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| Title : | Education Act for Indigenous Peoples Ch |
| Date : | 2013.05.22 |
| Legislative : | <p>1.Promulgated on June 17, 1998 President Decree Hua-tsung-(I)-yi-tzu-no.8700121270</p> <p>2.Amended on January 19, 2000</p> <p>3.Amended 01 September 2004 President Decree Hua-tsung-yi-yi No. 09300156881</p> <p>4.Amended 22 May 2013 President Decree Hua-tsung-yi-yi No.10200096071</p> |
| Content : | <p>Chapter I General Provisions</p> <p>Article 1 This Law is enacted in accordance with Article 10 of the Amendment of the Constitution which requires the Government to protect the indigenous peoples rights to education according to the will and wish of the people of indigenous ethnicities, and thereby promote the educational culture of indigenous peoples. For matters not provided for under this Law, other relevant laws and regulations shall govern.</p> <p>Article 2 The indigenous peoples are the subjectivity of indigenous education. In developing indigenous education therefore, the Government shall promote diversity, ensure equality and autonomy, and demonstrate respect for the indigenous peoples.</p> <p>Article 3 The Competent Authority of Education Administration as referred to in this Law shall mean the Ministry of Education at the central level, the Municipality Government at the municipal level, and the County/City Government at the county/city level. The Competent Authority of Indigenous Peoples Affairs as referred to in this Law shall mean the Council of Indigenous Peoples, Executive Yuan at the central level, the Municipality Government at the municipal level, and the County/City Government at the county/city level. The general education for indigenous peoples shall be the jurisdiction of the Competent Authority of Education Administration. The ethnic education for indigenous peoples shall be the jurisdiction of the Competent Authority of Indigenous Peoples Affairs in general, and in conjunction with the Competent Authority of Education Administration where necessary. The central Competent Authority of Education Administration shall set up a designated unit for indigenous peoples' general education.</p> |

Article 4 For the purpose of this Law, the following definitions shall apply:

1. Indigenous... education: A generic term referring to all general and ethnic education for indigenous peoples.
2. General education: Education of a general nature provided to indigenous students according to their education needs.
3. Ethnic education: Traditional ethnic culture education provided to indigenous students based on the specific cultural characteristics of indigenous peoples.
4. Indigenous schools: Schools established for indigenous peoples that focus on traditional ethnic culture education.
5. Indigenous classes: Classes opened in ordinary schools to provide education tailored to indigenous students' needs.
6. Indigenous priority schools: Elementary or secondary schools with an indigenous student intake exceeding a prescribed number or ratio; said number or ratio shall be specified under the Enforcement Rules of this Law.
7. Teachers of indigenous ... education: Teachers teaching indigenous education courses in indigenous schools, indigenous classes, or indigenous priority schools.
8. Tribal community education: Education provided to indigenous peoples for the purpose of lifelong learning, cultural innovation promotion, talent cultivation for tribal development, and modern citizenship building.

Article 5 Governments at all levels shall take active supporting measures to ensure equal opportunity for indigenous peoples to access all kinds of education at different levels and to establish an education system that meets the specific needs of indigenous peoples.

Article 6 The central Competent Authority of Indigenous Peoples Affairs shall set up an ethnic education review committee for advising and review of ethnic education related policies. Said committee shall be formed of teachers, parents, experts, and scholars with persons with an indigenous identity constituting not less than half of the committee membership, and shall ensure that all ethnic groups are appropriately represented. The rules for the establishment of said committee shall be enacted by the central Competent Authority of Indigenous Peoples Affairs in conjunction with the central Competent Authority of Education Administration. The central ethnic education review committee shall hold regular liaison report meetings with local governments.

- Article 7 The Competent Municipality or County/City Authority may set up a municipal or county/city ethnic education review committee for the advising and review of local ethnic education affairs if such is deemed necessary. Said committee shall have at least half of its members with an indigenous identity. The rules for the establishment of said committee shall be enacted by the relevant Competent Municipality or County/City Authority.
- Article 8 Governments of all levels may relax the restrictions on the organization of indigenous priority schools as they deem necessary and may merge indigenous classes into schools or provide integrated teaching upon securing the majority consent from residents at or above twenty (20) years of age and with a legal domicile in the school district concerned.
- Article 9 The Central Government shall relax budget rules for appropriation of special funds for indigenous education. The percentages of said funds in combination shall not be lower than one point two per cent (1.2%) of the total budget of the central Competent Authority of Education Administration. Governments at all levels shall encourage domestic and foreign organizations, groups, and individuals to provide donations to help advance indigenous peoples education.
- Chapter II School Education
- Article 10 Public kindergartens shall be widely set up in indigenous peoples regions to ensure schooling opportunities for preschool indigenous children. Indigenous preschool children shall have the priority to attend a public kindergarten. The Government shall provide tuition subsidies to indigenous preschool children attending a public or a private kindergarten as it sees fit. The rules governing the provision of said subsidies shall be enacted by the central Competent Authority of Education Administration in conjunction with the central Competent Authority of Indigenous Peoples Affairs. For day care and preschool services for indigenous children, the central Competent Authority of Social Administration shall take charge and shall proceed according to the provisions of the three preceding paragraphs.
- Article 11 Governments at all levels may set up indigenous schools at any level or indigenous classes to improve school attendance of indigenous students and to maintain the indigenous culture.
- Article 12 Schools below the senior high level may offer boarding services for indigenous students with the management thereof under the charge of the campus life counseling personnel and the dining and accommodation cost relating thereto fully subsidized by the Central Government budget.

- Article 13 Schools below the senior high level shall actively strive to explore the potential and special talents of indigenous students and shall guide them to pursue aptitude- and expertise- based development.
The funding needed for said student guidance activities shall be subsidized by the Central Government budget in an amount as determined by the Central Government.
- Article 14 Schools below the senior high level shall provide ethnic education to indigenous students since their enrolment, and where the indigenous student population within the school has reached a prescribed number or ratio, an ethnic education resource classroom shall be set up for ethnic education and general academic counseling purposes.
Said number or ratio shall be determined and made public by the central Competent Authority of Indigenous Peoples Affairs in conjunction with the central Competent Authority of Education Administration.
- Article 15 The Competent Municipality or County/City Authority shall select one school or more to set up an ethnic education resource center to support for the implementation of ethnic education in regular schools within its jurisdiction or in adjacent areas.
- Article 16 Schools at the senior high level or above shall protect the enrolment and attendance opportunities of indigenous students and where necessary, may reserve additional quota as a protective measure. Government scholarships for overseas studies shall provide a reserve quota for indigenous candidates in order to help develop and bring forward youthful talents from among the indigenous population. The rules governing said protective measures shall be enacted by the central Competent Authority of Education Administration.
- Article 17 To help advance the scholarly studies on indigenous ethnicities, cultivate high-caliber professionals of indigenous origin, and develop teachers for indigenous ethnic education, thereby promoting the educational, cultural, economic, social, and political development of indigenous peoples, the Government shall encourage universities to set up relevant colleges, departments, graduate schools, and centers.
For universities setting up a college, department, graduate school, or center to engage in matters relating to the business of indigenous peoples education as set forth under the preceding paragraph, the central Competent Authority of Indigenous Peoples Affairs may provide under its budget a subsidy in an amount as it sees fit.

Article 18 Governments at all levels shall encourage colleges and universities with an indigenous student population exceeding a prescribed number or ratio to set up an indigenous student resource center for the provision of living and academic counseling. Said number or ratio shall be determined and made public by the central Competent Authority of Indigenous Peoples Affairs in conjunction with the central Competent Authority of Education Administration.

The funding needed for said student guidance activities shall be subsidized by the Central Government budget in an amount as determined by the Central Government.

Article 19 Governments at all levels shall provide financial aids for indigenous students attending senior high schools and shall reduce or exempt tuition and fees from those attending junior colleges or higher level schools. The rules governing said student financial aids, tuition reduction and exemption, and other related matters shall be enacted by the respective Competent Authorities of Education Administration concerned. Governments at all levels shall provide education awards and aids to indigenous students and adopt appropriate favorable measures to encourage school attendance among indigenous students.

Colleges and universities shall give priority consideration to impoverished indigenous students when allocating the student schooling support fund appropriated from their respective tuition and fees incomes.

Chapter III Curriculum

Article 20 Schools of all types and levels shall adopt a multicultural perspective and incorporate the histories, cultures, and values of the various indigenous ethnicities in school curricula and teaching materials where appropriate to help promote mutual understanding and respect among different ethnic groups.

Article 21 Governments at all levels shall ensure that indigenous students at preschool and national education levels are provided with an opportunity to learn their respective ethnic languages, histories, and cultures.

Article 22 For ethnic education related curriculum development and material selection or compilation, schools of all types and levels shall respect the views of indigenous peoples and shall involve representatives with an indigenous identity in the process of planning and design. The ethnic education materials to be used in indigenous elementary and secondary schools or in indigenous priority schools shall be reviewed according to the local needs by the ethnic education review committee of the respective municipalities or counties/cities.

Chapter IV Faculty

Article 23 To ensure availability of teachers for indigenous peoples education, all universities with teacher preparation programs shall reserve a quota for indigenous students and may provide full government sponsorship under a quota or set up designated classes for teacher preparation according to the local government's demand and planning for teachers of indigenous peoples education.

The central Competent Authority of Education Administration shall negotiate with the local government about school teacher vacancies for

Indigenous teachers, and will also negotiate with all universities that have teacher preparation programs to set up designated classes for teachers of indigenous peoples education with full government sponsorship if such is deemed necessary.

Article 24 Would-be teachers of indigenous peoples education shall be required to take indigenous culture or multi-culture education courses to improve their professional ability in teaching. The rules governing the curriculum, credit hours, course duration, and other required matters shall be enacted by the central Competent Authority of Indigenous Peoples Affairs in conjunction with the central Competent Authority of Education Administration.

Would-be teachers to be responsible for teaching of ethnic languages shall pass a relevant language certification test, of which governing rules shall be enacted by the central Competent Authority of Indigenous Peoples Affairs.

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| Article 25 | <p>Indigenous elementary and secondary schools, indigenous classes, and indigenous priority schools shall recruit teachers who have an indigenous identity according to a prescribed ratio of the fulltime teachers being recruited to fill vacancies each year ; within five years from when this amendment of this law comes into force on May 7, 2013, the ratio of teachers with an indigenous identity shall not be less than one-third of the faculty of any such school or no less than the ratio of the total student population of that school that its indigenous students comprise.</p> <p>The specific ratio of the fulltime teachers being recruited to fill vacancies referred to in the previous paragraph shall be determined by the Municipality or County/City Competent Authority of Education Administration.</p> <p>Indigenous elementary and secondary schools and indigenous priority schools shall give priority consideration to persons with an indigenous identity who already possess directorship or principal-ship qualifications when selecting a director or a principal.</p> <p>The regulations governing the selection and employment of teachers, directors, and principals referred to in the first paragraph and the previous paragraph shall be enacted by the central Competent Authority of Education Administration in conjunction with the central Competent Authority of Indigenous Peoples Affairs.</p> |
| Article 26 | <p>To provide supportive education relating to indigenous ethnic languages, cultures, and arts, schools may employ senior members of indigenous ethnicities or persons with relevant expertise as instructors. The qualification criteria for said supportive education instructors shall be prescribed by the central Competent Authority of Indigenous Peoples Affairs.</p> |
| Article 27 | <p>To enhance the professional abilities of teachers of indigenous education, the central Competent Authority of Indigenous Peoples Affairs may organize ethnic education training programs.</p> |
| Chapter V | Social Education |

Article 28 Local governments may establish or support the private sector to establish institutions of indigenous peoples extension education for the provision of the following:

1. Literacy education.
2. Supplementary or advanced education for various school levels.
3. Ethnic arts and crafts, special skills, or job training.
4. Family education.
5. Language and culture education.
6. Tribal community education.
7. Human rights education.
8. Women education.
9. Other adult education.

The funding needed for Items 1 and 2 shall be fully subsidized by the Central Government; funding for other types of education on the above list may be granted a subsidy in an amount commensurate with the actual needs.

Article 29 To set up indigenous peoples-exclusive broadcasting channels and culture-related media businesses for sustained indigenous culture education, the central Competent Authority of Indigenous Peoples Affairs shall allocate funding and accept donations from individuals and corporate entities for the establishment of an indigenous peoples culture foundation to take charge, with indigenous representation on both the boards of directors and of supervisors not less than one third.

Prior to the establishment of said foundation, the central Competent Authority of Indigenous Peoples Affairs may, through consultation with the competent authority of the business concerned, demand Public Television, National Education Radio, or cable TV system providers to allocate time slots or channels to air indigenous ethnic programs. The central Competent Authority of Indigenous Peoples Affairs shall set up a designated website for the above purposes. The organization rules for the foundation set forth under Paragraph 1 of this Section shall be provided under a separate law.

Article 30 The Central Government shall set up an indigenous culture center or museum as it sees fit, and where necessary, may reinstitute existing museums that collect and display indigenous artifacts. The organization rules for said reinstated facilities shall be provided under a separate law.

Personnel involved in the matters set forth in the preceding paragraph shall have adequate knowledge of the languages and cultures of indigenous peoples; in filling relevant job positions, qualified professionals with an indigenous identity shall be given priority consideration.

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| Article 31 | Schools and social education and cultural institutions shall involve public and private organizations and social groups in providing social education and cultural activity opportunities and in strengthening family education for indigenous peoples according to their specific needs. |
| Chapter VI | Research, Evaluation, and Incentives |
| Article 32 | Governments at all levels may set up institutions for ethnic education research and development or commission relevant schools, academic institutions or organizations to conduct experiments, research and evaluation, and training on the curricula, teaching materials, and teaching methods for indigenous peoples education, or to undertake other matters or businesses in connection with the development of indigenous peoples education. For the planning and execution of the above experiments, research and evaluation activities for indigenous education, the participation of a majority of representatives with an indigenous identity is necessary. |
| Article 33 | Governments at all levels shall provide rewards to schools, institutions, groups, and individuals engaging in indigenous peoples education that have achieved good results |
| Chapter VII | Addenda |
| Article 34 | The enforcement rules for this Law shall be prescribed by the central Competent Authority of Education Administration in conjunction with the central Competent Authority of Indigenous Peoples Affairs. |
| Article 35 | This Law shall come into force as of the day of promulgation. |

Data Source : Laws and Regulations Retrieving System