Vocational Education Law of the PRC

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Chapter I — General Provisions

Article 1 — This Law is enacted for the purposes of promoting the development of vocational education, improving the quality of workers, implementing the strategy of revitalizing the country through science and

education and the strategy of strengthening the country through human resources, and promoting employment and entrepreneurship, and building a strong country with skilled talents.

Article 2 — For the purposes of this Law, "vocational education" means the education conducted for the purpose of cultivating high-quality technical and skilled talents, enabling the educated to possess professional ethics, scientific culture, professional knowledge, technical skills and other comprehensive professional qualities and practical abilities necessary for engaging in a certain occupation or for career development, including vocational school education and vocational training.

Article 3 — Vocational education is an education type equally important as general education, is an important component of the national education system and human resources development, and is an important pathway for cultivating diverse talents, passing on technical skills, and promoting employment and entrepreneurship.

Article 4 — In implementing vocational education, the leadership of the Communist Party of China shall be adhered to. Vocational education shall implement the national educational policy, adhere to fostering virtue through education, integrate vocational education with general education, integrate industry and education, and integrate science and education, and abide by laws, regulations and professional ethics.

Article 5 — Citizens shall have the right to receive vocational education in accordance with law. The state shall adopt measures to assist the development of vocational education in rural areas and ethnic minority regions, and support vocational education for persons with disabilities.

Article 6 — The state encourages the organization of vocational education through multiple channels and in diverse forms, promotes diversified operations, and supports and regulates social forces in organizing vocational education institutions. The state shall give play to the important role of enterprises in operating vocational education, and promote enterprises' in-depth participation in vocational education.

Chapter II — Vocational Education System

Article 7 — The state shall establish and improve a modern vocational education system that meets the needs of economic and social development, integrates industry and education, and connects vocational school education and vocational training, and connects secondary and higher vocational education.

Article 8 — Vocational school education is divided into secondary vocational school education and higher vocational school education. Secondary vocational school education shall be implemented by secondary vocational schools. Higher vocational school education shall be implemented by higher vocational schools and ordinary institutions of higher learning.

Article 9 — Vocational training includes pre-employment training, on-the-job training, re-employment training, and other types of vocational training, which may be implemented at different levels by corresponding vocational training institutions and vocational schools. Other institutions or individuals may also provide various forms of vocational training to the public in accordance with law.

Article 10 — The state shall implement a system of academic certificates, training certificates, vocational qualification certificates and vocational skill level certificates in vocational education. Vocational education certificates shall enjoy equal treatment with the corresponding certificates of general education.

Article 11 — The state shall establish and improve a certification and accumulation system for learning outcomes at all levels and types of vocational education and general education, and promote the integration and mutual recognition of learning outcomes from different types of education.

Chapter III — Implementation of Vocational Education

Article 12 — The administrative department of education under the State Council shall be responsible for the overall planning, comprehensive coordination and macro-management of vocational education throughout

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the country. The relevant departments of the State Council shall, within the scope of their respective duties as prescribed by the State Council, be respectively responsible for the relevant work of vocational education.

Article 13 — People's governments at or above the county level shall incorporate the development of vocational education into their national economic and social development plans, and coordinate the development of vocational education with employment and entrepreneurship and the promotion of technological progress.

Article 14 — Enterprises shall fulfill their obligations to implement vocational education in accordance with the law. Enterprises with conditions shall independently or jointly organize vocational education institutions, or entrust vocational education institutions to organize vocational education.

Article 15 — The state shall encourage industry organizations and enterprises to participate in the formulation of vocational education professional catalogues and vocational education standards, conduct research on talent demand forecasts, and carry out school-enterprise cooperation in education.

Article 16 — Enterprises shall allocate funds for vocational training of their employees in accordance with the provisions of the State Council. Enterprises shall establish and improve systems for pre-employment training, on-the-job and job-transfer training for employees, and shall arrange their own vocational training programs.

Chapter IV — Vocational Education Institutions

Article 17 — The establishment of vocational education institutions shall meet the following basic conditions:

(1) — Having an organizational structure and constitution;

(2) — Having qualified teachers and management personnel;

(3) — Having teaching venues, training bases, facilities and equipment that are compatible with the training objectives and training scale;

(4) — Having corresponding curricula and teaching resources;

(5) — Having necessary funding for running the institution and stable sources of funds.

Article 18 — The establishment, change and termination of secondary vocational schools shall be subject to the approval of the administrative departments of education of the local people's governments at or above the county level. The establishment, change and termination of higher vocational schools offering specialized education shall be subject to the examination and approval of the administrative department of education under the State Council.

Article 19 — Vocational education institutions shall, in accordance with the law, exercise autonomy in running their institutions, including setting and adjusting specialties, formulating talent cultivation plans, selecting and compiling teaching materials, arranging teaching processes, and conducting teaching, scientific research and social services.

Article 20 — Vocational education institutions may employ skilled masters, model workers, persons capable of extraordinary skills, representative inheritors of intangible cultural heritage, and other highly skilled personnel as full-time or part-time professional course teachers through methods such as mutual recruitment and appointment.

Chapter V — Teachers and Educators

Article 21 — The state shall guarantee the rights of teachers and other educational workers of vocational education institutions, and improve their professional quality and social status. The state shall establish and improve a training system for vocational education teachers.

Article 22 — The state shall encourage vocational education institutions to employ full-time and part-time teachers from among personnel with practical work experience and technical skills. The appointment of teachers of vocational education institutions shall take into account both academic qualifications and professional technical abilities.

Article 23 — The state shall implement a system of qualification standards for teachers of vocational schools. Enterprises and public institutions with conditions shall provide opportunities for vocational education teachers to undertake practical training in enterprises.

Chapter VI — Guarantee of Vocational Education

Article 24 — The state shall encourage the raising of funds for vocational education through multiple channels in accordance with law. People's governments at all levels shall incorporate the funds for organizing vocational education into their budgets and ensure their gradual increase.

Article 25 — The state shall encourage financial institutions to improve financial services and support the development of vocational education. Enterprises establishing vocational education institutions shall be entitled to tax preferences in accordance with the relevant provisions of the state.

Article 26 — The state shall encourage enterprises, public institutions, social groups and individual citizens to make donations for vocational education, and enterprises making such donations shall be entitled to deductions from taxable income in accordance with law.

Article 27 — People's governments at all levels shall provide support and convenience to vocational education students in terms of enrollment, employment and entrepreneurship, and create a social atmosphere that respects labor, knowledge and skills.

Article 28 — The state shall establish and improve a reward system for vocational education. Units and individuals that have made outstanding contributions to vocational education shall be commended and rewarded.

Chapter VII — Legal Liability

Article 29 — Where vocational education is organized in violation of the relevant provisions of this Law, the administrative department of education or other relevant departments shall order rectification; where a vocational education institution's quality of education and teaching is below standard, it shall be ordered to rectify; where losses are caused, it shall bear civil liability in accordance with law.

Article 30 — Where an enterprise fails to implement vocational education in accordance with the provisions of this Law, the relevant department of the people's government shall order it to rectify; where it refuses to do so, it shall bear the corresponding legal liability.

Article 31 — Where misappropriation, withholding or embezzlement of vocational education funds occurs, the relevant department shall order the return of the misappropriated, withheld or embezzled funds, and impose administrative sanctions on the directly responsible person in charge and other directly liable persons; where the case constitutes a crime, criminal liability shall be pursued in accordance with law.

Article 32 — Where an entity illegally issues academic certificates or other vocational education certificates, the administrative department of education or other relevant departments shall declare the certificates invalid and order the return of the illegally collected fees; where the circumstances are serious, the entity shall be ordered to suspend operations for rectification or its operation permit shall be revoked; where the case constitutes a crime, criminal liability shall be pursued in accordance with law.

Chapter VIII — Supplementary Provisions

Article 33 — Sino-foreign cooperative vocational education shall be governed by the relevant provisions of the state. The state encourages international exchange and cooperation in vocational education and supports the introduction of high-quality overseas educational resources for vocational education.

Article 34 — This Law shall come into force on May 1, 2022.

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