Content

Title：	The Enforcement Rules of the Education Act for Indigenous Peoples Ch
Date：	2021.02.25
Legislative：	1. Full text of 20 articles adopted and issued jointly on 1 September 1999 Per Ministry of Education Order No. Tai-San-Zih-88107008,Council of Indigenous Peoples, Executive Yuan Order No. Tai-Yuan-Min-Jaio-Zih-8813469；to be enforced from the date of issuance. 2. Full text of 13 articles amended and issued on 13 September 2005 per Ministry of Education Order No. Tai-San-Zih-0940111851C；Council of Indigenous Peoples, Executive Yuan Order No. Tai-Yuan-Min-Jaio-Zih-09400244502；to be enforced from the date of issuance. 3. Amendment to Article 5, promulgated on 4 August 2014 4. Amended and promulgated on 31 Dec 2019 5. Amendment to Article 7, promulgated on 25 February 2021
Content：	Article 1 The Enforcement Rules of the Education Act for Indigenous Peoples have been formulated in accordance with the provisions of Article 44 of the Education Act for Indigenous Peoples (hereunder referred to “the Act”). Article 2 Providers of ethnic education shall respect the cultural characteristics and values of each of the indigenous peoples and shall organize appropriate associated education measures and activities that are based on indigenous peoples’ histories, languages, art, customary everyday practices, social systems, ecological resources, and knowledge systems. Article 3 When a municipal, county or city competent education authority designates a unit or person to be specifically responsible for indigenous peoples’ general education in accordance with the provisions of Article 3, Paragraph 4 of the Act, it shall do so in accordance with the following provisions: 1.If there are any indigenous peoples’ areas or indigenous key schools within the areas and cities under a competent education authority’s jurisdiction, it shall designate a unit to be specifically responsible for indigenous peoples’ general education. 2.If there are no indigenous peoples’ areas and no indigenous key schools within the areas and cities under a competent education authority’s jurisdiction, it shall designate a unit or person specifically responsible for indigenous peoples’ general education, in the light of actual need. The personnel of the specifically responsible units referred to in the previous paragraph shall respect different indigenous peoples’ distinct identities and cultural uniqueness and be familiar with indigenous education related matters. Article 4 Any competent education authority in charge of schools at senior secondary level and below shall determine that a school is an indigenous key school as defined in the Act, Article 4, Paragraph 1, Subparagraph 5, in accordance with the following provisions: 1.The school is located in an indigenous peoples’ area and indigenous students account for at least one-third of the total number of its students. 2.The school is not located in an indigenous peoples’ area but it has at least one hundred (100) indigenous students, or indigenous students account for at least one-third of the total number of its students. The determination referred to in the previous paragraph shall be undertaken anew every three (3) academic years. Article 5 The municipal, county, or city indigenous education councils referred to in Article 8 of the Act may be convened to accordance with the needs of

municipal, county, or city governments (hereunder referred to as “local governments”) to deliberate the following matters:
1.Formulation of indigenous education policies and projects.
2.Establishment of indigenous schools.
3.Selection and compilation of teaching materials of ethnic education courses for schools at senior secondary level and below.
4.Planning matters related to the training and selection of indigenous education teachers.
5.Planning the promotion of family education for indigenous peoples.
6.Provide guidance and advice on matters related to the setting up of organizations to expand indigenous education.
7.Other matters related to indigenous education.

Article 6

Within six (6) months of the formulation of the plans for the development of indigenous education referred to in Article 9, Paragraph 1 of the Act, local governments shall submit the indigenous education projects that Article 9, Paragraph 2 of the Act stipulates that local governments shall formulate to the central competent education authority and the central competent indigenous peoples’ affairs authority for reference.

Article 7

An indigenous key school that provides elementary and/or junior high school level education that undergoes a merger with another school or to closes down shall do so in accordance with the provisions of Article 10, Paragraph 2, of the Act and it shall handle the related matters and procedures by applying, mutatis mutandis, the provisions of the Regulations Governing Mergers and Closures of Public Elementary Schools and Junior High Schools.

Article 8

The term “indigenous children” used in Article 14, Paragraph 1 of the Act, refers to indigenous children persons aged at least 2 years old on September 1 of the school year in question who have not yet entered elementary school.

The method for the preferential allocation of places to indigenous children stipulated in Paragraph 1, Article 14 of the Act is as follows:
1.If the combined number of indigenous children and any other children who are legally entitled to preferential allocation of a place that register at a particular public preschool, non-profit preschool, or community or tribal cooperative educare service center does not exceed its admission quota: all the children may be admitted.
2.If the combined number of indigenous children and any other children who are legally entitled to preferential allocation of a place that register to attend a particular public preschool, non-profit preschool, or community or tribal cooperative educare service center exceeds its admission quota: the preschool or center shall act in keeping with the principles of fairness, impartiality, and full disclosure and conduct a drawing of lots to determine which of the eligible children will be admitted and it shall publicly announce the time and location of the drawing of lots beforehand.

Article 9

Preference shall be given to selecting persons who have graduated from a junior college or an institution of higher education and who have an indigenous identity to be the guidance and counseling personnel referred to in Article 16 of the Act.

The competent education authorities at all levels shall regularly organize workshops on guidance and counseling related knowledge and skills, for the personnel referred to in the previous paragraph.

Article 10

The provision of ethnic education referred to in the Act, Article 18, Paragraph 1 shall be undertaken using a wide range of approaches, in principle in the form of formal instruction supplemented with courses and other educational activities related to the cultures of indigenous peoples.

Article 11

In order to develop indigenous education, in accordance with the provisions of Article 20, Paragraph 1 of the Act, the competent education authorities at all levels may designate one or more public schools at senior secondary level and below that are under its jurisdiction, or one or more schools that have applied to do so after obtaining approval from their own school council, to provide related school-based experimental education within that

school addressing the administrative operations, organizational arrangements, equipment and facilities, course teaching, student admission, assessment of learning outcomes, and student affairs and counseling, and apply, mutatis mutandis, the following provisions of the Enforcement Act for School-based Experimental Education.
1.Article 6.
2.Article 7, Paragraph 1; Article 7, Paragraph 2, Subparagraphs 1 to 5, Subparagraph 7, Subparagraph 8, and Subparagraphs 11 to 17; Article 7, Paragraph 3, Subparagraph 1; Article 8; Article 10; Article 11, Paragraphs 1 and 2; and Article 12.
3.Article 14. Paragraph 1, Subparagraph 1, Items 1 and 2.
4.Article 17; Article 20, Paragraph 1; Article 21; and Article 22.
5.Article 23, Paragraphs 4 to 7; Article 25, Paragraphs 2 to 4; and Article 26.
Article 12
When in accordance with the provisions of Article 22 of the Act, indigenous peoples, tribes, traditional organizations and/or non-profit organizations, legal persons, or groups are commissioned to organize indigenous education, the provisions of Articles 3 to 7; Article 8, Paragraphs 1 and 2; and Articles 9 to 30 of the Act Governing the Commissioning of the Operation of Public Schools at Senior High School Level or Below to the Private Sector for Experimental Education shall apply, mutatis mutandis. However, the provisions of Article 3, Paragraph 1, Subparagraph 2, and Paragraph 3; Article 6, Paragraph 2; and Article 8, Paragraph 1, Subparagraph 1 that pertain to natural persons do not apply, mutatis mutandis.
Article 13
The competent authorities at each level shall convene meetings of an experimental indigenous education committee in order to deliberate on the indigenous education related experimental education referred to in Article 20 and Article 21 of the Act, and on matters related to the commissioning referred to in Article 22 of the Act.
The committees referred to in the previous paragraph shall each have between nine (9) and twenty-five (25) members who are appointed or assigned by the particular competent authority to serve on the committee in a concurrent capacity from among personnel listed below who are familiar with experimental education. The total number of members in the categories described in Subparagraphs 4, Subparagraph 5, and Subparagraph 6 below is not permitted to comprise less than two-fifths of the committee, and the number of members who have an indigenous identity is not permitted to comprise less than one half of the committee, and the committee shall have proportionate representation of all local ethnic groups. The number of committee members of any one gender is not permitted to be less than one-third of the total number of committee members.
1.One or more representatives of an education administration authority.
2.Experts and/or scholars who are specialists in accounting, finance and financial affairs, law, and/or education.
3.One or more representatives of teachers' and principals' organizations.
4.One or more principals or educators with experience in experimental education.
5.One or more parents of students currently receiving experimental education, or persons who have received experimental education, or whose child has.
6.One or more representatives of an experimental education related group.
The provisions of the Enforcement Act for School-based Experimental Education, Article 5, Paragraph 3, and Paragraphs 5 to 7 apply, mutatis mutandis, to the term of appointment, and reappointment of the members of the committees referred to in Paragraph 1, to replacement of a member by appointment or assignment in a concurrent capacity, and to the selection of the chairperson.
A committee referred to in Paragraph 1 and an indigenous education council set up by a municipal, county, or city competent authority in accordance with Article of the Act may convene joint meetings.
Article 14
When schools at senior secondary level and below establish indigenous language courses in accordance with the provisions of Article 28 of the Act, the courses shall fully oriented toward incorporating the associated

indigenous cultures as an integral element, and if it is considered necessary, integrate tribal elders into teaching the courses and encourage families and tribes to fully participate.

Article 15

Governments at all levels that provide students at the preschool level and at all stages of their 12-Year Basic Education with opportunities to learn the languages, histories, science, and cultures of indigenous peoples in accordance with the provisions of Article 29 of the Act shall plan, and assist and supervise institutions providing preschool education and schools at senior secondary level and below with the arrangement of the number of hours of indigenous education to be provided, and its implementation.

Article 16

In accordance with the provisions of Article 30, Paragraph 2 of the Act, schools at senior secondary level and below in indigenous peoples' areas shall engage representatives of the local indigenous peoples or tribes who have an indigenous identity to join their school's curriculum development committee and these people may be parents, members of communities, members of tribes, experts, and/or scholars, and each school shall determine the proportion of indigenous representatives on its curriculum development committee. However, the proportion is not permitted to be lower than one-tenth.

For the selection and compilation of teaching materials for ethnic education courses for schools at senior secondary level and below in indigenous peoples' areas, schools may convene meetings, conduct public hearings, seminars, information sessions, questionnaire surveys, or interviews, or make use of any other appropriate way to consult with local indigenous peoples, tribes or other traditional organizations.

Article 17

Organizations to expand indigenous education which have been set up with the assistance of local governments, in accordance with the provisions of Article 39, Paragraph 1 of the Act, shall make full use of the organizational and human resources of social education institutions, educational institutions, and organizations and integrate using social resources into their operations.

Article 18

The central competent indigenous peoples' affairs authority shall consult with the central competent education authority to coordinate and integrate indigenous culture and education related resources and information, and set up an integrated platform that is available to all government agencies, public enterprises and organizations, and foundations that has received government subsidy assistance that in total exceeds fifty percent (50%) of its funds that are planning and implementing courses and/or activities related to indigenous education and multicultural education, in accordance with the provisions of Paragraph 2 of Article 43 of the Act.

Article 19

These Enforcement Rules shall come into effect on the date of promulgation.

Data Source： Laws and Regulations Retrieving System