

Attachment

Acts and Regulations Related to University Presidential Search

University Act

Article 8

A university may appoint one president responsible for the overall management of the university and development of academic affairs, and represents the university externally. Deputy presidents shall be appointed by the president to assist with the promotion of academic affairs; the number, tenure and qualifications of the deputy presidents shall be stipulated according to organizational regulations.

The position of president of a university may also be taken by foreign professionals according to related laws and shall not be bound by stipulations concerning nationality and employment in Nationality Act, Private Institute Act and Employment Service Act.

Article 9

To appoint a new president to a university, the university shall organize a President Select Committee 10 months prior to the end of the incumbent President's tenure, after the new president is selected through public procedure, he or she shall be appointed by the Ministry of Education or the local government.

The proportion and means of selecting different members of the committee referred to in the previous paragraph shall be as follows:

1. Representatives of the university recommended by an academic affairs meeting shall take up 2/5 of all numbers.
2. Institute fellow representatives recommended by the university and social justice defenders shall take up 2/5 of all numbers.
3. Other commissioners shall be representatives selected by the Ministry of Education or the local government.

Regulations of the organization, operation and other proceedings of the President Select Committee of public universities shall be approved by

Ministry of Education (for national universities) or local governments (for universities of municipalities or counties/cities) or before being selected by the board of directors a Select Committee organized by the boards of directors (private universities), and then be reported to the Ministry of Education for approval before implementation.

The representatives of either sex shall take up a third or more of all numbers of the President Selection Committee.

The tenure for presidents of public universities shall be 4 years, and the president may be reappointed upon expiry of the tenure; the procedure, times of reappointment and methods of decommission before the expiry shall be stipulated in the organization procedure of the universities; the tenure and reappointment of private universities shall be stipulated in the organizational procedure of the universities.

The Ministry of Education and the local government shall carry out an evaluation on the president 10 months prior the expiry of his/her tenure as reference to make a decision about reappointment.

Any university, which has followed former regulations in organizing the President Selection Committee and conducting the procedure of the President Selection prior to the promulgation of this Article as amended on January 10, 2011, may continue the unfinished procedure and be exempted from the sexual proportion restrictions as provided in paragraph 4 of this Article as amended.

to the expiry of their term of office and use the results when deciding whether to reappoint that president for a further term.

A president of a public university who states that they do not want to extend their term of office during the course of the performance assessment by the Ministry of Education or by the local government referred to in the previous paragraph, or who fails to satisfactorily pass the performance assessment, is not permitted to participate in the selection process for the next president of that same university.

Act of Governing the Appointment of Educators

Article 2

The term “educators” mentioned in the Act refers to the principals, teachers, staff and athletic coaches of all levels of public schools, the professionals of social education institutions, and the researchers of the

academic research institutions subordinate to all levels of the government agencies in charge of education administration (hereinafter referred to as the “academic research institutions”).

Article 3

The appointment of educators should be based on educators’ morals and loyalty to the country. Educational background, experience, capability and physique thereof should meet the type and nature of the function that the educator prepares to perform. The emphasis should be placed on leadership for the appointment of principals/presidents at all levels of school as well as directors for education institutions and academic research institutions.

Article 10

Presidents of universities should meet one of the requirements in Item 1 and Item 2 below:

1. Eligibility (meet any of the following qualifications):

(1) Academician at Academia Sinica

(2) Professor

(3) Prior teaching and academic research experience equivalent to that required of a professor

2. At least three years of experience, accumulative, as a director in schools, government agencies, or in other state-owned or private business entities

Other than the requirements mentioned in the individual items of the preceding paragraph, college presidents shall hold a doctoral degree and have worked in the professional field of which the nature relates to that of the intended college, or the selected appointment rank of 12th grade or above, or its equivalent, in the field of education administration for at least six years, accumulative.

Presidents of universities and colleges should meet the requirements in the preceding two paragraphs. Individual universities and colleges may establish additional eligibility requirements, according to their needs, and specify these requirements in Articles of Organization.

Article 31

A person to whom any one of the following situations pertains may not be employed as an educator; if such a person has already been appointed the matter shall be reported to the competent education administrative authority and if it ratifies the decision, the person shall be dismissed or discharged from their post:

1. Having been convicted of a crime threatening civil security domestically or from abroad, or a warrant having been issued for their arrest for such a crime with the case still pending.
2. Having been found guilty and convicted or currently subject to an arrest warrant for a case that is still pending for corruption or negligence while employed in civil service.
3. Having been found guilty and convicted of a breach of Article 2, Paragraph 1 of the Sexual Assault Crime Prevention Act
4. Having been dismissed from employment in accordance with the law, or currently still undergoing a period of suspension from employment as a disciplinary measure, or having been suspended from employment because of some incident, with the case not yet resolved.
5. Having been deprived of civil rights and their rights having not yet been reinstated.
6. Having been made subject to a guardianship or assistance order which has not yet been revoked.
7. Having been certified by a qualified physician as having a mental disorder and having not yet recovered from it.
8. Having had the Gender Equity Education Committee of the educational institution or another appropriate committee set up in accordance with the law investigate and verify their having committed a sexual assault.
9. Having being the Gender Equity Education Committee of the educational institution or another appropriate committee set up in accordance with the law investigate and verify their having committed sexual harassment or sexual bullying, of a serious nature.
10. Upon becoming aware of a suspected sexual assault incident on the campus where the educator is employed, failing to report the matter in accordance with the provisions of the Gender Equity Education Act,

thereby leading to a subsequent sexual assault on campus; or forging, altering, destroying, or concealing evidence of any such assault committed by any other person, where any such failure to report or forging, altering, destroying, or concealing of evidence has been investigated and verified by the authorities concerned.

11. Forging, altering, or destroying evidence of any other person committing any criminal offence involving narcotics or hazardous drug on campus, where the matter has been investigated and verified by the authorities concerned.

12. Inflicting corporal punishment on or bullying one or more students, causing severe physical or mental injury.

13. Having behaved in breach of any law, where the matter has been investigated and verified by the authorities concerned.

With the exception of any case where the circumstances constitute a serious offence and a teacher shall be dealt with in accordance with the provisions of Article 14 of the Teachers Act, if an educator is in the situation stipulated in Subparagraph 13, they shall be dismissed or suspended for a period of between one to four years based on taking into consideration the nature of the offence; during that time that person may not be re-employed as an educator. The decision shall be reported to the competent education administrative authority to ratify.

When the educator referred to in Paragraph 1 is a university or college president or a school principal, the competent education administrative authority shall dismiss the person. When the educator has been involved in the conduct outlined in Subparagraph 8 or Subparagraph 9, the matter shall be investigated by the Committee for Gender Equity Education of the competent authority or by another appropriate committee set up in accordance with the law.

When an educator is charged with a sexual assault, during the course of the investigation or court proceedings, the competent education administrative authority or the educational institution may make a formal request of the judicial authorities to provide it with information about the case and to be notified of the court's decision, unless doing so would obstruct the secrecy of an investigation, undermine investigation of a

separate case, violate statutory duties of confidentiality, or compromise the right of the defendant to defend themselves.

To avoid appointing educators to whom any of the situations specified in Subparagraphs 1 to 12 of Paragraph 1 or in the last part of Paragraph 2 pertain, each competent authority and educational institutions at all levels shall undertake reporting, information collection, and inquiries in accordance with regulations. The regulations governing the reporting, information collection, inquiries, and other matters that must be complied with shall be prescribed by the Ministry of Education.

With the exception of any person who has committed a sexual assault; or sexual harassment or sexual bullying which constitutes a severe breach of the law; or who has caused severe physical or mental injury to one or more students as a result of corporal punishment or bullying, any educator who was investigated and verified by the authorities concerned to have impaired their professional dignity and status as an educator by behaving improperly and was therefore dismissed or did not have their appointment renewed before the Amendment to the Act of Governing the Appointment of Educators took effect on January 3, 2014 , may be re-employed as an educator after at least four years from the date of effect of their dismissal or the non-renewal of their contract.

Article 33

Those who fail to work due to chronic illness or have served civil service but fail to hand over the duties thereof may not be appointed as educators. Those who reach the retirement age may not be appointed as full-time educators.

Article 36

Principals of schools at all levels work by terms. The regulations concerning the terms shall be enacted by the Ministry of Education.

When the principals who have held a Teacher's Certificate have served their terms, they shall be exempt from deliberations by the Teacher Evaluation Committee for resuming the position of teacher according to the following:

1. Presidents of junior colleges and above shall resume their teaching positions at the original institutions.
2. Principals of senior high schools and lower-level schools shall follow respective laws/regulations governing the schools.

Enforcement Rules of Act Governing the Appointment of Educators

Article 13

The “experience in a supervisory position in a school, government agency, or other state-owned or private enterprise or institution” referred to in Articles 8 and 10 of the Act refers to meeting one of the following criteria:

1. having held a supervisory position of a unit at the first administrative level or higher in an educational institution of at least junior college level, as stipulated in the rules and regulations governing that educational institution’s organization.
2. having been in a supervisory position at Academia Sinica of a unit at the first administrative level or higher as stipulated in the rules and regulations governing Academia Sinica’s organization.
3. having been in a supervisory position at the recommended appointment rank of grade 9 or above or its equivalent, at a government agency or state-owned enterprise or institution.
4. having been in a supervisory position at a privately run enterprise or institution that meets one of the following criteria:
 - (1) being registered with the competent authority and having paid-in capital of NTD 80 million or more, and the supervisory position being of a unit at the first administrative level or above.
 - (2) being a hospital that is registered with the competent authority and that meets the Establishment Guidelines for General Hospitals prescribed by the competent health authority, and the supervisory position held being at the first administrative level or above.

NTU Organizational Regulations

Article 6

The University will appoint one president who will be responsible for the overall management of the University and development of academic affairs, and who will represent the University externally.

The position of president of the University may be held by qualified foreign nationals subject to related laws, and is not bound by the stipulations concerning nationality and employment in the Nationality Act and Employment Service Act.

The term of office of the President is four years, renewable twice at most upon expiry of the term. The appointment and the term of office generally will begin from August 1 or February 1.

Article 7

The President of the University shall be selected by the Presidential Search Committee duly formed according to the NTU Organizational Regulations, and reported to the Ministry of Education for appointment. The renewal of term proposal shall be presented to the University Affairs Meeting for deliberation one year prior to the end of the incumbent President's term.

In the event that the incumbent President does not seek reappointment, the President should announce that decision at the University Affairs Meeting 14 months prior to the end of his or her term of office. A presidential search should then be initiated according to the NTU Organizational Regulations.

If the incumbent President wishes to stand for reappointment, the President should report his or her willingness to continue to the Ministry of Education 14 months prior to the end of the President's current term.

The President shall prepare a written report describing his or her presidential accomplishments. The report is to be circulated to the delegates of the University Affairs Meeting to facilitate deliberations concerning their recommendation of reappointment.

The proposal for first term renewal shall be approved by more than half of the University Affairs Meeting delegates. The proposal for second term renewal shall be approved by two thirds or more of the University Affairs

Meeting delegates. If the President's term renewal proposal is not approved, a new president shall be sought and elected according to the NTU Organizational Regulations.

The University Affairs Meeting should refer to the results of the appraisal conducted by the Ministry of Education when discussing and voting for presidential term renewal.

Term renewal of a president appointed before the enactment of any modifications to the NTU Organizational Regulations shall be processed according to the stipulations in the current NTU Organizational Regulations.

Article 8

The University's Presidential Search Committee shall be organized 10 months prior to the end of the incumbent President's term or within two months after the presidency falls vacant owing to unforeseen circumstances.

The Presidential Search Committee shall consist of 21 members, and shall include nine University delegates elected by the University Affairs Meeting, nine alumni representatives and disinterested community members recommended by the University, and three representatives selected by the Ministry of Education. The Chair of the Committee shall be elected from among the Committee members. The organizational and operational guidelines of the Committee may be additionally prescribed by the University Affairs Meeting.

The Presidential Search Committee should complete the presidential search process three months prior to the end of the incumbent President's term or within seven months after the presidency becomes vacant.

NTU Regulations for the Presidential Search Committee

Article 13

Presidential candidates should comply with the regulations governing presidential appointments at national universities in Taiwan, as well as conform to the following requirements:

- (1) Moral integrity and outstanding academic achievements
- (2) Administrative skills in education
- (3) Administer matters impartially and beyond the interests of any political group

Presidential candidates should consent to fully commit themselves to university affairs during their term of university presidency and should not hold any post in any political party.