Content

Title：	Regulations Governing the Establishment, Alterations, and Cessation of Operations of Junior Colleges and Institutions of Higher Education and of Their Branch Campuses and Divisions including Skills-based Senior High School Divisions Ch
Date：	2015.03.17
Legislative：	Ministry of Education Order (85) Tai-Can-Zi No. 85088802 issued October 30, 1996: complete text of 12 articles, effective from the date of issue. Ministry of Education Order (88) Tai-Can-Zi No. 88075896 issued June 29, 1999: Amendment to Article 3. Ministry of Education Order (88) Tai-Can-Zi No. 88079450 issued July 12, 1999: Amendments to Articles 3, 4, 6, 9, and 10. Ministry of Education Order Tai-Can-Zi No. 0960019531C issued February 13, 2007: Revised name and amendments to the complete text of 27 articles, effective from the date of issue (former name: Standards for the Establishment of Universities and Their Branch Campuses). Ministry of Education Order (88) Tai-Can-Zi No. 0970030013C issued March 12, 2008: Amendments to the complete text of 32 articles, effective from the date of issue. Ministry of Education Order Tai-Can-Zi No. 0970257824C issued January 7, 2009: Revised name and amendments to the complete text of 48 articles, effective from the date of issue (former name: Regulations Governing the Establishment, Update, and Suspension of Universities and Their Branch Campuses, Divisions, Junior College Divisions). Ministry of Education Order (88) Tai-Can-Zi No. 0990059404C issued April 16, 2010: Amendment to Article 25. Ministry of Education Order Tai-Can-Zi No. 1010108641C issued June 22, 2012: Amendments to Articles 9, 10, and 29. Order Tai-Jiao-Gao (San) Zi No. 1040025645B issued March 17, 2015: Amendments to all articles
Content：	Chapter 1 General Principles Article 1 These Regulations have been formulated in accordance with the provisions of Article 4, Paragraph 5 of the University Act; Article 4, Paragraph 4, Article 5, Article 6, Paragraphs 1 and 2, Article 7, Paragraph 5, Article 8 and Article 9, Paragraph 1 of the Junior College Act; and Article 6, Paragraph 2, and Article 34, Paragraph 3 of the Private School Law. Article 2 The terms used in these Regulations are defined as follows: 1. Branch campus: refers to a campus of a junior college or institution of higher education established in another municipality, county or (city) away from the site of the main campus or overseas, and which is an independent educational institution with complete teaching and administrative units. 2. Division: refers to a teaching, recruiting, or academia-industry cooperation unit set up by a junior college or an institution of

higher education in addition to its main campus.

3. Alterations: refers to renaming, change of institutional status, and/or amalgamations of junior colleges and institutions of higher education.

(1) "renaming" refers to one of the following changes:

1. An independent college being renamed an ordinary university, or an ordinary university being renamed an independent college.
2. An institute of technology is renamed a university of science and technology, or a university of science and technology being renamed an institute of technology.
3. An institute of technology being renamed an ordinary university or vice versa; an independent college being renamed a university of science and technology or vice versa; an institute of technology being renamed an independent college or vice versa; or an ordinary university being renamed a university of science and technology or vice versa.
4. A junior college or institution of higher education that is renamed.

(2) A "change of institutional status" refers to one of the following circumstances:

1. A junior college becomes an institute of technology (with an affiliated junior college division).
2. A junior college becomes an institute of technology, or an institute of technology that was renamed a university of science and technology becomes a junior college.
3. A skills-based senior high school becomes a junior college, or a junior college becomes a skills-based senior high school.

(3) An "amalgamation" refers to the following situations:

1. An amalgamation of a junior college or institution of higher education and any branch campus, division, junior college division, or skills-based senior high school division it has and another junior college or institution of higher education together with any branch campus(es), division(s), junior college division(s), and skills-based senior high school division(s) it has.
2. An amalgamation of the incorporated legal entity which operates an educational institution (hereunder referred to as a “school endowment corporation”) and a private junior college or institution of higher education another school endowment corporation..

The regulation set out in Subparagraph 3, Item 1 of the previous paragraph regarding renaming is not applicable to a religious college which was established in accordance with Article 8 of the Private School Law. The amalgamations referred to in Paragraph 1, Subparagraph 3, Item 3 are divided into the following 3 categories:

1. A statutory amalgamation: only one educational institution continues to legally exist after the amalgamation; any other junior college(s) or institution(s) of higher education involved in the amalgamation becomes part of the surviving educational institution, or a branch campus, division, or junior college division.
2. An amalgamation creating a new entity (a so-called “consolidation”): each of the former junior college(s) or institution(s) of higher

education involved ceases to legally exist after the amalgamation; a different educational institution is thereby established and takes a new name.

3. A junior college or institution of higher education changes its affiliation: A school endowment corporation takes over a private junior college or institution of higher education that was established by another school endowment corporation.

Article 3

The Ministry of Education (abbreviated hereunder to “MOE”) may set up a Junior Colleges and Institutions of Higher Education Establishment, Alterations, and Cessation of Operations Review Committee (herein referred to as the "Review Committee") to consider matters pertaining to the establishment, alterations to, or cessation of operations of junior colleges and institutions of higher education and their branch campuses, divisions, junior college divisions, and skills-based senior high school divisions.

The Review Committee referred to in the previous paragraph shall have between 9 and 15 members, one of whom, the Minister of Education, shall serve as the convener. The other members shall be appointed by the convener from among scholars, experts, and representatives of relevant organizations to serve in addition to their normal posts.

The Review Committee shall consult with the Private School Consultative ommittee before reviewing the establishment, alterations to, or cessation of operations of a private junior college or institution of higher education

and/or its branch campus(es),division(s), and junior college division(s).

Chapter 2 Establishment

Section 1 Establishment of Junior College and Institutions of Higher Education

Article 4

The procedures for establishing a junior college or an institution of higher education are as follows:

1. National junior colleges and institutions of higher education: established in accordance with an establishment plan submitted pursuant to an examination of the nationwide distribution of junior colleges and institutions of higher education by the MOE.
2. Municipal junior colleges and institutions of higher education: the municipal government shall submit an establishment plan to the MOE for approval.
3. County (city) universities: the county (city) government shall submit an establishment plan to the MOE for approval.
4. Private junior colleges and institutions of higher education: an establishment plan shall be submitted to the MOE for approval, in accordance with the Private School Law and relevant regulations.

The establishment plan referred to in the previous paragraph shall be in compliance with the provisions of the pertinent ordinances governing environmental impact assessment, soil and water conservation, and land use zoning control.

Article 5

The establishment plan referred to in the previous article shall give explicit details of the following:

1. The origin of the establishment plan or the educational goal of establishing the proposed junior college or institution of higher education.
2. The name of the proposed junior college or institution of higher education.
3. The overall development strategy and its features.
4. The location, site area, buildings, equipment and facilities of the junior college or institution of higher education, and related information.
5. The planned teaching units and administrative units.
6. The institutes, colleges, departments, graduate institutes, courses, subjects, sections, classes, levels, and subordinate bodies it is proposed to establish.
7. Proposed teaching staff employment plan.
8. The planned books, apparatus and instruments, and other teaching equipment and facilities.
9. An inventory of all land, location map(s), and details of the environment of the junior college or institution of higher education.
10. Budgetary estimate of the junior college or institution of higher education.

As well as the items stipulated in the previous paragraph, those applying to establish a private junior college or institution of higher education shall also include the following items in their establishment plan:

1. A donation of land or leasing of land shall be handled in accordance with the provisions of Article 36 of the Private School Law and related documentary evidence be attached.
2. Financial plan, and funding sources, and supporting documentary evidence.
3. Budgetary estimate of the funds required for the establishment fund, setting up expenses, and regular operations of the junior college or institution of higher education, and supporting documentary evidence.
4. Information regarding the school endowment corporation.

Article 6

Criteria for establishing a university are as follows:

1. The university site:
 (1) The university site shall have an area of at least five hectares available for development and use. But if the total number of formally enrolled students is three thousand or less, the following provisions apply:

A. 2401~ 3000 students: it shall have an area of at least four hectares.
B. 1801~ 2400 students: it shall have an area of at least three hectares.
C. 1800 students or less: it shall an area of at least two hectares.

 (2) A college of agriculture shall have at least five additional hectares of land to use for practical agricultural training.

2. University buildings:
 (1) University buildings shall have sufficient teaching, research, and

service areas, buildings required for the administration, student activities, and lodging, and sports facilities.

(2) When the setting up of a newly established university is approved, its buildings shall have a total completed floor area of at least 12,000 square meters and shall have a total completed floor area of at least 20,000 square meters prior to the start of the second academic year following approval of its registration. All buildings shall have obtained a use permit before their floor area is permitted to be included in calculations.

(3) The total university building floor area shall be calculated using the method specified in of in the provisions of the Standards for Student Admission Quotas and Resources at Institutions of Higher Education.

3. Equipment and facilities:

(1) The university shall have sufficient teaching, auxiliary, and experimental (training) equipment and facilities to address the practical requirements of each college, institute, department, graduate institute, subject, and course.

(2) The university shall have a library and it shall have sufficient basic books, information, specialized journals, and relevant equipment and facilities.

(3) A college of medicine shall have its own teaching hospital or an arrangement permitting it to jointly use a teaching hospital.

4. Teaching staff:

Across the entire university, the student-teacher ratio, day student-teacher ratio, and higher degree student-teacher ratio, and the different ranks, qualifications, and method of calculating the number of full-time teaching staff at the level of assistant professor and above shall be in accordance with the provisions of the Standards for Student Admission Quotas and Resources at Institutions of Higher Education.

5. Funds for establishing a private university and its establishment fund: When an application is made to register a private university, the funds to establish it and its establishment fund shall be in compliance with the following provisions:

(1) The university shall have an adequate establishment fund (including funding required for purchase or lease of land, building, and equipment and facilities), and funds required for annual recurrent expenses to maintain its basic operations and it shall provide explicit evidence of the sources of funds for its establishment.

(2) An adequate establishment fund based on the type of institution shall be raised and be deposited in a dedicated bank account: NTD$1.4 billion for a university; NTD$1.0 billion for an independent medical college; NTD$600 million for an independent engineering college; NT$400 million for an independent college in another category; and NT$400 million for an institute of technology.

Article 7

Criteria for establishing a junior college are as follows:

1. Junior college site:

(1) The site shall have an area of at least four hectares available for development and use.

But if the total number of formally enrolled students is three thousand or less, the following provisions apply:

1. For 1,801 to 3,000 students: the area shall be at least three hectares.
2. For 1,800 students or less: the area shall be at least two hectares.

(2) A junior college of agriculture shall additionally have at least five hectares of land to use for practical agricultural training.

2. Junior college buildings:

(1) Buildings shall have sufficient teaching, practicum, and special-use classrooms and areas, buildings required for the junior college's administration and student activities, and sports facilities.

(2) When the setting up of a newly established junior college is approved, its buildings shall have a total completed floor area of at least 6,000 square meters and shall have a total completed floor area of at least 10,000 square meters prior to the start of the second academic year following approval of its registration. All buildings shall have obtained a use permit before their floor area is permitted to be included in calculations.

(3) The total building floor area shall be calculated in accordance with the method set out in the provisions of the Standards for Student Admission Quotas and Resources at Institutions of Higher Education.

3. Equipment and facilities:

(1) Each junior college shall have sufficient teaching, auxiliary, and experimental (training) equipment and facilities addressing the practical requirements of its own special characteristics and all the various different courses it offers.

(2) A junior college shall have a library, and it shall have sufficient basic books, information, specialized journals, and relevant equipment and facilities.

4. Teaching staff:

Across the entire junior college, the student-teacher ratio, day student-teacher ratio, and graduate student-teacher ratio, and the different ranks, qualifications, and method of calculating the number of full-time teaching staff at the level of assistant professor and above shall be in accordance with the provisions of the Standards for Student Admission Quotas and Resources at Institutions of Higher Education

5. Funds for establishing a private junior college and its establishment fund: When an application is made to register a private junior college is made, the funds to establish it and its establishment fund shall be in compliance with the following provisions:

(1) A junior college shall have an adequate establishment fund (including funding required for purchase or lease of land,

building, and equipment and facilities) and funds required for annual recurrent expenses to maintain its basic operations, and it shall provide explicit evidence of the sources of funds for its establishment.

(2) A junior college shall raise an adequate establishment fund of NTD$200 million and deposit this in a dedicated bank account.

Section 2 Establishment of branch campuses and divisions of junior colleges and institutions of higher education

Article 8

A university applying to establish a branch campus or division shall take into due consideration its resources and regional needs and shall submit a branch establishment plan or division establishment plan respectively. A public university shall submit its establishment plan to the MOE for ratification after it has been approved by the university council; a private university shall submit its establishment plan to the MOE for ratification after it has been approved by its university affairs committee and by its board of directors.

The establishment plan to establish a university branch campus or division referred to in the previous paragraph shall give explicit details of the following:

1. The origin of the establishment plan
2. The overall development strategy and its features; and for a division, the nature of its establishment.
3. The planned teaching units and administrative units.
4. Current teaching staff situation and planned future teaching staff appointments.
5. The planned books, apparatus and instruments, and other teaching equipment and facilities.
6. An inventory of all land, location map(s), and a description of the environment.
7. Documentary evidence of land ownership or consent for its use.
8. Financial plan, and funding sources, and supporting documentary evidence.
9. Building layout of the branch campus or division.
10. Plan regarding the relationship with the parent university

A university that is setting up a branch campus overseas shall lodge an application to do so with the overseas government after the establishment plan referred to in the previous paragraph has been approved by the MOE. The university shall then apply to the MOE to be registered after obtaining permission in writing from the government of the country or district where the branch campus is being set up.

An academia-industry cooperation division set up by a university is not permitted to set up any college, institute, department, subject, or degree program structure, or any teaching or recruitment units subordinate to any academic program. But in-service professional programs which have been set up to cater to regional demand are not subject to this restriction.

Article 9

The establishment of a branch campus by a university shall be in compliance with the following provisions:

1. Application criteria:

(1) The establishment of the branch campus will facilitate the university's future development, and meet national social and regional needs; establishing a branch campus is not permitted to adversely affect the existing rights and interests of the current teachers and students.

(2) A university applying to establish an overseas branch campus shall have been evaluated by the MOE as running its operations well, with an outstanding performance, and have had no shortfalls in its final accounts in the most recent three years.

(3) The site of the parent institution or the site of any of its MOE approved division(s) or branch campus(es) that was required to be developed has already been completely developed.

1. Branch campus establishment criteria:

(1) Any branch campus established in the Republic of China (hereunder abbreviated to “the ROC”) shall be in compliance with the provisions of Article 4, Paragraph 2, and Article 6.

(2) Any branch campus that is established overseas shall be in compliance with principles of equality and the related ordinances of the country or district where it is located, and evidence that it is complying with the related ordinances of the country or district where it is located shall be provided.

3. Branch campus establishment fund:

(1) The branch campus establishment fund shall be provided from the university’s self-generated income and accumulated surplus. The total amount invested into a division establishment fund by a private university or tertiary college is not permitted to exceed half of the surplus earnings that it has accumulated over the years, and it is not permitted to affect the operations of the parent university or college.

(2) A university is not permitted to extend its credit limit or borrow money from a domestic bank in the name of raising funds to establish a branch campus overseas, and it is also not permitted to use any of the university’s property or assets in the ROC as collateral to extend its credit limit or borrow money from an overseas bank.

(3) A university’s donation income derived within the ROC is not permitted to be used to establish a branch campus overseas. This restriction does not apply, however, if at the time of the donation the donor specifically indicated that the donation was for the university to use for setting up a branch campus overseas.

4. Organization of branch campuses:

(1) The establishment of the teaching units shall be undertaken applying, mutatis mutandis, the relevant provisions of the ordinances governing the establishment of the parent institution; the establishment of administrative units shall be undertaken in accordance with the provisions governing the establishment of the parent institution’s second tier administrative units. Any unit established overseas shall operate in accordance with the related ordinances in the country or district where it is located.

(2) The organizational structure of any branch campus shall be explicitly set out in the parent institution's organizational charter and regulations or shall be separately formulated as authorized there, and be submitted to the MOE for ratification.

5. Employment of branch campus personnel:

(1) Branch campus president: one person shall be appointed to oversee the affairs of the branch campus. For a branch campus set up in the ROC, the president of the parent institution shall assign the vice president of the parent institution to take a concurrent post in accordance with the provisions of the University Act and related ordinances; for any branch campus set up overseas, the president of the parent institution shall assign a teaching staff member from the ROC to fill the post, and the term of the appointment and eligibility qualifications shall be determined by each university in accordance with its organizational charter and regulations. Employment of local people shall be undertaken in accordance with the related ordinances of the country or district where it is located.

(2) Branch campus teaching staff: A branch campus set up overseas that appoints teaching staff members in the ROC shall do so acting in compliance with the related provisions of the Act Governing the Appointment of Educators and relevant ordinances; Employment of local people shall be undertaken in accordance with the related ordinances of the country or district where it is located.

6. Branch campus names: The name of a branch campus shall clearly indicate the parent institution that the branch campus belongs to and shall begin with the name of the administrative district where it is located.

Article 10

The establishment of a division by a university shall be in compliance with the following provisions:

1. Application criteria:

(1) The establishment of the division would facilitate the university's future development, and meet national social and regional needs; establishing a division is not permitted to adversely affect the existing rights and interests of the current teachers and students.

(2) A university applying to establish a division overseas shall have been evaluated by the MOE as running its operations well, with an outstanding performance, and have had no shortfalls in its final accounts in the most recent three years.

(3) The site of the parent institution or the site of any of its MOE approved division(s) or branch campus(es) that was required to be developed has already been completely developed.

2. Criteria for establishing a division:

(1) A division established in the ROC shall be in compliance with the provisions of Article 4, Paragraph 2; the site of a division for teaching purposes shall have an area of at least two hectares. The site shall have an area of at least four hectares available for development and use; the required per student floor area of the buildings shall be in accordance with the provisions of the

Standards for Student Admission Quotas and Resources at Institutions of Higher Education.

(2) A division established overseas shall be in compliance with principles of equality and with the related ordinances of the country or district where it is located, and evidence that it is complying with the related ordinances of the country or district where it is located shall be provided.

3. Division establishment fund:

(1) The division establishment fund shall be provided from the university's self-generated income and accumulated surplus. The total amount invested into a division establishment fund by a private university or tertiary college is not permitted to exceed half of the surplus earnings that it has accumulated over the years, and it is not permitted to affect the operations of the parent university or college.

(2) A university is not permitted to extend its credit limit or borrow money from a domestic bank in the name of raising funds to establish a division overseas, and it is also not permitted to use any of the university's property or assets in the ROC as collateral to extend its credit limit or borrow money from an overseas bank.

(3) A university's income derived from donations in the ROC is not permitted to be used to establish an overseas division. This restriction does not apply if, at the time the donation was made, the donor designated that their donation to the university was to be used for setting up an overseas division.

4. Division organization: The organizational structure of divisions shall be explicitly set out in the parent institution's organizational charter and regulations and be reported to and ratified by the MOE. When necessary, branch units may be set up; the setting up of the teaching and/or administrative units of a division established overseas may be undertaken in accordance with the related ordinances of the country or district where it is located.

5. Appointment of division personnel:

(1) Division director: One person shall be appointed to assist running the division. For a division set up in the ROC, the president of the parent institution shall appoint a teacher at the parent institution at the professor rank to the post; for a division set up overseas, the president of the parent institution shall assign a teaching staff member from the ROC to fill the post, and the term of the appointment and eligibility qualifications shall be determined by each university in accordance with its organizational charter and regulations. Employment of local people shall be undertaken in accordance with the related ordinances of the country or district where it is located.

(2) Division teaching staff: A division set up overseas employing teaching staff in the ROC shall do so acting in compliance with the pertinent provisions of the Act Governing the Appointment of Educators and relevant ordinances; the employment of teaching staff locally shall be implemented in accordance with the

provisions of the related ordinances in the country or district where it is located.

6. Division names: A division's name shall clearly indicate the parent institution that the division belongs to and shall begin with the name of the administrative district where the division is located; a division that is an academia-industry cooperation division shall clearly indicate that it is in its name after the name of the administrative district.

Article 11

The operations of a university's overseas branch campus or division shall be supervised by its parent university, and its finances shall be clearly partitioned from those of its parent university. Each overseas branch campus or division shall set up and maintain independent account books, under the supervision of its parent university.

Article 12

If a branch campus or division that a university has established overseas operates in violation of the provisions of relevant ordinances, or if there are specific facts sufficient to prove that the branch campus or division is detrimentally affecting the operations of its parent university in the ROC, and the MOE has ordered that the situation be improved within a prescribed period, and this has not been done by the deadline, the MOE may reduce the university's awards and/or subsidies, and, when necessary, may revoke the approval given to the university to establish an overseas branch campus or division.

Article 13

If a junior college applies to establish a branch campus or division, apart from the site of any teaching division having an area of at least two hectares available for development and use,the provisions of each article from Article 8 to the previous article are applicable, mutatis mutandis, to any other related establishment plan, establishment criteria, application procedure, and establishment procedures and specifications.

Section 3 Establishment of Junior College Divisions

Article 14

In order to enhance the practical skills and expertise of professional personnel and improve the quality of technical and vocational education, the MOE may, having examined and considered education policies and national social development and workforce demands, give universities approval to establish affiliated junior college divisions, and may permit universities to establish affiliated junior college divisions in counties or cities that do not have a junior college providing education.

An institute of technology that, in accordance with these Regulations, takes part in an amalgamation or is renamed a university of science and technology may proceed to establish a junior college division.

A university applying to set up an affiliated junior college division shall take into due consideration its resources, circumstances, and regional needs, and submit a junior college division establishment plan; in the case of a public university the establishment plan shall be submitted to the MOE for ratification after it has been approved by the

university council, and in the case of a private university, the establishment plan shall be submitted to the MOE for ratification after it has been approved by its university affairs committee and by its board of directors.

Article 15

When a university applies to establish a subsidiary junior college division away from its main campus, the provisions of these Regulations governing the establishment of a division by a university apply, mutatis mutandis. But when a university establishes a junior college division overseas, the provisions of these Regulations governing the establishment of a branch campus by a university may be applied, mutatis mutandis.

Chapter 3 Alterations

Section 1 Change of name

Article 16

A university or tertiary college being renamed shall meet the following criteria:

1. An independent college that is applying to be renamed an ordinary university or an institute of technology that is applying to be renamed a university of science and technology shall meet the following criteria:

(1) It has had excellent educational results and has tangible evidence of its performance.

(2) Administration of the independent college's recruiting and enrolment, student status, personnel affairs, accounting, finance, courses, and computerization of administrative matters are all functioning normally, and it has established a soundly operating institutional system, and the MOE does not have any instance of major administrative error or negligence on record.

(3) It shall be operating in compliance with MOE policy goals and associated regulations.

(4) For a private independent college, its board of directors' registration as a legal person, updates made and operations are normal, and it has established a soundly operating institutional system.

2. When the educational institution in question is operating in compliance with the previous subparagraph and the special circumstances set out below pertain, an institute of technology may be renamed an ordinary university, and vice versa; an independent college may be renamed a university of science and technology, and vice versa; an institute of technology may be renamed an independent college, and vice versa; and an ordinary university may be renamed a university of science and technology, and vice versa.

(1) Education policy and national requirements.

(2) It is considered a definite necessity following an MOE examination and consideration of the current distribution of universities in each region.

(3) The municipality or county (city) where the educational institution applying to be renamed is located does not have an ordinary university, a university of science and technology, or an

independent college, or institute of technology in the same educational institution name category as the proposed name.

Article 17

The MOE shall accept applications to be renamed from independent colleges, institutes of technology, universities of science and technology, and ordinary universities and, in principle, process such applications once each year.

The MOE procedures governing accepting an application for a name change and its approval are as follows:

1. If the proposed name change is in compliance with the requirements stipulated in the previous article the educational institution may draw up a name change proposal; after the proposal has been reviewed and given due deliberation by the university (college) council, and in the case of a private educational institution after the proposal has also been approved by its board of directors, an application with the name change proposal, minutes of the meetings at which it was deliberated, and basic information indicating compliance with the requirements set out in the subparagraphs of the previous article and associated forms attached shall be submitted to the MOE before the designated deadline for the current year.
2. The MOE may form a case review panel to conduct the review. The review is divided into two stages, a preliminary review and a follow-up review; the materials provided by the educational institution are examined at the preliminary review stage.

3. If a college or university passes the preliminary review, the MOE shall conduct an on-site inspection, and then, depending on the results of the on-site inspection, may convene a follow-up review meeting to discuss the case and make specific recommendations regarding the institution's future plans and long-term development. When necessary, the MOE may allow a college or university to undertake preparations for a period of between half a year and one year before the follow-up review and may give a single extension to the approved period, and the MOE shall undertake the on-site inspection when the approved preparation period ends. If the college or university passes the follow-up review, it will be given approval to be renamed; a college or university that does not pass the follow-up review shall submit another application in accordance with the provisions of this article.

When a private college or university passes the review process referred to in the previous paragraph, and the MOE has approved its renaming, its school endowment corporation shall undertake an update of its registration.

Article 18

A junior college or institution of higher education may apply to change its name in order to meet its development requirements; the provisions of the previous article apply, mutatis mutandis, to the application procedure and related matters.

Article 19

The new name of a junior college or institution of higher education that is applying to change its name shall be in compliance with the following provisions:

1. The name of a junior college or institution of higher education shall clearly indicate its category and level. The name of a public junior college or institution of higher education shall begin with the word “national”, “municipal”, "county", or "city”, as appropriate.The name of a private junior college or institution of higher education shall begin with the name of its school endowment corporation, and it is not permitted to only use the name of the city, county, municipality, or higher level administrative district in which it is located as its name.
2. When the name of a private junior college or institution of higher education consists of the name of the administrative district and another embellishing component, the embellishing component may possess historical significance, be a commemorative meaning, be a phrase that by convention must be used in full, or reflect some other feature of the institution. But such a name component is not permitted to reflect the academic category of the institution.
3. If two or more educational institutions of the same level in the same district are in the same category or a similar one, if the name proposed for one of them is too similar to that of any other, one or more words sufficient to clearly distinguish its name shall be added.
4. A junior college or institution of higher education is not permitted to use a name with any of the following features:

(1) The name is identical to or closely resembles that of a well-known domestic or international organization. This restriction does not apply, however, if the organization's written consent has been obtained.

(2) A name identical to or closely resembling a name already being used by another educational institution of the same level.

Section 2 Changes of institutional status

Article 20

A junior college applying to change its institutional status to become an institute of technology shall meet the following criteria:

1. The junior college has had excellent educational results and has tangible evidence of its performance.
2. The administration of the junior college’s recruiting and enrolment, student status, personnel affairs, accounting, finance, courses, and computerization of administrative matters is functioning normally, and the junior college has established a soundly operating institutional system, and the MOE does not have any instance of major administrative error or negligence on record.
3. The junior college has been operating in compliance with MOE policy goals and associated regulations.
4. For a private junior college, its board of directors, registration as a legal person, updates made and operations are normal, and it has established a soundly operating institutional system.

A skills-based senior high school that changes its institutional status to become a junior college is not permitted to change its

institutional status to become an institute of technology.

Article 21

The process for any junior college changing its institutional status to become an institute of technology, or any junior college changing its institutional status to become an institute of technology with an affiliated junior college division, in principle, is only handled once each year. The base date for data calculations for all reviews of basic criteria is February 1 each year.

The MOE procedures governing accepting an application for a change of institutional status and its approval are as follows:

1. A junior college that meets the criteria for changing its institutional status set out in the previous article may draw up a change of institutional status plan; after the plan has been reviewed and given due deliberation by the junior college's governing board, and in the case of a private junior college after the plan has also received mandatory approval from its board of directors, the junior college shall submit an application with its change of institutional status plan, minutes of the meetings at which it was deliberated, basic information indicating compliance with the requirements set out in the subparagraphs of the previous article, and associated forms attached to the MOE by March 31 of the current year.
2. The MOE may form a case review panel to conduct the review. The review is divided into two stages, a preliminary review and a follow-up review; the change of institutional status plan, minutes of meetings at which the matter was deliberated, basic information, and relevant forms and documents submitted by each junior college are reviewed at the preliminary review stage.
3. If a junior college passes the preliminary review, the MOE shall undertake an on-site inspection, and then, depending on the results of the on-site inspection, may convene a follow-up review meeting to discuss the case, and make specific recommendations regarding the junior college's future plans and long-term development. When necessary, the MOE may allow the junior college to undertake preparations for a period of between half a year and one year before the follow-up review and may give a single extension to the approved period and shall undertake the on-site inspection when the approved preparation period ends. A junior college that has passed the follow-up review will be given approval to change its institutional status to become an institute of technology; a junior college that does not pass the follow-up review shall submit another application in accordance with the provisions of this article.
4. The MOE shall ratify the change of institutional status of a junior college that has passed the follow-up review referred to in the previous subparagraph.

The review procedures referred to in the previous paragraph shall be completed before July 31 of the current year.

Article 22

A junior college that changes its institutional status to become an

institute of technology, or a junior college that changes its institutional status to become an institute of technology with an affiliated junior college division shall set up departments (subjects, sections), graduate institutes, and degree programs in accordance with the following provisions:

1. The institute of technology shall establish three or more departments during the first year after approval of its change of institutional status. In principle, these departments will offer subjects that the former junior college taught, and achieved excellent results for, and that there are sufficient qualified teachers to teach; in principle, the institute of technology will also add two-year technical (academic) program departments and in-service programs in a continuing education department.
2. From the second year after its change of institutional status was approved, the institute of technology may, in conjunction with its developmental needs, set up additional departments and/or subjects and make adjustments to current departments and subject, and from the fifth year it may add graduate institutes. Each educational institution shall undertake setting up any additional departments (subjects, sections), graduate institutes, and degree programs or any adjustments to the current ones in accordance with review principles, regulations, and procedures governing any such additions or adjustments in that year.

Article 23

After considering the economic, educational, demographic, transportation, cultural, and resource circumstances of a county or municipality that does not provide junior college education, the MOE may select a public skills-based senior high school that meets the following criteria and eligibility conditions, or it may amalgamate several such schools, and change the institutional status of the original school or the amalgamated schools to that of a junior college and set up an affiliated skills-based senior high school division there:

1. The daytime division of the school has a total of at least 40 classes.
2. The average enrollment rate in the most recent three years was at least 85%.
3. The skills-based senior high school's site, school buildings, and teaching equipment and facilities: these are all in accordance with the provisions of Article 7.
4. Courses: Courses shall be set up in compliance with the following principles:

(1) Courses shall be in compliance with overall national development needs and be linked with local commercial and industry development needs.
(2) Courses shall extend provision of education with a practical orientation and match the junior college's specific developmental focus.
(3) Appropriate related practical training shall be arranged designed to help meet the objectives of each subject area, and specific practical training plans shall be compiled. Practical training plans shall include the training courses, training modes, number of

training hours, and qualifications of the teachers involved.

5. Change of institutional status plan: The school shall provide specific accurate details of its current situation, and a rational and complete plan setting out how it will achieve the standards required to change its institutional status and the demands it would face following such a change, and draw up a feasible implementation plan.

Article 24

The provisions of Articles 7 and 21 shall apply, mutatis mutandis, when an institute of technology that was formerly a junior college, or when a university of science and technology that was formerly called an institute of technology changes its institutional status to become a junior college.

Changing the institutional status of a junior college to make it a skills-based senior high school shall be handled, mutatis mutandis, in accordance with the provisions of Articles 4 and 6 of the Senior High School Education Act pertaining to applying to establish such a school following a change of institutional status.

When teachers at a junior college that has changed its institutional status and become a skills-based senior high school who do not have a secondary school teaching certificate continue to hold a teaching position there, the MOE may arrange for a teacher training university to offer pre-service teacher education courses on a case by case basis within six years after the change of institutional status to provide such teachers opportunities for further training.

Teachers at such a junior college that has changed its institutional status to become a skills-based senior high school as referred to in the previous paragraph who have completed the teacher pre-service education courses prescribed in the Teacher Education Act and have been employed teaching at the junior college for two years may be exempt from the requirement to undertake an education practicum prescribed by the Teacher Education Act, and they shall be issued a secondary school teaching certificate by the MOE after they pass the teacher qualifications test.

Section 3 Amalgamations

Article 25

A junior college or institution of higher education may, after taking into due consideration its resources, circumstances, and development focus, select an appropriate amalgamation counterpart and implement an amalgamation plan.

After weighing and considering current higher education development trends, the distribution of junior colleges and institutions of higher education, and the allocation of educational resources, the MOE may recommend that institutions of higher education implement an amalgamation plan, and assist them to do so.

Article 26

Public junior colleges or institutions of higher education planning an amalgamation shall draw up an amalgamation plan. An amalgamation plan for national junior colleges or institutions of higher education shall be submitted to the MOE for ratification after it has been approved by

the respective university council or junior college governing board. An amalgamation plan for municipal, county, or city junior colleges or institutions of higher education shall be submitted to the MOE for ratification after it has been approved by the respective university council or junior college governing board and by their local government.
For an amalgamation between private junior colleges or institutions of higher education, the school endowment corporation of each of the institutions shall draw up an amalgamation plan and an amalgamation agreement addressing the amalgamation related matters, and submit balance sheets and property inventory audited and certified by a certified public accountant; the amalgamation plan shall be submitted to the MOE for ratification after it has been approved by the respective university (college) councils and boards of directors. There is, however, no need to draw up an amalgamation agreement if the amalgamation is between private educational institutions of the same or different levels established by the same school endowment corporation.
The amalgamation plan referred to in Paragraph 2 shall give explicit details of the following:
1. The origin of the amalgamation plan.
2. An analysis of the current situation of each of the educational institutions involved in the proposed amalgamation and any associated problems.
3. The amalgamation plan procedures.
4. An amalgamation schedule and a list of associated matters that will require being attended to.
5. The contents of the plan: including envisaged growth; the plan for each campus; designated uses of campus buildings and open spaces and any planned changes to these; the organizational structure of the administration, the number of administrative personnel and their deployment; the academic organizational structure, and configuration of subjects, departments, and graduate institutes; and a financial plan.
6. The way in which the rights and interests of teaching and other staff and students of the amalgamating institutions will be handled.
7. The drawing up of major rules.
8. Expected benefits.
9. Other relevant measures.

Article 27

Junior colleges and institutions of higher education shall complete the formulation or revision of their organizational charter and regulations within one year after the MOE approves an amalgamation.
A junior college or institution of higher education newly-formed through an amalgamation shall have one person appointed as president. As is the case for the president of a newly-established junior college or institution of higher education, this first president shall be appointed in accordance with the provisions of Article 16 of the Junior College Act or Article 10 of the University Act, as applicable.

Article 28

The MOE may, taking into account the national overall resources situation, provide priority funding for the amalgamation of a number of

junior colleges or of institutions of higher education.

Article 29

If junior colleges or institutions of higher education have not implemented an amalgamation in accordance with their amalgamation plan, taking into account the circumstances, the MOE may reduce funding support and/or adjust their student admission quotas.

Chapter 4 Cessation of Operations

Article 30

The cessation of operations of a national junior college or institution of higher education and/or any branch campus, division, junior college division, or skills-based senior high school division shall be reviewed by the MOE in line with education policies and examining and considering the specific circumstances of the particular institution before it approves any such cessation.

The cessation of operations of a municipal, county, or city junior college or institution of higher education and/or any branch campus, division, junior college division, or skills-based senior high school division shall be reported by the government at each respective level for ratification.

Article 31

When a school endowment corporation acting in accordance with the provisions of Article 70, Paragraph 1 of the Private School Law applies to cease operating a private educational institution that it has established, or its branch campus, division, or junior college division, it shall draw up a cessation of operations plan, submit a report to the university council or junior college governing board, and after the plan has been passed by the board of directors, submit the cessation of operations to the competent authority for that private educational institution for ratification.

If a private junior college or institution of higher education has been ordered by its competent authority to cease operations in accordance with the provisions of Article 70, Paragraph 2 of the Private School Law, the board of directors of its school endowment corporation shall draw up a cessation of operations plan and submit it to the competent authority for approval.

A cessation of operations plan shall give explicit details of the following:

1. The reason for cessation of operations.
2. Plan for the disposal of the facilities and equipment, files and documents, and property and assets.
3. Measures for handling the dismissal or retirement of current teaching and other staff.
4. Measures to assist the transfer of current students.
5. The school endowment corporation’s follow-up plan in the event of cessation of the operations of a junior college or institution of higher education it has established.
6. Plans for other matters pertaining to cessation of operations.

Article 32

When a junior college or an institution of higher education's branch

campus, division, junior college division, or skills-based senior high school division ceases operating, its student records, personnel files, account books and vouchers, and other associated materials shall be properly retained by the parent institution.
When a junior college or an institution of higher education ceases operating, it shall immediately collect and properly organize all of its student records, personnel files, account books and vouchers, and any other material designated by the competent authority in charge of the junior college or institution of higher education; a private junior college or institution of higher education shall turn such items over to its school endowment corporation or to an organization (agency) designated by its competent authority for safekeeping, and these shall be returned at such time as it resumes operations; in the case of a public junior college or institution of higher education, such items shall be properly retained in accordance with the provisions of the Archives Act and the relevant regulations of each level of government.
If a private junior college or institution of higher education ceases to exist as the result of an amalgamation, all of its student records, personnel files, account books and vouchers, and other associated material shall be properly retained after the amalgamation by the newly-established or surviving private junior college or institution of higher education.
Article 33
When a private junior college or institution of higher education ceases operating, its school endowment corporation shall undertake the resettlement and retirement of the teaching and other staff in accordance with the Teacher’s Act, the Act Governing the Retirement, Bereavement Compensation, Discharge with Severance Pay Benefits for the Teaching and Other Staff of School Legal Persons and Their Respective Private School(s), and related ordinances, and its cessation of operations plan.
The resettlement of current students shall be undertaken in accordance with the provisions of Article 76 of the Private School Law; the competent authority for the junior college or institution of higher education that is ceasing operations may consider how factors such as its location, and range of departments correspond to those offered by other private junior colleges or institutions of higher education to help the students transfer to another suitable private institution.
Article 34
A private junior college or institution of higher education or any branch campus, division, junior college division, or skills-based senior high school division that ceases operating may resume operations after applying to the MOE and obtaining approval to do so; the provisions pertaining to establishment in these Regulations apply, mutatis mutandis, to the procedures for doing so.
A school endowment corporation that has no private educational institution because the one that it established has currently ceased operating, it shall, within three years from the date that the cessation of operations was approved, apply to resume the educational institution’s operations, establish a new educational institution,

amalgamate with another school endowment corporation, or apply to establish some other educational, cultural, or social welfare enterprise in accordance with Article 71 of the Private School Law. If no application has been submitted within the prescribed period, the competent authority for the school endowment corporation shall order the school endowment corporation to be dissolved in accordance with the provisions of Article 72 of the Private School Law. A school endowment corporation that undergoes some alteration shall continue to retain relevant documents; if a school endowment corporation is dissolved, it shall seal all relevant materials for safe keeping and shall report to the competent authority in charge of its former educational institution which shall coordinate the checking of the material and the method of their safe keeping.

Article 35

When a branch campus, division, or junior college division that a university has established overseas ceases operating, except when the ordinances of the country or district where it is located dictate otherwise, ownership of any residual equity shall return to its parent university in the ROC.

Chapter 5 Supplementary Provisions

Article 36

When a legally incorporated private educational institution established before the revised Private School Law took effect on January 18, 2008 applies to establish an additional private junior college or institution of higher education, branch campus, division, and/or junior college division, or to undertake an alteration, or cease operations, the provisions of these Regulations that govern school endowment corporations apply. But if such an educational institution is applying to establish an additional private junior college or institution of higher education, it shall first change its status to become a school endowment corporation, in accordance with the provisions of Article 87, Paragraph 2 of the Private School Law, after which, the application may be approved by the competent authority for the private junior college or institution of higher education.

When the legally incorporated private educational institution referred to in the previous paragraph applies to be renamed, to alter its institutional status or take part in an amalgamation, leading to a change to the nature or the name of the former legal person, after the competent authority for the private junior college or institution of higher education has ratified the alteration, in accordance with the provisions of Article 87, Paragraph 2 of the Private School Law, the legally incorporated private educational institution shall change its status to become a school endowment corporation and the private junior college(s) or institution(s) of higher education it has established.

Article 37

These Regulations shall take effect on the date of promulgation.

Data Source： Laws and Regulations Retrieving System