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Title：	Primary and Junior High School Act Ch
Date：	2016.06.01
Legislative：	1.Promulgated by the Order Tai-Tong(Yi)-Yi-Zi No. 2523 of the Ministry of Education on May 23, 1979. 2.Addition of Articles 8-1, 8-2, amendment to Articles 4, 7~11, 16~20 of Primary and Junior High School Act per Presidential Decree No. Hua-Zong-Yi-Zi-8800024770 dated February 3, 1999. 3.Amendment to Article 11 of Primary and Junior High School Act per Presidential Decree No. Hua-Zong-Yi-Zi-9000252770 dated December 21, 2001. 4.Addition of Articles 5-1, 9-1~9-4, 20-1 to Articles 4~6, 9, 13, 18, 20 of Primary and Junior High School Act per Presidential Decree No. Hua-Zong-Yi-Zi-09200019130 dated February 6, 2003, . 5.Deletion of Article 14, addition of Article 8-3, amendment to Articles 9, 12 of Primary and Junior High School Act per Presidential Decree No. Hua-Zong-Yi-Zi-09300156891 dated September 1, 2004. 6.Amendment to Article 8-3 of Primary and Junior High School Act per Presidential Decree No. Hua-Zong-Yi-Zi-09500014901 dated February 3, 2006. 7.Addition of Article 7-1 of Primary and Junior High School Act per Presidential Decree No. Hua-Zong-Yi-Zi-09600085821 dated July 4, 2007. 8.Amendment to Article 9 of Primary and Junior High School Act per Presidential Decree No. Hua-Zong-Yi-Zi-09500014901 dated August 6, 2008. 9.Amendment to Article 9 of Primary and Junior High School Act per Presidential Decree No. Hua-Zong-Yi-Zi-09800015651 dated January 21, 2009. 10.Amendment to Article 5-1 of Primary and Junior High School Act per Presidential Decree No. Hua-Zong-Yi-Zi-098000150511 dated June 17, 2009. 11.Amendment to Article 4 of Primary and Junior High School Act per Presidential Decree No. Hua-Zong-Yi-Zi-09900019941 dated January 27, 2010. 12.Amendment to Article 10 of Primary and Junior High School Act per Presidential Decree No. Hua-Zong-Yi-Zi-10000016631 dated January 27, 2011. 13.Addition of Articles 8-1, 20-1 of Primary and Junior High School Act per Presidential Decree No. Hua-Zong-Yi-Zi-100000266431 dated November 30, 2011. 14.Amendment to Article 10 of Primary and Junior High School Act per Presidential Decree No. Hua-Zong-Yi-Zi-10500040051 dated May 11, 2016. 15.Amendment to Article 4-1 and 8 of Primary and Junior High School Act per Presidential Decree No. Hua-Zong-Yi-Zi-10500050781 dated June 1, 2016.

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Article 1	According to Article 158 of the Constitution of the Republic of China, primary and junior high school education is aimed at the moral, cognitive, physical, social, and aesthetic development of the citizens.
Article 2	Citizens between 6 and 15 years of age (hereafter referred to as “school-age citizens”) shall receive primary and junior high school education. Citizens older than school age who have not received primary and junior high school education shall receive supplementary education. Compulsory education and enrollment for school-age citizens shall be prescribed by law.
Article 3	Primary and junior high school education comprises two stages: six years of primary school education, and three years of junior high school education. Gifted primary school students may reduce the duration of their study by a maximum of one year. Supplementary education shall be implemented by supplementary schools affiliated with a primary or junior high school. The regulations governing its implementation shall be separately prescribed.

Article 4	In principle, primary and junior high school education shall be implemented by the government, but private implementation is also encouraged. The school district boundaries for public primary and junior high schools shall be determined and the districts established by municipal and county (city) governments, based on the population, transportation, communities, the cultural environment, administrative region, and distribution of schools. The principles informing the determination of school district boundaries and the regulations governing school placement and admission shall be determined by municipal and county (city) governments. The primary and junior high schools referred to in the preceding paragraph may be delegated to private operation, in accordance with regulations prescribed by municipal and county (city) governments. To ensure students' rights to learning and education and parental right of choice, the stages of primary and junior high school education may be implemented in the form of alternative education. The content, duration, scope, application criteria and procedures of alternative education, and other associated matters shall be specified by the Ministry of Education after consultation with municipal and county (city) governments. The short-term supplementary education stipulated in the Supplementary and Continuing Education Act, may not be classified as the "alternative education" referred to in the preceding paragraph.
Article 4-1	To promote peer interactions of students, cultivate a diverse range of group learning, integrate educational resource efficiently, construct advancing academic environments, balance urban and rural educational functions, and protect school interests of students, municipal or county (city) governments may perform the mergers and discontinuations of public primary and junior high schools; the guidelines governing the condition, process, review, arrangement of the students and school teaching and staffs, and other related matters shall be determined by the central competent authority; municipal or county (city) governments shall stipulate the autonomous regulations governing the mergers and discontinuations in accordance with the guidelines. For the merger and discontinuation of public primary and junior high schools in the preceding Paragraph, municipal or county (city) governments shall develop the campus space utilization and financial support project, and this shall be submitted to the central competent authority for review and approval after inviting scholars and experts, parent representatives, teaching and other staff representatives of the school, local community leaders, and relevant people for an evaluation of the project and public hearing, and passing the examination in the Education Review Committee of municipal or county (city) governments.
Article 5	Primary and junior high school students shall receive free education. Governments shall provide books for students from poor families and they are exempt from fees stipulated by other laws and regulations. Junior high schools shall establish scholarships and grants for excellent students and those from poor families. Revenue and expenditure regulations governing miscellaneous fees incurred by primary and junior high schools and fees which they handle on behalf of other entities shall be stipulated by municipal and county (city) governments. The merger and discontinuation of key aboriginal schools shall be implemented in accordance with the Education Act for Indigenous Peoples.
Article 5-1	Primary and junior high schools shall take out group insurance. The regulations governing the coverage, premiums, payment method, duration, payment standard, rights and obligations, procedures, and other related matters shall be determined by each competent education administration authority. The school shall actively assist students who lodge an insurance claim. The competent education administration authority at all levels shall take out public liability insurance cover for the premises of the public and private primary and junior high schools within their jurisdiction. The costs incurred to comply with the stipulation set out in the preceding paragraph shall be included in the Ministry of Education's annual budget.

Article 6	The regulations governing the entrance qualifications, method, and other related matters for enrolling children of government personnel working overseas, overseas Chinese students, and international students in primary and junior high school shall be prescribed by the Ministry of Education. Primary and junior high school students' school records shall be accurately documented in written or electronic form for permanent archiving and lawful use. Regulations governing student status shall be determined by municipal and county (city) governments.
Article 7	Primary and junior high school curricula shall be centered on providing an education nurturing national spirit and life, with the development of a wholesome body and mind as a further objective, and shall emphasize the continuity of education.
Article 7-1	To cater to students' differences, learning interests, and requirements, schools shall provide elective courses for Grade 9 students to enhance their skills education , predicated on the principle of non-mandatory participation. Skills education courses using a project-based placement method may be organized. The implementation regulations shall be stipulated by the Ministry of Education.
Article 8	The central competent authority shall prescribe curricular guidelines and relevant implementation regulations of primary and junior high schools to serve as a guide for these schools' planning and implementation of curriculum; schools may integrate social resources with the planning of curriculum to enrich teaching activities. The relevant regulations of the Senior High School Education Act shall apply to the research, development, and examination of the curricular guidelines of primary and junior high schools.
Article 8-1	Equipment standards for primary and junior high schools shall be designated by the central competent authority. The municipal or county (city) competent authority may propose other standards which accommodate local conditions and needs; these shall be submitted to the central competent authority for review and approval. Primary and junior high schools shall establish libraries or reading rooms and implement reading courses to encourage extracurricular reading.
Article 8-2	Primary and junior high school textbooks shall be approved by the Ministry of Education and when necessary may be modified or replaced. The members of the textbook review and approval committee shall comprise discipline and curriculum experts, teachers, and representatives of education authorities. Teacher representatives shall constitute at least one-third of the committee. The organization of the committee shall be determined by the Ministry of Education. Primary and junior high school textbooks shall be chosen through an open process in accordance with regulations stipulated by the school's governing board.
Article 8-3	Textbooks designated for primary and junior high school use may be procured by the Ministry of Education or by municipal or county (city) governments designated by the Ministry of Education. Procurement methods shall be determined by the Ministry of Education. The primary and junior high school arts and activities textbooks referred to in the preceding paragraph shall be lent without charge to students who require such assistance. The regulations for such textbook borrowing shall be stipulated by municipal and county (city) governments.

Article 9	All primary and junior high schools shall employ one full-time principal on a fixed-term appointment basis (terms of four-years) to oversee school affairs. The term of appointment for principals of schools in indigenous areas, and mountainous, remote, and off-shore regions shall be determined by municipal and county (city) governments. Primary and junior high school principals may be re-elected once at a school in which they have already served as principal. Principals may return to a teaching position after the expiration of their term. Principals reaching retirement within a year after the expiration of their term of appointment may propose school affairs development planning for the future, and with approval by the school's governing board and by the competent education authority may continue to serve as principal until retirement. The related regulations shall be formulated by municipal and county (city) governments. The principals of county (city) primary and junior high schools shall be selected and then appointed by selection committees organized by county (city) governments through public recruitment of qualified people, or from among candidates who have the necessary training and qualifications, or currently serving principals who have nearly completed their term of appointment, or are at least halfway into their second term, and persons who have previously served as principals. Counties (cities) with fewer than 15 junior high schools or 40 primary schools may appoint currently serving principals in their second term. These principals are not subject to the requirement to have completed at least half of their second term. Related regulations shall be determined by the county (city) government. The principals of municipal primary and junior high schools shall be selected through an open selection process by selection committees organized by county (city) governments, through public recruitment of qualified people, or from among candidates who have the necessary training and qualifications, or currently serving principals who have nearly completed their term of appointment, or are at least halfway into their second term, and persons who have previously served as principals, and the selection decision reported to the municipal government. The municipal government undertakes the appointment. Suitably qualified principals of experimental primary and junior high schools affiliated with universities that provide teacher training shall be selected by selection committees organized by each such school from among principals or teachers at the associated university or at the affiliated experimental school or at other schools; the selection shall be submitted to the principal to make (or accept) the appointment, and to the competent education authority for reference. Parent association representatives shall comprise no less than one-fifth of the selection committee referred to in the previous three paragraphs. The organization and operating methods of the selection committee shall be stipulated by the authority responsible for organizing the selection committee, and the school.
Article 9-1	Current primary and junior high school principals who were in their post before the Primary and Junior High School Act came into effect on February 5, 1999 may continue to serve at their school until the expiration of their term. They may be considered for principal selection in accordance with paragraphs 3, 4, and 5 of Article 9. Any primary and junior high school principal found incompetent or unfit by relevant competent education authorities shall be redeployed to an alternative position or dealt with as otherwise appropriate.

Article 9-2	The qualified personnel selected through open selection and who have had the training referred to in Article 9, paragraphs 3 and 4 indicates persons who satisfy one of the following criteria: 1. Qualified candidates to be a principal who have been openly selected and trained by the Taiwan provincial government or municipal governments since the amendment of this Act came into effect on February 5, 1999. 2. Qualified candidates to be a principal who have been openly selected and trained by a municipal or county (city) government since the amendment of this Act came into effect on February 5, 1999. 3. Qualified personnel who passed government inspector and section chief open selection and training, and possessed qualifications to be a primary or junior high school principal before the amendment of this Act came into effect on February 5, 1999.
Article 9-3	In accordance with the provisions in Article 9, paragraphs 3 to 5, authorities, teachers colleges, and universities with a college/department of education responsible for organizing selection committees shall assess the performance of principals serving at affiliated primary and junior high schools for the consideration of continued employment.
Article 9-4	Currently serving principals who hold a Teacher's Certificate and who are willing to resume a teaching position shall be assigned to a school by the competent education authority and shall not be subject to the stipulations of the Teacher's Act or the Act Governing the Appointment of Educators which require assessment and approval by the school's teacher evaluation committee. The municipal or county (city) government may adopt the following measures for currently serving principals who have served their terms without being selected for reappointment who are not qualified to teach and are unable to take a teaching position, or who are qualified to teach but unwilling to resume a teaching position: 1. Approve voluntary retirement for those who satisfy retirement criteria. 2. Give those who do not satisfy retirement criteria or who are unwilling to retire, priority counseling to assist them transfer to another occupation or position they are willing to take and in accordance with their individual qualifications.

Article 10	Primary and junior high schools shall establish a governing board that will deliberate and decide on significant school affairs; the governing board shall be convened and presided over by the principal. Governing boards shall comprise the principal, all full-time teaching staff or teacher representatives, representatives of the parents association, and representatives of non-teaching staff. The specific proportions of the board made up by different categories of member shall be determined by the school's competent education administration authority at each level. Taking into account their school size, primary and junior high schools shall consider establishing an academic affairs office, a students affairs office, and a general affairs office; or an education office and a general affairs office; with one director and a number of staff allocated to each such office. The directors shall be recruited to serve in this additional capacity by the principal from among full-time teaching staff, and the staff employed for each office shall be selected by the principal. All such employment and staff selections shall be reported to the competent education authority in the municipality or county (city) for approval. Primary and junior high schools shall establish a counseling center or employ counselors. Counseling centers shall have a full-time director and several full-time guidance counselors selected by the principal from among teachers who are enthusiastic about education and who possess appropriate professional knowledge and skills. Staffing with the full-time counselors referred to in the preceding paragraph shall be as follows: 1. Primary schools with 24 or more classes shall employ one guidance counselor. 2. Every junior high school shall employ one guidance counselor. Schools with 21 or more classes shall employ an additional counselor. The regulation set out in the preceding paragraph came into effect on August 1, 2012, and shall be successively implemented over five years. Primary and junior high schools may additionally employ a number of full-time professional counselors and volunteer counselors, based on their specific needs. Schools with 55 or more classes shall employ at least one full-time professional counselor. Municipal and county (city) governments shall recruit full-time professional counselors, and deploy them based on specific requirements. Governments with a total number of 20, or less, primary and junior high schools in their jurisdiction shall employ one professional counselor; governments with a total number of 21–40 primary and junior high schools shall employ two. The number of counselors employed by governments with a total number of 41 or more shall increase at the same rate. The financial resources required to employ the full-time professional counselors referred to in the preceding two paragraphs shall be subsidized by the Ministry of Education based on practical requirements. The qualifications, establishment, implementation methods, and scheduling aspects, and other matters concerning personnel shall be stipulated by the Ministry of Education after consultation with the municipal and county (city) governments. Primary and junior high schools shall establish personnel and accounting departments. Smaller public schools without the establishment of the dedicated units may employ from full-time personnel and accounting staff or relevant authority qualified staff of affiliated authorities and schools that are appointed by competent authority of personnel and accounting departments of Municipal and county (city) governments, on a part-time basis. Establishment staffing number standards shall be determined in compliance with the provisions of relevant laws and regulations. Nursing personnel are exempted in the preceding paragraph.

Article 11	Primary and junior high school teachers shall be employed full-time, but when necessary, part-time teachers and personnel specializing in specific disciplines or fields may be employed in accordance with the law to provide part-time teaching support. The scope of work, qualification review standards, certification procedures, appointment procedure, teaching hours, payment and compensation, and rights and obligations of the teaching support personnel referred to in the preceding paragraph shall be stipulated by the Ministry of Education, unless otherwise stipulated by law. The certification process referred to in the preceding paragraph shall be implemented by the municipal or county (city) competent education authority. When necessary, the Ministry of Education shall commission the undertaking of these procedures. Teaching support personnel May with the agreement of each competent education administration authority, have their certified qualifications recognized by other institutions. Persons qualified through satisfactory examination and training results implemented in accordance with the provisions of the Ministry of Education before June 30, 2002, are qualified to be employed as the teaching support personnel referred to in Paragraph 1.
Article 12	In principle, primary and junior high schools shall adopt small classes, with one homeroom teacher allocated to each class. Small schools may consider increasing the number of teaching positions. Criteria and regulations for class sizes and staffing shall be designated by the Ministry of Education. Primary and junior high schools shall divide classes in all grades in such a way that each class reflects the norm-curve distribution and shall implement group learning to accommodate students' appropriate development requirements. The criteria and regulations governing class grouping and class sizes, and group learning shall be stipulated by the Ministry of Education.
Article 13	Students' results shall be assessed. The regulations governing the assessment content, methods, principles, procedure, and other associated matters shall be prescribed by the Ministry of Education. Municipal and county (city) governments shall in compliance with these regulations formulate supplementary directions for the assessment of students' results. Primary and junior high schools shall award a graduation certificate to students who complete their studies with satisfactory results.
Article 14	(Deleted)
Article 15	Primary and junior high schools shall accommodate local requirements, assist the implementation of social education, and promote community development.
Article 16	The expenses incurred for the government to implement primary and junior high school education shall be listed in and paid for from the municipal and county (city) government budgets. The funding sources are as follows: 1. The general annual revenue of municipal and county (city) governments. 2. Allocated funds of municipal and county (city) governments stipulated in the Equalization of Land Rights Act. 3. To ensure the holistic development of primary and junior high school education, municipal and county (city) governments may prioritize the financing necessary to implement primary and junior high school education in accordance with the proviso in Article 18, Paragraph 1 of the Act Governing the Allocation of Government Revenues and Expenditures. The central government shall provide subsidies for primary and junior high school education expenses based on their actual needs.
Article 17	The land required to construct campuses for primary and junior high school education shall be prioritized and acquired by municipal and county (city) governments based on urban planning and community development requirements. Land may be appropriated or expropriated in accordance with law.

Article 18	The employment of primary and junior high school principals, heads of department, and teachers shall be prescribed by other laws. The regulations governing the selection, training, registration, accreditation, transfers, professional development, and awards, incentives, and discipline shall be prescribed by the Ministry of Education. Public primary and junior high schools shall conduct performance evaluation of the principal, heads of department, and teachers. The regulations governing the evaluation grade or result, the organization and tasks of the evaluation committee, evaluation procedures, and other associated matters shall be prescribed by the Ministry of Education.
Article 19	Teachers colleges and universities with schools (departments) of education may establish experimental junior high and primary schools and kindergartens to conduct experiments and research concerning primary and junior high school education, and provide teaching internships. The principals of experimental junior high and primary schools and kindergartens shall be selected by the principal of the competent administrating school (college) from among qualified teachers serving at the school. Appointments shall be on a fixed-term basis and the selection decision shall be reported to the competent education administration authority for approval. The teachers of experimental junior high and primary schools and kindergartens shall be selected and appointed by the principal; the heads and other staff department and offices shall be selected and employed by the principal, and these selections reported to the competent supervisory school for approval, and to the competent education administration authority for future reference.
Article 20	The school district boundaries for private primary and junior high schools shall be determined by municipal and county (city) governments taking into consideration specific local circumstances. Student admission to private primary and junior high schools shall be conducted using enrollment regulations formulated on the principles of equal educational opportunity and the sound development of primary and junior high school education. The enrollment regulations shall be submitted to the municipal or county (city) government for approval. Unless undertaking matters in accordance with the Private School Law and relevant regulations of this Act, the directors of school offices and departments, teachers, and other staff of private primary and junior high schools shall appointed by the principal through a selection process, and the appointment decisions shall be submitted to the municipal or county (city) government for reference.
Article 20-1	The competent municipal or county (city) authority shall prescribe regulations governing student awards and penalties. The legal representatives of students who perceive school disciplinary measures to be illegal, inappropriate, or a violation of students' rights and benefits may lodge an appeal with the school in writing; if unsatisfied with the school's decision regarding the appeal, may lodge a further appeal with the competent authority of the municipality or county (city) in which the school is located. Schools and the municipal or county (city) competent authority shall establish a student grievance system. Schools with 12 or more classes shall establish a student grievance review committee, with at least one-fifth comprising parent representatives. The associated governing regulations shall be prescribed by the competent authority of the municipality or county (city) in which the school is located.

Article 20-2	To protect the rights and interests of their children at every stage of their primary and junior high school education, 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. Participation methods, content, procedures, and other related matters shall be determined by the central competent authority. Parents of primary and junior high school students shall form a parents association. The autonomous regulations governing the association's organization, tasks, method of becoming a committee member, committee membership duration, financial resources, financial management, operation, and other associated matters shall be determined by the competent authority of the municipality or county (city) in which the school is located, after consulting parent groups.
Article 21	The enforcement rules for this Act shall be prescribed by the Ministry of Education.
Article 22	This Act is effective from the day of promulgation.

Data Source： Laws and Regulations Retrieving System