

Content

Title :	Junior College Law 
Date :	2013.07.10
Legislative :	<p>1. Promulgated on January 12, 1948.</p> <p>2. Amendment to Articles 1~34 of the Junior College Law per Presidential Decree No. Hua-Zong-Yi-Yi-Zi-2163, dated July 03, 1976.</p> <p>3. Amendment to Article 26 of the Junior College Law per Presidential Decree No. Hua-Zong-Yi-Yi-Zi-0250, dated January 18, 1995.</p> <p>4. Amendment to Article 4 of the Junior College Law per Presidential Decree No. Hua-Zong-Yi-Yi-Zi-4340, dated June 29, 1995.</p> <p>5. Amendment to Article 3-1 of the Junior College Law per Presidential Decree No. Hua-Zong-Yi-Yi-Zi-8753, dated November 08, 1995.</p> <p>6. Amendment to Articles 2,3-1 and 6 of the Junior College Law per Presidential Decree No. Hua-Zong-Yi-Yi-Zi-8900028490, dated February 02, 2000.</p> <p>7. Amendment to Articles 3-1,4,8 and 25 amendment to Articles5-1,23-1,26-1,26-2,27-1,27-2,30-1 and 30-2 of the Junior College Law per Presidential Decree No. Hua-Zong-Yi-Yi-Zi-09200005430, dated January 15, 2003.</p> <p>8. Amendment to Articles 1~40 of the Junior College Law per Presidential Decree No. Hua-Zong-Yi-Yi-Zi-09300002911, dated January 14, 2004.</p> <p>9. Amendment to Articles 35 and 36 of the Junior College Law per Presidential Decree No. Hua-Zong-Yi-Yi-Zi-09900017960, dated January 27, 2010.</p> <p>10. Amendment to Articles 26 and 40 of the Junior College Law per Presidential Decree No. Hua-Zong-Yi-Yi-Zi-09900223421, dated September 1, 2010. The Act was set to be effective since September 3, 2010 by the Executive Yuan Order yuan-tai-jiao No. 0990103085A on September 3, 2010</p> <p>11. Amendment to Articles 25,26,35 and 40 of the Junior College Law per Presidential Decree No. Hua-Zong-Yi-Yi-Zi-10200131141, dated July 10, 2013. Articles 25 and 26 shall take effect on September 1, 2013; Article 35 shall take effect on August 1, 2014.</p>
Content :	<p>Article 1</p> <p>The mission of Junior College, as pursuant to Article 158 of the Constitution of the Republic of China, is to teach students with applied sciences and technologies and to foster personnel with professional skills in practical fields.</p> <p>Article 2</p> <p>With regard to the origin of its establishment, Junior Colleges shall be categorized as national, municipal, and private.</p> <p>National Junior Colleges shall be established by the Ministry of Education on the basis of education policy and the nation's needs, in the light of conditions of local and other places in the nation. Municipal Junior Colleges shall be established by municipal government as approved by the Ministry of Education. Private Junior Colleges shall be established by founder(s) in accordance with the provisions of the Private School Act after proposal for establishment thereof has</p>

been submitted directly to the Ministry of Education for approval and approved thereby.

Article 3

The Ministry of Education shall prescribe standards for the establishment of Junior Colleges. The provisions of paragraph 2 of the preceding article shall govern, as the nature of the matter involved therein sees fit, the procedures for modification and suspension of operations of a Junior College.

Article 4

Junior College shall in principle be established in one category, to be distinguished from other categories; but may be established encompassing several different categories as necessary, with several departments under each category.

The number of students and capacity of a Junior College shall accord with the resources it possesses; the Ministry of Education shall prescribe the criteria regulating the numbers and capacity involved.

Each Junior College shall comply with the aforementioned criteria to set a reasonable goal of its development. National and private Junior Colleges shall report such development goals to the Ministry of Education, whereas municipal ones to respective municipal governments, for approval as basis of their plans for expansions, category adjustments and enrollment.

Article 5

Junior College may establish evening division and summer division; while the Ministry of Education shall prescribe Regulations for the Establishment thereof.

Article 6

To facilitate the development of Junior Colleges, evaluation thereof shall be held by the Ministry of Education. Types, contents, criteria, methodology, procedures and other relevant issues regarding the evaluation shall be prescribed by the Ministry of Education.

Article 7

To improve the talents in practical professions and enhance the quality of technical and vocational education, the Ministry of Education may approve the upgrade of a Junior College to institute of technology whenever it meets the Requirements for Establishment of University or a Subordinate School Campus Thereof. The Ministry of Education shall prescribe the requirements, procedures and reviews thereof for any such Junior College intending to upgrade its school status.

University of Technology and institute of technology may set up Junior College divisions affiliated thereunder when complying with the Regulations Governing Organization, Requirements, Procedures and Review thereof as prescribed by the Ministry of Education.

Any such affiliated Junior College division established under the university of technology or institute of technology shall comply with the provisions under this Act regarding types of college, set-up of categories and divisions and its adjustments, enrollment, term of study, certificate issuance, courses, and facilities, etc.

Article 8

In order to assure regional balance for educational opportunities in Junior College level, the Ministry of Education may, pursuant to the law, select one public vocational high school and upgrade it as a Junior College, or consolidate several vocational high schools as one and upgrade it as a Junior College with a vocational high school as an affiliation thereof in the county/city area where there is no Junior College or Junior College divisions affiliated under University of Technology and Institute of Technology.

Article 9

The president of a Junior College shall be appointed to be responsible for the overall management of the School affairs. The president of a national Junior College shall be appointed and engaged by the Ministry of Education. The president of a municipal Junior College shall be appointed and engaged by the municipal government. The president of a private Junior College shall be appointed and engaged by the Board of Directors of a private Junior College after having reported such to the Ministry of Education on record and for reference.

The president of a Junior College shall not serve concurrently another job in a full-time position outside the School. The necessary qualifications of a Junior College president shall be prescribed by the Ministry of Education.

Article 10

Each Junior College may have one to two vice president(s) to assist the president. Vice president(s) shall be appointed and engaged by the president from amongst the full-time professors or associate professors of the School to serve in a concurrent capacity.

Article 11

Each department at a Junior College shall have a chairperson to be responsible for overall management of affairs within the department. Department

chairpersons shall be appointed and engaged by the college president from amongst the full-time professors, associate professors, or assistant professors of the School to serve in a concurrent capacity.

Article 12

Junior College instructors shall be ranked as professor, associate professor, assistant professor and lecturer. The qualifications and recruitment procedures shall be governed by related laws and regulations.

Junior College may establish teaching positions for specialists and technical instructors. Those who are selected and hired to take such teaching position shall be highly experienced in technical matters, and shall be responsible for teaching professional or technical subjects. The ranking, qualification, employment, dismissal, suspension, discontinuance of employment, complaint, treatment, welfare, educational training, retirement, bereavement payment, dismissal with severance pay, annual increment and other legal rights and interests of the Junior College specialists and technical instructors shall be prescribed by the Ministry of Education.

Article 13

Junior College shall set up administrative units respectively handling academic affairs, student affairs, general affairs, librarianship, information, secretarial affairs, personnel management and accounting, and may set up relevant units due to the needs in teaching, practicum, research and development, service and other tasks helping the management of school affairs; and may, also, set up subordinate units thereunder. The organization and functions of such administrative units and subordinate units thereunder shall be prescribed by the organic charter of each school.

Except for the heads of personnel management and accounting whose appointment and engagement shall comply with relevant laws and regulations, heads of the aforementioned administrative units and subordinate units thereunder shall be selected and appointed from amongst teachers or proper persons of the same or similar rank thereto or employees of the School. The selection and appointment of heads of the aforementioned administrative units and subordinate units thereunder shall be prescribed by the organic charter of each school.

Article 14

To meet practical needs, Junior College may establish department of internship and placement in handling matters regarding internship and placement of the students. A director shall be appointed by the president from amongst full-time teachers of the School with a rank of assistant professor or a higher rank.

Article 15

Junior College shall have an accounting office, staffed by one chief accounting officer along with several assistants and staffers. The accounting office shall administer budgeting, accounting, and statistics as well in accordance with the law.

Article 16

Except for the staffers of personnel management and accounting whose appointment and engagement shall comply with relevant laws and regulations, all units of a Junior College or subsidiaries under the supervision of a Junior College may have a number of employees to be recruited.

Article 17

President of a government-run Junior College shall serve for a fixed term to be specified by the Ministry of Education. The term, the limit for extension of term and the procedures for appointment and extension of term of vice president(s), department chairperson(s) and head(s) of administrative unit(s) served by teachers in a concurrent capacity shall be prescribed by the organic charter of each school. The above provision in this article shall also govern by analogy, as it sees fit, the president and other officers serving in a private Junior College of the same position as mentioned above in this article.

Article 18

Junior College shall have a director of military instruction, military instructors and nursing teachers for military and nursing courses. The qualification, selection/recruitment, appointment/engagement and promotion/transfer thereof shall be prescribed by the Ministry of Education.

Article 19

Junior College shall set up a Governing Board composed of the president, vice president(s), representatives of teachers, heads of academic affairs and several administrative units, representatives of employees, representatives of students association of the School, and other persons concerned. The total number of members of the Board shall be specified in the organic charter of each school. The representatives of teachers, the representatives of employees, and the representatives of students association of the School as mentioned in Paragraph one of this Article shall be elected by votes; the total number of such representatives shall not be less than one half of the total number of the Board members. The number of the Board members, the percentage for each Board member group representing the School teachers, students, employees and others

respectively, as well as the way how such representatives are elected shall be prescribed by the organic charter of each school.

The Board shall be convened and presided by the president of the Junior College at least once a semester. In case one-fifth of the Board members or more sign a petition for convening a Governing Board meeting, the president shall hold it within fifteen days after receiving the said petition.

The Board may set up kinds of councils when needed, handling the matters assigned by the Board. The title, the function and the way how council is organized shall be prescribed by the organic charter of each school.

Article 20

Junior College Governing Board shall deliberate on the following matters:

1. Development plan and budget of the School.
2. The organic charter and other vital regulations of the School.
3. The establishment, adjustment and termination of departments and subsidiaries of the School.
4. Resolutions made by the committees set up by the Board.
5. Other proposals or matters delegated by the College president.

Article 21

Junior College shall establish Administrative Board composed of College president, vice president(s), academic affairs director, student affairs director, general affairs director, and the heads of other relevant units. The Administrative Board shall be presided over by the College president, and shall assist the president in handling important matters related to school affairs.

The organization and power of the School Administrative Board shall be regulated by the organic charter of the School.

Whenever the Administrative Board discuss matters related to students in school study, life, merits and disciplines , rights and obligations, student representative(s) shall be invited to attend these meetings as nonvoting delegate(s).

Article 22

Junior College shall establish academic affairs committee and department affairs committee, and may establish committees related to student affairs, general affairs, internships, teaching, research and social services. The functions and organization shall be prescribed by the organic charter of the School

Student representative(s) shall be present at the meetings whenever the Administrative Board discuss matters related to students in school study, life, merits and disciplines, rights and obligations.

Article 23

Junior College shall implement the tutorial system to guide students in learning and studying, adaptation to life, and developing autonomy. The implement regulations shall be prescribed by each school.

In order to protect the rights and interests of students by way of grievance review system, Junior College shall establish the Student Grievance Review Committee. Details of such system shall be regulated by the organic charter of each school.

Article 24

Junior College shall establish Faculty Evaluation Committee and Regularly Recurring Expenses Review Committee, and may also establish other committees as necessary. The organic charter for such committee shall be drafted by each college and submitted to the Ministry of Education for approval.

Article 25

Junior College shall openly enroll new students and may recruit students transferred from other schools to fill in the shortage of the enrollment quota. Types of enrollment for two-year program in Junior College may include screening and selection, registration and placement, or other admission means approved by the Ministry of Education; enrollement for five-year program in Junior College is primarily by Test-Free Admission, and some quota can be reserved for Distinguishing Feature Recruitment. The means, objects, quota, the implement of the Distinguishing Feature Recruitment and the test items, the organization of Enrollment Board, evasion of interests, rechecking for the score, procedures for handling complaints, and other related rules shall be regulated by each Junior College or Joint Enrollment Board, and submit such regulations to the Ministry of Education for approval before promulgation.

Article 26

Students admitted to a College for the purpose of studying for a degree that are physically or mentally challenged, are aboriginals, are from significantly affected disaster areas, or whose parents are a government official that has been assigned overseas, or have received excellent scores for their field of specialty internationally or on written contests, are awarded for their excellence in sports achievements, are a veteran, are from Mongolia/Tibet, are an overseas compatriot, are students from Mainland China, are international students, or are approved by the project of authorities concerned shall not be subject to the published recruitment quota or means as limited in the previous Article. Protection Acts for students who are physically or mentally challenged, or are aboriginals, as referred to in the previous Paragraph, shall be regulated by The

Special Education Act and The Education Act for Indigenous Peoples .

Students being recruited from Mainland China, as referred to in Paragraph 1, shall not be permitted to study in areas, institutions pertaining to national security therein; and such designation shall be published by the Ministry of Education, after consultation with relevant government agencies.

Regulations, as referred to in Paragraph 1, regarding quota, means, qualifications, term of transaction, composition of the Student Recruitment Committee, principles of recruitment and other provisions related to the rights and responsibilities of examinees shall be stipulated by the Ministry of Education; however, any such regulations as related to students from Mainland China shall be formulated by the Ministry of Education and approved by the Executive Yuan before promulgation.

Article 27

Prerequisite education levels for Junior College admission are as follows:

1. Two-year program in Junior College shall recruit and enroll those who have passed the open entrance screening for vocational school graduates or persons who have obtained an equivalent educational level. However, two-year program in Junior College may admit senior high school graduates to those departments specifically approved by the Ministry of Education.
2. Five-year program in Junior College shall recruit and enroll those who have passed the open entrance screening for junior high school graduates or persons who have obtained an equivalent level of education.

Article 28

Terms of study of Junior College are categorized into two-year program and five-year program. However, for special purposes of teaching and learning, terms of study may increase or decrease in certain departments only after the Ministry of Education approves it.

For purposes of graduation, students of Junior College shall have earned no less than eighty credit/hours in two-year program and two hundred and twenty credit/hours in five-year program.

Any Junior College student who has earned the required credit/hours for graduation with excellent academic performance may shorten the term of study by one year in five-year program or half a year in two-year program. Those Junior College students who cannot earn the required credit/hours for graduation before the term of study ends may extend the term of study up to two years. The rules of such shorten/extend adjustments in terms of study shall be regulated by each school and reported to the Ministry of Education for approval.

Courses offered by all kinds of categories and departments in Junior College shall be categorized as required courses as well as elective ones; students who

do not pass any one of the required courses shall not graduate.

Article 29

Student enrolled in any department of a Junior College shall not get an associate's degree to be conferred by the School pursuant to law until having fulfilled the term of study, passed all the examinations as required, and completed the internship, if required.

Article 30

To ensure successful learning effect, Junior College shall set up standards of conduct for students by way of making regulations and rules of academic affairs as well as merits and disciplines. These regulations and rules shall take effect after having submitted to the Ministry of Education on record and for reference.

Article 31

Junior College, by way of having incorporated the following into the School regulations and rules of academic affairs, may regulate, pursuant to related laws and regulations, such affairs as regarding reservation of enrolled student's admission status, student transferred from other school and from other department/division, suspension of study, student being expelled from school, academic/behavior evaluation, course credits waiving, studying in summer session, student status adjustment concerning military service or due to going abroad, double student identity, and other matters related to student status.

Article 32

The curriculum of Junior College shall focus on professional courses and may design courses of each and every department according to its development characteristics and the needs of industries. The curriculum of Junior College shall be deliberated by Department Curriculum Committee and School Curriculum Committee, reviewed by Academic Affairs Committee and implemented after having submitted to the Ministry of Education on record and for reference. Department Curriculum Committee and School Curriculum Committee shall deliberate the curriculum of Junior College for review/rectification purposes on regular basis.

The first three-year curriculum of Junior College shall be designed and accorded with the development of curriculum for later intermediate education.

Article 33

Each and every department in Junior College shall emphasize student internships as a means of helping students develop fine and practiced technical skills.

Departments that are special in character may require students who have

completed all necessary coursework to further complete an internship within a specified time period.

Article 34

To improve the general public's skill level and the society's exposure to culture, Junior College may offer courses of continuing education and shall strengthen its cooperation with the industry in respect thereto.

The aforementioned continuing education courses program in principle is offered for course taking only or for credits earned only without conferring academic degree. Students who earned credits in such courses program, later have passed the open entrance screening for Junior College, may apply for credits waiving and reduce the term of study in accordance with the regulations and rules of the School to that effect; those who completed the required credit/hours and other requirements for graduation may obtain a degree from the School pursuant to law.

The Ministry of Education shall prescribe Implement Regulations on Continuing Education and the Cooperation between School and Industry.

Article 35

Students in five-year program in Junior College can enjoy tuition-free for the first three years if s/he meets the qualifications. But this does not apply to those who are not Republic of China (ROC) nationals, or those who repeat the same level of education.

The free tuition, as referred to in the previous Paragraph, will be included in the budget planning and be subsidized by the Ministry of Education. Students enrolled in public Junior College do not have to pay for the tuition when they register; students enrolled in private Junior College do not have to pay for the tuition when they register, and the school will compile a namelist to the Ministry of Education to apply for the subsidy.

Except for the tuition-free regulation, as referred to in Paragraph 1, Junior College can charge students. Qualifications, subsidies, items for charge, purposes, sum, reduction, refundment, and other related regulations for the tuition-free application shall be prescribed by the Ministry of Education.

The government shall assist Junior College students by providing student loans; loan items include miscellaneous expenses, practical training, books, accommodation, group insurance for students and study abroad and other relevant costs. The standards for loan qualification, amount, rights and obligations, and other regulations shall be prescribed by the Ministry of Education.

Junior College violating the regulations concerning charging students, as referred to in Paragraph 1 or Paragraph 3, shall be punished as follows:

1. Public school: related staff should receive administrative punishment; subsidies or recruitment quota of the school shall be reduced, and the school shall be ordered to improve before a deadline. In cases where no improvement has been made before the deadline, the school shall be punished by time until thorough improvement has been made.

2. Private school: in accordance with Article 55, Private School Law.

Article 36

Junior College shall provide group insurance for students; each school shall prescribe regulations for coverage, amount of insurance benefits, method of payment, terms, standards for insurance benefits, rights and obligations, procedures to procure insurance and matters related thereto.

If a student files a claim, then the school shall provide the student with necessary assistance.

Article 37

Each and every Junior College shall work out the organic charter of the School pursuant to this Act and submit the same to the Ministry of Education for approval.

Article 38

Private Junior College shall be governed by both this Act and the Private School Act.

Article 39

The Implement Regulations of this Act shall be prescribed by the Ministry of Education.

Article 40

The Act shall be effective as of its date of promulgation.

The effective date of Article 26 of this Act, as amended on August 19, 2010 shall be prescribed by the Executive Yuan.

Article 25 and Article 26 of this Act were amended on June 27, 2013 and shall be effective on September 1, 2013; Article 35 shall be effective on August 1, 2014.