Content

Title：	Early Childhood Education and Care Act Ch
Date：	2022.06.29
Legislative：	1.The Act is effective from January 1, 2012 by the Presidential Decree Hua-Tsung (1) Yi-Tzu No. 10000133881 on June 29, 2011, with a total of 60 articles. 2.Articles 10, 15, 43, and 55 amended and promulgated by Presidential Decree 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 Decree 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 Decree Hua-Tsung (1)-Yi-Tzu No. 10700069331 on June 27, 2018 and came into force on the date of promulgation. 5.Articles 26 and 49 amended and promulgated by Presidential Decree Hua-Tsung (1) Yi-Tzu No. 11000006221on January 27, 2021 and came into force on the date of promulgation. 6.The amended Act with all 66 articles was promulgated by the Presidential Decree Hua-Tsung (1) Yi-Tzu No. 11100053321 on June 29, 2022; the effective date is to be determined by the Executive Yuan.
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 The competent authority refers 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 the 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 service institutions” refers to Subparagraphs 2 to 5 in the preceding Paragraph providing education and care services (hereinafter

referred to as “educare services”) to children.
4. “Responsible person” means the person whose name is registered for the registration of the educare service institution in accordance with this Act and relevant regulations; for educare service institutions registered as juridical persons, the responsible person refers to the chairperson.
5. “Preschool educators” refers to those providing educare services, including principals, teachers, educare givers, and educare assistants.
6. “Other personnel of educare service institutions” refers to personnel of educare service institutions other than the board members and supervisors of incorporated preschool and those referred to in the preceding two subparagraphs.

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 service 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 service 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 service institutions within the jurisdiction of the municipal or county(city)competent authority.

Chapter 2 The Establishment of Educare Service 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 service 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 on offshore islands or in remote areas, or need assistance economically, physically, mentally, culturally, or ethnically, and may subsidize private educare service 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.
However, childcare facilities that are established in accordance with Subparagraph 2, Paragraph 1, Article 23 of the Act of Gender Equality in Employment and are deemed as non-profit preschools shall enroll children in the following order:
1. Children and grandchildren of employees.
2. Children who need assistance.
3. Children other than those in the preceding two Subparagraphs.
The regulations or autonomous regulations regarding subsidies, enrollment and 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.
The right to apply for subsidies according to the preceding Paragraph cannot be detained, transferred, or provided as security.
Prior to enrolling children, the educare service institution shall open a designated account in a financial institution, and report the name and address of the financial institution, the account number, and account name to the municipal or county (city) competent authority for approval. Upon approval, subsidies referred to in Paragraph 6 and other government funds earmarked for the assistance of children receiving educare services shall be deposited in the designated account. The funds deposited into the designated account shall not be used as the subject of offset, seizure, guarantee, or compulsory enforcement.
However, for private preschools established in accordance with Paragraph 1, Article 8, the designated account in which funds are deposited in during the term are exempt from this rule following the end of the term.
The government may distribute the childcare allowance to the parent, guardian, or current care giver of the child; the right to apply for said allowance cannot be detained, transferred, or provided as security.
The parent, guardian, or current care giver of the child shall open a designated account in a financial institution, and report the name and address of the financial institution, the account number, and account name to the municipal or county (city) competent authority for approval, after which the childcare allowance referred to in the preceding Paragraph may be deposited in the designated account. The funds deposited into the designated account shall not be used as the subject of offset, seizure, guarantee, or compulsory enforcement.

Article 8
Municipalities, counties(cities), townships(cities), mountain indigenous districts of municipalities, schools, juridical persons, associations, hospitals, businesses, 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), townships(cities), and mountain indigenous districts of municipalities are public preschools, whereas other preschools 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 a 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 preschool referred to in Paragraph 1 is established by a company, limited partnership, hospital, or business, the established preschool shall predominantly enroll the children and grandchildren of employees of the establishing entity, its affiliates, and its contracted joint operators. In the case of enrollment vacancies, the preschool must be approved by the municipal, county(city) competent authority prior to the enrollment of other children.
Preschools operating in teaching locations of schools at all levels may retain their 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) governments and its subordinate agencies(institutes), central government agencies(institutes), public schools at all levels, military or police colleges or academies, township(city) offices, and mountain indigenous district offices of municipalities (hereafter collectively referred to as government agencies/institutions and national schools)and incorporated government owned enterprises may commission legally established or registered non-profit juridical persons.
2. Non-profit juridical persons may apply to the municipal or 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, qualifications of juridical persons, and other relevant matters regarding non-profit preschools referred to in the preceding Paragraph shall be stipulated by the central competent authority.
If the registered non-profit juridical persons referred to in Paragraph 1 is a private school endowment corporation or medical juridical entity, they may establish a non-profit affiliated or branch preschool itself, or establish a non-profit affiliated or branch preschool through their established private school, hospital, or affiliated non-profit institution.
Where government agencies/institutions and national schools commission the operation of a non-profit preschool and public real estate is needed, it shall be made available at no cost for use by the entrusted non-profit juridical person; if said public real estate is not under management by the state, the government may appropriate it, or the managing authority may agree to make it available at no cost to the government agency/institution or national school.
Where an incorporated government owned enterprise referred to in Paragraph 1 commissions a non-profit juridical person to operate a non-profit preschool, it is not subject to the restrictions set forth in the Government Procurement Act, unless otherwise stipulated in treaties or agreements concluded by the Republic of China.
For review of matters referred to in Paragraph 2, the respective competent authority 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.

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 and grandchildren 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 three Paragraphs shall be stipulated by the central competent authority in consultation with the central indigenous competent authority and central labor affairs competent authority.
Where the provision of educare services referred to in Paragraphs 2 and 3 are adopted and public real estate is needed, the authority responsible for public property management may provide the public real estate through rental. The annual rent shall be calculated based on the land value tax and house tax payable for the year in accordance with the law.
Where government agencies/institutions commission a non-profit juridical person to operate workplace cooperative educare services and public real estate is needed, it shall be made available at no cost for use by the entrusted non-profit juridical person; if said public real estate is not under management by the state, the government may appropriate it, or the managing authority may agree to make it available at no cost to the government agency/institution.
Where an incorporated government owned enterprise commissions a non-profit juridical person to operate workplace cooperative educare services, it is not subject to the restrictions set forth in the Government Procurement Act unless otherwise stipulated in treaties or agreements concluded by the Republic of China.
The non-profit juridical person referred to in the preceding two Paragraphs include private school endowment corporations.
Educare services referred to in Paragraphs 2 to 4 operating in teaching locations of schools at all levels may retain their 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.
The healthy food referred to in Subparagraph 2 of the preceding Paragraph shall be healthy, safe, and nutritionally balanced foods that are in accordance with the food content and nutrition standards established by the central competent authority for preschool meals and the Dietary Reference Intakes established by the central health competent authority.
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 service 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 service 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 service 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 pay, 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 service institutions may act as a community educare resource center to conduct community activities and parenting education.

Chapter 3 Educare Service Institution Organization and Qualifications, Rights, and Interests of Preschool Educators

Article 15
Within 30 working days of hiring any teachers or change in faculty, the educare service 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 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-child ratio for preschools and their branch campuses, excluding 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 Paragraphl, Paragraph 4, 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 schools at

senior high school level or below that already employ full-time nurses may be exempt from employing additional 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 staff member 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.
Affiliated preschools of schools at senior high school level or below may calculate the number of preschool classes and school classes collectively to determine the number of internal units and the staff quota for full-time counseling teachers, professional counselors, nurses, and other personnel. However, if the preschool already employs full-time nurses and maintains its full-time staff quota, the number of preschool classes may not be calculated collectively with school classes to determine the staff quota of nurses.

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 or 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 or be appointed 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 Regulations on Contracted Employment of the Executive Yuan and Its Subordinate Agencies and currently-employed maintenance workers (including 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 private educare service institutions 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 employer representatives for negotiations.

Article 23
Other personnel to whom any of the following situations pertains shall be dismissed, discharged from employment, or have their contract terminated by their educare service institution, and the person never again permitted to be appointed or employed as other personnel of educare service institutions:
1. The person has been found guilty of a crime as defined in Paragraph 1, Article 2 of the Sexual Assault Crime Prevention Act and convicted with no further right of appeal.
2. The municipal or county(city) competent authority has investigated and confirmed that the person has committed a sexual assault.
3. The municipal or county(city) competent authority has investigated and confirmed that the person has committed sexual harassment or sexual bullying, and that it is necessary for that person to be dismissed, discharged from employment, have their contract terminated, and never again permitted to be appointed or employed as other personnel of educare service institutions.
4. The person has been penalized in accordance with the provisions of the Child and Youth Sexual Exploitation Prevention Act, or the provisions of Article 20 or Article 25 of the Sexual Harassment Prevention Act, and the municipal or county(city) competent authority has confirmed that the person has been subject to such punishment, and that it is necessary for that person to be dismissed, discharged from employment, have their contract terminated, and never again permitted to be appointed or employed as other personnel of educare service institutions.
5. The person has been penalized in accordance with the provisions of Article 97 of the Protection of Children and Youths Welfare and Rights Act by the competent social welfare authority at each level, and the municipal or county(city) competent authority has confirmed that the person has been

subject to such punishment, and that it is necessary for that person to be dismissed, discharged from employment, have their contract terminated, and never again permitted to be appointed or employed as other personnel of educare service institutions.
6. The person became aware of an incident that suspected sexual assault has occurred at the educare service institution of employment but did not report the matter in accordance with the provisions of Article 26, thereby leading to a subsequent sexual assault at the institution; or forged, altered, destroyed or concealed evidence of any sexual assault incident committed by any other persons, and any such failure to report or forging, altering, destroying, or concealing of evidence has been investigated and verified by the municipal or county(city) competent authority.
7. The person has forged, altered, or destroyed evidence of any other persons committing a dangerous offence involving narcotics or hazardous drugs on campus or at the educare service institution, and this has been investigated and verified by the municipal or county(city) competent authority.
8. The person has inflicted corporal punishment on or bullied one or more students or children, causing severe physical or mental injury, and this has been investigated and verified by the municipal or county(city) competent authority, and that it is necessary for that person to be dismissed, discharged from employment, have their contract terminated, and never again permitted to be appointed or employed as other personnel of educare service institutions.
9. The person has acted in violation of any pertinent laws or regulations and constitute a suspected harm to children and youth, and the matter has been investigated and verified by the municipal or county(city)competent authority, and that it is necessary for that person to be dismissed, discharged from employment, or have their contract terminated, and never again permitted to be appointed or employed as other personnel of educare service institutions.
10. Unfit to serve as other personnel of educare service institutions in accordance with the provisions of other laws.

Article 24
Other personnel to whom any of the following situations pertains shall be dismissed, discharged from employment, or have their contract terminated by their educare service institution, and the educare service institution shall determine a period of between one to four years, during which that person is not permitted to be appointed or employed as other personnel of educare service institutions:
1. The municipal or county(city) competent authority has investigated and confirmed that the person committed sexual harassment or sexual bullying, and that it is necessary for that person to be dismissed, discharged from employment, or have their contract terminated.
2. The person has been penalized in accordance with the provisions of the Child and Youth Sexual Exploitation Prevention Act, or the provisions of Article 20 or Article 25 of the Sexual Harassment Prevention Act, and the municipal or county(city) competent authority has confirmed this, and that it is necessary for that person to be dismissed, discharged from employment, or have their contract terminated.
3. The person has been penalized in accordance with the provisions of Article 97 of The Protection of Children and Youths Welfare and Rights Act by the competent social welfare authority at each level, and the municipal or county(city) competent authority has confirmed this, and that it is necessary for that person to be dismissed, discharged from employment, or have their contract terminated.
4. The person has inflicted corporal punishment on or bullied one or more students or children, causing physical or mental injury, and this has been investigated and verified by the municipal or county(city) competent authority, and that it is necessary for that person to be dismissed, discharged from employment, or have their contract terminated.
5. The person has acted in violation of any pertinent laws or regulations and constitute a suspected harm to children and youth, and the matter has been investigated and verified by the municipal or county(city) competent authority, and that it is necessary for that person to be dismissed,

discharged from employment, or have their contract terminated.

Article 25
A person to whom any of the following situations pertains is not permitted to be appointed or employed as other personnel of educare service institutions; if such a person has already been appointed, the educare service institution shall dismiss them, discharge them from employment, or have their contract terminated:
1. Any situation referred to in Article 23.
2. Any situation referred to in the preceding Article that occurred during the period of one to four years determined.
3. Any situation referred to in Subparagraphs 3 to 12 of Article 12 or Subparagraph 1, Paragraph 1, Article 14 that pertains to Subparagraphs 3 to 12 of Article 12 of the The Statute for Preschool Educators.
4. Any situation referred to in Paragraph 13 or Subparagraph 2, Paragraph 1, Article 14 of The Statute for Preschool Educators that occurred during the period of one to four years determined.
5. Any situation referred to in Subparagraphs 3 to 11, Paragraph 1, Article 14 or Subparagraph 1, Paragraph 1, Article 19 that pertains to Subparagraphs 3 to 11, Paragraph 1, Article 14 of the Teachers' Act.
6. Any situation referred to in Paragraph 1 of Article 15 or Subparagraph 2, Paragraph 1 of Article 19 of the Teachers' Act that occurred during the period of one to four years determined.
7. Any situation referred to in Paragraph 1 of Article 18 of the Teachers' Act during the period of suspension of between six months and three years.
8. Any situation referred to in Subparagraphs 1 or 3, Paragraph 1, Article 27-1 of the Gender Equity Education Act.
9. Any situation referred to in Subparagraph 2, Paragraph 1, or the latter part of Paragraph 3, Article 27-1 of the Gender Equity Education Act that occurred during the period of one to four years determined.
10. Any situation referred to in Subparagraphs 1 or 2, Paragraph 6, Article 9 of the Supplementary Education Act.
11. Any situation referred to in Subparagraph 3, Paragraph 6, Article 9 of the Supplementary Education Act that occurred during the period of one to four years determined.
If any of the circumstances in any subparagraph of the preceding paragraph applies, and the matter was reported in accordance with the provisions of Paragraph 4 of Article 27, or the provisions of Paragraph 4 of Article 16 of The Statute for Preschool Educators, or the provisions of Paragraph 4, Article 20 of the Teachers' Act, or the provisions of Paragraph 7, Article 27-1 of the Gender Equity Education Act, or the provisions of Paragraph 12, Article 9 of the Supplementary Education Act and the person therefore has a criminal record, the educare service institution is not permitted to appoint or employ that person; if said person has already been appointed or employed, the educare service institution shall dismiss them, discharge them from employment, or have their contract terminated. If the matter was reported through means other than the aforementioned provisions and the person therefore has a criminal record, the educare service institution shall handle the matter in accordance with the provisions of Article 23 or the preceding Article and not appoint or employ that person; if said person has already been appointed or employed, the educare service institution shall dismiss them, discharge them from employment, or have their contract terminated.

Article 26
When the responsible person or other personnel of an educare service institution becomes aware in the course of carrying out their work duties that any person has been involved in circumstances referred to in Article 23, Article 24, or Paragraph 1 of the preceding Article of this Act, or Article 12, Article 13, or Paragraph 1 of Article 14 of the Statute for Preschool Educators, the said person shall report the case to the municipal or county(city) competent authority in addition to filing any reports required in accordance with any other relevant laws and regulations.

Article 27
If any of the situations referred to in Article 23, Article 24, or

Paragraph 1 of Article 25 pertains to the responsible person or other personnel of an educare service institution, the municipal or county (city) competent authority and the educare service institution shall undertake related reporting, collection, checks, processing, and use of information in accordance with the regulations governing.
Before appointing or employing any other personnel of an educare service institution, the educare service institution shall check whether any of the circumstances referred to in the provisions of Article 23, Article 24, or Paragraph 1 of Article 25 pertain to the person; educare service institutions shall also conduct checks of the preschool educators already appointed or employed on a regular basis.
When assisting educare service institutions to undertake the checking referred to in the preceding paragraph, the competent authority may use the database of persons who have been subject to an administrative penalty that was compiled by the central competent social welfare authority, in accordance with the provisions of Article 20 of the Sexual Harassment Prevention Act and Article 97 of the Protection of Children and Youths Welfare and Rights Act.
The regulations governing the determination referred to in Article 23, Article 24, and Paragraph 1 of Article 25, and the reporting, collection, checks conducted before and during the term of employment, processing, and use of information referred to in the preceding Article and the three preceding paragraphs, and other related matters shall be prescribed by the central competent authority.

Article 28
Regarding other personnel of educare service institutions who were dismissed, discharged from employment, or had their contract terminated in accordance with the provisions of Article 23, Article 24, or Paragraph 1 of Article 25, those for whom the Labor Standards Act is applicable and who fulfill the retirement conditions of said Act shall receive their pension in accordance with the law.
For other personnel of educare service institutions to whom the provisions of Article 23, Article 24, or Paragraph 1 of Article 25 pertain, and for whom the provisions of the Teachers' Act for public preschool educators or relevant laws of civil servants applies, their dismissal or discharge from employment shall be handled in accordance with the law; those who are not dismissed or discharged from employment shall be transferred from their current position.
For other personnel of educare service institutions who are involved in situations referred to in Article 23 or Article 24, during the investigation period the educare service institution shall temporarily suspend their appointment, employment, or contract; if the reason(s) for the temporary suspension of employment ceases to exist and the person is reinstated, any salary that they were not paid during the suspension period shall be paid to the person in arrears in accordance with the provisions of relevant regulations.
For other personnel in the preceding Paragraph for whom the relevant laws of civil servants apply, when the reason(s) for the temporary suspension of employment ceases to exist and the person is reinstated, their basic pay(and seniority pay) shall be paid in arrears with the provisions of relevant regulations.

Article 29
Under any of the following situations, an individual is disqualified from being the responsible person of an educare service institution, or chairperson or supervisor of an incorporated preschool:
1. Any situation referred to in Article 23, Article 24, and Paragraph 1 of Article 25.
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 or the court has ruled on the initiation of the liquidation process in accordance with the Consumer Debt Clearance Statute, 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.
For private but unincorporated educare service institutions, if Subparagraph 1 of the preceding Paragraph applies to the responsible person, the establishment permit shall be revoked by the municipal or county(city) competent authority; for public preschools, non-profit preschools, private incorporated educare service institutions, private educare service institutions established by juridical persons, associations, hospitals, or businesses, private educare service institutions affiliated with private schools, if Subparagraph 1 of the preceding Paragraph applies to the responsible person or chairperson or supervisor of an incorporated preschool, 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 other related matters shall be prescribed by the central competent authority.

Chapter 4 The Protection of Children’s Rights and Interests

Article 30
The responsible person and other personnel of educare service institutions shall not impose physical and mental mistreatment, corporal punishment, bullying, sexual harassment, improper discipline, or any other acts of physical or mental violence or improper behavior on children.
The responsible person and other personnel of educare service institutions shall report cases in accordance with Article 26 to the municipal or county(city) competent authority no later than 24 hours.
When the municipal or county(city) competent authority is informed of a possible incident referred to in Article 23, Article 24, Paragraph 1 or Article 25, or Paragraph 1 of this Article involving the responsible person and other personnel of educare service institutions, it shall within two working days turn over the case to a dedicated committee for investigation and handling. In addition, it shall notify in writing the offender and the legal representative or current care givers of the child involved of its handling conclusion, facts established, and grounds.
The committee referred to in the preceding Paragraph shall be composed of representatives of the competent authority, educare and child welfare associations concerned with child protection, preschool educator associations, associations of other personnel, parent associations, and relevant scholars and experts. Regulations regarding the committee formation, investigation and handling procedures, and other relevant matters shall be stipulated by the central competent authority.
The offender and relevant persons of the educare service institution shall cooperate with the investigation referred to in Paragraph 3.
Educare service 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 31
Educare service institutions shall enforce protective measures to ensure the safety of children during their arrival and departure of said educare

service 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 quarter.

Article 32
Educare service institutions shall establish health management systems.
Educare service 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 service institutions shall record, file, and store information on the results of children's health and disease examinations, referral treatment, and immunization records.
Within one month from the beginning of the school year or after the child is enrolled, the parents or guardian shall provide the educare service 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 service 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 service institution shall notify the competent health authorities.
Educare service 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 or required by other legal provisions shall be exempt from this restriction.

Article 33
In order to appropriately manage children's emergencies, injuries, or sickness, educare service 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 34
Educare service institutions shall apply group insurance for children in accordance with the Group Insurance of Students at Schools at Senior Secondary Level or Below and Young Children at Educare Service Institutions Act and relevant regulations.

The educare service institution shall proactively assist in applications for children's insurance claim.
The competent authorities at all levels shall provide public liability insurance for all educare service 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 35
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 36
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 approved educare service institutions.
4. Regulations regarding the fees and refund of educare service institutions and the tuition amount.
5. Results and reports on preschool accreditation and evaluations.

Article 37
Educare service 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 34.
6. Regulations regarding standards for charging and refund, fee items and amounts, and fee remission in accordance with Paragraph 4 of Article 43.
7. Approved quota for enrollment and actual number of children enrolled.

Article 38
Parents or guardians may request the educare service institution for explanation if they dissent to the means or the content of educare services. The educare service institution may not refuse explanation without valid reason, and shall make adjustments or modifications as needed.

Article 39
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 40
In cases where it is alleged that a young child's rights or interests have been harmed by an educare service institution's educare services, parents or guardians may file a complaint with said educare service 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 service 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 service 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 41
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 service institution regarding the special needs for their children.
3. To attend parenting activities held by the educare service 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 service 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 Service Institutions

Article 42
Educare service 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 may notify the preschool in writing of termination of contract within 30 days of knowing such violation, and the preschool shall refund collected fees for the current term to the parent or guardian and is not subject to the restrictions of refund standards referred to in Paragraph 2 or Paragraph 6 of Article 43.

Article 43
The charges and uses of fees of educare service institutions shall be stipulated by the central competent authority.
The autonomous laws and regulations regarding the charging and refund standards of public preschools shall be stipulated by the municipal or county (city) competent authority in accordance with the charges and uses of fees in the preceding Paragraph.
In consideration of operation costs, private educare service institutions may set fee standards in accordance with the charges and use of fees stipulated by the central competent authority in Paragraph 1. Private educare service 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 fee remission shall be made public at least one month prior to the start of each term.
The standards for charging and refund, fee items and amounts, and fee remission referred to the in the preceding Paragraph shall be made public by the municipal or county (city) competent authority on an information website for its establishment or reference.

For children who are unable to continue attending an educare service institution, educare service institution shall refund the parent or guardian based on the length of attendance of their child; the municipal or county (city) competent authority shall stipulate regulations regarding refunds and fee standards.
The standards for fee items, amounts, fee remission, and charging and refunds referred to in the preceding six Paragraphs shall include educare services, extended care services, and temporary care services as prescribed in Paragraphs 3 and 4 of Article 12.

Article 44
The municipal or county(city) competent authority shall provide proper assistance or subsidy to educare service 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 45
Educare service institutions shall establish dedicated accounts for the collection and management of revenue and expenditures; the legal receipts of revenue and expenditures shall be retained for a period as prescribed by the tax law.
The account books and receipts of private educare service institutions shall be established, obtained, and retained in accordance with relevant tax regulations.
Educare service institutions affiliated with juridical persons shall maintain independent finances.

Article 46
Municipal and county(city) competent authorities shall implement inspection and guidance of educare service institutions, and shall conduct accreditation and evaluation of preschools. The results and reports of accreditation and evaluation shall be made public on an information website.
Educare service institutions shall not evade, impede, or refuse inspection, accreditation, or evaluation described in the preceding Paragraph.
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 central competent authority.

Article 47
The municipal and county(city) competent authority shall grant incentives to educare service 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 48
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 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 49
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 50
Any responsible persons or other personnel of an educare service institution who violate the provisions of Paragraph 1, Article 30 and have imposed any of the following acts on children shall be subject to a fine of not less than NT$60,000 and not more than NT$600,000 and have the name of the offender and institution be made public:
1. Physical and mental mistreatment.
2. Corporal punishment, bullying, sexual harassment, improper discipline, or any other acts of physical or mental violence or improper behavior of a serious nature.
Article 51
Under any of the following situation, the responsible persons or offenders shall be subject to a fine of not less than NT$60,000 and not more than NT$300,000; in addition, the preschool shall be ordered to suspend operations. Refusal to comply may be subject to consecutive fines:
1. Violation of Paragraph 1 of Article 8 by enrolling children or conducting educare services without approval.
2. Violation of Paragraphs 2 to 4 of Article 10 by enrolling children or conducting educare services without approval.
3. Violation of Paragraph 2 of Article 48 by enrolling children or conducting 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 offender.

Article 52
For preschools if any of the following situation pertains, the responsible person shall be subject a fine of not less than NT$60,000 and not more than NT$300,000, 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. Violation of Paragraph 6 of Article 8 regarding the enrollment quota by exceeding the enrollment quota by over 15 children or by deliberately hiding children during inspections.
2. Violation of Paragraph 1 of Article 16 regarding the class size or Paragraph 4 of Article 16 regarding the number of preschool educators per class.
3. Violation of Articles 23 to 25 or Paragraph 3 of Article 28 by knowingly

employing other personnel who are not permitted to work in educare service institutions and not taking action in accordance with laws and regulations.
4. Violation of Paragraph 2 of Article 29 by not taking action to replace the chairperson or supervisor of an educare service institution unsuitable for the position.
5. Violation of Paragraph 1 of Article 34 by failing to apply group insurance for children.
6. Violation of Paragraph 3 of Article 42 by failing to give refunds; violation of Paragraph 3 of Article 43 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 violation of Paragraph 6 of Article 43 by failing to give refunds in accordance with autonomous regulations.
7. Violation of Paragraph 2 of Article 46 by avoiding, impeding, or refusing inspection, accreditation, or evaluation.
8. Violation of Paragraph 3 of Article 46 by failing to follow up after evaluations or failing to improve following the results of follow-up evaluations.

Article 53
For community, tribal, or workplace cooperative educare service institutions if any of the following situation pertains, the responsible person shall be subject to a fine of not less than NT$60,000 and not more than NT$300,000, the institution shall be ordered to take corrective actions by a specified date, and 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, in accordance with the seriousness of the case, result in the reduction of number of children enrolled, suspension of enrollment for 6 months to one year, suspension of operations for 1 to 3 years, or revocation of establishment registration:
1. Violation of Articles 23 to 25 or Paragraph 3 of Article 28 by knowingly employing other personnel who are not permitted to work in educare service institutions and not taking action in accordance with laws and regulations.
2. Violation of Paragraph 2 of Article 29 by not taking action to replace the responsible person, chairperson, or supervisor of an educare service institution unsuitable for the position.
3. Violation of Paragraph 1 of Article 34 by failing to secure group insurance for children.
4. Violation of Paragraph 3 of Article 43 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 violation of Paragraph 6 of Article 43 by failing to give refunds in accordance with autonomous regulations.
5. Violation of Paragraph 2 of Article 46 by avoiding, impeding, or refusing inspection, accreditation, or evaluation.

Article 54
If any of the following situation pertains to an educare service institution, the responsible person shall be fined not less than NT$50,000 and not more than NT$250,000, and the educare service institution shall be ordered to take corrective actions by a specified date, and failure to take corrective actions by the specified date shall result in consecutive fines per violation. If necessary, the institution may be subject to suspension of enrollment or revocation of establishment registration:
1. Violation of Article 15 by failing to submit information about newly employed teachers within 30 days of hiring for reference.
2. Violation of Paragraph 2 of Article 27 by failing to conduct checks before hiring or employing any new personnel.
Any responsible persons or other personnel of an educare service institution who violate Article 26 shall be subject to a fine of not less than NT$30,000 and not more than NT$150,000.

Article 55
For educare service institutions, responsible persons, or other personnel who violate the provisions of Paragraph 5 of Article 32, the responsible

person or other personnel shall be subject to a fine of not less than NT$30,000 and not more than NT$150,000, and may be fined consecutively per violation.

Article 56
For preschools if any of the following situation pertains, the responsible person shall be subject a fine of not less than NT$9,000 and not more than NT$90,000, 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. Violation of the standards or regulations for basic facilities, equipment, or enrollment quota prescribed in Paragraph 6 of Article 8.
2. Violation of Paragraph 1 of Article 20 by employing unqualified personnel.
3. Violation of Paragraph 2 of Article 31 by transporting children in unapproved children-only buses or vehicles over the maximum age of 10 years, exceeding the number of people allowed in the vehicle, or failing to allocate qualified preschool educators or minors.
4. Violation of Paragraph 3 of Article 31 regarding regulations for the color and markings of the children-only bus, the transportation of children, bus drivers, and bus guardians.
5. Violation of Paragraph 2 of Article 48 by discontinuing the preschool’s educare services.
6. Violation of Paragraph 3 of Article 48 regarding 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.
7. Violation of Paragraph 3 of Article 48 regarding the provisions on transporting children in unauthorized or unapproved 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.
8. Violation of Paragraph 4 of Article 48 regarding the provisions for personnel quota, management, and facilities and equipment.

Article 57
For community, tribal, or workplace cooperative educare service institutions if any of the following situation pertains, the responsible person shall be subject to a fine of not less than NT$9,000 and not more than NT$90,000, the institution shall be ordered to take corrective actions by a specified date, and 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, suspension of enrollment for 6 months to one year, suspension of operations for 1 to 3 years, or revocation of establishment registration:
1. Violation of 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. Violation of Paragraph 1 of Article 20 by employing unqualified personnel.

Article 58
For educare service institutions if any of the following situation pertains, the responsible person shall be subject to a fine of not less than NT$6,000 and not more than NT$60,000, the institution shall be ordered to take corrective actions by a specified date, and 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, suspension of enrollment for 6 months to one year, suspension of operations for 1 to 3 years, or revocation of establishment registration:
1. Violation of 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. Violation of Paragraph 5 of Article 12 regarding mandatory regulations on healthcare or prohibitive regulations on educare and child care services.
3. Violation of Article 15 by failing to submit information about personnel changes within 30 days for reference.
4. Violation of Paragraph 3 of Article 16 regarding the allocation of full-time preschool educators or violation of Paragraph 5 regarding the additional allocation of preschool educators at affiliated preschools of public schools.
5. Violation of Paragraph 1 of Article 17 by failing to allocate teachers for classes of children over 5 years old and prior to entering elementary school.
6. Violation of Paragraph 2 of Article 17 due to the number of educare assistants exceeding one-third of the total number of preschool educators in a preschool.
7. Violation of Paragraph 4 of Article 17 regarding the employment of nurses or violation of Paragraph 7 regarding the employment of cooks.
8. Violation of Paragraph 4, Article 27 and Paragraph 3, Article 29 regarding the determination by educare service institutions, and the mandatory or prohibitive regulations on reporting, collection, checks conducted before and during the term of employment, processing, and use of information by educare service institutions.
9. Violation of Paragraph 1 of Article 30 by educare service institutions or other personnel of educare service institutions.
10. Violation of Paragraph 1 of Article 33 by failing to establish guidelines or treatment measures.
11. Engaging in operations other than those approved.
The responsible person or other personnel of an educare service institution who violate the provisions of Paragraph 1, Article 30 and have imposed on children corporal punishment, bullying, sexual harassment, improper discipline, or other acts of physical or mental violence or improper behavior not of a serious nature, the offender shall be subject to a fine of not less than NT$6,000 and not more than NT$60,000, and the offender’s name and institution of employment shall be made public.
Offenders and relevant persons of the educare service institution who violate Paragraph 5 of Article 30 by not cooperating with the investigation without any reasonable ground shall be subject to a fine of not less than NT$6,000 and not more than NT$60,000, and may be fined consecutively until their cooperation is provided.

Article 59
For educare service institutions if any of the following situation pertains, the responsible person shall be subject to a fine of not less than NT$3,000 and not more than NT$15,000, the institution shall be ordered to take corrective actions by a specified date, and 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, suspension of enrollment for 6 months to one year, suspension of operations for 1 to 3 years, or revocation of establishment registration:
1. Violation of Paragraph 6 of Article 30 by failing to establish regulations, enforce them thoroughly, or review them regularly for improvement.
2. Violation of Paragraph 1 of Article 31 by failing to enforce protective measures during the arrival and departure of children to and from the

educare service institution.
3. Violation of Paragraph 1 of Article 32 by failing to establish health management systems.
4. Violation of Paragraph 2 of Article 32 by failing to record, file, and store information on the results of children's health and disease examinations, referral treatment, and immunization records.
5. Violation of Paragraph 4 of Article 32 by failing to notify the parents or guardian to provide the child's immunization record or failure to notify the competent health authorities in accordance with regulations.
6. Violation of Paragraph 2 of Article 33 by failing to establish health facilities in accordance with the facility and equipment standards stipulated in Paragraph 6 of Article 8.
7. Violation of Paragraph 2 of Article 34 by failing to proactively assist in children's group insurance claim application.
8. Violation of Article 37 by failing to make public information.
9. Violation of Article 38 by refusing the parents' or guardians' request for explanation of the means or the content of educare services without valid reason.
10. Violation of Paragraph 1 of Article 42 by failing to sign written contracts with parents or guardians of children for educare services.
11. Violation of Paragraph 4 of Article 43 by failing to make public at least one month prior to the start of each term the regulations regarding standards for charging and refund, fee items and amounts, and fee remission.
12. Violation of Paragraph 1 of Article 45 by failing to establish dedicated accounts, retain the legal receipts of revenues and expenditures, or retain said receipts for a period as prescribed by the tax law.
13. Violation of Paragraph 2 of Article 45 by failing to handle account books and receipts in accordance with relevant tax regulations.
14. Violation of Paragraph 3 of Article 45, in which educare service institutions affiliated with juridical persons fail to maintain independent finances.

Article 60
Bus drivers, bus guardians, or nurses to whom any of the following situation pertains 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 NT$1,000 and not more than NT$6,000 consecutively per violation:
1. Violation of Paragraph 4 of Article 31 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. Violation of Paragraph 3 of Article 33 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 NT$1,000 and not more than NT$6,000 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 61
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 handle in accordance with Paragraph 2 of Article 18 of the Administrative Penalty Act.

Regarding educare service 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 service institution shall be made public by the municipal or county(city) competent authority.
If the nature of the educare service institution is a juridical person and the establishment permit has been revoked by the municipal or county(city) competent authority, said competent authority should notify their court to issue an order to disincorporate.
The publication period of the responsible person, offender, and name of the institution referred to in Article 50, Paragraph 2 of Article 51, Paragraph 2 of Article 58, and Paragraph 2 of this Article shall be stipulated by the central competent authority.

Chapter 8 Supplementary Provisions

Article 62
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 June 27, 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 63
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 64
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 65
The enforcement rules of this Act shall be stipulated by the central competent authority.

Article 66
The effective date of this Act shall be determined by the Executive Yuan.

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