Content

Title：	Primary and Junior High School Act Ch
Date：	2023.06.21
Legislative：	1.Presidential Decree (68) Tai-Tong(Yi)-Yi-Zi No. 2523 promulgated on May 23, 1979: Entire text of 22 articles, to take effect from the date of promulgation date. 2.Presidential Decree (88) Hua-Zong-Yi-Zi No. 8800024770 promulgated on February 3, 1999: Amendments to Articles 4, 7~11, and 16~20, and addition of Articles 8-1, and 8-2. 3.Presidential Decree (90) Hua-Zong-Yi-Zi No. 9000252770 promulgated on December 21, 2001: Amendment to Article 11. 4.Presidential Decree Hua-Zong-Yi-Zi No. 09200019130 promulgated on February 6, 2003: Amendments to Articles 4~6, 9, 13, 18, and 20, and addition of Articles 5-1, 9-1~9-4, and 20-1. 5.Presidential Decree Hua-Zong-Yi-Zi No. 09300156891 promulgated on September 1, 2004: Amendments to Articles 9, and 12; addition of Article 8-3, and deletion of Article 14 6.Presidential Decree Hua-Zong-Yi-Zi No. 09500014901 promulgated on February 3, 2006: Amendment to Article 8-3. 7.Presidential Decree Hua-Zong-Yi-Zi No. 09600085821 promulgated on July 4, 2007: Addition of Article 7-1. 8.Presidential Decree Hua-Zong-Yi-Zi No. 09500014901 promulgated on August 6, 2008: Amendment to Article 9. 9.Presidential Decree Hua-Zong-Yi-Zi No. 09800015651 promulgated on January 21, 2009: Amendment to Article 9. 10.Presidential Decree Hua-Zong-Yi-Zi No. 098000150511 promulgated on June 17, 2009: Amendment to Article 5-1. 11.Presidential Decree Hua-Zong-Yi-Zi No. 09900019941 promulgated on January 27, 2010: Amendment to Article 4. 12.Presidential Decree Hua-Zong-Yi-Zi No. 10000016631 promulgated on January 27, 2011: Amendment to Article 10. 13.Presidential Decree Hua-Zong-Yi-Zi No. 100000266431 promulgated on November 30, 2011: Amendments to Articles 8-1, and 20-1, and addition of Article 20-2 14.Presidential Decree Hua-Zong-Yi-Zi No. 10500040051 promulgated on May 11, 2016: Amendment to Article 10. 15.Presidential Decree Hua-Zong-Yi-Zi No. 10500050781 promulgated on June 1, 2016: Amendments to Article 8, and addition of Article 4-1. 16.Presidential Decree Hua-Zong (1) Yi-Zi No. 11200052771 promulgated on June 21, 2023: Amendments to all 62 articles of the Act. These amendments shall take effect from the date of promulgation, with the exception of Articles 45 and 46, which shall take effect one year after the date of their promulgation, and with the exception of Chapter 9, for which the Executive Yuan shall set the date that it takes effect.
Content：	Chapter 1 General Principles Article 1

The purpose of primary and junior high school education is to foster the sound moral, cognitive, physical, social, and aesthetic development of the citizens.

Article 2
In this Act the term "competent authority" refers to: the Ministry of Education at the central government level, the special municipality government at the special municipality level, and the county (city) government at the county (city) level.

Chapter 2

Implementation of Primary and Junior High School Education

Article 3
Citizens between 6 and 15 years of age shall receive primary and junior high school education; citizen's compulsory enrolment is governed by separate legislation.

Article 4
Primary and junior high school education is divided into two stages: six years of primary school education, followed by three years of junior high school education.

Article 5
In principle, primary and junior high school education is provided by the government, but the private sector is also encouraged to engage in providing such education.

Article 6
To safeguard students' right to learn and the parents' right of educational choice, at the primary and junior high school stages of education, school-based experimental education shall be available, conducted in accordance with the provisions of the Enforcement Act for School-Based Experimental Education; non-school-based experimental education shall be available, conducted in accordance with the provisions of the Enforcement Act for Non-school-based Experimental Education at Senior High School Level or Below.
To assist the development of the experimental education referred to in the preceding paragraph, the central competent authority shall formulate directions governing associated subsidies.
It is not permitted to consider the short-term tutorial education referred to in the Supplementary Education Act to be a form of the "non-school-based experimental education" referred to in Paragraph 1.

Article 7
Acquiring the land required to build schools required for primary and junior high school education, taking into consideration urban planning and community development requirements, shall be given planning priority by the special municipality and county (city) competent authorities. The competent authority responsible for approving the establishment of public primary and junior high schools (hereunder abbreviated to "schools") may appropriate or expropriate land to do so in accordance with the law.

Article 8
The funds required by any special municipality or county (city) competent authority to implement primary and junior high school education shall take priority in budget allocations. Their sources of finance are as follows:
1. The special municipality or county (city) competent authority's general revenue.
2. Funds allocated to special municipality and county (city) competent authorities in accordance with the provisions of the Equalization of Land Rights Act.
3. To ensure the sound development of primary and junior high school education, in accordance with the provisions of the proviso in Paragraph 1, Article 18 of the Act Governing the Allocation of Government Revenues and

Expenditures, special municipality and county (city) competent authorities may give priority to raising the funds necessary to implement primary and junior high school education.
The central competent authority shall provide subsidies for special municipality and county (city) competent authorities to implement primary and junior high school education, based on their actual needs.

Article 9
The competent authorities at all levels may second public school teachers to form professional, autonomous curriculum and teaching guidance teams of a working group nature; the tasks of these teams are:
1. To assist in spreading information about and the implementation of curriculum and teaching related policies.
2. Overall planning to set up guidance resources for their respective learning areas and topics, which becomes an effective system to support teachers' teaching and professional development.
3. To assist schools with curriculum development, provide teachers with curriculum and teaching consultations and guidance, in order to implement national education.
4. To research and develop innovative teaching methods, assist teachers to actively conduct research on teaching, and improve teaching effectiveness.
The competent authorities at all levels may second public school teachers to form working groups to promote student guidance and counseling, technology education and information technology education, special education, education for indigenous peoples, and other related education matters.
The regulations governing the working groups referred to in the preceding two paragraphs, their organization, and operations, and the qualifications, selection, secondment, and training of the teachers involved, incentive awards, and calculation of years of service for the teachers involved, and other related matters shall be prescribed by the central competent authority.

Chapter 3
Establishment, Changes to, and Closure of Schools

Article 10
The special municipality and county (city) competent authorities shall determine the school district boundaries for public schools and establish the school districts, based on estimates of the number of school-aged children, transportation, community development, cultural features, environmental conditions, the administrative region, and the distribution of schools. The directions governing the establishment of schools and the determination of school districts and the directions governing school placements and admission shall be prescribed by each special municipality and county (city) competent authority.
To promote peer interactions between students, foster diverse forms of group learning, integrate educational resources effectively, create high-quality learning environments, balance the functions of urban and rural education, and ensure students' right to learn, special municipality and county (city) competent authorities may arrange changes to or the closure of a public school. The regulations governing the criteria, procedure, and reviews for changes to or closure of public schools, the arrangements to be made for the students and staff, and other related matters shall be prescribed by the central competent authority. In accordance with the provisions of these regulations, the special municipality or county (city) competent authority shall formulate autonomous regulations governing changes or closure.
The word "changes" used in the preceding paragraph refers to a school changing its name, changing its institutional status, or merging with one or more other schools.
For the merger or closure of a public school referred to in Paragraph 2, the special municipality or county (city) competent authority shall draft plans for the utilization of the campus space, and education affairs related planning regarding financial support, and curriculum planning, and invite scholars and experts, parent representatives, representatives of

teaching and other staff at the school, and local community figures and associated personnel to assess the project and arrange one or more public hearings. After being reviewed and approved by the education review committee of the special municipality or county (city) competent authority, a report of the merger or discontinuation shall be submitted to the central competent authority for future reference.
The merger or closure of indigenous key schools shall be conducted in accordance with the provisions of the Education Act for Indigenous Peoples.
A public school may be commissioned to the private sector to operate; the associated matters shall be handled in accordance with the provisions of the Act Governing the Commissioning of the Operation of Public Schools at Senior High School Level or Below to the Private Sector for Experimental Education.

Article 11
Public universities that offer teacher education programs may establish affiliated experimental primary schools and/or junior high schools to conduct teaching internships, experiments, and research. The organization regulations shall be drafted by the public universities that offer teacher education programs and submitted to the respective competent authorities for the public universities that offer teacher education programs for approval.
Apart from their organization, personnel, staffing, and budget matters of the affiliated experimental primary schools and junior high schools referred to in the preceding paragraph, which shall be supervised by the public university that offers teacher education programs with which the schools are affiliated and by their competent authority, the matters provided for in this Act shall be supervised by the local special municipality or county (city) competent authority, in the same way as it supervises such matters regarding public schools within the same special municipality or county (city).
The provisions of the preceding paragraph apply, mutatis mutandis, to primary schools and junior high schools that are affiliated with senior secondary schools affiliated with public universities that offer teacher education programs, and to primary schools and junior high schools affiliated with national senior secondary schools.

Article 12
Establishment, changes or closure of private schools and/or their campuses and branches shall be conducted in accordance with the Private School Law and related laws and regulations.

Chapter 4
Organization, Personnel, and Staffing

Article 13
All schools shall appoint a full-time principal who is responsible for the overall management of school affairs.
The selection of principals of special municipality and county (city) schools shall be conducted using a publicly open selection process by a selection committee convened by the related special municipality or county (city) competent authority from among candidates who were selected in an open selection process and satisfactorily completed further training, or from among currently serving principals who have nearly completed their term of appointment or who are more than halfway into their second term, and persons who have previously served as principals. After a person has been selected, they shall be appointed to serve as principal by the special municipality or county (city) competent authority. However, special municipalities or counties (cities) with fewer than 15 junior high schools or 40 primary schools under their jurisdiction may appoint a principal currently serving a second term and are not subject to the requirement that the principal has to have completed more than half of their second term. The associated directions governing shall be prescribed by the special municipality or county (city) competent authority.
The selection of the principals of experimental primary schools and of junior high schools affiliated with public universities that offer teacher

education programs shall be conducted by a selection committee organized by the public universities that offers teacher education programs that the school is affiliated with. Suitably qualified personnel shall be selected to be from among the teachers of the university, and the principal or teachers of its affiliated experimental primary school or junior high school, and/or principals or teachers of other schools. The selected candidate shall then be appointed on a fulltime or adjunct basis by the president of the public university that offers teacher education programs, and a report submitted to the competent authority for future reference.
A private school shall convene a principal selection committee to conduct the selection of its school principal; the directions governing the composition and convening of the selection committee, and other related matters shall be prescribed by the board of directors of the private school endowment corporation (hereinafter referred to as the "school legal person").
The selection committee referred to in the preceding paragraph shall select a principal from a list of qualified candidates, using a publicly open selection process.
After selecting a suitably qualified private school principal, the board of directors of the school legal person shall submit details of the selected candidate to the special municipality or county (city) competent authority for approval before the person is appointed.
Representatives of the parents' association, and representatives of the teachers' association, or teacher representatives shall be on the selection committee referred to in Paragraphs 2 and 3. The proportion of each category of representatives on the committee is not permitted to be less than one fifth, and the number of members of any gender is not permitted to constitute less than one third of the total number of committee members. The composition of the selection committee and the operations of the selection committee shall each be prescribed by the special municipality or county (city) competent authority, and by the public university that offers teacher training programs.

Article 14
The term "candidates who were selected in an open selection process and satisfactorily completed further training" used in Paragraph 1 of the preceding article refers to persons who satisfy one of the following criteria:
1. They are personnel waiting to be a principal who were selected in an open selection process conducted by the Taiwan provincial government or a special municipality competent authority and satisfactorily completed further training before the February 5, 1999 amendments of this Act came into effect.
2. They are personnel waiting to be a principal who were selected in an open selection process conducted by a special municipality or county (city) competent authority and satisfactorily completed further training since the February 5, 1999 amendments of this Act came into effect.
3. They are personnel who were selected in a publicly conducted selection process and satisfactorily completed further training to be school inspector or section chief before the February 5, 1999 amendments of this Act came into effect and are qualified to be a school principal.
Any full-time public school teacher who was in any of the circumstances listed in the following subparagraphs in the previous three years is not permitted to participate in the open selection, training, or final selection to serve as a principal:
1. The person has been found guilty of a criminal offense. However, this restriction does not apply if a final and conclusive court judgment declared that the person was not guilty.
2. The person is subject to disciplinary action which has not been revoked.
3. The person has received a demerit or more severe administrative penalty, which has not been revoked.
The regulations governing the selection and further training of principals, and other related matters referred to in Paragraph 1 of the preceding article shall be prescribed by the central competent authority.

Article 15

The special municipality and county (city) competent authorities, and public universities that offer teacher training programs that organize selection committees in accordance with Paragraphs 2 and 3 of Article 13 shall evaluate the performance of the principals serving at schools, or affiliated experimental primary schools and junior high schools and use the results of the evaluations as the basis for deciding whether or not to continue their appointment.

Article 16
School principals are appointed on a fixed-term basis. The term of appointment is four years for a public school principal, and the principal may be appointed for one consecutive term at the same school. Principals may return to a teaching position after their term of appointment expires. However, a principal who will reach retirement age within a year after their term of appointment expires may, with the approval of the selection committee and of the competent authority after the proposal is reported to it, continue to serve as principal until their retirement. The associated directions shall be prescribed by the respective competent authorities.
The term of appointment for principals of schools in indigenous areas shall be prescribed by the special municipality or county (city) competent authority.
With the exception of the term of appointment referred to in the proviso in Paragraph 1, the term of appointment for principals of special municipality and county (city) schools may be extended to fit in with the beginning and end of the school year, schools if the selection committee agrees and submits its decision to the special municipality or county (city) competent authority and approval is given. The associated directions shall be prescribed by the special municipality or county (city) competent authority.
The directions governing the term of appointment and consecutive terms of appointment of private school principals shall be prescribed by the board of directors of the school legal person.

Article 17
If there is factual evidence of a school principal's unsuitability for appointment, in accordance with the law, the principal shall be removed from their position, transferred to another position, or dealt with in another appropriate way by the competent authority for the school; in accordance with the law, a principal of a private school shall be removed from their position, transferred to another position, or dealt with in another appropriate way by the board of directors of the school legal person.
The regulations governing the determination of the existence of factual evidence of incompetence referred to in the preceding paragraph, the way to deal with the situations referred to there, and other associated matters shall be prescribed by the central competent authority.

Article 18
If a currently serving principal of a public school who has a teacher's qualification as defined by the Teachers' Act is willing to resume a teaching position, the competent authority shall assign them to a school, or a public university that offers teacher education programs shall arrange for them to teach at their former school. The principal's resuming a teaching position is not subject to the provisions of the Teachers' Act or the Act Governing the Appointment of Educators relating to requirements for teachers to be assessed and approved by the school's teacher evaluation committee.
The currently serving principal of a public school referred to in the preceding paragraph is not permitted to resume a teaching position if it has been determined by the competent authority that any of the circumstances which the Teachers' Act or the Act Governing the Appointment of Educators stipulate are grounds for dismissal or denial of renewal of appointment apply to that person.
If a currently serving public school principal has served their term and has not been selected for reappointment, or is not qualified to teach and is unable to take a teaching position, or is qualified to teach but

unwilling to resume a teaching position, the school's competent authority or a public university that offers teacher training programs may handle the situation in the following ways:
1. Approve retirement for those who satisfy the criteria for voluntary retirement.
2. Give those who do not satisfy retirement criteria or who are unwilling to retire, priority counseling to assist them to transfer to another occupation or position they are willing to take and in accordance with their individual qualifications.
If a principal currently serving at a private school who has a teacher's qualification as defined in the Teachers' Act is willing to resume a teaching position, their case shall be dealt with by a resolution made by the board of directors of the school legal person.
The currently serving principal of a private school referred to in the preceding paragraph is not permitted to resume a teaching position if it has been determined by the competent authority that any of the circumstances specified by the Teachers' Act or the Act Governing the Appointment of Educators as grounds for dismissal or denial of renewal of appointment apply to that person.

Article 19
Schools shall set up a school council, convened and presided over by the principal, that will deliberate on and make decisions about the following matters:
1. Important matters pertaining to school development and campus planning.
2. Important rules and regulations formulated in accordance with ordinances or based on legal authority.
3. Educational affairs, student affairs, general affairs, and other important matters within the school.
4. Other matters which in accordance with ordinances shall be resolved at a school affairs meeting.
The school council members shall include the principal, all full-time teachers or representatives of the teachers, representatives of the parents' association, and representatives of staff members; students shall be invited to attend meetings in a non-voting capacity. When selecting teachers' representatives to be on a school council, the number of persons of any gender is not permitted to be less than one third of the total number. The directions governing the proportion of different categories of school council members and the operations of school councils shall be prescribed by the respective competent authorities.

Article 20
To handle educational affairs, student affairs, general affairs, and other matters, schools shall set up, separately or in combination, a tier-one unit and/or a tier-two unit, depending on the size of the school.
The tier-one units referred to in the preceding paragraph have a director and the tier-two units referred to in the preceding paragraph have a section chief, and tier-one and tier-two units both also have several staff members. The directors at public schools shall be appointed to serve on a part time basis by the principal from among qualified full-time teachers who were selected and then satisfactorily completed further training; the section chiefs shall be selected from among the teachers to serve on a part-time basis, or from among the staff to serve on a full-time or part-time basis; and the staff of the units shall be selected and assigned by the principal. The selections and assignments shall all be submitted to the special municipality or county (city) competent authority for future reference.
Schools shall set up personnel and accounting units. Smaller public schools which have not set up such dedicated units may employ full-time personnel and accounting staff from agencies of the special municipality or county (city) competent authority (organization) for personnel and accounting, schools' fulltime personnel and accounting personnel, or qualified staff who have satisfactorily completed associated training organized by a relevant authority and work on a part-time basis. The standards governing the staffing of the units shall be in accordance with the provisions of related ordinances.

The personnel referred to in the preceding paragraph do not include nursing personnel.
Any full-time public school teacher who was in any of the circumstances listed in the following subparagraphs in the previous three years is not permitted to participate in the selection of a director, training to serve as a director, or obtain the qualifications to serve as a director:
1. The person has been found guilty of a criminal offense. However, this restriction does not apply if a final and conclusive court judgment declared that the person was not guilty.
2. The person is subject to disciplinary action which has not been revoked.
3. The person has received a demerit or more severe administrative penalty, which has not been revoked.
The regulations governing the selection and further training of directors at public schools, and other associated matters shall be prescribed by the central competent authority.

Article 21
Schools shall conduct student guidance and counseling matters in accordance with the provisions of the Student Guidance and Counseling Act.
Schools should have a dedicated unit or staff to promote student counseling.
Tier-one guidance and counseling units have a director and tier-two units have a section chief, and tier-one and tier-two units both also have a number of full-time counseling teachers. The director and section chief shall be selected by the principal from among teachers who are enthusiastic about guidance counseling and who possess related professional knowledge and skills. In principle, counseling directors and counseling teachers are appointed on a full-time basis.
The number of full-time counseling teachers and full-time professional guidance counselors a school has in its staffing complement shall comply with the provisions of the Student Guidance and Counseling Act.

Article 22
Schools shall establish libraries (or reading rooms), allocate ample funding in their budget for purchasing books, and provide reading courses as incentives to encourage extracurricular reading.

Article 23
In principle, public schools shall have small classes and each class shall have a teacher serving as its homeroom teacher on a part-time basis. Small schools may consider increasing the number of teaching positions. The regulations governing class sizes and staffing shall be prescribed by the central competent authority.
The regulations governing staffing referred to in the preceding paragraph may be prescribed based on the number of students' learning periods and the number of hours the teachers teach.
The special municipality or county (city) competent authority may consider a school's needs, and in accordance with the provisions of the regulations referred to in Paragraph 1 and remaining within a fixed proportion of the full-time staff complement of the entire school, shall use all of the fulltime personnel staffing budget not being spent because of staff vacancies to pay expenses to employ necessary teaching staff for the school.

Article 24
Teachers shall be appointed full-time; when necessary, in accordance with the law, teachers may be appointed part-time, and personnel specializing in specific disciplines or fields to provide part-time teaching support.
Regulations governing the scope of work, qualifications review criteria, certification, appointment, dismissal, suspension, reporting of being unsuitable for employment, teaching hours, remuneration, rights and obligations, and other matters pertaining to the teaching support personnel referred to in the preceding paragraph shall be prescribed by the central competent authority.
The operations to undertake the certification referred to in the preceding paragraph shall be conducted by the special municipality or county (city)

competent authority. With the agreement of the respective competent authorities,
teaching support personnel may have already recognized qualifications recognized by other competent authorities.
People who underwent checking and training that was implemented in accordance with the provisions of the central competent authority with satisfactory results before June 30, 2002 are qualified to be employed as the teaching support personnel referred to in Paragraph 1.
The standards governing the weekly teaching hours referred to in Paragraph 1 shall be prescribed by the central competent authority.

Article 25
Public schools may jointly appoint a teacher with another school because of cooperation between the schools, course needs, or special circumstances, and the teacher shall be appointed on a full-time basis in one of the schools. The regulations governing the criteria for jointly appointing teachers and the associated ratio limits, the teachers' rights and obligations, and other related matters shall be prescribed by the central competent authority.

Article 26
The appointment of school teachers is governed by other legislation. The regulations governing teachers' further studies, awards and disciplinary measures, transfers of public school teachers, procedures, and methods for transfers, and other related matters shall be prescribed by the central competent authority.
Public school principals and teachers shall have their work performance evaluated; the regulations governing the composition and tasks of the evaluation panel or evaluation committee, the evaluation procedure, evaluation levels, categories of rewards and penalties, notification of evaluation results, and other related matters shall be prescribed by the central competent authority.
The number of members of any gender is not permitted to constitute less than one third of the total number of members of the evaluation panels and evaluation committees referred to in the preceding paragraph.

Article 27
Apart from the appointment of private school principals, teachers, and other staff conducted in accordance with the relevant provisions of the Act Governing the Appointment of Educators, the Teachers' Act, and the Private School Law, and relevant provisions of this Act, the people in charge of each unit, and each unit's teachers, and other staff shall be appointed or selected and assigned on a part-time basis by the principal, and the staffing decisions shall be submitted to the special municipality or county (city) competent authority for future reference.

Chapter5
Student Admissions

Article 28
The local household administration authority shall compile a register of the six-year-old school-age children and submit it to the respective special municipality or county (city) competent authority by school district. The respective city, township, and district offices shall notify the citizens listed in the register to enroll in the designated public primary school.
The special municipality or county (city) competent authority shall give public primary school students due to graduate in the current year placements to attend a public junior high school in their school district.

Article 29
The school district boundaries for private schools shall be determined by the special municipality or county (city) competent authority taking into consideration distinctive local characteristics.
For student admissions to private schools, the schools shall formulate enrollment regulations based on the principles of equal educational

opportunity and the sound development of primary and junior high school education and submit the enrollment regulations to the special municipality or county (city) competent authority for approval.

Article 30
The regulations governing the eligibility criteria and method for enrolling children of government personnel working overseas, overseas compatriot students, foreign students, and stateless students in schools and other related matters shall be prescribed by the central competent authority.
To recruit foreign professionals and outstanding experts in the field of science and technology from outside Taiwan, the government has established special programs for their children at public schools. The determination of the associated school district boundaries, class sizes and staffing, courses, textbook selection, class grouping, normal teaching, and learning assessment may be conducted without applying Paragraph 1 of Article 10, Paragraph 1 of Article 23, Article 34, Article 35, Article 39, and Article 40. The regulations governing the setting up of such programs, admission eligibility criteria and methods, fees, and other related matters shall be prescribed by the central competent authority.
Article 31
After students have enrolled, schools shall accurately record the enrollment status of students in written or electronic form for permanent archiving and protect data security and use such data in accordance with the law.
If a school undergoes a merger with another school or closure, the school records of its students shall then be managed by the school newly formed by the merger, or by a school designated by the associated special municipality or county (city) competent authority.
Autonomous regulations governing the management of the student records referred to in the preceding two paragraphs shall be prescribed by the special municipality or county (city) competent authority.

Chapter6
School Tuition Fees & Scholarships

Article 32
School students do not pay school tuition. The special municipality or county (city) competent authority shall provide books for financially disadvantaged students, and these students are exempt from fees prescribed in the provisions of other ordinances.
Public school students are exempt from miscellaneous fees; autonomous regulations governing the various administration fees for some services shall be prescribed by the special municipality or county (city) competent authority.
Autonomous regulations governing the miscellaneous fees and administration fees for some services levied by private schools shall be prescribed by the special municipality or county (city) competent authority.

Article 33
Each competent authority and schools shall establish scholarships and grants for excellent students and students from low-income families.

Chapter 7
Curriculum, Teaching, and Learning Assessment

Article 34
The central competent authority shall formulate curriculum guidelines for primary and junior high school and associated directions for the implementation of the guidelines to serve as the foundation for schools' course planning and implementation; schools may integrate social resources into their course planning to enrich teaching activities.
The relevant provisions of the Senior High School Education Act apply, mutatis mutandis, to the research, development, and reviews of the curriculum guidelines for primary and junior high schools.

Article 35

In principle, school textbooks are compiled by private sector and, when necessary, may be compiled by the central competent authority.
The editing and review of school textbooks shall both be undertaken in accordance with current ordinances and international conventions that are valid in Taiwan. The National Academy for Educational Research shall conduct related research and/or training for school textbook editors and textbook review applicants.
School textbooks and books used in schools shall be reviewed by the National Academy for Educational Research; the regulations governing the composition and operations of the review committee, qualifications to apply to be approved as an examiner of textbooks, the application procedure, review scope, review procedures, fees, issuing and annulment of examiners' licenses, printing specifications, textbook revisions, appeals, textbook pricing mechanism, and other related matters shall be prescribed by the central competent authority.
School textbooks and books used in schools shall be selected by each school through a public process; the directions governing their selection and use shall be formulated by the school and implemented after approval has been given by a school council.

Article 36
The books and textbooks that a school has selected to use may be procured by the central competent authority or by a special municipality or county (city) competent authority designated by the central competent authority, in accordance with the provisions of the Government Procurement Act, or by entering into an administrative contract with a textbook publisher; the form of such a contract shall be prescribed by the central competent authority.
The books and textbooks referred to in the preceding paragraph that schools use for arts and activities subjects shall be lent without charge to students who require such assistance.

Article 37
In order to enrich students' experience and strengthen connections with real-life situations, schools shall promote activities outside the classroom and provide courses that give students opportunities for exploration, practice, and experience building. Autonomous regulations governing funding sources for their promotion, fee-charging criteria, division of labor and responsibility of personnel, risk management, and other related matters shall be prescribed by the special municipality or county (city) competent authority.
Schools shall plan and handle educational activities to nurture students' self-awareness, exploration of different vocations, and career development, and provide adaptive guidance and counseling to assist students choose a career path based on their abilities, aptitudes, interests, and other needs.

Article 38
In order to accommodate students' individual differences, learning interests, and needs, schools shall provide practical skills courses to enhance their skill-based education as electives.
Students in Grade 9 shall be provided elective skill-based courses by their schools to take in accordance with the principle of freely choosing to do so; the schools may organize the classes for these courses using project-based placements. The implementation regulations shall be prescribed by the central competent authority.

Article 39
Schools shall form classes in all grades in such a way that each class reflects the norm-curve distribution. To at the same time accommodate students' adaptive development requirements, schools may implement group learning. The regulations governing class grouping and group learning, procedures for handling breaches of regulations, and other related matters shall be prescribed by the central competent authority; in accordance with these regulations, supplementary directions may be formulated by the special municipality or county (city) competent authority.

Smaller schools may implement mixed-age teaching or mixed-age classes in order to improve student learning effectiveness; the regulations governing the implementation method and other related matters shall be prescribed by the central competent authority.
In order to implement normal teaching in schools, the special municipality and county (city) competent authorities shall establish a supervisory mechanism and assign supervisors to conduct on-site inspections; the regulations governing the supervision methods, scope, awards and disciplinary measures, and other related matters shall be prescribed by the central competent authority.

Article 40
Students' learning shall be assessed. The regulations governing what is assessed, the assessment methods, principles, handling of violations of assessment regulations, and other related matters shall be prescribed by the central competent authority; in accordance with these regulations, the special municipality or county (city) competent authority shall formulate supplementary directions governing the assessment of students' learning.
If a student completes their studies in accordance with the provisions of the preceding paragraph and achieves satisfactory results, their school shall award the student a graduation certificate.
Junior high school students shall take part in the Comprehensive Assessment Program for Junior High School Students conducted by the central competent authority in conjunction with the special municipality or county (city) competent authority, unless given approval by the special municipality or county (city) competent authority to not take part; the methods for conducting the Comprehensive Assessment Program for Junior High School Students are prescribed in the regulations referred to in Paragraph 1.
In order to conduct the Comprehensive Assessment Program for Junior High School Students, the central competent authority may commission universities, professional academic associations, or foundations to work in conjunction with special municipality and county (city) competent authorities to handle the setting of test questions and testing-related matters; the eligibility criteria to be met by participants, implementation methods, scope of tasks, and other related matters are prescribed in the regulations referred to in Paragraph 1.

Article 41
Special municipality, and county (city) competent authorities, and schools shall plan flexible courses and a range of guidance and counseling measures for returning dropouts to help them adapt to their school's education curriculum.

Article 42
The criteria governing facilities and equipment in schools shall be prescribed by the central competent authority. In the light of local requirements, the special municipality or county (city) competent authority may separately prescribe criteria for use in their locality, and submit them to the central competent authority for future reference.

Chapter 8
Student Rights & Parent Involvement
Article 43
Schools shall take out group insurance for students. The group insurance is governed by other legislation.
Schools shall actively assist students who lodge an insurance claim.
The competent authorities at each level shall take out public liability insurance covering the premises and facilities of schools under their jurisdiction.
The costs incurred for the insurance referred to in the preceding paragraph shall be paid for with an allocation in the central competent authority's annual budget.

Article 44
The central competent authority shall prescribe directions governing student awards and disciplinary measures, and regulations governing their

handling and associated matters; in accordance with these regulations, each special municipality or county (city) competent authority shall formulate autonomous regulations governing student awards and disciplinary measures.

Article 45
Students seeking remedies to protect their rights and interests shall do so in accordance with the appeal and re-appeal procedures specified in this Act.
If a student believes that disciplinary actions or other measures taken against them by their school, or resolutions that the school has made are illegal or improperly affect that student's rights and interests, an appeal may be lodged with the school by the student's legal representative or their actual care giver(s). If they are not satisfied with the decision made by the school, a re-appeal may be submitted to the special municipality or county (city) competent authority of where the school is located. ; if an administrative appeal is lodged, the agency that accepted lodgment of that administrative appeal shall, within ten days of its receipt, send the matter to the student appeals committee or student re-appeals committee that must handle the matter and notify the student and their legal representative or actual care giver(s).
An appeal shall be lodged in writing within 40 days from the day after the day that the person receives notification or is informed about a notification of a disciplinary action or other measure, or resolution. A re-appeal shall be made in writing within 40 days from the day after the receipt of the letter conveying the appeal decision. The receipt date is the date on which a school receives an appeal or the special municipality or county (city) competent authority receives a re-appeal.

Article 46
Schools shall establish a student appeal review committee, that is not permitted to have less than one fifth of its members who are parent representatives, and that shall include at least one expert or scholar in the field of law, education, rights and interests of children and youth, or psychology or counseling. The special municipality and county (city) competent authorities shall establish a student re-appeal review committee. More than half of its members shall be experts or scholars in the fields of law, education, rights and interest of children and youth, or psychology and counseling. The number of members of any gender is not permitted to constitute less than one third of the total number of members of a student appeals committees and student re-appeals committees. Regulations governing the scope of appeals and re-appeals, time limits, committee formation, investigation methods, appraisal methods, implementation of the results of appraisals, and other related matters shall be prescribed by the central competent authority.
When a school handles disciplinary action or an appeal matter, and when a special municipality or county (city) competent authority handling a re-appeal matter, it shall do so maintaining the principles of objectivity, fairness, and professionalism, and give the person subject to disciplinary action or the appellant adequate opportunity to provide statements and respond to accusations.
A school shall notify the person being punished in writing or by some other appropriate means. The school or special municipality or county (city) competent authority shall notify the appellant or re-appellant in writing of the decision made and the remedy procedures available if the person is not satisfied with the decision reached.
If any original disciplinary action, measure or resolution was by nature an administrative disposition, any re-appeal decision shall be regarded as equivalent to an administrative appeal decision; if the appellant is dissatisfied with a re-appeal decision, the person may initiate administrative litigation in accordance with the law.

Article 47
The procedures for the subsequent handling of any cases that remained pending from before the provisions of the preceding two articles come into effect shall be finalized in accordance with the provisions of the amendments after they take effect.

Article 48
To protect the rights and interests of children during the primary and junior high school stages of their education, their parents shall play their part by taking responsibility for counseling their children and attending parent association meetings. Parents have the right to participate in educational affairs to ensure students' rights to learn and their personal rights. The regulations governing participation methods, content, procedures, and other related matters shall be prescribed by the central competent authority.
Each school shall establish a parents' association comprising parents of the current students, and its name shall begin with the name of the school. Autonomous regulations governing the association's charter, tasks, number of committee members, method of selecting committee members, terms served by committee members, election and recall of committee members, rules of procedure, funding sources, financial management, operations, and other related matters shall be prescribed by the special municipality or county (city) competent authority in which the school is located, after consulting parent groups.
The competent authorities at each level shall regularly assist parent groups to conduct empowerment training for parent involvement in education affairs.

Chapter 9
Supplementary Compulsory Education

Article 49
Citizens older than school age who have not received primary and/or junior high school education shall receive supplementary compulsory education. Schools shall establish continuing education departments for the implementation of supplementary compulsory education.

Article 50
A school shall appoint a director of its continuing education department and may appoint a number of full-time teachers or staff of the school to concurrently serve as section chiefs; teachers who are qualified personnel in accordance with the law who work at the school or elsewhere serve concurrently as section chiefs; staff of the school may serve as section chiefs on a full-time basis or concurrently.

Article 51
Citizens must be at least 15 years of age for admission to a school's continuing education department.
A primary school may assign new students in its continuing education department to classes that are consistent with their level.
Citizens shall meet one of the following criteria for admission to the continuing education department of a junior high school:
1. The person has graduated from primary school or from a primary school level supplementary compulsory education school.
2. The person has passed a Self-Study Academic Ability Assessment Examination and has the academic ability of a person who completed primary school.
3. The person has an educational level equivalent to having completed primary school.
A registration system is used for the admission referred to in the preceding two paragraphs and the application procedure; the associated directions shall be prescribed by the special municipality and county (city) competent authorities.

Article 52
The continuing education department of a primary school is divided into lower and upper divisions. The lower division provides education equivalent to the first three years of primary school education, and the term of study of the continuing education is between six months and one year. The upper division provides education equivalent to the last three years of primary school education, and the term of study is between one year and six months

and two years. The continuing education department of a junior high school provides education equivalent to a junior high school education; the term of study of the continuing education is not permitted to be less than three years.

Article 53
Supplementary compulsory education may be provided in the form of daily weekday courses, non-daily weekday courses, or weekend courses.

Article 54
The learning content of supplementary compulsory education shall be prescribed by the central competent authority, with reference to the content of the primary and junior high school curriculum guidelines and serve as the basis for school planning and implementation of the curriculum, and planning based on students' age, physical and mental development, life and work needs shall be undertaken to meet students' learning requirements and social needs.

Article 55
Any student who completes courses at supplementary compulsory education school with passing grades is permitted to graduate and shall receive a graduation certificate from the school giving the person has the same graduation qualification as a person who graduated from a regular school, of the same category, at the same level.
Directions related to the assessment of the achievements referred to in the preceding paragraph shall be prescribed by the special municipality and county (city) competent authorities.

Article 56
Regulations governing the scope of the primary school and junior high school graduation level Self-Study Academic Ability Assessment Examinations, the agencies that conduct the examinations, its annual frequency and schedule of the examinations, the subjects examined, eligibility to take the examinations, certificate issuing, and annulment, and other related matters shall be prescribed by the central competent authority.

Article 57
Schools' continuing education departments do not charge tuition fees but may consider charging miscellaneous fees or administration fees for some services if it is seen to be necessary. Autonomous regulations governing the collection of fees shall be prescribed by the special municipality or county (city) competent authority.

Chapter 10
Supplementary Provisions

Article 58
Schools shall operate in conjunction with local requirements, assist the provision of lifelong learning, and promote community development.

Article 59
The income of public schools obtained by providing venues, facilities, and/or equipment for others to use or by commissioning use for business purposes, or encouraging non-government parties to take part in activities, is not subject to the provisions of Article 7 of the National Property Act pertaining to income being surrendered to the national treasury, or surrendering local public property management income to local government treasury agencies, and related directions.
When venues, facilities, and equipment are provided to others to use, as referred to in the preceding paragraph, schools shall give priority to their use for public welfare purposes, and their use by others is not permitted to affect their use by the school's teachers and students.
If public schools that provide budget allocations for affiliated units, every income and expenditure item shall be handled using a special fund in accordance with the budgeting procedures of the Budget Act.

Article 60
The competent authorities at each level may collect, process, or use the personal data of students, teaching staff, and other education personnel at the primary and junior high school education stage, and establish an associated database in order to understand and plan conditions affecting their students' education, learning outcomes, teacher staffing, teacher appointments, and situations requiring teachers with special expertise; the special municipality or county (city) competent authorities shall transmit the contents of their databases to the central database in accordance with the directions of the central competent authority.

Article 61
The enforcement rules for this Act shall be prescribed by the central competent authority.

Article 62
This Act shall take effect from the date of promulgation, with the exception of the provisions of Article 45 and of Article 46, which shall take effect one year after the date of their promulgation, and with the exception of Chapter 9 for which the Executive Yuan shall set the date that it takes effect.

Data Source： Laws and Regulations Retrieving System