Content

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| Legislative： | 1.Promulgated on May 1, 1985<br>2.Amendment to Article 21 promulgated on December 19, 1990.<br>3.Amendment to Article 8,21,40 promulgated on July 1, 1994.<br>4.Amendment to Articles 14,15,17,18, and 26, addition of Articles 16-1& 30-1, and deletion of Articles 39 promulgated on March 19, 1997.<br>5.Addition of Articles 41-1 promulgated on January 17, 2001.<br>6.Amendment to Article 20 promulgated on May 25, 2001<br>7.Amendment to Articles 2, addition of Articles 22-1 promulgated on December 17, 2003.<br>8.Amendment to Article 40 promulgated on February 3, 2006.<br>9.Amendment to Article 6 of the Act Governing the Appointment of Educators per Presidential Decree No. Hua-Zong-Yi-Yi-Zi-09800167921 dated July 8, 2009.<br>10. Amendment to Article 31,41 of the Act Governing the Appointment of Educators per Presidential Decree No. Hua-Zong-Yi-Yi-Zi-09800284801 dated November 18, 2009 and take effect on November 23, 2009. |
| Content： | |

## Chapter 1 General Provisions

Article 1

The appointment of educators shall be enforced in accordance with the Act. Matters not provided herein shall be handled pursuant to the provisions of other related laws.

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”).

## Chapter 2 Qualifications for the Appointment

Article 3

During the appointment of educators, the educator’s morals and his or her loyalty to the country shall be examined. The educational background, experiences, capability and physique thereof shall meet the type and nature of the functions he or she prepares to perform. The leadership shall be emphasized when appointing the principals of all levels of schools, and the executive officers of social education institutions and academic research institutions.

Article 4

The principals of elementary schools shall possess one of the following qualifications:

1. Graduate from normal universities, normal colleges, education colleges, or education departments of the universities, or graduate from other departments or colleges but have taken education courses and thus acquired the required education credits, and have had outstanding performance as directors of elementary schools for over two years.
2. Graduate from normal junior colleges, or education department of universities or independent colleges, and have had outstanding performance as directors of elementary schools for over three years.
3. Possess either of the educational backgrounds specified in Clause 1 and 2, have held the position of elementary school teachers for two years, have performed the functions of education administration in the seventh job ranking

of the classified positions or the equivalent Recommended Appointment for over three years, and have had outstanding performance whereof.

Article 5

The principals of junior high school shall possess one of the following qualifications:

1. Possess the doctoral degrees, have held the positions as teachers of elementary or junior high schools and directors of junior high schools for over two years and have had outstanding performance whereof. However, the seniority of the position as the junior high school directors thereof shall not be less than one year.
2. Graduate from master's programs offered by normal universities, normal colleges, education colleges or graduate schools of education, or graduate from master's programs offered by other graduate schools, colleges, but have taken education courses and acquired required education credits, have held the position as teachers of elementary or junior high schools and directors of junior high schools for over three years, and have had outstanding performance whereof. However, the seniority of the position as the junior high school directors thereof shall not be less than one year.
3. Graduate from normal universities, normal colleges, education colleges or education departments of universities, or graduate from other departments, colleges but have taken education courses and acquired required education credits, have held the position as teachers of elementary or junior high schools and directors of junior high schools for over six years, and have had outstanding performance whereof. However, the seniority of the position as the junior high school directors thereof shall not be less than one year, or the seniority of the position as the elementary school principals thereof shall not be less than three years.
4. Graduate from universities or independent colleges, have performed the functions of education administration in the seventh job ranking of the classified positions or the equivalent Recommended Appointment for four years, have held the position as high school teachers for over three years, and have had outstanding performance whereof.
5. Have held the positions as full-time lecturers in education departments or colleges for over three years and high school teachers for over three years, and have had outstanding performance whereof.

Article 6

The principals of senior high schools shall possess one of the following qualifications:

1. Possess doctoral degrees, have held the position as high school teachers for over one year and have performed the functions of education administration in the ninth job ranking of the classified positions or the equivalent Recommended Appointment for over two years, or have held the position as junior high school principals for over two years or as senior high school directors for over three years, and have had outstanding performance whereof.
2. Graduate from master's programs offered by universities, normal colleges, education colleges or graduate schools of education, or graduate from master's programs offered by other graduate schools but have taken education courses and thus acquired required education credits, have held the position as high school teacher for over one year, have performed the functions of education administration in the ninth job ranking of the classified positions or the equivalent Recommended Appointment for over three years, or have held the position as junior high school principals for over three years, or as senior high school directors for over four years, and have had outstanding performance whereof.
3. Graduate from normal universities, normal colleges, education colleges, or education departments of universities, or graduate from other colleges, departments but have taken education courses and thus acquired required education credits, have held the position as high school teachers for over one year and have performed the functions of education administration in the ninth job ranking of the classified positions or the equivalent Recommended Appointment for over five years, or have held the position as junior high school principals for over six years or as senior high school directors for over seven years, and have had outstanding performance whereof.
4. Have held the positions as full-time associate professors of education colleges or departments for over two years and high school teachers for over two years, have performed administrative functions for over one year, and have had outstanding performance whereof.

One's position as a director of first-level administrative units of universities as referred to in the University Act shall be included in the required seniority as a senior high school director as specified in the preceding paragraph.

The government agencies in charge of education administration, schools or the board of directors, which have begun electing a principal in accordance with the provisions of this Act before its enforcement on June 12, 2009, the

election qualifications thereof shall apply to the provisions of the former related laws.

Article 7

The principals of vocational schools shall possess one of the following qualifications:

1. Possess doctoral degrees and the subjects taken shall meet the nature of the aspired schools, have held the position as high school teachers for over one year and have performed the functions of education administration in the ninth job ranking of the classified positions or the equivalent Recommended Appointment for over two years, or have held the position as junior high school principals for over two years or as senior high school directors for over three years, and have had outstanding performance whereof.
2. Graduate from master’ s programs offered by universities, normal colleges, education colleges, graduate schools of education, or graduate from master’ s programs offered by other graduate schools but the majors thereof meet the nature of the aspired schools, have held the position as high school teachers for over one year and have performed the functions of education administration in the ninth job ranking of classified positions or the equivalent Recommended Appointment for over three years, or have held the position as junior high school principals for over three years or as senior high school directors for over four years, and have had outstanding performance whereof.
3. Graduate from normal universities, normal colleges, education colleges, or education departments of universities, or graduate from other colleges or departments but have taken education courses and thus acquired the required education credits, or graduate from other colleges or departments but the majors thereof meet the nature of the aspired schools, have held the position as high school teachers for over one year and have performed the functions of education administration in the ninth job ranking of classified positions or the equivalent Recommended Appointment for over five years, or have held the position as junior high school principals for over six years, or as the directors of senior high schools whose nature meets that of the aspired schools for over seven years, or as lecturers of related subjects in junior colleges or higher levels, and have had excellent performance.
4. Graduate from universities or independent colleges, have held the position as principals of senior high schools whose nature meets that of the aspired schools, or as university or independent college associate professors whose taught subjects meet the nature of the aspired schools for over two years, and have had outstanding performance whereof.

The principals of the vocational schools in the field of theater and national art shall possess one of the following qualifications:

1. Graduate from departments of theater or related subjects of universities or independent colleges, have teaching experiences for over three years, and have had outstanding performance whereof.
2. Graduate from universities or independent colleges with special skills in theater or national art, have teaching experiences for over three years, and have had outstanding performance whereof.
3. Possess special skills in theater or national art and have been in charge of theater companies or groups for over ten years with excellent performance whereof.

The principals selected and appointed in accordance with Clause 3 of the preceding paragraph shall not transfer to the vocational schools of other fields.

Article 8

The principals of junior colleges shall possess the teacher qualification of associate professors or higher levels and one of the following qualifications:

1. Have held the position as associate professors or higher levels for three years, have performed the administrative functions in junior colleges or higher levels for over three years, and have had excellent performance whereof.
2. Have held the position as associate professors or higher levels, have engaged in specialized professions whose nature meets that of the aspired schools for over six years, and have had excellent performance whereof.
3. Have held the position as associate professors or higher levels, have performed the functions of education administration in the tenth job ranking or higher or the equivalent Selected Appointment for over three years, and have had outstanding performance whereof.

Article 9

The presidents of independent colleges shall possess one of the following qualifications:

1. Possess the doctoral degrees, have held the position as professors for over one year, or have engaged in the

specialized professions whose nature relates to that of the aspired colleges for over three years, have handled education administration or worked in the education administration sections of junior colleges or higher levels for over three years, and have had outstanding performance whereof.

2. Possess master’ s degrees, have held the position as professors for over two years, or have engaged in the specialized professions whose nature relates to that of the aspired colleges for over four years, have handled education administration or worked in the education administration sections of junior colleges or higher levels for over three years, and have had exceptional performance whereof.
3. Graduate from universities or independent colleges, have held the position as professors of universities or independent colleges for over three years, or engaged in the academic research work equivalent to that of professors for over six years, have handled the administrative work in junior colleges or higher levels for over three years, and have had excellent performance whereof.
4. Graduate from universities or independent colleges, have performed the functions of education administration in the twelfth job ranking of the classified positions or the equivalent Selected Appointment, and have excellent performance whereof.

Article 10

The university presidents shall possess one of the following qualifications:

1. Possess doctoral degrees, have held the position as professors or engaged in academic research work equivalent to that of professors and have performed the functions of education administration for over four years, and have had great performance whereof.
2. Possess master’ s degrees, have held the position as professors or engaged in academic research work equivalent to that of the professors and have performed the functions of education administration for over seven years, and have had great performance whereof.
3. Graduate from universities or independent colleges, have held the position as professors of universities or independent colleges for over five years, or have engaged in academic research work equivalent to that of professors for over ten years, have performed the functions of education administration for over three years, and have had outstanding performance whereof.
4. Graduate from universities or independent colleges, have performed the functions of education administration in the fourteenth job ranking of the classified positions or the equivalent Selected Appointment for over five years, or have served as political appointees for over two years, and possess the professor qualifications, and have achieved great accomplishments whereof.

Article 11

The presidents of normal universities, normal colleges, normal junior colleges shall meet the requirements specified in each related article of the Act, and, in principle, shall specialize in education.

Article 12

Elementary school teachers shall possess one of the following qualifications:

1. Graduate from normal junior colleges.
2. Graduate from each department of the normal universities and normal colleges, or graduate from education departments or colleges.
3. Have acquired certificates of the elementary school teachers before the Act is enforced, and the certificates are still within the term of validity.

Article 13

High school teachers shall possess one of the following qualifications:

1. Graduate from each department or graduate school of the normal universities or normal college.
2. Graduate from each department or graduate school of education colleges, or graduate from education departments or graduate schools of universities.
3. Graduate from each department or graduate school of universities or independent colleges, and have taken education courses and thus acquired the required education credits.
4. Have acquired certificates of the high school teachers before the Act is enforced, and the certificates are still within the term of validity.

Article 14

Teachers of universities, independent colleges and junior colleges refer to professors, associate professors, assistant professors and lecturers.

Teachers of universities, independent colleges and junior colleges shall have specialized publications published in prestigious academic or professional journals in Taiwan or abroad, or accepted and proved to be published regularly, or issued in public, and shall have been certified the qualification by the Ministry of Education.

Teachers may get promoted under the circumstances of the aforementioned qualifications. When necessary, Ministry of education may authorize schools to handle the screening.Technical teachers in the fields of physical education, arts and applied technology of universities, independent colleges and junior colleges may apply for the appointment or promotion with their works, proofs of achievements, or technical reports to replace the specialized publications for the screening.

Teachers of universities, independent colleges and junior colleges shall arrange for the qualification screening when applying for the appointment or promotion; regulations concerning the screening shall be prescribed by the Ministry of Education.

Article 15

Universities, independent colleges and junior colleges may appoint assistants to assist teaching and research.

Assistants shall possess one of the following qualifications:

1. Graduate from universities or independent colleges with excellent grades.
2. Graduate from three-year junior colleges, have engaged in research work, specialized professions or functions related to learned subjects for over two years; or graduate from two-year or five-year junior colleges and have engaged in research work, specialized professions or functions for over three years with excellent grades.

Article 16

Lecturers shall possess one of the following qualifications:

1. Research in the graduate schools or institutes, hold master’ s degrees or the equivalent, and have outstanding grades.
2. Graduate from universities or independent colleges, have held the position as assistants in teaching or researching for over four years with excellent performance, and have published specialized publications.
3. Graduate from universities or independent colleges, have engaged in the research works, specialized professions or functions related to the majored subjects for over six years with outstanding performance, and have published specialized publications.

Article 16-1

Assistant professors shall possess one of the following qualifications:

1. Hold doctoral degrees or the equivalent degree certificates with outstanding performance and have published specialized publications.
2. Hold Master’ s degrees or the equivalent degree certificates, have engaged in the research works, specialized professions or functions related to the majored subjects for over four years with excellent performance, and have published specialized publications.
3. Graduate from departments of Medicine, Chinese Medicine, or Dentistry of universities or independent colleges, have practiced clinically for over nine years, during which acted as doctors in charge in the medical center for four years with excellent performance, and have published specialized publications.
4. Have held the position as lecturers for over three years with outstanding performance, and have published specialized publications.

Article 17

Associate professors shall possess one of the following qualifications:

1. Hold doctoral degrees or the equivalent degree certificates, have engaged in the research work, specialized professions or functions related to the majored subjects for over four years, and have published specialized publications.
2. Have held the position as assistant professors for over three years with outstanding performance, and have published specialized publications.

Article 18

Professors shall possess one of the following qualifications:

1. Hold doctoral degrees or the equivalent degree certificates, have engaged in the research work, specialized professions or functions related to the majors for over eight years with productions or inventions, and have great academic contributions or important specialized publications.
2. Have held the position as associate professor for over three years with outstanding performance and have published specialized publications.

Article 19

Persons without the degrees conferred by junior colleges or higher levels but with special academic contributions may be appointed as teachers of universities or junior colleges when a majority of Academic Review Committee members of the Ministry of Education attend the meeting and three fourths of the present members consent.

Article 20

The qualifications of principals and teachers of schools in the remote or special areas and qualifications of teachers teaching specialized subjects, technical subjects and special subjects and the rare technicians shall be enacted by the Ministry of Education.

For those accepted by the Department of Early Childhood Education of the normal colleges before 7 Feb. 1994 and those accepted by the Extension Division of Department of Early Childhood Education of the normal colleges before 16 Nov. 1995 but have not completed the education, when they take the selection exams of elementary school teachers in remote areas, the recognition of education subjects and credits thereof shall be handled by the teacher training institutions he or she originally attended in accordance with the principle of substantial recognition.

For those who passed the selection exams of elementary school teachers in remote areas in the academic year of 2000 but have not been appointed, their cases, if conforming to the provisions in the preceding paragraph, shall be handled in compliance with the preceding paragraph.

Article 21

The appointment of school staff shall be handled in accordance with the provisions of Act Governing the Appointment of Civil Servants or Statute Governing the Appointment of Technicians pursuant to the function classification thereof and be proceeded to the appointment confirmation process.

For the incumbent staff incorporated within the school organization, if selected and appointed before the enforcement of the Act, the appointment qualifications thereof shall apply to the provisions of the former related laws and the staff may be transferred among schools.

The incumbent staff incorporated within the school organization, if possessing the statutory appointment qualifications for the civil servants or technicians before the enforcement of the amended Statute, shall be reassigned and the pay rate thereof shall be switched pursuant to the incumbent positions. The regulations governing the reassignment and the switch of pay rate shall be enacted by the Examination Yuan along with the Executive Yuan.

The appointment of the human resources staff and the budgeting, accounting, and statistics staff in schools shall be handled in accordance with the provisions of the respective related laws.

The rules governing the promotion exams of public school staff shall be enacted by the Examination Yuan.

Article 22

The appointment qualifications for the professionals in social education institutions and the researchers in academic research institutions may, in accordance with the function classification thereof, apply mutatis mutandis to the respective school’ s provisions.

The appointment qualifications for the general administrative staff of the institutions specified in the preceding paragraph shall abide by the provisions of the related civil servant laws.

Article 22-1

The qualifications for the full-time athletic coaches of all levels of schools shall be enacted by the central government agencies in charge of physical fitness and sports; the procedures and terms of the appointment shall be enacted by the central government agencies.

## Chapter 3 Procedures for the Appointment

Article 23

The appointment procedures for the elementary school principals are as follows:

1. County (city) governments shall nominate the qualified candidates as county (city) elementary school principals and report the nomination list to the provincial government for the ratification and appointment.
2. Municipal education bureaus shall nominate the qualified candidates as the municipal elementary school principals and report the nomination list to the municipal government for the appointment.
3. The principals of the national experimental elementary schools shall be appointed by the Ministry of Education.
4. The principals of the elementary schools subordinate to normal universities, normal colleges and the education departments or colleges of universities shall be nominated among the teachers of the schools or colleges thereof by the respective principals of the schools or colleges thereof to hold a concurrent post and shall be reported to the central government agencies in charge of education administration.

Article 24

The appointment procedures for the high school principals are as follows:

1. The education division of the provincial government shall nominate the qualified candidates as county (city) high school principals and report the nomination list to the provincial government for the ratification and appointment.
2. The education division of the provincial government shall nominate the qualified candidates as provincial senior high school principals and report the nomination list to the provincial government for the appointment.
3. The municipal education bureau shall nominate the qualified candidates as municipal high school principals and report the nomination list to the municipal government for the ratification and appointment.
4. National high school principals shall be appointed by the Ministry of Education.
5. The principals of the high schools subordinate to normal universities, normal colleges and the education departments or colleges of universities shall be nominated among the teachers of the schools or colleges thereof by the respective principals of schools or colleges thereof to hold a concurrent post and shall be reported to the central government agencies in charge of education administration.

Article 25

The appointment procedures for the principals of the junior college and higher levels are as follows:

1. The principals of the provincial (city) universities, independent colleges and junior colleges shall be nominated by the provincial (city) governments and reported to the Ministry of Education for the appointment.
2. The principals of national universities, independent colleges and junior colleges shall be nominated and appointed by the Ministry of Education.

Article 26

The appointment of teachers of all levels of school shall be handled in accordance with the principles of fairness, justness and openness. The procedures are as follows:

1. Teachers of the senior high schools and lower levels may be allocated in accordance with the decrees. Otherwise, the principals thereof may report the publicly selected qualified candidates to the Teachers Review Committee for the screening. The teachers shall be appointed after the consent of the Committee.
2. For the appointment of junior college teachers, the department directors shall report the candidates to the Teachers Review Committee for the screening after the departmental meetings and, after the consent of the Committee, the candidates shall be reported to the principals for the appointment.
3. For the appointment of teachers of each department and graduate school of universities and independent colleges, schools shall put want ads on the media or academic journals and the chairmen of the departments or graduate schools shall propose the applicants to the Teachers Review Committees of the department, college and school for the ratification. After the consent of the Committees, the candidates shall be reported to the principals for the appointment.

The regulations concerning the establishment of Teachers Review Committee specified in the preceding paragraph shall be enacted by the Ministry of Education; however, those of the junior colleges and higher levels shall be prescribed in accordance with the regulations governing the school organization.

Article 27

Junior high and elementary school principals shall be selected openly from the qualified candidates except those who hold the current positions in accordance with the decrees.The same shall be applied to high school teachers except the allocated ones.

Article 28

The school staff shall be appointed by the principals from the qualified candidates and reported to the government agencies in charge of education administration for later check. However, the appointment of the budgeting, accounting, and statistics staff and the human resources staff shall be handled in accordance with the respective related laws.

Article 29

The professionals in social education institutions and researchers in academic research institutions shall be nominated by the respective chairman and reported to the government agencies for the ratification and appointment.

Article 30

School teachers shall apply for the screening of qualifications after the appointment in accordance with the following procedures:

1. The screening cases of the junior high and elementary school teachers shall be submitted to the schools they serve and later reported to the county (city) governments so as to forward to the education division of the provincial government for the screening.
2. The screening cases of the senior high school teachers shall be submitted to the schools they serve and later forwarded to the education division of the provincial government for the screening.
3. The screening cases of the public and private high school and elementary school teachers under the jurisdiction of the municipality shall be submitted to the schools they serve and later forwarded to the municipal education bureaus for the screening.
4. The screening cases of the high school and elementary school teachers subordinate to normal universities, normal colleges and education departments or colleges of universities and public high school teachers shall be submitted to the schools they serve and later forwarded to the provincial education division (city education bureaus) under whose jurisdiction the school belongs to for the screening.
5. The screening cases of the teachers of junior colleges and higher levels shall be submitted to the schools they serve and later transferred to the Ministry of Education fort he screening. The regulations governing the screening of teacher qualifications and registration shall be enacted by the Ministry of Education.

Article 30-1

The screening cases of the incumbent staff who have received the certificates of lecturers or assistant professors before the enforcement of the amended Act and have continued teaching without suspension shall be directly submitted for the screening in accordance with the former promotion regulations without the constraints of Article 29 of University Act. The same may apply to the professionals in social education institutions and researchers of the academic research institutions who have been appointed in accordance with the Act.

## Chapter 4 Restrictions on the Appointment

Article 31

Persons committed one of the following matters may not hold the position as educators. Those who have already been appointed shall be dismissed or discharged after the ratification of the government agencies in charge of education administration.

1. Be convicted of a crime of treason or invasion, or be issued a warrant of arrest and the case is not settled yet.
2. Be convicted of corruption and malfeasance, or be issued a warrant of arrest and the case is not settled yet during the term of civil service.
3. Be dismissed from the employment in accordance with the law, or undergo the disciplinary action of suspension from employment and the penalty is not yet terminated, or be suspended from employment due to the indictment and the case is not yet cleared.
4. Be deprived of civil rights and the rights thereof has not yet be reinstated.

5. Be subject of the commencement of guardianship or assistantship and have not yet revoked those orders.
6. Be proved to have mental disorder by the physicians.
7. Be verified by the related authorities to have conducted inappropriately and therefore impaired teachers' morals and dignity, or have been verified by the Committee for Gender Equity Education of the school as having committed sexual assaults.

Article 32

All levels of school principals may not appoint their spouses, blood relatives within the third degree of relationship, or relatives by affinity as the schools' staff; neither shall they appoint the teachers with kinship to serve concurrently the administrative positions. But those who have held the positions before the principals succeed, if taking charge of fiscal positions, shall be adjusted from their incumbent positions or work; if the positions they hold are fixed-termed, they may continue working until the completion of the term.

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 34

Full-time educators may not work part-time outside of the schools or hold concurrent jobs except there shall be provisions of other laws.

Article 35

The provisions in Article 32 shall apply mutatis mutandis to the head of social education institutions and academic research institutions.

## Chapter 5 The Term of Office

Article 36

All levels of school principals and academic administrative staff of junior colleges and higher levels shall work by terms. The regulations concerning the terms shall be enacted by the Ministry of Education.

Article 37

The first and second term of teachers of junior colleges and higher levels shall be one year, but the later renewed terms shall be two years.

The first term of high school teachers shall be one year, but the later renewed terms shall be two years.

Article 38

Schools may not dismiss teachers whose terms of appointment are still within the validity on the condition that the teachers thereof have not violated the contract of appointment or have not been approved the dismissal by the government agencies in charge of education administration due to serious incidents.

Teachers may not resign when the term of appointment thereof are still within validity unless due to legitimate reasons.

Article 39 (Repealed)

## Chapter 6 Supplementary Provisions

Article 40

The table of job rankings of school principals , teachers and athletic coaches shall be enacted by the Ministry of Education; the official levels, position levels and function levels of school staff shall apply to the provisions of the Act Governing the Appointment of Civil Servants.

The former salary list adopted by the staff appointed before the enforcement of the Act shall be adjusted in accordance with the equivalent levels of functions.

Article 41

The appointment qualifications and the screening procedures of the private school principals and teachers shall apply

mutatis mutandis to the provisions of the Act.

Article 41-1

The qualifications, selection, appointment and transfer of the nursery teachers teaching military training or nursing courses in senior high schools and higher levels shall be enacted by the central government agencies.

Article 42

The enforcement rules of the Act shall be enacted by the Ministry of Education.

Article 43

The Act shall come into force as the day of promulgation.

The articles of this act amended on the 23rd of October, 2009 take effect on the 23rd of November, 2009.

Data Source： Laws and Regulations Retrieving System