Compulsory Education Law of the PRC

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Adopted at the 4th Session of the Sixth National People's Congress on April 12, 1986

Amended in accordance with the Decision on Amending the Compulsory Education Law of the People's Republic of China adopted at the 7th Session of the Standing Committee of the Thirteenth National People's Congress on December 29, 2018

Revised at the 22nd Session of the Standing Committee of the Tenth National People's Congress on June 29, 2006

Effective: July 1, 1986 (revised version effective September 1, 2006; amended December 29, 2018)

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Chapter I — General Provisions

Article 1 — This Law is enacted for the purposes of guaranteeing the right of school-age children and adolescents to receive compulsory education, ensuring the implementation of the compulsory education policy, and improving the quality of the whole nation.

Article 2 — The state shall implement a nine-year compulsory education system. Compulsory education is education uniformly implemented by the state for all school-age children and adolescents and is a public welfare undertaking that the state must guarantee. No tuition or miscellaneous fees shall be charged for compulsory education. The state shall establish a mechanism for guaranteeing funds for compulsory education to ensure the implementation of the compulsory education system.

Article 3 — In implementing compulsory education, the educational policy of the state shall be fully implemented, the quality of education shall be improved, and the school-age children and adolescents shall be enabled to develop comprehensively in moral, intellectual, physical and aesthetic aspects, laying the foundation for cultivating socialist builders and successors with ideals, morality, culture and discipline.

Article 4 — All school-age children and adolescents of the People's Republic of China with the nationality of the People's Republic of China, regardless of gender, ethnicity, race, family property status, religious belief, etc., shall equally enjoy the right to receive compulsory education and fulfill the obligation to receive compulsory education in accordance with law.

Article 5 — People's governments at all levels and their relevant departments shall perform various duties prescribed by this Law to guarantee the right of school-age children and adolescents to receive compulsory education. Parents or other statutory guardians of school-age children and adolescents shall ensure that they commence schooling on time and receive and complete compulsory education in accordance with law. Schools that lawfully implement compulsory education shall complete the education and teaching tasks in accordance with the prescribed standards to ensure the quality of education and teaching. Social organizations and individuals shall create a favorable environment for school-age children and adolescents to receive compulsory education.

Article 6 — The State Council and local people's governments at or above the county level shall rationally allocate educational resources, promote the balanced development of compulsory education, improve the conditions of weak schools, and adopt measures to guarantee the implementation of compulsory education in rural areas and ethnic minority areas, and guarantee school-age children and adolescents from economically disadvantaged families and school-age children and adolescents with disabilities to receive compulsory education.

Article 7 — Compulsory education shall be administered by the State Council, implemented under the leadership of provinces, autonomous regions and municipalities directly under the Central Government, and county-level people's governments shall be the main entities for administration.

Chapter II — Students

Article 8 — Children who have reached the age of six, or seven in areas where conditions do not permit, shall commence compulsory education. Where school-age children or adolescents need to postpone enrollment or be exempted from compulsory education due to physical conditions, their parents or other statutory guardians shall apply to the local township people's government or the administrative department of education of the county-level people's government for approval.

Article 9 — Local people's governments at all levels shall create conditions to enable school-age children and adolescents to attend schools in the areas near their residences. The parents or other statutory guardians of school-age children and adolescents shall send the children to schools to receive and complete compulsory education in accordance with law.

Article 10 — No employing unit may employ any school-age child or adolescent who should receive compulsory education. Where, in accordance with relevant state provisions, a school-age child or adolescent who has been approved to be exempted from compulsory education is admitted to engage in artistic or sports professional training, the organization conducting the training shall ensure that such child or adolescent receives compulsory education.

Article 11 — It is prohibited to expel students who are receiving compulsory education from schools. Students who violate school management rules shall not be subjected to criticism or punishment that violates the provisions of the law.

Chapter III — Schools

Article 12 — The establishment of schools providing compulsory education shall conform to local educational development plans and meet the prescribed standards of the state. The establishment, change, and termination of schools providing compulsory education shall be subject to the approval of the administrative departments of education of people's governments at or above the county level.

Article 13 — Schools providing compulsory education shall comply with the educational and teaching standards prescribed by the state to ensure education and teaching quality. Schools shall not divide classes into key and non-key classes. The state encourages and supports social forces to establish schools providing compulsory education in accordance with law.

Article 14 — Schools shall establish a sound safety management system and emergency response mechanism, conduct safety education for students, strengthen safety management, and promptly eliminate hidden dangers to prevent accidents. Schools shall not charge fees in violation of state provisions, and shall not seek profits by selling goods, services or collecting fees in disguised form from students.

Article 15 — The state implements a system of supervision over compulsory education. People's governments at or above the county level shall establish educational supervision institutions to supervise the implementation of compulsory education and the quality of education and teaching. The results of such supervision shall be made public.

Chapter IV — Teachers

Article 16 — Teachers shall enjoy the rights prescribed by law, fulfill the obligations prescribed by law, and be loyal to the educational cause of the people. Teachers shall be respected by the whole society. The state shall guarantee the lawful rights and interests of teachers in accordance with law and gradually improve their social status.

Article 17 — The state shall establish a uniform system of professional titles for teachers of compulsory education. Teacher positions shall be divided into primary, intermediate and senior positions. Teachers engaged in compulsory education shall obtain the qualification of teachers prescribed by the state.

Article 18 — People's governments at all levels shall guarantee the salaries and benefits of teachers of compulsory education, improve the working and living conditions of teachers, and safeguard the legitimate rights and interests of teachers. The average salary level of teachers of compulsory education shall not be lower than that of local civil servants.

Article 19 — The administrative departments of education of people's governments at or above the county level shall, in conjunction with relevant departments, make overall plans for the mobility of teachers within their respective administrative areas, and strengthen the cultivation and training of teachers for compulsory education, focusing on rural areas and weak schools.

Chapter V — Education and Teaching

Article 20 — In the course of education and teaching, schools shall impart knowledge and educate students in accordance with the laws of education and teaching and the physical and mental development characteristics of students, and shall carry out teaching in accordance with the educational content and curriculum standards prescribed by the state.

Article 21 — The state shall implement a textbook management system. Textbooks for compulsory education shall be prepared, examined and approved in accordance with the relevant provisions of the state. The state encourages the recycling of textbooks for compulsory education.

Article 22 — Schools shall ensure that students' spare time for recreational and sports activities is not occupied. Schools shall organize students to participate in social practice activities, but shall not affect normal education and teaching order.

Chapter VI — Guarantee of Funds

Article 23 — The state shall incorporate compulsory education fully into the scope of financial guarantees, and compulsory education funds shall be guaranteed by the State Council and local people's governments at all levels in accordance with the provisions of this Law. The State Council and local people's governments at all levels shall incorporate compulsory education funds into their budgets and appropriate such funds in full according to the standards prescribed by law.

Article 24 — The State Council and the relevant departments of the people's governments of provinces, autonomous regions and municipalities directly under the Central Government shall, in light of the state's financial conditions and the actual situation of compulsory education, formulate standards for the average public funding per student for compulsory education schools, and such standards shall be adjusted in a timely manner.

Article 25 — People's governments at all levels and the administrative departments of education shall strengthen supervision over the allocation and use of compulsory education funds and improve the efficiency of the use of funds. No unit or individual may encroach upon, misappropriate or withhold compulsory education funds, or illegally collect fees from schools.

Article 26 — The state shall encourage social organizations and individuals to make donations for compulsory education. The state shall encourage the establishment of compulsory education funds in accordance with relevant state provisions.

Chapter VII — Legal Liability

Article 27 — Where any people's government at the county level fails to take measures to organize school-age children and adolescents to commence schooling or prevent them from dropping out in accordance with the provisions of this Law, the people's government at the next higher level shall order it to take corrective action within a prescribed time limit; where the circumstances are serious, the directly responsible person in charge and other directly liable persons shall be subject to administrative sanctions in accordance with law.

Article 28 — Where parents or other statutory guardians of school-age children or adolescents fail to send such children or adolescents to school to receive compulsory education in accordance with the provisions of this Law without justified reason, the local township people's government or the administrative department of education of the county-level people's government shall criticize and educate them, and order them to make corrections within a prescribed time limit.

Article 29 — Where an entity illegally employs any school-age child or adolescent who should receive compulsory education, the relevant department shall, in accordance with the relevant provisions of the state, impose a penalty on the entity.

Article 30 — Where any school or teacher, in violation of the provisions of this Law, subjects students to criticism or punishment in violation of the law, the administrative department of education shall order correction; where the circumstances are serious, the directly responsible person in charge and other directly liable persons shall be subject to sanctions in accordance with law.

Chapter VIII — Supplementary Provisions

Article 31 — Compulsory education for children of foreign nationals legally residing within the territory of the People's Republic of China shall be implemented with reference to the relevant provisions of this Law and the relevant provisions of the state on the administration of schools for children of foreign nationals.

Article 32 — This Law shall come into force on September 1, 2006.

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