

銘傳大學學院教師評鑑申覆評議委員會設置章程準則

Ming Chuan University Regulations for Establishing School Faculty Appeal and Review Committee

中華民國103年5月5日法規會書審通過

中華民國103年6月9日行政會議通過

Reviewed and passed by the Regulation Committee on May 5, 2014

Passed at Administrative Council Meeting on June 9, 2014

- 第一條** 為保障教師評鑑權益，依據本校教師評鑑辦法第十八條訂定本章程準則，作為各學院訂定該學院教師評鑑申覆評議委員會設置章程之準據。
- Article 1 To ensure faculty members' rights and benefits, the University has established the Ming Chuan University Regulations for Establishing School Faculty Appeal and Review Committee in accordance with Article 18 of MCU Procedures for Faculty Member Evaluations, as the standard for schools to establish their School Faculty Appeal and Review Committee.
- 第二條** 教師對院評鑑委員會之審查結果有異議時，得於接獲通知十日內，檢具相關資料，以書面向該院教師評鑑申覆評議委員會提出申覆，申覆以一次為限，逾期不予受理。
- Article 2 Faculty members who object to the School (College) evaluation result may raise an appeal to the School (College) Faculty Appeal and Review Committee with relevant documents within ten days of receiving the written notice. Faculty members may only appeal once; late applications will not be accepted.
- 第三條** 學院教師評鑑申覆評議委員會（以下簡稱院申覆會）置委員五至七人，均為無給職，任期二年，由學院遴聘該學院或其他學院專任教師及具法律專業之專任教師至少一位擔任，主席應由當次會議出席委員互選產生。前項委員因故出缺時，繼任委員之任期至原任期屆滿之日止。教師申訴評議委員會委員、該學院之系、院級教師評鑑委員會委員與主席均不得擔任院申覆會委員。主席因故不能主持會議時，由其指定委員一人代理主席。
- Article 3 School Faculty Appeal and Review Committee consists of 5-7 non-paid members who serve two-year terms. The School nominates full-time faculty members of the School or from other Schools, and at least one full-time faculty with legal background. The Chairperson of the School Faculty Appeal and Review Committee is nominated from among current members. Vacancies will be filled by a successor who will serve till the term expires.
- Faculty members who are committee members of the University Faculty Appeal and Review Committee, chairs or members of Department or School Faculty Evaluation Committees cannot be members of a School Faculty Appeal and Review Committee.
- Should circumstances warrant it, the Chairperson may designate a Deputy Chairperson to chair the meeting on his or her behalf.
- 第四條** 提出申覆之教師對院申覆會之評議結果不服者，得於接獲校教師評鑑結果三十日內，向學校教師申訴評議委員會提出申訴。

Article 4 Faculty members who object to a School Faculty Appeal and Review Committee resolution may raise an appeal to the University Faculty Appeal and Review Committee within 30 days upon receiving the university evaluation results.

第五條 申覆書應由申覆人署名，並檢附下列資料：

- 一、原評鑑結果文書
- 二、申覆之事實、理由及證據
- 三、希望獲得之補救
- 四、提起申覆之年月日

Article 5 Statement of Claims should be signed by the claimant, with the required information, as listed below, attached:

1. Evaluation result documentation
2. Facts of, reasoning behind and evidence of the claim
3. Compensation being demanded
4. Date claim has been submitted

第六條 提請申覆不合前條規定者，院申覆會得酌定相當期限，通知申覆人補正。逾期未補正者，院申覆會得逕為評議。

Article 6 If a claim is submitted which does not follow rules established by precedent, the Faculty Appeal and Review Committee may fix an appropriate deadline, allowing time for the claimant to be notified and time for the claimant to submit the required documentation. Should the claimant fail to meet the deadline, the Faculty Appeal and Review Committee may proceed without the requested documents.

第七條 院申覆會會議以不公開舉行為原則。院申覆會會議時，應通知申覆人到場陳述意見。

Article 7 In principle, Faculty Appeal and Review Committee Meetings will not be open to the public. When conducting reviews, School Faculty Appeal and Review Committee should invite the claimant to attend the meeting and provide explanation.

第八條 院申覆會委員對於申覆案件有利害關係者，應自行迴避，不得參與評議。有具體事實足認院申覆會委員就申訴案件有偏頗之虞者，申覆人得向法院申覆會申請委員迴避，並應具體指明其原因事實。前項申請，由院申覆會決議之。

Article 8 Should the Statement of Claims lead to a conflict of interest with a Faculty Appeal and Review Committee member, he or she must excuse him or herself from the session and refrain from becoming involved with the review.

The claimant may request that certain members be excused from the session if he or she can provide sufficient support for his or her claim that a member may be biased.

Such requirement must be submitted for the School Faculty Appeal and Review Committee's resolution.

第九條 院申覆會開會，委員應親自出席會議，經委員二分之一以上出席，始得開議。評議書之決定應經出席委員三分之二以上之同意行之；其他事項之決議以出席委員過半數之同意行之。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。

Article 9 The School Faculty Appeal and Review Committee members must attend the meeting in person. The

meeting may only commence when more than a majority of the total members are present; the Review Statement may only be finalized by consent of two thirds or more of the members present. Resolutions on other matters may be reached by consent of a majority or more of the members present. Should any conflict of interest be found, the vote(s) of the concerned Committee member(s) will not be counted in the resolutions stated above.

第十條 院申覆會之評議決定，以無記名表決方式為之，其評議經過應作成紀錄，呈報學校備查。院申覆會會議委員及與會相關人員對會議內容應嚴守秘密。

Article 10 Resolutions of the School Faculty Appeal and Review Committee are reached through anonymous voting. The review process should be recorded as meeting minutes and send to the university for approval. Committee members and relevant parties should treat the review process as being strictly confidential.

第十一條 院申覆會之決議，應於呈報學校完成備查後七日內以書面通知申覆人。

Article 11 Resolutions of School Faculty Appeal and Review Committee Meeting should be reported to the university for approval. The committee is required to inform the claimant with written statement within 7 days after being approved.

第十二條 院申覆會之評議，應指定人員製作評議紀錄附卷，委員於評議中所持與評議決定不同之意見，經其請求者，應列入紀錄。

Article 12 Staff members must be designated to produce meeting minutes for School Faculty Appeal and Review Committee Meetings, with all relevant documentation attached. Should a committee member disagree with the Committee's resolution, he or she may request that his or her dissent be put on record.

第十三條 本章程經行政會議通過，呈報校長核定後實施，修正時亦同。

Article 13 Upon being passed at the Administrative Council Meeting and approved by the president, these procedures were implemented. Any revision must follow the same procedure.

In the event of any inconsistency or discrepancy between the Chinese and other language versions of this document, the Chinese version shall prevail.