

National Dong Hwa University

Regulations on Teachers' Guidance and Discipline of Students

Article 1

National Dong Hwa University (hereinafter "the University") hereby establishes the "National Dong Hwa University Regulations on Teachers' Guidance and Discipline of Students" (hereinafter "these Regulations") in accordance with Article 32 of the University Act and the Ministry of Education's "Guidelines for Teachers' Guidance and Discipline of Students."

Article 2

Personnel other than teachers who provide guidance and discipline to students (including part-time teachers, substitute teachers, temporary teachers, military instructors or campus security personnel, student affairs innovation personnel, education practicum personnel who actually carry out teaching duties, professional counseling personnel, sports coaches, club advisors, dormitory supervisory and disciplinary personnel, and other guidance and disciplinary personnel) shall be governed by these Regulations mutatis mutandis.

Article 3

A teacher's guidance and discipline of students shall accord with the following purposes:

1. To foster students' good behavior and habits and reduce poor behavior and habits, so as to promote students' physical and mental development and bodily autonomy, stimulate individual potential, cultivate sound character, and guide development suited to each student's aptitude.
2. To cultivate in students an attitude of self-respect, respect for others, self-governance, and self-discipline.
3. To maintain campus safety and protect students from bullying and other harm.
4. To maintain teaching order and ensure the normal conduct of classroom instruction and school educational activities.

Article 4

A teacher's guidance and discipline of students shall be handled in accordance with the following principles:

1. Principle of equality: A teacher may not treat students differently in guidance and discipline without justifiable reason.
2. Principle of proportionality: The guidance and disciplinary measures adopted by a teacher shall be commensurate with the severity of the student's violation, and shall follow these principles:
 - (1) The measure adopted shall be conducive to achieving its purpose.
 - (2) Where multiple measures could equally achieve the purpose, the measure causing the least harm to the student's rights and interests shall be chosen.
 - (3) The harm caused by the measure adopted shall not be clearly disproportionate to the benefit of the purpose to be achieved.

Article 5

Teachers shall provide guidance and discipline to students based on the following fundamental considerations:

1. Respect for students' right to learn, right to education, right to bodily autonomy, and right to personal development.
2. Methods of guidance and discipline shall take into account individual differences in students' physical and mental development and shall be consistent with students' personal dignity.

3. To inspire students' self-awareness, self-reflection, and self-control.
4. Students' good behavior and their gradual reduction of poor behavior shall be met with ample praise, encouragement, and commendation.
5. Students shall be taught positive thinking and coping methods for use when they are not encouraged or are criticized, so as to cultivate their resilience to setbacks and strength of character.
6. No student or the entire class may be punished for the fault of one individual or a few individuals.
7. Any reasonable restriction of a student's right to education shall be carried out in accordance with relevant laws and regulations, and shall not entirely deprive the student of the right to education.
8. Guidance and discipline may not take the form of infringing on a student's property rights (such as fines); this does not, however, apply to requiring a student to make lawful compensation for damage to public property or the property of others.

Article 6

Personal or family information that a teacher obtains in the course of providing guidance to a student may not be disclosed or divulged to outside parties except as provided by law.

Article 7

Teachers shall provide life guidance to students by means such as correspondence, interviews, or home visits, and shall make a record thereof when necessary. Where a student's physical or mental condition is unusual and professional assistance is required, the teacher shall proactively request assistance from the University's Counseling and Guidance Center or other relevant units.

Article 8

The school and its teachers shall provide appropriate guidance or discipline where a student engages in any of the following conduct:

1. Violating laws, regulations, or local self-government ordinances.
2. Violating school rules established through lawful procedures.
3. Endangering campus safety.
4. Obstructing the normal conduct of classroom teaching or student educational activities.

Article 9

Where a student engages in any of the following conduct and the danger cannot be stopped, removed, or prevented except by the immediate application of physical restraint on the student, a teacher may take necessary restraining measures, which shall not be treated as punishment:

1. Attacking a teacher or another person, damaging public property or the property of others, or where there is a risk of such attack or damage.
2. Attempting suicide or self-harm, or where there is a risk thereof.
3. Carrying or improperly using, without justifiable reason, any prohibited item listed in Item 1 of Article 12 of these Regulations, where there is a risk of harm to the life or body of another person.
4. Any other ongoing conduct or factual circumstance endangering campus safety or a person's life, body, liberty, or property.

Article 10

Where a teacher's disciplinary action is ineffective, or a student refuses to comply with discipline in a manner that clearly disrupts an ongoing activity, the teacher shall notify the University's Office of Student Affairs for assistance in removing the student from the scene. In urgent circumstances, the Office of Student Affairs shall dispatch personnel to assist, and may not refuse to do so without justifiable reason. Where there is a risk of harm to the life or body of another person, the student may be forcibly removed from the scene, and assistance may be sought from relevant off-campus agencies. In such cases, the teacher shall inform the Office of Student Affairs of the guidance and disciplinary measures already taken, or provide the relevant records, for the reference of the agencies described

above.

Article 11

Where a teacher discovers that a student is carrying or using any of the following illegal items, the teacher shall promptly notify the University's Office of Student Affairs, which shall immediately notify the police for handling. However, in urgent circumstances, necessary measures may be taken as the situation warrants:

1. Firearms, ammunition, or controlled knives as defined under the Controlling Guns, Ammunition and Knives Act.
2. Narcotics, controlled drugs, and related paraphernalia for their use, as defined under the Narcotics Hazard Prevention Act.

Article 12

Where a teacher discovers that a student is carrying or using any of the following prohibited items, the items shall be handed over to the University's Office of Student Affairs for temporary safekeeping. The Office of Student Affairs shall, depending on the severity of the case, notify the student's parent or guardian to retrieve the items. However, where the Office of Student Affairs determines that any of the following items must be confiscated or forfeited pursuant to relevant laws, the matter shall be referred to the relevant competent unit for handling:

1. Knives, chemical agents, or other dangerous items posing a risk of harm to the life or body of another person, other than those listed in Article 11 of these Regulations.
2. Obscene or violent books, pictures, films, or other materials.
3. Cigarettes, alcohol, betel nut, or other items harmful to students' health.
4. Other prohibited items as provided by law or regulation.

Article 13

For a student who has been punished for a serious violation, a teacher shall handle the matter in accordance with the Student Guidance and Counseling Act and other relevant laws and regulations.

Article 14

Matters requiring attention in a teacher's guidance and discipline of students:

1. Corporal punishment and bullying of students are prohibited.
2. Unlawful punitive conduct shall be avoided.
3. Conduct that would give rise to liability under administrative penalty law or state compensation liability shall be avoided.
4. Conduct that infringes a student's rights and gives rise to civil tort liability for damages shall be avoided.

Article 15

Where a teacher engages in corporal punishment, bullying, improper discipline, or other unlawful punishment of a student, the school shall, depending on the severity of the case, impose appropriate sanctions or other penalties in accordance with the Teachers' Act, the Regulations Governing Teacher Performance Evaluation, and other relevant provisions.

Article 16

A student who considers a school decision, disciplinary action, or resolution concerning them to be unlawful or improper, and to have caused harm to their rights or interests, may file an appeal in accordance with the University's Student Appeal Regulations.

Article 17

Where a teacher, in the course of lawfully disciplining a student, becomes involved in a dispute, administrative litigation, or other judicial proceeding with the student's legal representative or actual caregiver, the school shall, upon the teacher's request, provide the necessary assistance.

Article 18

These Regulations shall take effect upon approval by the University Affairs Council; the same procedure shall apply to any amendment.