Preschool Education Law of the PRC

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Chapter I — General Provisions

Article 1 — This Law is enacted for the purposes of safeguarding the right of preschool children to receive preschool education, regulating the implementation of preschool education, promoting the universal, inclusive, safe, and quality development of preschool education, and improving the national quality.

Article 2 — This Law shall apply to the implementation of preschool education within the territory of the PRC. Preschool education as referred to in this Law means the care and education provided by kindergartens and

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other preschool education institutions to children of or above the age of three up to the age for entering primary school, excluding early education services provided to children under the age of three.

Article 3 — Preschool education is an important component of the national education system and an important public welfare undertaking of society. The State shall implement a preschool education system. The development of preschool education shall adhere to the leadership of the Communist Party of China, uphold the socialist orientation in running schools, and implement the Party's education policy.

Article 4 — Preschool education shall adhere to the guidance of Xi Jinping Thought on Socialism with Chinese Characteristics for a New Era, implement the fundamental task of fostering virtue through education, follow the law of physical and mental development of preschool children, and promote the healthy growth of preschool children. The State shall take measures to guarantee the right of all school-age children to receive preschool education.

Article 5 — The State shall establish a preschool education public service system with government leadership, social participation, public kindergartens as the mainstay, and inclusive private kindergartens as supplements. The development of preschool education shall be incorporated into the national economic and social development plan. People's governments at all levels shall incorporate preschool education into their education development plans and establish working mechanisms.

Article 6 — The administrative department of education under the State Council shall be responsible for the planning and coordination of the national preschool education work. The relevant departments under the State Council shall be responsible for the relevant preschool education work within the scope of their respective functions. Local people's governments at or above the county level shall be responsible for the preschool education work within their respective administrative areas.

Article 7 — The State shall establish a system of teaching guidance for preschool education and formulate guidelines for the care and education of preschool children. Kindergartens shall implement the care and education activities according to the characteristics of preschool children and shall not teach the content of primary school curricula. The State shall establish and improve a quality evaluation and monitoring system for preschool education.

Article 8 — The whole society shall create a good environment for the healthy growth of preschool children. Family members shall treat preschool children in a scientific manner, cultivate good living and behavioral habits in preschool children, and promote their healthy physical and mental development. Family and kindergarten education shall be closely integrated.

Chapter II — Preschool Children

Article 9 — Preschool children shall enjoy the right to life safety, physical and mental health, equal access to preschool education, independent development, participation in games, and other rights in accordance with the law. The personal dignity of preschool children shall be respected and protected, and no discrimination, insult, or ill-treatment shall be tolerated.

Article 10 — The State shall grant priority protection to the rights of preschool children. Kindergartens and their teaching and administrative personnel shall abide by laws, regulations, and professional ethics, care for preschool children, and shall not subject preschool children to corporal punishment or disguised corporal punishment, nor shall they commit any other acts that infringe upon the rights of preschool children.

Article 11 — The State shall give special support to the preschool education of children from economically disadvantaged families, children with disabilities, children whose parents work away from home, and children in other special circumstances. Kindergartens and families shall pay attention to and meet the special needs of preschool children with physical and mental disabilities.

Article 12 — The guardians of preschool children shall perform their guardianship duties in accordance with the law, create a good family environment, and cooperate with kindergartens and other preschool education institutions in implementing preschool education. The guardians of preschool children shall respect the rights of preschool children and shall not abuse, abandon, or neglect preschool children.

Chapter III — Kindergartens

Article 13 — The establishment of kindergartens shall be subject to the approval of the administrative department of education of the people's government at or above the county level and shall meet the following conditions: having an organizational structure and articles of association; having qualified teaching and administrative personnel, child-care workers, health-care personnel, and other staff; having premises, facilities, equipment, and environments that meet the prescribed standards; having necessary funds for running the kindergarten and stable sources of funding; and other conditions provided by laws and regulations.

Article 14 — The establishment of kindergartens shall be incorporated into the urban and rural public service facility planning and construction plans. When new residential areas are constructed or old residential areas are renovated, kindergartens shall be constructed in accordance with the relevant planning standards. Public kindergartens in urban and rural areas shall be arranged in a reasonable manner to guarantee that school-age children have access to kindergartens near their homes. Kindergartens shall not be established in locations that are detrimental to the physical and mental health of preschool children.

Article 15 — Kindergartens shall establish a security management system, strengthen security measures such as security guards, physical protection, and technical protection, and ensure the personal safety of preschool children. Kindergartens shall, in accordance with the provisions, arrange for preschool children to undergo physical examinations, establish health records, and carry out infectious disease prevention and control work.

Article 16 — Kindergartens shall, based on the age and physical and mental development characteristics of preschool children, scientifically formulate care and education plans, use games as the basic activity, and promote the healthy physical and mental development of preschool children. Kindergartens shall not organize any activities that are harmful to the physical and mental health of preschool children. Kindergartens shall not conduct any form of tests or examinations for preschool children, nor shall they organize preschool children to participate in commercial activities without authorization.

Article 17 — Kindergartens shall establish a food safety management system to guarantee the food safety of preschool children. Kindergartens shall employ child-care workers and health-care personnel in accordance with the prescribed ratios, and regularly conduct training for teaching and administrative personnel and other staff.

Article 18 — The fees of public kindergartens shall be set by the government; the fees of inclusive private kindergartens shall be guided by the government; and the fees of other kindergartens shall be reasonably determined based on the cost of running the kindergarten and market supply and demand. Kindergartens shall disclose the fee items, fee standards, and basis for fees, and shall accept social supervision. Kindergartens shall not charge fees in violation of the provisions, nor shall they sell goods or services to preschool children and their parents in a disguised manner.

Chapter IV — Teaching and Administrative Personnel

Article 19 — The qualifications and staffing standards for kindergarten teaching and administrative personnel shall be prescribed by the administrative department of education under the State Council in conjunction with other relevant departments. Kindergarten teachers shall obtain the qualifications for kindergarten teachers. Child-care workers and health-care personnel shall possess the corresponding professional knowledge and

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skills.

Article 20 — Kindergartens and their organizers shall, in accordance with the provisions, equip teaching and administrative personnel, child-care workers, health-care personnel, and other staff. Kindergartens shall conduct background checks on their teaching and administrative personnel and staff to ensure that they meet the qualifications and conditions for their positions. Persons who have been subjected to criminal punishment for sexual assault, abuse, trafficking, violent injury, or other offenses, or who have a history of drug abuse or alcoholism, shall not be employed by kindergartens.

Article 21 — Kindergarten teaching and administrative personnel shall enjoy the rights and perform the obligations prescribed by law, respect and care for preschool children, teach and educate in a lawful and standardized manner, and shall not commit any acts that infringe upon the lawful rights and interests of preschool children. Kindergarten teaching and administrative personnel shall be trained to continuously improve their professional ethics and professional quality.

Article 22 — The State shall ensure the wages and benefits of kindergarten teaching and administrative personnel. The wages of teachers in public kindergartens shall be included in the fiscal budget and shall be guaranteed in accordance with the law. Kindergartens and their organizers shall pay social insurance premiums for teaching and administrative personnel in accordance with the law. Kindergarten teachers shall enjoy the same professional title evaluation and recognition and commendation as primary and secondary school teachers.

Chapter V — Management and Supervision

Article 23 — The administrative departments of education of local people’s governments at or above the county level shall strengthen the supervision and management of kindergartens in accordance with the law and urge kindergartens to operate in a standardized manner. The relevant departments such as health, market regulation, and public security shall, in accordance with their respective functions, supervise and manage the health care, food safety, and campus safety of kindergartens.

Article 24 — Kindergartens shall establish a parents’ committee system, accept the supervision of parents, and report the care and education of preschool children and the management of kindergartens to parents on a regular basis. Kindergartens shall establish a complaint and reporting mechanism to promptly handle the opinions and suggestions raised by parents and other members of the public.

Article 25 — The administrative departments of education shall, in accordance with the law, implement a system of regular supervision and evaluation of kindergartens and make the results public. Where problems are found in kindergartens, they shall be ordered to make corrections within a specified time limit; where the circumstances are serious, they shall be ordered to suspend enrollment for rectification; and where the circumstances are extremely serious, their school-running licenses shall be revoked.

Article 26 — Kindergartens shall establish a system for the investigation and management of risks and hazards, and shall immediately eliminate hidden safety hazards and report to the relevant competent authorities. No organization or individual may occupy or damage the premises, facilities, or equipment of kindergartens, nor may they disrupt the teaching order of kindergartens.

Chapter VI — Funding Guarantee

Article 27 — The State shall establish a preschool education funding guarantee mechanism with government investment as the mainstay and reasonable sharing by families. People’s governments at all levels shall include preschool education funds in their fiscal budgets and gradually increase the level of funding. The central and provincial people’s governments shall increase support for preschool education in underdeveloped areas through transfer payments.

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Article 28 — The State shall implement a system of per-student funding for public kindergartens and a system of per-student subsidy for inclusive private kindergartens. The per-student funding and subsidy standards shall be reasonably determined based on factors such as the level of economic and social development, the cost of running kindergartens, and the affordability of the masses. The State shall encourage social forces to donate funds for the establishment of kindergartens and to support the development of preschool education.

Article 29 — Local people's governments at all levels shall scientifically calculate the cost of running kindergartens and reasonably determine the proportion of sharing between the government and families. For children from economically disadvantaged families, children with disabilities, and other special groups, the government shall provide preschool education subsidies and reduce or exempt relevant fees.

Chapter VII — Legal Liability

Article 30 — Where a kindergarten is established without approval or is engaged in activities beyond its approved scope, the administrative department of education shall order it to cease such activities, confiscate the illegal gains, and impose a fine. Where the circumstances are serious, the persons directly in charge and other persons directly responsible shall be sanctioned.

Article 31 — Where a kindergarten or its teaching and administrative personnel commit any of the following acts, the administrative department of education or other relevant authorities shall order them to make corrections, and may impose a fine; where the circumstances are serious, the kindergarten shall be ordered to suspend enrollment for rectification, and the relevant responsible persons shall be sanctioned in accordance with the law: subjecting preschool children to corporal punishment or disguised corporal punishment; discriminating against, insulting, or ill-treating preschool children; organizing activities that are harmful to the physical and mental health of preschool children; failing to implement safety management in accordance with the provisions and causing physical harm to preschool children; or committing other acts that infringe upon the lawful rights and interests of preschool children. Where a crime is constituted, criminal liability shall be pursued in accordance with the law.

Article 32 — Where a kindergarten fails to conduct background checks on its teaching and administrative personnel and staff in accordance with the provisions, the administrative department of education shall order it to make corrections and impose a fine; where the circumstances are serious, it shall be ordered to suspend enrollment for rectification, and the persons directly in charge and other persons directly responsible shall be sanctioned in accordance with the law.

Article 33 — Where a kindergarten charges fees in violation of the provisions, the administrative department of education or the price supervision and administration department shall order it to return the illegally collected fees and impose a fine on the kindergarten; the persons directly in charge and other persons directly responsible shall be sanctioned in accordance with the law.

Article 34 — Where any staff member of a government department responsible for the supervision and administration of preschool education commits any act of neglecting duties, abusing powers, or engaging in malpractice for personal gain, sanctions shall be imposed in accordance with the law; where a crime is constituted, criminal liability shall be pursued in accordance with the law.

Chapter VIII — Supplementary Provisions

Article 35 — The specific measures for the implementation of this Law shall be formulated by the administrative department of education under the State Council in conjunction with other relevant departments. Provinces, autonomous regions, and municipalities directly under the Central Government may formulate specific implementation measures in light of the actual conditions of their respective regions.

Article 36 — This Law shall come into force on June 1, 2025.

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