Content

Title：	Regulations Governing the Establishment, Update, and Suspension of Institutions of Higher Education and Their Branches, Subsidiary Schools, Junior College Divisions, and Vocational High School Divisions Ch
Date：	2009.01.07
Legislative：	1.Twelve articles announced by Ministry of Education Order (85) Tai-Tsan-Tzu No. 85088802 on October 30, 1996, effective as of the date of announcement. 2.Amendment to Article 3 announced by Ministry of Education Order (88) Tai-Tsan-Tzu No. 88075896 on June 29, 1999. 3.Amendment to Articles 3, 4, 6, 9 and 10 announced by Ministry of Education Order (88) Tai-Tsan-Tzu No. 88079450 on July 12, 1999. 4.Revised name and 27 articles announced by Ministry of Education Order Tai-Tsan-Tzu No. 0960019531C on February 13, 2007, effective as of the date of announcement (original regulation name: Standards for the Establishment of Universities and Their Branches). 5.Amendment to Article 32 announced by Ministry of Education Order Tai-Tsan-Tzu No. 0970030013C on March 12, 2008, and effective as of the date of announcement. 6.Revised name and 48 articles announced by Ministry of Education Order Tai-Tsan-Tzu No. 0970257824C on January 7, 2009, effective as of the date of announcement (original regulation name: Regulations Governing the Establishment, Update, and Suspension of Universities and Their Branches).
Content：	Chapter 1　General Principles Article 1 ò These Regulations are determined pursuant to Article 4, Paragraph 5 of the University Act, Article 3, Article 7, Paragraphs 1 and 2, and Article 8 of the Junior College Act, and Article 6, Paragraph 2 and Article 34, Paragraph 3 of the Private School Act. Article 2 ò The "updates" mentioned in these Regulations shall include the name changes, changes of institutional status, and mergers of institutions of higher education. ò ò ò The "name changes" mentioned in the foregoing paragraph refers to any of the following circumstances: 1. An independent college that changes its name to that of a university or a university that changes its name to that of an independent college. 2. An institute of technology that changes its name to that of a university of technology or a university of technology that changes its name to that of an institute of technology. 3. Name changes made under the special circumstances specified in Article 3. 4. An institution of higher education that changes its name

name.

ò ò ò The "changes of institutional status" mentioned in Paragraph 1 shall refer to either of the following circumstances:

1. A junior college that changes to an institute of technology (with an affiliated junior college) system or an institute of technology (with an affiliated junior college) that changes to a junior college system.
2. A vocational school that changes to a junior college system or a junior college that changes to a vocational school system.

ò ò ò The "mergers" mentioned in Paragraph 1 shall refer to either of the following circumstances:

1. A merger between a school together with its branches, subsidiary schools, junior college divisions, and vocational high school divisions and another school together with its branches, subsidiary schools, junior college divisions, and vocational high school divisions.
2. A merger between a school endowment corporation (herein referred to as a “school endowment corporation”) and another school endowment corporation to establish a private institution of higher education.

Article 3 A technology university, institute of technology, university, or independent college may apply for a name change when any of the special circumstances in the following subparagraphs apply:

1. The name change is consistent with educational policies and national needs.
2. A name change is felt to be necessary after the Ministry of Education (herein referred to as the "MOE") has considered the status of university establishment in different geographical areas.
3. No other university, technology university, independent college, or institute of technology planning to change its name has been established in the city or county where the school which has applied to change its name is located.

Article ò A "branch" mentioned in these Regulations refers to a school established as an independent entity due to school administration development needs in some other area outside the special municipality, county, or city in which the parent university or private junior college is located, and possessing full instructional and administrative units.

ò ò ò A "subsidiary school" mentioned in these Regulations shall refer to a instructional or industrial/academic collaboration unit established by a university or private junior college to achieve instructional or industrial/academic collaboration needs, and subordinate to the parent school; when necessary, a subsidiary school may have an administrative branch unit.

Article 5 ò When evaluating the establishment, update, or suspension of an institution of higher education and its branches, subsidiary schools, junior college divisions, and vocational high school divisions, the MOE may establish an institution of higher education establishment, update, and suspension review committee (herein referred to as a "review committee").

ò ò ò A review committee in the foregoing paragraph shall have from nine to 15 members. The MOE minister shall serve as the chairman, who shall also be a member. The remaining members shall be engaged from among scholars, experts, and the representatives of relevant agencies.

ò ò The review committee shall solicit the views of the private school advisory committee before reviewing the establishment, update, or suspension of a private institution of higher education and its branches, subsidiary schools, and junior college divisions.

Article 6 ò When a private school endowment corporation established prior to the time the revised Private School Act took effect on January 18, 2008 applies to establish a private institution of higher education, branch, subsidiary school, or junior college division, or implement update or suspension, the school endowment corporation regulations in these Regulations shall be applicable. If, however, the school endowment corporation has applied to establish a private institution of higher education, the school competent authority may approve its application only after it has first changed to a school endowment corporation in accordance with Article 87, Paragraph 2 of the Private School Act.

ò ò ò In the foregoing paragraph, when a private school endowment corporation applies for a school name change, change of institutional status, or merger, causing the original incorporated organization[TTI] or name to change, after approval by the school competent authority, it shall be updated as a school endowment corporation and subordinate private school in

accordance with Article 87, Paragraph 2 of the Private School Act.

Chapter 2 Establishment

Section 1 School Establishment

Article 7 ò The establishment of a institution of higher education shall be implemented in accordance with the following regulations:

1. National institution of higher education: Establishment in accordance with a preparatory plan submitted pursuant to the MOE's review of the nationwide distribution of institutions of higher education.
2. Municipal institution of higher education: The special municipality government shall submit a preparatory plan to the MOE for approval.
3. City or county university: The county (city) government shall submit a preparatory plan to the MOE for approval.
4. Private institution of higher education: A preparatory plan shall be submitted to the MOE for approval in accordance with the Private School Act and relevant regulations.

ò ò ò The preparatory plan in the foregoing paragraph shall comply with environmental impact assessment, soil and water conservation, and land use zoning control laws and regulations.

Article 8 ò The preparatory plan in the foregoing article shall explicitly state the following items:

1. Origin of preparatory plan or educational expansion goal
2. School name
3. Overall development strategy and characteristics
4. School location, school site area, school buildings, equipment, and related information
5. Instructional and administrative unit plan
6. Planned institutes/colleges, departments, graduate institutes, courses, subjects, sections, classes, grades, and subordinate organizations
7. Proposed faculty hiring plan
8. Planned books, instruments, and other instructional equipment.
9. School land parcel list, location map, and description of environment.
10. Budgetary estimate of school funding

ò ò ò Apart from the regulations in the foregoing paragraph, those applying to establish a private institution of higher education shall include the

following items in their preparatory plans:

1. Document(s) verifying acquisition of donated land or leasing of publicly-owned, state-run enterprise, or juridical person
2. Financial plan, sources of funding, and related verifying documents
3. Budgetary estimate of school establishment funds, school founding expenses, and funds needed for regular operation, and related verifying documents
4. Information concerning the school endowment corporation

Article 9 ò University establishment regulations are as follows:

1. School site:

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

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

2. School buildings:

(1) School buildings shall have sufficient instructional, research, and service areas, school buildings needed for school administration, student activities, and lodging, and sports facilities.

(2) The school buildings shall have a total completed floor area of at least 12,000 square meters when the establishment of a new school is approved; the school buildings shall have a total completed floor area of at least 20,000 square meters prior to the start of the second academic year following accreditation. School buildings may be included in calculations only after occupancy permits have been obtained.

(3) Total school building floor area shall be calculated for various categories in accordance with the following per-student building floor area standards:

Category	Per-student building floor area (units: square meters)	
	Undergraduate	Graduate institute
Liberal arts /law/business, management, education	10	13
Natural science, medicine (not including departments of medicine or dentistry), nursing, physical education	13	17
Engineering, art,	17	21

agricultural science		
D[TT2]epartment of medicine, department of dentistry	23	29

3. Equipment:

(1) Addressing the real needs of each college/institute, department, graduate institute, and subject/course, the school shall have on hand sufficient instructional, auxiliary, and experimental (training) equipment.

(2) The school shall have a library, and shall have on hand sufficient basic books, information, specialized journals, and relevant equipment.

(3) A college of medicine shall have a teaching hospital; a college of agriculture shall have a training farm.

4. Faculty:

(1) The school-wide student-faculty ratio shall be less than 32, and the day school student-faculty ratio shall be less than 25. When there are day and night master's and Ph.D. programs, the graduate student student-faculty ratio shall be less than 15.

(2) Faculty structure: When there are master's and Ph.D. programs, the total number of school-wide full-time lecturers may not exceed one-third the total number of full-time faculty.

(3) Instructor calculation method:

a. Full-time instructors shall include full-time professors, full-time associate professors, full-time assistant professors, and full-time lecturers, full-time professional technicians hired as prescribed in the Regulations Governing the University Appointed Professional Technicians to Act as Teachers, and drill instructors and nursing instructors teaching military training and nursing courses.

b. Every four part-time instructors shall be converted to one full-time instructor, and the number of full-time instructors obtained by the conversion of part-time instructors may not exceed one-third of the number of actual full-time instructors. In the case of instructors in art and design institutes/colleges,

departments, graduate institutes, and degree programs, the number of full-time instructors obtained by the conversion of part-time instructors may equal up to one-half of the number of actual full-time instructors.

5. Private university establishment funding and funds: The establishment funding and fund of a private university applying for accreditation shall comply with the following regulations:

(1) The university shall have sufficient establishment funding (including funding needed for purchase or lease of land, buildings, and equipment) plus annual funding needed to maintain the school's basic operation, and shall provide clear verification of sources of establishment funds.

(2) Sufficient school establishment funds should be raised in accordance with the school type, and shall be deposited in a dedicated bank account. Universities shall raise NT$1.4 billion, independent believe colleges shall raise NT$1.0 billion, and independent engineering colleges shall raise NT$600 million; other schools shall raise NT$400 million.

Article 10 Junior college establishment regulations are as follows:

1. School site:

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

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

2. School buildings:

(1) School buildings shall have sufficient instructional, practicum, and special classrooms or areas, school buildings needed for school administration and student activities, and sports facilities.

(2) School buildings shall have a total completed floor area of at least 6,000 square meters when the establishment of a new school is approved; School buildings shall have a total completed floor area of at least 10,000 square meters prior to the start of the second academic year

following accreditation. School buildings may be included in calculations only after occupancy permits have been obtained.

(3) Total school building floor area shall be calculated for various categories in accordance with the following per-student building floor area standards:

Category	Per-student building floor area (units: square meters)
Business, nursing, language	10
Medical technology, pharmacology, home economics, art, physical education	12
Industry, agriculture, maritime affairs	14

3. Equipment:

(1) Depending on the special characteristics of the type of junior college and the actual needs of all types of courses, the junior college shall have on hand sufficient instructional, auxiliary, and experimental (training) equipment.

(2) The junior college shall have a library, and shall have on hand sufficient basic books, information, specialized journals, and relevant equipment.

4. Faculty:

(1) The student-faculty ratio for the entire school shall be less than 40 students per teacher and the day school student-faculty ratio shall be less than 25.

(2) Faculty structure: The school-wide number of instructors at the level of full-time assistant professor and above shall be at least 15% of the required school-wide number of actual instructors at the level of full-time lecturer and above.

(3) Methods for calculating the number of teachers:

1. Full-time instructors

shall include full-time professors, full-time associate professors, full-time assistant professors, and full-time lecturers, full-time professional and technical instructors hired as prescribed in the Regulations Governing Hiring of Junior College Professional and Technical Instructors, and drill instructors and nursing instructors teaching military training and nursing courses.

2. Every four part-time instructors teaching at least two hours per week shall be converted to one full-time instructor, and the number of full-time instructors obtained by the conversion of part-time instructors may not exceed one-third of the number of actual full-time instructors.

5. Private junior college establishment funding and funds: The establishment funding and fund of a private junior college applying for accreditation shall comply with the following regulations:

(1) Junior colleges shall have sufficient establishment funding (including funding needed for purchase or lease of land, buildings, and equipment) plus annual funding needed to maintain the school's basic operation, and shall provide clear verification of sources of establishment funds.

(2) Junior colleges shall provide expected funds to be raised in conjunction with the various types of spending required by the school preparatory plan during the subsequent five years for purchase/lease of land, and purchase of buildings and equipment, and shall provide relevant verifying documents.

(3) Junior colleges shall raise NT$200 million in school establishment funds, which shall be deposited in a dedicated[TT3] bank account.

Section 2 Establishment of University Branches and

Article A university applying to establish a branch or subsidiary school shall take into consideration the school's resources and regional needs, and shall submit a branch or subsidiary school preparatory plan; preparatory plans shall be submitted to the MOE for approval after passage by the university affairs committee in the case of public universities and passage by the university affairs committee and board of directors in the case of private universities.

Article 12 A university branch or subsidiary school

Article 12 A university branch or subsidiary school preparatory plan shall explicitly state the following items:

1. Origin of preparatory plan
2. Overall development strategy and characteristics
3. Instructional and administrative unit plan
4. Current status of faculty and future faculty hiring plans
5. Plan for books, instruments, and other instructional equipment
6. Land parcel list, location map, and description of environment
7. Documents verifying land ownership or consent for use
8. Financial plan, sources of funding, and relevant verifying documents
9. Layout of branch or subsidiary school building layout.
10. Plan concerning mutual relationship with parent school.

Article 13 The establishment of a branch by a university shall comply with the following regulations:

1. The establishment of the branch will facilitate the school's future development, meet the needs of the nation's society and the region, and will not affect the rights and interests of existing students or teachers.
2. The branch name shall indicate clearly that it is a branch of the parent school, and shall be prefixed by the name of the administrative region in which it is located.
3. The establishment of a branch shall comply with the requirements of Article 7, Paragraph 2 and Article 9. This restriction shall not apply, however, if the branch is established outside the national territory, and proof of compliance with relevant laws and regulations in the host country is provided.
4. The same laws and regulations shall apply to the establishment of a branch's instructional units as to the establishment of the parent school. A branch's instructional unit shall be established in compliance with the parent school's second-level administrative unit regulations. This restriction shall not apply, however, if the branch is established outside the national territory, and proof of compliance with relevant laws and regulations in the host

country is provided.

5. The funding needed to establish a branch shall be paid from the school's self-raised income and accumulated surplus.

Article 14 A university branch shall have one branch president responsible for handling the branch's affairs. The parent school's president shall appoint one of the parent school's vice presidents to concurrently serve as branch president. The branch president's qualifications and hiring shall comply with relevant regulations of the University Act.

The organization of a branch shall be explicitly specified in the parent school's organizational rules, or the parent school's organizational rules must authorize the additional determination of the branch's organizational rules, which shall be reported to the MOE for approval.

Article 15 The establishment of a subsidiary school by a university shall comply with the following regulations:

1. The establishment of the subsidiary school will facilitate the school's future development, meet the needs of the nation's society and the region, and will not affect the rights and interests of existing students or teachers.
2. The subsidiary school name shall indicate clearly that it is a subsidiary of the parent school, and shall be prefixed by the name of the administrative region in which it is located.
3. The funding needed to establish a subsidiary school shall be paid from the school's self-raised income and accumulated surplus.
4. The subsidiary school shall comply with the requirements of Article 7, Paragraph 2. In the case of subsidiary schools established for the purpose of instruction, the school site available for development and use shall have an area of at least 2.5 hectares. The school building floor area per student shall be as prescribed in Article 9, Subparagraph 2, Item 3. This requirement shall not apply, however, if the subsidiary school is established outside the national territory, and proof of compliance with relevant laws and regulations in the host country is provided.

A university applying to establish a subsidiary school for the purpose of industrial/academic collaboration may not establish any instructional units.

Article 16 A university subsidiary school shall have one subsidiary school director to manage school affairs; the director shall be appointed by the president of the parent

school from instructors with professor qualifications.

The organization of a subsidiary school shall be explicitly specified in the parent school's organizational rules, and shall be reported to MOE for approval.

Article 17 A university applying to establish a branch or subsidiary school outside the natural territory shall submit a branch or subsidiary school preparatory plan and proof of compliance with relevant laws and regulations in the host country to the MOE as prescribed in Article 11, and shall comply with the following regulations:

1. Establishment of the branch or subsidiary school will facilitate the school's future development, and will not affect the rights and interests of existing students or teachers.
2. A university may not use domestic donation income to establish a branch or subsidiary school outside the natural territory. This restriction shall not apply, however, if an existing donor specifies at the time of donation that the money is to be used for the school's establishment of an foreign branch or subsidiary school.
3. A university may not borrow or take a loan from a domestic bank for the purpose of establishing a foreign branch or subsidiary school, and may not pledge its domestic assets when borrowing or taking a loan from a foreign bank.
4. The faculty at a university's foreign branch or subsidiary school shall comply with the requirements of the Statute Governing the Appointment of Educators.
5. A branch or subsidiary school shall uphold the principle of equality and the relevant laws and regulations of the host country.

Article 18 The official functions of a university's foreign branch or subsidiary school shall be supervised by the parent school, and the finances of the branch or subsidiary school shall be clearly demarcated from those of the parent school. Foreign branches or subsidiary schools shall keep independent account books under the supervision of the parent school.

Article 19 If the operation of a foreign branch or subsidiary school established by a university violates relevant laws and regulations, or if specific facts are sufficient to prove that the branch or subsidiary school has a detrimental influence on the parent school's operation, the MOE may order the school to make improvement within a prescribed period of time; if the school fails to make improvement by the deadline, the MOE may reduce the university's subsidies, and, when

necessary, may revoke the university's approval to establish a foreign branch or subsidiary school.

Section 3 Establishment of the branch or subsidiary school of a private junior college

Article private junior college applying to establish a branch shall comply with the requirements of Article 7, Paragraph 2 and Article 10. The branch establishment shall not be subject to this restriction[TT4] if the branch is established outside the national territory, and proof of compliance with relevant laws and regulations in the host country has been provided.

A private junior college applying to establish a subsidiary school shall comply with the requirements of Article 7, Paragraph 2. In the case of subsidiary schools established for the purpose of instruction, the school site available for development and use shall have an area of at least two hectares. The school building floor area per student shall be as prescribed in Article 9, Subparagraph 2, Item 3. This restriction shall not apply, however, if the subsidiary school is established outside the national territory, and proof of compliance with relevant laws and regulations in the host country is provided.

A private junior college applying to establish a subsidiary school for the purpose of industrial/academic collaboration may not establish any instructional units.

Article 21 A private junior college branch shall have one branch director to manage school affairs; the president of the parent school shall appoint one of the parent school's vice presidents to concurrently serve as branch president. The branch president's qualifications and hiring shall comply with relevant regulations of the University Act.

A private junior college subsidiary school shall have one subsidiary school director to manage school affairs; the director shall be appointed by the president of the parent school from instructors with professor qualifications.

Article 22 When a private junior college establishes a branch or subsidiary school, apart from the requirements of this section, the regulations of Article 11, Article 12, Article 13, Subparagraphs 1, 2, 4, and 5, Article 14 Paragraph 2, Article 15, Paragraph 1, Subparagraphs 1 through 3, and Paragraph 2, Article 16, Paragraph 2, and Articles 17 through 19[TT5] shall apply.

Section 4 Establishment of Junior College Divisions

Article 23 In order to enhance the skills of practicing professional personnel and improve the quality of technical and vocational education, the MOE may, in view

technical and vocational education, the MOE may, in view of educational policy and social development and manpower needs, permit universities to establish affiliated junior college divisions, and may permit universities to establish affiliated junior college divisions in counties or counties that do not provide junior college education.

When, in accordance with these Regulations, an institute of technology takes part in a merger or changes its name to university of technology, it may continue to establish a junior college division.

A university applying to establish an affiliated junior college division shall take into consideration the school's resources and regional needs, and shall submit a junior college division preparatory plan; preparatory plans shall be submitted to the MOE for approval after passage by the university affairs meeting in the case of public universities and passage by the university affairs meeting and board of directors in the case of private universities.

Article 24 When a university applies to establish a junior college division not at the school's main campus, the regulations in these Regulations concerning the establishment of subsidiary schools by universities shall be applicable. But when a university establishes a foreign junior college division, the regulations in these Regulations concerning the establishment of a branch shall be applicable.

Chapter 3 Updates

Section 1 Name Changes

Article 25 When an independent college applies to change its name to university or an institute of technology applies to change its name to university of technology, the school shall comply with the requirements of Article 9 and possesses the following preconditions:

1. The school must have excellent educational results and possess tangible proof of performance; the MOE-assessed performance of departments (subjects, sections), graduate institutes, and degree programs must meet the MOE's standards.
2. The administration of school affairs, including recruiting, student status, personnel affairs, accounting, finance, courses, and administrative computerization must be normal, and the school shall have established a sound institutional system. The MOE shall not have any instances of major administrative negligence on record.
3. The school shall be in compliance with the

MOE's policy goals and relevant regulations.

4. If the school is private, the functioning of its board of directors and its juristic person registration and update must be normal, and it must have established a sound institutional system.

When a national institute of technology applies to change its name to university of technology, apart from complying with the conditions in the foregoing paragraph, it shall also submit a cooperative merger plan in conjunction with another nearby school, and the plan shall be approved by the school affairs meetings of both schools. This restriction shall not apply, however, when a national institute of technology derived through a change of jurisdiction or organization from a private school donated by a private party to a government agency applies to change its name to university of technology.

Article 26 The MOE shall, in principle, accept only one name change application from an independent college or an institute of technology in any one year.

The MOE's name change application acceptance and approval procedures are as follows:

1. A school complying with the name change requirements in the foregoing article may draft a name change proposal; after deliberation by the school affairs meeting and deliberation and approval by the board of directors in the case of a private school, the school may submit its application to the MOE before the designated deadline for the current year after attaching its name change proposal and meeting records to relevant forms and basic information indicating compliance with the requirements in the subparagraphs of the foregoing article.
2. The MOE may assemble a case review committee to review the name change of an independent college or an institute of technology, and may conduct the case via the two stages of preliminary review and follow-up review; preliminary review shall consist of review of the materials provided by the school.
3. The MOE shall conduct an on-site inspection after a school has passed preliminary review, and shall hold a follow-up review conference to deliberate the results of on-site inspection. The MOE may provide specific recommendations concerning the school's future plans and long-term development. When necessary, the MOE may

allow the school to perform preliminary preparations for one half-year to one year, and may allow one, and only one, extension. The MOE shall perform an on-site inspection as soon as preparations have been completed. The name change to university or university of technology shall be approved after the school has passed follow-up review procedures; the school must re-submit an application in accordance with the requirements in this article if its case fails to pass review.

When a school that passes the review in the foregoing paragraph is a private school, and the MOE has approved its name change, the school shall perform endowment corporation update registration.

Article 27 The regulations of Articles 25 and 27 shall be applicable when a university changes its name to an independent college, a university of technology changes its name to institute of technology, or a name change is performed in the special circumstances prescribed in Article 3.

Article 28 An institution of higher education may apply to change its school name in order to meet school development needs; the regulations of Article 26 shall be applicable to application procedures and other relevant matters.

Article 29 When an institution of higher education applies for a name change, its name following update shall comply with the following regulations:

1. The name of an institution of higher education must clearly express the school's type and grade. The name of a public school shall be prefixed with words such as "national," "municipal," or "county" or "city." The name of a private school shall be prefixed with the name of its school endowment corporation name, and may not use the name of the administrative district at the level of special municipality, county, or city in which it is located.
2. If two or more schools with the same grade in the same area have the same or similar type, if the proposed school names are similar, wording sufficient to distinguish the schools shall be added.
3. A school may not use one of the following types of names:
   (1) A name identical to or resembling that of a well-known domestic or international organization. This restriction shall not apply, however, when the organization's written consent has been obtained.
   (2) A name identical to or resembling that of another

school of the same grade that has used the name first.

Section 2 Changes of institutional status

Article 30 A junior college applying for a change of institutional status to an institute of technology shall comply with the regulations of Article 9, and shall possess the following preconditions:

1. The school must have excellent educational results and possess tangible proof of performance; the MOE-assessed performance of departments (subjects, sections) and degree programs must meet the MOE's standards.
2. The administration of school affairs, including recruiting, student status, personnel affairs, accounting, finance, courses, and administrative computerization must be normal, and the school shall have established a sound institutional system. The MOE shall not have any instances of major administrative negligence on record.
3. The school shall be in compliance with the MOE's policy goals and relevant regulations.
4. If the school is private, the functioning of its board of directors and its juristic person registration and update must be normal, and it must have established a sound institutional system.

A vocational school seeking to change its institutional status to junior college may not change its institutional status to an institute of technology. When a school complying with school site, school building, equipment, faculty, and educational performance requirements specified in this article continues to provide education as a junior college, however, the MOE may consider granting funding assistance and increasing the school's recruiting quota.

Article 31 In principle, a junior college may change its institutional status to an institute of technology, or a junior college may change its institutional status to an institute of technology with an affiliated junior college division, only once each year. The base date for review of basic conditions and data calculations shall be February 1[TT6] of the year in question.

The MOE's institutional status change application acceptance and approval procedures are as follows:

1. A junior college complying with institutional status change requirements in the foregoing article may draft an institutional status change proposal; after deliberation by the school affairs meeting and deliberation and approval by the board of directors in the case of a private school, the school may submit its application to the MOE before March 31 of the current

application to the MOE before March 31 of the current year after attaching its institutional status change proposal and meeting records to relevant forms and basic information indicating compliance with the requirements in the subparagraphs of the foregoing article.

2. The MOE may assemble a case review committee to review the institutional status change of a junior college to an institute of technology, and may conduct the case via the two stages of preliminary review and follow-up review; preliminary review shall consist of review of the institutional status change proposal, meeting records, basic information, and relevant forms provided by the school.
3. A follow-up review shall be conducted after a school passes preliminary review and the MOE has performed on-site inspection. The case shall be submitted to the MOE's deliberative committee if the school passes follow-up review; after the deliberative committee makes its decision, it shall provide specific improvement recommendations concerning the school's future plans and long-term development. When necessary, the MOE may allow the school to perform preliminary preparations for one half-year to one year, and may allow one, and only one, extension. The MOE shall perform an on-site inspection as soon as preparations have been completed. The institutional status change to an institute of technology shall be approved after the school has passed follow-up review procedures; the school must re-submit an application in accordance with the requirements in this article if its case fails to pass review.
4. The MOE shall approve the institutional status change after the junior college has passed review by the deliberative committee as stated in the foregoing subparagraph.

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

Article 32 A junior college changing its institutional status to an institute of technology, or a junior college changing its institutional status to institute of technology with an affiliated junior college division, shall establish departments (subjects, sections), graduate institutes, and degree programs in accordance with the following regulations:

1. The school shall establish at least three departments during the first year after approval of its change of institutional status. In principle, these departments

shall be for subjects that the junior college originally taught, in which the college achieved good results, and for which the college has sufficient qualified faculty; the junior college shall also add two-year technical (academic) departments and in-service programs in a continuing education department.

2. The school may, in accordance with its developmental needs, add or adjust departments or subjects starting during the second year after the approval of its change of institutional status, and may add graduate institutes starting during the fifth year. The addition or adjustment of departments (subjects, sections), graduate institutes, and degree programs shall be handled in accordance with review principles, regulations, and procedures during the current year.

Article 33 After considering economic, educational, demographic, transportation, cultural, and resource factors in a county or city that does not provide junior college education, the MOE may select one public vocational school with the following preconditions and qualifications, or may merge several schools meeting such conditions, and change the school's institutional status to that of a junior college with an affiliated vocational high school division:

1. The day school section contains a total of at least 40 classes.

2. The school's average acceptance rate was at least 85% during the most recent three years.

3. School site, school buildings, and instructional equipment: Must comply with the regulations of Article 10.

4. Courses: The establishment of courses shall comply with the following principles:

(1) Courses shall meet overall national development and local industrial development needs.

(2) In conjunction with the school's developmental characteristics, courses shall build on school features that have a practical orientation.

(3) Relevant practical training shall be arranged in conjunction with the objectives of the subject area, and specific practical training plans shall be compiled. Training plan content shall include training courses, training methods, hours of training, and instructor qualifications, etc.

5. Institutional status change proposal: The school shall provide a specific and correct description of its current situation, give a reasonable and complete account of how it will meet institutional status change standards and post-

institutional status change requirements, and draft a feasible implementation plan.

Article 34 The regulations of Articles 10 and 31 shall be applicable when an institute of technology changes its institutional status to junior college.

A change in a school's institutional status from junior college to vocational school shall be handled in accordance with the regulations of Articles 2, 3, 6, and 7 of the Vocational School Act concerning school establishment application following change of institutional status.

When instructors at a junior college that has changed its institutional status to vocational school continue to teach at that school but do not possess secondary school teaching certificates, the MOE may arrange for a teacher training university to offer on an individual case basis pre-service instructor education classes providing the teachers with opportunities for continuing education; such instructor education classes shall be provided within six years after the school changes its institutional status.

When, in the foregoing paragraph, instructors at a junior college that has changed its institutional status to vocational school have completed the teacher pre-service education classes prescribed in the Teacher Preparation Act and possess two years of teaching time at the school, they are not required to take the education practicum classes prescribed by the Teacher Preparation Act, and shall be granted secondary school teaching certificates by the MOE after they pass the teacher qualifications test.

Section 3 Mergers

Article 35 An institution of higher education may, after taking into consideration its resources, conditions, and developmental focal points, select an appropriate counterpart school and implement a merger plan.

After weighing higher education development trends, the distribution of institutions of higher education, and the allocation of educational resources, the MOE may recommend that institutions of higher education implement merger plans, and assist them in doing so.

Article 36 Mergers between institutions of higher education shall comprise the following three types:

1. Merger: Only one school survives after the merger, and the other school is changed to a part, subsidiary school, branch, or junior college division of the surviving school.

2. Consolidation: Both schools expire after the merger, and a completely new institution of higher education with a new name is established.

name is established.

3. Change of jurisdiction over school: A school endowment corporation assumes jurisdiction over a private school establish by another school endowment corporation, making it the former school endowment corporation's private school.

Article 37 A public institution of higher education shall draft a merger plan when planning a merger. A national institution of higher education's merger plan shall be passed by the school affairs meeting and submitted to the MOE for approval. The merger plan of a county or city institution of higher education shall be passed by the school affairs meeting and approved by the local government with jurisdiction before submission to the MOE for approval.

When a merger occurs between private institutions of higher education, the school endowment corporation of the schools shall draft a merger plan and merger plan addressing merger-related matters, and shall submit CPA-certified balance sheets and financial statements; after the school affairs meetings and boards of directors have given their consent, the merger plan shall be reported to the MOE for approval. There shall be no need to draft a merger contract, however, if the merger involves private schools of the same or different grades established by the same school endowment corporation.

Article 38 A merger plan involving institutions of higher education shall explicitly state the following items:

1. Origin of the merger plan.
2. Analysis of the current situations of the schools and the problems that they face.
3. The school merger plan procedures.
4. Merger timetable and tasks to be implemented.
5. Plan content: Including developmental vision, campus plan, spatial layout of school buildings and adjustments, administrative organization and personnel assignments, academic organization, disposition of subjects/departments/graduate institutes, and financial plan.
6. Handling of the rights and interests of instructional personnel and students following the merger.
7. Expected benefits.
8. Other relevant measures.

Article 39 The MOE may, in view of the nation's overall resources, provide priority funding after a merger between institutions of higher education.

Article 40 A school shall determine organizational rules within one year after the MOE has approved a merger. When special reasons exist, the school may obtain an extension after receiving the consent of the deliberative committee;

such an extension shall not exceed four years.

Article 41 After consolidation, an institution of higher education shall have one president or director. As in the case of a newly-established institution of higher education, the first president or director shall, as applicable, be appointed in accordance with Article 10 of the University Act or Article 9 of the Junior College Act.

Article 42 The MOE may reduce funding support and adjust the school's size when a merger between institutions of higher education is not implemented in accordance with the merger plan.

Chapter 4 Suspension

Article 43 After reviewing the school's actual circumstances, the MOE shall, in accordance with educational policy, approve the suspension of a national institution of higher education or its branch, subsidiary school, junior college division, or vocational high school division.

With regard to the suspension of a municipal, county, or city institution of higher education or its branch, subsidiary school, junior college division, or vocational high school division, the corresponding level of government shall report the suspension to the MOE for approval.

Article 44 When applying in accordance with Article 70, Paragraph 1 of the Private School Act for suspension of a subordinate private school, a branch, subsidiary school, or junior college division, a school endowment corporation shall draft a suspension plan explicitly stating the following items; the suspension plan shall be reported to the school competent authority for approval:

1. Reason for suspension.
2. Management and maintenance of school facilities, equipment, and archival data during the period of suspension.
3. Measures for handling the dismissal or retirement of instructional personnel.
4. Measures to assist the transfer of current students.
5. Other plans concerning suspension-related matters.

When the school competent authority orders a school endowment corporation to suspend a private school in accordance with Article 70, Paragraph 2 of the Private School Act, it may designate that school endowment corporation or the private school's personnel responsible for handling suspension-related matters, including the safekeeping of student records, personnel files, account books and vouchers, and other relevant materials, which

shall be turned over as prescribed in Article 45, Paragraph 2.

Article 45 When as institution of higher education's branch, subsidiary school, junior college division, or vocational high school division is suspended, student records, personnel files, account books and vouchers, and other relevant materials shall be properly preserved by the parent school.

When an institution of higher education is suspended, all of the school's student records, personnel files, account books and vouchers, and other materials designated by the school competent authority must be adequately collected and organized; in the case of a private school, such items shall be turned over to the school endowment corporation for safekeeping, and shall be returned when the school resumes operation; in the case of a public school, such items shall be properly preserved in accordance with the Archives Act and the relevant regulations of the appropriate level of government.

If a private institution of higher education expires due to a merger, all student records, personnel files, account books and vouchers, and other relevant materials shall be properly preserved by the newly-established or surviving private institution of higher education after the merger.

Article 46 When a private institution of higher education or its branch, subsidiary school, or junior college division has suspended operation, it resume operation after applying to and obtaining the MOE's approval; relevant establishment regulations in these Regulations shall be applicable.

When a school endowment corporation has no school due to the merger or suspension of a private school it has established, it must apply to resume operation, establish a new school, or merge with a private school within three years. If the fails to apply within the prescribed period of time, the juristic person competent authority shall order the school endowment corporation to update or dissolve itself as prescribed in Article 71 or 72 of the Private School Act. If updated, the school endowment corporation shall preserve relevant documents; if dissolved, the school endowment corporation shall seal relevant materials, and shall request the school competent authority to coordinate methods of checking and preserving the materials.

Article 47 When a university establishes a branch, subsidiary school, or junior college division outside the national territory, except when otherwise prescribed by the laws and regulations of the host country, the domestic

parent school shall retain ownership of residual rights and interests following suspension.

Chapter 5 Supplementary Provisions

Article 48 These Regulations shall take effect on the date of promulgation.

Data Source： Laws and Regulations Retrieving System