Content

Title：	Early Childhood Education and Care Act Ch
Date：	2021.01.27
Legislative：	1.The Act is effective from January 1, 2012 by the President’s Order on June 29, 2011, with a total of 60 Articles. 2.Articles 10, 15, 43, and 55 amended and promulgated by Presidential Order Hua-Tsung (1) Yi-Tzu No. 10200096081 on May 22, 2013; the Executive Yuan issued the Order Tai-Wen No. 1030124618 on February 14, 2014 that Paragraph 2 of Article 19 falls under the responsibilities of the Bureau of Labor Insurance, and shall be under the jurisdiction of the Bureau of Labor Insurance, Ministry of Labor, as of February 17, 2014. 3.Articles 6, 7, 8, 18, 31, 53, and 55 amended and promulgated by Presidential Order Hua-Tsung (1) Yi-Tzu No. 10400077901 on July 1, 2015 and came into force on January 1, 2012. 4.The full text of 59 Articles amended and promulgated by Presidential Order Hua-Tsung (1)-Yi-Tzu No. 10700069331 on June 27, 2018 and came into force on the date of promulgation. 5.Articles 26 and 49amended and promulgated by Presidential Order Hua-Tsung (1) Yi-Tzu No. 11000006221on January 27, 2021 and came into force on the date of promulgation.
Content：	Chapter 1 General Provisions Article 1　This Act is enacted to ensure young children’s right to appropriate education and care, establish guidelines of education and care, enhance the system of early childhood education and care (hereinafter referred to as “educare”), and safeguard their right to sound physical and psychological development. Family childcare services for young children shall follow stipulations of The Protection of Children and Youths Welfare and Rights Act. Article 2　A competent authority may refer to the Ministry of Education at the central government level, the municipal government at the municipal level, and the county or city government at the county or city level. When any matter stipulated in this Act involves duties of other competent authorities, they shall cooperate in the matter to achieve the aims of this Act. Article 3　Terms used in this Act are defined as follows: 1. “Young children” (hereinafter referred to as “children”) means children over the age of 2 and prior to entering elementary school. 2. “Educare” refers to the following types of services provided for children: (1) family childcare services (2) preschools (3) community cooperative style (4) tribal cooperative style (5) workplace cooperative style 3. “Educare institutions” refers to Subparagraphs 2 to 5 in the preceding Paragraph providing education and care services (hereinafter referred to as “educare services”) to young children. 4. “Responsible person” means the person whose name is registered for the registration of the educare institution in accordance with this Act and relevant regulations; for educare institutions registered as juridical person, the responsible person means the chairperson. 5. “Preschool educators” refers to those providing educare services, including principals, teachers, educare givers and educare assistants. Article 4　The competent authorities at each level shall convene advisory

committees to undertake integrated planning, coordinate, consult, and advocate educare services.
The competent authority at each level shall stipulate the autonomous regulations of the advisory committee. The advisory committee at all levels will be composed of representatives from the competent authority, competent health authority, competent labor authority, associations for the disabled, educare and child welfare scholars and experts, educare and child welfare associations, preschool educator associations, parent associations, and women's groups.
Article 5 The central competent authority shall be in charge of the following matters:
1. Development and recommendation of educare policies and laws.
2. Advocacy and promotion of educare philosophy and regulations.
3. Planning of national educare services, research, reward, consultation, experiments, accreditation, and evaluation.
4. Supervision, guidance, accreditation, and evaluation of local educare administration.
5. Collection, surveys, statistics, and publication of national educare data.
6. Assistance in establishing preschool educator associations and parent associations.
7. Other matters regarding national educare services.
Educare data referred to in Subparagraph 5 of the preceding Paragraph shall at least include fee-charging items and amounts, evaluation results, and punitive measures for educare institutions nationwide.
Article 6 The municipal or county (city) competent authority shall be in charge of the following matters:
1. Planning, experiments, promotion, and rewarding of local educare services.
2. Establishment, supervision, consultation, accreditation, and evaluation of educare institutions.
3. Promoting to establish public preschools, non-profit preschools, and community/tribal/workplace cooperative educare services.
4. Planning and implementation of parenting education.
5. Collection, surveys, statistics, and publication of local educare data.
6. All other matters regarding local educare services.
Educare data referred to in Subparagraph 5 of the preceding Paragraph shall at least include fee-charging items and amounts, evaluation results, and punitive measures for educare institutions within the jurisdiction of the municipal or county (city) competent authority.
Chapter 2 The Establishment of Educare Institutions and Educare Services
Article 7 Educare services shall be child-centered, uphold gender, ethnic, and cultural equality, value both education and care, and respect parents.
The government, society, families, educare institutions, and preschool educators share responsibility in promoting and advancing educare services.
The government shall provide all children with high-quality, universal, affordable, and accessible educare services, giving priority to children who are from offshore islands or remote areas, or need assistance economically, physically, mentally, culturally, or ethnically, and may subsidize private educare institutions in this matter.
Public preschools and non-profit preschools shall give priority enrollment to children who need assistance; the preschool may apply for extra professional aids to the municipal or county (city) competent authority, if the enrollment of children who need assistance outnumber a certain ratio.
The regulations or autonomous regulations regarding the ranking of priority enrollment, ratio of children who need assistance, and hiring of professional aids mentioned in the preceding two Paragraphs shall be stipulated by the respective competent authority.
The government may subsidize necessary expenses for children receiving educare services; the subsidy recipients, requirements, the amount of subsidy, and other relevant matters shall be stipulated by the central competent authority.
Article 8 Municipalities, counties (cities), townships (cities), mountain indigenous districts of municipalities, schools, juridical persons, associations, or individuals may establish preschools. Preschools shall

acquire establishment permit from the municipal or county (city) competent authority before beginning enrollment of children and educare services.
Public schools' affiliated preschools and preschools established by municipalities, counties, cities and mountain indigenous districts of municipalities are public preschools; the remainders are private preschools. However, private child care centers and kindergartens established by public schools or government agencies before December 31, 2011 shall remain as private preschools.
Preschools may establish branch campuses, but branch campuses are limited to the same township (city) of the main campus. However, this limit is not applicable to affiliated or branch preschools of schools with branch campuses, divisions, or classes within the same municipalities or counties (cities).
The enrollment of children in branch campuses shall not exceed the number of children of the main campus and is limited to 60 children.
Private preschools may apply to be registered as non-profit corporation and establish a board of directors.
The central competent authority shall stipulate the regulations regarding the basic facility standards, as well as the establishment, reconstruction, relocation, expansion, enrollment quota, procedures and application documents to be submitted for change of name and responsible person, suspension, reinstatement, withdrawal or revocation of permit, supervision, non-profit corporation registration, board functions, and other relevant matters for preschools and their branch campuses.
In the case that the juridical person referred to in Paragraph 1 is a company, the preschool may be established independently or jointly; the established preschool shall predominantly enroll children of company employees. In the case of enrollment vacancies, the preschool must be approved by the municipal, county (city) competent authority prior to enrollment of other children.
Preschools operating in teaching locations of schools at senior high school level or below may retain its original building usage classification, and are not required to apply for usage alteration license in accordance with Article 73 of the Building Act.
Article 9　Non-profit preschools shall be established in one of the following ways:
1. Municipal or county (city) goverments, central government agencies (institutes), public schools at all levels, township (city) offices, and mountain indigenous district offices of municipalities may commission legally established or registered non-profit juridical persons
2. Non-profit juridical persons may apply to the municipal, county (city) competent authority for approval
The methods of conduct, commission requirements, duration of commission, methods of commission, basic standards of fees and refund, employee payroll for preschool educators and other personnel, review mechanism, evaluation, renewal of contract following expiration, termination of contract, operation or management authorization, and other relevant matters regarding non-profit preschools referred to in the preceding Paragraph shall be stipulated by the central competent authority; the method and amount or ratio of refund shall be stipulated by the municipal or county (city) competent authority.
In the case that the non-profit juridical person referred to in the first Paragraph is an incorporated school, it may independently establish an affiliated non-profit preschool or establish a non-profit preschool affiliated with its private school.
For review of matters referred to in Paragraph 2, municipal or county (city) governments shall convene review meetings by the head of the agency or designated proxy; members of the review meeting shall include educare scholars and experts, as well as representatives from labor associations, educare and child welfare associations, preschool educator associations, parent associations, and women's associations.
The national property management agency shall lease national lands or buildings which are necessary for non-profit preschools operated by the municipal or county (city) government; the annual rent shall be charged based on the land value tax and housing tax payable for such land and buildings for the current period in accordance with the law.

Article 10　Municipal and county (city) competent authorities shall assist public elementary schools on offshore islands and in remote areas to establish affiliated preschools.
Community cooperative or tribal cooperative educare services may be provided based on the geographical restrictions of offshore islands and remote areas and in accordance with the living and learning needs of children; establishment of said institution must be approved by the municipal or county (city) competent authority prior to enrollment of children and educare services.
To provide young indigenous children opportunities to learn their ethnic language, history, culture, and to promote the tribal spirit of caring, tribal cooperative educare services may be provided; establishment of said institution must be approved by the municipal or county (city) competent authority prior to enrollment of children and educare services.
To care for the children of employees of government agencies (institutes), companies, and non-government organizations, workplace cooperative educare services may be provided; establishment of said institution must be approved by the municipal or county (city) competent authority prior to enrollment of children and educare services.
The locations, methods of conduct, enrollment quota, qualifications and allocation of personnel, conditions and procedures for approval, environment, facilities and equipment, healthcare and sanitation, counseling and assistance from the municipal or county (city) competent authority, inspection, management, revocation or cancellation of permit, fee collection and refund, and other relevant matters regarding the preceding 3 Paragraphs shall be stipulated by the central competent authority in consultation with the central indigenous competent authority and central labor affairs competent authority.
Educare services referred to in Paragraphs 2 to 4 operating in teaching locations of schools at senior high school level or below may retain its original building usage classification, and are not required to apply for usage alteration license in accordance with Article 73 of the Building Act.
Article 11　The implementation of educare services shall be in close cooperation with the family and the community, in order to achieve the following objectives:
1. To ensure the physical and mental health of children.
2. To promote the development of positive habits of daily living in children.
3. To enrich daily experiences of children.
4. To strengthen the moral development of children.
5. To foster cooperative behaviors in children.
6. To expand aesthetic experiences of children.
7. To enhance creative thinking in children.
8. To support the development of positive cultural identity in children.
9. To inspire children to care for the environment.
Article 12　The content of educare services are as follows:
1. To provide children services to meet their physical, psychological, and social needs.
2. To provide healthy food, healthcare, and safety services and education.
3. To provide a developmentally appropriate environment and learning activities.
4. To provide learning activities that can promote children’s physical, language, cognition, aesthetic, emotional, and interpersonal development, and to develop basic skills, good habits, and a positive attitude toward learning.
5. To record growth and development, and learning activities
6. To hold activities to enhance parent-child relationship
7. To provide any other services deemed essential to the development of children.
Based on the child’s needs, the parent or guardian of the child may select educare services for the whole day, morning session, or afternoon session; educare institutions may provide extended care services beyond hours and days of educare activities and classes in accordance with the needs of the parent or guardian.
Upon the approval of municipal or county (city) competent authority, educare institutions may provide temporary care services for children based

on said institution's facilities, equipment, and human resources, as well as the needs of the parent or guardian.
Educare curriculum framework and educare service implementation regulations shall be stipulated by the central competent authority.
Educare institutions on offshore islands and in remote areas may combine human resources from non-profit organizations, colleges and universities, and the community to provide care services for children and related activities.
Article 13　The municipal and county (city) competent authority shall provide early intervention, professional assistance, and subsidies to children with disabilities in accordance with relevant laws and regulations.
The central government shall subsidize professionals of special education with fees on an hourly basis, expenditure, and cost of facilities to local governments in order to safeguard educare resources and services for disabled children. The regulations for subsidy shall be stipulated by the central competent authority.
Article 14　Educare institutions may act as a community educare resource center to conduct community activities and parenting education.
Chapter 3 Educare Institution Organization and Qualifications, Rights and Interests of Preschool Educators
Article 15　Unless otherwise specified in this Act, educare institutions shall employ qualified preschool educators who are free of the circumstances described in Paragraph 1, Article 12 of the Statute for Preschool Educators.
Educare institutions are prohibited to make use of preschool educators' certificates or credentials who do not work in said institution.
Within 30 days of hiring any teachers or change in faculty, the educare institution shall submit basic information including the relevant roster, diplomas and certificates documenting education and professional experiences, photocopies of personal identification documents, and attach a criminal record certificate issued by the police within the last three months to the municipal or county (city) competent authority for reference. The municipal or county (city) competent authority shall take the initiative to verify the documentation and may send personnel to conduct a check.
Article 16　For children over 2 years old but less than 3 years old, the maximum class size is 16 children and the class is limited to children only of that age group. For children over 3 years old and prior to entering elementary school, the maximum class size is 30 children. On offshore islands, in remote areas, and in indigenous tribe areas, where the number of children over 2 years old but less than 3 years old is not sufficient to form a class, with the approval of the municipal or county (city) competent authority, preschools may have mixed-age classes with a maximum class size of 15 children.
Preschools with classes for young children with disabilities may reduce the number of children in a class described in the preceding Paragraph. The reduction of number of children and method of estimation shall be stipulated by the municipal or county (city) competent authority.
Other than affiliated preschools of public schools and branch campuses of public preschools which are exempt from appointing a principal, all preschools need to appoint the following full-time preschool educators:
1. Principal
2. Preschool teachers, educare givers, or educare assistants
The requirements for preschool educator-children ratio for preschools and their branch campuses, exluding the principal, are as follows:
1. For classes of children over 2 years old but less than 3 years old, there shall be one preschool educator for classes of no more than 8 children and two preschool educators for classes of 9 children or more. The same requirements apply to preschools located on offshore islands, in remote areas, and indigenous tribal areas as described in Paragraph 1.
2. For classes of children over 3 years old and prior to entering elementary school, there shall be one preschool educator for classes of no more than 15 children and two preschool educators for classes of 16 children or more.
For affiliated preschools of public schools, in addition to preschool

educators employed in accordance with the preceding two Paragraphs, each preschool shall employ an additional preschool educator.
In the case of natural disasters or other emergencies and children need to be placed in preschool, the municipal and county (city) competent authority shall observe the following provisions without the restrictions in Paragraph 1, Paragraph 3, and approved enrollment quota:
1. For each school year, in classes of children over 2 years old but less than 3 years old, or in mixed age group classes of children over 2 years old and prior to entering elementary school as described in Paragraph 1, one more child may be placed for every 8 children.
2. For each school year, in classes of children over 3 years old and prior to entering elementary school, one more child may be placed for every 15 children.
3. Starting the next school year, if no child leaves the preschool in the school year, the number of children enrolled shall be in accordance with the preceding two Subparagraphs; otherwise the enrollment of the number of children shall be in accordance with Paragraph 1.
Article 17　For classes of children over 5 years old and prior to entering elementary school, at least one of the preschool educators allocated to each class shall be a preschool teacher.
The maximum number of educare assistants shall not exceed one-third of the total number of preschool educators in a preschool.
Special educare teachers or social workers may be employed, depending on the needs of the preschool.
Preschools and their branches shall have one nurse on staff; those with a total number of less than 60 children may employ contracted or part-time nurses. For a total of 61 to 200 children, contracted, part-time, or full-time nurses shall be employed; for a total of more than 201 children, full-time nurses shall be employed on staff. Affiliated preschools of elementary or junior high schools that already employ full-time nurses may be exempt from employing additonal nurses.
When a preschool or its branch expands to a certain size, sections shall be established and section chiefs appointed; a preschool teacher, educare giver, or staff member shall act as the part-time section chief. When an affiliated preschool or preschool established by a municipality, county (city), township (city), or mountain indigenous district of municipalities expands to a certain size, full-time personnel shall be employed. All preschools shall employ full-time or part-time cooks.
The human resources and accounting competent authority (agency) of the municipality or county (city) shall appoint a full-time staff member or trained and qualified staff member to handle, on a part-time basis, the human resources and accounting affairs of public preschools established by a municipality, county (city), township (city), or mountain indigenous district of municipalities. The human resources and accounting affairs of an affiliated preschool of a public school shall be handled, on a part-time basis, by a full-time or part-time human resources and accounting staff member of the public school.
Preschool administrative organization and standards regarding the staff quota shall be stipulated by the central competent authority.
Preschools shall establish a substitute system in which a substitute is assigned in the case that a preschool educator, dean, or section chief is away from their post due to leave, on leave without pay, or other reasons. In special cases, the qualifications of the substitute are exempt from the requirements in Paragraph 2, Article 26 of the Statute for Preschool Educators. The qualifications, salary, and other related matters of substitutes shall be stipulated in Paragraph 1, Article 22 of the Enforcement Rules for this Act.
Article 18　The training, qualifications, rights and interests, administration, appeals, and handling of disputes of preschool educators shall be governed by the Statute for Preschool Educators.
To stimulate the development of educare services on offshore islands and in remote areas, competent authorities at all levels shall conduct regular training courses for preschool educators within their jurisdiction.
Article 19　The qualifications of social workers and nurses employed in accordance with this Act shall meet the requirements stipulated in relevant laws and regulations.

Article 20　Individuals providing extended care services shall have one of the following qualifications:
1. Qualified teacher for senior high school level or below or preschool (including kindergarten), preschool educare giver, educare assistant
2. Teacher formerly employed in accordance with the Regulations Governing the Employment of Part-time and Substitute Primary and Secondary School Teachers or the Regulations Governing the Employment of Teaching Assistants at Junior High and Elementary Schools. However, teaching assistants who have only graduated from senior high school level or below must complete 180 hours of professional training for after-school childcare conducted or commissioned by the education, social affairs, or labor affairs competent authority of the municipality or county (city).
3. Graduate of public or private university, college, or junior college, and have completed the professional teacher training courses required for teacher education.
4. Qualified professional at a children and youth welfare institute.
5. Graduate of senior high school level or above, and has completed 180 hours of professional training for after-school childcare conducted or commissioned by the education, social affairs, or labor affairs competent authority of the municipality or county (city).
When there is difficulty employing qualified individuals described in the preceding Paragraph on offshore islands, in remote areas, or in indigenous tribal areas, the number of hours of professional training described in Subparagraph 2 to 5 of the preceding Paragraph may be reduced with the approval of the municipal or county (city) competent authority.
Article 21　The public child care center personnel employed prior to conversion into public preschools, in accordance with the Civil Service Employment Act and Management Guidelines for Employees, shall remain employed at the original place of work following conversion; their services, award and punishments, performance appraisal, training, advanced study, remuneration, insurance, protection, association, retirement, termination, consolation, benefits, and matters related to rights and interests shall be in accordance with original applicable laws and regulations; their promotion and appointment shall be in accordance with original applicable organization regulations; the administration of human resources and accounting personnel shall be in accordance with the same regulations as civil servants.
Public kindergartens and public child care centers shall be converted to public preschools in accordance with this Act. Employees hired under the Executive Yuan and Subordinate Agencies Contracted-Employment Regulations and currently-employed maintenance workers (technicians, drivers) shall be handled in accordance with the original applicable laws and regulations.
Article 22　The employment of other personnel of public preschools, with the exception of those described in the preceding Article, shall be contracted in accordance with the Labor Standards Act and relevant regulations, with their rights and obligations clearly stated in the contracts. The regulations regarding employment procedures, performance evaluation, salary, and relevant matters shall be stipulated by the central competent authority.
The standard of working conditions for other personnel at educare institutions other than public preschools shall be in accordance with the Labor Standards Act and relevant regulations. In the absence of such stipulations, the municipal or county (city) competent authority may invite labor and capital representatives for negotiations.
Article 23　Personnel other than preschool educators for whom the following Subparagraphs 1 to 3 are true shall be dismissed or have their contract terminated by the educare institution; those for whom Subparagraph 4 is applicable shall be forced to retire or be terminated; those for whom Subparagraph 5 is applicable shall be dealt with in accordance with the relevant provisions.
1. The person is convicted and sentenced in a final and unappealable judgement for sexual assault, sexual harassment, sexual exploitation, or child or adolescent abuse, or is the subject of an arrest warrant for a case that remains pending.
2. The person has committed sexual assault, or has committed sexual harassment, sexual bullying, or conduct injurious to the rights and

interests of a child or youth, of a serious nature and the circumstances have been investigated and verified by the municipal or county (city) competent authority.
3. The person has committed sexual harassment, sexual bullying, or conduct injurious to the rights and interests of a child or youth, and the circumstances were not of a serious nature, and the municipal or county (city) competent authority determines that it is necessary for the person to be dismissed or have their contract terminated. After considering the circumstances of the case, it may also determine that the person is not permitted to be re-appointed or employed again for a period of one to four years.
4. The person is not competent to undertake educare work, as supported by the educare institution in consultation with two physicians in relevant fields and objective facts that his/her physical or mental state may cause harm to the child, and this has been reviewed and verified by the evaluation committee comprising relevant experts and scholars invited by the municipal or county (city) competent authority.
5. The person is unfit to serve in their capacity in accordance with the provisions of other laws and regulations.
Regarding personnel who were dismissed or had their contract terminated in accordance with the preceding Paragraph, those for whom the Labor Standards Act is applicable and who fulfill the retirement conditions of said Act shall receive pension in accordance with the law.
Those for whom Subparagraphs 1, 2, 4, or 5, Paragraph 1 of this Article is applicable, or those for whom the Subparagraph 8 or 9, Paragraph 1, Article 14 of the Teachers' Act is applicable shall not serve in educare institutions; those who have been employed or hired shall be dismissed or have their contract terminated. The same applies to those not permitted to be re-appointed or employed again for a period of one to four years for committing sexual harassment or sexual bullying as described in Subparagraph 3 of Paragraph 1 of this Article, or Paragraph 2 of Article 14 of the Teachers' Act.
Before hiring or employing any new personnel, educare institutions shall check with the municipal or county (city) competent authority regarding the conditions listed in the preceding Paragraph.
When a responsible person or other personnel of an educare institution becomes aware in the course of carrying out their work duties of any circumstances referred to in Subparagraphs 1 to 3 of Paragraph 1 taken against a child, the personnel shall report the case to the municipal or county (city) competent authority, in addition to filing any reports required in accordance with relevant laws and regulations.
To conduct checks for circumstances described in Paragraph 4, the competent authorities at all levels shall use the database of individuals penalized in accordance with Article 20 of the Sexual Harassment Prevention Act and Article 97 of the Protection of Children and Youths Welfare and Rights Act compiled by the central social affairs competent authority.
Regulations governing the determinations, reporting, information collection, inquiries made before and during employment, information processing and use, and any other matter relating to the circumstances referred to in Paragraph 1 and from Paragraph 3 to the preceding Paragraph that has compliance requirements shall be stipulated by the central competent authority.
The dismissal of other personnel at educare institutions for whom any of Subparagraphs 1 to 3 of Paragraph 1 is applicable, and for whom relevant laws for civil servants are applicable, shall be handled in accordance with the relevant laws and regulations; those who are not dismissed shall be transferred to another post.
Regarding other personnel at educare institutions who are involved in circumstances referred to in Subparagraphs 1 to 3 of Paragraph 1, the educare institution shall order said personnel's temporary suspension during the investigation period; for those who are reinstated after the reason for suspension has been eliminated, any salary not paid during the period of suspension may be paid in arrears.
Article 24　Under any of the following circumstances, an individual is disqualified from being the responsible person of an educare institution, or chairperson or supervisor of an incorporated preschool:

1. Behaviors referred to in Subparagraph 1 to 3, Paragraph 1 of the preceding Article.
2. Having been convicted and sentenced in a final and unappealable judgement for rebellion or treason, or is the subject of an arrest warrant for a case that remains pending.
3. Having been convicted and sentenced in a final and unappealable judgement for corruption or malfeasance, or is the subject of an arrest warrant for a case that remains pending.
4. Having been deprived of civil rights and the rights thereof have not yet been reinstated.
5. Having been dismissed or suspended from a civil servant position and the period of dismissal or suspension has yet to expire.
6. Having been declared bankrupt and has not yet had his/her rights restored.
7. Having no legal capacity or limited legal capacity.
8. Having been declared by a court to be under guardianship or assistance, and the declaration has not been voided.
The establishment permit shall be revoked by the municipal or county (city) competent authority if Subparagraph 1 of the preceding Paragraph applies to the responsible person; if Subparagraph 1 of the preceding Paragraph applies to the chairperson or supervisor, the municipal or county (city) competent authority shall order his/her removal from the position.
If Subparagraph 1 of Paragraph 1 applies to the responsible person, chairperson, or supervisor, the determinations, reporting, information collection, inquiries made before and during employment, information processing and use, and any other matter relating to the circumstances thereof shall be conducted in accordance with Paragraph 7 of the preceding Article.
Chapter 4 The Protection of Young Children's Rights and Interests
Article 25　Responsible persons and other personnel of educare institutions shall not take any of the actions described in Article 49 of the Protection of Children and Youths Welfare and Rights Act, inflict corporal punishment, use inappropriate discipline, or commit sexual harassment against children.
Educare institutions shall establish regulations on the following matters, enforce them thoroughly, and review them regularly for improvement:
1. Environmental sanitation, food safety and sanitation, and disease prevention.
2. Safety management.
3. Regular maintenance of the facilities.
4. All safety drill plans.
5. Emergency and evacuation procedures.
Article 26　Educare institutions shall enforce protective measures to ensure the safety of children during their arrival and departure of said educare institution.
Preschools shall transport children with children-only buses approved by the municipal or county (city) competent authority, and the maximum vehicle age of said buses is 10 years. The specifications, markings, color, and number of children transported shall comply with regulations and be certified by the motor vehicle office. The bus driver shall possess an occupational driver's license, and a preschool educator or an adult bus guardian shall be on board to ensure the safety of children.
Regulations regarding the management of preschool buses, drivers, and bus guardians as referred to in the preceding Paragraph and other regulations that have to be followed shall be stipulated jointly by the central competent authority and the Ministry of Transportation and Communications.
New preschool bus drivers and bus guardians shall complete at least 8 hours of basic cardiopulmonary resuscitation training within two years before their employment or within three months of employment; said bus drivers and bus guardians shall take at least 8 hours of basic cardiopulmonary resuscitation training, at least 3 hours of courses on safety education (including transportation safety), and at least one emergency drill every two years during their period of employment. Preschools shall assist the municipal or county (city) competent authority in conducting relevant training, courses, or drill at least once per season.
Article 27　Educare institutions shall establish health management

systems. Educare institutions shall assist the municipal and county (city) competent health authority to deliver health examinations for children, and administer health guidance or referral treatment according to the results of the examination.
Educare institutions shall record, file, and store information on the results of children's health and disease examinations, referral treatment, and immunization records.
One month after the beginning of the school year or one month after the young child is enrolled, the parents or guardian shall provide the educare institution with their child's immunization record referred to in the preceding Paragraph.
If the parents or guardian do not provide the information referred to in the preceding Paragraph, the educare institution shall notify the parents or guardian to provide said information. If said information is not provided by the parents or guardian within one month after they have received notification, the educare institution shall notify the competent health authorities.
Educare institutions, responsible persons, and other personnel shall maintain confidentiality with regard to children's information. However, information where consent is given by the parents or guardian is given or required by other legal provisions shall not be subject to this restriction.
Article 28　In order to appropriately manage children's emergencies, injuries, or sickness, educare institutions shall establish measures and regulations for rescue procedures, hospital transport, guidelines for ambulance support, and crisis management prior to the parents' or guardian's arrival.
In accordance with Paragraph 6 of Article 8, the regulations regarding facility and equipment standards require preschools to establish health facilities to provide resources for health management, emergency care management, health care, nutrition consultation, and to assist health education.
Preschool nurses shall receive, once every two years, 8 hours of emergency medical training conducted by an institution, school, or group approved by a teaching hospital or competent authority.
Article 29　Educare institutions shall secure group insurance for young children; the scope, insurance premium, payment and refund, duration, payment standard, rights and obligations, transaction method, and autonomous laws and regulations regarding other relevant matters of which shall be stipulated by the municipal or county (city) competent authority.
The educare institution shall assist in applications for children's claim expenses.
The competent authorities at all levels shall provide public liability insurance for all educare institutions under said jurisdiction. This will be funded on a yearly basis by the central competent authority annual budget.
Chapter 5 The Rights and Obligations of the Parents
Article 30　Preschools may establish parent associations, and affiliated preschools of junior high and elementary schools may establish such associations in conjunction with the school parent associations.
The parent associations described in the preceding Paragraph may join regional parent associations.
The mission, organization, operations, and other relevant matters prescribed in the autonomous laws and regulations of preschool parent associations shall be stipulated by the municipal or county (city) competent authority.
Article 31　Parents or guardians and parent associations may request the following information from the municipal or county (city) competent authority, who shall not refuse such requests:
1. Educare service policies.
2. Educare service quality monitoring mechanisms and practices.
3. A list of the names of approved educare institutions.
4. Regulations regarding the fees and refund of educare institutions and the tuition amount.
5. Results and reports on preschool accreditation and evaluations.
Article 32　Educare institutions shall make public the following

information:
1. Goals and content of educare.
2. Certification and education/professional experience of preschool educators and other personnel.
3. Hygiene, safety, and emergency measures.
4. The administrative organization and staff quota established in accordance with Articles 16 and 17.
5. The implementation of group insurance in accordance with Paragraph 1 of Article 29.
6. Regulations regarding standards for charging and refund, fee items and amounts, and remission of fees in accordance with Paragraph 3 of Article 38.
7. Approved quota for enrollment and actual number of children enrolled.
Article 33 Parents or guardians may request the educare institution for explanation if they dissent to the means or the content of educare services. The educare institution may not refuse explanation without valid reason, and shall make adjustments or modifications as needed.
Article 34 Parent associations and preschool educators' associations at the municipal or county (city) level may participate in the municipal or county (city) competent authority's planning of preschool accreditation and evaluation.
Article 35 In cases where it is alleged that a young child's rights or interests have been harmed by an educare institution's educare services, parents or guardians may file a complaint with said educare institution. If parents or guardians are dissatisfied with the responses to the complaint, they may appeal to the municipal or county (city) competent authority where the educare institution is located within 30 days upon receiving a response to their complaint. If dissatisfied with the decision of the municipal or county (city) competent authority, parents or guardians may proceed with litigation or appeal in accordance with the law.
The municipal or county (city) competent authority shall convene an appeals and arbitration committee to deal with the matters described in the preceding Paragraph; members of the appeals and arbitration committee shall include representatives from the competent authority, educare and child welfare groups, preschool educators associations, parent associations, administrative personnel from the educare institution, and scholars or experts specialized in law, education, child welfare, psychology, or counseling. Non-agency representatives shall account for no less than half of the total number of members, and members of either gender shall account for more than one-third of the total members. The municipal or county (city) competent authority shall stipulate autonomous regulations regarding the organization, structure, and matters of appeal.
Article 36 Parents and guardians shall fulfill the following obligations:
1. To pay tuition in accordance with the contract of educare services.
2. To participate in case discussions or activities conducted by the educare institution regarding the special needs for their children.
3. To attend parenting activities held by the educare institution.
4. To inform of any/all physical and mental needs of their children, provide information regarding health status when necessary, and assist the educare institution in improving the physical and mental health of their children.
The respective competent authority shall actively provide resources and assistance to parents or guardians of children referred to in Subparagraph 4 of the preceding Paragraph.
Chapter 6 Management, Guidance, and Reward of Educare Institutions
Article 37 Educare institutions shall sign written contracts with parents or guardians of the children when entrusted to provide educare services for their children.
Regarding the form and contents of the contracts in the preceding Paragraph, the central competent authority shall provide sample contracts for reference purposes only.
In the case of violation of preschool enrollment quota referred to in Paragraph 6 of Article 8, the parent or guardian shall notify the preschool in writing of termination of contract within 30 days of knowing such violation, and the preschool shall refund collected fees to the parent or guardian and is not subject to the restrictions of refund standards

referred to in Paragraph 1 or Paragraph 5 of Article 38.
Article 38 The autonomous laws and regulations regarding the charges and use of fees of educare institutions and charging and refund standards of public preschools shall be stipulated by the municipal or county (city) competent authority.
In consideration of operation costs, private educare institutions may set fee standards in accordance with the charges and use of fees stipulated by the municipal or county (city) competent authority. Private educare institutions shall make public the information on fee standards prior to the start of the school year and submit said information to the municipal or county (city) competent authority to file for reference prior to collecting fees from parents or guardians of enrolled children.
Regulations regarding standards for charging and refund, fee items and amounts, and remission of fees shall be made public at least one month prior to the start of each semester.
The standards for charging and refund, fee items and amounts, and remission of fees referred to the in the preceding Paragraph shall be made public by the municipal or county (city) competent authority on an information website content that is established or for reference.
For children who are unable to continue attending an educare institution, a refund from the educare institution shall be based on the length of attendance of the child to the parent or guardian; the municipal or county (city) competent authority shall stipulate regulations regarding refunds and fee standards.
The standards for fee items, amounts, remission of fees, and charging and refunds referred to in the preceding five Paragraphs shall include educare services, extended care services, and temporary care services as prescribed in Paragraphs 2 and 3 of Article 12.
Article 39 The municipal or county (city) competent authority shall provide proper assistance or subsidy to educare institutions within its jurisdiction that give priority enrollment to children on offshore islands or in remote areas, or those who need assistance economically, physically or mentally, culturally, or ethnically.
The regulations on assistance or subsidy in the preceding Paragraph shall be stipulated by the central competent authority.
Article 40 Educare institutions shall establish dedicated accounts for the collection and management of revenue and expenditures; the legal receipts of revenue and expenditures shall be preserved for a length of time as prescribed by the tax law.
The account books and receipts of private educare institutions shall be established, obtained, and preserved in accordance with relevant tax regulations.
Educare institutions affiliated with juridical persons shall maintain independent finances.
Article 41 Municipal and county (city) competent authorities shall implement inspection and guidance of educare institutions, and shall conduct accreditation and evaluation of preschools.
Educare institutions shall not evade, impede, or refuse inspection, accreditation, or evaluation described in the preceding Paragraph.
The accreditations and evaluations referred to in Paragraph 1 shall be implemented directly by the municipal or county (city) competent authority or a junior college or university with a department or division of early childhood education and care commissioned by the municipal or county (city) competent authority. The results and reports of accreditation and evaluation shall be made public on an information website.
Regulations regarding categories, items, indicators, and subjects, as well as the qualifications and training of evaluators, implementation, announcement of results, claims, appeals, and follow-up evaluation of the accreditation and evaluation referred to in Paragraph 1 shall be stipulated by the municipal or county (city) competent authority.
Article 42 The municipal and county (city) competent authority shall grant incentives to educare institutions for outstanding performance. The autonomous laws and regulations regarding incentives, subjects, categories, and methods shall be stipulated by the municipal or county (city) competent authority.
Article 43 Child care centers that concurrently operate after-school care

of elementary school students in accordance with the Children and Youths Welfare Act prior to December 31, 2011, and have converted to preschool after January 1, 2012, may continue to said operations.
After January 1, 2012, preschools which provide services other than educare services and have extra space that can clearly be divided may apply to the municipal or county (city) competent authority for approval to concurrently operate after-school care for elementary school students and shift less than one-half of the originally approved quota for preschool children to after-care school care quota; however, said preschools shall not discontinue its educare services.
The Regulations for Establishment and Management of After-school Care Service Classes and Centers for Children shall apply to the service content, personnel qualifications, and regulations for charging and refund of the after-school care services for elementary school students referred to in the preceding Paragraph; the Regulations on Management of School Buses and relevant regulations shall apply to those who need to purchase or lease a school bus for transporting children.
The regulations regarding requirements for approval, personnel quota, management, facilities and equipment, and other binding matters referred to in Paragraphs 1 and 2 shall be stipulated by the central competent authority.
Article 44 The responsible person may not, in the capacity of a representative of an organization other than educare organization, hold a position on the consultation, evaluation, or appeals and arbitration committee for educare services.
In the case of violation of the preceding Paragraph, the competent authority shall appoint another individual.
The recusal of members of the evaluation or appeals and arbitration committee shall be handled in accordance with the applicable provisions of the Administrative Procedure Act.
Chapter 7 Punitive Provisions
Article 45 Any responsible persons or perpetrators employed by a preschool who conform to any one of the following statements shall be subject to a fine of not less than 60,000 New Taiwan Dollars and not more than 300,000 New Taiwan Dollars; in addition, the preschool shall be ordered to suspend operations. Refusal to comply may be subject to consecutive fines:
1. Violated Paragraph 1 of Article 8 by enrolling children and conducting educare services without approval.
2. Violated Paragraphs 2 to 4 of Article 8 by enrolling children and conducting educare services without approval.
3. Violated Paragraph 2 of Article 43 by enrolling children in after-school care services without approval.
If any of the Subparagraphs in the preceding Paragraph is true, the municipal or county (city) competent authority shall make public the address of the preschool and the name of the responsible person or perpetrator.
Article 46 In addition to the punitive measures provided in Article 97 of the Protection of Children and Youths Welfare and Rights Act for acts violating Article 49 of said Act, any responsible persons or other personnel of an educare institution who violate Paragraph 1 of Article 25 shall be subject to the following punitive measures and have the name of the perpetrator and institution be made public:
1. For inflicting corporal punishment: a fine of not less than 60,000 New Taiwan Dollars and not more than 500,000 New Taiwan Dollars
2. For committing sexual harassment: a fine of not less than 60,000 New Taiwan Dollars and not more than 300,000 New Taiwan Dollars
3. For using inappropriate discipline: a fine of not less than 6,000 New Taiwan Dollars and not more than 30,000 New Taiwan Dollars
Article 47 Educare institutions which violate Paragraph 3 of Article 15 or Paragraph 4 of Article 23 shall be ordered to take corrective actions by a specified date and the responsible person shall be subject to a fine of not less than 50,000 New Taiwan Dollars and not more than 250,000 New Taiwan Dollars. Failure to take corrective actions by the specified date may be subject to consecutive fines, and may result in suspension of enrollment or revocation of establishment permit if necessary.
Any responsible persons or other personnel of an educare institution who

violate Paragraph 5 or Article 23 shall be subject to a fine of not less than 30,000 New Taiwan Dollars and not more than 150,000 New Taiwan Dollars.
Article 48 For educare institutions, responsible persons, or other personnel who violate the provisions of Paragraph 5 of Article 27, the responsible person or other personnel shall be subject to a fine of not less than 30,000 New Taiwan Dollars and not more than 150,000 New Taiwan Dollars, and may be fined consecutively per violation.
Article 49 For preschools about which any of the following statements is true, the responsible person shall be subject a fine of not less than 6,000 New Taiwan Dollars and not more than 30,000 New Taiwan Dollars, and the preschool shall be ordered to take corrective actions by a specified date; failure to take corrective actions by the specified date shall result in consecutive fines per violation. Serious violations or failure to take corrective actions after 3 fines may, depending on the severity of the violation, result in the reduction of number of children enrolled within a certain period, the suspension of enrollment for 6 months to one year, suspension of operations for 1 to 3 years, or the revocation of establishment permit:
1.Those that violate the standards or regulations for basic facilities, equipment, and enrollment quota prescribed in Paragraph 6 of Article 8.
2. Those that violate Paragraph 1 of Article 20 by employing unqualified personnel.
3. Those that violate Paragraph 1, 3, or 9 of Article 23 by knowingly employing personnel who are not permitted to work in preschools and not taking action in accordance with laws and regulations.
4. Those that violate Paragraph 2 of Article 24 by not taking action to replace the chairperson or supervisor of a preschool unsuitable for the position.
5. Those who violate Paragraph 2 of Article 26 by transporting children in unapproved children-only buses, vehicles over the maximum age of 10 years, or failing to allocate qualified preschool educators or minors.
6. Those who violate the regulations for the color and markings of the children-only bus, the transportation of children, bus drivers, and bus guardians prescribed in Paragraph 3 of Article 26.
7. Those who violate Paragraph 1 of Article 29 by failing to secure group insurance for children.
8. Those who violate Paragraph 3 of Article 37 by failing to give refunds; those who violate Paragraph 2 of Article 38 by failing to submit fees and charges to the municipal or county (city) competent authority to file for reference or charge higher fees or charge for more items without filing for reference; or those who fail to give refunds in accordance with autonomous regulations referred to in Paragraph 5 or Article 38.
9. Those who violate Paragraph 4 of Article 41 by failing to improve following the results from follow-up evaluations.
10. Those who violate Paragraph 2 of Article 43 by discontinuing the preschool’s educare services.
11. Those who violate the provisions on service content, personnel qualifications, and regulations for charging and refunds prescribed in Regulations for Establishment and Management of After-school Care Service Classes and Centers for Children referred in Paragraph 3 of Article 43.
12. Those who violate the provisions regarding transporting children in unathorized or checked vehicles, vehicles over the maximum age allowed for the transportation of students, vehicle colors and markings, exceeding the number of people allowed in the vehicle, the transportation of children, bus drivers, and bus guardians prescribed in the Regulations on Management of School Buses referred in Paragrah 3 of Article 43.
13. Those who violate the provisions for personnel quota, management, and facilities and equipment referred to in Paragraph 4 of Article 43.
Article 50 Educare institutions providing community, tribal, or workplace cooperative educare services about which any of the following statements is true shall be ordered to take corrective actions by a specified date and failure to take corrective actions by the specified date shall result in the responsible persons being fined not less than 3,000 New Taiwan Dollars and not more than 30,000 New Taiwan Dollars consecutively per violation. Serious violations or failure to take corrective actions after 3 fines may,

depending on the severity of the violation, result in the reduction of number of children enrolled within a certain period, the suspension of enrollment for 6 months to one year, suspension of operations for 1 to 3 years, or the revocation of establishment permit:
1. Those who violate Paragraph 5 of Article 10 regarding mandatory or prohibitive regulations on enrollment quota, qualifications and allocation of personnel, fee collection and refund, environment, facilities and equipment, healthcare and sanitation, inspection, and management.
2. Those who violate Paragraph 2 of Article 15 by making use of preschool educators' certificates or credentials who do not work in said institution.
3. Those that violate Paragraph 1 of Article 20 by employing unqualified personnel.
4. Those that violate Paragraph 1, 3, of 9 of Article 23 by knowingly employing personnel who are not permitted to work in educare institutions and not taking action in accordance with laws and regulations.
5. Those that violate Paragraph 2 of Article 24 by not taking action to replace the chairperson or supervisor of an educare institution unsuitable for the position.
6. Those who violate Paragraph 1 of Article 29 by failing to secure group insurance for children.
7. Those who violate Paragraph 2 of Article 38 by failing to submit fees and charges to the municipal or county (city) competent authority to file for reference or charge higher fees or charge for more items without filing for reference; or those who fail to give refunds in accordance with autonomous regulations referred to in Paragrph 5 or Article 38.
Article 51 Educare institutions about which any of the following statements is true shall be ordered to take corrective actions by a specified date and failure to take corrective actions by the specified date shall result in the responsible persons being fined not less than 3,000 New Taiwan Dollars and not more than 30,000 New Taiwan Dollars consecutively per violation. Serious violations or failure to take corrective actions after 3 fines may, depending on the severity of the violation, result in the reduction of number of children enrolled within a certain period, the suspension of enrollment for 6 months to one year, suspension of operations for 1 to 3 years, or the revocation of establishment permit:
1. Those who violate Paragraph 6 of Article 8 regarding regulations on floor plan, required space, gross floor area, floor area for interior and exterior activity space, height and quantity of sanitary equipment, and provisions regarding the reconstruction, relocation, expansion, change of name, replacement of the responsible person, or suspension of operations.
2. Those who violate Paragraph 4 of Article 12 regarding mandatory regulations on healthcare or prohibitive regulations on educare activities and courses.
3. Those who violate Paragraph 1, 3, 4, or 5 of Article 16.
4. Those who violate Paragraph 1, 2, or 4 of Article 17, or those who violate the standards for allocating cooks prescribed in Paragraph 7 of Article 17.
5. Those who violate Paragraph 7 of Article 23 regarding mandatory or prohibitive regulations on the determinations, reporting, information collection, inquiries made before and during employment, and information processing and use by educare institutions.
6. Those who violate Paragraph 1 of Article 28 by failing to establish guidelines or treatment measures.
7. Those who violate Paragraph 2 of Article 41 by avoiding, impeding, or refusing inspection, accreditation, or evaluation.
8. Those who engage in operations other than those approved.
Article 52 Educare institutions who violate the provisions of Paragraph 8 of Article 17, Paragraph 2 of Article 25, Paragraph 1 of Article 26, Paragraph 1, 2, or 4 of Article 27, Paragraph 2 of Article 28, Paragraph 2 of Article 29, Article 32, Article 33, Paragraph 1 of Article 37, Paragraph 3 of Article 38, or Article 40, shall be ordered to take corrective actions by a specified date and failure to take corrective actions by the specified date shall result in the responsible persons being fined not less than 3,000 New Taiwan Dollars and not more than 15,000 New Taiwan Dollars consecutively per violation. Serious violations or failure to take

corrective actions after 3 fines may, depending on the severity of the violation, result in the reduction of number of children enrolled within a certain period, suspension of enrollment for 6 months to one year, suspension of operations for 1 to 3 years, or the revocation of establishment permit.
If the nature of the educare institution is a juridical person and the establishment permit has been revoked in accordance with the preceding Paragraph or in accordance with the provisions of Paragraph 2 of Article 24, Paragraph 1 of Article 47, Article 49, Article 50, Article 51, or Paragraph 3 of Article 53, the municipal or county (city) competent authority shall notify the court to order its dissolution.
Article 53 Bus drivers, bus guardians, or nurses about which any of the following statements is true shall be ordered to take corrective actions by a specified date and failure to take corrective actions by the specified date shall result in a fine of not less than 1,000 New Taiwan Dollars and not more than 6,000 New Taiwan Dollars consecutively per violation:
1. Those who violate Paragraph 4 of Article 26 by failing to receive at least 8 hours of basic cardiopulmonary resuscitation training, at least 3 hours of courses on safety education (including transportation safety), and at least one emergency drill within the stipulated period.
2. Those who violate Paragraph 3 of Article 28 by failing to receive 8 hours of emergency medical training every two years.
Those for whom one of the Subparagraphs of the preceding Paragraph is true shall not be penalized if the cause is confirmed by the municipal or county (city) competent authority to be not attributable to said bus driver, bus guardian, or nurse.
In the case that the cause in the preceding Paragraph is attributable to the preschool, the preschool shall be ordered to take corrective actions by a specified date and failure to take corrective actions by the specified date shall result in a fine of not less than 1,000 New Taiwan Dollars and not more than 6,000 New Taiwan Dollars consecutively per violation. Serious violations or failure to take corrective actions after 3 fines may, depending on the severity of the violation, result in the reduction of number of children enrolled within a certain period, suspension of enrollment for 6 months to one year, suspension of operations for 1 to 3 years, or revocation of establishment permit.
Article 54 Specific terms and dates for corrective actions and penalties stated in this Act shall be determined by the municipal or county (city) competent authority; municipal or county (city) competent authorities may increase the fine appropriately in accordance with Paragraph 2 of Article 18 of the Administrative Penalty Act.
Regarding educare institutions that violate this Act and are subject to fines, reduction of number of children enrolled, suspension of enrollment, suspension of operations, or revocation of establishment permit by the municipal or county (city) competent authority, the name and responsible persons of said educare institution shall be made public by the municipal or county (city) competent authority.
Chapter 8 Supplementary Provisions
Article 55 For public child care centers or government licensed or registered private child care centers before December 31, 2011, and have converted into a preschool in accordance with this Act, at least one of the preschool educators allocated to each class of children over 5 years old and prior to entering elementary school shall be a preschool teacher, in accordance with Paragraph 1 of Article 17, by August 1, 2025 at the latest.
For public child care centers before December 31, 2011 who have their establishment permit revoked by failing to convert to a preschool in accordance with Paragraph 1 of Article 55 (pre-amendment) before the promulgation of this Act on May 29, 2018, the central competent authority shall, in accordance with the financial situation, subsidize the municipal or county (city) competent authority to establish a public preschool or non-profit preschool at the original location or in adjacent areas.
Article 56 Kindergartens or child care centers that have acquired category F-3 (child care center or kindergarten) construction permit and building use permit in accordance with the Building Act prior to the December 31, 2011, or have acquired child care center preliminary permits in accordance with the Regulations for the Establishment and Permission of Private

Children and Youth Welfare Institutes, or have acquired kindergarten preliminary permits in accordance with the Preschool Education Act, may apply for preschool establishment permits between January 1, 2011 and December 31, 2013 in accordance with the provisions regarding facility and equipment during that period. Other institutions shall comply with the provisions of facility and equipment under Paragraph 6 of Article 8 of this Act.

Article 57 Competent authorities at all levels shall collect, handle, or use personal information and establish a database of preschool-level children and preschool educators in order to understand and plan for educare services and subsidies for children, as well as the quota and allocation of preschool personnel.

Article 58 The enforcement rules of this Act shall be stipulated by the central competent authority.

Article 59 This Act shall take effect as of the date of promulgation.

Data Source： Laws and Regulations Retrieving System