execution of duties, and interpersonal interactions, individuals should demonstrate moral qualities such as willingness to help and mutual respect.
 3. The Office of Student Affairs shall actively provide assistance and counseling to victims of bullying, individuals with a history of bullying, or students inclined towards such behavior. The office shall deeply understand and provide care for students' learning conditions, interpersonal relationships, and family lives.
- Article 3 Campus bullying events referred to in these measures include incidents occurring among students from the same or different schools. The definitions of related terms are as follows:
1. Bullying: Refers to the ongoing individual or collective use of behavior, whether verbal, written, pictorial, symbolic, physical, or in any other form, that directly or indirectly belittles, excludes, intimidates, harasses, or mocks others. Such behavior creates a hostile or unfriendly learning environment, making it difficult for others to resist and causing mental, physical, or financial harm, or affecting the normal conduct of learning activities.
 2. Campus Bullying: Refers to bullying behavior occurring among students within and outside the campus.
 3. Student: Refers to individuals enrolled in various schools, those receiving continuing education, or exchange students.
- Bullying, as described in the first paragraph, constitutes sexual harassment as stipulated in Article 2, Section 1, Item 5 of the Gender Equity Education Act shall be handled in accordance with that law.
- Article 4 If a mentor, instructor, or other staff member suspects a campus bullying incident, they should immediately report it to the Office of Student Affairs. The Office of Student Affairs should, within 24 hours, report the incident to the Ministry of Health and Welfare's 113 Protection Hotline and the Ministry of Education, in accordance with relevant regulations such as the Protection of Children and Youths Welfare and Rights Act and the Campus Safety and Disaster Incident Reporting Operation Guidelines.
- Except when necessary for investigation, based on public interest considerations, or

regulated by law, the names or other identifying information of the parties involved, complainants, witnesses, or individuals assisting in the investigation shall be kept confidential.

Article 5

The university shall establish a Campus Anti-Bullying Response Team, chaired by the President, with the Vice President for Student Affairs serving as vice-chair. The members shall include representatives from mentors, student affairs staff, counseling staff, parent representatives, scholars and experts, and student representatives. This team is responsible for preventing, investigating, confirming, counseling, and handling other related matters related to campus bullying incidents.

The university may invite professional counselors with awareness of bullying prevention, members of the Gender Equity Education Committee, legal professionals, police, health and welfare professionals, and legal affairs representatives to attend the meetings as needed.

Article 6

Individuals who are victims of suspected campus bullying incidents or their legal representatives (hereinafter referred to as applicants) may apply for an investigation from the school where the alleged perpetrator was enrolled at the time of the incident (hereinafter referred to as the investigating school). The university shall convene a Campus Anti-Bullying Response Team meeting within three days of receiving the application to initiate the process. The university shall complete the investigation within two months from the next day after receiving the application and inform the applicant of the investigation and its results in writing. The applicants shall also be informed of the appeals procedure if dissatisfied with the results.

If a mentor, instructor, or other staff member becomes aware of a suspected campus bullying incident, they should immediately report it to the Office of Student Affairs, conduct a preliminary investigation into the incident, and convene a Campus Anti-Bullying Response Team meeting within three days to initiate the process.

If the university receives a report from a student, the public (hereinafter referred to as the complainant) or the mass media, police, medical or health organizations (institutions), indicating a suspected campus bullying incident, the university shall conduct a preliminary investigation into the incident—and convene a Campus Anti-Bullying Response Team meeting within three days to initiate the process.

Article 7

Applicants or complainants of campus bullying incidents may apply for an investigation or make reports verbally, in writing, or via email. If the application or report is made verbally or via email, the university shall create a record. After reading the record to the applicant or complainant, or allowing them to review it, and confirming its accuracy, the applicant or complainant shall sign or affix their seal. If the applicant or complainant refuses to sign or affix their seal or does not provide a true name, the university may refuse to accept the application unless the university is already aware of the bullying incident.

Records made in writing, verbally, or via email, shall include the following information:

1. Name of the applicant or complainant, ID number, affiliation and position, residence, contact number, and date of application.
2. If the applicant applies for an investigation, the enrolled school and class of the victim should be stated.
3. If the applicant appoints a representative to apply for an investigation, a power of attorney should be attached, including the names, ID numbers, residences, and contact numbers of both the applicant and the appointed representative.
4. The content of the application for investigation or report, and relevant evidence, if any, should be included or attached.

Article 8

During the investigation and handling of campus bullying incidents, to safeguard the learning rights, right to education, bodily autonomy, and personal development rights of the parties involved, the university may take the following measures and report them to the Ministry of Education for record if necessary:

1. Flexibly handle the attendance records or performance evaluations of the parties involved and assist them with their studies. They may be exempted from leave or restrictions related to student performance evaluations.
2. Respect the wishes of the victim, reduce opportunities for interaction between the parties involved, and in severe cases, separate or provide individual teaching and counseling.
3. Prevent retaliation against the parties involved and other related individuals.
4. Prevent, reduce, or eliminate the possibility of the alleged perpetrator repeating the offense.
5. Implement any other necessary measures.

If the parties involved are not students of the investigating school, the investigating school shall notify the school to which the parties involved belong and handle the matter according to the provisions of the preceding paragraph.

Measures necessary under the first two paragraphs shall be executed after an approval by the Campus Anti-Bullying Response Team.

Article 9

When investigating and handling bullying incidents on campus, the university shall adhere to the following procedures:

1. During the investigation, both parties involved shall have the opportunity to state their opinions. If one of the parties is a minor, they may be accompanied by their legal guardian.
2. Direct confrontation between the perpetrator and the victim shall be avoided. However, if deemed necessary for educational and counseling purposes and with the consent of both parties and their legal representatives, such confrontation may occur without any significant power imbalance.
3. The university, based on the necessity of the investigation and within the scope of confidentiality, may prepare written materials for the individuals involved, which may be reviewed by the perpetrator, victim, or invited persons assisting in the investigation.
4. The university shall keep confidential the names and other identifiable information of the individuals involved, including the complainant, witnesses, and those assisting in the investigation. However, in cases of necessity for the investigation or public interest, this confidentiality requirement may not apply.
5. If the complainant withdraws the investigation request, the university may continue the investigation upon the decision of the Campus Anti-Bullying Response Team or at the request of the perpetrator.

Article 10

Individuals bound by the confidentiality obligation as stated in the fourth clause of the previous article include all personnel involved in the investigation and handling of campus bullying incidents.

Anyone violating the confidentiality obligation shall be punished according to the Criminal Code or other relevant regulations.

The original documents containing the names of the individuals involved, including the perpetrator, complainant, witnesses, and those assisting in the investigation, shall be sealed, and may not be accessed or provided to anyone outside of the investigation or judicial authorities, except as otherwise provided by law.

Personnel handling the investigation of campus bullying incidents may create

additional documents beyond the original ones, in which the real names and other identifiable information of the individuals involved shall be deleted and replaced with pseudonyms.

Article 11 The investigation and handling conducted by the Campus Anti-Bullying Response Team are not affected by the progress and outcome of judicial proceedings related to the incident.

The investigation process mentioned above shall not be suspended even if the perpetrator loses his/her original status.

Article 12 The perpetrators and their legal representatives shall cooperate with the university's investigation process and measures.

If the victim is unwilling to cooperate with the investigation, necessary counseling or assistance should be provided during the investigation process.

Article 13 After completing the investigation, if a campus bullying incident is confirmed, the university shall immediately activate the bullying counseling mechanism and provide continuous support to help the perpetrator improve their behavior. If the perpetrator is not a student of the university, the investigation report and recommendations for counseling or punishment shall be transferred to the perpetrator's current school for further handling.

The counseling mechanism mentioned above shall establish counseling plans for the individuals involved and other related parties. These plans shall clearly outline disciplinary recommendations, necessary measures according to the Article 8, counseling content, division of responsibilities, timelines, and complete counseling records. Regular evaluations should be conducted to assess the progress.

If the individuals involved do not show improvement after regular evaluations, with the consent of their legal representatives, they may be referred to professional counseling, medical institutions for corrective treatment, or social and governmental agencies for counseling and placement. Upon confirming the existence of a campus bullying incident, the university shall review the relevant environment and educational measures, promptly implement improvements, and provide counseling resources to the teachers involved. If the incident is not substantiated, counseling should still be provided to the students according to the Regulations for Teachers in Student Guidance and Counseling.

Article 14 In cases of severe campus bullying incidents, the university shall immediately request assistance from the police, social welfare agencies, or public prosecutors' offices.

Article 15 The university shall inform the complainant and the perpetrator in writing of the investigation results. Along with the notification, a copy of the investigation report shall be provided. The notification should also include information on the appeal process and its deadline.

If the complainant or the perpetrator is dissatisfied with the investigation results, they may submit a written appeal to the university within 20 days from the day following the receipt of the written notification. For those who use oral communication, the university shall make a record of the conversation. After reading or allowing them to read the content, the individuals involved shall confirm its accuracy and sign or affix their seal on the record.

Upon receiving the appeal, the university shall make a decision with reasons attached within 30 days through the Campus Anti-Bullying Response Team and notify the appellant in writing of the appeal results.

Article 16 If the individuals involved are dissatisfied with the university's appeal results on handling the campus bullying incident or the punishment received due to the bullying incident, they may file a complaint following the university's student complaint

procedure or other administrative remedies according to the Administrative Appeals Act or the Administrative Litigation Act.

Article 17 Any matters not covered in these regulations shall be handled in accordance with the Ministry of Education's Guidelines for Preventing Campus Bullying or other relevant regulations.

Article 18 These regulations shall be implemented after approval by the Administrative Meeting.