

兩岸民辦幼教發展及其相關法規之比較研究

(摘要)

徐千惠

本研究旨在比較兩岸民辦幼教發展及其相關法規，透過比較法、文件分析法及實地訪談法，以增進對兩岸幼教環境之瞭解與認識。本研究之目的包括：壹、探究台灣地區與大陸民辦幼教之發展歷程及現況。貳、了解台灣地區與大陸民辦幼教相關法規之歷史源流與規範。參、綜合研究結果增進對兩岸幼教環境之瞭解與認識，並提出建議。

本研究之結論有如下三點：壹、幼兒教育之定位受政治型態影響而有所不同。貳、國家對民辦教育的開放與管理態度影響幼稚園經營方式。參、幼兒教育之工作本質來自於人們就業後之需求，仰賴經濟環境支撐發展。

同時根據研究發現，本研究對於台灣民辦(私立)幼教發展提出建議如下：壹、法規頒佈前可先以試行方式前測，視適應情形再正式頒佈；貳、幼兒教育應設置教育行政專責單位，以促進幼教發展之整體規劃；參、教育與社福機關權責需劃分清楚，幼教相關事務應由教育部主管；肆、對民辦(私立)學校不得營利之限制需酌情調整，提供合理回報及辦學誘因；伍、審思私幼設置財團法人意義，避免因法人資格造成法規適用限制；陸、對幼教相關法規內涵之重新思考

關鍵字：兩岸、幼兒教育、民辦教育、私立學校、教育法規、比較教育

**A Comparative Study of the Development and Relevant Law About Minban Sector of
Early Childhood Education Between Taiwan and Mainland China**

(Abstract)

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This study intends to compare the development and relevant law about the *minban* (i.e. private sector) system in early childhood education through documentary analysis, comparative and interview methodologies in order to comprehend the early childhood education environments between Taiwan and Mainland China. Furthermore, the purpose of the study is to explore the *minban* system's progress and current situation, and to understand the origin and regulation of the relevant law for both. It concludes the research results and then to provide the policy recommendations.

Based on the findings, the results of the study are as follows. First, the public's perception of the importance of early childhood education was affected by the political situation of the country. Second, the openness and managerial attitude of the authorities affected the operating mode of the kindergartens. Third, the existence of early childhood education depends on parental demands based on their career needs; it depends on the economic environment to support its development.

The study offers some suggestions to Taiwan's *minban* system of early childhood educators: (1) Before the enactment of a law, a pretest of its effects should be conducted; (2) Government should provide a responsible and regular regimen for Kindergartens in order to promote their development.; (3) Government should separate the duties of education and social welfare clearly according to their abilities and functions; early childhood education should be managed by the Ministry of Education; (4) Government should offer reasonable opportunities for the *minban* school investor rather than limit them in school generated profits; (5) Government should redefine the role of consortia in the kindergarten, and avoid the resulting limitations of the relevant law; (6) Generally, we need to re-evaluate the intent of relevant laws about early childhood education.

**Keyword : Taiwan and Mainland China, early childhood education,
minban education, private school, education law, comparative study**