

## **Measures for Handling Student Complaints of Hunan City**

### **University**

Xiangcheng Institute [2017] No.92

**Article 1:** To further promote the rule of law and democratic education in schools, to properly handle student appeals, ensure the fairness and justice of disciplinary actions for violations and disciplinary offenses, and effectively protect students legitimate rights and interests, this regulation is formulated in accordance with laws and regulations such as the "Education Law of the Peoples Republic of China," the "Teachers Law of the Peoples Republic of China," the "Higher Education Law of the Peoples Republic of China," and the "Regulations on Student Management of Ordinary Higher Education Institutions," taking into account the actual conditions of the school.

**Article 2** The university establishes the "Hunan City College Student Appeal Handling Committee" to accept students appeals against the cancellation of admission qualification, withdrawal or disciplinary punishment for violations.

**Article 3** The Chairperson of the School Student Appeal Handling Committee shall be a school leader in charge of disciplinary inspection and supervision, and its members shall consist of the heads of the Disciplinary Inspection and Supervision Department, the Student Affairs

Office, the Academic Affairs Office, the Admissions and Employment Office, the Security Office, the Youth League Committee, teacher representatives, student representatives, representatives of members of the Committee for the Care of the Next Generation, and legal experts.

The school student appeal handling committee has an office under it, which is responsible for receiving appeals, investigating and collecting relevant evidence, delivering decisions on appeal handling and other matters. The office is located in the Discipline Inspection and Supervision Department.

**Article 4 Duties of the Student Appeal Committee:**

- (1) to accept students appeals against disciplinary sanctions or treatment and exercise the function of review and arbitration;
- (2) To review and reconsider the contents of the complainants appeal and put forward suggestions on the handling of the students appeal;
- (3) The committee shall issue a reconsideration decision document for the student appeal within 15 working days after receiving the appeal. If the situation is complex and it is impossible to reach a conclusion within the prescribed period, with the approval of the schools responsible person, the period may be extended by 15 days. If the Student Appeal Handling Committee deems it necessary, the school shall suspend the implementation of relevant regulations.

The review decision is a written opinion made by the student appeal

handling committee after reviewing and reconsidering the students appeal, which maintains or changes the original decision (treatment) of punishment (treatment).

(4) Deliver the decision on review to the student who appeals.

**Article 5** The subject of appeal can only be the student himself or herself enrolled in the school.

**Article 6** The appeal period is 10 working days, which means that the student who has been disciplined (handled) must submit their appeal request in writing to the School Appeal Committee within 10 working days from the day following receipt of the disciplinary (handled) decision. If an extension is required due to force majeure, the student must provide reasons to the Appeal Committee and apply for an extension of the appeal period, but the extension shall generally not exceed 10 days.

**Article 7** A written appeal shall state the basic information of the appellant (name, class number, college and major, contact information, etc.), the appeal request, the reason for the appeal, the date of the appeal, and shall be signed by the appellant.

**Article 8** If the original complainant requests withdrawal during the handling of a complaint case, it shall be supported. However, once a complaint case is withdrawn, no further complaint may be filed on the same ground.

**Article 9** If the student who has filed an appeal files another

administrative, civil or criminal lawsuit concerning the appeal or related matters after filing the appeal, he/she shall notify the schools appeal handling committee in writing. Upon receiving such notification, the committee shall terminate the review and deliberation work.

**Article 10** The scope of appeal is that students enrolled in the school are dissatisfied with the schools disciplinary (treatment) decision, including the following situations:

(1) the original disciplinary (administrative) decision is deemed to have applied the wrong provisions;

(2) that the original decision (treatment) procedure was not in conformity with the provisions;

(3) the facts on which the original decision (treatment) was based are unclear, the evidence is insufficient or new evidence proves that the basis for the original decision (treatment) is inconsistent with the facts;

(4) There is evidence that there was a favoritism or malpractice in the original punishment (treatment) made.

For complaints that do not fall within the above scope, the office of the complaint handling committee may refuse to accept or reject them.

If there is any fraudulent behavior in the appeal, the appeal will be rejected and the responsibility of the appellant will be seriously investigated according to the relevant regulations of the university.

**Article 11** After accepting an appeal, the Student Appeal Committee

shall conduct a review of the appeal requirements through methods such as written examination, public hearing, and investigation. For complex or significant appeal cases, the Committee may convene a public hearing involving all parties involved in the appeal (excluding cases involving personal privacy), take relevant records, and have the parties involved sign to confirm that they are correct after verification.

**Article 12** The meeting of the School Student Appeal Committee shall be attended by more than half of its members, and the proposal shall be passed by more than two-thirds (including two-thirds) of the attending members to be valid, and the following review decisions shall be made according to the following circumstances:

(1) If the facts of the students disciplinary action or handling are clear, the evidence is sufficient, the basis is clear, the characterization is accurate, and the disciplinary action is appropriate and the procedure is legal, the original decision shall be upheld;

(2) If it is necessary to change the original decision of punishment or treatment, the student appeal committee shall make suggestions and submit them to the university for reconsideration.

**Article 13** If the members participating in the review deliberation are parties to a complaint case or have an interest in the complaint case, they shall recuse themselves from the case and the complaint handling Committee shall recommend another suitable person to replace them,

whose duties are limited to the complaint case.

**Article 14** The reconsideration decision is the final decision of the school regarding the disciplinary action (processing) against a student who has violated rules. Once the reconsideration decision is delivered to the complainant, it takes effect immediately. If a student disagrees with the reconsideration decision, they may submit a written appeal to the Hunan Provincial Department of Education after receiving the reconsideration decision notice.

**Article 15** For appeals against disciplinary (administrative) decisions to the School Student Grievance Handling Committee, the original disciplinary (administrative) decision shall continue to be enforced during the appeal period; for appeals against the original disciplinary (administrative) decision or the reconsideration decision to the Hunan Provincial Department of Education or judicial authorities, the original disciplinary (administrative) decision or the reconsideration decision shall continue to be enforced during the appeal period.

**Article 16** The regulations shall be interpreted by the School Student Appeal Handling Committee.

**Article 17** These Provisions shall come into force as of September 1, 2017, and the original provisions shall be repealed at the same time

Hunan City College

2017 July 23,2016

