

特殊教育法中英條文對照表

修正條文	英譯
第一章 總則	Chapter I General Principles
<p>第一條 為使身心障礙及資賦優異之國民，均有接受適性及融合教育之權利，充分發展身心潛能，培養健全人格，增進服務社會能力，特制定本法。</p>	<p>Article 1 The Act is enacted for the purpose of citizens with disabilities and giftedness/talents to receive adaptive and inclusive education, fully develop their potential, foster their personality, and empower them to serve society.</p>
<p>第二條 本法所稱主管機關：在中央為教育部；在直轄市為直轄市政府；在縣（市）為縣（市）政府。</p> <p style="text-align: center;">本法所定事項涉及各目的事業主管機關業務時，各該機關應配合辦理。</p>	<p>Article 2 The competent authorities are the Ministry of Education at the central level, the municipal governments in metropolitan cities, and county governments in counties.</p> <p>When needed, all the respective authorities are required to co-ordinate to the maximum extent on multiple levels.</p>
<p>第三條 本法所稱身心障礙，指因<u>下列</u>生理或心理之障礙，經專業評估及鑑定具學習特殊需求，須特殊教育及相關服務措施協助之情形：</p> <p>一、智能障礙。 二、視覺障礙。 三、聽覺障礙。 四、語言障礙。 五、肢體障礙。 六、腦性麻痺。 七、身體病弱。 八、情緒行為障礙。 九、學習障礙。 <u>十</u>、自閉症。 <u>十一</u>、多重障礙。</p>	<p>Article 3 Disabilities refer to the following physiological or psychological disorders, evaluated and identified by professionals to be in need of special education and related services:</p> <p>A. Intellectual Disability. B. Visual Impairment. C. Hearing Impairment. D. Speech or Language Disorder. E. Orthopedic Impairment. F. Cerebral Palsy. G. Health Impairment. H. Emotional and Behavior Disorder. I. Learning Disability. J. Autism. K. Multiple Disabilities.</p>

<p>十二、發展遲緩。 十三、其他障礙。</p>	<p>L. Developmental Delay. M. Other Disabilities.</p>
<p>第四條 本法所稱資賦優異，指<u>下列有卓越潛能或傑出表現，經專業評估及鑑定具學習特殊需求，須特殊教育及相關服務措施協助之情形</u>：</p> <p>一、一般智能資賦優異。 二、學術性向資賦優異。 三、藝術才能資賦優異。 四、創造能力資賦優異。 五、領導能力資賦優異。 六、其他特殊才能資賦優異。</p>	<p>Article 4 Gifted and Talented refer to individuals with excellent potential or outstanding performance, evaluated and identified by professionals to be in need of special education and related services:</p> <p>A. Gifted in Intelligence. B. Gifted in Academic Aptitude. C. Talented in Arts. D. Talented in Creativity. E. Talented in Leadership. F. Gifted and Talented in Other Areas.</p>
<p>第五條 各級主管機關為促進特殊教育發展，應設立特殊教育諮詢會（<u>以下簡稱特諮會</u>），參與諮詢、規劃及推動特殊教育相關事宜。</p> <p><u>特諮會委員由各級主管機關就學者專家、教育行政人員、學校及幼兒園行政人員、身心障礙及資賦優異學生、同級教師及教保服務人員組織代表、特殊教育相關家長團體代表、身心障礙與資賦優異學生及幼兒家長代表、特殊教育相關專業人員（以下簡稱專業人員）、相關機關（構）及團體代表遴聘（派）兼之。</u></p>	<p>Article 5 In order to facilitate the development of special education, the corresponding competent authorities shall establish Special Education Consultation Committees (SECC) to participate in the consultation, planning, and promotion of matters relating to special education.</p> <p>The members of SECC shall be scholars and experts, educational administrators, school and preschool administrators, students with disabilities, gifted/talented students, representatives of equivalent-level teacher and preschool educator organizations, parent representatives of special education groups, parent representatives of students and preschoolers with disabilities, parent representatives of gifted/talented students and preschoolers, professionals of related special education (“the professionals”), and representatives of related institutions and groups.</p>

<p>前項<u>特諮會委員</u>中，<u>教育行政人員、學校及幼兒園行政人員、相關機關（構）</u>代表人數合計不得超過<u>委員總數二分之一</u>；任一性別委員人數不得少於<u>委員總數三分之一</u>。<u>特諮會每六個月至少應開會一次</u>；<u>特諮會委員名單及會議紀錄等相關資訊</u>，應公開於<u>網際網路</u>。</p> <p>第一項<u>特諮會組成、運作與其他相關事項之辦法及自治法規</u>，由各級主管機關定之。</p>	<p>The total number of the representatives of educational administrators, school and preschool administrators, and related institutions and groups cannot constitute more than 50% of SECC members; the number of members of any given gender shall not be less than one-third of the total. SECC shall convene at least once every six months, and relevant information such as the list of members and meeting minutes shall be made public on the Internet.</p> <p>Regulations and autonomous enactments concerning the composition, operation, and other matters relating to SECC shall be determined by corresponding competent authorities.</p>
<p>第六條 各級主管機關應設特殊教育學生鑑定及就學輔導會（以下簡稱鑑輔會），遴聘學者專家、教育行政人員、<u>學校及幼兒園行政人員、同級教師及教保服務人員組織代表、特殊教育相關家長團體代表、身心障礙與資賦優異學生及幼兒家長代表、專業人員、同級衛生主管機關代表、相關機關（構）及團體代表</u>，辦理<u>特殊教育學生及幼兒鑑定、就學安置（以下簡稱安置）、輔導及支持服務等事宜</u>；其實施方法、程序、期程、相關資源配置、運作方式與<u>其他相關事項之辦法及自治法規</u>，由各級主管機關定之。</p>	<p>Article 6</p> <p>The corresponding competent authorities shall establish Special Education Students Identification and Educational Placement Committee (IEPC) and recruit scholars and experts, educational administrators, school and preschool administrators, representatives of equivalent-level teacher and preschool educator organizations, parent representatives of special education groups, parent representatives of students and preschoolers with disabilities, parent representatives of gifted/talented students and preschoolers, professionals, representatives of the equivalent-level health regulatory authorities, representatives of related institutions and groups; IEPC shall provide identification,</p>

<p><u>中央主管機關鑑輔會辦理高級中等以上教育階段學校學生之鑑定、安置、輔導及支持服務事宜，得不予遴聘幼兒園行政人員、教保服務人員組織代表及身心障礙與資賦優異幼兒家長代表。</u></p> <p><u>鑑輔會委員中，教育行政人員、學校及幼兒園行政人員、相關機關（構）代表人數合計不得超過委員總數二分之一；任一性別委員人數不得少於委員總數三分之一。鑑輔會委員名單，應予公告；鑑輔會每六個月至少應開會一次。</u></p> <p><u>各級主管機關辦理身心障礙學生或幼兒鑑定及安置工作召開會議時，應通知學生本人、學生或幼民法定代理人、實際照顧者，參與該生或幼兒相關事項討論，該法定代理人或實際照顧者並得邀請相關專業人員</u></p>	<p>educational placement (“the placement”), guidance and supportive services; the regulations and autonomous enactments concerning the enforcement, procedures, timeline, allocation of relevant resources, operations and other relevant matters are determined by corresponding competent authorities.</p> <p>The IEPC of the competent central authority provides identification, placement, guidance, and supportive services for students in schools above and including the senior high level, and is allowed not to recruit preschool administrators, the representatives of preschool educator organizations, parent representatives of preschoolers with disabilities, and parent representatives of gifted/talented students.</p> <p>The total number of the representatives of educational administrators, school and preschool administrators, and related institutions and groups cannot constitute more than 50% of IEPC members; the number of members of any given gender shall not be less than one-third of the total. The list of IEPC members shall be made public. IEPC shall convene at least once every six months.</p> <p>When the corresponding competent authorities hold meetings to conduct identification and placement for students or preschoolers with disabilities, they shall notify the students, students’ delegates, and actual caregivers to</p>
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<p>列席。</p> <p><u>各級主管機關及鑑輔會對於學校或幼兒園提出之安置建議及所需相關服務之評估報告內容，不予採納者，應說明理由。</u></p>	<p>participate in the discussions on matters relating to the students or preschoolers. The delegates and the actual caregivers may also invite related professionals to attend the meetings.</p> <p>If the corresponding competent authorities and IEPC do not adopt the placement recommendations and evaluation report contents related to the required services proposed by schools or preschools, reasons for the non-adoption shall be provided.</p>
<p>第七條 各級主管機關為執行特殊教育 工作，應設專責單位。</p> <p><u>各級學校與幼兒園承辦特殊教育業務人員及特殊教育學校之主管人員，應進用具特殊教育相關專業者。</u></p> <p><u>前項所稱具特殊教育相關專業，指修習特殊教育學分三學分以上，或參加各級主管機關辦理之特殊教育專業研習五十四小時以上者。</u></p>	<p>Article 7</p> <p>The corresponding competent authorities shall appoint a specialized department to take charge of special education services.</p> <p>All the personnel and administrators responsible for special education services in schools and preschools shall hire professionals with related special education backgrounds.</p> <p>The aforementioned special education backgrounds are defined as taking three or more credits of special education courses, or participating in special education professional workshops conducted by corresponding competent authorities for more than 54 hours.</p>
<p>第八條 各級主管機關應每年定期舉辦特殊教育學生與幼兒狀況調查及教育安置需求人口通報，<u>並公布特殊教育概況，出版統計年報及相關數據分析</u>，依據實際現況及需求，妥善分配相關資源，並規劃各項特殊教育措施。</p>	<p>Article 8</p> <p>The corresponding competent authorities shall conduct annual research on the status of special education students and preschoolers, regularly report demographic data on special education needs; announce an overview of special</p>

	<p>education, and publish the yearly statistics report and related data analysis; appropriately allocate available resources based on current status and needs, and develop special education services.</p>
<p>第九條 各級政府應從寬編列特殊教育預算，在中央政府不得低於當年度教育主管預算百分之四點五；在地方政府不得低於當年度教育主管預算百分之五。</p> <p>地方政府編列預算時，應優先辦理身心障礙教育。</p> <p>中央政府為均衡地方身心障礙教育之發展，應補助地方辦理身心障礙教育之人事及業務經費；<u>其補助之項目、核算基準、申請與審查程序、停止撥款、扣減當年度或下年度補助款、執行考核及其他相關事項之辦法</u>，由中央主管機關會商直轄市、縣（市）主管機關後定之。</p>	<p>Article 9</p> <p>The central and local governments shall plan a special education budget of no less than 4.5% of the yearly education budget in the central government and no less than 5% in local governments.</p> <p>When the local governments plan budgets, the education for students with disabilities shall come as the top priority.</p> <p>In order to maintain a balanced development of local education for students with disabilities, the central government shall subsidize personnel and practices; regulations of subsidies, accounting standards, application and review procedures, suspension of funding, deduction of current or future subsidies, performance assessment and other related matters are determined by the competent central authority after negotiation with local governments.</p>
<p>第十條 <u>特殊教育學生及幼兒之人格及權益，應受尊重及保障，對其學習相關權益、校內外實習及校內外教學活動參與，不得有歧視之對待。</u></p>	<p>Article 10</p> <p>The personality and rights and interests of students and preschoolers with special education needs shall be respected and protected; their rights and interests related to learning, both on-campus and off-campus practicums and learning activities, shall not be discriminated against.</p>

<p><u>特殊教育與相關服務措施之提供及設施之設置，應符合融合之目標，並納入適性化、個別化、通用設計、合理調整、社區化、無障礙及可及性之精神。</u></p> <p><u>特殊教育學生遭學校歧視對待，得依第二十四條之規定提出申訴、再申訴。</u></p> <p><u>中央主管機關應針對各教育階段提供之合理調整及申請程序研擬相關指引，其研擬過程，應邀請身心障礙者及其代表性組織參與。</u></p>	<p>The provision of special education and related services, as well as the establishment of facilities, shall align with the goal of inclusion and incorporate the principles of adaptability, individualization, universal design, reasonable accommodations, localization, barrier-free environment, and accessibility.</p> <p>According to Article 24, students with special education needs subjected to discrimination by their schools have the right to file complaints and re-complaints.</p> <p>The competent central authority shall develop relevant guidelines for reasonable accommodations and application procedures for each educational level; the process of developing these guidelines shall involve the participation of individuals with disabilities and their representative organizations.</p>
<p>第十一條 身心障礙學生，就所有影響本人之事項有權自由表達意見，並獲得適合其身心障礙狀況及年齡之協助措施以實現此項權利。</p>	<p>Article 11 Students with disabilities have the right to freely express their views on all matters affecting them, and they must be provided with disability- and age-appropriate assistance in order to fulfill this right.</p>
<p>第二章 特殊教育之實施</p>	<p>Chapter II Enforcement of Special Education</p>
<p>第一節 總則</p>	<p>Section I General Provisions</p>
<p>第十二條 特殊教育之實施，分下列四階段：</p>	<p>Article 12 Special education is implemented on the following four levels:</p>

<p>一、學前教育階段：在<u>家庭</u>、醫院、<u>幼兒園</u>、社會福利機構、特殊教育學校<u>幼兒部</u>或其他適當場所辦理。</p> <p>二、國民教育階段：在國民小學、國民中學、特殊教育學校或其他適當場所辦理。</p> <p>三、高級中等教育階段：在高級中等學校、特殊教育學校或其他適當場所辦理。</p> <p>四、高等教育<u>階段</u>及成人<u>終身學習</u>：在專科以上學校或其他<u>終身學習</u>機構辦理。</p>	<p>A. Preschool education: provided in homebound settings, hospitals, preschools, social welfare facilities, the preschool division of special education schools, or other suitable locations.</p> <p>B. Compulsory education: provided in elementary schools, junior high schools, special education schools, or other suitable locations.</p> <p>C. Senior high school education: provided in senior high schools, special education schools, or other suitable locations.</p> <p>D. Higher education and adult life-long learning: provided in colleges, universities, and other life-long learning organizations.</p>
<p>前項第一款學前教育階段及第二款國民教育階段，特殊教育學生及<u>幼兒</u>以就近入學為原則，<u>直轄市及縣(市)主管機關應統整提供學生及幼兒入學資訊，並提供所主管場所所需之人力、資源協助。</u>但國民教育階段學區學校無適當場所提供特殊教育者，得經主管機關安置於其他適當特殊教育場所。</p>	<p>Special education students and preschoolers at the preschool education level in the aforementioned first subparagraph and the compulsory education level in the aforementioned second subparagraph are placed in a school on the principle of proximity. The competent authorities on the municipal and county (city) levels shall consolidate information on school admission and provide it to students and preschoolers, and offer authorities the manpower and resource assistance they need. If schools within the school district cannot provide a suitable location to cater to the needs of special education students at the compulsory education level, the competent authorities may arrange placement in another suitable location.</p>

<p><u>第十三條</u> <u>高級中等以下學校及幼兒園應積極落實融合教育，加強普通教育教師與特殊教育教師交流與合作。</u></p> <p>高級中等以下學校及幼兒園，得設特殊教育班，其辦理方式如下：</p> <p><u>一、</u> 分散式資源班。 <u>二、</u> 巡迴輔導班。 <u>三、</u> 集中式特殊教育班。</p> <p>前項特殊教育班之設置，應由各級主管機關核定；其班級之設施及人員設置標準，由中央主管機關定之。</p> <p>高級中等以下學校及幼兒園未依<u>第二項</u>規定辦理者，得擬具特殊教育方案向各級主管機關申請；其申請之<u>內容、程序與其他相關事項</u>之辦法及自治法規，由各級主管機關定之。</p>	<p>Article 13</p> <p>Preschools and schools up to and including the senior high level shall actively implement inclusive education, and strengthen interaction and collaboration between general education teachers and special education teachers.</p> <p>Preschools and schools up to and including the senior high level may establish special education classes, as follows:</p> <p>A. Resource rooms. B. Itinerant programs. C. Self-contained classes.</p> <p>Establishment of the aforementioned special education classes shall be approved by corresponding competent authorities, whereas its personnel and facilities are determined by the competent central authority.</p> <p>In the case students of preschools and schools up to and including the senior high level are not placed in the special education class based on the aforementioned regulations, the schools involved may develop and apply for special education programs to corresponding competent authorities; regulations and autonomous enactments concerning the contents, procedures, and other matters relating to application are determined by corresponding competent authorities.</p>
<p><u>第十四條</u> 為因應特殊教育學生之教育需求，其<u>入學年齡</u>、年級安排、教</p>	<p>Article 14</p> <p>The enrollment age, grade placement,</p>

<p>育場所、實施方式及修業年限，應保持彈性；其<u>提早或暫緩入學</u>、縮短或延長修業年限及其他相關事項之辦法，由中央主管機關定之。但法律另有規定者，從其規定。</p>	<p>class location, instruction practice and duration of schooling of special education students shall be flexible to the extent to their special educational needs; procedures and details of practices including lowering or raising the enrollment age, shortening or extending duration of schooling, are all determined by the competent central authority. In case of any legal provisions, their regulations shall be followed.</p>
<p><u>第十五條</u> 高級中等以下學校為<u>促進特殊教育發展及處理校內特殊教育學生之學習輔導等事宜</u>，應成立特殊教育推行委員會，並應有<u>身心障礙及資賦優異學生與身心障礙及資賦優異學生家長代表</u>；其<u>任務、組成、會議召開程序與其他相關事項之辦法</u>及自治法規，由各級主管機關定之。</p> <p>高等教育階段學校為<u>促進特殊教育發展及處理校內特殊教育學生之學習輔導等事宜</u>，應成立特殊教育推行委員會，並<u>至少</u>應有身心障礙學生一人參與。必要時得增聘身心障礙學生家長代表參與。</p> <p>學校依前二項規定成立特殊教育推行委員會，校內無特殊教育學生</p>	<p>Article 15</p> <p>In order to promote special education and manage the learning of special education students, schools up to and including the senior high level shall set up special education implementation committees, including parent representatives of students with disabilities, parent representatives of gifted/talented students; regulations and autonomous enactments concerning the missions, compositions, meeting procedures and other relevant matters shall be determined by corresponding competent authorities.</p> <p>In order to promote special education and manage the learning of special education students, schools of higher education level shall set up special education implementation committees, including at least one student with disabilities. Parent representatives of students with disabilities may be recruited when necessary.</p> <p>When setting up a special education implementation committee based on the</p>

<p><u>者，得不予遴聘特殊教育學生或特殊教育學生家長代表。</u></p>	<p>aforementioned paragraphs, schools with no special education students are allowed not to recruit special education students or their parent representatives.</p>
<p>第十六條 各教育階段之特殊教育，由各級主管機關辦理為原則，並得獎助民間辦理，對民間辦理身心障礙教育者，應優先獎助。</p> <p>前項獎助對象、條件、方式、違反規定時之處理與其他應遵行事項之辦法及自治法規，由各級主管機關定之。</p>	<p>Article 16</p> <p>Special education in all educational levels is implemented by the corresponding competent authorities in principle, with incentives for the private sector, and shall take priority in providing necessary grants and assistance to support the private sector in providing education for students with disabilities.</p> <p>Regulations and autonomous enactments concerning the management of special education including eligibility, conditions, methods, handling of law offenses, and other relevant mandated matters are determined by the corresponding competent authorities.</p>
<p>第十七條 高級中等以下學校為辦理特殊教育，應設專責單位，依實際需要遴聘及進用特殊教育教師、特殊教育相關專業人員、教師助理員及特教學生助理人員；<u>幼兒園設有特殊教育班班級數三班以上者，亦同。</u></p> <p>前項專責單位之設置與人員之遴聘、進用及其他相關事項之辦法，由中央主管機關定之。</p>	<p>Article 17</p> <p>Schools up to and including the senior high level shall set up a division in charge of special education, recruit and employ special education teachers, professionals, teaching assistants, and special education student assistants, in accordance with actual needs; the same applies to preschools with three or more self-contained classes.</p> <p>The regulations governing the establishment of the divisions referred to in the above paragraph, the recruitment and employment of their personnel, and other relevant matters shall be determined by the competent central authority.</p>

<p>特殊教育專任教師、兼任導師、行政或其他職務者，其每週<u>基本教學節數、減授課時數與其他相關事項之標準及自治法規</u>，由各級主管機關定之。</p>	<p>The standards and autonomous enactments concerning the number of basic periods taught each week, reduced teaching hours and other matters relating to full-time special education teachers, classroom teachers, people with administrative and other duties shall be determined by corresponding competent authorities.</p>
<p><u>第十八條</u> 為提升特殊教育及相關服務措施之服務品質，各級主管機關應加強辦理特殊教育教師及相關人員之培訓及在職進修。</p> <p><u>為提升推動融合教育所需之知能，各級主管機關應加強辦理普通班教師、教保服務人員、學校與幼兒園行政人員及相關人員之培訓及在職進修。</u></p> <p><u>前項培訓及在職進修，其內涵應考量特殊教育學生及幼兒於普通班學習實況，聘請具有相關專業素養或實務經驗者擔任講師，必要時得採個別化指導。</u></p> <p><u>各該主管機關應自行或委由各級學校、幼兒園、特殊教育資源中心</u></p>	<p>Article 18</p> <p>In order to improve the quality of special education and related services, the corresponding competent authorities shall provide an in-service training for special education teachers and related professionals.</p> <p>In order to enhance the competence required to promote inclusive education, the corresponding competent authorities shall focus on providing an in-service training for general education teachers, special education service personnel, school and preschool administrators, and related personnel.</p> <p>The aforementioned in-service training shall take into account the learning conditions of special education students and preschoolers in general classrooms, and employ lecturers with related professional or practical experience; individualized guidance may be provided when necessary.</p> <p>The corresponding competent authorities shall establish consultation services either</p>

<p><u>或相關專業團體開設諮詢管道，提供特殊教育或融合教育教學輔導相關之諮詢服務。</u></p>	<p>independently or through schools, preschools, special education resource centers, or related professional organizations, in order to provide consultation services related to special education or inclusive instructional guidance.</p>
<p>第十九條 各級主管機關為實施特殊教育，應依<u>鑑定基準辦理特殊教育學生及幼兒之鑑定。</u></p> <p>前項學生及幼兒之鑑定基準、程序、期程、教育需求評估、重新評估程序、<u>評估人員之資格及權益、培訓方式</u>及其他應遵行事項之辦法，由中央主管機關定之。</p>	<p>Article 19</p> <p>In order to implement special education, corresponding competent authorities shall proceed with identification of special education students and preschoolers based on the identification criteria.</p> <p>The aforementioned identification criteria, procedure, timeline, educational needs evaluation and re-evaluation, qualifications and rights of evaluators, training, and other relevant mandated matters are determined by competent central authority.</p>
<p>第二十條 幼兒園及各級學校應主動或依申請發掘具特殊教育需求之<u>幼兒及學生</u>，經<u>成年學生、學生或幼兒之法定代理人或實際照顧者同意</u>，並徵詢未成年學生意見後，依前條規定鑑定後予以安置，並提供特殊教育及相關服務措施。</p> <p>各級主管機關應每年重新評估前項安置及<u>特殊教育相關服務措施</u>之適當性。</p>	<p>Article 20</p> <p>Preschools and schools of all levels shall actively find or accept applications to identify preschoolers and students with special education needs, and must obtain consent from adult students, students' delegates or actual caregiver of students or preschoolers; after asking for underage students' opinion, a placement shall be given, and special education and related services will be provided in accordance with the provisions of the previous article.</p> <p>The corresponding competent authorities shall re-evaluate the appropriateness in the aforementioned placement and</p>

<p><u>成年學生、學生或幼兒之法定代理人或實際照顧者</u>不同意進行鑑定安置程序時，<u>幼兒園及高級中等以下學校</u>應通報主管機關。</p> <p>主管機關為保障身心障礙學生及幼兒學習權益，必要時得要求<u>成年學生、學生或幼兒之法定代理人或實際照顧者</u>配合鑑定、安置及特殊教育相關服務。</p>	<p>special education related services each year.</p> <p>If an adult student, a student's delegate or actual caregiver of a student or preschooler does not give their consent to the evaluation and placement procedure, preschools and schools up to and including the senior high level involved shall report to the corresponding competent authority.</p> <p>To ensure the learning rights and interests of students and preschoolers with disabilities, the competent authorities, when necessary, may require the adult student, a student's delegate or actual caregiver of the student or preschooler to co-operate with identification, placement, and special education related services.</p>
<p>第二十一條 中央主管機關應訂定高級中等以下學校特殊教育相關課程綱要及其實施之有關規定，作為學校規劃及實施課程之依據；學校規劃課程得結合社會資源充實教學活動。</p> <p>特殊教育相關課程綱要之研究發展及審議，準用高級中等教育法相關規定。</p>	<p>Article 21</p> <p>Competent central authority shall establish the curriculum guidelines and relevant regulations for special education in schools up to and including the senior high level, which serve as the basis for schools in planning and implementing their curriculum; schools may incorporate community resources to enrich their instructional activities.</p> <p>The research and development as well as review of the curriculum guidelines for special education shall comply with the relevant provisions of the Senior High School Education Act.</p>
<p>第二十二條 特殊教育之課程、教材、教法及評量，應保持彈性，適合特殊</p>	<p>Article 22</p> <p>The curriculum, teaching materials,</p>

<p>教育學生、<u>幼兒身心特性及需求</u>。</p> <p><u>高級中等以下學校實施特殊教育課程之方式、內容、教材研發、教法、評量及其他相關事項之辦法及幼兒園相關之準則</u>，由中央主管機關定之。</p>	<p>teaching methods, and assessment in special education shall be flexible to meet the characteristics and needs of students and preschoolers.</p> <p>The regulations and the preschool relevant guidelines of implementation, contents, teaching material development, teaching methods, assessments, and other matters relating to special education curriculum at schools up to and including the senior high level are determined by competent central authority.</p>
<p><u>第二十三條</u> 為充分發揮特殊教育學生潛能，各級學校對於特殊教育之教學應結合相關資源，並得聘任具特殊專才者協助教學。</p> <p><u>前項特殊專才者聘任之資格、方式、待遇及其他相關事項之辦法</u>，由中央主管機關定之。</p>	<p>Article 23</p> <p>In order to fully develop the potential of special education students, all the schools shall co-ordinate resources and recruit instructors with expertise to assist instructions.</p> <p>The aforementioned instructors' eligibility, methods, expenditures, and other relevant matters shall be determined by the competent central authority.</p>
<p><u>第二十四條</u> 對學生與<u>幼兒鑑定、安置、輔導及支持服務</u>如有爭議，得由<u>學生或幼兒之法定代理人、實際照顧者</u>代為或由<u>高級中等以上教育階段特殊教育學生</u>向主管機關提起申訴，主管機關應提供申訴服務。</p> <p><u>高級中等以下教育階段特殊教育學生對學校之懲處、其他措施或決</u></p>	<p>Article 24</p> <p>In the event of controversy over identification, placement, guidance, and supportive services, students' or preschoolers' delegates or actual caregivers, or special education students at schools above and including the senior high level, are able to file a complaint to authorities, who shall offer complaint services.</p> <p>Special education students at schools up to and including the senior high level</p>

<p><u>議，認為違法或不當致損害其權益者，得由其法定代理人、實際照顧者代為或由高級中等教育階段特殊教育學生向學校提出申訴，不服學校申訴決定，得向各該主管機關提出再申訴；其提起訴願者，受理訴願機關應於十日內，將該事件移送應受理之申訴評議委員會或再申訴評議委員會，並通知學生及其法定代理人或實際照顧者。</u></p> <p><u>前項原懲處、措施或決議性質屬行政處分者，其再申訴決定視同訴願決定；不服再申訴決定者，得依法提起行政訴訟。</u></p> <p><u>高等教育階段特殊教育學生對學校之懲處、其他措施或決議，認為違法或不當致損害其權益者，得向學校提出申訴；不服學校申訴決定者，得依法提起訴願或行政訴訟。</u></p> <p><u>第一項申訴、第二項申訴及再申</u></p>	<p>who believe that the penalties, other measures, or decisions of the school are illegal or inappropriate and harm their rights, may file a complaint with the school through their delegates or actual caregivers; if they do not agree with the decision made by the school regarding the complaint, they may file a re-complaint with the related competent authorities; if they file an appeal, the appeals agency shall transfer the case to the complaint review committee or the re-complaints review committee within ten days and notify the student and their delegates or actual caregivers.</p> <p>If the aforementioned penalties, measures, or decisions result in administrative sanctions, the decision made regarding the re-complaint shall be considered equivalent to an appeal decision; if one does not agree with the re-complaint decision, one may file an administrative lawsuit according to the law.</p> <p>Special education students at the higher education level who believe that the penalties, other measures, or decisions of the school are illegal or inappropriate and harm their rights may file a complaint with the school; if one does not agree with the decision made regarding the complaint by the school, one may file an appeal or an administrative lawsuit according to the law.</p> <p>The scope, time limits, composition of</p>
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<p><u>訴、前項申訴之範圍、期限、委員會組成、調查方式、評議方式、評議結果之執行及其他相關事項之辦法，由中央主管機關定之。</u></p>	<p>the committee, investigation methods, review methods, execution of the review results, and other matters relating to complaints and re-complaints in the first, second, and fourth paragraphs shall be determined by the competent central authority.</p>
<p>第二節 身心障礙教育</p>	<p>Section II Education for Students with Disabilities</p>
<p>第二十五條 <u>各級學校、幼兒園及試務單位不得以身心障礙為由，拒絕學生、幼兒入學(園)或應試。</u></p> <p>各級學校及試務單位應提供考試適當服務及無障礙措施，且應考量身心障礙學生實際需要，提供合理調整，並由各級學校及試務單位公告之；其對象、資格、申請程序、考試服務內容、調整方式、無障礙措施及其他相關事項之辦法，由中央主管機關定之。</p>	<p>Article 25</p> <p>Preschools and schools of all levels, and examination agencies must not reject admission to schools or examination eligibility for the reason of disability itself.</p> <p>Schools of all levels and examination agencies shall offer appropriate examination services and accessibility measures, and shall consider the actual needs of students with disabilities and provide reasonable accommodation and announce it publicly; regulations of eligibility, qualifications, application procedures, examination services, accommodations, accessibility measures and other matters relating to students with disabilities shall be determined by the competent central authority.</p>
<p>第二十六條 <u>身心障礙教育之實施，各級主管機關應依專業評估之結果，結合衛政、社政或勞政資源，提供身心障礙學生及幼兒有關復健、訓練等相關支持服務。</u></p>	<p>Article 26</p> <p>The implementation of special education shall be based on the results of professional evaluation co-ordinated with health, social, or labor affair resources to provide rehabilitation, training, and other related supportive services for students and preschoolers with disabilities.</p>

<p>為推展身心障礙兒童之早期療育，其特殊教育之實施，應自二歲開始。</p> <p><u>第一項對身心障礙學生及幼兒提供相關支持服務之內容、形式、提供方式、成效檢核及其他相關事項之辦法，由中央主管機關定之。</u></p>	<p>In order for preschoolers with disabilities to receive early intervention, the implementation of special education shall start from the age of two.</p> <p>The regulations of contents, forms, methods of provision, effectiveness reviews, and other matters relating to supportive services for students and preschoolers with disabilities mentioned in the first paragraph shall be determined by the competent central authority.</p>
<p><u>第二十七條</u> 各級主管機關應提供學校、<u>幼兒園</u>輔導身心障礙學生及幼兒有關評量、教學及行政等支持服務，並適用於經主管機關許可實施非學校型態實驗教育之身心障礙學生。</p> <p><u>高級中等以下學校、幼兒園</u>對於身心障礙學生及幼兒之評量、教學及輔導工作，應以專業團隊合作進行為原則，並得視需要結合衛生醫療、教育、社會工作、職業重建相關等專業人員，共同提供學習、生活、心理、復健訓練、職業輔導評量及轉銜輔導與服務等協助。</p> <p><u>高等教育階段學校</u>對於身心障</p>	<p>Article 27</p> <p>The corresponding competent authorities shall provide guidance on assessment, teaching, and administrative supportive services to students and preschoolers with disabilities, and those students with disabilities at non-school-based experimental education facilities who have received approval.</p> <p>Preschools and schools up to and including the senior high level shall undertake the assessment, teaching, and guidance of students and preschoolers with disabilities on the basis of a disciplinary team approach, and if required may co-ordinate with professionals in the fields of health and medical intervention, education, social work, and vocational rehabilitation, to provide assistance in learning, living, counseling, rehabilitation, vocational guidance assessment, and transitions guidance and services.</p> <p>Higher education level schools shall</p>

<p><u>礙學生之輔導工作，依前項規定辦理。</u></p> <p><u>第一項及第二項支持服務內容、專業團隊組成、人員資格、任務、運作方式及其他相關事項之辦法，由中央主管機關定之。</u></p>	<p>provide guidance for students with disabilities in accordance with the provisions in the aforementioned paragraph.</p> <p>The regulations governing the contents of supportive services, team composition, personnel qualifications, missions, operation methods and other matters relating to professional teams mentioned in the first and second paragraphs shall be determined by the competent central authority.</p>
<p><u>第二十八條</u> 各級主管機關或私人為辦理高級中等以下學校之身心障礙學生及幼兒教育，得設立特殊教育學校；特殊教育學校之設立，應以小班、小校為原則，並以招收重度及多重障礙學生及幼兒為優先，每校並得設置多個校區。</p> <p>啟聰學校以招收聽覺障礙學生及幼兒為主；啟明學校以招收視覺障礙學生及幼兒為主。</p> <p>特殊教育學校依其設立之主體為中央政府、直轄市政府、縣（市）政府或私人，分為國立、直轄市立、</p>	<p>Article 28</p> <p>The corresponding competent authorities or private institutions providing education of students and preschoolers with disabilities at schools up to and including the senior high level may establish special education schools; the scale of such schools shall be kept small as a principle; the admission of students and preschoolers with severe and multiple disabilities shall be the top priority; and each school may have several campuses.</p> <p>Schools for students with hearing impairments shall mainly enroll students and preschoolers with hearing impairments; whereas schools for students with visual impairments shall mainly enroll students and preschoolers with visual impairments.</p> <p>Special education schools are established by governments on the national, municipal, county (city) level or</p>

<p>縣（市）立或私立；其設立、變更及停辦，依下列規定辦理：</p> <p>一、國立：由中央主管機關核定。</p> <p>二、直轄市立：由直轄市主管機關核定後，報請中央主管機關備查。</p> <p>三、縣（市）立：由縣（市）主管機關核定後，報請中央主管機關備查。</p> <p>四、私立：依私立學校法相關規定辦理。</p> <p>特殊教育學校設立所需之校地、校舍、設備、師資、變更、停辦或合併之要件、核准程序、組織之設置及人員編制標準，由中央主管機關定之。</p> <p><u>特殊教育學校應與普通學校、幼兒園及社區合作，增進學生及幼兒之社會融合；並設立區域特殊教育資源中心，提供社區、學校及幼兒園相關資源與支持服務。</u></p> <p><u>前項區域特殊教育資源中心之任務編組、運作與教師資格、遴選、商借、培訓、獎勵、年資採計及其他</u></p>	<p>privately, categorized as national, municipal, county (city), and private schools; their establishment, alteration, and termination are governed by the following regulations:</p> <p>A. National: certified by the competent central authority.</p> <p>B. Municipal: certified by the competent municipal authorities and reported to the competent central authority for reference.</p> <p>C. County (city): certified by the competent county (city) authorities and reported to the competent central authority for reference.</p> <p>D. Private: based on the relevant private school acts.</p> <p>Establishment of special education schools is required to meet the standards determined by the competent central authority, including campus grounds, buildings, equipment, faculty, alteration, termination or merging, certification procedures, organization and personnel.</p> <p>Special education schools shall collaborate with general schools, preschools, and communities to foster the social inclusion of students and preschoolers; regional special education resource centers shall be established to provide relevant resources and supportive services to the communities, schools, and preschools.</p> <p>The aforementioned organization, operation, and teacher qualifications, recruitment, temporary transfer, training,</p>
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<p><u>相關事項之辦法，由中央主管機關定之。</u></p> <p><u>為鼓勵特殊教育學校精進區域特殊教育資源中心資源與支持服務，各級主管機關應編列經費補助之。</u></p>	<p>incentives, seniority calculations, and other matters relating to regional special education resource centers shall be determined by the competent central authority.</p> <p>In order to encourage special education schools to enrich the resources and supportive services of regional special education resource centers, the corresponding competent authorities shall allocate a budget for assistance.</p>
<p><u>第二十九條</u> 特殊教育學校置校長一人；其聘任資格，依教育人員任用條例之規定，並應具備特殊教育之專業知能；遴選、聘任程序及其他相關事項，比照其所設最高教育階段之學校法規之規定。</p> <p>特殊教育學校為辦理教務、學生事務、總務、實習、研究發展、輔導等事務，得視學校規模及業務需要，設處（室）一級單位，並得分組為二級單位辦事。</p> <p>前項一級單位置主任一人，二級單位置組長一人。</p> <p>一級單位主任由校長就專任教</p>	<p>Article 29</p> <p>A special education school shall have one principal; their qualifications for appointment shall be in accordance with the provisions of the Act Governing the Appointment of Educators, and the principal shall have special education related professional knowledge; their recruitment, appointment procedures, and other relevant matters shall comply with regulations governing the highest-level division at the school of appointment.</p> <p>Special education schools may set up first- and or second-level units to handle academic affairs, student affairs, general affairs, practicum, research and development, and guidance, based on the scale of the school and its operational requirements.</p> <p>The aforementioned first-level unit shall have a director and the second-level unit shall have a section chief.</p> <p>The directors of first-level units and</p>

<p>師聘兼之；二級單位組長，除總務單位之組長由職員專任、輔導單位負責保健業務之組長得由專任之特殊教育相關專業人員兼任外，其餘由校長就專任教師聘兼之。</p> <p>特殊教育學校達中央主管機關所定一定規模者，置秘書一人，襄助校長處理校務，由校長就專任教師聘兼之。</p> <p><u>啟聰學校之校長及教師應優先遴聘具手語知能者。</u></p>	<p>section chiefs of second-level units shall be full-time teachers appointed by the principal, with the exception of the section chief of general affairs, who shall be a non-teaching staff member on a full-time basis, and the section chief of the guidance unit responsible for health, who may be appointed from full-time professionals.</p> <p>If a special education school reaches a particular scale designated by the competent central authority, a secretary shall be appointed by the principal from full-time teachers to assist the principal in dealing with school affairs.</p> <p>Candidates with competence in sign language shall be prioritized when applying for positions of principals and teachers at schools for students with hearing impairments.</p>
<p><u>第三十條 高級中等以下學校及幼兒園，應加強普通班教師、輔導教師與特殊教育教師之合作，對於就讀普通班之身心障礙學生及幼兒，應予適當教學及輔導；其適用範圍、對象、教學原則、輔導方式、人員進修、成效檢核、獎勵辦理與其他相關事項之辦法及自治法規，由各該主管機關定之。</u></p>	<p>Article 30</p> <p>Preschools and schools up to and including the senior high level shall strengthen the collaboration between general teachers, guidance teachers, and special education teachers; they shall provide appropriate teaching and support for students with disabilities in general classrooms; the regulations and autonomous enactments concerning the eligibility, teaching principles, guidance methods, staff development, performance evaluation, reward methods, and other relevant matters shall be determined by the corresponding competent authorities.</p>

<p><u>為保障身心障礙學生之受教權，並使普通班教師得以兼顧身心障礙學生及其他學生之教育需求，學校校長應協調校內各單位提供教師所需之人力資源及協助，並得經鑑輔會評估調整身心障礙學生就讀之普通班學生人數；學校提供教師所需之人力資源及協助、調整身心障礙學生就讀之普通班學生人數及其他相關事項之辦法，由中央主管機關定之。</u></p> <p><u>幼兒園有招收身心障礙幼兒者，園長應協調提供教保服務人員所需之人力資源及協助，並得經鑑輔會評估調整身心障礙幼兒就讀之班級人數；該班級調整班級人數之條件及核算方式，由直轄市、縣（市）主管機關定之。</u></p>	<p>In order to ensure the educational rights of students with disabilities and enable general teachers to meet the educational needs of students with and without disabilities, school principals shall co-ordinate the provision of personnel resources and assistance from the relevant units within the school; the number of students in general classrooms that include students with disabilities can be adjusted through evaluation by IEPC; the regulations for providing personnel resources and assistance to teachers, adjusting the number of students in general classrooms that include students with disabilities, and other relevant matters shall be determined by the competent central authority.</p> <p>When preschools admit preschoolers with disabilities, the preschool principal shall co-ordinate the provision of personnel resources and assistance for education and care service personnel; the number of students in classes that include preschoolers with disabilities can be adjusted through evaluation by IEPC; the requirements and methods for adjusting the class size shall be determined by the relevant competent authorities of the metropolitan cities and counties (cities).</p>
<p><u>第三十一條 高級中等以下學校應以團隊合作方式對身心障礙學生訂定個別化教育計畫，訂定時應邀請身心障礙學生本人，以及學生之法定代理人或實際照顧者參與；必要時，法定代理人或實際照顧者得邀請相關人員陪同參與。經學校評估學生有需求</u></p>	<p>Article 31 Schools up to and including the senior high level shall create a team to develop individualized educational plans for each student with disability; when developing individualized educational plans, the students as well as their delegates or</p>

時，應邀請特殊教育相關專業人員參與個別化教育計畫討論，提供合作諮詢，協助教師掌握學生特質，發展合宜教學策略，提升教學效能。

身心障礙學生個別化教育計畫，應於開學前訂定；轉學生應於入學後一個月內訂定；新生應於開學前訂定初步個別化教育計畫，並於開學後一個月內檢討修正。

前項個別化教育計畫，每學期至少應檢討一次。

為使身心障礙學生有效參與個別化教育計畫之訂定，中央主管機關應訂定相關指引，供各級學校參考；指引之研擬過程，應邀請身心障礙者及其代表性組織參與。

actual caregivers shall be involved; if necessary, the students' delegates or actual caregivers may invite relevant personnel to participate. When the school determines that a student has needs following professional evaluation, they shall invite related professionals to participate in the discussion of the individualized educational plans, and provide collaborative consultation, assist teachers in comprehending the student's characteristics, develop appropriate teaching strategies, and promote instructional effectiveness.

Individualized educational plans for students with disabilities shall be developed before the beginning of school; the transferred students shall have their plans developed within one month after enrollment; and the first-year students shall have a preliminary individualized educational plan developed before the beginning of the school year, with subsequent review and revision within one month after the beginning of school.

The aforementioned individualized educational plans shall be reviewed at least once per semester.

In order to ensure students with disabilities effectively participate in the development of individualized educational plans, the competent central authority shall establish relevant guidelines for schools; the process of

<p style="text-align: center;"><u>幼兒園應準用前四項規定，為身心障礙幼兒訂定個別化教育計畫。</u></p>	<p>developing these guidelines shall include individuals with disabilities and their representative organizations.</p> <p>Preschools shall refer to the four aforementioned paragraphs to develop individualized educational plans for preschoolers with disabilities.</p>
<p><u>第三十二條</u> 為增進前條團隊之特殊教育知能，以利訂定個別化教育計畫，各級主管機關應視所屬高級中等以下學校及<u>幼兒園身心障礙學生及幼兒之特殊教育需求</u>，加強辦理普通班教師、<u>教保服務人員</u>、特殊教育教師及相關人員之培訓及在職進修，並提供相關支持服務之協助。</p>	<p>Article 32</p> <p>In order to improve the special education competence of the aforementioned teams, and to facilitate development of individualized educational plans according to the special education needs of students with disabilities in preschools and schools up to and including the senior high level, the corresponding competent authorities shall enhance the provision of in-service training for general education teachers, preschool educators, special education teachers, and related personnel, and shall provide assistance in related supportive services.</p>
<p><u>第三十三條</u> 高級中等以下學校應考量身心障礙學生之優勢能力、性向及特殊教育需求及生涯規劃，提供適當之升學輔導。</p> <p style="text-align: center;"><u>前項學校身心障礙學生升學輔導之名額、方式、資格及其他有關考生權利義務等事項之辦法</u>，由中央主管機關定之。</p>	<p>Article 33</p> <p>Schools up to and including the senior high level shall take into consideration the strengths, aptitude, special education needs, and career development of students with disabilities and offer appropriate guidance in admission to advanced education.</p> <p>The regulations of the aforementioned guidance in admission quotas to advanced education, methods, qualifications and other matters relating to the rights and obligations of examinees with disabilities are determined by the</p>

	competent central authority.
<p><u>第三十四條 各級主管機關應積極推動身心障礙成人之終身學習，訂定相關工作計畫，鼓勵身心障礙者參與終身學習活動，並定期檢核實施之成效；其辦理機關、方式、內容及其他相關事項之辦法，由中央主管機關定之。</u></p>	<p>Article 34</p> <p>The corresponding competent authorities shall actively promote life-long learning of adults with disabilities and develop related work plans to encourage them to participate in life-long learning activities, and review the effectiveness of implementation regularly; the regulations of implementing organizations, methods, contents, and other relevant matters shall be determined by the competent central authority.</p>
<p><u>第三十五條 高等教育階段學校為協助身心障礙學生學習及發展，應訂定及實施特殊教育方案，並應設置專責單位、資源教室及專責人員，依實際需要遴聘及進用相關專責人員；其專責單位、資源教室之職責、設置與人員編制、進用及其他相關事項之辦法，由中央主管機關定之。</u></p> <p><u>為促進高等教育階段學校整合校內外資源及提升跨單位協調效能，大專校院之身心障礙學生達一定人數或比率者，中央主管機關應鼓勵設置特殊教育資源中心；其人數或比率由中央主管機關公告之。</u></p>	<p>Article 35</p> <p>Schools of higher education level shall develop and implement special education programs for students with disabilities, set up specific units in charge of special education, resource classrooms, and specific personnel, and recruit as well as employ related specific personnel based on actual needs; regulations of specific units and resource room duties, establishment and personnel staffing, recruitment, and other relevant matters shall be determined by the competent central authority.</p> <p>In order to improve the integration of internal and external resources in schools of higher education level and promote the efficiency of cross-unit co-ordination, when a certain number or ratio of students with disabilities in colleges and universities is reached, the central authority shall encourage colleges and universities to establish special education resource centers; the number or ratio</p>

<p>高等教育階段之身心障礙教育，應符合學生需求，訂定個別化支持計畫，協助學生學習及發展；訂定時應邀請相關教學人員、行政人員、身心障礙學生本人、學生之法定代理人或實際照顧者參與。</p> <p><u>身心障礙學生個別化支持計畫，至遲應於完成課程加退選後一個月內訂定。</u></p> <p><u>前項個別化支持計畫，每學期至少應檢討一次。</u></p> <p><u>為增進第一項相關專責人員之特殊教育知能，以利訂定個別化支持計畫，中央主管機關應辦理大專校院相關專責人員之培訓及進修，並提供相關支持服務之協助。</u></p>	<p>shall be announced by the competent central authority.</p> <p>Individualized support plans to meet students' needs shall be developed in colleges and universities; related teaching personnel, administrators, the student with disability, and student's delegate or actual caregiver shall be invited to participate in the development of said plans.</p> <p>Individualized support plans for students with disabilities shall be developed no later than one month after the course selection and withdrawal deadline.</p> <p>The aforementioned individualized support plans shall be reviewed at least once per semester.</p> <p>In order to enhance the special education competence of the related specific personnel in the first aforementioned paragraph to develop individualized support plans, the central authority shall provide in-service training and assistance with related supportive services for the related specific personnel in colleges and universities.</p>
<p><u>第三十六條</u> 為使各教育階段身心障礙學生及幼兒服務需求得以銜接，各級學校及幼兒園應提供整體性與持續性轉銜輔導及服務；其生涯轉銜計畫內容、訂定期程、訂定程序及轉銜會議召開方式、轉銜通報方式、期程及其他相關事項之辦法，由中央主管機關定之。</p>	<p>Article 36</p> <p>In order to meet the continuous service needs of students and preschoolers with disabilities of all educational levels, preschools and schools of all levels shall provide continuous holistic transition guidance and services; the regulations of career transition plan contents,</p>

	scheduling guidelines, development procedures, as well as transition meeting regulations, transition announcement methods, scheduling guidelines, and other relevant matters are determined by the competent central authority.
<p><u>第三十七條</u> 各級主管機關應依身心障礙學生之家庭經濟條件，減免其就學費用；對於就讀學前私立幼兒園或社會福利機構之身心障礙幼兒，得發給教育補助費，並獎助其招收單位。</p> <p>前項減免、獎補助之對象、條件、金額、名額、次數及其他應遵行事項之辦法，由中央主管機關定之。</p> <p>身心障礙學生品學兼優或有特殊表現者，各級主管機關應給予獎補助；其條件、金額、名額、次數及其他應遵行事項之辦法及自治法規，由各級主管機關定之。</p>	<p>Article 37</p> <p>The corresponding competent authorities shall exempt or waive the educational expenses of students with disabilities based on their family's financial circumstances; and may provide educational subsidies for preschoolers with disabilities attending private preschools or social welfare facilities, and shall provide grants and assistance to the institutions.</p> <p>The above regulations on exemptions or waivers, grant and assistance eligibility, conditions, expenses, quotas, frequency, and other relevant mandated matters shall be determined by the competent central authority.</p> <p>The corresponding competent authorities shall give awards to students with disabilities with excellent academic achievements or outstanding performance; the regulations and autonomous enactments concerning the conditions, amounts, quotas, frequency, and other relevant mandated matters shall be determined by corresponding competent authorities.</p>
<p><u>第三十八條</u> 學校及幼兒園應依身心障礙學生及幼兒之教育需求，提供下</p>	<p>Article 38</p> <p>Schools and preschools shall provide the</p>

<p>列支持服務：</p> <p>一、<u>教育及運動輔具服務</u>。</p> <p>二、<u>適性教材服務</u>。</p> <p>三、<u>學習及生活人力協助</u>。</p> <p>四、復健服務。</p> <p>五、家庭支持服務。</p> <p>六、<u>適應體育服務</u>。</p> <p>七、校園無障礙環境。</p> <p>八、其他支持服務。</p> <p>經主管機關許可實施非學校型態實驗教育之身心障礙學生，適用前項第一款至第六款服務。</p> <p><u>前二項支持服務內容、形式、提供方式、成效檢核及其他相關事項之辦法</u>，由中央主管機關定之。</p> <p>身心障礙學生<u>經評估無法自行上下學者</u>，由各級主管機關免費提供<u>無障礙交通工具</u>；確有困難提供者，補助其交通費；其<u>補助資格、申請方式、補助基準與其他相關事項之實施辦法及自治法規</u>，由各級主管機關定之。</p>	<p>following supportive services in order to meet the learning needs of students and preschoolers with disabilities:</p> <p>A. Education and sports aids services.</p> <p>B. Adaptive teaching materials services.</p> <p>C. Manpower assistance in learning and living.</p> <p>D. Rehabilitation services.</p> <p>E. Family support services.</p> <p>F. Adapted physical education services.</p> <p>G. Access to a barrier-free campus.</p> <p>H. Other supportive services.</p> <p>The aforementioned subparagraphs A through F are applicable to students with disabilities approved for non-school-based experimental education facilities.</p> <p>The regulations in the above two paragraphs concerning supportive services contents, forms, providing methods, effectiveness review, and other relevant matters shall be determined by the competent central authority.</p> <p>The corresponding competent authorities shall provide accessible transportation vehicles for students with disabilities who have been evaluated as unable to get to school independently; or offer subsidies if transportation vehicles cannot be provided; regulations and autonomous enactments concerning the eligibility, application methods, standards of subsidies, and other relevant matters are determined by the corresponding competent authorities.</p>
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<p>各級主管機關應優先編列預算，推動<u>第一項及前項</u>之服務。</p>	<p>The corresponding competent authorities shall prioritize the allocation of a budget to promote the services in the first and the preceding paragraphs.</p>
<p><u>第三十九條</u> 各級主管機關得依申請核准或委託社會福利機構或醫療機構，辦理身心障礙教育。</p> <p><u>各級主管機關應協助少年矯正學校，辦理身心障礙教育。</u></p>	<p>Article 39</p> <p>On the basis of admission applications, the corresponding competent authorities may approve or authorize social welfare or medical institutions in providing education for students with disabilities.</p> <p>The corresponding competent authorities shall assist juvenile correction schools in providing education for students with disabilities.</p>
<p>第三節 資賦優異教育</p>	<p>Section III Education for Students with Giftedness/Talents</p>
<p><u>第四十條</u> 學前教育階段及高級中等以下各教育階段資賦優異教育之實施，依下列方式辦理：</p> <p>一、學前教育階段：採特殊教育方案辦理。</p> <p>二、國民教育階段：採分散式資源班、巡迴輔導班、特殊教育方案辦理。</p> <p>三、高級中等教育階段：依<u>第十三條第二項及第四項</u>規定方式辦理。</p>	<p>Article 40</p> <p>Gifted education in preschools and schools up to and including the senior high level is implemented as follows:</p> <p>A. Preschool education: adopting special education programs.</p> <p>B. Compulsory education: adopting resource rooms, itinerant programs, or special education programs.</p> <p>C. Senior high school education: on the basis of Article 13, paragraphs B & D.</p>
<p><u>第四十一條</u> 資賦優異學生之入學、升學，應依各該教育階段法規所定入學、升學方式辦理；高級中等以上教育階段學校，並得參採資賦優異學生在學表現及潛在優勢能力，以多元入學方式辦理。</p>	<p>Article 41</p> <p>The enrollment and admission to advanced education of gifted/talented students shall follow the procedures specified in the regulations of school enrollment and admission to advanced education; schools above and including the senior high level may utilize multiple admission paths, fully considering both school performance and potential</p>

	strengths of gifted/talented students.
<p><u>第四十二條</u> 高級中等以下學校應以<u>團隊合作方式</u>，考量資賦優異學生<u>身心特質、性向、優勢能力、學習特質及特殊教育需求</u>，訂定資賦優異學生個別輔導計畫，<u>並應邀請資賦優異學生本人、學生之法定代理人或實際照顧者參與</u>。</p>	<p>Article 42</p> <p>Schools up to and including the senior high level shall create a team to develop individual guidance plans in consideration of the characteristics, aptitude, strengths, learning styles, and special needs of gifted/talented students, and shall invite gifted/talented students, and their delegates or actual caregivers to participate when developing said plans.</p>
<p><u>第四十三條</u> 高級中等以下各教育階段主管機關，應補助學校辦理多元資優教育方案，並對辦理成效優良者予以獎勵。</p> <p>資賦優異學生具特殊表現者，各級主管機關應給予獎助。</p> <p><u>前二項之獎補助、方案之實施範圍、載明事項、辦理方式與其他相關事項之辦法及自治法規</u>，由各級主管機關定之。</p>	<p>Article 43</p> <p>The corresponding competent authorities of schools up to and including the senior high level shall subsidize schools in implementing the multiple gifted education programs, and offer grants and assistance for excellent performance agents.</p> <p>The corresponding competent authorities shall provide awards to the gifted/talented students with outstanding performance.</p> <p>Regulations and autonomous enactments in the above two paragraphs concerning the grants and assistance, the scope of implementation of the program, conditions, methods of provision, and other relevant matters are determined by the corresponding competent authorities.</p>
<p><u>第四十四條</u> 資賦優異學生得提早選修較高一級以上教育階段課程，其選修之課程及格者，得於入學後抵免。</p>	<p>Article 44</p> <p>Gifted/talented students are allowed to take courses at the next grade level; if passed, the credits can be transferred after school enrollment.</p>
<p><u>第四十五條</u> 各級主管機關應編列預算，積極推動高級中等以下學校辦理</p>	<p>Article 45</p> <p>The corresponding competent authorities</p>

<p>資賦優異教育，並運用學術、社教及民間等資源辦理，建立長期追蹤輔導機制。</p> <p>中央主管機關為協助直轄市、縣(市)主管機關推動前項資賦優異教育工作，應予以補助經費。</p>	<p>shall allocate a budget to actively promote gifted education in schools up to and including the senior high level, and shall utilize academic, social, and non-government resources to establish a long-term follow-up guidance system.</p> <p>The competent central authority shall provide financial subsidies to assist metropolitan and counties (cities) authorities in promoting the aforementioned gifted/talented education services.</p>
<p><u>第四十六條 高級中等以下各教育階段主管機關及學校對於身心障礙及處於離島、偏遠地區，或因經濟、文化或族群致需要協助之資賦優異學生，應加強鑑定與輔導，並視需要調整評量項目、工具及程序。</u></p> <p><u>前項鑑定基準、程序、期程、評量項目與工具等調整方式及其他相關事項之實施辦法，由中央主管機關定之。</u></p>	<p>Article 46</p> <p>Schools up to and including the senior high level shall improve identification and guidance services and if required may adjust assessment items, tools, and procedures to provide assistance for twice-exceptional students and students from outer islands, remote areas, or needs based on economic, cultural, or ethnic status.</p> <p>The aforementioned adjustment of identification standards, procedures, timeline, assessment items and tools, and other relevant matters are determined by the competent central authority.</p>
<p><u>第四十七條 高等教育階段資賦優異教育之實施，應考量資賦優異學生之性向及優勢能力，得以特殊教育方案辦理。</u></p>	<p>Article 47</p> <p>The implementation of gifted/talented education in higher education shall take into account the aptitude and strengths of gifted/talented students, and may adopt special education programs.</p>
<p>第三章 特殊教育支持系統</p>	<p>Chapter III Special Education Support Systems</p>
<p><u>第四十八條 為促進融合教育及特殊</u></p>	<p>Article 48</p>

<p><u>教育發展，中央主管機關得委請具融合教育或特殊教育相關專業之團體、大專校院、學術機構或教師組織，從事整體性、系統性之融合教育或特殊教育相關研究。</u></p> <p>各級主管機關為改進<u>融合教育</u>與特殊教育課程、教材教法及評量方式，應<u>鼓勵教師</u>進行相關研究，並將研究成果公開及推廣使用。</p>	<p>In order to promote the development of inclusive education and special education, the competent central authority may appoint groups, colleges and universities, academic institutions, or teacher organizations in the fields of inclusive education or special education to conduct holistic and systematic research related to inclusive education or special education.</p> <p>The corresponding competent authorities shall encourage teachers to conduct and publish research results, and apply these results to improve inclusive education and special education curricula, teaching materials and methods, and assessment methods.</p>
<p>第四十九條 中央及直轄市主管機關應鼓勵師資培育之大學，及經中央主管機關認可培育教保員之專科以上學校，於職前教育階段，開設特殊教育相關課程，促進融合教育之推動。</p> <p>中央主管機關應將特殊教育相關課程納入師資職前教育課程基準。</p>	<p>Article 49</p> <p>The central and municipal authorities shall encourage universities with teacher education, and colleges above and including the five-year junior college level with education of preschool educators approved by the competent central authority to offer pre-service special education-related courses, in order to promote inclusive education.</p> <p>The competent central authority shall incorporate special education-related courses into the curriculum standards for pre-service teacher education.</p>
<p>第五十條 為鼓勵<u>設有特殊教育系、所</u>之<u>大學校院</u>設置特殊教育中心，協助特殊教育學生之鑑定、教學及輔導工作，中央主管機關應編列經費補助之。</p>	<p>Article 50</p> <p>In order to encourage colleges and universities with special education departments to establish special education centers to assist identification,</p>

<p>為辦理特殊教育各項實驗研究並提供教學實習，設有特殊教育系之大學校院，得附設特殊教育學校（班）。</p>	<p>instruction, and guidance services, the competent central authority shall allocate a subsidy budget.</p> <p>In order to conduct special education experimental researches and provide internships, colleges and universities with special education departments may establish affiliated special education schools (classes).</p>
<p><u>第五十一條 高級中等以下學校及幼兒園之主管機關，得商借公立學校或幼兒園教師組成任務編組性質、具專業自主性之特殊教育資源中心及特殊教育輔導團，推動特殊教育。</u></p> <p><u>前項任務編組之組織、任務、運作與教師資格、遴選、商借、培訓、獎勵、年資採計及其他相關事項之辦法，由中央主管機關定之。</u></p> <p>各級主管機關為有效推動特殊教育、整合相關資源、協助各級學校及<u>幼兒園特殊教育之執行及提供諮詢、輔導與服務</u>，應建立特殊教育行政支持網絡；其支持網絡聯繫、運作方式與其他相關事項之辦法及自治法規，由各級主管機關定之。</p>	<p>Article 51</p> <p>In order to promote special education, the corresponding competent authorities of preschools and schools up to and including the senior high level may temporarily transfer teachers of public schools or preschools to compose specific groups, independently operate special education resource centers and special education guidance groups.</p> <p>The regulations in the previous paragraph on organizations, missions, operations, teacher qualifications, recruitment, temporary transfer, training, rewards, seniority calculation, and other matters relating to specific groups shall be determined by the competent central authority.</p> <p>The corresponding competent authorities shall establish a special education administrative support network in order to effectively implement special education, integrate relevant resources, assist in the implementation of special education in preschools and schools at all levels, and provide consultation,</p>

<p><u>各級主管機關得於公立高級中等以下學校或幼兒園，指定增置由主管機關統籌運用及調派之編制內特殊教育教師員額，用以協助辦理第十九條第一項所定鑑定評估作業，及辦理第一項所定特殊教育資源中心及特殊教育輔導團業務，或前項所定支持網絡業務。</u></p>	<p>guidance, and services; the regulations and autonomous enactments concerning the connecting and operation methods, and other matters relating to support networks shall be determined by the corresponding competent authorities.</p> <p>The corresponding competent authorities may designate additional special education teachers in public preschools or schools up to and including the senior high level, which shall be co-ordinated and deployed by the competent authorities, to assist in implementing the identification and evaluation prescribed in Article 19, paragraph 1, as well as the operation of special education resource centers and special education guidance groups in paragraph 1 in this Article, or the support network operations in the previous paragraph.</p>
<p><u>第五十二條 各級學校及幼兒園應提供特殊教育學生及幼兒家庭諮詢、輔導、親職教育及轉介等支持服務，其內容、形式、提供方式及其他相關事項之辦法，由中央主管機關定之。</u></p> <p>前項所定支持服務，其經費及資源由各級主管機關編列預算辦理。</p>	<p>Article 52</p> <p>Preschools and schools at all levels shall provide families of students and preschoolers with disabilities with supportive services of consultation, guidance, parenting education, and transfer services; the regulations of the contents, forms, methods of provision, and other relevant matters shall be determined by the competent central authority.</p> <p>The budget and resources of supportive services in the previous paragraph are allocated by the corresponding competent authorities.</p>

<p>高級中等以下學校身心障礙學生家長至少應有一人為該校家長會常務委員或委員，參與學校特殊教育相關事務之推動。</p>	<p>At least one parent of students with disabilities in schools up to and including the senior high level shall be a standing or regular member of the school parental committee, in order to participate in the implementation of special education.</p>
<p><u>第五十三條 高級中等以下學校及幼兒園辦理特殊教育之成效，主管機關每四年至少應辦理一次評鑑，與學校校務評鑑、幼兒園評鑑或校長辦學績效考評併同辦理為原則。</u></p> <p>直轄市及縣（市）主管機關辦理特殊教育之績效，中央主管機關每四年至少應辦理一次評鑑。</p> <p><u>第一項及前項之評鑑項目應以法令規定者為限，並落實評鑑方式與指標簡化及行政減量；評鑑項目及結果應予公布，對評鑑成績優良者予以獎勵，未達標準者應予輔導及協助；評鑑之項目、評鑑會組成、評鑑程序及其他相關事項之辦法，由中央主管機關定之。</u></p>	<p>Article 53</p> <p>The implementation effectiveness of the special education provided by preschools and schools up to and including the senior high level shall be evaluated by the competent authority at least once every four years, and evaluation may be conducted in conjunction with school evaluations, preschool evaluations, or principal accountability evaluation as a principle.</p> <p>The special education accountability of the municipal competent authorities and the county (city) competent authorities shall be evaluated by the competent central authority at least once every four years.</p> <p>The items to be evaluated mentioned in paragraphs 1 and 2 in this Article shall be restricted to those specified by regulations; the simplification of evaluation methods and indicators and the reduction of administrative loading shall be executed in practice; the evaluation items and results shall be made public, rewards shall be given to those who achieve excellent evaluation results, guidance and assistance shall be provided to those who fail to meet the standards; the regulations of evaluation</p>

<p><u>大專校院特殊教育評鑑，中央主管機關應每四年辦理一次，得以專案評鑑辦理。</u></p>	<p>items, composition of the evaluation committee, evaluation procedures, and other relevant matters shall be determined by the competent central authority.</p> <p>The special education evaluations of colleges and universities shall be conducted by the competent central authority once every four years, and additional ad hoc evaluations may be carried out.</p>
<p>第四章 附則</p>	<p>Chapter IV Supplementary Provisions</p>
<p><u>第五十四條</u> 公立特殊教育學校之場地、設施與設備提供他人使用、委託經營、獎勵民間參與，與學生重補修、辦理招生、甄選、實習、實施推廣教育等所獲之收入及其相關支出，應設置專帳以代收代付方式執行，其賸餘款並得滾存作為改善學校基本設施或充實教學設備之用，不受預算法第十三條、國有財產法第七條及地方公有財產管理相關規定之限制。</p> <p>前項收支管理作業規定，由中央主管機關定之。</p>	<p>Article 54</p> <p>All the income and expenses involving lending space, facilities and equipment, the delegation of operations, the encouragement of private sector participation, students retaking failed courses and taking make-up courses, school enrollment, student selection, internships, and extension education at public special education schools shall be documented in an independent account, the remaining balance has to be deposited for the purpose of improving school infrastructure and teaching equipment, unrestricted by the Budget Act, Article 13, National Property Act Article 7, and local public property management regulations.</p> <p>The regulations in the previous paragraph on income and expenses operations shall be determined by the competent central authority.</p>
<p><u>第五十五條</u> 本法授權各級主管機關訂定之法規及自治法規，各級主管機關應邀請同級教師組織、教保服</p>	<p>Article 55</p> <p>The enactment of regulations and autonomous enactments authorized by</p>

<p><u>務人員組織、特殊教育相關家長團體代表、家長團體代表及特殊教育學生參與訂定。</u></p>	<p>the Act shall include representatives of equivalent-level teacher organizations, preschool educator organizations, special education parent groups, general education parent groups, and special education students to participate in the developing procedures by the corresponding competent authorities.</p>
<p><u>第五十六條</u> 本法施行細則，由中央主管機關定之。</p>	<p>Article 56 The enforcement rules of the Act shall be determined by the competent central authority.</p>
<p><u>第五十七條</u> 本法自公布日施行。</p>	<p>Article 57 The Act is implemented on the date of promulgation.</p>