**Measures for Student Appeal (Non-academic) of Chongqing Institute of Foreign Studies**

**Chapter I General Provisions**

**Article 1** These Regulations are formulated according to the provisions of the Education Law of the People's Republic of China, the Administration of Students of Higher Education (Order No. 41 of the Ministry of Education) to protect the legitimate rights and interests of students.

**Article 2** The complaint mentioned in this document refers to the situation in which a student refuses to accept the handling decision of the Institute concerning his/her rights and interests and puts forward his/her opinions and request for reconsideration of the decision to the Student's Appeals Committee.

**Article 3** These Provisions shall apply to the management of students receiving ordinary higher education and higher vocational training (hereinafter referred to as students).

**Chapter II Organizations for the handling of complaints**

**Article 4** Chongqing Institute of Foreign Studies shall set up a Student Complaint Handling Committee, which shall be attached to the Office of Student Affairs and be responsible for accepting and reviewing student complaints.

The Student's Appeals Committee is responsible for and reports to the President's Office Meeting.

**Article 5** the Student's Appeals Committee shall have a director and deputy directors, who shall be the president and the vice presidents of CIFS respectively. Other standing members shall be from the Student Affairs Office, the Youth League Committee (a department providing teaching assistance), the Admissions and Employment Office, the Security Office (appeals for non-academic situations), the vice deans of each college, two teacher representatives, student representatives and legal advisers of the Institute.

**Article 6** The functions of the Student's Appeals Committee shall include:

(1) Accept a complainant's complaint.

(2) Acknowledge the receipt of the complainant's complaint in writing.

(3) Hold a reconsideration meeting to review the case.

(4) Submit reconsideration opinions such as sustaining the original decision or revoking the original decision to the President's Office for examination and approval, and send the review result to the complainant.

**Chapter III Acceptance of the Complaints**

**Article 7** If a student refuses to accept the decisions made by the Institute concerning his rights and interests, he/she may file a complaint to the Student Complaint Handling Committee in accordance with these Regulations:

(1) Not to accept the decision on disciplinary sanctions.

(2) Dissatisfied with the decision to cancel the student's admission qualification due to delayed registration and submitting false admission materials.

(3) Not satisfied with the decision of requiring the students to withdraw from the university themselves due to a serious violation of the Institute's relevant discipline regulations.

(4) Other decisions on handling a complaint that may be filed as provided by laws and regulations.

(5) Students are not satisfied with the campus environment, food safety, interpersonal relationship, accommodation conditions, campus safety, public opinion, and infrastructure.

**Article 8** If a student intends to file a complaint, the student shall, within 10 days from the date of receiving the processing decision, submit to the Office of the Handling Committee a written application and a copy of the handling decision made by the Institute. The complaint petition shall contain the following:

(1) The name, class, student number and other basic information of the complainant.

(2) The matters, reasons and requirements of the complaint with relevant evidence and witness materials.

(3) Date of the filing of the complaint.

**Article 9** The Office shall be responsible for receiving the written application of the complainant. The Complaint Handling Committee shall, within 15 days of receiving the application, make a conclusion of review and inform the complainant.

**Article 10** The Complaint Handling Committee shall, within 3 working days from receiving the complaint application, examine the complaint materials, make one of the following decisions according to the specific circumstances and serve them to the complainant:

(1) The petition complies with the provisions of these Regulations and is accepted.

(2) The complaint materials are not complete, and the complainant can make them complete within 3 working days.

(3) Under any of the following circumstances, it shall not be accepted, and a written decision on denying reconsideration shall be issued:

* The complainant does not qualify as a valid complainant under Article 3 of this ordinance.
* The cause of appeal does not conform to the scope of appeal prescribed in Article 7 of these regulations.
* Complaint materials are not complete and have not been supplemented within the specified time limit.

**Chapter IV Procedures for Reconsideration of Appeals**

**Article 11** The Appeal Handling Committee shall, the next day after making a decision, serve a copy of the decision to the department that made the original decision on the complainant.

The department that makes the original decision shall, within 3 working days from the date of receiving the copy of the decision, submit written replies including the facts and basis for making the handling decision.

**Article 12** When handling a simple complaint with clear facts, sufficient evidence and little dispute, the Student's Appeals Committee may conduct reconsideration by written examination. If the Complaint Handling Committee deems it necessary to review the case through a meeting or a hearing, it may convene a reconsideration meeting to review the complaint.

**Article 13** If the reconsideration is conducted by investigation, the Complaint Handling Committee shall also question the relevant parties and carry out necessary verification. The written review opinions shall be agreed by more than two-thirds of all the members of the Complaint Handling Committee.

**Article 14** If the reconsideration is conducted by means of a reconsideration meeting, the Secretary-General (the Head/Director of the Student's Appeals Committee) shall convene the reconsideration meeting after receiving written materials from both parties. The reconsideration meeting shall not be held unless two-thirds or more of the members are present at the meeting.

**Article 15** The complainant shall attend the reconsideration meeting.

The department that makes the original decision shall send a representative to attend the reconsideration meeting.

The complainant and the representative of the department making the original decision may speak at the meeting in accordance with the reconsideration proceedings.

**Article 16** the Student's Appeals Committee shall notify the complainant of the time and place of the reconsideration meeting 3 working days in advance.

If the complainant does not attend the reconsideration meeting without a reason, the reconsideration process shall be terminated along with the application for reconsideration.

If the complainant is unable to attend the reconsideration meeting for some reason, he/she shall notify the Student Complaint Handling Committee two working days in advance, and the Student Complaint Handling Committee shall decide whether to postpone the meeting.

The Office shall give at least one day's notice to the complainant who decides not to extend the time limit, and the complainant shall appoint a proxy to attend.

If the decision is to postpone, the Office shall schedule another time for the reconsideration meeting.

If the department that made the original decision does not send representatives to attend the reconsideration meeting, the reconsideration meeting shall be held as planned.

**Article 17** The chairman of the reconsideration meeting shall be the standing member of the Complaint Handling Committee. The reconsideration meeting shall follow the following procedures:

(1) The host introduces the members of the Complaint Handling Committee.

(2) The presiding officer asks the complainant whether any members handling the complaint requests shall recuse themselves.

(3) The complainant appeals.

(4) the department representatives who have made the handling decision make their statements.

(5) The complainant and the department representatives express their opinions on the evidence and facts.

(6) The Complaint Handling Committee shall make a joint discussion.

(7) The Complaint Handling Committee shall vote secret ballot and form a written opinion.

If the complainant proposes that a person shall recuse himself/herself, the reconsideration meeting shall be suspended.

**Article 18** The opinions of the reconsideration meeting must be agreed by over two-thirds of the members present in order to be valid.

**Chapter V Decision on Appeal**

**Article 19** The Complaint Handling Committee shall submit written opinions based on the reconsideration situation and make a reconsideration decision in accordance with the following provisions:

(1) If the original decision determines the facts clearly, the basis is correct, and the procedure is legal, the original decision shall be upheld.

(2) If the original handling decision has one of the following circumstances, the original handling decision shall be revoked:

* The main facts are unclear, and the evidence is insufficient.
* Wrong basis has been used.
* The original decision procedure does not conform to the provisions.
* There is evidence to prove that the department making the decision has exceeded or abused its power, or the relevant personnel has bent the law for personal gain.

After the original processing decision is reversed, the complaint is remanded to the original processing department for a new processing decision.

Where the Complaint Handling Committee orders the original processing department to review its decision, the department shall not make the same or basically the same decision as the original decision or increase the sanction of the complainant.

**Article 20** The Complaint Handling Committee shall submit the written opinions to the President’s Office Meeting for examination and approval and shall serve the decision to the complainant and the relevant departments.

**Article 21** Where the applicant requests for withdrawal before the review decision is made, it may be withdrawn with the reasons stated. If the complainant withdraws the petition for reconsideration, the petition for reconsideration is terminated.

**Article 22** If a student has any objection to the reconsideration decision, the student may, within 15 days from the date of receiving the written review decision of the Institute for re-examination, file a written appeal to the Department of Education of Chongqing Municipality. The execution of the sanction decision shall not stop during the appeal period.

**Chapter VI Supplementary Provisions**

**Article 23** These Measures shall come into effect on September 1, 2017. The original Measures for Chongqing Institute of Foreign Studies shall be abolished simultaneously, and the Office of Student Affairs shall be responsible for its interpretation.