Content

Title：	Enforcement Rules of Act Governing the Appointment of Educators Ch
Date：	2015.06.05
Legislative：	1. Promulgated on July. 3, 1987. 2. Amendment to Articles 11, addition of Articles 15-1 promulgated on September 5, 1988. 3. Amendment to Articles 23,25, 27, and Appendix 1 promulgated on September 29, 1993. 4. Revised to 29 articles and promulgated on April 29, 1998. 5. Amendment to Appendix 1 promulgated on March 6, 2000. 6. Amendment to Article 13 promulgated on February 25, 2002. 7. Amendment to Article 23 promulgated on October 3, 2005. 8. Amendment to Article 11 promulgated on April 7, 2010. 9. Amendment of Articles 10, 13, 15; addition of Articles 15-1 and 24-1; and deletion of Articles 7~,9, promulgated on August 1, 2013. 10. Amendment to Article 11, promulgated on June 5, 2015.
Content：	Article 1 The Enforcement Rules are enacted in accordance with Article 42 of the Act of Governing the Appointment of Educators (hereinafter referred to as the Act). Article 2 The term “all levels of schools” mentioned in the Act refers to the universities, independent colleges, junior colleges, senior high schools, vocational schools, junior high schools, elementary schools, all levels of cram schools and all levels of special education schools. Article 3 The term “senior high schools” mentioned in the Act refers to senior high schools and vocational schools; the term “high schools” refer to senior high schools, vocational schools and junior high schools; the term “high and elementary schools” refer to senior high schools, vocational schools, junior high schools and elementary schools. The levels of cram schools and special education schools shall be classified in accordance with the provisions of the respective related laws. Article 4 The term “professionals of social education institutions” mentioned in the Act refers to the personnel staff with listed titles of positions and the job rankings marked as appointed in the organization laws of the social education institutions established in accordance with Articles 4 and 5 of Social Education Act. However, the administrative staff is not included. The job rankings of the professionals mentioned in the preceding paragraph shall be enacted in accordance with the provisions of the Table of Job Rankings of the Professionals of Social Education Institutions and Teachers of all Levels of Schools. (See Appendix 1)

The selection, appointment and screening of the professionals of social education institutions shall abide by the provisions made by the Ministry of Education.

Article 5

The term “researchers of academic research institutions” mentioned in the Act refers to the staff with listed title of positions and their job rankings marked as appointed in the organization laws of academic research institutions subordinate to all levels of government agencies in charge of education administration. However, the administrative staff is not included.

For the job rankings of the researchers mentioned in the preceding paragraph, the researchers shall be equivalent to professors, the associate researchers shall be equivalent to associate professors, the assistant researchers shall be equivalent to assistant professors and the research assistants shall be equivalent to lecturers.

The selection, appointment and screening of the researchers of academic research institutions shall abide by the provisions made by the Ministry of Education.

Article 6

The incumbent assistant researchers, research assistants and other professionals of equivalent levels of the social education institutions and academic research institutions appointed before the enforcement of the Act amended on 21 March 1997 shall apply for the promotion in accordance with the former job rankings if not having acquired the qualifications prescribed in the Act amended on 21 March 1997.

Article 7 (Deleted)

Article 8 (Deleted)

Article 9 (Deleted)

Article 10

The “national arts senior high schools” referred to in Article 6 Paragraph 3 of the Act shall be designated by the Ministry of Education.

Article 11

In this Act the seniority of teachers in educational institution at all levels in principle refers to the seniority of full-time teachers; the seniority of part-time teachers shall be calculated as fifty percent of that of a full-time teacher.

A university or tertiary college may use the same seniority considerations it uses for its full-time teachers when reviewing the teacher qualifications of full-time medical professionals working at a hospital affiliated with its college of medicine who are also working concurrently as teachers of clinical subjects in its college of medicine, if the Ministry of Education has reviewed and given approval to: its handling of their appointment; the standards and procedures used for their promotion assessment; their course-loads; and teacher performance evaluation of their clinical studies teaching work in the same way as it does for full-time teachers; to this having been incorporated into its institutional rules; and to these clinical subjects teachers not being remunerated for any part-time

teaching.

Apart from the medical professionals referred to in the previous paragraph, when the teacher qualifications of teachers of clinical subjects in the college of medicine at a university or tertiary college that collaborates with a hospital legally accredited as a medical center at which they work as full-time medical professionals are being reviewed, the collaborating university or tertiary college may use the same seniority considerations it uses for its full-time teachers, if the criteria set out in the provisions of the following items are met and if these matters have been reviewed and given approval by the Ministry of Education:

1. the collaborating university or college handles their appointment; the standards and procedures used for their promotion assessment; their course-loads; and their teacher performance evaluation in the same way as it does for its full-time teachers; and this has been incorporated into its institutional rules;
2. the medical professional is not remunerated for any part-time teaching; and
3. in any one year,the maximum number of reviews of the medical professionals concurrently working there that the collaborating university or tertiary college submits does not exceed ten percent of the total number of fulltime teachers at the college of medicine in the previous academic year.

Article 12

The specialized professions mentioned in the Act refer to the specialized or technical professions whose practicing certificates be bestowed in accordance with provisions of the examination laws and occupation laws and whose natures meet the aspired positions; the specialized positions mentioned in the Act refer to the specialized or technical positions of the government agencies, schools or public or private organizations whose natures and levels are equivalent to those of the taught subjects and the majored subjects.

Article 13

The “experience in a supervisory position in a school, government agency, or other state-owned or private enterprise or institution” referred to in Articles 8 and 10 of the Act refers to meeting one of the following criteria:

1. having held a supervisory position of a unit at the first administrative level or higher in an educational institution of at least junior college level, as stipulated in the rules and regulations governing that educational institution’s organization.
2. having been in a supervisory position at Academia Sinica of a unit at the first administrative level or higher as stipulated in the rules and regulations governing Academia Sinica’s organization.
3. having been in a supervisory position at the recommended appointment rank of grade 9 or above or its equivalent, at a government agency or state-owned enterprise or institution.
4. having been in a supervisory position at a privately run enterprise or institution that meets one of the following criteria:
   (1) being registered with the competent authority and having paid-

in capital of NTD 80 million or more, and the supervisory position being of a unit at the first administrative level or above.
(2) being a hospital that is registered with the competent authority and that meets the Establishment Guidelines for General Hospitals prescribed by the competent health authority, and the supervisory position held being at the first administrative level or above.

Article 14

The term "specialize in education" mentioned in Article 11 of the Act refers to having graduated from universities or colleges and completed the required education courses.

Article 15

The "graduates of normal junior colleges" referred to in Article 12 Subparagraph 1 of the Act does not include graduates of early childhood teacher education programs.

Article 15-1

The 'have graduated from a graduate school, university, independent academy, or junior college' referred to in Articles 12, 13, 15, 16, and 16-1 of the Act refers to graduating from a public or a registered private graduate school, university, independent academy, or junior college, or any such institution overseas, or in the Mainland area, Hong Kong, or Macau meeting the requirements for recognition by the the Ministry of Education.

Article 16

The term "graduate from each department of the normal universities, normal colleges, education colleges, universities or independent colleges" mentioned in Article 13 of the Act refers to the persons who teach the subjects the same as or similar to the majors thereof, or the persons who teach subjects other than the majors thereof but the same to the required specialized subjects of those departments.

Article 17

The persons who have met the screening qualifications of lecturers of the universities, independent colleges and junior college before the enforcement of the Act and still hold the positions may apply for the screening of the qualifications in accordance with Article 30 of the Act .

Article 18

The equivalent degrees of the doctoral and master's degrees mentioned in Articles 16, 16-1, 17 and 18 of the Act shall be recognized by the Ministry of Education in accordance with the admission levels, study periods and academic achievements.

Article 19

All levels of schools shall refer to the qualified screening levels or verified subjects when appointing teachers.

The teachers of senior high schools and lower levels, when appointed for the first time, shall present the eligible teacher certificates unless there shall be provisions of other laws.

The teachers of junior colleges and higher levels, when appointed for the first time, shall apply for the screening of the qualifications thereof within three months after taking the positions. If failing to

submit the screening cases before the due time, the teachers shall not be employed after the term is completed unless there shall be matters unattributable to the teachers. If failing to pass the screening, the teachers shall be revoked the employment thereof at once.

Article 20

If teachers plan to reject further employment offers after the term is completed, they shall send a written notice to the schools they serve one month before the completion of the employment. If planning to resign during the term of the employment, the teachers may be able to leave the jobs after the consent of the schools.

Article 21

The term "school staff" mentioned in the Act refers to the full-time staff who handles the schools' administration and ordinary technical jobs incorporated into the organization of all levels of school.

The regulations governing the selection and appointment of the rare technicians in the preceding paragraph shall be enacted by the Ministry of Education.

Article 22

The term "provisions of the former related laws" mentioned in Paragraph 2 of Article 21 of the Act refers to the provisions governing appointment, promotion and organization regulations ratified or enacted by the government agencies in charge of education administration and schools before the enforcement of the Act promulgated on 3 May 1985.

Article 23

The incumbent staff of all levels of schools selected and appointed before the enforcement of the Act, if possessing one of the following qualifications, shall be qualified the appointment in accordance with the law:

1. Pass any of the exams for the civil servants held in accordance with the examination laws.

2. Have been confirmed the appointment in accordance with any of the appointment laws for the civil servants.

3. Have registered to be eligible and acquired the certificates granted by the Ministry of Civil Service.

For staff and rare technicians who do not possess the qualifications as stated in the preceding paragraph, the Civil Servant Performance Rating Measures Act as well as its related provisions may apply mutatis mutandis to their performance evaluation.

Article 24

The qualifications and procedures for the selection and appointment of teachers of all levels of cram schools and special schools shall apply mutatis mutandis to the provisions of the Act, which regulate the principals and school teachers of the equivalent levels and categories.

Article 24-1

The 'religious body or organization' referred to in Article 41 of the Act refers to one in one of the following categories:

1. A religious foundation or incorporated charitable association established with the approval of the Ministry of the Interior, or of a special municipality, county, or city government, and which has been registered with the court as a legal entity.
2. An organization, or institution, or a legal entity or institution established through donations, which is affiliated with the legal entity referred to in the preceding subparagraph.
3. A registered or approved temple

The ‘supervisory position’ referred to in Article 41 of the Act refers to one of the following staff positions at a religious body or organization in one of the categories listed in the preceding paragraph:
1. Person in charge.
2. A supervisory position at the first administrative level as written into its set of regulations or within its internal organizational structure.
3. Any other staff position which the Ministry of Education deems to be a supervisory position.

Article 25

The military training instructors and nursing teachers of the senior highs schools and higher levels shall be selected and appointed in accordance with the related provisions of the Ministry of Education and the Ministry of National Defense.

Article 26

The selection and appointment of the researchers of all levels of marine schools or marine staff of the ships for the practical training shall be enacted by the Ministry of Education and the related government agencies.

Article 27

The Enforcement Rules shall come into force as the day of promulgation

Data Source： Laws and Regulations Retrieving System