Content

Title：	Gender Equity Education Act Ch
Date：	2022.01.19
Legislative：	1.Presidential Decree Hua Zong Yi.Yi.Zi. No. 09300117611 issued June 23, 2004: promulgation of complete text of 38 articles, taking immediate effect. 2.Presidential Decree Hua Zong Yi.Yi.Zi. No. 09900125131 issued May 26, 2010: Amendments to Articles 34 and 36, taking immediate effect. 3.Presidential Decree Hua Zong Yi.Yi.Zi. No.10000131071 issued June 22, 2011: Amendment of Article 2; Articles 12 to 14; Articles 20 to 28; Article 30; Article 36; Article 38; and of the title of Chapter 4; and Addition of Articles 14-1 and Article 36-1, with the date of effect to be determined by the Executive Yuan. Executive Yuan Order Yuan.Tai.Zi No.1000060556 issued November 15, 2011: with the exception of Article 36-1, all Amendments issued June 22, 2011 to take effect November 15, 2011. Executive Yuan Order Yuan.Tai.Zi No.1000068428 issued December 30, 2011: Article 36-1 to take effect December 2, 2011. 4.Presidential Decree Hua Zong Yi.Yi.Zi. No. 10200225121 issued December 11, 2013: Amendment to Article 25. 5.Announced on Dec.28, 2018. 6.Presidential Decree Hua Zong Yi.Yi.Zi. No.11100003411 issued January 19, 2022: Amendment to Article 27-1 and Article 30.
Content：	Chapter 1 General Provisions Article 1 This Act is prescribed in order to promote substantive gender equality, eliminate gender discrimination, uphold human dignity, and improve and establish education resources and environment of gender equality. For matters not set forth in this Act, the relevant provisions of other laws shall govern. Article 2 The following terms that appear in this Act are hereby defined: 1. Gender equity education: to generate respect for gender diversity, eliminate gender discrimination and promote substantive gender equality through education. 2. School: public and private schools of all levels. 3. Sexual assault: any sexual offense defined by the Sexual Assault Prevention Act. 4. Sexual harassment: cases described by the following and do not constitute as sexual assaults: i) Unwelcome remarks or conducts that carry explicitly or implicitly a sexual or gender discriminating connotation and thereby adversely affect the other party’s human dignity, or the opportunity or performance of her or his learning or work. ii) A conduct of sexual or gendered nature that is served as the condition for oneself or others to gain or lose rights or interests in learning or work. 5. Sexual bullying: ridicule, attacks, or threats directed at another person’s gender characteristics, gender temperaments, sexual orientation, or gender identity by using verbal, physical or other forms of violence will be under the category of sexual bullying not sexual harassment. 6. Gender Identity: an individual’s awareness and acceptance of his or her own gender. 7. Sexual assault, sexual harassment, or sexual bullying on campus: sexual assault, sexual harassment, or sexual bullying that involves a school’s principal, faculty or staff member, or a student as one party and a student as the other party.

Article 3
The term competent authority used in this Act is referred to the Ministry of Education at the central government level, the municipal government at the municipal level, and the county or city government at the county or city level.
Article 4
The central competent authority shall establish a gender equity education committee whose tasks include:
1. Draft laws, regulations, policies and annual projects related to gender equity education at national level.
2. Coordinate and integrate related resources, assist and fund the regional competent authority and schools and social education institutions under its jurisdiction in order to implement and develop gender equity education.
3. Supervise and evaluate gender equity-related activities carried out by the regional competent authority, schools and social education institutions under its jurisdiction under its jurisdiction.
4. Promote research and development of curricula, teaching, and assessments on gender equity education and related issues.
5. Plan and implement gender equity education personnel training programs.
6. Provide consultation services related to gender equity education, and investigate and handle cases pertinent to this Act.
7. Promote gender equity in family education and social education at national level.
8. Other matters related to gender equity education at national level.
Article 5
The competent authority of the municipal government at municipal level and the county or city government at county or city level shall establish a gender equity education committee whose tasks include:
1. Draft regional laws and regulations, policies and annual projects related to gender equity education.
2. Coordinate and integrate related resources, assist and fund the regional competent authority and schools and social education institutions under its jurisdiction in order to implement and develop gender equity education.
3. Supervise and evaluate gender equity-related activities carried out by schools and social education institutions under its jurisdiction.
4. Promote research on curricula, teaching, and assessments on gender equity education and related issues.
5. Provide schools and social education institutions under its jurisdiction consultation service related to gender equity education, and investigate and handle cases pertinent to this Act.
6. Implement in-service education programs for faculty and personnel in schools under its jurisdiction.
7. Promote gender equity in family education and social education.
8. Other regional matters related to gender equity education.
Article 6
The school shall establish a gender equity education committee whose tasks include:
1. Integrate related resources in various departments of the school, draft gender equity education projects, and implement and examine the results of the projects.
2. Plan and implement activities related to gender equity education for students, staff, faculty, and parents.
3. Research, develop and promote courses, teaching, and assessments on gender equity education.
4. Draft and implement regulations on gender equity education and prevention of sexual assault and sexual harassment on campus, establish mechanisms to coordinate and integrate related resources.
5. Investigate and handle cases pertinent to this Act.
6. Plan and establish a safe and gender-fair campus.
7. Promote gender equity in family education and social education at community level.
8. Other matters related to gender equity at school or community level.
Article 7
The gender equity education committee of the central competent authority shall consist of seventeen to twenty-three members, who shall serve for specific terms. The Minister of Education shall be chair of the committee.

At least half of the committee members shall be women. Experts, scholars, NGO/NPO representatives and practitioners from fields related to gender equity education shall make up at least two-thirds of the committee members.
The aforesaid committee shall hold at least one meeting every three months, and appoint staffer(s) ad hoc to handle related matters. Matters regarding the organization and meetings of the committee and other related affairs shall be prescribed by the central competent authority.
Article 8
The gender equity education committee of the municipal government and county or city level shall consist of nine to twenty-three members, who shall serve specific terms. The mayor of the municipality, the magistrate of the county or the mayor of the city government shall be chair of the committee. At least half of the committee members shall be women. Experts, scholars, NGO/NPO representatives and practitioners from fields related to gender equity education shall make up at least one-third of the committee members.
The aforesaid committee shall hold at least one meeting every three months, and appoint staffer(s) ad hoc to handle related matters. Matters regarding the organization and meetings of the committee and other related affairs shall be prescribed by the competent authorities at municipal, or county or city level.
Article 9
The gender equity education committee of the school shall consist of five to twenty-one members, who shall serve specific terms. The school principal or president shall be chair of the committee, and at least one half of the committee members shall be women. Representatives of faculty, staff, parents, students, and experts with gender equity consciousness, and scholars from fields related to gender equity education may be invited to be committee members.
The aforesaid committee shall hold at least one meeting every three months, and appoint staffer or teacher ad hoc to handle related matters. Matters regarding the organization and meetings of the committee, and other related affairs shall be prescribed by the school.
Article 10
The competent authority at central, municipal, county or city shall designate budgeting in accordance with all the projects planned by its gender equity education committee.
Article 11
The competent authority shall supervise schools, social education institutions, or institutions under its jurisdiction to carry out tasks pertinent to gender equity education, as well as provide assistance where necessary. Those who accomplish significant achievements shall be awarded, whereas those who have substandard achievements shall be corrected and supervised for improvement.
Chapter 2 Learning environment and resources
Article 12
The school shall provide a gender-fair learning environment, respect and give due consideration to students, faculty, and staff with different gender, gender temperaments, gender identity, and sexual orientation. Moreover, it shall establish a safe campus environment.
Article 13
The school shall not discriminate against a prospective student during recruitment or evaluation of applications for admission on the basis of his or her gender, gender temperaments, gender identity or sexual orientation. With the approval of the competent authority, this requirement will not apply to schools, classes and curricula with a specific historical tradition, special education objectives, or other reasons unrelated to gender.
Article 14
The school shall not discriminate against students on the basis of their gender, gender temperaments, gender identity, or sexual orientation in its instruction, activities, assessments, rewards and penalties, benefits, or services. This requirement does not apply to matters suitable only to persons of a specific gender, gender temperaments, gender identity, or sexual orientation.

The school shall proactively provide assistance to students who are disadvantaged due to their gender, gender temperaments, gender identity, or sexual orientation with the aim of improving their circumstances.
Article 14-1
The school shall proactively protect the right to education of pregnant students, and provide needed assistance.
Article 15
Gender equity education shall be included in pre-service training of staff members, orientation training of new staff members, in-service education program and preparation program for educational administrators, the same in professional teacher training programs in colleges and universities.
Article 16
At least one-third of members of Staff Appraisal Committee, Grievance Review Committee, and Faculty Evaluation Committee at the school level, as well as the Faculty Grievance Review Committee of the competent authority at the central, municipal and county or city level, shall consist of either sex. This requirement need not apply to schools whose number of faculty members of either sex is lower than one-third of the total number of Faculty Evaluation Committee members.
The school and competent authority shall complete reorganization of committees according to the aforesaid regulations within one year from the effective date of this Act.
Chapter 3 Curriculum, teaching materials and instruction
Article 17
The school shall design curriculum and activities to encourage students to develop their potential and shall not discriminate students on the basis of their gender.
Elementary and junior high schools, in addition to integrating gender equity education into their curriculum, shall provide at least four hours of courses or activities on gender equity education each semester.
Senior high schools shall integrate gender equity education in their curriculum, the same as the five-year junior colleges in the first three years of their curriculum.
Universities and colleges shall offer a wide range of courses on gender studies.
Schools shall develop course planning and assessment methods in accordance to principles of gender equity education.
Article 18
The compilation, composition, review and selection of course materials shall comply with the principles of gender equity education. The content of teaching materials shall present fairly on the historical contributions, life experiences of both sexes, and diverse gender perspectives.
Article 19
When using teaching materials and engaging in educational activities, teachers shall maintain gender equity consciousness, eliminate gender stereotypes, and avoid gender prejudice and discrimination.
Teachers shall encourage students to take courses in fields that are not traditionally affiliated with their gender.
Chapter 4 Prevention and handling of sexual assault, sexual harassment, and sexual bullying on campus
Article 20
The central competent authority shall prescribe regulations to prevent and handle sexual assault, sexual harassment, or sexual bullying on campus. Such regulations shall contain campus safety plans, matters needing attention regarding instruction and interpersonal interaction on and off campus, and handling mechanisms, procedures, and relief for a case of sexual assault, sexual harassment, or sexual bullying on campus.
The school shall prescribe and promulgate prevention and handling regulations for the aforesaid regulations.
Article 21
Should the principal, faculty or staff member knows of an incident of suspected sexual assault, sexual harassment, or sexual bullying occurring at the school where they are employed, they shall report the incident in fulfillment of their responsibilities as stipulated by the school’s regulations, and in accordance with the Sexual Assault Crime Prevention Act, The Protection of Children and Youths Welfare and Rights Act, People

with Disabilities Rights Protection Act, and other pertinent laws and regulations. In addition, they shall also report the incident to the school and the competent authority of the municipality, county (or city) with direct jurisdiction, no later than twenty-four hours upon knowing of the incident.
The principal, faculty or staff member of the school shall not falsify, modify, destroy, or conceal evidences of incidents of sexual assault, sexual harassment, or sexual bullying on campus committed by others.
In handling incidents of sexual assault, sexual harassment, or sexual bullying on campus, the school or competent authority shall turn over the case to its Gender Equity Education Committee for investigation and handling. No person shall establish any other means of investigation, and the results of investigations conducted by violators shall be null and void.
Article 22
In handling campus sexual assault, sexual harassment, or sexual bullying cases, the school or competent authority shall be objective, fair and professional, allowing both involved parties sufficient opportunities to make their statements and respond to allegations. Repetitive interrogation shall be avoided.
The party's and complainant's name and other information that may lead to personal identification shall be kept confidential, except for investigation necessity or public safety concerns.
Article 23
In handling incidents of sexual assault, sexual harassment, or sexual bullying on campus, the school or competent authority shall take necessary measures for the protection of the involved party's right to education or employment.
Article 24
In handling incidents of sexual assault, sexual harassment, or sexual bullying on campus, the school or competent authority shall inform the victim or his/her guardian of his/her rights and relief, or refer him/her to relevant institutions. Psychological counseling, protective measures, or other assistance shall be provided where necessary. When the complainant reporting an incident may be threatened, protective measures or other assistance shall be provided.
The school or competent authority shall appoint a physician, clinical psychologist, counseling psychologist, social worker, or lawyer to provide the aforementioned psychological counseling, protective measures, or other assistance.
Article 25
Once an incident of sexual assault, sexual harassment, or sexual bullying on campus has been investigated and established as having actually occurred by the school or competent authority in accordance with the pertinent laws or regulations, the school or competent authority shall itself impose a formal reprimand, demerit, dismissal, suspension, non-renewal of contract, discharge from employment, termination of a contractual relationship, termination of a service relationship, or some other appropriate penalty on the offender, or transfer him or her to another authorized agency with the jurisdiction to do so.
When handling sexual harassment, or sexual bullying incidents, the school, competent authority, or other authorized agency with the jurisdiction to take disciplinary measures and impose penalties shall in addition order that the offender receive psychological counseling, and may also order that he or she is subject must comply with one or more of the following measures:
1. Apologize to the victim, if the victim or his or her guardian gives consent.
2. Attend eight hours of gender equity education related courses.
3. Other measures that serve an educational purpose.
The school or competent authority shall appoint a physician, clinical psychologist, counseling psychologist, social worker, or lawyer to provide the aforementioned psychological counseling.
In cases in which the incident of sexual harassment or sexual bullying on campus was not serious in nature, the school, competent authority, or authorized agency may just act in accordance with the stipulations of

Paragraph 2, as the necessary element of handling the matter.
When any disciplinary measure referred to in Paragraph 1 involves a change to the offender's status, the offender shall be given an opportunity to make a written statement presenting his or her views.
Any disciplinary measure listed in Paragraph 2 shall be implemented by the school or competent authority that imposes it, and when doing so, the school or competent authority shall take all necessary measures to ensure the offender's full cooperation and compliance.
Article 26
During the investigation of a case of sexual assault, sexual harassment, or sexual bullying on campus, the school or competent authority may make public a description of pertinent matters, handling methods, and principles where necessary. After the case has been closed and upon the approval of the victim or his or her guardian, the school or competent authority may also make public whether the case is established, the type of the case, and handling method of the case. Party names and other information that may lead to their identification shall not be revealed.
Article 27
The school or competent authority shall establish a database on incidents of sexual assault, sexual harassment, or sexual bullying on campus, as well as profiles of offenders.
If the offender is a student and transfers to another school for studies, the former competent authority and the school where the offender originally studied shall, in such cases as they consider there to be a need for follow-up counseling, notify the new school where the offender studies within one month of the date of knowing such transfer.
If the offender is not a student and transfers to another school for employment, the former competent authority and the school where the offender was originally employed shall provide follow-up counseling, and notify the new school where the offender is employed within one month of the date of knowing such transfer.
The notified school described in the previous two Paragraphs shall keep track of the offender and provide counseling where necessary. The school shall not reveal the offender's name or other information that may lead to his or her identification without legitimate reason.
The establishment, means of retention, duration of retention, destruction, and use of the database mentioned in Paragraph 1, and the school notification and other pertinent matters mentioned in Paragraphs 2 and 3, shall be prescribed in accordance with the principles of prevention prescribed in Article 20, Paragraph 1.
Article 27-1
If an investigation conducted by the gender equity education committee of an educational institution or by an appropriate committee set up in accordance with the law confirms that any of the circumstances listed below apply to an educator that the educational institution has appointed or employed, or to some other staff member with whom the educational institution has entered a contract or whose services it has engaged, the educational institution shall dismiss the person, revoke their appointment, terminate the contractual relationship, or terminate the service relationship, as applicable:
1. The person has committed sexual assault, or committed sexual harassment or sexual bullying of a serious nature.
2. The person has committed sexual harassment or sexual bullying not of a serious nature, but the educational institution determines it necessary to dismiss the person, revoke their appointment, terminate the contractual relationship, or terminate the service relationship, as applicable, and after examining and considering the circumstances of the case, shall formally decide on a period of between one and four years during which time, the educational institution is not permitted to appoint, employ, enter into a contract with, or engage the services of that person.
A person involved in any circumstances referred to in Subparagraph 1 of the previous paragraph apply, any educational institution at any level is not permitted to appoint, employ, enter into a contract with, or engage the services of that person. If such a person has already been appointed, employed, entered into a contract with, or had their services engaged, the educational institution shall revoke the appointment, discharge the person

from employment, terminate the contractual relationship, or terminate the service relationship, as applicable. The same shall apply in the case of a person involved in any circumstances described in Subparagraph 2 of the previous paragraph and a period of between one and four years has been formally decided on, during which time an educational institution is not permitted to employ, appoint, enter into a contract with, or engage the services of that person.

If the gender equity education committee of an educational institution has investigated and verified that a personnel member to whom the dismissal from employment, revocation of appointment, or termination of a contractual or service relationship referred to in the provisions of Paragraph 1 do not apply has committed sexual assault, or committed sexual harassment, or sexual bullying, or acted in violation of the Child and Youth Sexual Transaction Prevention Act or the Child and Youth Sexual Exploitation Prevention Act, of a serious nature, then that person is not permitted to be employed, appointed, entered into a contract with, or have their services engaged. If such a person has already been employed, appointed, entered into a contract with, or had their services engaged, the educational institution shall dismiss the person, revoke their appointment, or terminate the contractual or service relationship, as applicable. The same shall apply if the gender equity education committee of an educational institution has investigated and verified sexual harassment, or sexual bullying, or violation of the Child and Youth Sexual Transaction Prevention Act or the Child and Youth Sexual Exploitation Prevention Act, that was not of a serious nature was committed and has formally decided on a period of between one and four years, during which time an educational institution is not permitted to employ, appoint, enter into a contract with, or engage the services of that person.

The competent authorities and educational institutions at all levels shall undertake reporting, and collection and checking of information regarding any persons to whom any of the circumstances referred to in the previous three paragraphs apply.

Before appointing or employing any educator, or entering a contract with or engaging any other staff member, an educational institution shall, in accordance with the provisions of the Sexual Assault Crime Prevention Act, check whether or not the candidate has any record of criminal sexual assault, and in accordance with the regulations referred to in Paragraph 7, shall check whether the candidate has ever committed any sexual assault, sexual harassment, or sexual bullying, or acted in violation of the Child and Youth Sexual Transaction Prevention Act or the Child and Youth Sexual Exploitation Prevention Act. Such checks shall be undertaken on a regular basis of persons already employed, appointed, entered into a contract with, or whose services are being engaged.

When assisting educational institutions to undertake the checking referred to in the preceding paragraph, the competent authorities at each level may use the database of persons who have been subject to an administrative penalty that was compiled by the central competent social welfare authority, in accordance with the provisions of the Child and Youth Sexual Exploitation Prevention Act, or Article 20 of the Sexual Harassment Prevention Act.

The regulations governing the reporting, and the collection, checking, handling, and use of information, and other related matters referred to in the previous three paragraphs shall be prescribed by the central competent authority.

The revocation of appointment, suspension of appointment, discharge from employment, permanent dismissal from employment, suspension of employment, or discharge from military service of personnel referred to in Paragraphs 1 to 3 to whom the Teachers' Act, the Act Governing the Appointment of Educators, relevant laws governing civil servants, or relevant laws governing military personnel are applicable shall be conducted in accordance with the applicable provisions of those laws, and the provisions of Paragraph 4 and of subsequent paragraphs up to the immediately previous paragraph. In cases where dismissal, revocation of appointment, permanent dismissal from employment, or discharge from military service has not occurred, the person shall be transferred away from their current position at the educational institution.

For any personnel member not referred to in the previous paragraph who has been involved in any of the circumstances referred to in Paragraph 1 or Paragraph 3, during the investigation period the educational institution or the competent authority shall order the person to be temporarily suspended from employment following a resolution by the gender equity education committee; if the reason(s) for the temporary suspension of employment ceases to exist and the person is reinstated, any salary that they were not paid during the suspension period shall be paid to the person in arrears in accordance with the provisions of relevant regulations.

Article 28

When the school violates regulations in this Act, the victim or his or her guardian may apply for an investigation to the competent authority supervising the school.

The victim of an incident of sexual assault, sexual harassment, or sexual bullying on campus or his or her guardian may apply for an investigation in writing to the offender’s school. If the offender is the head of the school, the investigation application shall be made to the competent authority supervising the school.

Anyone with the knowledge of the events mentioned in the preceding two paragraphs may report them to the school or competent authority according to prescribed procedures.

Article 29

After receiving an application for investigation or an offense report, the school or competent authority shall send a written notification to the applicant or offense-reporter within twenty days to notify him or her whether the application is accepted.

The school or competent authority shall reject the application or offense report if one of the followings applies:

1. Events not prescribed in the regulations of this Act.
2. Applicants or offense-reporters who do not provide their real names.
3. A case that has already been handled and closed.

The notification in the preceding paragraph shall explain the reason of its rejection in writing.

If the applicant or offense-reporter does not receive a notification of application acceptance or rejection within the time frame mentioned in the first paragraph may reapply in writing to the school or competent authority within twenty days from the date following the notification is received.

Article 30

After receiving an application or a report of an offense referred to in Paragraph 1 of the previous article, an educational institution or competent authority shall delegate the matter to its gender equity education committee within three days to handle an investigation, except when the circumstances referred to in Paragraph 2 of the previous article apply.

When the gender equity education committee of an educational institution or competent authority is handling an incident referred to in the previous paragraph, it may set up an investigation team to investigate the matter; when necessary, some or all appointed members of the investigation team may be persons from outside the educational institution or competent authority. The investigation teams in which all appointed members are from outside the educational institution or competent authority and the completed investigation reports that occurred before the amendments to this Act takes effect on December 30, 2018, were legal.

Members of the investigation team shall have an awareness of gender equity, and the number of female members is not permitted to be fewer than half of the total number of members. At least one-third of any investigation team at the educational institution level and at least one half of any investigation team at the competent authority level shall be experts or scholars with professional expertise in the investigation of incidents of sexual assault, sexual harassment, or sexual bullying. When the parties involved belong to different educational institutions each investigation team shall also include one or more representatives of the educational institution with which the victim is affiliated.

When a gender equity education committee or an investigation team carries out an investigation in accordance with the provisions of this Act the perpetrator, the applicant, and any person(s) who or unit(s) which have

been asked to assist in the investigation shall cooperate and provide pertinent information.
Applicable provisions of the Administrative Procedure Law regarding jurisdiction, referral of cases, recusal, service of notifications, and amendments shall be applied in this Act or apply, mutatis mutandis.
The handling of the investigation of a case by a gender equity education committee will not be affected by any judicial procedures regarding the same case.
When investigating and handling a case, the gender equity education committee shall take into account the difference in power between the two parties.
Article 31
The Gender Equity Education Committee of the school or competent authority shall complete its investigation of a case within two months from the date the application or offense report is accepted. The investigation may be extended at most twice if necessary, and each extension may not exceed one-month's time. The applicant, offense-reporter and offender shall be notified of the extension.
After the investigation is complete, the Gender Equity Education Committee shall submit a written report to its school or competent authority regarding the investigation and suggestions for handling.
After receiving the aforesaid investigation report, the school or competent authority shall put forth a disposition or turn it over to the pertinent authority for a decision within two months according to this Act or pertinent laws or regulations. The school or competent authority shall notify in writing the applicant, offense-reporter and offender of its handling conclusion, facts established and grounds.
Before reaching the aforesaid conclusion, the school or competent authority may request representative(s) of its Gender Equity Education Committee to attend the meeting for clarification.
Article 32
If not agreeing with the conclusion referred to the third paragraph of the preceding Article, the applicant and offender may apply in writing with grounds for reapplication within twenty days from the date following the date of receipt of the written notification. .
The aforesaid reapplication may be made only once.
The school or competent authority may request its Gender Equity Education Committee to reinvestigate the case under the conditions that major flaws in the investigation procedure, or new facts or evidences that would affect the investigation are discovered.
Article 33
After receiving request for reinvestigation from the school or competent authority, the Gender Equity Education Committee shall organize a new investigation team, whose investigation and handling procedures shall follow pertinent regulations prescribed by this Act.
Article 34
If not satisfied with the disposition of the reapplication, the applicant or offender may petition for relief according to the following regulations within thirty days from the date following the date of receipt of the written notification.:
1. Public and private school principals and teachers: regulations prescribed by the Teacher's Act shall apply.
2. Civil service employees in public schools who are hired according to the Civil Service Employment Act and employees hired before the effective date (May 3rd, 1985) of the Statute for Appointment of Educational Personnel: regulations prescribed by the Civil Servant Protection Act shall apply.
3. Private school staff: regulations prescribed by the Gender Equality in Employment Act shall apply.
4. Public and private school workers: regulations prescribed by the Gender Equality in Employment Act shall apply.
5. Public and private school students: regulations prescribed by the school shall apply.
Article 35
The school or competent authority shall establish facts relevant to cases prescribed by the Act according to the investigation report provided by its Gender Equity Education Committee.

The court shall consult the investigation reports provided by the Gender Equity Education Committee at different levels in establishing facts referred to in the preceding paragraph.

Chapter 6 Penal Provision

Article 36

The principal or president, or a teacher, non-teaching staff member, or other worker at an educational institution to whom any of the following circumstances apply is subject to a fine of not less than 30,000 New Taiwan Dollars and not more than 150,000 New Taiwan Dollars:

1. The person has violated the provisions of Paragraph 1 of Article 21 by failing to report the incident to the educational institution and to the local special municipality, county, or city level competent authority within 24 hours.
2. The person has violated Paragraph 2 of Article 21 by forging, altering, destroying, or concealing evidence pertaining to an incident of sexual harassment or sexual bullying on campus perpetrated by some other person(s).

An educational institution that acts in violation of the provisions of Paragraph 3 of Article 21, Paragraph 2 of Article 22, or Paragraph 4 of Article 27 is subject to a fine of not less than 10,000 New Taiwan Dollars and not more than 150,000 New Taiwan Dollars; any other person working there who acts in violation of any of these provisions is also subject to such a fine.

An educational institution in violation of the provisions of Article 13, Article 14, Article 14-1, Article 16, or Paragraph 2 of Article 20 is subject to a fine of not less than 10,000 New Taiwan Dollars and not more than 100,000 New Taiwan Dollars.

If a perpetrator in violation of Paragraph 6 of Article 25 fails to fully comply with the implementation of the measures referred to there or fails to fully cooperate with an investigation referred to in Paragraph 4 of Article 30 without reasonable grounds for not doing so, the educational institution shall report the matter to the competent authority and request it to impose a fine of not less than 10,000 New Taiwan Dollars and not more than 50,000 New Taiwan Dollars, and a separate fine may be imposed for each instance of a violation until the perpetrator complies or provides related information. When, however, the perpetrator is the principal or president of the educational institution, the fine shall be directly imposed by the competent authority.

If the principal or president of an educational institution or a member of the board of directors of a school endowment corporation has been negligent in exercising their duties with the result that the educational institution has not, in accordance with the provisions of Paragraph 1, Paragraph 2, or Paragraph 6 of Article 25, taken disciplinary action or measures against a perpetrator, or has not taken measures necessary to ensure the perpetrator's full cooperation and compliance, the principal or president or the board member is subject to a fine of not less than 10,000 New Taiwan Dollars and not more than 50,000 New Taiwan Dollars.

Article 36-1

A principal, faculty or staff member of a school who violates the regulations on reporting suspected incidents of sexual assault on campus described in paragraph 1 of Article 21 when such a violation results in a further incident of sexual assault on campus, or who falsifies, modifies, destroys, or conceals evidence of sexual assault on campus committed by others, shall be dismissed or discharged from employment in accordance with the law.

The school or competent authority shall report any employee who violates the regulation described in the previous paragraph in accordance with the law.

Chapter 7 Supplementary Provisions

Article 37

Enforcement Rules for this Act shall be drawn by the central competent authority.

Article 38

This Act, excepting the articles amended on 7 June 2011 to be decided by the Executive Yuan, will take effect as of the date of promulgation.