

# 長榮大學教師輔導與管教學生辦法

## Chang Jung Christian University Teachers' Student Counseling and Discipline Regulations

98.01.07 97 學年度第 1 學期期末校務會議通過  
Approved on January 7, 2009 by the end-of-semester University Affairs Meeting of Academic Year 2008  
1<sup>st</sup> Semester

109.03.23 108 學年度第 2 學期期初校務會議通過  
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2<sup>nd</sup> Semester

第一條 依據教師法第 32 條規定及教育部「學校訂定教師輔導與管教學生辦法注意事項」，並結合本校特性與發展需求，特訂定「長榮大學教師輔導與管教學生辦法」(以下簡稱本辦法)。

Article I The Chang Jung Christian University Teachers' Student Counseling and Discipline Regulations (hereinafter referred to as the Regulations) are formulated in accordance with the provisions of Article 32 of the Teachers' Act, the Ministry of Education's "Guidelines for Schools in the Formulation of Teacher Counseling and Disciplinary Measures for Students", and the characteristics and development needs of the University.

第二條 本校教師輔導與管教學生依本辦法之規定，本辦法未規定者，依其他相關法令及本校校規辦理。

Article II Student counseling and discipline by teachers of the University shall be conducted in accordance with the provisions of this Regulations. Those who are not provided in this Regulations shall be handled in accordance with the provisions of other relevant laws and the regulations of the University.

第三條 教師輔導與管教學生應符合下列之目的：

Article III The counseling and discipline of students shall be conducted in accordance with the following objectives:

一、鼓勵學生優良表現，培養學生自尊尊人、自制自律之處世態度。

1. Encourage students to perform well, cultivate their self-respect and attitude of self-discipline.

二、導引學生身心發展，激發個人潛能，培養健全人格。

2. Guide students in their physical and psychological development, stimulate their individual potential and cultivate a healthy personality.

三、養成學生良好生活習慣，建立符合社會規範之行為。

3. Develop good living habits in students and cultivate behaviors that conform to social norms.

四、確保教學及學校教育活動之正常進行。

4. Ensure the normal operation of teaching and educational activities in the school.

第四條 教師輔導與管教學生時，應依下列原則處理：

Article IV Teachers shall abide by the following principles when counseling or disciplining students:

一、平等原則：教師輔導與管教學生，不得因學生之性別、能力或成績、宗教、種族、黨派、地域、家庭背景、身心障礙、或犯罪記錄等，非有正當理由不得為差別待遇。

1. The principle of equality: Teachers shall not treat students differently based on their gender,

ability or grades, religion, race, party affiliation, region, family background, physical or mental disability or criminal record without valid reasons.

二、比例原則：教師採行之管教措施，應與學生違規行為之情節輕重相當。

2. The principle of proportionality: The disciplinary measures adopted by teachers shall be in proportion to the severity of the student's offense.

三、保護原則：教師管教學生，應事先瞭解學生行為動機，必須依校規處理與明示必要管教之理由，教師不得為情緒性或惡意性之管教。

3. The principle of protection: Teachers shall first seek to understand the motive of student behavior when disciplining students. Teachers shall deal with students in accordance with the regulations of the University and clearly indicate the reasons for the necessary discipline. Teachers shall not discipline students out of emotional venting or for malicious purposes.

四、保密原則：教師因實施輔導與管教學生所獲得之個人或家庭等相關資料，基於保密原則，非依法律規定，不得對外公開或洩漏。

4. Principle of confidentiality: The personal or family information of students obtained by teachers in the course of counseling or disciplining students shall be kept confidential and not be disclosed to the public or leaked unless otherwise stipulated by the law.

五、正當法律程序：教師對於學生違規或不當行為之輔導與管教應視情況適度給予學生陳述意見之機會，以了解其行為動機與目的等重要情狀，並適當說明處罰所針對之違規行為、實施處罰之理由與措施。

5. Principle of due process of law: When counseling or disciplining students for violation of regulations or inappropriate conduct, teachers shall allow students to have appropriate opportunities to state their opinions so as to understand important circumstances such as the motive or purpose of their behavior. Teachers shall also appropriately explain the violation in question and the reasons and measures of the corresponding disciplinary action.

第五條 本校教師輔導與管教學生，應先瞭解了學生行為之原因，針對其原因選擇解決問題之方法，並視狀況調整或變更。教師輔導與管教學生之基本考量如下：

Article V Teachers in the University shall first understand the reason behind the student behavior when counseling or administering discipline, and select, adjust or change the problem-solving method accordingly. When counseling or disciplining students, teachers shall take into account the following basic considerations:

一、重視學生人格尊嚴。

1. Respect the dignity of students.

二、重視學生個別差異。

2. Respect individual differences among students.

三、配合學生心智發展需求。

3. Be consistent with the mental developmental needs of students.
- 四、維護學生受教權益，學習權、身體自主權及人格發展權。
4. Ensure the students' right to education, right to learn, right to autonomy and right to personality development.
- 五、發揮教育愛心與耐心。
5. Base action on education, kindness and patience.
- 六、啟發學生自我察覺、反省與自制能力。
6. Inspire self-awareness, reflection and self-control abilities in students.
- 七、不因個人或少數人錯誤而懲罰全體學生。
7. Do not punish the entire student body for the mistakes of an individual or few students.
- 八、不得以對學生財產權之侵害(如罰錢等)作為輔導與管教之手段。但要求學生依法賠償對公物或他人物品權益之損害者，不在此限。
8. Infringement of student property rights (such as fines) shall not be used as a means of guidance or discipline. However, students who damaged public property or personal property rights and are required to compensate in accordance with the law shall not be included in this provision.
- 九、應教導學生，未受鼓勵或受到批評指責時之正向思考及因應方法，以培養學生承受挫折之能力及堅毅性格。
9. Students shall be taught positive thinking and coping skills when they fail to receive encouragement or are criticized so as to cultivate their resilience and perseverance when faced with setbacks.

第六條 凡經學校或教師安排之教育活動，教師應負起輔導與管教之責任。

Article VI Teachers shall assume the responsibility for counseling and discipline in all educational activities arranged by the University or teachers.

第七條 教師應參加輔導知能進修或研習，以增進輔導專業知能。

Article VII Teachers shall participate in counseling competency training or seminars to enhance their counseling competency.

第八條 教師應對學生實施生活、學習、生涯、心理與健康等各種輔導；輔導需具特殊專業能力者，得請諮商中心或其他相關單位協助。

Article VIII Teachers shall provide students with counseling in their daily life, study, career, and mental and physical health. If special professional counseling is needed, please refer to the Counseling Center or other relevant units for assistance.

第九條 學生干擾或妨礙教學活動正常進行，違反校規、社會規範或法律，或從事有害身心健康之行為者，教師應予適當輔導與管教。輔導與管教無效時，應舉證移請學生事務處或其他相關單位處理。

Article IX Teachers shall provide appropriate counseling and discipline if students interfere with or hinder the normal progress of teaching activities, violate school regulations, social norms or laws, or engage in behaviors that are harmful to physical and mental health. If counseling and discipline are ineffective, evidence of the conduct shall be submitted to the Office of Student Affairs or other relevant units for handling.

第十條 學生有下列行為，非立即對學生身體施加強制力，不能制止、排除或預防危害者，本校教師得採取必要之強制措施：

Article X: If a student exhibits the following conduct and cannot be stopped, or the threat of harm cannot be eliminated or prevented without immediately imposing compulsive physical force on the student, teachers in the University may take necessary compulsory measures:

一、攻擊教師或他人，毀損公物或他人物品，或有攻擊、毀損行為之虞時。

1. Attacking the teacher or others, destroying public property or the property of others, or the threat of attack or destruction.

二、自殺、自傷，或有自殺、自傷之虞時。

2. Suicide or self-harm, or the threat of suicide or self-harm.

三、有其他現行危害校園安全或個人生命、身體、自由或財產之行為或事實狀況。

3. Other acts or situations that pose immediate danger to campus safety, personal life, physical body, freedom or property.

第十一條 管教無效或學生明顯不服管教，情況急迫，明顯妨害現場活動時，教師得請求學生事務處校安中心派員協助，將學生帶離現場。必要時，得強制帶離，並得尋求校外相關機構協助處理。

就前項情形，教師應告知已實施之輔導管教措施，供前項人員參考。

Article XI When discipline is ineffective or if the student evidently rejects the discipline and the situation is urgent and significantly hinders activities at the scene, teachers may request assistance from the Campus Security Center of the Office of Student Affairs to remove the student from the scene. If necessary, the student may be forcibly removed. Assistance from relevant agencies outside the University may also be requested.

In regard to the situation in the preceding paragraph, teachers shall inform the abovementioned personnel of counseling and disciplinary measures that have been implemented.

第十二條 本校學生事務處校安中心依第十條實施強制措施，需父母、家長、監護人到校協助處理者，應請其配合到校協助本校輔導該學生及盡管教之責任。學生違規情形，經教師或校安中心多次處理無效且影響其他學生之基本權益者，得轉介諮商中心輔導，並視情況召開輔導會議，邀請父母、家長、監護人出席，討論有效之輔導管教與改進措施。

Article XII When the Campus Security Center of the University's Office of Student Affairs implements compulsory measures in accordance with Article 10, the parent, head of household or guardian of the student shall be present to assist in the handling of the student. They shall be requested to cooperate with the University in counseling the student and fulfilling their disciplinary responsibilities. Students who violate regulations and who show no improvement after multiple interventions by teachers or the Campus Security Center and who affect the basic rights of other students may be referred to the Counseling Center for counseling. A counseling consultation may be convened as needed to invite the parent, head of household or guardian of the students to discuss effective counseling, disciplinary and improvement measures.

第十三條 教師發現學生攜帶下列違法物品時，應儘速通知校安中心，由校安中心值班人員處理，必要時通知警察機關處理。但情況急迫時，得視情況採取適當或必要之處置。

Article XIII Teachers who discover that a student is carrying the following illegal items shall notify Campus Security Center as soon as possible. On-duty staff of the Campus Security Center shall notify the police if necessary. However, if the situation is urgent, appropriate or

necessary actions may be taken.

一、槍砲彈藥刀械管制條例所稱之槍砲、彈藥、刀械。

1. Guns, ammunition, and knives referred to in the Controlling Guns, Ammunition and Knives Act.

二、毒品危害防制條例所稱之毒品、麻醉藥品或相關之施用器材。

2. Drugs, narcotics or related drug paraphernalia referred to in the Violation of the Narcotics Endangerment Prevention Act.

第十四條 教師應秉客觀、平和、懇切之態度,對涉及爭議之學生為適當勸導,針對爭議事件為公正合理處置。

Article XIV Teachers shall adopt an objective, peaceful and sincere attitude in their counseling when involved with student disputes, and handle the disputes fairly and reasonably.

第十五條 教師因輔導與管教學生所取得之個人或家庭資料,非依法律規定,不得對外公開或洩漏。學生、父母、家長或監護人得依行政程序法第四十六條、電腦處理個人資料保護法及其他相關規定,向本校申請閱覽學生個人或家庭資料。但以主張或維護其權利或法律上利益確有必要者為限。

Article XV The personal or family information obtained by teachers in the course of counseling or discipline shall not be disclosed or leaked to the public unless stipulated by law. Students, parents, heads of household or guardians may apply to the University to read the personal or family information of students in accordance with Article 46 of the Administrative Procedure Act, the Protection of Computer Processed Personal Data and other relevant regulations. However, access to the information shall be limited to those with necessary claim to or defense of their rights or legal interests.

第十六條 教師管教學生應依學生實際年齡、人格特質、行為態度、身心健康、家庭因素、動機目的與平時表現等,採行下列措施:

Article XVI When disciplining students, teachers shall adopt the following measures according to the actual age, personality traits, behavior and attitude, physical and mental health, family factors, motivation or purpose and regular performance of the students:

一、告誡:學生言行不當,情節較輕,由師長或相關人員予以口頭或書面告誡,責令道歉或寫自述表。

1. Warning: For inappropriate speech or conduct where the circumstances are relatively minor, teachers or relevant personnel shall issue an oral or written admonition and order an apology or written report.

二、賠償:破壞公物者,依規定照價賠償。

2. Compensation: Those who damaged public property shall pay compensation in accordance with regulations.

三、認養:毀損公物者,依規定復原,並實施認養至少一年。

3. Adoption: Those who damaged public property shall restore the property in accordance with regulations and adopt the property for a minimum of one year.

四、轉介:學生之行為經評估為心理適應困難,需心理輔導諮商者,轉介諮商中心協處。

4. Referral: Students who have been assessed as manifesting psychological adaptation difficulty in their behavior and need psychological counseling shall be referred

to the Counseling Center for help.

五、愛校服務：要求課餘從事可達成教育目的之公共服務。

前項措施必要時，教師得請學生事務處或其他單位協助之。

5. Volunteer service: Engage in after school public services that are consistent with educational goals.

If the preceding measure is necessary, teachers may request the assistance of the Office of Student Affairs or other units.

第十七條 教師輔導管教措施無效時或學生違規情節重大者，經行政程序簽核後，得依本校「學生獎懲辦法」懲戒之。

Article XVII If the counseling or disciplinary actions implemented by the teacher continue to be ineffective or if the student is in serious violation of regulations, the student may be disciplined in accordance with the University's Student Reward and Disciplinary Measures upon approval by administrative procedures.

第十八條 本校教師輔導與管教學生應注意事項：

Article XVIII Teachers in the University shall be reminded of the following in their student counseling and discipline:

一、不得有體罰學生之行為。

1. Corporal punishment of students is not permitted.

二、應避免有誹謗、公然侮辱、恐嚇等構成犯罪之違法處罰行為。

2. Slander, blatant insult, intimidation and other punishments that constitute criminal acts shall be avoided.

三、應避免有構成行政罰法律責任或國家賠償責任之行為。

3. Acts that constitute administrative penalty liability or state compensation liability shall be avoided.

四、應避免有侵害學生權利，構成民事侵權行為損害賠償責任之行為。

4. Acts that infringe on the rights of students and that constitute a tort liability shall be avoided.

五、教師有不當管教學生之行為者，學校應予以告誡。若再有不當管教學生之行為者，得依本校教職員工相關規定辦理。

5. The University shall issue warnings to teachers who discipline students inappropriately.

Teachers who continue to discipline students inappropriately shall be handled in accordance with relevant University regulations for faculty and staff.

第十九條 教師對因重大違規事件處分受管教之學生，應追蹤輔導，必要時會請校內外相關單位共同協助。學生須接受長期輔導時，本校得要求其父母、家長或其監護人配合，並協請其他輔導或醫療機構處理。

Article XIX Teachers shall provide follow-up counseling to students who have been disciplined for major violations. If necessary, teachers may request the assistance of University units or outside agencies. If students need long-term counseling, the University may request the cooperation of their parent, head of household or guardian, and coordinate with other counseling or medical institutions.

第二十條 教師知悉家庭暴力、校園暴力、性侵害或校園性騷擾事件，應於知悉事件二十四小時內通報校安中心或性平會，並啟動處理機制。本校通報前項事件時，應以密件處理，並注

意維護被害人之秘密及隱私，不得洩漏或公開，對於通報人之身分資料應予以保密，以維護學生個人及相關人員隱私。

Article XX Teachers who are aware of incidents of domestic violence, campus violence, sexual assault or campus sexual harassment shall notify the Campus Security Center or the Gender Equality Committee within 24 hours of discovery to activate the response mechanism. When notified of the abovementioned incidents, the University shall handle the incident via confidential documents. The confidentiality and privacy of the victim shall be protected, and information shall not be leaked or disclosed to the public. The identity of informants shall be kept confidential to protect the privacy of students and relevant persons.

第二十一條 本辦法經校務會議通過，陳請校長核定後發布實施，修正時亦同。

Article XXI This Regulations is announced and implemented upon approval by the University Affairs Meeting and the University President; the same procedures shall apply to any amendments.