Content

Title：	Regulations Regarding Study and Counseling Assistance for Overseas Chinese Students in Taiwan Ch
Date：	2011.01.31
Legislative：	1.Promulgated on May 24, 1958 2.Amendment promulgated on April 13, 1962 3.Amendment promulgated on May 19, 1964 4.Amendment promulgated on August 29, 1968 5.Amendment promulgated on August 2, 1973 6.Amendment promulgated on January 10, 1983 7.Amendment to Articles 2 ~ 5,10,11,14,15,17,26 ~ 28 and 32 promulgated on December 2, 1988 8.Amendment to Articles 2 ~ 5,7,10 ~ 14,25,29,30 and 32 promulgated on May 1, 1991 9.Amendment to all Articles promulgated on April 19, 1999 10.Amendment to all Articles promulgated on December 28, 2001 11.Amendment to Article 1 and deletion of Article 29 promulgated on October 31, 2003 12.Amended on November 15, 2004 13.Amended on October 12, 2006 14.Amended on January 13, 2009 15.Amended on January 31, 2011
Content：	Article 1 The articles within these regulations are in accordance with the provisions of Article 25 of the University Act, Article 26 of the Junior College Act, Article 4-1 of the Vocational School Act, Article 3-1 of the Senior High School Act, and Clause 3 of Article 6 of the Compulsory Education Act. Article 2 Within these regulations, the term "Overseas Chinese Student" is reserved for those who were born overseas and resided there till the present time, or have stayed overseas for more than six consecutive years and have a permanent or long-term residence certificate. Note that for those applying to study in the departments of medicine, dentistry, or Chinese medicine at universities, the minimum required number of consecutive years of overseas residency is eight years. The Overseas Chinese Student status must be validated by the Overseas Compatriots Affairs Commission (OCAC). For Overseas Chinese Students that have been studying at a university for less than one year and have discontinued their studies in order to return to their countries of origin, must repeat the application process again and only one such reapplication is permitted. During the course of study, the Overseas Chinese Student may not change his or her student status, unless otherwise permitted by other regulatory functions. Article 3 The term "overseas" in Article 2 refers to locations or countries outside of Taiwan, mainland China, Macao, and Hong Kong.

The “consecutive years of residency” Article 2 is defined as Overseas Chinese Students staying in for less than 120 days per calendar year. If the calculated calendar year is not one complete calendar year, the stay in should not exceed 120 days within the calculated calendar year period. The only exceptions to this method of calculation are for those who fulfill one of the following requirements:

1. The Overseas Chinese Student has attended overseas youth training courses held by OCAC.
2. The Overseas Chinese Student has attended an internship, Mandarin language course, or any program certified by OCAC for a total or combined length of two years.
3. Exchange students that have studied under an exchange for fewer than 2 years.
4. Having returned to to serve in the army.
5. The Overseas Chinese Student was unable to return to his or her country of origin due to wars, natural disasters, or disease epidemics, and has stayed in for less than one year.
6. The Overseas Chinese Student was unable to return to his or her country of origin for other reasons and has documented proof, and has stayed in for less than one year. This condition may only be used once.

For Overseas Chinese Students that meet requirements in Subparagraphs 5 & 6 of Article 3, they may not stay in for more than one year and up to a maximum of two consecutive periods of stay.

The aforementioned citizenship and permanent residency documentation stated in Article 3 must include proof of citizenship from the applicant’s country of residence, proof of permanent residency, or a Taiwanese passport with a validated overseas status.

Article 4

The required length of time for overseas residency as stated in Clause 1 of Article 2 is calculated up to the designated date of the school application. However, applicants excluded from this regulation are those whose length of overseas residency meets the requirements as stated in Article 2 and Article 3 prior to August 31st of the year of the application. Applicants must establish and sign a guarantee document stating that they promise to meet the requirements as stated in Clause 1 of Article 4. This document shall be reviewed and validated during the period between the end of the application process and August 31st of the same year. Any applicants found in violation or not meeting the necessary residency requirements will have their applications rescinded.

For applicants that are making their applications according to the guidelines stated in Clause 1 of Article 9, their length of overseas residency as described by Clause 1 of Article 2 shall be calculated from the date of their most recent departure from . For applicants that are making their applications according to the guidelines stated in Clause 4 of Article 9, their length of overseas residency shall be calculated from the date of their most recent departure from .

Article 5

Overseas Chinese Students must follow these regulations when applying to universities in . However, they are not allowed to apply for cram schools, advanced-studies institutions, distance-learning educational institutes, online education establishments, undergraduate programs in recurrent education, part-time masters programs, night schools, or weekend programs.

Overseas Chinese Students that have been assigned, under these regulations, to educational

institutes will not be allowed to transfer out of or accelerate their program from the designated educational institutes or programs as stipulated in Article 5. However, Overseas Chinese Students that have held legitimate residence status in but not for the purpose of pursuing studies, may apply for part-time graduate programs.
Overseas Chinese Students that violate Article 5 by participating in a transfer or acceleration shall not receive any educational certification or proof of study upon graduation. If such certification or proof has already been granted, the respective educational institutes shall void the validity of these documents and degrees.
School and establishments listed in Article 5 are required to clearly state their restrictions in accepting Overseas Chinese Student applications in their application materials.

Article 6

Applicants are required to prepare the following documents and apply through their local Taiwan embassies, Taiwan Representative Offices, Ministry of Foreign Affairs (hereinafter referred to as “overseas offices”), other OCAC authorized offices or universities/colleges authorized for Overseas Chinese Student recruitment:

1. Entrance application forms.
2. Proof of highest level of education at approved overseas institutions and verified by the overseas offices, and their official transcripts. (A copy of the translation in Chinese or English is necessary if any documents are in languages other than Chinese or English.)
3. Citizenship or permanent residency papers.
4. Statement of purpose, except for application to universities/colleges authorized for Overseas Chinese student recruitment.
5. Other documents, which are required by the university or institution being applied to.

Applicants that are applying to study at elementary schools, middle schools, high schools, or vocational institutes must also submit a document of agreement notarized by a notary in indicating guardianship status, in addition to submitting the documents listed in each Subparagraph of the previous Paragraph. The document of agreement mentioned above is not required for applicants that have reached their age of majority or an acquired exemption from OCAC.
The guardian stated in the previous Paragraph must possess a valid Republic of China passport, have a clean criminal record, and a recent income tax receipt of a minimum of $500,000 New Taiwanese Dollars. Each guardian is limited to oversee the guardianship of one Overseas Chinese Student only.

Students that are found applying with forged documents or documents with fake information will have their application rescinded immediately. If a student has already been accepted and enrolled, their status will be cancelled, and no certification of any kind will be given. If forgeries are discovered after the student has already graduated, then the graduation certificate and degree diplomas will be returned and withdrawn by the attending university.

Article 6-1

Universities/colleges that recruit Overseas Chinese Students pursuant to Paragraph 1 of the previous article are responsible for establishing recruitment regulations upon the approval of the Ministry of Education, and creating a set of entrance rules for Overseas Chinese Students according to the regulations that outline the degree programs offered, quotas for

the admission, qualifications and requirements, means of reviewing or screening and other related information.
Universities/colleges that plan to establish a special program for Overseas Chinese Students in response to an International Academic Cooperation Scheme or in dealing with other special needs must file an application to the Ministry of Education for ratification in accordance with the regulations regarding the Student Admission Quotas and Resources.

Article 7

According to Paragraph 1 of Article 6, overseas offices are responsible for handling and verifying the Overseas Chinese Students' applications and should transfer all evaluation results to the Oversea Compatriots Affairs Commission for final assessment.

According to Paragraph 1 of Article 6, offices authorized by OCAC must submit the documents to overseas offices and then transfer them to OCAC for review after confirming the documents' validity.

Once OCAC has reviewed and assessed all the application forms and any additional comments, it should send these documents to the following administrative offices for validation and assignment:

1. For those applying to public elementary schools, the documents should be sent to local designated education authorities.
2. For those applying to public middle school, National Overseas Chinese Experimental Senior High School (NOCSH), vocational institutes, junior colleges or specialized 5-year colleges, the documents should be sent to the Ministry of Education.
3. For those applying to universities (including graduate schools) or Preparatory Programs for Overseas Chinese Students at the National Taiwan Normal University (hereafter, NTNU Pre-Study Program), these documents should be sent to the University Entrance Committee For Overseas Chinese Students, except for those mentioned in Paragraph 5.

The aforementioned University Entrance Committee For Overseas Chinese Students in Subparagraph 3 of previous paragraph refers to the committee formed as a union for handling applications at various universities from Overseas Chinese Students.
According to Paragraph 1 of Article 6, universities/colleges should verify the documents' validity after receiving applications from the Overseas Chinese Students and transfer them to OCAC for a review of Overseas Chinese Student status. Those applicants found valid for Overseas Chinese Student status and qualified through the school's review or screening process will be granted admission by the school.

In the event of any doubt raised by the offices authorized by OCAC during the evaluation of applications from Overseas Chinese Students, universities/colleges mentioned in previous Paragraph may apply to OCAC for assistance.

Article 8

Upon receiving their application forms, the Ministry of Education or University Entrance Committee For Overseas Chinese Students should assign students to appropriate schools according to their study goals, results and the vacancies at these schools. Notification will be sent to the assigned schools and OCAC. The applicants will be notified of the results by OCAC. However, the admission for universities (including graduate programs) handled by the University Entrance Committee For Overseas Chinese Students should be approved by the

applicant schools and qualified through the schools' review before providing the assignment to the University Entrance Committee For Overseas Chinese Students.

An interview will be scheduled for those areas where the number of applicants exceeds the number of vacancies. Applicants will be selected according to their interview performance.

A technical examination will also be conducted by the schools for applicants who enroll in such departments as music, arts, physical education or other related art subjects. The Ministry of Education or the University Entrance Committee For Overseas Chinese Students will make individual selections regarding the school or the department for applicants who fail to pass their technical examinations.

Article 9

For students in Taiwan that are in possession of a legitimate residence visa or visitor's visa for more than 60 days, they shall comply with the regulations in Articles 2 and 3, and independently returned to Taiwan for enrollment into elementary schools, middle schools, NOCSH, private high schools, junior colleges, vocational institutes, or specialized 5-year colleges, and they may apply within 90 days after returning to Taiwan and submit the relevant documents, as stated in Item 1 of Article 6, to OCAC, who will forward these applications to the various educational authorities for validation and school assignments in view of existing situations. Proof of the highest level of education at overseas institutions should be authenticated by overseas offices.
Offices authorized for validation and assignment as mentioned in the previous Paragraph are outlined by Subparagraph 1 & 2 of Paragraph 3 of Article 7.

According to Paragraph 1 of Article 9, applications made one-third through the semester may apply to the desired elementary or middle schools, NOCSH, or private high schools, and will be assigned to the appropriate grade level with a conditional status. This conditional status is valid for up to one year, and advancement to full student status should be acquired through a certified examination.

Students that were enrolled in schools in without going through the application process according to Paragraph 1 of Article 9 must apply to OCAC within 90 days after entering for an appropriate school assignment, and to be assigned to the grade into which they were enrolled upon their returned to .

During the same year of graduation from middle school, students legitimately assigned by the Ministry of Education may apply for assignment to NOCSH, private high schools, vocational institutes, 5-year vocational schools or specialized 5-year colleges. Additionally, these applicants will be exempt from special examination privileges as mentioned in Article 10. One exception to the above regards students that were already in grades five or above at their elementary school, before October 1st, 2006, when this new set of regulations was activated.
Applicants that apply for assignment to private schools pursuant to Article 9 should obtain a letter of consent from those schools.

Article 10

For students that must comply with the regulations described in Article 6 or the previous

articles, they should independently apply to take the appropriate entrance exams after graduation. The treatment of scores will be as follows:

1. Applications to senior high schools, 5-year vocational schools, or specialized 5-year programs:
    a. For registered enrolled students, their middle school standardized examination grade or scores of entrance examinations held by government educational institutions within municipalities and counties/cities approved by the Ministry of Education will be augmented by 25 percent.
    b. For other students, the schools and universities will assign appropriate grade adjustments.
2. Applications to four-year technical institutes, two-year vocational institutes, and two-year technical institutes:
    a. For registered enrolled students, an additional 25 percent will be added to their grade. Those that do not meet the minimum requirements for being accepted into a four-year technical institute can enroll in the NTNU Pre-Study Program. Enrollment requirements will be established by the NTNU Pre-Study Program.
    b. For other students, the schools and universities will assign appropriate grade adjustments.
3. Applications to universities:
    a. For registered enrolled students, an additional 25 percent will be added to their grade. Those that do not meet the minimum requirements for acceptance into a four-year technical institute can enroll into the NTNU Pre-Study Program. Enrollment requirements will be established by the NTNU Pre-Study Program.
    b. For other students, the schools and universities will assign appropriate grade adjustments.

Only one grade adjustment will be allowed during the student's application process in the same year that the standardized examinations mentioned in Article 10 are taken. This grade adjustment will not be applicable for any entrance examinations thereafter.

Article 11

Each institute and university will follow the rules as stated in Article 6, Article 9 and Article 14 when managing the applicant rosters. The quota for independent applicants should be two percent of the year's total student quota. The quota for authorized overseas applicants should be ten percent. However, the aforementioned quota statements are not applicable to schools with special permission from the Ministry of Education.

The quotas for admission allocated for Overseas Chinese Students, pursuant to Article 6, Article 9 and Article 14, should be no more than ten percent of the number of positions at a school for local students each year, except for those schools set for Overseas Chinese Students and approved by the Ministry of Education.

The quotas for admission allocated for Overseas Chinese Students, pursuant to the Article 10, should be no more than two percent of the number of positions at the school for local students each year.

If the quotas for admission allocated for local students are not filled, universities/colleges may give the quotas to Overseas Chinese Students within the approved total number of positions each year.

Article 12

Students may apply to the authorized offices to change their school only once and before the semester starts. Applicants for colleges are restricted to change their schedule to the NTNU Pre-Study Program, while applicants for 5-year junior colleges, specialized 5-year programs, or vocational schools are restricted to change their schedule to NOCSH.

No privileges will be given to Overseas Chinese Students when taking a school transfer examination. If students find that the initial course is different from their original expectations or too difficult to adapt to, he/she should seek the school's help for a course transfer.

Article 13

Overseas Chinese Students that meet the requirements for the Preparatory program at NTNU Pre-Study Program must be aware that NTNU is responsible for reviewing and submitting student transcripts, applications, and relevant documents to the University Entrance Committee For Overseas Chinese Students.

Article 14

Overseas Chinese Students that graduated and received bachelor degrees from a Taiwan University shall submit all applications forms, yearly transcripts, and other relevant documents to the University Entrance Committee For Overseas Chinese Students should they wish to apply for post-graduate studies. However, the University Entrance Committee For Overseas Chinese Students should transfer the applications to the applicants' ideal schools for approval before final validation and school assignment.

Students that have been assigned pursuant to the previous paragraph and have registered for admission may not file another application.

Students that apply via entrance exams should follow the guidelines established for local students in .

Article 15

Once a student has been accepted for enrollment, he or she must register at the school before the school year begins. The OCAC will arrange for necessary reception and student accommodations.

Article 16

Overseas Chinese Students will be responsible for all expenses during their period of study.

For housing, the primary means will be school dormitories. If the school does not have dormitories, or if there are no more vacancies, the housing issues must be resolved by the school and the guardian of the student.

Article 17

Schools should provide the Overseas Chinese Students' study plan and budget fund allotment table to the educational authorities before January 31st.

Schools should provide reports of Overseas Chinese Students' study achievement and the relative budget used, to the educational authorities by December 31st of each year.

Article 18

The schools should periodically host seminars, guidance sessions, course transfer, academic

aid, and summer/winter assignment assistance services, as well as group training and outdoor activities for the Overseas Chinese Students.

For students that are not proficient in Mandarin or some other basic courses, then they should be taught separately in a new class division.

Article 19

Financial aid, bursaries, and scholarships for Overseas Chinese Students will be granted by the Ministry of Education.

Healthcare, part-time work subsidy and awards of excellence will also be granted by OCAC.

Article 20

The Ministry of Education and OCAC will plan and organize assistance, studying aid, and social services for Overseas Chinese Students.
The Ministry of Education may visit Overseas Chinese Students at their universities, if necessary.

Article 21

Prior to returning to their countries, recent graduates will be hosted by the OCAC to attend a seminar that will provide them with employment information in their local areas.

OCAC and universities where the students attended should keep in close contact with their graduated students.

Article 22

Schools with Overseas Chinese Students must submit, before November 30th of each year, separate lists of Overseas Chinese Students that have registered and those who have failed to register. The university must report any students that have either graduated, been suspended or transferred out, or who have lost their student status, and notify embassy offices, the National Immigration Agency, OCAC, and the Ministry of Education.

Students with citizenship must notify the local government. Students of military age will be processed according to regulations.

Article 22-1

Schools or designated authorities shall immediately handle the cases in accordance with the regulations, if Overseas Chinese Students violate the Employment Services Act when proven by an investigation.
Various educational authoritative systems may adjust schools' enrollment quotas for Overseas Chinese Students, as conditions require, if not pursuant to Article 22-1.

Article 23

Overseas Chinese Students that have graduated, been expelled, or suspended from their studies for the maximum allowable duration will lose their status as an Overseas Chinese Student. However, Overseas Chinese Students that are granted an internship after graduation in by the Ministry of Education through their schools may afterwards extend their Overseas Chinese Student status for no more than one year after graduation.

Students whose status has been temporarily suspended will resume their status upon returning to school.

Article 24

Overseas Chinese Students that wish to depart or enter during the school year will be required to acquire permission from the local internal affairs and immigration offices.

Article 25

These regulations are effective immediately.

Data Source： Laws and Regulations Retrieving System