



中华人民共和国教育部

Ministry of Education of the People's Republic of China

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Compulsory Education Law of the People's Republic of China

(Adopted at the Fourth Session of the Sixth National People's Congress on April 12, 1986, and amended at the 22nd Session of the Standing Committee of the Tenth National People's Congress on June 29, 2006.)

Contents

Chapter I General Provisions

Chapter II Students

Chapter III Schools

Chapter IV Teachers

Chapter V Education and Teaching

Chapter VI Guarantee of Operating Funds

Chapter VII Legal Liabilities

Chapter VIII Supplementary Provisions

Chapter I General Provisions

Article 1 For the purpose of guaranteeing the right to compulsory education of school-age children and adolescents, ensuring the implementation of the compulsory education policy and enhancing the quality of the whole nation, this Law was hereby formulated in accordance with the Constitution and the Education Law of the People's Republic of China,.

Article 2 The State adopts a system of 9-year compulsory education.

Compulsory education is education which is implemented uniformly by the State and shall be received by all school-age children and adolescents. It is a public welfare cause that shall be guaranteed by the State.

No tuition or miscellaneous fee may be charged in the implementation of compulsory education.

The State shall establish a guarantee mechanism for operating funds for compulsory education in order to ensure the implementation of the system of compulsory education.

Article 3 In compulsory education, the State policy on education shall be implemented and quality-oriented education shall be carried out to improve the quality of education and enable children and adolescents to achieve all-round development - morally, intellectually and physically - so as to lay the foundation for cultivating well-educated and self-disciplined builders of socialism with high ideals and moral integrity.

Article 4 All children and adolescents who have the nationality of the People's Republic of China and have reached the school age shall have equal right and have the obligation to receive compulsory education, regardless of gender, nationality, race, status of family property or religious belief, etc.

Article 5 The people's governments at all levels and their relevant departments shall perform all functions as prescribed by this Law and shall ensure the right to compulsory education of all school-age children and adolescents.

The parents or other statutory guardians of school-age children and adolescents shall ensure that school-age children and adolescents go to school to receive and complete compulsory education.

The schools lawfully carrying out compulsory education shall complete the educational and teaching tasks as required and ensure the educational and teaching quality.

Social organizations and individuals shall create a good environment for school-age children and adolescents to receive compulsory education.

Article 6 The State Council and the local people's governments at the county level and above shall reasonably allocate the educational resources, promote balanced development of compulsory education, improve the conditions of weak schools, take measures to ensure implementation of the compulsory education policy in rural areas and areas inhabited by ethnic minority groups, and guarantee that school-age children and adolescents from families with financial difficulties and disabled school-age children and adolescents receive compulsory education.

The State shall organize and encourage the economically developed areas to provide aid to the economically under-developed areas in the implementation of the compulsory education policy.

Article 7 Compulsory education shall be under the leadership of the State Council, be carried out under the overall planning by the provinces, autonomous regions, municipalities directly under the Central Government, and be mainly administered by the people's governments at the county level.

The education administrative departments of the people's governments at the county level or above shall be responsible for the implementation of the compulsory education policy. Other relevant departments of the people's governments at the county level or above shall, within the scope of their respective functions, be responsible for the implementation of the compulsory education policy.

Article 8 An education supervisory institution of the people's government shall supervise the compliance with the laws and regulations in the compulsory education work, the educational and teaching quality as well as the status of balanced development of compulsory education, and shall issue supervisory reports to the general public.

Article 9 Any social organization or individual may expose or complain about any violation of this Law to the relevant state organ.

In the event that this Law is grossly violated, the implementation of the compulsory education policy is hampered and bad consequences are caused to the society, the liable persons-in-charge of the people's government or of the administrative department of education of the people's government shall take the blame and resign from their posts due to their mistakes.

Article 10 The social organizations and individuals who have made outstanding contributions in the implementation of the compulsory education policy shall be commended and awarded by the people's governments at all levels and their relevant departments.

Chapter II Students

Article 11 Any child who has attained to the age of 6, his/her parents or other statutory guardians shall have him/her enrolled in school to finish compulsory education. For the children in those areas where the conditions are not satisfied, the initial time of schooling may be postponed to 7 years old.

If, on account of illness or other special circumstances, where a school-age child or adolescent needs to postpone his/her enrolment or suspend his/her schooling, his/her parents or other statutory guardians shall file an application with the education administrative department of the local people's government of the township, town or county for approval.

Article 12 School-age children and adolescents shall go to school without taking any examination. The local people's governments at all levels shall ensure that school-age children and adolescents are enrolled in the schools near the permanent residences of the school-age children and adolescents.

For a school-age child and juvenile whose parents are working or dwelling at a place other than their permanent residence, if he/she receives compulsory education at the place where his/her parents or other statutory guardians are working or dwelling, the local people's government shall provide him/her with equal conditions for receiving compulsory education. The concrete measures shall be formulated by the provinces, autonomous regions and municipalities directly under the Central Government.

The administrative departments of education of the people's government at the county level shall guarantee the right of a serviceman's children to compulsory education within its administrative area.

Article 13 The administrative departments of education of the people's governments at the county level, and the people's governments of townships and towns shall organize and urge school-age children and adolescents to go to school, help to solve their difficulties in receiving compulsory education and take measures to prevent them from discontinuing their schooling.

The residents' committees and villagers' committees shall help the government to do well in urging school-age children and adolescents to go to school.

Article 14 It is forbidden for any employing entity to employ any school-age children and adolescents who shall be receiving compulsory education.

For the social organizations which enrol school-age children and adolescents for professional training of art and literature, physical education, etc., they shall ensure that the children and adolescents enrolled therein receive compulsory education. If they carry out compulsory education by themselves, they shall be subject to approval of the administrative departments of education of the people's governments at the county level.

Chapter III Schools

Article 15 The local people's governments at the county level or above shall, on the basis of the factors such as the number and distribution of the school-age children and adolescents dwelling in their respective administrative areas, formulate and adjust the plans on the setup of schools in accordance with the relevant provisions of the State. Where a school needs to be set up in a newly established residential area, it shall be built along with the construction of the residential area.

Article 16 The construction of schools shall conform to the standards of the State on running schools, shall meet the educational and teaching needs, shall meet the State's requirements for the selection of sites and the construction standards so as to ensure the safety of the students and the staff.

Article 17 Where necessary, the people's government at the county level may set up boarding schools so as to ensure that the school-age children and adolescents who are dwelling in scattered areas receive compulsory education.

Article 18 The administrative department of education of the State Council and the people's governments of the provinces, autonomous regions, and municipalities directly under the Central Government shall, where necessary, set up schools (classes) in economically developed areas so as to enrol school-age children and adolescents of ethnic minorities.

Article 19 The local people's governments at the county level or above shall, where necessary, set up schools (classes) of special education so as to provide compulsory education to the school-age children and adolescents who have eyesight, hearing and intellectual impairments. The schools (classes) of special education shall have places and facilities which suit the study, recovery and living features of the children with disabilities.

Ordinary schools shall accept school-age children and adolescents with disabilities who are able to receive ordinary education, to study along with the normal classes and shall provide assistance for their study and recuperation.

Article 20 The local people's governments at the county level or above shall, where necessary, set up particular schools to provide compulsory education to school-age adolescents who have committed severe delinquent acts as described in the Law on the Prevention of Crime of Juvenile Delinquency.

Article 21 The juvenile delinquents who fail to finish compulsory education and the minors who are subject to mandatory education measures shall be given compulsory education. The essential operating funds shall be ensured by the people's government.

Article 22 The people's governments at the county level or above and the administrative departments of education thereof shall promote the balanced development among schools, shall narrow the gap of school-running conditions among different schools and shall not divide schools into key schools and non-key schools. No school may set up key classes and non-key classes.

None of the people's governments at the county level or above and the administrative department of education thereof may, under any pretext or in any disguise, change the nature of a public school.

Article 23 The people's governments at all levels and the relevant departments thereof shall maintain the order around schools, protect the legitimate rights and interests of the students, teachers and schools, and guarantee the safety and security of schools.

Article 24 A school shall establish a sound safety system and emergency response mechanism, offer its students safety education, intensify the management and eliminate the hidden risks in a timely manner so as to prevent the occurrence of accidents.

The people's governments at the county level or above shall make regular safety inspections of the school buildings and shall timely repair and

rebuild the school buildings which need repairing and rebuilding.

No school may hire as its staff member any person who has ever been deprived of political rights for any intentional crime, or any other person who is not suitable to engage in compulsory education.

Article 25 No school may charge any fee in violation of the provisions of the State or seek profits by selling goods or services to students or by doing so in any disguised form.

Article 26 A school shall adopt the principal responsibility system. The principal shall satisfy the appointment conditions as prescribed by the State. The principal shall, in accordance with law, be appointed by the administrative department of education of the people's government at the county level.

Article 27 For a student who violates the school management rules, the school shall criticize and educate him/her, but shall not expel him/her from school.

Chapter IV Teachers

Article 28 Teachers shall be entitled to the rights as prescribed by the law, shall perform the duties prescribed by the law, shall be worthy of the name teacher, and shall be devoted to the people's educational cause.

The whole society shall respect teachers.

Article 29 A teacher shall, during the course of education and teaching, treat his students equally, pay attention to their individual differences, teach students on the basis of their aptitude and shall promote full development of students.

A teacher shall respect the personality of students. No teacher shall discriminate against any student, or use corporal punishment or corporal punishment in disguise on any student, or commit any other act that may insult the personal dignity of any student, or infringe upon the legitimate rights and interests of any student.

Article 30 A teacher shall obtain the qualifications as prescribed by the State for teachers.

The State shall establish a uniform system for the professional titles of teachers engaging in compulsory education. The professional titles of teachers shall be classified into primary, intermediate and senior titles.

Article 31 The people's governments at all levels shall ensure the salaries, welfare benefits and social insurances of teachers, improve their working and living conditions and improve the mechanism for guaranteeing the salaries and operating funds for teachers in rural areas.

The average salaries of teachers shall not be lower than the average salaries of the local civil servants.

The teachers engaging in special education shall be entitled to the subsidies of special posts. The teachers who work in ethnic minority areas and in remote and poverty-stricken areas shall be entitled to subsidies of hard and poverty-stricken areas.

Article 32 The people's governments at the county level or above shall strengthen the cultivation of teachers and take measures to develop the education of teachers.

The administrative departments of education of the people's governments at the county level shall, in a balanced manner, allocate teachers within their respective administrative areas, shall organize training and transfer of the principals and teachers and shall intensify the construction of weak schools.

Article 33 The State Council and the people's governments at all levels shall encourage and support urban school teachers and graduates from colleges and universities to engage in compulsory education in rural areas and in ethnic minority areas.

The State encourages graduates from colleges and universities to work as volunteer teachers of schools in rural areas and in ethnic minority areas. The administrative departments of education at the county level shall recognize their qualifications as teachers and their length of teaching shall be included in their length of service.

Chapter V Education and Teaching

Article 34 The educational and teaching work shall be in line with the education rules and the characters of the physical and mental development of

students, be geared to all students, impart knowledge and enlighten people, integrate moral education, intellectual education, physical education and aesthetic education in the educational and teaching activities; and to focus on the cultivation of the students' independent thinking ability, creation and practice ability so as to promote the all-round development of students.

Article 35 The administrative department of education of the State Council shall, according to the physical and mental development of school-age children and adolescents as well as the actual circumstances, determine the teaching system, the educational and teaching contents and the curricula; and to reform the examination system, improve the measures for the recruitment of students by senior middle schools, and push forward the implementation of quality-oriented education.

The schools and teachers shall carry out the educational and teaching activities according to the educational and teaching contents and the curricula as determined so as to ensure the basic quality requirements as prescribed by the State.

The State encourages schools and teachers to adopt the education and teaching methods such as the heuristic method so as to enhance the quality of education and teaching.

Article 36 A school shall place moral education in the first place, apply moral education in education and teaching, carry out social practices that fit the age of students; and to form an ideological and moral education system whereby the school, family and society collaborate with each other, so as to encourage the students to have good morals and form a habit of good conduct.

Article 37 A school shall ensure that the students have time for after-school activities and shall organize and carry out cultural entertainments and other after-school activities. The public cultural and sports facilities shall facilitate the school to carry out after-school activities.

Article 38 A textbook shall be compiled in accordance with the national education policies and the relevant course standards. Its contents shall be as concise as possible, shall choose the indispensable basic knowledge and skills, shall be economical and practical, and shall guarantee its quality.

No functionary of any state organ or examiner of textbooks may participate in the compilation of any textbook or do so in any disguised form.

Article 39 The State shall adopt the textbook examination and approval system. The measures for the examination and approval of textbooks shall be formulated by the department of education administrative of the State Council.

No one may publish or use any textbook that fails to be examined and approved.

Article 40 The benchmark price of a textbook shall be determined by the price administrative department of the State Council jointly with the publication administrative department.

Article 41 The State encourages the use of textbooks in a recycling manner.

Chapter VI Guarantee of Operating Funds

Article 42 The State shall integrate the entire compulsory education into the scope of financial guarantee. The operating funds for compulsory education shall be guaranteed by the State Council and the local people's governments at all levels in pursuance of the law.

The State Council and the people's governments at all levels shall integrate the operating funds for compulsory education into the financial budget. They shall appropriate the operating funds in full amounts according to the authorized number of school staff, the salary standards, the school construction standards and the average public-use operating fund for students so as to ensure the normal operation of the schools; and the safety of school buildings and timely payment of the salaries of the school staff according to the relevant provisions.

The increase rate of the treasury funds appropriated by the State Council and the local people's governments at all levels for the implementation of the compulsory education policy shall be higher than that of the current income of treasury so as to ensure the gradual increase of the average compulsory funds based on the number of attending students as well as the gradual increase of the salaries of the school staff and the average public-use operating fund for students.

Article 43 The basic standards on the average public-use operating funds for students of schools shall be formulated by the public finance department of the State Council jointly with the administrative department of education, and shall be adjusted according to the status of economic and social development at the opportune time. The formulation and adjustment of the basic standards on the average public-use operating funds for students of schools shall satisfy the basic needs for education and teaching.

The people's governments of the provinces, autonomous regions, municipalities directly under the Central Government shall, in light of the actual circumstances of their respective administrative areas, formulate standards on the average public-use operating funds for school students, which

shall not be lower than the national standards.

The standards on the average public-use operating funds for students of special schools (classes) shall be higher than the standards on the average public-use operating funds for students of the ordinary schools.

Article 44 The compulsory education operating funds shall be jointly paid by the State Council and the local people's governments at all levels according to their respective functions. The people's governments of the provinces, autonomous regions, and municipalities directly under the Central Government shall be responsible for formulating plans and implementing the plans. The operating funds essential for rural compulsory education shall, according to the items and proportions as specified by the State Council, be paid by the people's governments at all levels.

For school-age children and adolescents whose families have financial difficulties, the people's governments at all levels shall provide them with gratuitous textbooks, and give living cost subsidies to boarding students.

The concrete measures for guaranteeing the operating funds for compulsory education shall be formulated by the State Council.

Article 45 The people's governments at all levels shall separately list the compulsory education operating funds in their financial budgets.

When the people's governments at the county level prepare budgets, they shall not only be more favourable to the schools in rural areas and weak schools, but also arrange the compulsory education operating funds in a balanced manner.

Article 46 The State Council and the people's governments of the provinces, autonomous regions, and municipalities directly under the Central Government shall regulate the public finance transfer payments system, expand the general transfer payment scale, regulate the transfer of special payments for compulsory education, and support; and to direct the local people's governments at all levels to make more payments for compulsory education. The local people's governments at all levels shall ensure that the transfer payments paid to them by the people's governments at the upper level for compulsory education is used for compulsory education under relevant provisions.

Article 47 The State Council and the local people's governments at the county level or above shall, in light of the actual needs, establish special funds to support the rural areas and ethnic minority areas to carry out compulsory education.

Article 48 The state encourages social organizations and individuals to make donations for compulsory education, and to set up compulsory education funds in pursuance of the provisions of the State on the administration of foundations

Article 49 The compulsory education operating funds shall be used for compulsory education in strict compliance with the budget. No organization or individual may illegally occupy or misappropriate any compulsory education operating fund, or illegally charge a school any fee or apportion any expense to a school.

Article 50 The people's governments at the county level or above shall establish sound systems for audit and supervision, and statistical announcement.

Chapter VII Legal Liabilities

Article 51 Where any of the relevant departments of the State Council or any of the local people's governments at all levels fails to perform the function of guaranteeing the operating funds for compulsory education by violating Chapter VI of this Law, the State Council or the superior local people's governments shall order it to make corrections within a time limit. If the circumstances are serious, an administrative sanction shall be given to the directly liable person-in-charge and other directly liable persons.

Article 52 Where any of the local people's governments at the county level or above is under any of the following circumstances, the people's government at the upper level shall order it to make corrections. If the circumstances are serious, an administrative sanction shall be given to the directly liable person-in-charge and other directly liable persons:

- (1) It fails to formulate and adjust plans on the setup of schools under the relevant provisions of the State;
- (2) The school construction isn't in line with school-running standards, requirements for selection of site and construction standards as prescribed by the State;
- (3) It does not inspect the school buildings regularly, nor does it repair or rebuild them timely; or
- (4) It fails to arrange the compulsory education operating funds in a balanced manner in accordance with this Law.

Article 53 Where any of the people's governments at the county level or above or its administrative department of education is under any of the following circumstances, the people's government at the upper level or its administrative department of education shall order it to make corrections within a time limit, and criticize it by circulating a notice. If the circumstances are serious, an administrative sanction shall be given to the directly liable person-in-charge and other directly liable persons:

- (1) Dividing the schools into key schools or non-key schools; or
- (2) Changing the nature of any public school or doing so in disguise.

Where any of the administrative departments of education of the people's governments at the county level, or the people's governments of townships and towns fails to take measures to organize school-age children or adolescents to go to school or fails to prevent them from discontinuing their schooling, it shall be subject to legal liabilities according to the provisions of the preceding paragraph.

Article 54 Under any of the following circumstances, the people's government at an upper level or its administrative department of education, public finance department, price administrative department and audit organ shall, according to their respective functions, order it to make corrections within a time limit. If the circumstances are serious, the directly liable person-in-charge and other directly liable persons shall be given a sanction:

- (1) Illegally occupying or misappropriating any compulsory education operating fund; or
- (2) Illegally charging a school any fee or apportion any expense to a school.

Article 55 Where any school or teacher violates the Education Law or Teachers Law in the compulsory education work, the school or the teacher shall be punished in accordance with the Education Law or Teachers Law.

Article 56 Where a school charges any fee in violation of the provisions of the State, the administrative department of education of the people's governments at the county level shall order it to refund the charges and a sanction given to the directly liable person-in-charge and other directly liable persons-in-charge in accordance with the law.

Where a school publicizes commodities or services to students for benefits, it shall be criticized by the administrative department of education of the people's government at the county level by circulating a notice. The illegal gains, if any, shall be confiscated. The directly liable persons-in-charge and other directly liable persons shall be given a sanction.

Where any of the functionaries of the State organs or textbook examiners participates in the compilation of any textbook or does so in disguise, the people's government at the county level or above or its administrative department of education shall, in light of its respective functions and authorisations, order him/her to make corrections within a time limit and give him/her an administrative sanction, and shall confiscate the illegal gains, if any.

Article 57 Where a school is under any of the following circumstances, it shall be ordered to make corrections within a time limit by the administrative department of education of the people's government at the county level. If the circumstances are serious, the directly liable persons-in-charge and other directly liable persons in charge shall be given a sanction in accordance with the law:

- (1) Failing to accept school-age children and adolescents with disabilities, who are able to receive ordinary education, to study along with the normal classes;
- (2) Establishing key classes alongside with non-key classes;
- (3) Expelling any students in violation of this Law; and
- (4) Choosing and using any textbook that fails to be examined and approved.

Article 58 Where the parents or any other statutory guardian of school-age children or adolescents fail to send them to receive compulsory education according to the provisions of this Law without justifiable reasons, they shall be criticized by the people's government at the township level or the administrative department of education of the people's government at the county level of the locality and be ordered thereby to make a correction.

Article 59 Under any of the following circumstances, a penalty shall be meted out according to the relevant laws or administrative regulations:

- (1) Forcing any school-age children or adolescent by menace or coax to leave school or quit his school education;

(2) Illegally employing any school-age children or adolescent who should be receiving compulsory education; or

(3) Publishing any textbook which fails to be examined and approved according to law.

Article 60 Anyone who violates any of the provisions of this Law in such a way as to constitute a crime shall be subject to criminal liability according to the law.

Chapter VIII Supplementary Provisions

Article 61 The measures for implementing the policy of exempting sundry expenses from school-age children or adolescents shall be formulated by the State Council.

Article 62 Where any private school operated by any social organization or individual implements compulsory education, it shall be governed by the relevant provisions of the Law on Promoting Non-State Education. Where it is not provided for in the Law on Promoting Non-State Education, the present Law shall apply.

Article 63 This Law shall go into force as of September 1, 2006.

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