

Selected laws and regulations to promote educational opportunities for migrant children

<p>2 April 1996, 2 March 1998</p>	<p><i>Measures for the Schooling of Children and Young People in the Urban Migrant Population (Trial measure) (1996)</i> (城镇流动人口中适龄儿童少年就学办法(试行)); <i>Provisional Measures for the Schooling of Migrant Children and Young People (1998)</i> (流动人口少年就学暂行办法)</p> <p>Related points:</p> <ul style="list-style-type: none"> ● Municipalities should allow migrant children aged between 6 and 14 to study in full time state-run and privately run schools with the status of temporary students ● The main responsibility for education should remain in the out-flowing areas.
<p>22 May 2001</p>	<p><i>National Programme of Action for Child Development in China (2001-2010)</i> (中国儿童发展纲要(2001-2010年))</p> <p>Related points:</p> <ul style="list-style-type: none"> ● Migrant children are entitled to 9 years compulsory education ● Accommodate migrant children in the urban school system
<p>29 May 2001</p>	<p><i>Decision of the State Council on the Development and Reform of Elementary Education</i> (国务院关于基础教育改革与发展的决定)</p> <p>Related points:</p> <ul style="list-style-type: none"> ● To curb arbitrary fee collection and to practice “one-fee” system in selected rural areas ● To waive miscellaneous and textbook fees and to subsidize accommodation fees for boarding school students with financial difficulties in selected rural areas (“two-waiver and one-subsidy” 两免一补) ● To guarantee migrant children’s rights to education – hosting cities should take the main responsibility for providing places in state-run schools.
<p>12 June 2001</p>	<p><i>Opinions of the State Council Rectification Office and the Ministry of Education on Further Curbing Arbitrary Fee Collection</i> (国务院纠风办、教育部关于进一步做好治理教育乱收费工作的意见)</p> <ul style="list-style-type: none"> ● Schools should admit students who are living in the same districts as their schools and shall not admit unqualified students simply because their parents have made donation to the school.

	<ul style="list-style-type: none"> ● Primary and middle schools should admit temporary students (借读生) and collect school fees according to provincial regulations, and shall not collect miscellaneous and other fees on top of the temporary student fee.
15 May 2003	<p><i>The State Council forwarding the Circular of the Opinions of the Ministry of Agriculture and other Departments on Relieving the Burden of Peasants in 2003</i> (国务院办公厅转发农业部等部门关于2003年减轻农民负担工作意见的通知)</p> <p>Related point:</p> <ul style="list-style-type: none"> ● Schools shall not collect fees other than miscellaneous, temporary student and textbook fees which have already been approved by the state.
23 June 2003	<p><i>State Council forwarding the Circular of Opinion of the Ministry of Education and other Departments on the Work of Curbing Arbitrary Fee Collection in 2003</i> (国务院办公厅转发教育部等部门关于2003年治理教育乱收费工作实施意见的通知)</p> <p>Related points:</p> <ul style="list-style-type: none"> ● To clarify and standardize different types of school fees ● To insist on the practice of “one-fee system” in compulsory education in selected rural areas ● To prohibit primary and secondary schools from collecting fees arbitrarily in the name of supplementary classes, remedial classes, and elite classes, etc. ● Schools shall not collect fees for other parties, apart from textbook fees. ● To prohibit the collection of school bus fees and any involuntary donations ● Temporary student fees in compulsory education shall not be used to pay for the salaries of school staff or for the improvement of school facilities
17 Sept 2003	<p><i>Decision of the State Council on Further Strengthening Rural Education</i> (国务院关于进一步加强农村教育工作的决定)</p> <p>Related points:</p> <ul style="list-style-type: none"> ● Host cities should guarantee migrant children the right to education and make sure that the majority of migrant children are

	<p>admitted to state-run full time schools.</p> <ul style="list-style-type: none"> ● Vocational schools in urban areas should be opened to migrant children ● To strengthen the effort to curb arbitrary fee collection ● To strive to extend the “two-waiver and one-subsidy” policy in all rural areas.
30 Sept 2003	<p><i>The General Office of the State Council forwarding the Circular of the Opinion of the Ministry of Education and other departments on further improving the education of migrant children</i> (国务院办公厅转发教育部等部门关于进一步做好进城务工就业农民子女义务教育工作意见的通知)</p> <ul style="list-style-type: none"> ● Related points: Governments of host cities should: <ul style="list-style-type: none"> - provide compulsory education to migrant children; - admit most migrant children to state schools and increase the admission rate of migrant children in compulsory education to the level of local children; - incorporate compulsory education for migrant children into the local education plan, and to coordinate different departments to assist migrant children to receive education; - make sure migrant children are given equal opportunity to join the Youth League and the Youth Pioneers, and to compete for honors and awards; - help migrant children adjust to city life and strengthen the communication between schools and the parents; - guarantee the educational expenses for migrant children, and subsidize schools which have admitted a certain proportion of migrant children; - set aside a proportion of the city’s additional education tax for the education of migrant children; - create supportive social atmosphere for migrant children and encourage society to make donations towards the education of migrant children; - ensure private migrant schools attain the standards of state schools in terms of teaching staff, safety and hygiene. ● governments in sending and receiving areas of migrant workers

	<p>should strengthen cooperation.</p> <ul style="list-style-type: none"> ● Governments in host areas should: <ul style="list-style-type: none"> - prohibit schools from collecting money from migrant children who apply to transfer to urban schools or come back to study in their hometowns; - send officials to host cities to assist migrant children in obtaining education.
16 March 2004	<p><i>The Circular of the Ministry of Finance on Regulating Fee Collection and Increasing the Income of Peasants</i> (财政部关于规范收费管理促进农民增加收入的通知)</p> <p>Related points:</p> <ul style="list-style-type: none"> ● Migrant children should not pay higher fees than local students. ● Other than miscellaneous fees, tuition fees, boarding fees and textbook fees that have been approved by the state, migrant children should not be asked to pay temporary student fees or school selection fees. ● To prohibit the solicitation of donations from migrant workers for building schools or for other purposes. ● To help migrant children who have financial difficulties have access to schooling.
27 Dec 2004	<p><i>Circular of the State Council on further improving the conditions for peasants who seek employment in the cities</i> (国务院办公厅关于进一步做好改善农民进城就业环境工作的通知)</p> <p>Related point:</p> <ul style="list-style-type: none"> ● Admission requirements for migrant children set by primary and middle schools should be the same as for local children; schools should not collect fees that contravene state regulations.
25 March 2005	<p><i>Circular of the Ministry of Finance to Strengthen the Efforts to Curb Arbitrary Collection of Educational Fees</i> (财政部关于深入开展治理教育乱收费工作的通知)</p> <p>Related point:</p> <ul style="list-style-type: none"> ● Migrant children studying in the cities should be entitled to the same rights as the locals. All fees shall be standardized and schools shall not collect temporary student fees or school

	selection fees.
31 Jan 2006	<p><i>Some Opinions of the State Council on Resolving the Problems Faced by Migrant Workers</i> (国务院关于解决农民工问题的若干意见)</p> <p>Related points:</p> <ul style="list-style-type: none"> ● To address the problems faced by migrant workers, such as low pay, wage arrears, long working hours, poor work safety, children's education, living environment, lack of effective protection for economic, political and cultural rights ● To include migrant children in local inoculation plans ● To include migrant workers in the cities' state family planning programme; to include costs in the cities' financial budgets, and to provide migrant workers with free medical services relating to state family planning.
29 June 2006	<p><i>Compulsory Education Law (2006 revised)</i> (中华人民共和国义务教育法(2006修订))</p> <p>Related points:</p> <ul style="list-style-type: none"> ● No miscellaneous fees or textbook fees for students in compulsory education. ● To provide textbooks to children in financial difficulty. ● Schools shall collect fees according to state regulations. ● Local governments shall guarantee the funds for primary education.
12 August 2008	<p><i>Circular of the State Council on the Abolition of Tuition and Miscellaneous fees for Students in Compulsory Education in Urban Areas</i> (国务院关于做好免除城市义务教育阶段学生学杂费工作的通知)</p> <p>Related points:</p> <ul style="list-style-type: none"> ● Abolish miscellaneous and textbook fees for students in compulsory education in the urban areas. ● Local government should admit migrant students who fulfill local criteria to state-run schools in their districts, waive tuition and miscellaneous fees and not collect temporary student fees. ● Local government at different levels shall provide adequate educational funds for migrant children.
13 Nov 2008	<i>Circular issued by the Ministry of Finance and the National</i>

Implemented 1 Jan 2009	<i>Development and Reform Commission on the Abolition and Suspension of 100 Administrative Fees.</i> (财政部、国家发展改革委关于公布取消和停止征收 100 项行政事业性收费项目的通知) <ul style="list-style-type: none">● Miscellaneous fees and temporary student fees for compulsory education are on the list
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