



# SCHOOL SAFETY CONTEXT ANALYSIS CHINA 2019

Research Center for Education Legislation and Standards of National Institute of Education Sciences

Safety Education and Management in Primary and Secondary School Professional Commission of Chinese Society of Education

Save the Children  Save the Children  
救助儿童会



# ACKNOWLEDGEMENTS

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**Sponsor:**

This report is funded by C&A Foundation through Save the Children.

**Version Completed in:**

December 2019

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With thanks to representatives from UNESCO, UNICEF, Plan International, World Vision, One Foundation, China Innovation Hub for Risk Reduction and Resilience in Education Sector as well as Expert Working Group Members of Save the Children School Safety Project in China, who have reviewed the report and provided constructive suggestions. With thanks to Jiangfan Primary School of Zhangjiagang City of Jiangsu Province, School Safety Education Platform of Chinese Society of Education as well as Safety Homestead (emergency skills) training school, who have provided photos for the report.

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# FOREWORD

The year 2019 marks the 40th anniversary of China's 'Reform and Opening-up' policy. Over the past 40 years, China's economy has maintained a high speed of growth, and the country has made great progress in politics, economy, society and other aspects. In this context, China's education has also made significant progress. In recent years, the penetration rate of three-year preschool education has been on the rise, compulsory education has been made universal, the proportion of vocational education has increased considerably, and the higher education has reached the largest scale in the world. At present, education at all levels and of all types in China still maintains a high-speed growth momentum. China takes education as a cause of national priority, keeps increasing investment in education, and sets improving education quality and guaranteeing education equity as its goals for future development.

Since the end of the 20th century, China has taken school safety as an important work for schools at all levels and of all types, and has established stipulations for school safety work in a number of laws, regulations and policy documents. In the past two decades, China has basically established institutional framework of school safety management in the education system at all levels, and has established a school safety working mechanism in all types of schools at all levels, with the basic framework of safety

incident prevention, response and recovery. At present, in primary and secondary schools and kindergartens, there are generally a sound safety responsibility system, safety institutional system and safety education system, and the school emergency plans and drills for main hazards have also become a common practice.

Based on the work mentioned above, the safety of the schools in China has been improved significantly; the probability of serious school safety incidents has been reduced; and the number of on-campus deaths of primary and secondary school students due to accidents has been substantially reduced. However, it has been noticed that the occurrence of school safety incidents is of great uncertainty, and safety incidents still pose a serious threat to the schools and students in China. Therefore, in the future development of China's education, the following issues still need urgent attention: to improve the quality and profession level of school safety work; to effectively prevent the occurrence of school safety incidents, and to ensure the physical and mental safety and health of students on campus.

In light of this background, we started to develop the School Safety Context Analysis (China). This report is funded by Save the Children, developed by researchers from the National Institute of Education Sciences and other relevant institutions, and reviewed

by authoritative experts on school safety in China and both domestic and international technical staff from Save the Children.

This report introduces the relevant laws and regulations of China's school safety work, the common risks faced by China's school safety work, and the progress and experience of China's school safety work, etc. It aims to help school safety related personnel to understand China's current school safety context, and also present the experience and achievements of China's school safety work to the world.

It should be noted that the structure of this report is provided by the Global Alliance for Disaster Risk Reduction and Resilience in the Education Sector, therefore some systems and terms are relatively unfamiliar to Chinese education staff, and we try to correspond and adapt the foreign language systems to the language systems used in China. In the meanwhile, adopting this international template also enables us to understand the dimensions of international school safety work, which is of positive significance for promoting the communications and cooperation between China and other countries in the world in the field of school safety.

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# CONTENTS

<b>01</b>	Introductory Demographics & Socio-Political Context .....	1
<b>02</b>	Education Sector Overview .....	4
<b>03</b>	Hazards and Risks Overview .....	24
<b>04</b>	Disaster Risk Management Overview .....	32
<b>05</b>	Child Protection System Overview .....	39
<b>06</b>	Comprehensive School Safety Overview .....	45
<b>07</b>	Pillar 1: Safe School Facilities: Policies, Practices & Programs .....	49
<b>08</b>	Pillar 2: School Safety Management & Educational Continuity: Policies, Practices & Programs .....	62
<b>09</b>	Pillar 3: Risk Reduction and Resilience Education: Policies, Practices & Programs .....	69
<b>10</b>	Child Protection & Conflict & Violence Prevention in Schools: Policies, Practices & Programs .....	74
	<b>Appendices</b> .....	77
	<b>Appendix 1</b> Major websites for reference .....	77
	<b>Appendix 2</b> Major school safety policies and laws in China .....	77
	Appendix 2.1 Safety Management Measures for Primary and Secondary Schools and Kindergartens .....	77
	Appendix 2.2 Student Injury Accidents Coping Measures .....	86
	Appendix 2.3 Guidelines for Public Safety Education in Primary and Secondary Schools .....	92
	Appendix 2.4 School Bus Safety Management Regulations .....	99

Appendix 2.5 Interim Measures for Special Supervision of Major Emergencies in Education .....	107
Appendix 2.6 School Food Safety and Nutrition Health Management Regulations..	110
Appendix 2.7 Guidance for Emergency Evacuation Drill in Primary and Secondary Schools and Kindergartens.....	119
Appendix 2.8 Advice on Strengthening the Building of Safety Risk Prevention and Control System for Primary and Secondary Schools and Kindergartens.....	125
Appendix 2.9 A Letter to Parents of Primary and Secondary School Students Across the Country .....	131
<b>Appendix 3</b> The number of times the national disaster relief and emergency response was launched (in 2018) .....	132
<b>Appendix 4</b> Themes of Safety Education Day for Primary and Secondary School Students .....	133
<b>Appendix 5.</b> Summary table of school safety projects by civil society organizations....	134
<b>Appendix 6.</b> GADRRR-ES and WISS Ad Hoc Committee on Comprehensive School Safety Targets and Indicators.....	137

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# 01

## INTRODUCTORY DEMOGRAPHICS & SOCIO-POLITICAL CONTEXT

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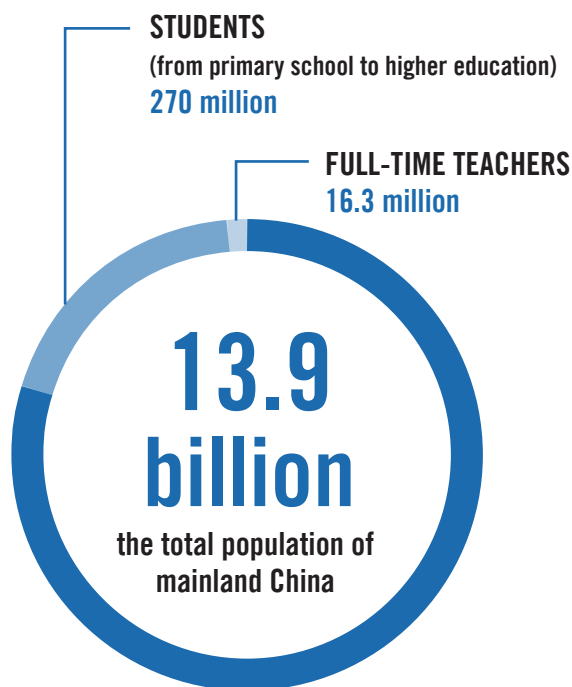
## Geography and population

### overview

China is located in the eastern part of Asia and on the west coast of the Pacific Ocean. The territory is vast and the total area is about 9.6 million square kilometers, ranking the third in the world, almost equal to the entire area of Europe. The latitude of the Chinese territory spans nearly 50 degrees, mostly in the temperate zone, a small part in the tropics, and no frigid zone. China's east-west spans more than 60 degrees, and the easternmost Wusuli River and the westernmost Pamir Plateau differ in five time zones.

China's terrain is high in the west and low in the east, and it is distributed in a staircase. Mountains, plateaus and hills account for about 67% of the land area, and basins and plains account for about 33%. The distance across the country is about 5,000 kilometers, and the combination of temperature and precipitation is diverse, forming a variety of climates. The coastline of the mainland is more than 18,000 kilometers, the coastline of the island is more than 14,000 kilometers, and the water area of the inland sea and the frontier sea is about 4.7 million square kilometers. There are more than 7,600 large and small islands in the sea area, covering an area of 35,798 square kilometers. The land borders 14 countries and is adjacent to six countries in the sea.

China has more than 1,500 rivers with a drainage area of more than 1,000 square kilometers.



By end of 2017, the total population of mainland China was 13.9 billion. Among them, 270 million students received education at all levels and of all types, and 16.3 million were full-time teachers.

## Socio-political context

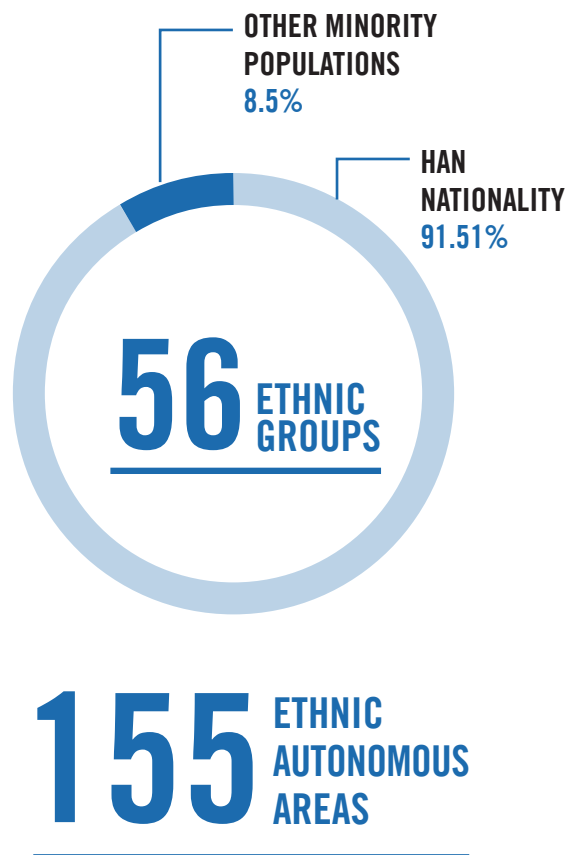
The People's Republic of China was established on October 1, 1949. The National People's Congress (NPC) is the highest state power organ of the People's Republic of China; the State Council is the executive organ of the NPC; the People's Court is the state's judicial organ; the People's Procuratorate is the state's legal supervisory organ; and the Supervisory Committee is the state's supervisory organ.

According to the Chinese Constitution, the administrative division of the People's Republic of China is as follows: the country is divided into provinces, autonomous regions, and municipalities directly under the Central Government; the provinces and autonomous regions are divided into autonomous prefectures, counties, autonomous counties, and cities; counties and autonomous counties are divided into townships, ethnic townships, and towns. Municipalities and larger cities are divided into districts and counties. Autonomous prefectures are divided into counties, autonomous counties, and cities.

At present, there are 34 provincial-level administrative regions in China, including 23 provinces, 5 autonomous regions, 4 municipalities, and 2 special administrative regions. In history and custom, all provincial administrative regions have short names. The provincial People's Government resident is called the provincial capital, and the seat of the Central People's Government is the state capital. Beijing is the capital of China.

China is a multi-ethnic country with 56 ethnic groups including the Han nationality accounting for 91.5%; other

minority populations account for 8.5%. The characteristics of the distribution of various ethnic groups in China are: large scattered, small settlements, and mixed living. There are ethnic minorities living in the Han area, and Han people living in ethnic minority areas. The system of regional ethnic autonomy is a basic policy adopted by the Chinese government in light of China's actual situation and is also an important political system of China. As of 2017, a total of 155 ethnic autonomous areas have been established nationwide, including 5 autonomous regions, 30 autonomous prefectures, and 120 autonomous counties (banners).





# 02

## EDUCATION SECTOR OVERVIEW

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## Structure of the Education System

China's Constitution and the Education Law have made clear legal provisions on the educational administrative system. The Constitution stipulates that the State Council leads and manages education. Local governments at or above the county level shall, in accordance with law, manage educational undertakings within their respective administrative regions. Article 14 of the Education Law stipulates: "The State Council and local people's governments at all levels shall lead and manage education in accordance with the principles of hierarchical management and division of labor. Secondary and lower-level education shall be managed by the local people's government under the leadership of the State Council. Higher Education is administered by the State Council and the people's governments of provinces, autonomous regions, and municipalities directly under the Central Government."

According to the "Notice of the State Council on the Establishment of Institutions", the Ministry of Education was established as a department of the State Council. The Ministry of Education is composed by specific departments such as the General Office, the Policy and Regulation Department, the Development and Planning Department, the Personnel Department, the Finance Department, and the Basic Education Department.

### **The Ministry of Education has a total of 17 responsibilities, including:**

**1.** To research and develop guidelines and

policies for education; drafting laws and regulations on education.

**2.** To research and develop education reform and development strategies and national education development plans based on research; to formulate policies for the reform of the educational system, as well as the focus, structure and speed of educational development, and to guide and coordinate the implementation.

**3.** Overall management of education funding for the department; to participate in the formulation of guidelines and policies for raising education funds, budget allocation for education and education infrastructure investment; monitoring the financing and use of education funds throughout the country; to administer foreign educational aid and loans to China in accordance with relevant regulations.

**4.** To study and put forward the establishment standards, basic teaching requirements and basic teaching documents of secondary and primary education schools of all types; to organize the review and finalization of the state-compiled teaching materials for secondary and primary schools; to guide the reform of education and teaching in secondary and lower education; to organize supervision and evaluation on the popularization of nine-year compulsory education and elimination of illiteracy among young and middle-aged people.

**5.** Overall management of general higher education, postgraduate education and

higher vocational education, adult higher education, higher education operated by social forces, adult higher education self-study examination and continuing education and other work; to study and put forward the establishment standards of institutions of higher learning, and to examine the establishment, name change, cancellation and adjustment of institutions of higher learning; to formulate the catalogue of disciplines and specialties and basic teaching documents; to guide the reform of education and teaching in institutions of higher learning and the evaluation of higher education; to be responsible for the implementation and coordination of 'Project 211'<sup>1</sup>.

**6.** To plan and guide the education of ethnic minorities and coordinate educational assistance to ethnic minority areas.

**7.** To plan and guide the work of party building in institutions of higher learning, as well as ideological and political work, moral education, physical education, health education, art education and national defense education in all types of schools at all levels.

**8.** To take charge of the work of teachers throughout the country, formulate standards for teacher qualifications at various levels and guide the implementation; to study and put forward standards for the establishment of all types of schools at all levels; to make overall planning for the team construction of school teachers and administrators.

**9.** To coordinate and administer the recruitment and examination of various types of higher degree education; to formulate enrollment plans for various institutions of

higher learning; to be responsible for the management of student records of various types of higher education; to administer the reform of the employment system for college graduates, formulate employment policies for college graduates, and organize and implement employment distribution for college graduates.

**10.** To plan and guide the research of natural sciences, philosophy and social sciences in institutions of higher learning; to provide macro-guidance to the application and popularization of high and new technologies, the transformation of scientific research results and the combination of "production, education and research" in institutions of higher learning; to coordinate and guide the implementation of major national scientific research projects and national defense science and technology research projects undertaken by institutions of higher learning; to guide the development and construction of state key laboratories and engineering research centers in institutions of higher learning.

**11.** To manage, coordinate and guide foreign affairs in the educational system, and to formulate guidelines and policies for Chinese students studying abroad and students overseas studying in China; to plan, coordinate and guide the teaching of Chinese as a foreign language; To guide the work in educational institutions set up overseas. To coordinate educational exchanges with Hong Kong, Macao and Taiwan.

**12.** Responsible for statistics collection, analysis and release of education basic information.

1—The 'Project 211' refers to China's investment in upgrading around 100 universities and a number of key disciplines for 21<sup>st</sup> century. The project was officially launched in November 1995 with the approval of the State Council.

**13.** To formulate guidelines and policies for the work of the national language; to develop medium - and long-term plans for the work related to national language; to formulate norms and standards for the Chinese and minority languages, and organize and coordinate supervision and inspection; To guide the promotion of mandarin and mandarin test.

**14.** To make overall planning for academic degree work and draft regulations on academic degree work; to be responsible for the implementation of the national degree system; to be responsible for international degree equivalence and degree mutual recognition; to undertake the specific work of the Academic Degrees Committee of the State Council.

**15.** To be responsible for coordinating the cooperation and exchanges in education, science, technology and culture among the members of the China's 'National Committee of the United Nations Educational, Scientific and Cultural Organization (UNESCO)' and other departments and institutions; Responsible for liaison and exchanges with UNESCO headquarter, the Asia Pacific regional office and the Beijing office; Responsible for liaison and guidance to our permanent mission to UNESCO.

**16.** To undertake tasks assigned by the Leading Group of National Science and Technology Education.

**17.** To undertake other tasks assigned by the State Council.

**Chart1: Departments in Ministry of Education**

The General Office	Department of Policies and Regulations
Department of Development Planning	Department of Comprehensive Reforms
Department of Personnel	Department of Finance
Department of National Textbook (National Textbook Committee Office)	Department of Basic Education
Department of Vocational and Adult Education	Department of Higher Education
Office of National Education Inspection	Department of Minority Education
Department of Teacher Education	Department of Physical, Health and Arts Education
Department of Moral Education	Department of Social Sciences
Department of Science and Technology	Department of College Students Affairs
Department of Degree Management & Postgraduate Education (Office of the State Council Academic Degrees Committee)	
Department of Language Application and Administration	Department of Language Information Management
Department of International Cooperation and Exchanges (Office of Hong Kong, Macao and Taiwan Affairs)	
Office of Inspections	Department of Party Committee
Bureau for Retired Personnel	Secretariat of National Commission of the People's Republic of China for UNESCO

The local education administrative departments are divided into three levels: provincial, municipal, and county levels. The education administrative department at each level is under the unified leadership of the People's Government at the respective level, and is subject to the operational guidance of the education administrative department at the higher level. The main responsibilities of local education administrative departments include: implementing the state's educational policies and strategies; implementing state's laws and regulations on education; forming local policies and regulations for education work, and organizing implementation; developing local education development strategies, plans, and formulating policies related to education system reform, as well as focus, results, and speed of education development, and organize their implementation.

School education in China is commonly divided into pre-school education, compulsory education (including primary and junior high school education) and high school education.

In China, pre-school education generally refers to pre-primary education of 3-6 years old, which is also known as kindergarten education, and kindergarten-age children are aged from three to six years old (or up to seven years old). Kindergartens are generally three-year, and set-up of one-year or two-year kindergartens is also permitted. Kindergartens may adopt full-time, half-day, fixed hours, seasonal or boarding systems. One kindergarten can use one form mentioned above or can also use different forms in combination. At present, in the preschool education in

China, private service providers account for the majority of kindergartens in terms of both the number of kindergartens and the number of children enrolled. According to relevant plans, 50% of children will be served by public kindergartens by 2020 so as to meet the public demand for inclusive preschool education.

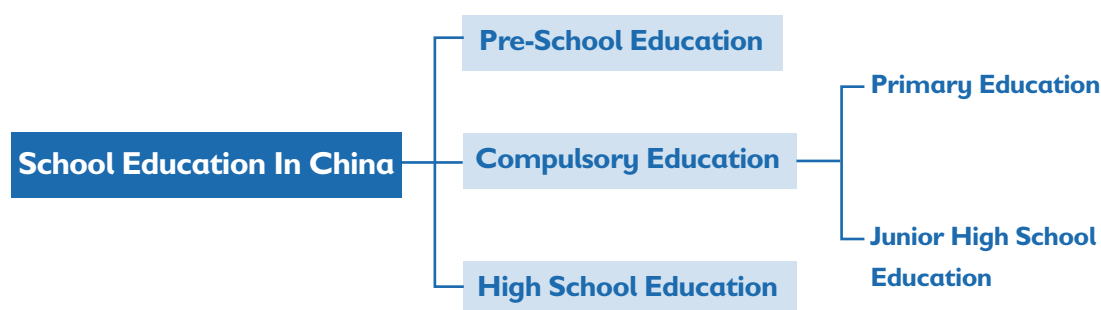
According to the Compulsory Education Law, compulsory education in China is free and covers nine years, including primary and junior high school education. Guardians bear legal responsibility for sending their age-appropriate children to school. Primary school enrollment begins at age of 6, however, in areas where schools are not available it can be postponed to age of 7. The duration of primary school education is 6 years. Provinces, autonomous regions, and municipalities directly under the Central Government may determine the number of years of primary school education in their respective administrative areas based on actual conditions.

Junior secondary education institutes, normally called junior high schools, are 3 years in duration. Junior high school and primary school education are both included in the nine years of compulsory education.

High school education is divided into ordinary high school education and secondary vocational education. The latter includes vocational high schools, technical secondary schools, and technical schools to prepare citizens for employment. High school education is not compulsory, and the number of years of study is generally three years, mainly enroll students who graduate from junior high school.

Private education is an important part of the Chinese education system. In 2017, there were about 177,600 private education schools at all levels in the country, accounting for about 35% of the total number of schools

nationwide; the number of students in various types of private education is 51.2 million accounting for about 19% of the total number of students in the country.



## Number of Schools, Students and Teachers (1978-2017)

According to the 2017 National Statistical Report on Education Development, there are 513,800 schools of all types and at all levels in the country. There are 270 million students of various levels of education at all levels, and 16.27 million full-time teachers<sup>1</sup>.

Among them, children in kindergartens are mainly 3-6 years old; the primary school is usually six years, and the students in the school are mainly 6-12 years old; the junior high school is three years, and the students are mainly 12-15 years old; high school is also three years, and the students are mainly 15-18 years old.

## School population-2018

**Table 2-1: Number of Schools in Education Year 2018**

Education Stage	Number of Schools
Kindergarten	254,950
Primary School	167,009
Junior High School	51,894
Senior High School	24,618
Special Education	2,017
<b>Total</b>	<b>500,488</b>

**Table 2-2: Number of Students in Education Year 2018**

Education Stage	Number of Students (in million)
Kindergarten	46.00
Primary School	100.94
Junior High School	44.42
Senior High School	39.71
Special Education	0.58
<b>Total</b>	<b>231.65</b>

**Table 2-3: Number of Faculty in Education Year 2018**

Education Stage	Number of Faculty	Full-time Teachers
Kindergarten	4.19	2.43
Primary School	5.65 <sup>1</sup>	5.94 <sup>2</sup>
Junior High School	4.08	3.55
Senior High School	3.75	2.61
Special Education	0.07	0.06
<b>Total</b>	<b>17.73</b>	<b>14.60</b>

**Table 2-4: Number of Students Aggregated by Gender in Education Year 2018 (in million)**

Education Stage	Boy	Girl
Kindergarten	24.51	21.49
Primary School	54.05	46.88
Junior High School	23.82	20.60
Senior High School	20.80	18.90
Special Education	0.37	0.21
<b>Total</b>	<b>123.23</b>	<b>108.08</b>

1—The number of teachers and staff in the nine-year schools is included in the junior high school education, and the number of teachers and staff in the full high school and the twelve-year school is included in the high school education; while full-time teachers are classified according to the level of education. Hence the number of teachers and staff in primary schools is less than the number of full-time teachers.

2—Including full-time teachers of primary-school stage in nine-year and twelve-year schools

**Table 2-5: Number of Minority Students in Schools in Education Year 2018**

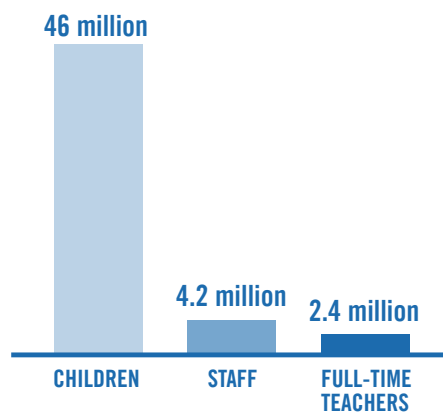
Education Stage	Number(in million)	Percentage
Kindergarten	4.85	10.53
Primary School	11.76	11.65
Junior High School	5.02	11.30
Senior High School	2.51	10.57
Special Education	0.06	10.16

**Table 2-6: Basic Statistics of Special Education**

Location	Number of Students
Urban Area	201,029
County and Town Area	243,519
Rural Area	134,278

## Preschool/Kindergarten

There are 255,000 kindergartens in the country, 46 million children in kindergartens, 4.2 million staff in kindergartens, including 2.4 million full-time teachers.

**Table 2-7: Number of Children and Gross Enrolment Rate of Preschool Education in 1978, 2012, 2015-2017**

	1978	2012	2015	2016	2017
Children In Kindergarten (In Million)	7.88	36.86	42.65	44.14	46
Gross Enrollment Rate	10.6%	64.5%	75.0%	77.4%	79.6%

1—The statistics in this section is all from 'The 2017 National Statistical Report on Education Development'. The statistics do not include the Hong Kong Special Administrative Region, the Macao Special Administrative Region and Taiwan Province. Due to the rounding of some data, there are cases where the total is different from the sub-items.

## Primary School

There are 218,900 schools (including primary and junior high schools) in compulsory education, 145 million students, 9.5 million full-time teachers. 93.8% of enrolled students have completed the nine-year compulsory education.

There are a total of 167,000 primary schools in the country, with an additional 103,000 primary school teaching sites (affiliated to

the township centre schools)<sup>2</sup> and 100.9 million students. There are 5.6 million primary school staff including 5.9 million full-time teachers, and the ratio of students to teachers is 17:1.

# 17:1

THE RATIO OF  
STUDENTS TO TEACHERS

**Table 2-8: Number of Students and Net Enrolment Rate of Primary Education in 1978, 2012, 2015-2017**

	1978	2012	2015	2016	2017
<b>Children in Primary School (in million)</b>	146.24	96.96	96.92	99.13	100.94
<b>Net Enrollment Rate</b>	94.00%	99.85%	99.88%	99.92%	99.91%

## Junior High School

There are a total of 51,900 junior high schools (including 15 vocational junior high schools), with a total of 44.42 million students. The junior high school faculty and staff is 4.1 million, the full-time teachers are 3.5 million, and the student-teacher ratio is 12.5:1.

# 12.5:1

THE RATIO OF  
STUDENTS TO TEACHERS

**Table 2-9: Number of Students and Gross Enrolment Rate in Junior High School Education in 1978, 2012, 2015-2017**

	1978	2012	2015	2016	2017
<b>Children in Junior High School (in million)</b>	49.95	47.63	43.11	43.29	44.42
<b>Gross Enrollment Rate</b>	66.4%	102.1%	104.0%	104.0%	103.5%

2—In some relatively remote areas in China, there are some primary education institutions with very small numbers of students. These institutions are not called schools but called "teaching sites". The teaching site is attached to a nearby primary school as a branch of this primary school.

## High School

Nationally, there are a total of 24,600 schools with a total of 39.7 million students in high school education<sup>1</sup>.

Of this total, there are 13,600 ordinary high schools, with a total of 23.7 million students, 2.7 million ordinary high school faculty, 1.8 million full-time teachers, and student:teacher ratio of 13.4:1.

There are totally 392 adult high schools in the country, with 39,400 students, 3,174 adult high school faculty and 2,421 full-time teachers.

Secondary vocational education includes general secondary vocational schools, vocational high schools, technical schools and adult secondary specialized schools. There are 10,700 schools in total, 15.9 million students in secondary vocational education, 1.1 million faculty members, and 839,200 full-time teachers.

# 13.4:1

THE RATIO OF  
STUDENTS TO TEACHERS

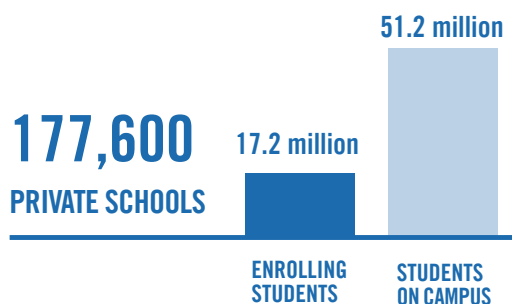
**Table 2-10: Secondary Vocational School Students in 2017 (unit: million)**

	Number of Graduates	Number of Enrolled Students	Number of Current students
<b>Secondary vocational education</b>	4.97	5.82	15.92
<b>Ordinary secondary school</b>	2.17	2.46	7.13
<b>Adult secondary school</b>	0.60	0.57	1.27
<b>Vocational High School</b>	1.29	1.48	4.14
<b>Technical School</b>	0.90	13.09	33.82
<b>Total</b>	<b>9.94</b>	<b>11.65</b>	<b>31.85</b>

<sup>1</sup>—High school stage includes ordinary high school, adult high school, and secondary vocational school.

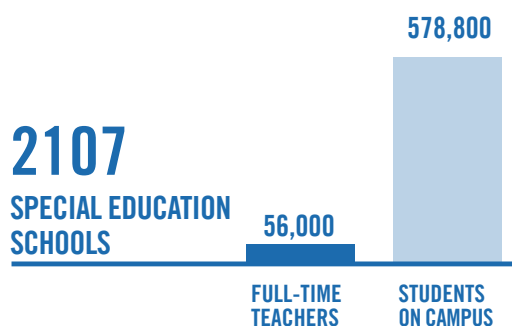
## Private Schools

There are 177,600 private schools of all types and at all levels (including 747 colleges and universities), enrolling 17.2 million new students in 2017, and have 51.2 million new students on campus (including 6.3 million college students). Private schools account for about 35% of the total number of schools, and about 19% of the total number of students in the country.



## Special Education and Students with Disabilities

There are 2,107 special education schools in the country, with a total of 56,000 full-time teachers for special education. There are totally 578,800 students receiving special education in schools, of which 304,000 (52.52%) students with disabilities are enrolled in ordinary primary schools, junior high schools, and special classes in ordinary schools.

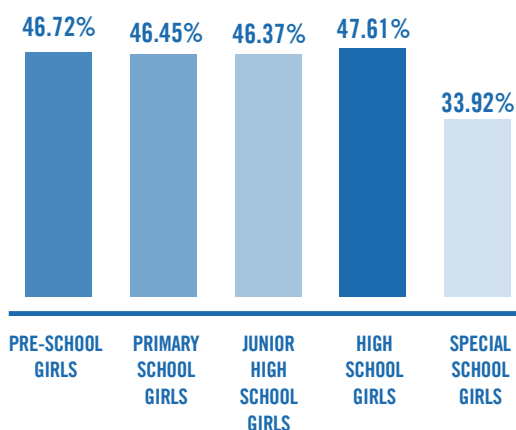


## Gender

The proportion of female students in different education stages are 46.72% for pre-school girls, 46.45% for primary school girls, 46.37% for junior high school girls, 47.61% for high school girls, and 33.92% for special school girls. This is basically the same as the gender ratio of Chinese school-age students, but in special education, the proportion of female students is still relatively lower.

The proportion of female faculty members in different education stages are 92.1% for preschool female teachers, 65.1% for primary school female teachers, 55.5% for junior high school female teachers, and 52.9% for high school female teachers.

**THE PROPORTION OF FEMALE STUDENTS  
IN DIFFERENT EDUCATION STAGES**



## School Enrolment and Completion Rates and Literacy rates

According to 'The 2017 National Statistical Report on Education Development', in 2017, the number of children enrolled in pre-school education was 19.4 million, and the gross enrolment rate of pre-school education was 79.6%. The enrollment of primary schools was 17.7 million, the number of graduates was 15.6 million, and the net enrollment rate of primary school-age children reached 99.9%. Junior high school enrolled 15.5 million students, graduated 13.9 million, and the junior high school gross enrollment rate was 103.5%. The high school enrollment was 13.8 million, and the high school gross enrollment rate was 88.3%.

Among them, 8 million students enrolled in ordinary high schools and 7.7 million graduated. Secondary vocational education enrolled 5.8 million students and graduated 5 million. Nationwide, a total of 110,800 special education students were enrolled with 69,400 graduates.



## School Year

The school year in China generally begins on September 1 of each year and is usually divided into two semesters. The first semester is generally from September 1 to the middle of January. The winter vacation is usually around 3-4 weeks. The second semester is from the middle of February to the middle of July, followed by the summer vacation which is usually around 7 weeks.

China's legal holidays are New Year's Day,

Ching Ming Festival, Labor Day, Dragon Boat Festival, Mid-Autumn Festival, and National Day. The schools will also have a 1-7 day holiday in accordance with the state's arrangement for these public holidays. The number of school days per year is usually around 200 days.

On normal school days, students attend classes from Monday to Friday every week. Students spend about 8 hours a day at school.

## Organization of the Education Sector

The National People's Congress (NPC) is China's highest state power organ, and laws concerning school safety are reviewed and approved by the NPC or the Standing Committee of the NPC. In addition, NPC deputies can also propose legislative proposals on school safety issues, or put forward relevant proposals or inquiries to Ministry of Education and other relevant ministries and commissions.

The State Council is the executive organ of the highest state power and the highest

state administrative organ. In terms of school safety, the State Council can not only lead and manage school safety related work, but also regulate the work by issuing administrative regulations.

The Ministry of Education (MOE) is the competent authority for education in China and is also the government agency directly responsible for school safety in the country.

The MOE is composed by a range of departments and bureaus, including the

Office of the General Office, Department of Policies and Regulations, and the Department of Development and Planning, etc. These five departments directly related to school safety are as follows:

### Chart 2-1: The departments directly related to school safety in MOE

- 01** **Department of Policies and Regulations** is primarily responsible for the development of laws and regulations related to school safety;
- 02** **Department of Basic Education** is primarily responsible for safety education of schools;
- 03** **National Education Inspection Bureau** is mainly responsible for managing the safety supervision of schools;
- 04** **Department of Physical, Health and Arts Education** is mainly responsible for management of infectious disease prevention and diet hygiene and safety;
- 05** **Department of Development Planning** is mainly responsible for the establishment of relevant school construction standards, as well as collection and analysis of educational statistics.

At the same time, the Emergency Management Department, the Ministry of Public Security, the Ministry of Health, and other relevant ministries and commissions also exercise their functions and powers in relation to school safety in accordance with their own functions and powers within the limits prescribed by law. For example, the "Safety Management Measures for Primary and Secondary Schools and Kindergartens" (see Appendix 2.1) stipulates the specific duties of the Ministry of Education, the Ministry of Public Security, the Ministry of Justice,

the Ministry of Construction, the Ministry of Transport, the Ministry of Culture, the Ministry of Health, the State Administration for Industry and Commerce, the General Administration of Quality Supervision, Inspection and Quarantine, the General Administration of Press and Publication and other ministries in school safety.

In addition, local governments at all levels and their administrative departments are also responsible for the safety management of schools in their own jurisdictions.

## Responsibilities of government departments in school safety management

**1.** The administrative departments of education shall perform the following duties with respect to school safety:

(1) Comprehensively master the school safety work situation, formulate the school safety work assessment target, strengthen the school safety work inspection guidance, urge the school to establish, improve and implement the safety management system.

(2) Establish safety work responsibility system and accident responsibility investigation system, eliminate safety related risks in time, and guide the school to properly handle student injury accident.

(3) To timely understand the situation of school safety education, organize schools to carry out targeted safety education for students, and constantly improve the effectiveness of safety education.

(4) To formulate emergency plans for campus safety, guide and supervise the safety work of subordinating educational administrative departments and schools.

(5) Coordinate other relevant government departments to well collaborate in school safety management, and assist the local people's government to organize the rescue and investigation of school safety accidents.

(6) Institutions for education supervision and control shall organize special supervision over school safety work.

**2.** The public security organs shall perform the following functions and duties with respect to school safety:

(1) To understand and master the public security situation of the school and surrounding areas, guide the school to do a good job in campus security, and promptly investigate and punish the cases that disturb the school order, infringe on the personal and property safety of teachers and students.

(2) To guide and supervise school fire safety work.

(3) Assist the school to deal with campus emergencies.

**3.** The administrative departments of public health shall perform the following duties for school safety:

(1) To inspect and guide school health and epidemic prevention and health care work, and to implement disease prevention and control measures.

(2) To supervise and inspect the sanitation of school canteen, school drinking water and swimming pool.

**4.** The construction departments shall perform the following duties for school safety:

(1) To strengthen the supervision over the safety status of school buildings, gas

facilities and equipment; if any safety risks are identified, shall put order for eliminating them immediately according to law.

(2) To guide the safety inspection and assessment of school buildings.

(3) To strengthen the supervision and management of all steps and aspects of the school construction project; if the construction of school buildings, stair rails and other teaching and living facilities has violated the mandatory standards, it shall be ordered to be corrected.

(4) Supervise and urge the school to regularly inspect, maintain and update relevant facilities and equipment.

**5.** The quality and technical supervision department shall regularly inspect the safety of special equipment and related facilities in the school.

**6.** The departments of public security, public health, transportation and construction shall regularly inform the administrative departments of education and schools of the social security, disease prevention and treatment, traffic and other matters related to school safety management, and put forward specific requirements for prevention.

**7.** The departments of culture, press and publication, industry and commerce and other departments shall strengthen the management and supervision of relevant business and service places around the campus, investigate and punish illegal business operators according to law, and maintain a good environment conducive to the growth of young people.

**8.** The judicial administration, public security and other departments shall perform the duties of safety education in schools in accordance with relevant provisions.

**9.** The local people's government, enterprises, institutions, public organizations and individual citizens that operate schools shall perform the following duties with respect to school safety:

(1) Ensure that schools meet the basic standards for school operation, and that school walls, school buildings, grounds, teaching facilities, teaching tools, living facilities, drinking water and other conditions of the school meet the state standards for safety and quality;

(2) Equipped with emergency lighting devices and fire control facilities and equipment to ensure that the lighting and fire control conditions of school buildings, libraries, laboratories, dormitories of teachers and students meet the state safety regulations;

(3) Inspect the safety of the school buildings regularly, and repair the buildings in time if necessary; For the confirmed decrepit buildings, shall conduct timely renovation.

(4) The local people's government shall, in accordance with the law, maintain order in the vicinity of the school, protect the legitimate rights and interests of faculties, students and the school, and provide security for the school.

(5) Where conditions permit, the school sponsor shall purchase liability insurance for the school.

## The legal sources of school safety work

The legal sources of school safety work in the country mainly have the following forms:

### **The first form is the law.**

01

The law encompasses both the basic laws and common laws, which are issued, formulated, revised and promulgated in accordance with legal procedures by the National People's Congress and the Standing Committee of the National People's Congress on the exercise of the state legislative power. The implementation of the laws are also compulsory and guaranteed by the state. For example, the Compulsory Education Law, Law on the Protection of Minors, Law on Prevention of Juvenile Delinquency and the Emergency Response Law both have regulations on school safety.

### **The second form is administrative regulations.**

02

Administrative regulations refer to the general term of the normative documents of the State Council on the exercise of administrative powers and the performance of administrative duties in accordance with the Constitution and laws and with legal procedures. The validity of the administrative regulations are second only to the law. The "School Bus Safety Management Regulations" (see Appendix 2.4) is one example of administrative regulations.

### **The third form is departmental regulations.**

03

Departmental regulations are regulatory documents formulated by the ministries and commissions under the State Council in accordance with laws and administrative regulations. For example, the Ministry of Education has issued the "Safety Management Measures for Primary and Secondary Schools and Kindergartens" (see Appendix 2.1) and the "Student Injury Accidents Coping Measures" (see Appendix 2.2) for regulating school safety work.

04

**The fourth form is local regulations.**

Local regulations refer to the normative documents implemented by the statutory local state authorities in accordance with the statutory authority and formulated and promulgated within the scope of their respective administrative areas under the premise of not conflicting with constitutions, laws and administrative regulations. One example is "The Regulations on the Prevention and Treatment of Personal Injury Accidents of Primary and Secondary School Students in Beijing".

05

**The fifth form is local regulations.**

The local regulations are the normative documents formulated by the provinces, autonomous regions, municipalities directly under the Central Government and the municipalities where the provincial people's governments are located, the cities where the special economic zones are located, and the people's governments of larger cities approved by the State Council. For example, "Measures for School Safety Management in Sichuan Province."

06

**The sixth form is the international treaty.**

International treaties refer to written agreements on the mutual rights and obligations concluded between subjects of international law. For example, "The Convention on the Rights of the Child", which China has joined.

## Education Management Information Systems

The Department of Development and Planning of the Ministry of Education is responsible for the statistics collection and analysis of the national education system. The Department publishes the education statistical yearbook of the previous year in the middle of each year. The statistical yearbook provides detailed statistics and analysis of the basic data of the education development in previous year. The data is publicly available on the official website of Ministry of Education.

The Department of Basic Education of the Ministry of Education has set up a Basic Education Quality Monitoring Center of the Ministry of Education. The Center monitors and analyzes the basic data of compulsory education across the country, and publishes the China Compulsory Education Quality

Monitoring Report from time to time (not at a regular basis).

The Institute of Educational Statistics and Data Analysis under the National Institute of Education Sciences of Ministry of Education has set up a statistical analysis of the national education system data to provide support services for decision-making and development of the education system.

In addition, the website of the Emergency Management Department and the National Seismological Bureau, the Ministry of Water Resources, and the National Meteorological Administration also have statistical analysis of natural disasters, and some are accompanied by relevant maps for explanation.



## 03

## HAZARDS AND RISKS OVERVIEW

## Natural, technological, human-created hazards

China is one of the countries mostly affected by natural disasters in the world. There are many types of hazards, which have wide geographical distribution, high frequency of occurrence, and resulted in heavy losses. In the past three hundred years, there have been 50 events involving more than 100,000 deaths globally, of which 26 of them occurred in China.

From 2011 to 2015, the number of people affected by natural hazards reached 310 million in China, more than 1,500 people were killed due to disasters, more than 9 million people were resettled, nearly 700,000 houses were destroyed, and more than 27 million hectares of crops were affected. The economic loss is more than CNY 380 billion (about USD 54 million).

**The natural hazards in China have the following characteristics:**

01

### **The first is the wide impact range of disasters.**

More than 70% of cities and more than 50% of the population are distributed in areas with serious natural hazard impacts, such as meteorology, earthquakes, geology, and oceanian hazards. From 2011 to 2015, 2,800 counties (cities, districts) in 31 provinces (autonomous regions and municipalities directly under the Central Government) were affected by floods, droughts, wind storms, typhoons, landslides, mudslides and other hazards, covering 97% of national county-level administrative regions.

02

### **The second is the obvious characteristics of the disaster area.**

Large and medium-sized cities and small and medium-sized cities with densely populated and economically developed areas in eastern China are frequently affected by urban flood and typhoons. The geological structure of western China is complex. Earthquakes, landslides, flash floods, mudslides and other hazards occur frequently. From 2011 to 2015, there were 71 earthquakes with magnitude 5 or above happening in mainland China. Among them, the earthquake damages in Yunnan, Sichuan and Gansu provinces in the western region were the most prominent.

## 03

**The third is the significant impact of the monsoon climate.**

More than two-thirds of China's land area is threatened by floods. Regional droughts occur almost every year. There are on average seven tropical cyclones landing in the eastern coastal areas every year. Floods and typhoons are mainly concentrated in flood season. From 2011 to 2015, more than 1,600 rivers in China had floods above alert water level, and more than 100 rivers had super floods that exceeded historical record. Every year, over a hundred administrative areas of and above county level are flooded.

## 04

**The fourth is that disaster losses are dominated by floods and earthquakes.**

In 2011-2015, among all hazards, floods occurred most frequently in China, with the highest impact and caused the most losses. Floods affected more than 80% of the country's counties. Floods account for more than 60% of the number of people missing, and the number of houses destroyed in disasters. Earthquakes have the most intensive impact in terms of casualties and property losses. Sichuan Lushan 7.0 earthquake and Gansu Minxian 6.6 earthquake in 2013, Ludian 6.5 earthquake in 2014 have all caused many casualties and heavy property losses.

In recent years, China has increased its efforts in disaster prevention and mitigation and achieved remarkable results. The average annual disaster damage from 2011 to 2015 is significantly lower than that of 2001 to 2010. Among them, the number of missing persons due to disasters decreased by 86.7% per year, and the number of collapsed houses decreased by 75.6%.

**Table 3-1: Number of Death due to Disasters (including missing population)**

	2010	2011	2012	2013	2014	2015	2016	2017
<b>Dead or Missing</b>	7,844	1,126	1,530	2,284	1,818	967	1,706	979

In response to the prevention and control of natural hazards, on October 10, 2018, Chinese President Xi Jinping presided over the third meeting of the Central Financial and Economic Committee, which proposed "nine implementations", namely:

- Disaster risk identification and major risk identification projects;
- Ecological restoration projects in key ecological functional areas;
- Coastal protection and restoration projects;
- Reinforcement of housing facilities in the earthquake-prone area;
- Flood-control and drought-relief water conservancy projects;
- Comprehensive management of geological disasters and relocation of displaced persons to safe-haven;
- Construction of emergency rescue center;
- Natural hazards monitoring and early warning information project;
- Projects on modernization of technology and equipment for disaster prevention and control

In addition to natural disasters, man-made disasters and technological disasters have also caused serious threats to China.

According to the statistics of the China Emergency Management Department, in 2018, the national fire situation remained generally stable. In 2018, a total of 237,000 fires were reported nationwide, resulting in 1,407 deaths, 798 injuries, and direct property losses of CNY 3.675 billion (around USD 520 million).

**237,000**  
**FIRES**

**1,407**      **798**  
**DEATHS**      **INJURIES**

**3.675 billion**  
**DIRECT PROPERTY LOSSES**

**Table 3-2: China Fire Accident Statistics**

	2013	2014	2015	2016	2017	2018
<b>Fires</b>	388,000	395,000	338,000	312,100	281,000	237,000
<b>Deaths</b>	2,113	1,817	1,742	1,582	1,390	1,407
<b>Injuries</b>	1,637	1,493	1,112	1,065	881	798
<b>Direct Property Loss (billion in CNY)</b>	4.9	4.4	4.0	3.7	3.6	3.7

According to the State Administration of Work Safety and Ministry of Transport, the number of deaths caused by road traffic accidents in China is still the second highest in the world. In 2016, China had 8.64 million road traffic accidents including 212,846 involving casualties causing 63,093 deaths, 226,430 injuries, and CNY 1.21 billion (about USD 17.2 million) of direct property losses.

The road traffic accident death rate per 10,000 vehicles is 2.14. The death rate per 100,000 people in road traffic accidents is 4.56.

In addition, due to the influence of extremist religious organizations, the situation of counter-terrorism in some regions of China is still quite severe.

## **Historical impacts of hazards, disasters, conflict, and inter-personal violence on schools and child-protection**

Like other countries in the world, China's school safety is also threatened by various hazards, both from natural hazards and from man-made accidents. Among them, for Chinese schools, the following events have seriously threatened the schools.

**Earthquake:** Because many schools in China are located in the earthquake zone, the earthquake poses a great threat to the safety of teachers and students in schools. At 14:28 on May 12, 2008, a magnitude 7.8 earthquake occurred in Wenchuan County, Sichuan Province (31.0 degrees north latitude, 103.4 degrees east longitude). According to the report issued by Ministry

of Civil Affairs, as of 12:00 on July 21, 2008, the Wenchuan earthquake confirmed 69,197 death, 374,176 injured, and 18,222 missing. In the earthquake, many schools were collapsed, and more than 5,000 school faculty and students were either killed or injured.

**Floods:** Floods pose a very high safety threat to school students. On June 10, 2005, the central elementary school of Shalan Township in Heilongjiang Province was hit by flooding, due to heavy rain, and 105 students died.

**Fire:** Fire is also a type of disaster that seriously threatens the safety of Chinese

schools. On December 8, 1994, a fire broke out at the local Friendship Hall when the local primary and middle school students were attending a performance show in Karamay, Xinjiang. A total of 325 people were killed, including 288 primary school students, and 132 people were injured in this fire. However, in recent years, with the emphasis on school fire safety, there have been no serious fire accidents in schools.

**Drowning:** Drowning is the No.1 killer of Chinese primary and secondary school students. According to the statistics of the Ministry of Education over the years, almost one-third of the accidental deaths of primary and secondary school students each year are due to drowning. In recent years, with more and more attention from the schools and the society on the students' drowning accidents, the number of drowning accidents has dropped significantly, but the number of students' accidental deaths caused by drowning is still higher than other accidents.

**Corporal punishment:** Student injury caused by teachers' corporal punishment has always been an event of concern to Chinese society. For example, in 2017, a kindergarten teacher in Beijing used needles to injure four children in the kindergarten. The teacher was sentenced to one year and six months in prison by the court.

**Road safety:** Road safety for primary and secondary school students is also a type of accident that seriously threatens the safety of Chinese primary and secondary school students. Road accidents in primary and secondary school students often occur on the way to school and from school back to home. A severe accident happened on

November 16, 2011 - a school bus carrying kindergarten children in Gansu Province was overloaded and collided with a truck. The incident killed 22 people.

**Bullying:** In recent years, bullying incidents among primary and secondary school students have received increasing attention from society. However, the bullying incidents of primary and secondary school students still occur from time to time, which seriously affects the physical and mental health of students affected. The Ministry of Education has issued a number of documents in 2017-2018, requiring schools of all types and at all levels to do a good job in the prevention and control of student bullying.



## Livelihood & poverty impacts

Since the establishment of the People's Republic of China, more than 700 million people living in poverty in rural areas have successfully alleviated out of poverty. China has become the country that has alleviated most number of people out of poverty in the world and the first country in the world to complete the UN Millennium Development Goals. By the end of 2014, there were more than 70 million rural poverty population in China. According to China's development goals, it is expected that all of the poor will be relieved out of poverty by 2020.

It is worth noticing that disasters are an important cause of poverty and a problem that the Chinese government attaches great importance to. For example, in the Sichuan earthquake in 2008, the direct economic loss was CNY 845.2 billion (about USD 119.7 billion). Many residential houses in

the earthquake zone collapsed, and the loss of living and production facilities was tremendous. After the Wenchuan earthquake, the Chinese government immediately issued a policy for reconstruction of the disaster-stricken areas. All the housing of the affected residents have been restored or started to be rebuilt in less than three months. The 22 provinces across the country and the Hong Kong Special Administrative Region provided support to the affected areas (one province/region in bound with one affected county), helping the reconstruction of the disaster areas and restore normal production and life quickly. In this way, the affected residents got rid of the threat of poverty in a shortest period of time.

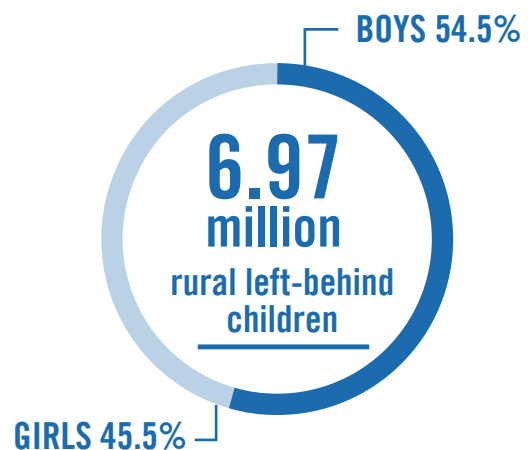
In the field of education, China has vigorously strengthened education, poverty alleviation and student funding. In 2017, the country

subsidized 95.9 million students, with a total funding of CNY 188.2 billion (about USD 26.7 billion). According to the state's subsidy policy, the subsidy ranged from pre-school education to higher education and vocational education, providing poor students at all levels of schools with a certain amount of subsidies to ensure the continuation of their

study and life. Moreover, schools in poor areas receive economic and material support from all over the country after natural disasters. So far, poverty has not had a direct impact on school safety or educational continuity, however the vulnerability of left-behind children in rural areas should not be ignored which is explained below.

## Risk analysis of left-behind<sup>1</sup> children

One of the problems that poses a serious safety threat to students in China is the problem of left-behind children. Because there is no proper guardian protection, these students are prone to accidents such as drowning, sexual assault and bullying. According to the statistics of the National Rural Left-behind Children and the Distressed Children Information Management System of the Ministry of Civil Affairs, there are currently more than 6.97 million rural left-behind children, including 54.5% boys and 45.5% girls. 96% of rural left-behind children are taken care of by their grandparents, and 4% of rural left-behind children are supervised by other relatives or friends.



**Table 3-3: Enrolment of Rural Left-behind Children**

Situation	Not enrolled	Kindergarten	Primary school	Junior high school	High school	Secondary vocational school	Out-of-school
Proportion	7.1%	18.4%	51.9%	19.5%	2.2%	0.1%	0.8%

**Table 3-4: Age of Rural Left-behind Children**

Situation	0-5 years	6-13 years	14-16 years
Proportion	21.7%	67.4%	10.9%

<sup>1</sup>—Left-behind children refer to school-age children and adolescents who have been out of work for more than three months and are in the hometown where they are registered, and are supervised by their parents or other relatives.



# 04

## DISASTER RISK MANAGEMENT OVERVIEW

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## **Political System**

### **The Emergency management system**

China's disaster emergency management used to involve a number of relevant government departments. For this reason, China officially established the Ministry of Emergency Management in March 2018 to centralize the emergency management functions scattered in various departments.

The main functions of the Ministry of Emergency Management include:

- 
- **Organize the preparation of national emergency overall plans;**
- 
- **Guiding all departments in various regions to respond to emergencies, and promoting the construction of emergency plan systems and drills;**
- 
- **Establish a disaster reporting system and issue the disaster information; coordinate the construction of emergency relief force and material preparation and storage, as well as dispatching during disaster relief stage;**
- 
- **Organize disaster relief system construction, guide the relief work of industrial and natural disasters, and undertake the responsibility of leading major disasters in country;**
- 
- **Guide the prevention and control of fires, floods and droughts, geological disasters, etc.**
- 
- **And be responsible for comprehensive supervision and management of safety production, and supervision and management of industrial and mining industries.**
- 

At present, the main deliberative institutions under the Ministry of Emergency Management and the 22 departments and subordinate units are shown in the chart below (see chart 2).

Chart 2: Ministry of Emergency Management

Ministry of Emergency Management	
<b>Deliberative bodies</b>	The State Flood Control and Drought Relief Headquarters
	The State Council Earthquake Relief Headquarters
	The State Council Work Safety Committee
	National Headquarters of Forest and Grassland Fire Prevention and Control
	National Committee for Disaster Reduction
<b>Departments</b>	General Office
	Emergency Command Center
	Department of Personnel
	Department of Education and Training
	Department of Risk Monitoring and Integrated Disaster Reduction
	Department of Rescue Coordination and Plan Management
	Department of Fire Prevention Management
	Department of Flood Control and Drought Relief
	Department of Earthquake and Geological Disaster Rescue
	Department of Dangerous Chemical Safety Supervision and Management
	Workplace Safety Basics Department
	Workplace Safety Enforcement Department
	Workplace Safety Integrated Coordination Department
	Department of Disaster Relief and Material Security
	Department of Policies and Regulations
	Department of International Cooperation and Rescue
	Department of Planning and Finance
	Department of Survey, Evaluation and Statistics
	The Information Department
	Department of Technology and Information Technology
	Department of Party Committee
	Bureau for Retired Personnel
<b>Subordinate units</b>	China Earthquake Administration
	National Coal Mine Safety Administration
	Fire and Rescue Department
	Forest Fire Control Bureau
	National Workplace Emergency Management Center

China National Commission for Disaster Reduction is the agency responsible for organizing, leading, and coordinating the nation's disaster relief activities. The members of China National Commission for Disaster Reduction is expected to function in disaster relief in accordance with their respective responsibilities. The Office of China National Commission for Disaster Reduction is responsible for communicating with relevant departments and local governments, organizing the work of inter-agency disaster assessments, disaster relief, etc., and coordinating the implementation of relevant support measures.

The local People's Government at or above the county level or the People's Government's disaster relief emergency coordination organization shall organize and coordinate the disaster relief work in its administrative region. The emergency management departments of local People's Governments at or above the county level shall be responsible for the relief of disasters in their respective administrative areas.

"Top to bottom, and side to side" (all layers of government agencies and all relevant government departments collaborate together) is a disaster emergency plan system gradually formed in China. Combined with this system, the government has developed specific emergency plans for disaster relief, flood control and drought relief, earthquake and other geological disasters emergency relief, serious forest fire handling, medical rescue and hygiene, meteorological disaster prevention and communication support. All provinces, cities and counties have prepared emergency plans for natural disaster relief, and the development of local plans for

towns, streets, administrative villages and communities have also got attention and promotion.

A disaster monitoring and early warning system has been established and improved by the joint efforts of multiple departments. Monitoring stations for river floods, agricultural conditions and agricultural pests, droughts and heavy rains, forest fire risks, terrestrial wild animal epidemic diseases, earthquake reports, and ocean observations have been further improved, station network density has been continuously increased. Through timely collection and reporting of disasters from various monitoring facilities, the timeliness and accuracy of early warning and forecasting have been significantly improved. The time for obtaining early warning and forecasting of disasters has been significantly advanced, and there is an obvious increase on coverage rate.

China's current laws and regulations related to disaster prevention and risk reduction mainly include: Flood Control Law, Earthquake Mitigation and Risk Reduction Law, Mine Safety Law, Road Safety Law, Fire Law, and Emergency Response Law, Safe Production Law, Safety Accident Emergency Regulations, etc.

In 2016, the State Council of China promulgated the "National Comprehensive Disaster Prevention and Risk Reduction Plan (2016-2020)". It has made plans for China's disaster prevention and risk reduction work for the mid-term period, and proposed nine specific work targets that need to be completed by 2020. Among them, the annual average direct economic loss due to disasters shall be controlled within 1.3% of the total

GDP, and the annual average death rate per million population is controlled within 1.3.

In the "National Comprehensive Disaster Prevention and Risk Reduction Plan (2016-2020)", school safety is mentioned in many aspects. For instance, the Plan mentions that "Disaster preparedness ability of important infrastructure and basic public service facilities will be improved. In particular, the level of damage on schools, hospitals and other facilities with dense population should be effectively reduced". "To clarify the responsibilities and obligations of the

government, schools, hospitals, armed forces, enterprises, social organizations and the public in disaster prevention, reduction and relief." "We will continue to carry out safety reinforcement projects for public infrastructure, focusing on improving the safety of schools, hospitals and other densely populated places, meeting the earthquake-proof construction standards for kindergartens, primary and secondary schools, and improving the safety level of major construction projects and lifeline projects."

## **Economic**

### **Financial Support**

The Ministry of Finance, the National Development and Reform Commission, the Ministry of Emergency Management and other departments shall, according to the "People's Republic of China Budget Law" and the "Regulations on Natural Disaster Relief", arrange the central disaster relief fund budget, establish and improve the central-local disaster relief fund-sharing mechanism based on the principle of local government mainly responsible for relief fund and fund-sharing across all levels, as well as urge local governments to increase investment in disaster relief.

The People's Governments at or above the county level incorporate disaster relief work into their economic and social development plans, establish and improve funds and material security mechanisms that are compatible with the needs of disaster

relief, and allocate funds in the budget for disaster relief funds and disaster relief work.

The central government comprehensively considers various factors, including the disaster forecast issued by the relevant departments and the actual expenditures of the previous year, and rationally arranges the central disaster living subsidy funds, which are specifically used to help solve the basic living difficulties of the affected people in areas suffering from particularly serious and major disasters.

Village committees, residents' committees, and social organizations such as the Red Cross, charitable associations, and public foundations assist the people's government in carrying out disaster relief work. The state encourages and guides units and individuals to participate in activities such as disaster relief donations and volunteer services.

For disaster risk reduction and preparedness, it is proposed in "The National Comprehensive Disaster Prevention and Risk Reduction Plan (2016-2020)" to increase financial investment in disaster prevention and risk reduction infrastructure construction, major engineering construction, scientific research, personnel training, technology research and development, public science education and education training. In the 2019 budget of the Ministry of Emergency Management, disaster prevention and emergency management expenditures were CNY 2.7 billion (about USD 380 million).

### Social / Cultural

In China, government departments at all levels and various social organizations carry out disaster prevention, risk reduction and relief public education activities on a regular or irregular basis, using various media to publicize emergency laws and regulations, knowledge and skills on disaster prevention and risk reduction, self-protection in disasters, self-support, rescue others and insurance. On important and relevant days, such as "Disaster Prevention and Risk Reduction Day", "International Day for Disaster Risk Reduction", "World First Aid Day", "National Science Day", "National Fire Fighting Day" and "International Civil Defense Day", public awareness-raising activities are designed to improve citizens' awareness and scientific capabilities of disaster prevention and risk reduction.

Schools and communities also carry out some awareness-raising and education activities on disaster prevention and risk reduction in accordance with their actual conditions and some disaster prevention and risk reduction related

commemorative days so as to promote the development of comprehensive disaster reduction demonstration communities and demonstration schools. In addition, since 1996, China has determined that Monday of the last week of March will be the "National Safety Education Day for Primary and Secondary School Students", and vigorously promotes safety education to reduce the occurrence rate of various types of incidents that cause casualties.

### Technology

In China, the early detection of disasters makes full use of various modern science and technology, such as the establishment of sound environmental and disaster monitoring and forecasting satellites, environmental satellites, meteorological satellites, marine satellites, resource satellites, aerial remote sensing and other ground monitoring systems to develop terrestrial applications. And the establishment of "sky-ground-air all around" disaster detection and early warning system for analysis and assessment and emergency decision support system is based on remote sensing, geographic information system, simulation, computer network and other technologies. These modern sciences and technologies have played a huge role in the early prediction and early detection of disasters.

The early warning of disasters is mainly released through websites, television, radio, SMS, WeChat, etc. At the same time, some schools and agencies in China have also begun to use the earthquake early warning system. This system is the principle that the electric wave is faster than the seismic wave when the earthquake occurs, and the target is warned before the arrival of the seismic



wave to reduce casualties and secondary disasters. The early warning system has realized the simultaneous release of early warning information through smart phones, radio and television, microblogs, and earthquake warning information receiving servers, making China the third country with the capability of earthquake early warning technology after Mexico and Japan.

At the same time, the earthquake warning technology has been provided to Nepal and is interconnected with the earthquake warning network in mainland China.

On June 11, 2007, the Bureau of China Meteorological Administration reviewed and approved the "Measures for the Release and Dissemination of Meteorological Disaster Warning Signals", which stipulated that the early warning signals consisted of names, icons, standards and defense guidelines, which were divided into typhoons, rainstorms, blizzards, cold waves, gale, sandstorms, high temperatures, drought, thunder, hail, frost, fog, hail, road icing, etc. The level of early warning signals is generally divided into four levels according to the potential impact degree, urgency and development of meteorological disasters: **Grade IV (general)**, **Grade III (heavier)**, **Grade II (serious)**, and **Grade I (especially severe)**. It is indicated by blue, yellow, orange and red in turn, and is marked in both Chinese and English. At present, the local education administrative departments have generally formulated their own emergency plans according to different meteorological warnings. For example, in different warning levels of typhoons, emergency measures such as closing doors and windows, releasing students in advance, and temporary closing the school are adopted. Meteorological warnings and school emergency plans are inter-related and together play an important role in disaster prevention and mitigation in Chinese schools. In the practical implementation, schools in the eastern region is more mature and advanced in connecting school plans with early warning of disasters, especially the typhoon and other natural hazards early warnings, which is worth of reference and learning for schools in the western region.



# 05

## CHILD PROTECTION SYSTEM OVERVIEW

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## Structure, Organization and Staffing of the Child Protection System

China attaches great importance to the protection of children's rights and interests, and children's issues have always been one of the most concerned issues in Chinese society. In 1991, China enacted the Law on the Protection of Minors, which was revised twice in 2006 and 2012. The law has established a system of protection and relief for minors including, family protection, school protection, social protection and judicial protection of minors.

In 2011, the State Council promulgated the "China Children's Development Program (2011-2020)", which outlines the main goals and strategic measures for child development in the four areas of child health, education, legal protection and the environment. Among them, the Children and Legal Protection section specifically proposes the goals and implementation strategies for the protection of children's rights and interests. In addition, China has issued a large number of policy documents designed to protect children's rights.

These laws, regulations and policies have jointly established China's legal system to protect children's rights. For example, in 2014, the Supreme People's Court, the Supreme People's Procuratorate, the Ministry of Public Security, and the Ministry of Civil Affairs jointly issued the "Advice on Handling Certain Issues Concerning the Guardian's Infringement of the Rights and Interests of Minors", and stipulated the prevention and punishment of guardian infringing upon the rights and interest of persons under guardianship.

In China, the main violation of rights faced by children include domestic violence, school violence, child sexual abuse, child begging, child trafficking, etc. These incidents have received great attention from the society. The Chinese government has also taken a series of measures to reduce serious violations of children's rights.

In China, the main management agency for child protection is located in the Ministry of Civil Affairs. On the one hand, the civil affairs departments strive to build a service network system for children in difficult circumstances through a series of efforts such as assistance, protection, and assessment assistance, which has strengthened the protection of children's rights. On the other hand, they promote national laws and policies through various methods such as issuing macro policies.

The Department of Child Welfare has been set up in the Ministry of Civil Affairs in 2019. The main duties of this department are to formulate child welfare, care provided to orphans and abandoned children, child adoption, child protection policies and standards; improve the care system for rural left-behind children and the child protection system for children in difficult circumstances; and guide the management work of child welfare, child adoption registration, and rescue and protection agencies. At the local level, the main institutions for child protection are the civil affairs departments at all levels.

According to the statistics of the Ministry of Civil Affairs, as of August 2018, there were 6.97 million left-behind children in China<sup>1</sup>. In 2016, in order to strengthen the protection of minors, the Ministry of Civil Affairs also set up a special department for the protection of minors (the left-behind children) in the Department of Social Affairs to establish and improve the working mechanism and service system for the protection of minors, comprehensively investigate and improve the information management of left-behind children in rural areas. The management of left-behind children by specialized government department has played a positive role in helping left-behind children

get rid of some problems that plague them, especially safety issues.

Currently, China has already formed leadership mechanism for the care and protection of left-behind children in rural areas joined by governments at all levels. This mechanism is led by the civil affairs department and attended by education, public security, judicial administration, health and family planning departments, and Women's Federations and Communist Youth League groups. This has played a positive role in protecting the safety of left-behind children.

In May 2013, the Ministry of Civil Affairs issued a notice to decide on the pilot work of social protection for minors, and started to carry out pilot work on social protection for minors in 98 regions of Beijing, Hebei, Shijiazhuang, etc., focusing on below six key areas:

- 
- **Establishing a community protection network for minors**
- 
- **Strengthening home monitoring services and supervision**
- 
- **Establishing mechanisms for the detection, reporting and response on minors being victimized**
- 
- **Protecting minors being hurt**
- 
- **Providing aid and support to minors in difficult circumstances**
- 
- **Improve the social protection mechanism and system for minors**
- 

<sup>1</sup>—Left-behind children refer to minors under the age of 16 whose parents both go out to work, or one parent is out of work and the other is incapable of guardianship.

Invited by Ministry of Civil Affairs, UNICEF and Save the Children have also actively participated in the implementation of the pilot projects in different regions. It is expected that by exploring the preliminary set-up of a social protection system for the minors in difficult circumstances with family custody intervention as the core, and promoting the establishment of a seamlessly coupled operational mechanism composed of family protection, school protection, social protection and judicial protection etc., this mechanism can help children lack of guardianship or with inappropriate guardianship and their families to solve living, guardianship, education and development problems.

Under the coordination of the civil affairs departments, the education administrative departments and the public security administrative departments are also responsible for child protection related matters within the scope of their functions and powers. In addition, the Communist Youth League, Women's Federations, trade unions, youth federations, student federations, juvenile vanguards and other relevant social groups assist the people's governments at all levels in the protection of minors.

## Laws & regulations

In China, there are two main laws concerning child protection, namely the Law on the Protection of Minors and the Law on the Prevention of Juvenile Delinquency. In addition, in the "General Principles of Civil Law", there is a special section to articulate the content of guardianship, and specific provisions are made on the rights and obligations of guardians. In the Criminal Law, crimes against children, such as child trafficking and the crime of ill-treatment of guardians, and their penalties are also stipulated. Of course, in the Education Law and the Compulsory Education Law, the relevant provisions on the protection of underage students are also stipulated.

In the Law on the Protection of Disabled Persons and the Regulations on the Education of Disabled Persons, relevant provisions have also been made on the protection of the right to education of children with disabilities.

In addition, in some national regulatory documents, provisions have also been made on the protection of children's rights, such as the 'Advice of the Supreme People's Court, the Supreme People's Procuratorate, the Ministry of Public Security, and the Ministry of Civil Affairs on Handling Guardians' Infringement of the Rights and Interests of Minors'. Children, whose rights and interests are infringed by their guardians, are provided with relevant protection.



## Role of school personnel in child protection

According to the provisions of the Law on the Protection of Minors, the four parts of school protection, family protection, social protection and judicial protection are specifically stipulated. Regarding school protection, the duties that schools should perform in protecting minors are listed. For example, Article 21 of the Law stipulates that the faculty of schools, kindergartens and nurseries should respect the personal dignity of minors and must not use corporal punishment, disguised corporal punishment or other behaviours that insult human dignity. Any school that does not fulfill the statutory requirements for the protection of children will bear corresponding legal responsibilities.

According to the laws and regulations of the Anti-Domestic Violence Law, if schools, kindergartens, medical institutions, residents committees, village committees, social work service agencies, rescue management

agencies, welfare agencies and their staff find a person with no civil capacity, or limited capacity, or suspected of having suffered domestic violence, he/she shall report the case to the public security departments in a timely manner. If it is not reported as required, the relevant responsible person will bear the corresponding legal responsibility. In 2016, the Supreme People's Court published typical cases concerning the disqualification of guardianization for infringement of the rights and interests of minors, which is quite useful in guiding the trial of such cases by local courts.

## Cultural norms

Respecting the old and loving the young is one of the most important concepts of the traditional culture of the Chinese nation. Therefore, the protection of the rights of minors is highly valued by the state, society and the family. However, Chinese traditional culture also believes that the growth of children is inseparable from strict discipline, so corporal punishment on children was quite common in Chinese family education in the past. In recent years, as the knowledge and understanding of law among public has enhanced, the component of corporal punishment in family education is gradually decreasing. However, there were still some incidents in which minors were harmed by corporal punishment, which requires further attention.

In addition, issues such as low acceptance of the disabled by the society and reluctance to seek legal protection after sexual harassment or abuse are also issues that need to be addressed and resolved in the future development of Chinese society.

In order to ensure the family protection is provided to children, China has specifically stipulated a guardianship system in the civil legal system, and in the criminal law, it provides corresponding criminal liability for the guardian's failure to perform guardianship duties.



# 06

## COMPREHENSIVE SCHOOL SAFETY OVERVIEW

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## Integration and coordination mechanisms

In China, school safety has two modes in the education administration system. The first is that school safety is handled by multiple parts. For example, in the Ministry of Education, the Department of Policy and Regulation, the Department of Basic Education, the Supervisory Bureau, the Department of Arts and Social Welfare share the responsibilities on school safety. Some local education administration also adopts this model. The second model is setting up a stand alone management agency for school safety in the education administrative department. For instance, in most of China's educational administrative departments, school safety management agencies are set up, which are specifically responsible for school safety work, and coordinate with other relevant departments within education department in order to do a good job on school safely.

Outside the education system, the education departments work with other government agencies to build a school safety management mechanism. For example, the "Advice on Strengthening the Building of Safety Risk Prevention and Control System for Primary and Secondary Schools and Kindergartens" issued by General Office of the State Council on April 25, 2017 requires that education departments at all levels, and public security organs should clearly define the specialized agencies responsible for the prevention and control of school safety risks (see Appendix 2.8).

"Safety Management Measures for Primary and Secondary Schools and Kindergartens" puts forward: "The local

people's governments at all levels and their departments of education, public security, judicial administration, construction, transportation, culture, health, industry and commerce, quality inspection, press and publication shall shoulder the responsibilities for the school safety work according to their perspective duties, and perform school safety management duties according to the law." (See attached Appendix 2.1)

"The Regulations on School Safety Management" (2012) also proposes that the relevant departments of education, public security, transportation, and production safety supervision and management of local people's governments at or above the county level shall perform the duties related to school bus safety management in accordance with this Regulations and the regulations of the people's government at the same level (see Appendix 2.4).

In addition to the division of labor among different government administrative departments, China has also mobilized social forces to support school safety work. For example, the "Advice on Strengthening the Building of Safety Risk Prevention and Control System for Primary and Secondary Schools and Kindergartens" issued by General Office of the State Council stipulates that various social organizations should be encouraged to provide support for schools to carry out safety education, establish safety education practice places, and focus on popularizing and improving safety education for families and communities (see Appendix 2.8).

For example, China's largest association of organizations, the China Education Association has set up the "School Safety Education Information Platform" in 2013, and the Internet + education model was used to carry out safety education in primary and middle schools. The safety education platform<sup>1</sup> implements functions such as safety education classroom teaching, effectiveness evaluation, teaching management, big data analysis, and safety reminders. At present, the safety education platform has covered 240,000 primary and middle schools, 3.2 million teachers, 130 million students and parents.

In addition, NGOs such as UNICEF, Save the Children, One Foundation, and the Asia Foundation have also carried out some school safety projects in some areas of China, which have played an important role in improving the safety of schools in target areas.

At present, China has basically established a relatively complete school safety policy legal system. Under the requirements of this system, all levels of schools across the country carry out school safety work with their own geographical or school characteristics.

**Table 6-1: School safety related policies in China**

	Name	Issuing Organization
<b>Law</b>	Minor Protection Act	National People's Congress(NPC)
	Prevention of Juvenile Delinquency	NPC
	Education Law	NPC
	Compulsory Education Law	NPC
	Law of Teachers	NPC
	Tort Liability Law	NPC
	Emergency Response Law	NPC
	Fire Prevention Law	NPC
	Road Safety Law	NPC
	Earthquake Prevention and Disaster Reduction Law	NPC
	Infectious Disease Prevention and Treatment Law	NPC
	Food Safety Law	NPC

1—Website of the safety education platform: <https://www.xueanquan.com/>

**Table 6-1: School safety related policies in China**

	<b>Name</b>	<b>Issuing Organization</b>
<b>Regulations</b>	School Bus Safety Management Regulations	The State Council
	School Health and Hygiene Work Regulations	The State Council
	School Physical Education Work Regulations	The State Council
	Public Health Emergency Response Regulations	The State Council
	Regulations on Education Supervision	The State Council
<b>Regulations and Other Policies</b>	Safety Management Measures for Primary and Secondary Schools and Kindergartens	Ministry of Education, etc.
	Student Injury Accidents Coping Measures	Ministry of Education
	Guidance for Emergency Evacuation Drill in Primary and Secondary Schools and Kindergartens	Ministry of Education
	Division of Labor Guide for Safety Work Responsibilities in Primary and Secondary Schools	Ministry of Education
	School Food Safety and Nutrition Health Management Regulations	Ministry of Education
	Interim Provisions on Environmental Management of Primary and Secondary Schools	Ministry of Education
	Primary and Secondary School Laboratory Procedures	Ministry of Education
	Work Plan for A(H1N1) Influenza Prevention and Control in Schools	Ministry of Education
	Primary and Secondary School Students' Health Checkup Management Measures	Ministry of Education
	Guidance on Preventing Bullying and Violence Among Primary and Secondary School Students	Ministry of Education, etc.
	Strengthening the Comprehensive Management Plan for Bullying in Primary and Middle Schools	Ministry of Education



# 07

## **PILLAR 1: SAFE SCHOOL FACILITIES: POLICIES, PRACTICES & PROGRAMS**

## School Facilities

The scale of China's education is large and the number of students is the highest in the world, so the scale of education and teaching places in schools is also very large. Especially in recent years, as China has increased its investment in education, there is a significant increase in number of new school buildings. Overall, China's current school building facilities are not only large in scale, but also growing very fast in quantity. At the same time, China has adopted strict requirements and standards for the planning, design and construction of new schools. Therefore, majority of the school buildings and facilities can basically meet the safety requirements of education and teaching. In addition, after the Sichuan earthquake in 2008, China carried out a school safety project to conduct seismic strengthening

of dangerous buildings at various levels of schools across the country. These are very helpful to ensure the safety of the school.

However, due to historical reasons, there are still a very small number of dangerous buildings in schools in the country, which poses a certain threat to the safety of students. At the same time, in recent years, Chinese schools have also had a very small number of sports facilities with safety problems that have led to student casualties. All these need to be paid serious attention to in the future.

**Table 7-1: Dangerous Buildings in School Sector in 2017<sup>1</sup>**

	School Area (m <sup>2</sup> )	Dangerous Structures (m <sup>2</sup> )	Proportion of Dangerous Buildings
<b>Kindergarten</b>	320m m <sup>2</sup>	671,752 m <sup>2</sup>	0.21%
<b>Primary School</b>	751m m <sup>2</sup>	5.7m m <sup>2</sup>	0.75%
<b>Junior High School</b>	610m m <sup>2</sup>	3.9m m <sup>2</sup>	0.64%
<b>Senior High School</b>	515m m <sup>2</sup>	3.2m m <sup>2</sup>	0.62%
<b>Vocational School</b>	212m m <sup>2</sup>	855,697 m <sup>2</sup>	0.40%
<b>Special Education School</b>	10m m <sup>2</sup>	89,181 m <sup>2</sup>	0.92%
<b>Total</b>	<b>2418m m<sup>2</sup></b>	<b>14.4m m<sup>2</sup></b>	<b>&lt;1%</b>

<sup>1</sup>—Data is from the education statistics issued by Ministry of Education in 2017.

## **School Construction and Maintenance**

In China, the establishment, site selection and construction of public schools are the responsibility of the local government, specifically related to the government's planning department and financial department. The current school construction generally has two forms. One is that the government adopts the form of bidding, and the bid is open to qualified architectural design companies and construction companies. The government selects which design company carries out the design and which construction company carries out the construction. The second is that the real estate developer is responsible for the construction of the real estate school in accordance with the relevant school design rules and the agreement signed with the local government. After the construction is completed, the school will be handed over to the local education administrative department.

Maintenance during the use of the school is generally carried out by the school itself. However, the local government can also carry out unified maintenance and renovation of the schools in its jurisdiction. The daily maintenance of public schools usually needs to prepare the budget in advance, and the local administrative department of education and the financial department will review and allocate the budget. If there are major repairs, the school needs to apply to the education administration for special funds in order to carry out the repair. The private school needs the school sponsors to raise money to repair, and the local government can give certain financial support.

## **New School Construction**

Article 16 of the Compulsory Education Law stipulates that school construction shall conform to the school-operation standards set by the state and meet the needs of education and teaching; it shall conform to the site selection requirements and construction standards stipulated by the state to ensure the safety of students and faculty. Article 24 stipulates that local people's governments at or above the county level shall regularly inspect the safety of school buildings; if repairs or renovations are required, they shall be repaired and

renovated in a timely manner. However, at present, the daily maintenance and repair of the school is mainly carried out by the school itself, but if necessary, the school will engage its competent department to implement expansion and renovation.

According to the "Advice on Strengthening the Building of Safety Risk Prevention and Control System for Primary and Secondary Schools and Kindergartens" issued by General Office of the State Council (see Appendix 2.8), school construction planning

and site selection must strictly implement relevant national standards and building codes, and comprehensively evaluate factors such as geological disasters, natural disasters and environmental pollution. All localities should establish and improve a long-term mechanism for school safety and security to ensure that school buildings, venues, teaching and living facilities meet safety standards and quality. The construction of school buildings shall strictly implement the relevant national technical norms and earthquake-resistance standards for buildings. Wherever there are conditions for the construction of school gymnasiums, it shall be constructed in accordance with the relevant national standards for disaster prevention and

emergency shelter. School needs to improve the school safety technology prevention system, install video image acquisition devices in the main areas of the campus, as well as install perimeter alarm devices and one-button alarm system, so that there is no dead space in the public area. China adopts a life-long responsibility mechanism for the school construction quality. Any construction, survey, design, construction process, and supervision companies that has serious consequences in quality of the campus construction project will be considered a lifelong responsibility and responsible individuals will be prohibited from relevant professional domain.

**In China, the planning, design and construction of primary and secondary schools and kindergartens are subject to the following requirements.**

**2002**

The "Standards for the Construction of Urban Primary and Secondary School Buildings", formulated by the Ministry of Education, has been issued and implemented in 2002.

**2004**

The "Code for Architectural Design of Special Education Schools", formulated by the Ministry of Construction and the Ministry of Education, has been implemented since March 1, 2004.

**2008**

The "Standards for the Construction of Rural Ordinary Primary and Secondary Schools", which was revised by the Ministry of Education, has been implemented as of December 1, 2008.

**2010**

The "Design Code for Primary and Secondary Schools", prepared by the Ministry of Housing and Urban-Rural Development, was promulgated in 2010 and implemented since January 1, 2012.

The Ministry of Education and the Ministry of Housing and Urban-Rural Development jointly approved the "Standard Design for Rural Primary and Secondary Schools", which was released to the whole country in December 2010 in the form of a national architectural standard atlas.

**2012**

The "Special Education School Construction Standards (No. 156-2011)" prepared by the Ministry of Education has been implemented since January 1, 2012.

**2016**

The "Code for Seismic Design of Buildings", revised by the Ministry of Housing and Urban-Rural Development, was officially implemented on August 1, 2016.

The "Code for Design of Nursery Schools and Kindergartens", revised by the Ministry of Housing and Urban-Rural Development, was officially implemented on November 1, 2016.

**2017**

The "Kindergarten Construction Standards" compiled by the Ministry of Education has been implemented since January 1, 2017.

**2019**

The "Kindergarten Standard Design Sample", prepared by the Ministry of Education and the Ministry of Housing and Urban-Rural Development, was released in January 2019.

In addition, the Ministry of Education, the Ministry of Housing and Urban-Rural Development and other departments have jointly revised the "Standards for the Construction of Urban Ordinary Primary and Secondary Schools" issued in 2002 and the "Standards for the Construction of Rural Ordinary Primary and Secondary Schools" issued in 2008. The two standards were combined together as the "Standards for the Construction of Ordinary Primary and Secondary Schools". Efforts will be made to

eliminate the gap between urban and rural schools in building standards and to improve the level of rural school construction.

The construction of the school is mainly funded by the funders of the school, that is, the public school is funded by the government and the private school is funded by the sponsors. In addition, the state encourages enterprises, organizations and individuals to donate funds for education and for setting up schools.

The supervision of school building is mainly the responsibility of the building administration departments. According to the provisions of the "Safety Management Measures for Primary and Secondary Schools and Kindergartens" (see Appendix 2.1), the construction department shall perform the following duties for the school safety work:

# 01

To strengthen the supervision of the safety status of school buildings and gas facilities and equipment, and in case of any safety accident risks, shall ask the school to eliminate them immediately;

# 02

To guide the safety inspection and appraisal of school buildings;

# 03

To strengthen the supervision and management of all aspects of school construction, and if it is found that school buildings, stair railings and other teaching and living facilities violate the mandatory standards for project construction, shall ask the school to correct;

# 04

To supervise and urge schools to regularly inspect, repair and update school-related facilities and equipment.

In addition, fire safety and other safety related departments are also responsible for the acceptance inspection of new schools, and only when schools pass the acceptance inspection can be put into use.

For the quality problems existing in the construction process of the school, the

relevant responsible person will bear the corresponding legal responsibility and even criminal responsibility. This has played a positive role in ensuring the quality of the school's construction.

## **School retrofit, rehabilitation and replacement**

In China, the renovation and reconstruction of public schools are mainly carried out by local governments.

Since 2001, the State Council has conducted unified implementation of the renovation dilapidated buildings in rural primary and secondary schools, the construction of rural boarding schools in the western region, and the renovation of rural junior high school buildings in the central and western regions, which has improved the quality of rural school buildings and greatly improved the appearance of rural primary and secondary schools. However, in some areas, a large number of primary and secondary school buildings do not meet the seismic fortification and other disaster prevention requirements. C-class and D-class dangerous buildings still exist frequently.

The C-class dangerous buildings refer to the bearing capacity of partial load-bearing structure cannot meet the normal use requirements and certain parts of the building are in dangerous situation, which constitutes a partially dangerous building. Class D dilapidated buildings refer to the bearing capacity of the load-bearing structure

can no longer meet the requirements of normal use, and the whole building is in dangerous situation, which constitutes a whole dangerous building. Especially in the school buildings built before the 1990s and the early period of "Pujia" (a state initiative to promote 9-year compulsory education from 1994 to 2000), the problems are more prominent; some of the school buildings that have already been repaired and renovated still do not meet the disaster prevention standards and design codes, such as seismic fortification.

Since 2009, China has carried out a nationwide safety project for primary and secondary school buildings. The goal of primary and secondary school buildings safety project is: make the school buildings meet key fortification type of seismic fortification standards, and in accordance with the safety requirements for disaster and risk prevention of landslides, collapses, debris flows, ground subsidence, floods, typhoons, fires, and lightning strikes through strengthening earthquake resistance and improving the comprehensive disaster prevention capacity of buildings in primary and secondary schools in the whole country.

The main task of the primary and secondary school buildings safety project is: use three years starting from 2009 to carry out earthquake resistance reinforcement, relocation, and enhance overall disaster prevention capacity of primary and middle schools in urban and rural areas and at all levels that are facing various risks in key areas for earthquake surveillance, the earthquake high intensity (above 7 degree) areas, flood-prone areas, and areas prone to geological hazards such as landslides and debris flows.

In other areas, in accordance with the requirements of seismic reinforcement and comprehensive disaster prevention, it is necessary to focus on the reconstruction of grade D dilapidated buildings with overall danger and the reconstruction and reinforcement of grade C school buildings with partial danger, so as to eliminate potential safety risks.

From 2009 to 2011, the central government, consolidated the funds related to the safety

project of primary and secondary school buildings, ensuring that the original investment will not be reduced, and allocated a total of CNY 28 billion (around USD 4 billion) special funds to support the implementation of safety project in compulsory education schools in key regions. Driven by central funds, local governments have strengthened their overall planning at the provincial level and raised and implemented more than CNY 300 billion (around USD 42.8 billion) of project funds through various channels, providing strong financial guarantee for the implementation of the safety project. The project has been satisfactorily completed. Ms. Wahlström, the Special Representative of the Secretary-General for Disaster Risk Reduction of the United Nations at that time, addressed a letter in which she expressed her full appreciation of this work and considered it "a very important measure to be shared with other countries".

In China, especially in poor areas, the best local buildings are often primary and secondary schools.

## **Non-structural mitigation**

In recent years, Chinese schools have placed great emphasis on the non-structural safety of schools. Schools at all levels take various measures to reduce the harm of non-structural risks to students in school practice. For example, the problem of soft plastic running track pollution in schools has received more and more attention. In May 2018, the "Sports Surface of Synthetic Materials for Primary and Secondary Schools" (GB36246-2018) was released, which was officially implemented on November 1. With the

implementation of this standard, the damage to the student from the hazardous running track will be eliminated. In addition, many schools in China, especially kindergartens, attach great importance to the softening of some facilities and materials to minimize the harm to students.

However, it is worth noting that in recent years, there have been some incidents in China's primary and secondary schools that have caused safety accidents due to risks

in educational facilities, for example, the collapse of the school playground basketball hoop has resulted in death of students. China's primary and secondary schools often attach importance to the safety of buildings in earthquake safety, but neglect that the building contents (furnishing and equipment) and non-structural building

elements (stairways, heating, cooling, water storage etc.) may also cause deaths and injuries in the earthquake. However, there is no related guidance or regulations yet. Therefore, the non-structural safety within the school, that is, the safety of the internal facilities and equipment of the school buildings require more attention.

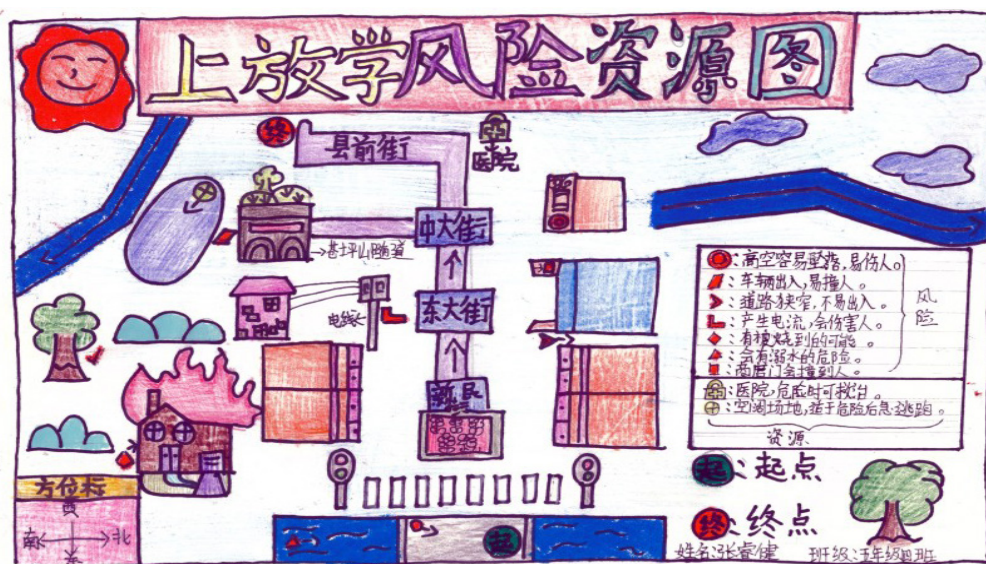
## Safe access

In the construction of schools in China, great importance is attached to the safe access to schools. The safe passage to school is an important part of the "School Design Plan for Primary and Secondary Schools", which has a special section "Safety, Access and Evacuation". It makes specific provisions on the number and width of the safe passages of the teaching building.

For example, in addition to the first floor and the top floor, the evacuation stairs of the teaching building should be provided with a buffer space at the interface between

the floor platform and the ladder section of the middle floor, and the width of the buffer space should not be smaller than the width of the step.

At present, schools in China often use the playground of the school as a temporary shelter for the school, but the playground of the school is often not safe enough because of its small area or the short distance between the buildings. In addition, there is still a lack of coordination and cooperation between schools and public emergency shelters and facilities.



It is worth noting that a very small number of students currently live in mountain or river areas, and inevitably need to go through steep mountain roads and across rivers on the way to and from school, which poses a safety threat to these students. To solve these

problems, China has made transportation more convenient and safe by strengthening infrastructure construction on the one hand. On the other hand, it is also vigorously developing boarding schools to reduce the risks on the way to and from school.

## **School maintenance**

In the "Safety Management Measures for Primary and Secondary Schools and Kindergartens" (see Appendix 2.1) promulgated by the Ministry of Education, the provisions on the maintenance and maintenance of the relevant buildings and equipment of the school are stipulated.

Article 18 of the regulations stipulates that: the school shall establish a system for regular inspection of safety in schools and a report system for dangerous buildings, and shall arrange for the safety inspection and check of school buildings, structures, equipment and facilities according to relevant provisions of the State; if any safety risks are found, it shall not be used anymore and shall be repaired or replaced in time; necessary protective measures shall be taken or warning signs be put up before maintenance or replacement.

Major safety risks that the school is unable to solve or cannot eliminate, should be promptly reported to the competent department and other relevant departments in writing form<sup>1</sup>.

Article 20 stipulates that schools shall establish a safety management system for water, electricity, gas, and other related facilities and equipment, conduct regular inspections or accept regular inspections by

relevant competent authorities in accordance with regulations, and in case of any of them aging or damaged, shall promptly repair or replace.

The funds required for the maintenance and repair of the school are generally shouldered by the organizers of the school, that is, the public schools are covered by the government, and the private schools by their sponsors.

"Code for Design of Primary and Secondary Schools GB50099-2011" requires that infrastructure such as water supply and drainage, electricity, communication and heating on campus should be constructed in parallel with the main building of primary and secondary schools, and infrastructure construction should be carried out first.

In the "School Health Regulations", Article 7 stipulates that schools shall set up toilets and hand washing facilities for students in accordance with relevant regulations. Boarding schools should provide students with appropriate sanitation, bathing and other hygiene facilities. Schools should provide students with adequate drinking water that meets health standards.

<sup>1</sup>—For the communication and report between the school and relevant departments, the school normally contact through education administrative department, and some can also be contacted by the school itself.

According to the "Code for Design of Primary and Secondary Schools" and the "National Basic Standards for Physical Health Conditions in Schools (Interim)", the relevant provisions are as follows: the newly built teaching building shall have toilets on each floor, girls shall have a squat position for every 15 students, boys shall have a squat position for every 30 students, and every 40 students shall have a urine tank with a length of 1 meter. There is one washbasin or 0.60m long washroom for every 40 to 45 people.

In 2014, the Ministry of Education, the National Development and Reform Commission and the Ministry of Finance jointly promulgated the "Notice on Comprehensively Improving the Basic Operation Conditions of Weak Schools of Compulsory Education in Poor Areas", putting forward 20 "bottom lines" for running schools of compulsory education(see table 7-2), which played a positive role in eliminating hidden safety risks in poor areas.

In current primary and secondary schools in China, infrastructure such as water and electricity generally guarantees normal operation of the school and the normal needs of teachers and students. However, it is worth noting that in some remote schools in China, due to the natural environment and other reasons, there is still difficulty in water supply in some schools. Therefore, solving the problem of water supply in these schools will be a focus of future safety work in these local schools.

**Table 7-2: 20 Notice on Comprehensively Improving the Basic Operation Conditions of Weak Schools of Compulsory Education in Poor Areas**

1. Newly built school buildings must meet higher seismic fortification category level for comprehensive disaster prevention.
2. Multi-storey buildings (3 or more floors) must have at least 2 stairways, stair slope is not more than 30 degrees, and guardrail is strong.
3. Inside wall and outside wall of the classroom and dormitory are smooth, no obvious sharply pointed objects, and no bare wire indoor.
4. Teaching buildings – indoor daylighting is good, lighting is sufficient.
5. One student has 1 table and 1 chair (stool).
6. Equip blackboard according to the national standard and meet the demand of teaching.
7. Set the flag stage, flag pole, and raise national flag as required.
8. Provide sports venues and facilities suitable for the characteristics of the students, to carry out sports activities with local characteristics.
9. Set wall or fence that suits local conditions and meets the needs of campus safety.
10. New books should be genuine copies and age-appropriate for students, and the number of copies shall be decided reasonably based on scale of the school and frequency of use.
11. Have classroom for multimedia teaching.
12. Students' dormitory is not located in the basement or semi-basement.
13. Each boarding student have 1 bed, and eliminate the phenomenon of a number of students sharing one wide bed.
14. Boarding schools or schools providing meals should have condition to cook or heat food.
15. Equipped with hot water supply facilities.
16. If condition allows, new school buildings shall generally set flush toilets with sufficient squats for men and women with a 1:3 ratio. Pit toilet should be harmless sanitary toilet specifically designed for the schools.
17. Except the special arid regions, shower facilities shall be set up in boarding schools.
18. Equipped with fire fighting and emergency lighting equipment, and set up evacuation signs.
19. Install cameras and alarm devices in key places such as school gates and dormitories. The dormitory area is equipped with first aid kit.
20. Eliminate any class with more than 66 students.

## School as Emergency Shelters

At present, there are two main types of shelters for school in China. One is to set up relevant shelters in schools, and the other is to use relevant shelters in the community. In recent years, China has paid more and more attention to the construction of school's own shelters. In the disasters such as the Ya'an earthquake in 2013, schools played an important role as shelters and provided shelter for residents of the surrounding communities. Even in some disaster relief operations, the disaster relief command center was temporarily set up in the school. Among them, the stadiums, classrooms, and dormitory of the school can provide shelter for rest, medical treatment and related materials for the affected population.





# 08

## **PILLAR 2: SCHOOL SAFETY MANAGEMENT & EDUCATIONAL CONTINUITY: POLICIES, PRACTICES & PROGRAMS**

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Compared with developed countries, China's school safety management started relatively late. But in the past two decades, the management of school safety has received a lot of attention from the government and society. A number of laws and regulations concerning school safety management have been issued, which have played a positive role in ensuring school safety. However, the

standardization of school safety in China still needs to be strengthened. The safety education content of schools also has to be more practical. The participation of the whole society in the safety work of schools also has yet to be further expanded. At the same time, high-level legislation on school safety has yet to be developed in the near future.

## **School-based risk assessment and planning for risk reduction and educational continuity**

The "Advice on Strengthening the Building of Safety Risk Prevention and Control System for Primary and Secondary Schools and Kindergartens" issued by General Office of the State Council (see Appendix 2.8) requires the improvement of school safety early warning and risk assessment systems. The education department should work with relevant departments to formulate regional school safety risk lists, establish dynamic monitoring, data collection and analysis mechanisms, provide timely safety risk warnings for schools, and guide schools to improve risk assessment and prevention systems. It is necessary to establish a system of account books, regularly collect and analyze the safety risks in schools and surrounding areas, and determine risk reduction measures and time limits. When there are risks such as public safety incidents and natural disasters that may affect schools, it is necessary to inform the schools immediately and guide them to take protective measures. At present, all levels of schools and relevant departments are

implementing and improving these as the Advice requires.

At present, school safety management has become an important part of the school's internal management. Some schools have set up leaders responsible for school safety management and are responsible for coordinating safety management issues throughout the school. At the same time, the Ministry of Education has also specially formulated the "Division of Labor Guide for Safety Work Responsibilities in Primary and Secondary Schools", which stipulate specific safety responsibilities for each faculty and staff in the school. Currently, all schools in the country are learning and trying to put this guideline into practice.

In the safety management, some schools give a lot of space for students play a role. For example, some schools organize some students to help teachers maintain order and prevent unsafe behavior during class intervals and school time. In addition, some schools

specially set up student cadres responsible for class safety in the class to assist teachers in conducting safety risk investigation and maintaining safety order. At the same time, some community volunteers and students' parents are also involved in the safety work of the school, especially the maintenance of the order of students' going to and

from school. However, at present, it is not compulsory for schools to involve students in safety management work, so students' participation varies in schools across the country.

## **Physical and environmental risk reduction in schools**

Chinese schools attach great importance to the school's environment and hardware construction, and use this process to eliminate related risks.

First of all, Chinese schools have many regulations and standards for the school's environment and hardware equipment, such as the "Design Code for Primary and Secondary Schools".

Secondly, Chinese schools attach great importance to the safety inspection of the school environment and hardware, and form a safety inspection system that combines regular inspections with safety inspections, and the combination of on-campus personnel inspection and off-campus personnel inspection.

Thirdly, Chinese schools require timely reporting and timely resolution of school safety risks. The school must solve the hidden dangers found in the school immediately.

For the safety risks beyond the ability of the school, the school must also report to the relevant departments immediately.

Finally, some Chinese schools have carried out a number of special activities, with special funds from the state and local governments dedicated to solving specific problems in school safety. For example, kindergartens in Beijing have been specially supported by the government to set up a safety monitoring system and are networked with police agencies to ensure the safety of kindergartens.

Nevertheless, it is worth noting that in recent years, there have been very few accidents of school wall collapsing and guardrails destruction, both resulting in student injuries. This reminds us that we should fully combine the construction of the school's environment and hardware with the investigation of potential safety risks, post responsibilities and so on, so as to prevent school safety accidents in multiple directions.

## Response-preparedness in schools

On February 22, 2014, the Ministry of Education promulgated the "Guidance for Emergency Evacuation Drill in Primary and Secondary Schools and Kindergartens". (See Appendix 2.7). Prior to this, there was no uniform guidance and norms for the school emergency drills in Chinese schools. After the promulgation of the Guidance, the organization and management level of emergency drills in primary and secondary schools have been greatly improved. At the same time, this Guidance has played a positive role in improving the safety awareness and emergency coping skills of teachers and students, and in cultivating students' safety literacy.



This Guidance divides the school's drill into three phases, the first phase being the preparation phase of the drill. At this stage, the school needs to develop a drill plan, set up a drill organization, and conduct safety education and other preparation work before the exercise. The second phase is the implementation phase of the drill. The

drill implementation includes coping with emergencies section and implementation section. The third stage is the drill summary stage, which evaluates the effect of the drill, summarizes the process of the drill, and solves the problems in the drill.

The Guidance requires the primary and secondary schools to conduct at least one emergency evacuation drill every month. The kindergarten shall conduct at least one emergency evacuation drill every quarter. The Guidance also stipulates the evacuation speed of primary and secondary schools. It requires that the evacuation of middle school students should be within 2 minutes and that of primary school students should be within 3 minutes.

School administrators and teachers have participated in a large number of drill exercises, and basically have the basic ability to deal with the accidents.

At the same time, the Ministry of Education is entrusting the Chinese Society of Education to develop the "Regulations for Emergency Evacuation Exercises for Kindergarten, Primary and Secondary School (Trial)", which will play an important role in further standardization and practical use of drills in schools.

## **Administrator and teacher capacity for School Safety Management**

Currently in China, safety training for school administrators and general teachers has been widely carried out. School administrators and teachers generally receive appropriate safety education on laws and regulations, prevention and coping skills to common accidents. At present, there are three main forms of safety education for faculty and staff in schools. One is expert face-to-face teaching, and experts are invited to give training to faculty and staff of one school or of all schools in a region. The second type is the self-organized training of the school. The management of the school or the teachers who have received safety training outside the school conduct secondary training for other teachers in the school. The third is to use the safety education resources on the Internet to provide distance education training for teachers. For example, the Safety Education Platform of the Chinese Society of Education has specially set up safety education programs for school administrators and teachers.

However, there are still some problems in the safety training of schools. For example, the quality of training needs to be improved, and there is no unified regulation on the frequency of safety training for schools across the country. At the same time, the current school safety training mainly aims at the internal safety management of the school. Many teachers do not apply the knowledge and skills in school safety training to their own family disaster preparedness.

Furthermore, in order to strengthen the ability of school administrators and faculty and staff in school safety work, the Ministry of Education has issued a "Handbook for Division of Safety Work Responsibilities in Primary and Secondary Schools". The guide divides 40 positions in primary and secondary schools and clearly identifies the safety responsibilities of each position. For example, the principal of the school needs to assume nine duties regarding school safety. These regulations are also the focus of the in-service safety training of teachers.



## Education in emergencies capacity

There is currently no unified rapid assessment tool for post-disaster damage and needs in China. According to their own actual conditions, the local education administrative departments often stipulate the general procedures and methods for schools in their jurisdiction areas to resume teaching after some major disasters. For example, on May 12, 2008, after the Wenchuan earthquake, the main leaders of the Ministry of Education immediately rushed to the disaster area. The Ministry of Education held

an emergency meeting on the same day to deploy emergency response work such as earthquake relief for the education system, requiring all departments to take urgent action and pay close attention to the post-quake situation. It guided all localities to do earthquake and disaster relief work and take effective measures to ensure the safety of teachers and students. In the reconstruction and restoration of school buildings and campus work in the earthquake-affected areas, three main tasks have been deployed:

- 01** Conduct a comprehensive investigation and appraisal of the damage to the school facilities in the affected area, and identify three categories: the ones can still be used, the ones can be used after repair and reinforcement, and the ones that must be dismantled.

**02** Immediately after the investigation, start the retrofit, repair, and reinforcement work, to meet safety standards as soon as possible. At the same time, the construction of the portable classrooms to set up temporary campus should be implemented as quickly as possible.

**03** Build new replacement buildings as needed, based on scientific planning. Therefore, despite the serious losses caused by the 2008 earthquake, majority of the schools in the affected areas resumed normal teaching as rapidly as possible.

In the major earthquakes that have occurred in China in recent years, the school is often used as a temporary shelter for the affected people. The school provides the community with shelters and food and other supplies.

In the major disasters such as the Sichuan earthquake that occurred in 2008, two methods were generally adopted to resume teaching as soon as possible. The first is to transfer students to schools with better teaching conditions to continue their study, and even organize students to study in other provinces. The second is to use temporary buildings and even tents to resume teaching in a timely manner.

In the event of a major disaster at school, timely assistance from psychologists across the country is often available. For example, after the Sichuan earthquake in 2008, volunteers from Sichuan Province and all over the country rushed to the disaster area to provide psychological support to traumatized students and residents. At the same time, in some places such as Sichuan Province, many school teachers were also been trained in disaster psychology, which has played a positive role in responding to and helping students in disasters.



# 09

## **PILLAR 3: RISK REDUCTION AND RESILIENCE EDUCATION: POLICIES, PRACTICES & PROGRAMS**

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Before 2000, Chinese schools have not conducted systematic safety education for students. Since 2000, school safety education has been increasingly valued by the education administration and schools with the continuous improvement of school safety work. Safety education has become a very important part of school education. In 2007, the State Council forwarded the "Guidelines for Public Safety Education in Primary and Secondary Schools" (see Appendix 2.3), which standardized the content and form of school safety education, marking that China's school safety education has entered a new stage.

However, there are still some problems in the current safety education in primary and secondary schools. For example, the quality of safety education materials in primary and secondary schools needs to be improved. The hours of safety education in primary and secondary schools need to be guaranteed. The teachers of safety education in primary and secondary schools need to be supplemented. The facilities and equipment for safety education need to be

improved. At present, although various safety education for primary and middle school students has been constantly strengthened, there are still a certain number of primary and middle school students who do not have the correct safety knowledge, which brings great risks to their personal safety.

In the relevant research conducted by National Institute of Education Sciences in 2012, some figures show that the safety literacy of primary and secondary school students is in urgent need of improvement. For example, 24.1 percent of primary and secondary school students did not know the evacuation route in case of danger, and nearly a quarter of them did not know the escape route in case of danger. This situation is very unfavorable for primary and secondary school students to protect themselves against danger, so schools should take corresponding education and training according to these problems.

## **Formal education**

In China, safety education is a very important part of school safety. At present, there is no unified curriculum and teaching materials for schools in safety education throughout the country. Schools mainly carry out safety education through local curriculum and school courses. In schools, on the one hand, safety education is infiltrated through teaching in other disciplines, such as the education of prevention of and response to geological disasters is put in geography

classes, and related legal knowledge and safety education in people's morality and law classes. On the other hand, schools have also generally set up safety education classes. In the "Handbook for Division of Safety Work Responsibilities in Primary and Secondary Schools" promulgated by the Ministry of Education, the vice-president of the school's safety department is required to ensure a weekly safety education course and monthly safety lectures for students.



In order to ensure the effectiveness of school safety education, China has designated the last Monday of March as the national safety education day for primary and secondary school students since 1996 (see Appendix 4). In addition, China promulgated the "Guidelines for Public Safety Education in Primary and Secondary Schools" in 2007 (see Appendix 2.3).

The main elements of this "Guidelines" include six modules for preventing and responding to social safety, public health, accidental injuries, Internet, information security, natural disasters, and other accidents or incidents that affect students' safety. The key point is to help and guide students to understand the basic knowledge and laws and regulations to protect individual life safety and maintain social public safety, establish and strengthen safety awareness, correctly handle the relationship between individual life and self, others, society and nature, and understand how to be safe, and to master certain skills. The "Guidelines" provides the corresponding teaching contents for students of different ages.

The "Safety Management Measures for Primary and Secondary Schools and Kindergartens" (see Appendix 2.1), issued by Ministry of Education, the Ministry of Public Security, the Ministry of Justice, the Ministry of Construction, the Ministry of Communications, the Ministry of Culture, the Ministry of Health, the State Administration for Industry and Commerce, the General Administration of Quality Supervision, and the General Administration of Press and Publication, requires schools to follow national curriculum standards and local curriculum requirements, include safety education into the teaching contents, provide safety education for students, develop students' safety awareness, and improve students' self-protection ability. The "Measures" also requires that schools should conduct targeted safety education for students at the beginning of school term and before the holidays. After new students enter the school, the school should help the students to keep abreast of the relevant school safety system and safety regulations.

The "Advice on Strengthening the Building of Safety Risk Prevention and Control System for Primary and Secondary Schools and Kindergartens" issued by General Office of the State Council (see Appendix 2.8) in 2017, proposes that the school's safety education should improve the school safety education mechanism. It should make improving students' safety awareness and self-protection ability an important part of quality education, and strive to improve the pertinence and effectiveness of school safety education. Safety education should be combined with law education and fully integrated into the national education system, so that the awareness of respecting life, safeguarding rights, respecting differences and basic safety common sense are rooted in the hearts of students.

It is necessary to appropriately increase the contents of anti-bullying, anti-violence, anti-terrorism behaviors, prevent crimes against minors, etc., and guide students to clarify the legal bottom line and strengthen the awareness of rules.

According to the characteristics of the student group and age, the school should carry out targeted safety education and regularly organize emergency evacuation drills to deal with earthquakes and fires.

The education department should take safety knowledge as a necessary part of the principal and teacher training, increase safety training and organize necessary assessments. All relevant departments and institutes must organize special forces to actively participate in school safety education, and extensively carry out relevant activities such as "safety precautions entering the campus";

and encourage various social organizations to provide support for schools to carry out safety education, set up safety education practice places, and focus on popularizing and improving safety education for families and communities.

It is worth noting that China needs to further strengthen linkage between schools and communities on safety management. Schools and communities can co-plan and interrelate in areas such as the construction of safe havens, emergency plans, drills, and post-disaster response.

In China's safety education, remote safety education through the Internet has played a big role. The most influential in China is the safety education platform of the Chinese Society of Education. The platform has produced a large number of video courses for safety education for primary and secondary school students, which has greatly compensated for the shortage of safety education resources in primary and secondary schools. For example, the platform has created an education theme in light of current situation that drowning accidents are frequent among primary and secondary school students and present a big threat to their life. It has played a positive role in reducing the number of drowning accidents among primary and secondary school students. At present, primary and secondary schools in most areas of China have joined the platform to organize their students to learn safety knowledge.

## Informal education

At present, there is no unified regulation on non-formal safety education in China. Under normal circumstances, some non-formal educational institutions develop their own safety education materials and conduct relevant safety education for students. For example, UNICEF, Save the Children, Plan International, World Vision, One Foundation, China Foundation for Poverty Alleviation and other non-profit organizations have provided some safety education materials for students, and provided some safety education training for teachers. Some organizations also organize volunteers to conduct safety education in schools.





# 10

## CHILD PROTECTION & CONFLICT & VIOLENCE PREVENTION IN SCHOOLS: POLICIES, PRACTICES & PROGRAMS

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## Child Protection

In China, the laws most closely related to child protection in schools are the "Law on the Protection of Minors" and the "Law on the Prevention of Juvenile Delinquency". The "Law on the Protection of Minors" is divided into General Provisions, Family Protection, School Protection, Social Protection, Judicial Protection, Legal Responsibilities, and 7 chapters and 72 articles supplementary provisions. It has come into force on June 1, 2007.

In the "Law on the Protection of Minors", specific responsibilities for the protection of children in the family, school and society are stipulated. Regarding schools protecting minors, the law provides ten specific terms. For example, Article 22 stipulates that schools, kindergartens, and nurseries should establish a safety system, strengthen safety education for minors, and take measures to protect the personal safety of minors. Schools, kindergartens, and nurseries shall not conduct educational and teaching activities in school buildings and other facilities and places that endanger the safety and health of minors. If schools and kindergartens arrange minors to participate in collective activities such as gatherings, cultural entertainment, social practice, etc., they should ensure these activities are conducive to the healthy growth of minors and prevent personal safety accidents.

In the "Law on the Prevention of Juvenile Delinquency", the duties of schools in preventing crimes of underage students are also stipulated. For example, schools need to provide law classes, hire full-time or part-time legal teachers, and hire legal

vice principals.

In addition, the "Education Law" and the "Compulsory Education Law" also provide relevant regulations for the protection of underage students. Together, these laws and regulations form a legal protection system for underage students in China, providing legal protection for minors to grow safely, healthily and happily in their schools.

However, in recent years, experts and the National People's Congress deputies have repeatedly proposed that the age of criminal responsibility of juveniles should be reduced. They think the current status of general criminality can only be investigated for criminal responsibility if it is only 16 years old or older is very unfavorable for preventing juvenile crimes. More bad behavior correction mechanisms should be prescribed, which shall meet the physical and mental development of underage students. In addition, the Ministry of Education is also drafting regulations for the protection of juvenile students in schools, which will refine the school's specific responsibilities in protecting children.

## **Conflict & Violence Prevention and Response Mechanism**

In China, schools face many threats. These threats come from the extreme religious and ethnic issues that have formed in history, and there are very few individuals who retaliate against society. Therefore, in recent years, there have been some infringements against schools or students in campus. These incidents have caused serious harm to children and have also challenged school safety.

In response to these incidents, Chinese schools have also taken a series of specific measures. On the one hand, the school employs full-time security guards, to strengthen the school's security facilities such as steel forks, security shields, etc., and organizes parents to maintain the order at school gates when students go into and out of school. On the other hand, the police organs in the school districts also dispatch police forces for security and traffic conditions of the school during the peak period of school, and fully cooperate with the school's security work.

In addition to these tasks, educating primary and secondary school students about national unity and allowing students to properly handle interpersonal relationships is one of the important measures to reduce future school safety threats.

In addition to serious threats, school violence and student bullying are also issues that Chinese schools have attached to in recent years. The Ministry of Education has issued a number of relevant documents in a row, hoping to take targeted preventive measures to reduce school violence and student bullying.

# APPENDICES

## Appendix 1 Major websites for reference

- (1) The State Council of the People's Republic of China: <http://www.gov.cn/>
- (2) Ministry of Education of the People's Republic of China: <http://www.moe.gov.cn/>
- (3) School Safety Education Platform of the Chinese Society of Education: <https://www.xueanquan.com/>

## Appendix 2 Major school safety policies and laws in China

### Appendix 2.1 Safety Management Measures for Primary and Secondary Schools and Kindergartens (issued by Ministry of Education of the People's Republic of China on June 30, 2006, effective since April 1, 2006.)

#### 中小学幼儿园安全管理办法

2006年6月30日中华人民共和国教育部令第23号公布

自2006年9月1日起施行

#### 第一章 总则

**第一条** 为加强中小学、幼儿园安全管理,保障学校及其学生和教职工的人身、财产安全,维护中小学、幼儿园正常的教育教学秩序,根据《中华人民共和国教育法》等法律法规,制定本办法。

**第二条** 普通中小学、中等职业学校、幼儿园(班)、特殊教育学校、工读学校(以下统称学校)的安全管理适用本办法。

**第三条** 学校安全管理遵循积极预防、依法管理、社会参与、各负其责的方针。

#### **第四条** 学校安全管理工作主要包括：

（一）构建学校安全工作保障体系，全面落实安全工作责任制和事故责任追究制，保障学校安全工作规范、有序进行；

（二）健全学校安全预警机制，制定突发事件应急预案，完善事故预防措施，及时排除安全隐患，不断提高学校安全工作管理水平；

（三）建立校园周边整治协调工作机制，维护校园及周边环境安全；

（四）加强安全宣传教育培训，提高师生安全意识和防护能力；

（五）事故发生后启动应急预案、对伤亡人员实施救治和责任追究等。

**第五条** 各级教育、公安、司法行政、建设、交通、文化、卫生、工商、质检、新闻出版等部门在本级人民政府的领导下，依法履行学校周边治理和学校安全的监督与管理职责。

学校应当按照本办法履行安全管理和安全教育职责。

社会团体、企业事业单位、其他社会组织和个人应当积极参与和支持学校安全工作，依法维护学校安全。

## **第二章 安全管理职责**

**第六条** 地方各级人民政府及其教育、公安、司法行政、建设、交通、文化、卫生、工商、质检、新闻出版等部门应当按照职责分工，依法负责学校安全工作，履行学校安全管理职责。

#### **第七条** 教育行政部门对学校安全工作履行下列职责：

（一）全面掌握学校安全工作状况，制定学校安全工作考核目标，加强对学校安全工作的检查指导，督促学校建立健全并落实安全管理制度；

（二）建立安全工作责任制和事故责任追究制，及时消除安全隐患，指导学校妥善处理学生伤害事故；

（三）及时了解学校安全教育情况，组织学校有针对性地开展学生安全教育，不断提高教育实效；

（四）制定校园安全的应急预案，指导、监督下级教育行政部门和学校开展安全工作；

（五）协调政府其他相关职能部门共同做好学校安全管理工作，协助当地人民政府组织对学校安全事故的救援和调查处理。

教育督导机构应当组织学校安全工作的专项督导。

#### **第八条** 公安机关对学校安全工作履行下列职责：

（一）了解掌握学校及周边治安状况，指导学校做好校园保卫工作，及时依法查处扰乱校园秩序、侵害师生人身、财产安全的案件；

(二) 指导和监督学校做好消防安全工作；

(三) 协助学校处理校园突发事件。

**第九条** 卫生部门对学校安全工作履行下列职责：

(一) 检查、指导学校卫生防疫和卫生保健工作，落实疾病预防控制措施；

(二) 监督、检查学校食堂、学校饮用水和游泳池的卫生状况。

**第十条** 建设部门对学校安全工作履行下列职责：

(一) 加强对学校建筑、燃气设施设备安全状况的监管，发现安全事故隐患的，应当依法责令立即排除；

(二) 指导校舍安全检查鉴定工作；

(三) 加强对学校工程建设各环节的监督管理，发现校舍、楼梯护栏及其他教学、生活设施违反工程建设强制性标准的，应责令纠正；

(四) 依法督促学校定期检验、维修和更新学校相关设施设备。

**第十一条** 质量技术监督部门应当定期检查学校特种设备及相关设施的安全状况。

**第十二条** 公安、卫生、交通、建设等部门应当定期向教育行政部门和学校通报与学校安全管理相关的社会治安、疾病防治、交通等情况，提出具体预防要求。

**第十三条** 文化、新闻出版、工商等部门应当对校园周边的有关经营服务场所加强管理和监督，依法查处违法经营者，维护有利于青少年成长的良好环境。

司法行政、公安等部门应当按照有关规定履行学校安全教育职责。

**第十四条** 举办学校的地方人民政府、企业事业组织、社会团体和公民个人，应当对学校安全工作履行下列职责：

(一) 保证学校符合基本办学标准，保证学校围墙、校舍、场地、教学设施、教学用具、生活设施和饮用水源等办学条件符合国家安全质量标准；

(二) 配置紧急照明装置和消防设施与器材，保证学校教学楼、图书馆、实验室、师生宿舍等场所的照明、消防条件符合国家有关规定；

(三) 定期对校舍安全进行检查，对需要维修的，及时予以维修；对确认的危房，及时予以改造。

举办学校的地方人民政府应当依法维护学校周边秩序，保障师生和学校的合法权益，为学校提供安全保障。

有条件的，学校举办者应当为学校购买责任保险。

### 第三章 校内安全管理制度

**第十五条** 学校应当遵守有关安全工作的法律、法规和规章,建立健全校内各项安全管理制度和安全应急机制,及时消除隐患,预防发生事故。

**第十六条** 学校应当建立校内安全工作领导机构,实行校长负责制;应当设立保卫机构,配备专职或者兼职安全保卫人员,明确其安全保卫职责。

**第十七条** 学校应当健全门卫制度,建立校外人员入校的登记或者验证制度,禁止无关人员和校外机动车入内,禁止将非教学用易燃易爆物品、有毒物品、动物和管制器具等危险物品带入校园。

学校门卫应当由专职保安或者其他能够切实履行职责的人员担任。

**第十八条** 学校应当建立校内安全定期检查制度和危房报告制度,按照国家有关规定安排对学校建筑物、构筑物、设备、设施进行安全检查、检验;发现存在安全隐患的,应当停止使用,及时维修或者更换;维修、更换前应当采取必要的防护措施或者设置警示标志。学校无力解决或者无法排除的重大安全隐患,应当及时书面报告主管部门和其他相关部门。

学校应当在校内高地、水池、楼梯等易发生危险的地方设置警示标志或者采取防护设施。

**第十九条** 学校应当落实消防安全制度和消防工作责任制,对于政府保障配备的消防设施和器材加强日常维护,保证其能够有效使用,并设置消防安全标志,保证疏散通道、安全出口和消防车通道畅通。

**第二十条** 学校应当建立用水、用电、用气等相关设施设备的安全管理制度,定期进行检查或者按照规定接受有关主管部门的定期检查,发现老化或者损毁的,及时进行维修或者更换。

**第二十一条** 学校应当严格执行《学校食堂与学生集体用餐卫生管理规定》、《餐饮业和学生集体用餐配送单位卫生规范》,严格遵守卫生操作规范。建立食堂物资定点采购和索证、登记制度与饭菜留验和记录制度,检查饮用水的卫生安全状况,保障师生饮食卫生安全。

**第二十二条** 学校应当建立实验室安全管理制度,并将安全管理制度和操作规程置于实验室显著位置。

学校应当严格建立危险化学品、放射物质的购买、保管、使用、登记、注销等制度,保证将危险化学品、放射物质存放在安全地点。

**第二十三条** 学校应当按照国家有关规定配备具有从业资格的专职医务(保健)人员或者兼职卫生保健教师,购置必需的急救器材和药品,保障对学生常见病的治疗,并负责学校传染病疫情及其他突发公共卫生事件的报告。有条件的学校,应当设立卫生(保健)室。

新生入学应当提交体检证明。托幼机构与小学在入托、入学时应当查验预防接种证。学校应当建立学生健康档案,组织学生定期体检。

**第二十四条** 学校应当建立学生安全信息通报制度,将学校规定的学生到校和放学时间、学生非正常缺席或者擅自离校情况、以及学生身体和心理的异常状况等关系学生安全的信息,及时告知其监护人。

对有特异体质、特定疾病或者其他生理、心理状况异常以及有吸毒行为的学生,学校应当做好安全信息记录,妥善保管学生的健康与安全信息资料,依法保护学生的个人隐私。

**第二十五条** 有寄宿生的学校应当建立住宿学生安全管理制度,配备专人负责住宿学生的生活管理和安全保卫工作。

学校应当对学生宿舍实行夜间巡查、值班制度,并针对女生宿舍安全工作的特点,加强对女生宿舍的安全管理。

学校应当采取有效措施,保证学生宿舍的消防安全。

**第二十六条** 学校购买或者租用机动车专门用于接送学生的,应当建立车辆管理制度,并及时到公安机关交通管理部门备案。接送学生的车辆必须检验合格,并定期维护和检测。

接送学生专用校车应当粘贴统一标识。标识样式由省级公安机关交通管理部门和教育行政部门制定。

学校不得租用拼装车、报废车和个人机动车接送学生。

接送学生的机动车驾驶员应当身体健康,具备相应准驾车型3年以上安全驾驶经历,最近3年内任一记分周期没有记满12分记录,无致人伤亡的交通责任事故。

**第二十七条** 学校应当建立安全工作档案,记录日常安全工作、安全责任落实、安全检查、安全隐患消除等情况。

安全档案作为实施安全工作目标考核、责任追究和事故处理的重要依据。

## 第四章 日常安全管理

**第二十八条** 学校在日常的教育教学活动中应当遵循教学规范,落实安全管理要求,合理预见、积极防范可能发生的风险。

学校组织学生参加的集体劳动、教学实习或者社会实践活动,应当符合学生的心理、生理特点和身体健康状况。

学校以及接受学生参加教育教学活动的单位必须采取有效措施,为学生活动提供安全保障。

**第二十九条** 学校组织学生参加大型集体活动,应当采取下列安全措施:

- (一) 成立临时的安全管理组织机构;
- (二) 有针对性地对學生进行安全教育;
- (三) 安排必要的管理人员,明确所负担的安全职责;
- (四) 制定安全应急预案,配备相应设施。

**第三十条** 学校应当按照《学校体育工作条例》和教学计划组织体育教学和体育活动,并根据教学要求采取必要的保护和帮助措施。

学校组织学生开展体育活动,应当避开主要街道和交通要道;开展大型体育活动以及其他大型学生活动,必须经过主要街道和交通要道的,应当事先与公安机关交通管理部门共同研究并落实安全措施。

**第三十一条** 小学、幼儿园应当建立低年级学生、幼儿上下学时接送的交接制度,不得将晚离学校的低年级学生、幼儿交与无关人员。

**第三十二条** 学生在教学楼进行教学活动和晚自习时,学校应当合理安排学生疏散时间和楼道上下顺序,同时安排人员巡查,防止发生拥挤踩踏伤害事故。

晚自习学生没有离校之前,学校应当有负责人和教师值班、巡查。

**第三十三条** 学校不得组织学生参加抢险等应当由专业人员或者成人从事的活动,不得组织学生参与制作烟花爆竹、有毒化学品等具有危险性的活动,不得组织学生参加商业性活动。

**第三十四条** 学校不得将场地出租给他人从事易燃、易爆、有毒、有害等危险品的生产、经营活动。

学校不得出租校园内场地停放校外机动车辆;不得利用学校用地建设对社会开放的停车场。

**第三十五条** 学校教职工应当符合相应任职资格和条件要求。学校不得聘用因故意犯罪而受到刑事处罚的人,或者有精神病史的人担任教职工。

学校教师应当遵守职业道德规范和工作纪律,不得侮辱、殴打、体罚或者变相体罚学生;发现学生行为具有危险性的,应当及时告诫、制止,并与学生监护人沟通。

**第三十六条** 学生在校学习和生活期间,应当遵守学校纪律和规章制度,服从学校的安全教育和管理,不得从事危及自身或者他人安全的活动。

**第三十七条** 监护人发现被监护人有特异体质、特定疾病或者异常心理状况的,应当及时告知学校。

学校对已知的有特异体质、特定疾病或者异常心理状况的学生,应当给予适当关注和照顾。生理、心理状况异常不宜在校学习的学生,应当休学,由监护人安排治疗、休养。

## 第五章 安全教育

**第三十八条** 学校应当按照国家课程标准和地方课程设置要求,将安全教育纳入教学内容,对学生开展安全教育,培养学生的安全意识,提高学生的自我防护能力。

**第三十九条** 学校应当在开学初、放假前,有针对性地对学生集中开展安全教育。新生入校后,学校应当帮助学生及时了解相关的学校安全制度和安全规定。

**第四十条** 学校应当针对不同课程实验课的特点与要求,对学生进行实验用品的防毒、防爆、防辐射、防污染等的安全防护教育。

学校应当对学生进行用水、用电的安全教育,对寄宿学生进行防火、防盗和人身防护等方面的安全教育。

**第四十一条** 学校应当对学生开展安全防范教育,使学生掌握基本的自我保护技能,应对不法侵害。

学校应当对学生开展交通安全教育,使学生掌握基本的交通规则和行为规范。

学校应当对学生开展消防安全教育,有条件的可以组织学生到当地消防站参观和体验,使学生掌握基本的消防安全知识,提高防火意识和逃生自救的能力。

学校应当根据当地实际情况,有针对性地开展到江河湖海、水库等地方戏水、游泳的安全卫生教育。

**第四十二条** 学校可根据当地实际情况,组织师生开展多种形式的事故预防演练。

学校应当每学期至少开展一次针对洪水、地震、火灾等灾害事故的紧急疏散演练,使师生掌握避险、逃生、自救的方法。

**第四十三条** 教育行政部门按照有关规定,与人民法院、人民检察院和公安、司法行政等部门以及高等学校协商,选聘优秀的法律工作者担任学校的兼职法制副校长或者法制辅导员。

兼职法制副校长或者法制辅导员应当协助学校检查落实安全制度和安全事故处理、定期对师生进行法制教育等,其工作成果纳入派出单位的工作考核内容。

**第四十四条** 教育行政部门应当组织负责安全管理的主管人员、学校校长、幼儿园园长和学校负责安全保卫工作的人员,定期接受有关安全管理培训。

**第四十五条** 学校应当制定教职工安全教育培训计划,通过多种途径和方法,使教职工熟悉安全规章制度、掌握安全救护常识,学会指导学生预防事故、自救、逃生、紧急避险的方法和手段。

**第四十六条** 学生监护人应当与学校互相配合,在日常生活中加强对被监护人的各项安全教育。

学校鼓励和提倡监护人自愿为学生购买意外伤害保险。

## 第六章 校园周边安全管理

**第四十七条** 教育、公安、司法行政、建设、交通、文化、卫生、工商、质检、新闻出版等部门应当建立联席会议制度,定期研究部署学校安全管理工作,依法维护学校周边秩序;通过多种途径和方式,听取学校和社会各界关于学校安全管理工作的意见和建议。

**第四十八条** 建设、公安等部门应当加强对学校周边建设工程的执法检查,禁止任何单位或者个人违反有关法律、法规、规章、标准,在学校围墙或者建筑物边建设工程,在校园周边设立易燃易爆、剧毒、放射性、腐蚀性等危险物品的生产、经营、储存、使用场所或者设施以及其他可能影响学校安全的场所或者设施。

**第四十九条** 公安机关应当把学校周边地区作为重点治安巡逻区域,在治安情况复杂的学校周边地区增设治安岗亭和报警点,及时发现和消除各类安全隐患,处置扰乱学校秩序和侵害学生人身、财产安全的违法犯罪行为。

**第五十条** 公安、建设和交通部门应当依法在学校门前道路设置规范的交通警示标志,施划人行横线,根据需要设置交通信号灯、减速带、过街天桥等设施。

在地处交通复杂路段的学校上下学时间,公安机关应当根据需要部署警力或者交通协管人员维护道路交通秩序。

**第五十一条** 公安机关和交通部门应当依法加强对农村地区交通工具的监督管理,禁止没有资质的车辆搭载学生。

**第五十二条** 文化部门依法禁止在中学、小学校园周围200米范围内设立互联网上网服务营业场所,并依法查处接纳未成年人进入的互联网上网服务营业场所。工商行政管理部门依法查处取缔擅自设立的互联网上网服务营业场所。

**第五十三条** 新闻出版、公安、工商行政管理等部门应当依法取缔学校周边兜售非法出版物的游商和无证照摊点,查处学校周边制售含有淫秽色情、凶杀暴力等内容的出版物的单位和个人。

**第五十四条** 卫生、工商行政管理部门应当对校园周边饮食单位的卫生状况进行监督,取缔非法经营的小卖部、饮食摊点。

## 第七章 安全事故处理

**第五十五条** 在发生地震、洪水、泥石流、台风等自然灾害和重大治安、公共卫生突发事件时,教育等部门应当立即启动应急预案,及时转移、疏散学生,或者采取其他必要防护措施,保障学校安全和师生人身财产安全。

**第五十六条** 校园内发生火灾、食物中毒、重大治安等突发安全事故以及自然灾害时,学校应当启动应急预案,及时组织教职工参与抢险、救助和防护,保障学生身体健康和人身、财产安全。

**第五十七条** 发生学生伤亡事故时,学校应当按照《学生伤害事故处理办法》规定的原则和程序等,及时实施救助,并进行妥善处理。

**第五十八条** 发生教职工和学生伤亡等安全事故的,学校应当及时报告主管教育行政部门和政府有关部门;属于重大事故的,教育行政部门应当按照有关规定及时逐级上报。

**第五十九条** 省级教育行政部门应当在每年1月31日前向国务院教育行政部门书面报告上一年度学校安全工作和学生伤亡事故情况。

## 第八章 奖励与责任

**第六十条** 教育、公安、司法行政、建设、交通、文化、卫生、工商、质检、新闻出版等部门,对在学校安全工作中成绩显著或者做出突出贡献的单位和个人,应当视情况联合或者分别给予表彰、奖励。

**第六十一条** 教育、公安、司法行政、建设、交通、文化、卫生、工商、质检、新闻出版等部门,不依法履行学

校安全监督与管理职责的,由上级部门给予批评;对直接责任人员由上级部门和所在单位视情节轻重,给予批评教育或者行政处分;构成犯罪的,依法追究刑事责任。

**第六十二条** 学校不履行安全管理和安全教育职责,对重大安全隐患未及时采取措施的,有关主管部门应当责令其限期改正;拒不改正或者有下列情形之一的,教育行政部门应当对学校负责人和其他直接责任人员给予行政处分;构成犯罪的,依法追究刑事责任:

- (一)发生重大安全事故、造成学生和教职工伤亡的;
- (二)发生事故后未及时采取适当措施、造成严重后果的;
- (三)瞒报、谎报或者缓报重大事故的;
- (四)妨碍事故调查或者提供虚假情况的;
- (五)拒绝或者不配合有关部门依法实施安全监督管理职责的。

《中华人民共和国民办教育促进法》及其实施条例另有规定的,依其规定执行。

**第六十三条** 校外单位或者人员违反治安管理规定、引发学校安全事故的,或者在学校安全事故处理过程中,扰乱学校正常教育教学秩序、违反治安管理规定的,由公安机关依法处理;构成犯罪的,依法追究其刑事责任;造成学校财产损失的,依法承担赔偿责任。

**第六十四条** 学生人身伤害事故的赔偿,依据有关法律法规、国家有关规定以及《学生伤害事故处理办法》处理。

## 第九章 附则

**第六十五条** 中等职业学校学生实习劳动的安全管理办法另行制定。

**第六十六条** 本办法自2006年9月1日起施行。

## Appendix 2.2 Student Injury Accidents Coping Measures (issued by Ministry of Education of the People's Republic of China on June 25, 2002, effective since April 1, 2002.)

### 学生伤害事故处理办法

2002年6月25日教育部令第12号公布

自2002年9月1日起实施

### 第一章 总则

**第一条** 为积极预防、妥善处理在校学生伤害事故，保护学生、学校的合法权益，根据《中华人民共和国教育法》、《中华人民共和国未成年人保护法》和其他相关法律、行政法规及有关规定，制定本办法。

**第二条** 在学校实施的教育教学活动或者学校组织的校外活动中，以及在学校负有管理责任的校舍、场地、其他教育教学设施、生活设施内发生的，造成在校学生人身损害后果的事故的处理，适用本办法。

**第三条** 学生伤害事故应当遵循依法、客观公正、合理适当的原则，及时、妥善地处理。

**第四条** 学校的举办者应当提供符合安全标准的校舍、场地、其他教育教学设施和生活设施。

教育行政部门应当加强学校安全工作，指导学校落实预防学生伤害事故的措施，指导、协助学校妥善处理学生伤害事故，维护学校正常的教育教学秩序。

**第五条** 学校应当对在校学生进行必要的安全教育和自护自救教育；应当按照规定，建立健全安全制度，采取相应的管理措施，预防和消除教育教学环境中存在的安全隐患；当发生伤害事故时，应当及时采取措施救助受伤学生。

学校对学生进行安全教育、管理和保护，应当针对学生年龄、认知能力和法律行为能力的不同，采用相应的内容和预防措施。

**第六条** 学生应当遵守学校的规章制度和纪律；在不同的受教育阶段，应当根据自身的年龄、认知能力和法律行为能力，避免和消除相应的危险。

**第七条** 未成年学生的父母或者其他监护人(以下称为监护人)应当依法履行监护职责，配合学校对学生进行安全教育、管理和保护工作。

学校对未成年学生不承担监护职责，但法律有规定的或者学校依法接受委托承担相应监护职责的情形除外。

## 第二章 事故与责任

**第八条** 学生伤害事故的责任,应当根据相关当事人的行为与损害后果之间的因果关系依法确定。

因学校、学生或者其他相关当事人的过错造成的学生伤害事故,相关当事人应当根据其行为过错程度的比例及其与损害后果之间的因果关系承担相应的责任。当事人的行为是损害后果发生的主要原因,应当承担主要责任;当事人的行为是损害后果发生的非主要原因,承担相应的责任。

**第九条** 因下列情形之一造成的学生伤害事故,学校应当依法承担相应的责任:

(一)学校的校舍、场地、其他公共设施,以及学校提供给学生使用的学具、教育教学和生活设施、设备不符合国家规定的标准,或者有明显不安全因素的;

(二)学校的安全保卫、消防、设施设备管理等安全管理制度有明显疏漏,或者管理混乱,存在重大安全隐患,而未及时采取措施的;

(三)学校向学生提供的药品、食品、饮用水等不符合国家或者行业的有关标准、要求的;

(四)学校组织学生参加教育教学活动或者校外活动,未对学生进行相应的安全教育,并未在可预见的范围内采取必要的安全措施的;

(五)学校知道教师或者其他工作人员患有不适宜担任教育教学工作的疾病,但未采取必要措施的;

(六)学校违反有关规定,组织或者安排未成年学生从事不宜未成年人参加的劳动、体育运动或者其他活动的;

(七)学生有特异体质或者特定疾病,不宜参加某种教育教学活动,学校知道或者应当知道,但未予以必要的注意的;

(八)学生在校期间突发疾病或者受到伤害,学校发现,但未根据实际情况及时采取相应措施,导致不良后果加重的;

(九)学校教师或者其他工作人员体罚或者变相体罚学生,或者在履行职责过程中违反工作要求、操作规程、职业道德或者其他有关规定的;

(十)学校教师或者其他工作人员在负有组织、管理未成年学生的职责期间,发现学生行为具有危险性,但未进行必要的管理、告诫或者制止的;

(十一)对未成年学生擅自离校等与学生人身安全直接相关的信息,学校发现或者知道,但未及时告知未成年学生的监护人,导致未成年学生因脱离监护人的保护而发生伤害的;

(十二)学校有未依法履行职责的其他情形的。

**第十条** 学生或者未成年学生监护人由于过错,有下列情形之一,造成学生伤害事故,应当依法承担相应的责任:

(一)学生违反法律法规的规定,违反社会公共行为准则、学校的规章制度或者纪律,实施按其年龄和认知能力应当知道具有危险或者可能危及他人的行为的;

(二)学生行为具有危险性,学校、教师已经告诫、纠正,但学生不听劝阻、拒不改正的;

(三)学生或者其监护人知道学生有特异体质,或者患有特定疾病,但未告知学校的;

(四)未成年学生的身体状况、行为、情绪等有异常情况,监护人知道或者已被学校告知,但未履行相应监护职责的;

(五)学生或者未成年学生监护人有其他过错的。

**第十一条** 学校安排学生参加活动,因提供场地、设备、交通工具、食品及其他消费与服务的经营者,或者学校以外的活动组织者的过错造成的学生伤害事故,有过错的当事人应当依法承担相应的责任。

**第十二条** 因下列情形之一造成的学生伤害事故,学校已履行了相应职责,行为并无不当的,无法律责任:

(一)地震、雷击、台风、洪水等不可抗的自然因素造成的;

(二)来自学校外部的突发性、偶发性侵害造成的;

(三)学生有特异体质、特定疾病或者异常心理状态,学校不知道或者难于知道的;

(四)学生自杀、自伤的;

(五)在对抗性或者具有风险性的体育竞赛活动中发生意外伤害的;

(六)其他意外因素造成的。

**第十三条** 下列情形下发生的造成学生人身损害后果的事故,学校行为并无不当的,不承担事故责任;事故责任应当按有关法律法规或者其他有关规定认定:

(一)在学生自行上学、放学、返校、离校途中发生的;

(二)在学生自行外出或者擅自离校期间发生的;

(三)在放学后、节假日或者假期等学校工作时间以外,学生自行滞留学校或者自行到校发生的;

(四)其他在学校管理职责范围外发生的。

**第十四条** 因学校教师或者其他工作人员与其职务无关的个人行为,或者因学生、教师及其他个人故意实施的违法犯罪行为,造成学生人身损害的,由致害人依法承担相应的责任。

### 第三章 事故处理程序

**第十五条** 发生学生伤害事故,学校应当及时救助受伤害学生,并应当及时告知未成年学生的监护人;有条件的,应当采取紧急救援等方式救助。

**第十六条** 发生学生伤害事故,情形严重的,学校应当及时向主管教育行政部门及有关部门报告;属于重大伤亡事故的,教育行政部门应当按照有关规定及时向同级人民政府和上一级教育行政部门报告。

**第十七条** 学校的主管教育行政部门应学校要求或者认为必要,可以指导、协助学校进行事故的处理工作,尽快恢复学校正常的教育教学秩序。

**第十八条** 发生学生伤害事故,学校与受伤害学生或者学生家长可以通过协商方式解决;双方自愿,可以书面请求主管教育行政部门进行调解。成年学生或者未成年学生的监护人也可以依法直接提起诉讼。

**第十九条** 教育行政部门收到调解申请,认为必要的,可以指定专门人员进行调解,并应当在受理申请之日起60日内完成调解。

**第二十条** 经教育行政部门调解,双方就事故处理达成一致意见的,应当在调解人员的见证下签订调解协议,结束调解;在调解期限内,双方不能达成一致意见,或者调解过程中一方提起诉讼,人民法院已经受理的,应当终止调解。调解结束或者终止,教育行政部门应当书面通知当事人。

**第二十一条** 对经调解达成的协议,一方当事人不履行或者反悔的,双方可以依法提起诉讼。

**第二十二条** 事故处理结束,学校应当将事故处理结果书面报告主管的教育行政部门;重大伤亡事故的处理结果,学校主管的教育行政部门应当向同级人民政府和上一级教育行政部门报告。

#### 第四章 事故损害的赔偿

**第二十三条** 对发生学生伤害事故负有责任的组织或者个人,应当按照法律法规的有关规定,承担相应的损害赔偿责任。

**第二十四条** 学生伤害事故赔偿的范围与标准,按照有关行政法规、地方性法规或者最高人民法院司法解释中的有关规定确定。

教育行政部门进行调解时,认为学校有责任的,可以依照有关法律法规及国家有关规定,提出相应的调解方案。

**第二十五条** 对受伤害学生的伤残程度存在争议的,可以委托当地具有相应鉴定资格的医院或者有关机构,依据国家规定的人体伤残标准进行鉴定。

**第二十六条** 学校对学生伤害事故负有责任的,根据责任大小,适当予以经济赔偿,但不承担解决户口、住房、就业等与救助受伤害学生、赔偿相应经济损失无直接关系的其他事项。

学校无责任的,如果有条件,可以根据实际情况,本着自愿和可能的原则,对受伤害学生给予适当的帮助。

**第二十七条** 因学校教师或者其他工作人员在履行职务中的故意或者重大过失造成的学生伤害事故,学校予以赔偿后,可以向有关责任人员追偿。

**第二十八条** 未成年学生对学生伤害事故负有责任的,由其监护人依法承担相应的赔偿责任。

学生的行为侵害学校教师及其他工作人员以及其他组织、个人的合法权益,造成损失的,成年学生或者未成年学生的监护人应当依法予以赔偿。

**第二十九条** 根据双方达成的协议、经调解形成的协议或者人民法院的生效判决,应当由学校负担的赔偿金,学校应当负责筹措;学校无力完全筹措的,由学校的主管部门或者举办者协助筹措。

**第三十条** 县级以上人民政府教育行政部门或者学校举办者有条件的,可以通过设立学生伤害赔偿准备金等多种形式,依法筹措伤害赔偿金。

**第三十一条** 学校有条件的,应当依据保险法的有关规定,参加学校责任保险。

教育行政部门可以根据实际情况,鼓励中小学参加学校责任保险。

提倡学生自愿参加意外伤害保险。在尊重学生意愿的前提下,学校可以为学生参加意外伤害保险创造便利条件,但不得从中收取任何费用。

## 第五章 事故责任者的处理

**第三十二条** 发生学生伤害事故,学校负有责任且情节严重的,教育行政部门应当根据有关规定,对学校的直接负责的主管人员和其他直接责任人员,分别给予相应的行政处分;有关责任人的行为触犯刑律的,应当移送司法机关依法追究刑事责任。

**第三十三条** 学校管理混乱,存在重大安全隐患的,主管的教育行政部门或者其他有关部门应当责令其限期整顿;对情节严重或者拒不改正的,应当依据法律法规的有关规定,给予相应的行政处罚。

**第三十四条** 教育行政部门未履行相应职责,对学生伤害事故的发生负有责任的,由有关部门对直接负责的主管人员和其他直接责任人员分别给予相应的行政处分;有关责任人的行为触犯刑律的,应当移送司法机关依法追究刑事责任。

**第三十五条** 违反学校纪律,对造成学生伤害事故负有责任的学生,学校可以给予相应的处分;触犯刑律的,由司法机关依法追究刑事责任。

**第三十六条** 受伤害学生的监护人、亲属或者其他有关人员,在事故处理过程中无理取闹,扰乱学校正常教育教学秩序,或者侵犯学校、学校教师或者其他工作人员的合法权益的,学校应当报告公安机关依法处理;造成损失的,可以依法要求赔偿。

## 第六章 附则

**第三十七条** 本办法所称学校,是指国家或者社会力量举办的全日制的中小学(含特殊教育学校)、各类中等职业学校、高等学校。本办法所称学生是指在上述学校中全日制就读的受教育者。

**第三十八条** 幼儿园发生的幼儿伤害事故,应当根据幼儿为完全无行为能力人的特点,参照本办法处理。

**第三十九条** 其他教育机构发生的学生伤害事故,参照本办法处理。

在学校注册的其他受教育者在学校管理范围内发生的伤害事故,参照本办法处理。

**第四十条** 本办法自2002年9月1日起实施,原国家教委、教育部颁布的与学生人身安全事故处理有关的规定,与本办法不符的,以本办法为准。

在本办法实施之前已处理完毕的学生伤害事故不再重新处理。

## Appendix 2.3 Guidelines for Public Safety Education in Primary and Secondary Schools (issued by General Office of the State Council of the People's Republic of China on February 7, 2007.)

### 中小学公共安全教育指导纲要

2007年2月7日国务院办公厅国办发第(2007)9号文件公布

为进一步加强中小学公共安全教育,培养中小学生的公共安全意识,提高中小學生面临突发安全事件自救自护的应变能力,根据义务教育法、未成年人保护法、《国家突发公共事件总体应急预案》及《中小学幼儿园安全管理办法》、《教育系统突发公共事件应急预案》,特制定本纲要。

#### 一、指导思想、目标和基本原则

(一)必须坚持以邓小平理论和“三个代表”重要思想为指导,树立和落实科学发展观,坚持以人为本,把中小学公共安全教育贯穿于学校教育的各个环节,使广大中小學生牢固树立“珍爱生命,安全第一,遵纪守法,和谐共处”的意识,具备自救自护的素养和能力。

(二)通过开展公共安全教育,培养学生的社会责任感,使学生逐步形成安全意识,掌握必要的安全行为的知识和技能,了解相关的法律法规常识,养成在日常生活和突发安全事件中正确应对的习惯,最大限度地预防安全事故发生和减少安全事件对中小學生造成的伤害,保障中小學生健康成长。

(三)中小学公共安全教育要遵循学生身心发展规律,把握学生认知特点,注重实践性、实用性和实效性。坚持专门课程与在其他学科教学中的渗透相结合;课堂教育与实践活动相结合;知识教育与强化管理、培养习惯相结合;学校教育与家庭、社会教育相结合;国家统一要求与地方结合实际积极探索相结合;自救自护与力所能及地帮助他人相结合。做到由浅入深,循序渐进,不断强化,养成习惯。

#### 二、主要内容

(一)公共安全教育的主要内容包括预防和应对社会安全、公共卫生、意外伤害、网络、信息安全、自然灾害以及影响学生安全的其他事故或事件六个模块。重点是帮助和引导学生了解基本的保护个体生命安全和维护社会公共安全的知识和法律法规,树立和强化安全意识,正确处理个体生命与自我、他人、社会 and 自然之间的关系,了解保障安全的方法并掌握一定的技能。中小学心理健康教育继续遵照教育部已经规定的相关要求实施。

(二)开展公共安全教育必须因地制宜,科学规划,做到分阶段、分模块循序渐进地设置具体教育内容。要把不同学段的公共安全教育内容有机地整合起来,统筹安排。对不同学段各个模块的具体教学内容设置,各地可以根据地区和学生的实际情况加以选择。

### 1.小学1-3年级的教育内容重点为:

模块一:预防和应对社会安全类事故。

- (1) 了解社会安全类突发事件的危险和危害。
- (2) 了解并遵守各种公共场所活动的安全常识。
- (3) 认识与陌生人交往中应当注意的安全问题,逐步形成基本的自我保护意识。

模块二:预防和应对公共卫生事故。

- (1) 了解基本公共卫生和饮食卫生常识。
- (2) 了解常见的肠道和呼吸道等常见疾病的预防常识,养成良好的个人卫生和健康行为及饮食习惯。

模块三:预防和应对意外伤害事故。

- (1) 学习道路交通法的相关内容,了解出行时道路交通安全常识。
- (2) 初步识别各种危险标志;学习家用电器、煤气(柴火)、刀具等日常用品的安全使用方法。
- (3) 初步具备使用电梯、索道、游乐设施等特种设备的安全意识。
- (4) 初步学会在事故灾害事件中自我保护和求助、求生的简单技能。学会正确使用和拨打110、119、120电话。

模块四:预防和应对自然灾害。

- (1) 了解学校所在地区和生活环境中可能发生的自然灾害及其危险性。
- (2) 学习躲避自然灾害引发危险的简单方法,初步学会在自然灾害发生时的自我保护和求助及逃生的简单技能。

模块五:预防和应对影响学生安全的其他事件。

- (1) 与同学、老师友好相处,不打架;初步形成避免在活动、游戏中造成误伤的意识。
- (2) 学习当发生突发事件时听从成人安排或者利用现有条件有效地保护自己的方法。

### 2.小学4-6年级的教育内容重点为:

模块一:预防和应对社会安全类事故或事件。

- (1) 认识社会安全类突发事件或事件的危害和范围,不参与影响和危害社会安全的活动。
- (2) 自觉遵守社会生活中人际交往的基本规则以及公共场所的安全规范。

(3) 学会应对可疑陌生人的方法,提高自我防范意识。

(4) 了解应对敲诈、恐吓、性侵害的一般方法,提高自我保护能力。

模块二:预防和应对公共卫生事故。

(1) 加强卫生和饮食常识学习,形成良好的个人卫生和健康的饮食习惯。

(2) 了解常见病和传染病的危害、传播途径和预防措施。

(3) 初步了解吸烟、酗酒等不良习惯的危害,知道吸毒是违法行为,逐步形成远离烟酒及毒品的健康生活意识。

(4) 初步了解青春期发育基础知识,形成明确的性别意识和自我保护意识。

模块三:预防和应对意外伤害事故。

(1) 培养遵守交通规则的良好习惯,形成主动避让车辆的意识。

(2) 提高自我保护意识,了解私自到野外游泳、滑冰等活动的危害;学习预防和处理溺水、烫烧伤、动物咬伤、异物进气管等意外伤害的基本常识和方法。

(3) 形成对存在安全隐患的设施与区域的防范意识,了解与学习和生活密切相关的特种设备安全知识。

(4) 学会有效躲避事故灾害的常用方法和在事故灾害发生时的自我保护和求助及逃生的基本技能。

(5) 使学生初步了解与学生意外伤害有关的基本保险知识,提高学生的保险意识。

模块四:预防和应对网络、信息安全事故。

(1) 初步认识网络资源的积极意义和了解网络不良信息的危害。

(2) 初步学会合理使用网络资源,努力增强对各种信息的辨别能力。

(3) 学会控制自己的行为,防止沉迷网络游戏和其他电子游戏。

模块五:预防和应对自然灾害。

(1) 了解影响家乡生态环境的常见问题,形成保护自然环境和躲避自然灾害的意识。

(2) 学会躲避自然灾害引发危险的基本方法。

(3) 掌握突发自然灾害预警信号级别含义及相应采取的防范措施。

模块六:预防和应对影响学生安全的其他事件。

(1) 形成和解同学之间纠纷的意识。

(2) 形成在遇到危及自身安全时及时向教师、家长、警察求助的意识。

### 3.初中年级的教育内容重点为:

模块一:预防和应对社会安全类事故或事件。

(1) 增强自律意识,自觉不进入未成年人不宜进入的场所。逐步养成自觉遵守与维护公共场所秩序的习惯。

(2) 不参加影响和危害社会安全的活动,形成社会责任意识。

(3) 理解社会安全的重要意义,树立正确的人生观和价值观。

(4) 学会应对敲诈、恐吓、性侵害等突发事件的基本技能。

模块二:预防和应对公共卫生事故。

(1) 了解重大传染病和食物中毒、生活水污染的知识及基本的预防、急救、处理常识;了解简单的用药安全知识。

(2) 了解青春期常见问题的预防与处理;形成维护生殖健康的责任感。

(3) 了解艾滋病的基本常识和预防措施,形成自我保护意识。

(4) 学习识别毒品的知识和方法,拒绝毒品和烟酒的诱惑。

(5) 了解和分析影响生命与健康的可能因素。

模块三:预防和应对意外伤害事故。

(1) 增强自觉遵守交通法规的意识;主动分析出行时存在的安全隐患,寻求解决方法;防止因违章而导致交通事故的发生。

(2) 正确使用各种设施,具备防火、防盗、防触电及防煤气中毒的知识技能。

(3) 了解和积极预防在校园活动中可能发生的公共安全事故,提高自我保护和求助及逃生的基本技能。

模块四:预防和应对网络、信息安全事故。

(1) 自觉遵守与信息活动相关的各种法律法规,抵制网络上各种不良信息的诱惑,提高自我保护和预防违法犯罪的意识。

(2) 合理利用网络,学会判断和有效拒绝的技能,避免迷恋网络带来的危害。

模块五:预防和应对自然灾害。

(1) 学会冷静应对自然灾害事件,提高在自然灾害事件中自我保护和求助及逃生的基本技能。

(2) 了解曾经发生在我国的重大自然灾害,认识人类活动与自然灾害之间的关系,增强环境保护意识和生态意识。

模块六:预防和应对影响学生安全的其他事件。

- (1) 了解校园暴力造成的危害,学习应对的方法。
- (2) 学会克服青春期的烦恼,逐步学会调节和控制自己的情绪,抑制自己的冲动行为。
- (3) 学会在与人交往中有效保护自己的方法,构筑起坚固的自我心理防线。

#### 4.高中年级的教育内容重点为:

模块一:预防和应对社会安全类事故或事件。

- (1) 自觉遵守与生活紧密相关的各种行为规范。
- (2) 了解考试泄密、违规的相关法律常识。养成维护考试纪律和规范的良好行为习惯。
- (3) 自觉抵制影响和危害社会公共安全的活动,提高社会责任感和国家意识。
- (4) 基本理解国际政治、经济、宗教冲突现象,努力维护国家和社会的稳定与团结。
- (5) 继承和发扬中华民族优秀传统文化,汲取其他国家文化的精华,抵制不良文化习俗的影响。

模块二:预防和应对公共卫生事故。

- (1) 基本掌握和简单运用突发公共卫生事件卫生应急的相关技能,进行自救、自护。有报告事件的意识和了解报告的途径和方法。
- (2) 掌握亚健康的基本知识和预防措施,了解应对心理危机的方法和救助渠道,促进个体身心健康发展。
- (3) 掌握预防艾滋病的基本知识和措施,正确对待艾滋病毒感染者和患者。
- (4) 自觉抵制不良生活习惯和行为,具备洁身自好的意识和良好的卫生公德。
- (5) 了解有关禁毒的法律常识,拒绝毒品诱惑。
- (6) 学习健康的异性交往方式,学会用恰当的方法保护自己,预防性侵害。当遭到性骚扰时,要用法律保护自己。

模块三:预防和应对网络、信息安全事故。

- (1) 树立网络交流中的安全意识,养成良好的利用网络习惯,提高网络道德素养。
- (2) 树立不利用网络发送有害信息或进行反动、色情、迷信等宣传活动以及窃取国家、教育行政部门和学校保密信息的牢固意识。

模块四:预防和应对自然灾害。

- (1) 基本掌握在自然灾害中自救的各种技能,学习紧急救护他人的基本技能。
- (2) 了解有关环境保护的法律法规;能结合当地实际情况,为保护和改善自然环境做贡献。

模块五:预防和应对影响学生安全的其他事件。

- (1) 自觉抵制校园暴力,维护自己和同学的生命安全。
- (2) 树立正确的安全道德观念,在关注自身安全的同时,去关注他人的安全,并提供力所能及的援助。

### 三、实施途径

(一) 学校要在学科教学和综合实践活动课程中渗透公共安全教育内容。各科教师在学科教学中要挖掘隐性的公共安全教育内容,与显性的公共安全教育内容一起,与学科教学有机整合,按照要求,予以贯彻落实。小学阶段主要在品德与生活、品德与社会课程中进行。

(二) 对无法在其他学科中渗透的公共安全教育内容,可以利用地方课程的时间,采用多种形式,帮助学生系统掌握公共安全知识和技能。要充分利用班、团、校会、升旗仪式、专题讲座、墙报、板报、参观和演练等方式,采取多种途径和方法全方位、多角度地开展公共安全教育。

(三) 公共安全教育可以针对单一主题或多个主题来设计教学活动;通过游戏、实际体验、影片欣赏、角色扮演等活动,也可以运用广播、电视、计算机、网络等现代教育手段进行教学,探索寓教于乐、寓教于丰富多彩活动的教学组织形式,增强公共安全教育的效果。公共安全教育的形式在小学以游戏和模拟为主,初中以活动和体验为主;高中以体验和辨析为主。

学校要建设符合公共安全教育要求的物质环境和人文环境,使学生在潜移默化中提高安全意识,促进学生学习并掌握必要的安全知识和生存技能,认识、感悟安全的意义和价值。

(四) 学校要与公安消防、交通、治安以及卫生、地震等部门建立密切联系,聘请有关人员担任校外辅导员,根据学生特点系统协调承担公共安全教育的内容,并且协助学校制订应急疏散预案和组织疏散演习活动。

公共安全教育是学校、家庭和社会的共同责任。学校要采取积极措施帮助家长强化对孩子的公共安全教育意识,指导家长了解和掌握公共安全教育的科学方法,主动寻求家长和社会对公共安全教育的支持和帮助。

### 四、保障机制

(一) 学校要保证公共安全教育的時間,可根据实际情况,结合不同学段的课程方案和本指导纲要的要求,采用课程渗透和利用地方课程时间相结合的方式,确保完成本纲要中规定的教学内容,并要安排必要的时间,开展自救自护和逃生实践演练活动。

(二) 各地要加强教学资源建设,积极开发公共安全教育的软件、图文资料、教学课件、音像制品等教学

资源。凡进入中小学校的自助读本或相关教育材料必须按有关规定,经审定后方可使用;公共安全教育自助读本或者相关教育材料的购买由各地根据本地实际情况采用多种方式解决,不得向学生收费增加学生负担。大力提倡学校使用公用图书经费统一购买,供学生循环借阅;重视和加强公共安全教育信息网络资源的建设和共享。

(三)各级教育行政部门和学校要重视教师队伍建设,把公共安全教育列入全体在职教师继续教育的培训系列和教师校本培训计划,分层次开展培训工作,不断提高教师开展公共安全教育的水平。

(四)各地要加强教研活动和课题研究,把公共安全教育研究列入当地课题研究规划,保证经费,及时总结、交流和推广研究成果。学校要充分调动教师的积极性,有针对性地开展公共安全教育的校本研究。

(五)要重视对公共安全教育活动的评价和督导。各地教育行政部门要制订科学的公共安全教育评价标准,并将其列入学校督导和校长考核的重要指标之一。评价的重点应注重学生安全意识的建立、基本知识技能的掌握和安全行为的形成,以及学校对公共安全教育活动的安排、必要的资源配置、实施情况以及实际效果。学校要把教师开展公共安全教育的情况作为教师考核的重要依据。

## Appendix 2.4 School Bus Safety Management Regulations (issued by the State Council of the People's Republic of China on April 5, 2012, effective since April 5, 2012.)

### 校车安全管理条例

中华人民共和国国务院2012年4月5日国务院令第六17号发布

2012年4月5日开始实施

### 第一章 总则

**第一条** 为了加强校车安全管理,保障乘坐校车学生的人身安全,制定本条例。

**第二条** 本条例所称校车,是指依照本条例取得使用许可,用于接送接受义务教育的学生上下学的7座以上的载客汽车。

接送小学生的校车应当是按照专用校车国家标准设计和制造的小学生专用校车。

**第三条** 县级以上地方人民政府应当根据本行政区域的学生数量和分布状况等因素,依法制定、调整学校设置规划,保障学生就近入学或者在寄宿制学校入学,减少学生上下学的交通风险。实施义务教育的学校及其教学点的设置、调整,应当充分听取学生家长等有关方面的意见。

县级以上地方人民政府应当采取措施,发展城市和农村的公共交通,合理规划、设置公共交通线路和站点,为需要乘车上下学的学生提供方便。

对确实难以保障就近入学,并且公共交通不能满足学生上下学需要的农村地区,县级以上地方人民政府应当采取措施,保障接受义务教育的学生获得校车服务。

国家建立多渠道筹措校车经费的机制,并通过财政资助、税收优惠、鼓励社会捐赠等多种方式,按照规定支持使用校车接送学生的服务。支持校车服务所需的财政资金由中央财政和地方财政分担,具体办法由国务院财政部门制定。支持校车服务的税收优惠办法,依照法律、行政法规规定的税收管理权限制定。

**第四条** 国务院教育、公安、交通运输以及工业和信息化、质量监督检验检疫、安全生产监督管理等部门依照法律、行政法规和国务院的规定,负责校车安全管理的有关工作。国务院教育、公安部门会同国务院有关部门建立校车安全管理工作协调机制,统筹协调校车安全管理中的重大事项,共同做好校车安全管理工作。

**第五条** 县级以上地方人民政府对本行政区域的校车安全管理工作负总责,组织有关部门制定并实施与当地经济发展水平和校车服务需求相适应的校车服务方案,统一领导、组织、协调有关部门履行校车安全管理职责。

县级以上地方人民政府教育、公安、交通运输、安全生产监督管理等有关部门依照本条例以及本级人民政府的规定,履行校车安全管理的相关职责。有关部门应当建立健全校车安全管理信息共享机制。

**第六条** 国务院标准化主管部门会同国务院工业和信息化部、公安、交通运输等部门,按照保障安全、经济适用的要求,制定并及时修订校车安全国家标准。

生产校车的企业应当建立健全产品质量保证体系,保证所生产(包括改装,下同)的校车符合校车安全国家标准;不符合标准的,不得出厂、销售。

**第七条** 保障学生上下学交通安全是政府、学校、社会和家庭共同的责任。社会各方面应当为校车通行提供便利,协助保障校车通行安全。

**第八条** 县级和设区的市级人民政府教育、公安、交通运输、安全生产监督管理部门应当设立并公布举报电话、举报网络平台,方便群众举报违反校车安全管理规定的行为。

接到举报的部门应当及时依法处理;对不属于本部门管理职责的举报,应当及时移送有关部门处理。

## 第二章 学校和校车服务提供者

**第九条** 学校可以配备校车。依法设立的道路旅客运输经营企业、城市公共交通企业,以及根据县级以上地方人民政府规定设立的校车运营单位,可以提供校车服务。

县级以上地方人民政府根据本地区实际情况,可以制定管理办法,组织依法取得道路旅客运输经营许可的个体经营者提供校车服务。

**第十条** 配备校车的学校和校车服务提供者应当建立健全校车安全管理制度,配备安全管理人员,加强校车的安全维护,定期对校车驾驶人进行安全教育,组织校车驾驶人学习道路交通安全法律法规以及安全防范、应急处置和应急救援知识,保障学生乘坐校车安全。

**第十一条** 由校车服务提供者提供校车服务的,学校应当与校车服务提供者签订校车安全管理责任书,明确各自的安全管理责任,落实校车运行安全管理措施。

学校应当将校车安全管理责任书报县级或者设区的市级人民政府教育行政部门备案。

**第十二条** 学校应当对教师、学生及其监护人进行交通安全教育,向学生讲解校车安全乘坐知识和校车安全事故应急处理技能,并定期组织校车安全事故应急处理演练。

学生的监护人应当履行监护义务,配合学校或者校车服务提供者的校车安全管理工作。学生的监护人应当拒绝使用不符合安全要求的车辆接送学生上下学。

**第十三条** 县级以上地方人民政府教育行政部门应当指导、监督学校建立健全校车安全管理制度,落实校车安全管理责任,组织学校开展交通安全教育。公安机关交通管理部门应当配合教育行政部门组织学校开展交通安全教育。

### 第三章 校车使用许可

**第十四条** 使用校车应当依照本条例的规定取得许可。

取得校车使用许可应当符合下列条件：

(一) 车辆符合校车安全国家标准，取得机动车检验合格证明，并已经在公安机关交通管理部门办理注册登记；

(二) 有取得校车驾驶资格的驾驶人；

(三) 有包括行驶线路、开行时间和停靠站点的合理可行的校车运行方案；

(四) 有健全的的安全管理制度；

(五) 已经投保机动车承运人责任保险。

**第十五条** 学校或者校车服务提供者申请取得校车使用许可，应当向县级或者设区的市级人民政府教育行政部门提交书面申请和证明其符合本条例第十四条规定条件的材料。教育行政部门应当自收到申请材料之日起3个工作日内，分别送同级公安机关交通管理部门、交通运输部门征求意见，公安机关交通管理部门和交通运输部门应当在3个工作日内回复意见。教育行政部门应当自收到回复意见之日起5个工作日内提出审查意见，报本级人民政府。本级人民政府决定批准的，由公安机关交通管理部门发给校车标牌，并在机动车行驶证上签注校车类型和核载人数；不予批准的，书面说明理由。

**第十六条** 校车标牌应当载明本车的号牌号码、车辆的所有人、驾驶人、行驶线路、开行时间、停靠站点以及校车标牌发牌单位、有效期等事项。

**第十七条** 取得校车标牌的车辆应当配备统一的校车标志灯和停车指示标志。

校车未运载学生上道路行驶的，不得使用校车标牌、校车标志灯和停车指示标志。

**第十八条** 禁止使用未取得校车标牌的车辆提供校车服务。

**第十九条** 取得校车标牌的车辆达到报废标准或者不再作为校车使用的，学校或者校车服务提供者应当将校车标牌交回公安机关交通管理部门。

**第二十条** 校车应当每半年进行一次机动车安全技术检验。

**第二十一条** 校车应当配备逃生锤、干粉灭火器、急救箱等安全设备。安全设备应当放置在便于取用的位置，并确保性能良好、有效适用。

校车应当按照规定配备具有行驶记录功能的卫星定位装置。

**第二十二条** 配备校车的学校和校车服务提供者应当按照国家规定做好校车的安全维护，建立安全维护档案，保证校车处于良好技术状态。不符合安全技术条件的校车，应当停运维修，消除安全隐患。

校车应当由依法取得相应资质的维修企业维修。承接校车维修业务的企业应当按照规定的维修技术规范维修校车，并按照国务院交通运输主管部门的规定对所维修的校车实行质量保证期制度，在保证期内对校车的维修质量负责。

## 第四章 校车驾驶人

**第二十三条** 校车驾驶人应当依照本条例的规定取得校车驾驶资格。

取得校车驾驶资格应当符合下列条件：

- (一) 取得相应准驾车型驾驶证并具有3年以上驾驶经历，年龄在25周岁以上、不超过60周岁；
- (二) 最近连续3个记分周期内没有被记满分记录；
- (三) 无致人死亡或者重伤的交通事故责任记录；
- (四) 无饮酒后驾驶或者醉酒驾驶机动车记录，最近1年内无驾驶客运车辆超员、超速等严重交通违法行为记录；
- (五) 无犯罪记录；
- (六) 身心健康，无传染性疾病，无癫痫、精神病等可能危及行车安全的疾病病史，无酗酒、吸毒行为记录。

**第二十四条** 机动车驾驶人申请取得校车驾驶资格，应当向县级或者设区的市级人民政府公安机关交通管理部门提交书面申请和证明其符合本条例第二十三条规定条件的材料。公安机关交通管理部门应当自收到申请材料之日起5个工作日内审查完毕，对符合条件的，在机动车驾驶证上签注准许驾驶校车；不符合条件的，书面说明理由。

**第二十五条** 机动车驾驶人未取得校车驾驶资格，不得驾驶校车。禁止聘用未取得校车驾驶资格的机动车驾驶人驾驶校车。

**第二十六条** 校车驾驶人应当每年接受公安机关交通管理部门的审验。

**第二十七条** 校车驾驶人应当遵守道路交通安全法律法规，严格按照机动车道路通行规则和驾驶操作规范安全驾驶、文明驾驶。

## 第五章 校车通行安全

**第二十八条** 校车行驶线路应当尽量避开急弯、陡坡、临崖、临水的危险路段；确实无法避开的，道路或者交通设施的管理、养护单位应当按照标准对上述危险路段设置安全防护设施、限速标志、警告标牌。

**第二十九条** 校车经过的道路出现不符合安全通行条件的状况或者存在安全隐患的，当地人民政府应当组织有关部门及时改善道路安全通行条件、消除安全隐患。

**第三十条** 校车运载学生,应当按照国务院公安部门规定的位置放置校车标牌,开启校车标志灯。

校车运载学生,应当按照经审核确定的线路行驶,遇有交通管制、道路施工以及自然灾害、恶劣气象条件或者重大交通事故等影响道路通行情形的除外。

**第三十一条** 公安机关交通管理部门应当加强对校车行驶线路的道路交通秩序管理。遇交通拥堵的,交通警察应当指挥疏导运载学生的校车优先通行。

校车运载学生,可以在公共交通专用车道以及其他禁止社会车辆通行但允许公共交通车辆通行的路段行驶。

**第三十二条** 校车上下学生,应当在校车停靠站点停靠;未设校车停靠站点的路段可以在公共交通站台停靠。

道路或者交通设施的管理、养护单位应当按照标准设置校车停靠站点预告标识和校车停靠站点标牌,施划校车停靠站点标线。

**第三十三条** 校车在道路上停车上下学生,应当靠道路右侧停靠,开启危险报警闪光灯,打开停车指示标志。校车在同方向只有一条机动车道的道路上停靠时,后方车辆应当停车等待,不得超越。校车在同方向有两条以上机动车道的道路上停靠时,校车停靠车道后方和相邻机动车道上的机动车应当停车等待,其他机动车道上的机动车应当减速通过。校车后方停车等待的机动车不得鸣喇叭或者使用灯光催促校车。

**第三十四条** 校车载人不得超过核定的人数,不得以任何理由超员。

学校和校车服务提供者不得要求校车驾驶人超员、超速驾驶校车。

**第三十五条** 载有学生的校车在高速公路上行驶的最高时速不得超过80公里,在其他道路上行驶的最高时速不得超过60公里。

道路交通安全法律法规规定或者道路限速标志、标线标明的最高时速低于前款规定的,从其规定。

载有学生的校车在急弯、陡坡、窄路、窄桥以及冰雪、泥泞的道路上行驶,或者遇有雾、雨、雪、沙尘、冰雹等低能见度气象条件时,最高时速不得超过20公里。

**第三十六条** 交通警察对违反道路交通安全法律法规的校车,可以在消除违法行为的前提下先予放行,待校车完成接送学生任务后再对校车驾驶人进行处罚。

**第三十七条** 公安机关交通管理部门应当加强对校车运行情况的监督检查,依法查处校车道路交通安全违法行为,定期将校车驾驶人的道路交通安全违法行为和交通事故信息抄送其所属单位和教育行政部门。

## 第六章 校车乘车安全

**第三十八条** 配备校车的学校、校车服务提供者应当指派照管人员随校车全程照管乘车学生。校车服务提供者为学校提供校车服务的,双方可以约定由学校指派随车照管人员。

学校和校车服务提供者应当定期对随车照管人员进行安全教育,组织随车照管人员学习道路交通安全法律法规、应急处置和应急救援知识。

**第三十九条** 随车照管人员应当履行下列职责:

- (一) 学生上下车时,在车下引导、指挥,维护上下车秩序;
- (二) 发现驾驶人无校车驾驶资格,饮酒、醉酒后驾驶,或者身体严重不适以及校车超员等明显妨碍行车安全情形的,制止校车开行;
- (三) 清点乘车学生人数,帮助、指导学生安全落座、系好安全带,确认车门关闭后示意驾驶人启动校车;
- (四) 制止学生在校车行驶过程中离开座位等危险行为;
- (五) 核实学生下车人数,确认乘车学生已经全部离车后本人方可离车。

**第四十条** 校车的副驾驶座位不得安排学生乘坐。

校车运载学生过程中,禁止除驾驶人、随车照管人员以外的人员乘坐。

**第四十一条** 校车驾驶人驾驶校车上道路行驶前,应当对校车的制动、转向、外部照明、轮胎、安全门、座椅、安全带等车况是否符合安全技术要求进行检查,不得驾驶存在安全隐患的校车上道路行驶。

校车驾驶人不得在校车载有学生时给车辆加油,不得在校车发动机引擎熄灭前离开驾驶座位。

**第四十二条** 校车发生交通事故,驾驶人、随车照管人员应当立即报警,设置警示标志。乘车学生继续留在校车内有危险的,随车照管人员应当将学生撤离到安全区域,并及时与学校、校车服务提供者、学生的监护人联系处理后续事宜。

## 第七章 法律责任

**第四十三条** 生产、销售不符合校车安全国家标准的校车的,依照道路交通安全法、产品质量管理的法律、行政法规的规定处罚。

**第四十四条** 使用拼装或者达到报废标准的机动车接送学生的,由公安机关交通管理部门收缴并强制报废机动车;对驾驶人处2000元以上5000元以下的罚款,吊销其机动车驾驶证;对车辆所有人处8万元以上10万元以下的罚款,有违法所得的予以没收。

**第四十五条** 使用未取得校车标牌的车辆提供校车服务,或者使用未取得校车驾驶资格的人员驾驶校车的,由公安机关交通管理部门扣留该机动车,处1万元以上2万元以下的罚款,有违法所得的予以没收。

取得道路运输经营许可的企业或者个体经营者有前款规定的违法行为,除依照前款规定处罚外,情节严重的,由交通运输主管部门吊销其经营许可证件。

伪造、变造或者使用伪造、变造的校车标牌的,由公安机关交通管理部门收缴伪造、变造的校车标牌,扣留该机动车,处2000元以上5000元以下的罚款。

**第四十六条** 不按照规定为校车配备安全设备,或者不按照规定对校车进行安全维护的,由公安机关交通管理部门责令改正,处1000元以上3000元以下的罚款。

**第四十七条** 机动车驾驶人未取得校车驾驶资格驾驶校车的,由公安机关交通管理部门处1000元以上3000元以下的罚款,情节严重的,可以并处吊销机动车驾驶证。

**第四十八条** 校车驾驶人有下列情形之一的,由公安机关交通管理部门责令改正,可以处200元罚款:

(一) 驾驶校车运载学生,不按照规定放置校车标牌、开启校车标志灯,或者不按照经审核确定的线路行驶;

(二) 校车上下学生,不按照规定在校车停靠站点停靠;

(三) 校车未运载学生上道路行驶,使用校车标牌、校车标志灯和停车指示标志;

(四) 驾驶校车上道路行驶前,未对校车车况是否符合安全技术要求进行检查,或者驾驶存在安全隐患的校车上道路行驶;

(五) 在校车载有学生时给车辆加油,或者在校车发动机引擎熄灭前离开驾驶座位。

校车驾驶人违反道路交通安全法律法规关于道路通行规定的,由公安机关交通管理部门依法从重处罚。

**第四十九条** 校车驾驶人违反道路交通安全法律法规被依法处罚或者发生道路交通事故,不再符合本条例规定的校车驾驶人条件的,由公安机关交通管理部门取消校车驾驶资格,并在机动车驾驶证上签注。

**第五十条** 校车载人超过核定人数的,由公安机关交通管理部门扣留车辆至违法状态消除,并依照道路交通安全法律法规的规定从重处罚。

**第五十一条** 公安机关交通管理部门查处校车道路交通安全违法行为,依法扣留车辆的,应当通知相关学校或者校车服务提供者转运学生,并在违法状态消除后立即发还被扣留车辆。

**第五十二条** 机动车驾驶人违反本条例规定,不避让校车的,由公安机关交通管理部门处200元罚款。

**第五十三条** 未依照本条例规定指派照管人员随校车全程照管乘车学生的,由公安机关责令改正,可以处500元罚款。

随车照管人员未履行本条例规定的职责的,由学校或者校车服务提供者责令改正;拒不改正的,给予处分或者予以解聘。

**第五十四条** 取得校车使用许可的学校、校车服务提供者违反本条例规定,情节严重的,原作出许可决定的地方人民政府可以吊销其校车使用许可,由公安机关交通管理部门收回校车标牌。

**第五十五条** 学校违反本条例规定的,除依照本条例有关规定予以处罚外,由教育行政部门给予通报批评;导致发生学生伤亡事故的,对政府举办的学校的负有责任的领导人员和直接责任人员依法给予处分;对民办学校由审批机关责令暂停招生,情节严重的,吊销其办学许可证,并由教育行政部门责令负有责任的领导人员和直接责任人员5年内不得从事学校管理事务。

**第五十六条** 县级以上地方人民政府不依法履行校车安全管理职责,致使本行政区域发生校车安全重大事故的,对负有责任的领导人员和直接责任人员依法给予处分。

**第五十七条** 教育、公安、交通运输、工业和信息化、质量监督检验检疫、安全生产监督管理等有关部门及其工作人员不依法履行校车安全管理职责的,对负有责任的领导人员和直接责任人员依法给予处分。

**第五十八条** 违反本条例的规定,构成违反治安管理行为的,由公安机关依法给予治安管理处罚;构成犯罪的,依法追究刑事责任。

**第五十九条** 发生校车安全事故,造成人身伤亡或者财产损失的,依法承担赔偿责任。

## 第八章 附则

**第六十条** 县级以上地方人民政府应当合理规划幼儿园布局,方便幼儿就近入园。

入园幼儿应当由监护人或者其委托的成年人接送。对确因特殊情况不能由监护人或者其委托的成年人接送,需要使用车辆集中接送的,应当使用按照专用校车国家标准设计和制造的幼儿专用校车,遵守本条例校车安全管理的规定。

**第六十一条** 省、自治区、直辖市人民政府应当结合本地区实际情况,制定本条例的实施办法。

**第六十二条** 本条例自公布之日起施行。

本条例施行前已经配备校车的学校和校车服务提供者及其聘用的校车驾驶人应当自本条例施行之日起90日内,依照本条例的规定申请取得校车使用许可、校车驾驶资格。

本条例施行后,用于接送小学生、幼儿的专用校车不能满足需求的,在省、自治区、直辖市人民政府规定的过渡期限内可以使用取得校车标牌的其他载客汽车。

## Appendix 2.5 Interim Measures for Special Supervision of Major Emergencies in Education (issued by Office of National Education Inspection of the People's Republic of China on February 7, 2014, effective since February 7, 2014.)

### 教育重大突发事件专项督导暂行办法

国务院教育督导委员会办公室2014年2月7日国教督办[2014]4号公布

2014年2月7日开始实施

### 第一章 总则

**第一条** 根据《教育督导条例》，为督促地方和学校切实履行职责，积极应对并妥善处理教育重大突发事件，制定本办法。

**第二条** 教育重大突发事件是指涉及教育的重大突发事件，包括影响和危害师生生命财产安全、教育教学工作正常开展的自然灾害、事故灾难、公共卫生事件、考试安全、群体性事件和学校治安、刑事案件、师德败坏等事件。

**第三条** 实施教育重大突发事件专项督导的目的是督促有关地方和学校在处理教育重大突发事件过程中，切实保障师生生命财产安全和教育教学工作的正常开展。

**第四条** 国务院教育督导委员会办公室负责对各地开展教育重大突发事件专项督导工作进行统筹协调指导，并组织实施特别重大教育突发事件专项督导。

**第五条** 实施教育重大突发事件专项督导坚持“及时有效、公正公开”的原则，推动教育重大突发事件得到有效处理和解决，及时向社会公开事件处理和专项督导结果。

### 第二章 专项督导的内容

**第六条** 专项督导主要内容是地方和学校应对和处理教育重大突发事件的情况，包括：

(一) 教育重大突发事件的预防与应急准备、物资储备、监测与预警等方面的情况。

(二) 教育重大突发事件的应急处理与救援等方面的情况，包括紧急报告、控制局面、组织疏散、实施救治、开展救援、立案调查等。

(三) 教育重大突发事件的过程处理情况，包括校园安全隐患排除、食物中毒治疗、传染性疾病预防、事故损害赔偿、教育抚恤补助、师生和家长安抚、试题泄密和考试群体作弊处置、治安和刑事案件移交处理、

群体聚集的疏散、教师师德教育、责任人处理等。

(四) 教育重大突发事件的后续处理情况,包括校舍恢复重建、教学设备补充配置、校园及周边环境整治、患病或受伤师生救治、师生心理干预、复课及组织学生参加中高考、维护校园师生稳定、试题泄密和考试群体作弊处置、治安和刑事案件协助处理、师生宣传教育、处理结果通报、事后评估等。

(五) 建立教育重大突发事件公告制度,视情况向社会公众和新闻媒体通报相关工作,正确引导舆论的情况。

(六) 建立健全监督检查和考核问责机制,对相关责任人进行责任追究和处理的情况。

(七) 其他与教育重大突发事件相关的情况。

### 第三章 专项督导的实施

**第七条** 教育重大突发事件发生后,国务院教育督导委员会办公室向相关省(区、市)人民政府及教育督导机构了解情况,对教育重大突发事件影响和危害程度进行评估。

**第八条** 国务院教育督导委员会办公室根据评估情况,决定是否派出督导组开展专项督导,或指派县级以上地方人民政府教育督导机构对教育重大突发事件实施专项督导。

**第九条** 国务院教育督导委员会办公室实施专项督导的程序:

(一) 向相关省(区、市)人民政府发出书面通知;

(二) 督导组赴现场进行督导检查,全面了解、掌握教育重大突发事件的应对和处理情况;

(三) 督导组根据现场督导检查情况形成初步督导意见,向当地及所在省(区、市)人民政府反馈,向国务院教育督导委员会办公室提交书面督导报告;

(四) 地方政府根据督导意见提出整改方案,向社会公布,并报国务院教育督导委员会办公室;

(五) 国务院教育督导委员会办公室视情况向社会公布督导报告和整改报告。

**第十条** 县级以上地方人民政府教育督导机构应建立教育重大突发事件信息报告制度,及时向上级教育督导机构报告发生教育重大突发事件和应对处理进展情况。

**第十一条** 县级以上地方人民政府教育督导机构应与有关部门沟通协调,紧密配合,及时准确掌握教育重大突发事件应对与处理情况,积极参与教育重大突发事件的应对与处理。

### 第四章 问责

**第十二条** 建立教育重大突发事件督导问责机制,将专项督导结果作为对相关单位和负责人进行责任追究的重要依据。

**第十三条** 对教育重大突发事件应对处理工作责任不落实、应对不积极、处理不妥当的地区、单位和个人,建议当地人民政府对其进行问责,对造成严重后果的依法追究 responsibility。

## 第五章 附则

**第十四条** 县级以上地方人民政府教育督导机构可结合实际,参照本办法制定本地教育重大突发事件专项督导具体实施方案。

**第十五条** 本办法自发布之日起施行。

## Appendix 2.6 School Food Safety and Nutrition Health Management Regulations

### 第一章 总则

**第一条** 为保障学生和教职工在校集中用餐的食品安全与营养健康,加强监督管理,根据《中华人民共和国食品安全法》(以下简称食品安全法)、《中华人民共和国教育法》《中华人民共和国食品安全法实施条例》等法律法规,制定本规定。

**第二条** 实施学历教育的各级各类学校、幼儿园(以下统称学校)集中用餐的食品安全与营养健康管理,适用本规定。

本规定所称集中用餐是指学校通过食堂供餐或者外购食品(包括从供餐单位订餐)等形式,集中向学生和教职工提供食品的行为。

**第三条** 学校集中用餐实行预防为主、全程监控、属地管理、学校落实的原则,建立教育、食品安全监督管理、卫生健康等部门分工负责的工作机制。

**第四条** 学校集中用餐应当坚持公益便利的原则,围绕采购、贮存、加工、配送、供餐等关键环节,健全学校食品安全风险防控体系,保障食品安全,促进营养健康。

**第五条** 学校应当按照食品安全法律法规规定和健康中国战略要求,建立健全相关制度,落实校园食品安全责任,开展食品安全与营养健康的宣传教育。

### 第二章 管理体制

**第六条** 县级以上地方人民政府依法统一领导、组织、协调学校食品安全监督管理工作以及食品安全突发事件应对工作,将学校食品安全纳入本地区食品安全事故应急预案和学校安全风险防控体系建设。

**第七条** 教育部门应当指导和督促学校建立健全食品安全与营养健康相关管理制度,将学校食品安全与营养健康管理工作作为学校落实安全风险防控职责、推进健康教育的重要内容,加强评价考核;指导、监督学校加强食品安全教育和日常管理,降低食品安全风险,及时消除食品安全隐患,提升营养健康水平,积极协助相关部门开展工作。

**第八条** 食品安全监督管理部门应当加强学校集中用餐食品安全监督管理,依法查处涉及学校的食品安全违法行为;建立学校食堂食品安全信用档案,及时向教育部门通报学校食品安全相关信息;对学校食堂食品安全管理人员进行抽查考核,指导学校做好食品安全管理和宣传教育;依法会同有关部门开展学校食品安全事故调查处理。

**第九条** 卫生健康主管部门应当组织开展校园食品安全风险和营养健康监测,对学校提供营养指导,倡导健康饮食理念,开展适应学校需求的营养健康专业人员培训;指导学校开展食源性疾病预防和营养健康的

知识教育,依法开展相关疫情防控处置工作;组织医疗机构救治因学校食品安全事故导致人身伤害的人员。

**第十条** 区域性的中小学卫生保健机构、妇幼保健机构、疾病预防控制机构,根据职责或者相关主管部门要求,组织开展区域内学校食品安全与营养健康的监测、技术培训和业务指导等工作。

鼓励有条件的地区成立学生营养健康专业指导机构,根据不同年龄阶段学生的膳食营养指南和健康教育的相关规定,指导学校开展学生营养健康相关活动,引导合理搭配饮食。

**第十一条** 食品安全监督管理部门应当将学校校园及周边地区作为监督检查的重点,定期对学校食堂、供餐单位和校园内以及周边食品经营者开展检查;每学期应当会同教育部门对本行政区域内学校开展食品安全专项检查,督促指导学校落实食品安全责任。

### 第三章 学校职责

**第十二条** 学校食品安全实行校长(园长)负责制。

学校应当将食品安全作为学校安全工作的重要内容,建立健全并落实有关食品安全管理制度和工作要求,定期组织开展食品安全隐患排查。

**第十三条** 中小学、幼儿园应当建立集中用餐陪餐制度,每餐均应当有学校相关负责人与学生共同用餐,做好陪餐记录,及时发现和解决集中用餐过程中存在的问题。

有条件的中小学、幼儿园应当建立家长陪餐制度,健全相应工作机制,对陪餐家长在学校食品安全与营养健康等方面提出的意见建议及时进行研究反馈。

**第十四条** 学校应当配备专(兼)职食品安全管理人员和营养健康管理人员,建立并落实集中用餐岗位责任制度,明确食品安全与营养健康管理相关责任。

有条件的地方应当为中小学、幼儿园配备营养专业人员或者支持学校聘请营养专业人员,对膳食营养均衡等进行咨询指导,推广科学配餐、膳食营养等理念。

**第十五条** 学校食品安全与营养健康管理相关工作人员应当按照有关要求,定期接受培训与考核,学习食品安全与营养健康相关法律、法规、规章、标准和其他相关专业知识。

**第十六条** 学校应当建立集中用餐信息公开制度,利用公共信息平台等方式及时向师生家长公开食品进货来源、供餐单位等信息,组织师生家长代表参与食品安全与营养健康的管理和监督。

**第十七条** 学校应当根据卫生健康主管部门发布的学生餐营养指南等标准,针对不同年龄段在校学生营养健康需求,因地制宜引导学生科学营养用餐。

有条件的中小学、幼儿园应当每周公布学生餐带量食谱和营养素供给量。

**第十八条** 学校应当加强食品安全与营养健康的宣传教育,在全国食品安全宣传周、全民营养周、中国学生营养日、全国碘缺乏病防治日等重要时间节点,开展相关科学知识普及和宣传教育活动。

学校应当将食品安全与营养健康相关知识纳入健康教育教学内容,通过主题班会、课外实践等形式开展经常性宣传教育活动。

**第十九条** 中小学、幼儿园应当培养学生健康的饮食习惯,加强对学生营养不良与超重、肥胖的监测、评价和干预,利用家长学校等方式对学生家长进行食品安全与营养健康相关知识的宣传教育。

**第二十条** 中小学、幼儿园一般不得在校内设置小卖部、超市等食品经营场所,确有需要设置的,应当依法取得许可,并避免售卖高盐、高糖及高脂食品。

**第二十一条** 学校在食品采购、食堂管理、供餐单位选择等涉及学校集中用餐的重大事项上,应当以适当方式听取家长委员会或者学生代表大会、教职工代表大会意见,保障师生家长的知情权、参与权、选择权、监督权。

学校应当畅通食品安全投诉渠道,听取师生家长对食堂、外购食品以及其他有关食品安全的意见、建议。

**第二十二条** 鼓励学校参加食品安全责任保险。

## 第四章 食堂管理

**第二十三条** 有条件的学校应当根据需要设置食堂,为学生和教职工提供服务。

学校自主经营的食堂应当坚持公益性原则,不以营利为目的。实施营养改善计划的农村义务教育学校食堂不得对外承包或者委托经营。

引入社会力量承包或者委托经营学校食堂的,应当以招投标等方式公开选择依法取得食品经营许可证、能承担食品安全责任、社会信誉良好的餐饮服务单位或者符合条件的餐饮管理单位。

学校应当与承包方或者受委托经营方依法签订合同,明确双方在食品安全与营养健康方面的权利和义务,承担管理责任,督促其落实食品安全管理制度、履行食品安全与营养健康责任。承包方或者受委托经营方应当依照法律、法规、规章、食品安全标准以及合同约定进行经营,对食品安全负责,并接受委托方的监督。

**第二十四条** 学校食堂应当依法取得食品经营许可证,严格按照食品经营许可证载明的经营项目进行经营,并在食堂显著位置悬挂或者摆放许可证。

**第二十五条** 学校食堂应当建立食品安全与营养健康状况自查制度。经营条件发生变化,不再符合食品安全要求的,学校食堂应当立即整改;有发生食品安全事故潜在风险的,应当立即停止食品经营活动,并及时向所在地食品安全监督管理部门和教育部门报告。

**第二十六条** 学校食堂应当建立健全并落实食品安全管理制度,按照规定制定并执行场所及设施设备清洗消毒、维修保养校验、原料采购至供餐全过程控制管理、餐具饮具清洗消毒、食品添加剂使用管理等食品安全管理制度。

**第二十七条** 学校食堂应当建立并执行从业人员健康管理制度和培训制度。患有国家卫生健康委规定的有碍食品安全疾病的人员,不得从事接触直接入口食品的工作。从事接触直接入口食品工作的从业人员

应当每年进行健康检查,取得健康证明后方可上岗工作,必要时应当进行临时健康检查。

学校食堂从业人员的健康证明应当在学校食堂显著位置进行统一公示。

学校食堂从业人员应当养成良好的个人卫生习惯,加工操作直接入口食品前应当洗手消毒,进入工作岗位前应当穿戴清洁的工作衣帽。

学校食堂从业人员不得有在食堂内吸烟等行为。

**第二十八条** 学校食堂应当建立食品安全追溯体系,如实、准确、完整记录并保存食品进货查验等信息,保证食品可追溯。鼓励食堂采用信息化手段采集、留存食品经营信息。

**第二十九条** 学校食堂应当具有与所经营的食品品种、数量、供餐人数相适应的场所并保持环境整洁,与有毒、有害场所以及其他污染源保持规定的距离。

**第三十条** 学校食堂应当根据所经营的食品品种、数量、供餐人数,配备相应的设施设备,并配备消毒、更衣、盥洗、采光、照明、通风、防腐、防尘、防蝇、防鼠、防虫、洗涤以及处理废水、存放垃圾和废弃物的设备或者设施。就餐区或者就餐区附近应当设置供用餐者清洗手部以及餐具、饮具的用水设施。

食品加工、贮存、陈列、转运等设施设备应当定期维护、清洗、消毒;保温设施及冷藏冷冻设施应当定期清洗、校验。

**第三十一条** 学校食堂应当具有合理的设备布局和工艺流程,防止待加工食品与直接入口食品、原料与成品或者半成品交叉污染,避免食品接触有毒物、不洁物。制售冷食类食品、生食类食品、裱花蛋糕、现榨果蔬汁等,应当按照有关要求设置专间或者专用操作区,专间应当在加工制作前进行消毒,并由专人加工操作。

**第三十二条** 学校食堂采购食品及原料应当遵循安全、健康、符合营养需要的原则。有条件的地方或者学校应当实行大宗食品公开招标、集中定点采购制度,签订采购合同时应当明确供货者食品安全责任和义务,保证食品安全。

**第三十三条** 学校食堂应当建立食品、食品添加剂和食品相关产品进货查验记录制度,如实准确记录名称、规格、数量、生产日期或者生产批号、保质期、进货日期以及供货者名称、地址、联系方式等内容,并保留载有上述信息的相关凭证。

进货查验记录和相关凭证保存期限不得少于产品保质期满后六个月;没有明确保质期的,保存期限不得少于二年。食用农产品的记录和凭证保存期限不得少于六个月。

**第三十四条** 学校食堂采购食品及原料,应当按照下列要求查验许可相关文件,并留存加盖公章(或者签字)的复印件或者其他凭证:

- (一)从食品生产者采购食品的,应当查验其食品生产许可证和产品合格证明文件等;
- (二)从食品经营者(商场、超市、便利店等)采购食品的,应当查验其食品经营许可证等;

(三)从食用农产品生产者直接采购的,应当查验并留存其社会信用代码或者身份证复印件;

(四)从集中交易市场采购食用农产品的,应当索取并留存由市场开办者或者经营者加盖公章(或者负责人签字)的购货凭证;

(五)采购肉类的应当查验肉类产品的检疫合格证明;采购肉类制品的应当查验肉类制品的检验合格证明。

**第三十五条** 学校食堂禁止采购、使用下列食品、食品添加剂、食品相关产品:

(一)超过保质期的食品、食品添加剂;

(二)腐败变质、油脂酸败、霉变生虫、污秽不洁、混有异物、掺假掺杂或者感官性状异常的食品、食品添加剂;

(三)未按规定进行检疫或者检疫不合格的肉类,或者未经检验或者检验不合格的肉类制品;

(四)不符合食品安全标准的食品原料、食品添加剂以及消毒剂、洗涤剂等食品相关产品;

(五)法律、法规、规章规定的其他禁止生产经营或者不符合食品安全标准的食品、食品添加剂、食品相关产品。

学校食堂在加工前应当检查待加工的食品及原料,发现有前款规定情形的,不得加工或者使用。

**第三十六条** 学校食堂提供蔬菜、水果以及按照国际惯例或者民族习惯需要提供的食品应当符合食品安全要求。

学校食堂不得采购、贮存、使用亚硝酸盐(包括亚硝酸钠、亚硝酸钾)。

中小学、幼儿园食堂不得制售冷荤类食品、生食类食品、裱花蛋糕,不得加工制作四季豆、鲜黄花菜、野生蘑菇、发芽土豆等高风险食品。省、自治区、直辖市食品安全监督管理部门可以结合实际制定本地区中小学、幼儿园集中用餐不得制售的高风险食品目录。

**第三十七条** 学校食堂应当按照保证食品安全的要求贮存食品,做到通风换气、分区分架分类、离墙离地存放、防蝇防鼠防虫设施完好,并定期检查库存,及时清理变质或者超过保质期的食品。

贮存散装食品,应当在贮存位置标明食品的名称、生产日期或者生产批号、保质期、生产者名称以及联系方式等内容。用于保存食品的冷藏冷冻设备,应当贴有标识,原料、半成品和成品应当分柜存放。

食品库房不得存放有毒、有害物品。

**第三十八条** 学校食堂应当设置专用的备餐间或者专用操作区,制定并在显著位置公示人员操作规范;备餐操作时应当避免食品受到污染。食品添加剂应当专人专柜(位)保管,按照有关规定做到标识清晰、计量使用、专册记录。

学校食堂制作的食品在烹饪后应当尽量当餐用完,需要熟制的食品应当烧熟煮透。需要再次利用的,应当按照相关规范采取热藏或者冷藏方式存放,并在确认没有腐败变质的情况下,对需要加热的食品经高温彻底加热后食用。

**第三十九条** 学校食堂用于加工动物性食品原料、植物性食品原料、水产品原料、半成品或者成品等的容器、工具应当从形状、材质、颜色、标识上明显区分,做到分开使用,固定存放,用后洗净并保持清洁。

学校食堂的餐具、饮具和盛放或者接触直接入口食品的容器、工具,使用前应当洗净、消毒。

**第四十条** 中小学、幼儿园食堂应当对每餐次加工制作的每种食品成品进行留样,每个品种留样量应当满足检验需要,不得少于125克,并记录留样食品名称、留样量、留样时间、留样人员等。留样食品应当由专柜冷藏保存48小时以上。

高等学校食堂加工制作的大型活动集体用餐,批量制售的热食、非即做即售的热食、冷食类食品、生食类食品、裱花蛋糕应当按照前款规定留样,其他加工食品根据相关规定留样。

**第四十一条** 学校食堂用水应当符合国家规定的生活饮用水卫生标准。

**第四十二条** 学校食堂产生的餐厨废弃物应当在餐后及时清除,并按照环保要求分类处理。

食堂应当设置专门的餐厨废弃物收集设施并明显标识,按照规定收集、存放餐厨废弃物,建立相关制度及台账,按照规定交由符合要求的生活垃圾运输单位或者餐厨垃圾处理单位处理。

**第四十三条** 学校食堂应当建立安全保卫制度,采取措施,禁止非食堂从业人员未经允许进入食品处理区。

学校在校园安全信息化建设中,应当优先在食堂食品库房、烹饪间、备餐间、专间、留样间、餐具饮具清洗消毒间等重点场所实现视频监控全覆盖。

**第四十四条** 有条件的学校食堂应当做到明厨亮灶,通过视频或者透明玻璃窗、玻璃墙等方式,公开食品加工过程。鼓励运用互联网等信息化手段,加强对食品来源、采购、加工制作全过程的监督。

## 第五章 外购食品管理

**第四十五条** 学校从供餐单位订餐的,应当建立健全校外供餐管理制度,选择取得食品经营许可、能承担食品安全责任、社会信誉良好的供餐单位。

学校应当与供餐单位签订供餐合同(或者协议),明确双方食品安全与营养健康的权利和义务,存档备查。

**第四十六条** 供餐单位应当严格遵守法律、法规和食品安全标准,当餐加工,并遵守本规定的要求,确保食品安全。

**第四十七条** 学校应当对供餐单位提供的食品随机进行外观查验和必要检验,并在供餐合同(或者协议)中明确约定不合格食品的处理方式。

**第四十八条** 学校需要现场分餐的,应当建立分餐管理制度。在教室分餐的,应当保障分餐环境卫生整洁。

**第四十九条** 学校外购食品的,应当索取相关凭证,查验产品包装标签,查看生产日期、保质期和保存条件。不能即时分发的,应当按照保证食品安全的要求贮存。

## 第六章 食品安全事故调查与应急处置

**第五十条** 学校应当建立集中用餐食品安全应急管理和突发事故报告制度,制定食品安全事故处置方案。发生集中用餐食品安全事故或者疑似食品安全事故时,应当立即采取下列措施:

- (一) 积极协助医疗机构进行救治;
- (二) 停止供餐,并按照规定向所在地教育、食品安全监督管理、卫生健康等部门报告;
- (三) 封存导致或者可能导致食品安全事故的食品及其原料、工具、用具、设备设施和现场,并按照食品安全监督管理部门要求采取控制措施;
- (四) 配合食品安全监管部门进行现场调查处理;
- (五) 配合相关部门对用餐师生进行调查,加强与师生家长联系,通报情况,做好沟通引导工作。

**第五十一条** 教育部门接到学校食品安全事故报告后,应当立即赶往现场协助相关部门进行调查处理,督促学校采取有效措施,防止事故扩大,并向上级人民政府教育部门报告。

学校发生食品安全事故需要启动应急预案的,教育部门应当立即向同级人民政府以及上一级教育部门报告,按照规定进行处置。

**第五十二条** 食品安全监督管理部门会同卫生健康、教育等部门依法对食品安全事故进行调查处理。

县级以上疾病预防控制机构接到报告后应当对事故现场进行卫生处理,并对与事故有关的因素开展流行病学调查,及时向同级食品安全监督管理、卫生健康等部门提交流行病学调查报告。

学校食品安全事故的性质、后果及其调查处理情况由食品安全监督管理部门会同卫生健康、教育等部门依法发布和解释。

**第五十三条** 教育部门和学校应当按照国家食品安全信息统一公布制度的规定建立健全学校食品安全信息公布机制,主动关注涉及本地本校食品安全舆情,除由相关部门统一公布的信息外,应当准确、及时、客观地向社会发布相关工作信息,回应社会关切。

## 第七章 责任追究

**第五十四条** 违反本规定第二十五条、第二十六条、第二十七条第一款、第三十三条,以及第三十四条第(一)项、第(二)项、第(五)项,学校食堂(或者供餐单位)未按规定建立食品安全管理制度,或者未按规定制定、实施餐饮服务经营过程控制要求的,由县级以上人民政府食品安全监督管理部门依照食品安全法第一百二十六条第一款的规定处罚。

违反本规定第三十四条第(三)项、第(四)项,学校食堂(或者供餐单位)未查验或者留存食用农产品生产者、集中交易市场开办者或者经营者的社会信用代码或者身份证复印件或者购货凭证、合格证明文件的,由县级以上人民政府食品安全监督管理部门责令改正;拒不改正的,给予警告,并处5000元以上3万元以下罚款。

**第五十五条** 违反本规定第三十六条第二款,学校食堂(或者供餐单位)采购、贮存亚硝酸盐(包括亚硝酸钠、亚硝酸钾)的,由县级以上人民政府食品安全监督管理部门责令改正,给予警告,并处5000元以上3万元以下罚款。

违反本规定第三十六条第三款,中小学、幼儿园食堂(或者供餐单位)制售冷荤类食品、生食类食品、裱花蛋糕,或者加工制作四季豆、鲜黄花菜、野生蘑菇、发芽土豆等高风险食品的,由县级以上人民政府食品安全监督管理部门责令改正;拒不改正的,给予警告,并处5000元以上3万元以下罚款。

**第五十六条** 违反本规定第四十条,学校食堂(或者供餐单位)未按要求留样的,由县级以上人民政府食品安全监督管理部门责令改正,给予警告;拒不改正的,处5000元以上3万元以下罚款。

**第五十七条** 有食品安全法以及本规定的违法情形,学校未履行食品安全管理责任,由县级以上人民政府食品安全管理部门会同教育部门对学校主要负责人进行约谈,由学校主管教育部门视情节对学校直接负责的主管人员和其他直接责任人员给予相应的处分。

实施营养改善计划的学校违反食品安全法律法规以及本规定的,应当从重处理。

**第五十八条** 学校食品安全的相关工作人员、相关负责人有下列行为之一的,由学校主管教育部门给予警告或者记过处分;情节较重的,应当给予降低岗位等级或者撤职处分;情节严重的,应当给予开除处分;构成犯罪的,依法移送司法机关处理:

(一)知道或者应当知道食品、食品原料劣质或者不合格而采购的,或者利用工作之便以其他方式谋取不正当利益的;

(二)在招投标和物资采购工作中违反有关规定,造成不良影响或者损失的;

(三)怠于履行职责或者工作不负责任、态度恶劣,造成不良影响的;

(四)违规操作致使师生人身遭受损害的;

(五)发生食品安全事故,擅离职守或者不按规定报告、不采取措施处置或者处置不力的;

(六)其他违反本规定要求的行为。

**第五十九条** 学校食品安全管理直接负责的主管人员和其他直接责任人员有下列情形之一的,由学校主管教育部门会同有关部门视情节给予相应的处分;构成犯罪的,依法移送司法机关处理:

(一)隐瞒、谎报、缓报食品安全事故的;

(二) 隐匿、伪造、毁灭、转移不合格食品或者有关证据,逃避检查、使调查难以进行或者责任难以追究的;

(三) 发生食品安全事故,未采取有效控制措施、组织抢救工作致使食物中毒事态扩大,或者未配合有关部门进行食物中毒调查、保留现场的;

(四) 其他违反食品安全相关法律法规规定的行为。

**第六十条** 对于出现重大以上学校食品安全事故的地区,由国务院教育督导机构或者省级人民政府教育督导机构对县级以上地方人民政府相关负责人进行约谈,并依法提请有关部门予以追责。

**第六十一条** 县级以上人民政府食品安全监督管理、卫生健康、教育等部门未按照食品安全法等法律法规以及本规定要求履行监督管理职责,造成所辖区域内学校集中用餐发生食品安全事故的,应当依据食品安全法和相关规定,对直接负责的主管人员和其他直接责任人员,给予相应的处分;构成犯罪的,依法移送司法机关处理。

## 第八章 附则

**第六十二条** 本规定下列用语的含义:

学校食堂,指学校为学生和教职工提供就餐服务,具有相对独立的原料存放、食品加工制作、食品供应及就餐空间的餐饮服务提供者。

供餐单位,指根据服务对象订购要求,集中加工、分送食品但不提供就餐场所的食品经营者。

学校食堂从业人员,指食堂中从事食品采购、加工制作、供餐、餐饮具清洗消毒等与餐饮服务有关的工作人员。

现榨果蔬汁,指以新鲜水果、蔬菜为主要原料,经压榨、粉碎等方法现场加工制作的供消费者直接饮用的果蔬汁饮品,不包括采用浓浆、浓缩汁、果蔬粉调配成的饮料。

冷食类食品、生食类食品、裱花蛋糕的定义适用《食品经营许可管理办法》的有关规定。

**第六十三条** 供餐人数较少,难以建立食堂的学校,以及以简单加工学生自带粮食、蔬菜或者以为学生热饭为主的小规模农村学校的食品安全,可以参照食品安全法第三十六条的规定实施管理。

对提供用餐服务的教育培训机构,可以参照本规定管理。

**第六十四条** 本规定自2019年4月1日起施行,2002年9月20日教育部、原卫生部发布的《学校食堂与学生集体用餐卫生管理规定》同时废止。

## Appendix 2.7 Guidance for Emergency Evacuation Drill in Primary and Secondary Schools and Kindergartens (issued by the General Office of the Ministry of Education on February 22, 2014.)

### 中小学幼儿园应急疏散演练指南

教育部2014年2月22日教基一厅[2014]2号公布

为加强对中小学幼儿园(以下简称学校)应急疏散演练工作的指导,提升学校应急疏散演练的组织和管理水平,强化师生安全意识和应急避险能力,培养学生终身受益的安全素养,特制定本指南。

#### 一、编制依据

《中华人民共和国突发事件应对法》《国家突发公共事件总体应急预案》《国务院生产安全事故报告与调查处理条例》《教育系统突发公共事件应急预案》《中小学公共安全教育指导纲要》《中小学幼儿园安全管理办法》《学生伤害事故处理办法》等法律法规。

#### 二、目的意义

本指南立足于提升应急疏散演练的实际效果,明确应急疏散演练的适用范围、基本原则,涵盖演练的准备阶段、实施阶段、总结阶段等全过程,供学校在日常安全管理和集中组织应急疏散演练时参考。通过实战型应急疏散演练,进一步增强师生安全意识,提高逃生自救能力,在发生紧急情况时,能有序、迅速地安全疏散,确保师生的生命安全。

#### 三、适用范围

本指南对演练的各个环节、步骤提出了明确的指导性意见和规范性要求,适用于全国普通中小学幼儿园在开展针对地震、火灾、校车事故等的应急疏散演练时参考。

#### 四、基本原则

(一)精心准备,科学组织。学校要确保参演师生的生命安全,严防拥挤踩踏事故发生。要提前谋划,提出预案及早就做好相关准备工作,尽量避开雨雪等恶劣天气,在保证安全的前提下,通过科学、合理的组织,保证疏散演练既安全有序又有效快速。

(二)着眼实战,注重细节。演练要立足于模拟紧急事件发生时的真实情景,要着眼于提高学校应急指挥人员的指挥协调能力、各部门的应急处置能力和师生的应急避险、自救互救能力。学校要制定科学合理的演练方案并将其细化、落实到演练的各个环节,保障演练的整体组织及每个环节科学合理。

(三) 明确目标,循序渐进。地震、火灾等灾害留给人们的逃生时间是有限的,一般是2分钟左右,应急疏散演练应明确最终的时间目标,原则上中学生2分钟以内,小学生3分钟以内完成。要从学校实际出发,设定合理的时间要求,通过经常性的演练逐步提升,最终达到设定的目标。

(四) 立足实际,务求实效。演练要紧密结合学校自身实际,明确演练的主题,合理确定演练的时间、地点、参演人员、形式、内容、规模、疏散路线和保障措施等。要重视对演练效果及组织工作的评估、考核和总结,及时整改存在的问题,务求到达实效。

## 五、演练准备阶段

演练准备阶段应包括:制定演练方案,成立演练组织结构,演练前安全教育及其他准备工作。

### (一) 制定演练方案

应急疏散演练方案应根据学校自身性质、地理位置、周边环境、教职工和学生人数、校园内建(构)筑物类型和数量等实际情况,依据《国家突发公共事件总体应急预案》《教育系统突发公共事件应急预案》等相应应急预案制定。

演练方案一般应包括以下内容:演练主题、演练目的意义、演练时间和地点、参与演练人员、演练组织结构及人员分工、演练准备工作、疏散路线、演练流程、保障措施、善后处置和信息报告等。演练方案应做到:内容完整、简洁规范、责任明确、路线科学、措施具体、便于操作。

#### 相关要求:

1.应急疏散场所:通常利用操场、广场等设立应急疏散场所,应通风通畅,相对宽阔。应急疏散场所应远离高大建(构)筑物,与建(构)筑物的距离应大于其高度的三分之一;应避开有对人身安全可能产生影响的地段,如毒气体储放地、易燃易爆物或核放射物储放地、高压输变电路等设施;避开陡坡等易发生地质灾害的地段;疏散场地应有方向不同的两条以上与外界相通的疏散道路。

2.应急疏散通道:保持疏散通道、安全出口畅通,禁止占用疏散通道;禁止将安全出口和教室、实验室、宿舍等安全门上锁或堵塞;应将房间的老式内开窗户改成外开式或平移式窗户,一楼窗户的防护栏应符合消防要求,应急情况下防护栏能迅速打开。

3.应急疏散路线:根据学生分布和建筑物结构,合理确定各班级疏散路线,合理分流。要建立规范,细化措施,保障大量学生在楼道相遇或意外情况发生等情况下不发生拥堵甚至踩踏。疏散路线要避免穿越公路、交通密集和易发生危险的路段。

4.应急疏散用语:教职工在组织学生避险、疏散的整个过程中,应使用规范、简短、明确的疏散用语。

5.应急警报信号:警报信号应具备很强的覆盖性、独立性和差异性,并考虑在断电等特殊情况下的备选方案。覆盖性:警报信号能有效的覆盖到学校的每个地点;独立性:在无法或不能及时采取广播等辅助手段的情况下,警报信号能独立向师生传递准确信息;差异性:与学校日常的铃声、广播声等声音要有所差异。避险信号和疏散信号也应有明显区分。

6.疏散时间:从疏散信号发出到全体师生(除伤病师生外)疏散完成,原则上楼层较低(4层以下)、安全出口合理、通道通畅的学校应控制在2分钟之内。

7.应急演练次数:中小学校每月至少要开展一次应急疏散演练,幼儿园每季度至少要开展一次应急疏散演练。应急疏散演练可与学校升旗、课间操、集体活动等相结合。在校生较多的城镇中小学、农村寄宿制学校要适当增加应急疏散演练的次数。应急疏散演练工作基础较好的学校要加强随机性应急疏散演练。在确保安全的基础上,有住宿学生和晚自习学生的学校要重点加强就餐时间、午休时间和夜间应急疏散演练。使用校车的学校,还应定期组织学生进行校车安全事故应急处理演练。可根据演练内容,以组、班或年级为单位进行小规模应急演练。

## (二) 建立演练组织机构

学校应根据演练方案的要求,建立健全演练组织机构。成立由校长、有关校领导及工作人员组成的演练指挥部(领导小组),全面负责演练活动的组织领导和协调指挥工作,同时落实每位成员在演练中的具体工作。设总指挥、副总指挥及相关成员。

### 主要职责:

- 1.全面负责应急疏散演练工作。总指挥要亲自组织,现场指挥,确保演练效果。
- 2.执行上级有关指示和命令,领导小组成员按其所在部门的职能、职责各负其责,认真做好应急疏散工作。
- 3.合理划定学校及周边应急疏散场地(避险场所)、疏散通道,明确应急疏散信号,设立应急疏散指示标志,教育学生熟悉和掌握应急疏散方案。

演练指挥部应下设若干小组,明确职责,落实人员。

- 1.组织协调组:负责演练方案的制定;演练过程的协调指挥;信息的上传下达、对外联系等。
- 2.宣传报道组:负责安排演练前的宣传教育、演练的摄影、记录、计时、总结等。
- 3.疏散引导组:负责科学编制和张贴学校应急疏散路线图、班级应急疏散路线等;引导、组织师生安全有序疏散;帮助伤病学生疏散并妥善安置;疏散完成后协助其他各组工作。
- 4.抢险救护组:负责第一时间组织实施自救互救,抢救遇险师生,视情况抢救重要财产、档案等;检查学生身心状况、进行临时救治和必要的心理疏导;演练中发生意外事故,负责将受伤师生尽快运送到指定安全区域,并迅速联系急救中心或拨打120,在专业医务人员到达之前,救护组应对受伤师生采取必要的救助措施,为救治伤者赢得时间。预防次生灾害发生。

5.后勤保障组:负责治安保卫工作,布设演练场地,维护演练秩序,拉响演练警报;通讯、标识、广播、救助等演练所需物资装备的准备;检查、恢复学校水电、通讯等后勤保障设施。

各小组应设立负责人,统一协调本组工作。各小组演练前应充分了解本小组职责,并将职责落实到每位

成员;演练中按照职责开展工作,在疏散完成后各小组负责人应及时向总指挥进行反馈、汇报。学校可视演练主题和学校实际情况调整演练组织结构,以保证演练质量。

### (三) 演练前宣传教育

学校应根据演练的主题,在演练前要依托校园网、校园广播、宣传橱窗、板报等传播载体,通过专题会议、班、校会等多种途径和方式,向全校师生宣讲疏散演练方案,让师生明确演练的必要性和基本步骤,熟悉疏散程序、疏散信号、疏散路线、疏散顺序、疏散后的集合场地和时间要求等。有针对性的组织师生学习安全知识,掌握避险、撤离、疏散和自救互救的方法、技能。

### (四) 演练前师生身体问询检查

演练前要对师生身体情况做一次问询检查,凡有特异体质(先天性心脏病、癫痫等)的师生,演练前发烧、腿受伤等不宜进行紧张和奔跑活动的师生,要给予特殊考虑和安排。

### (五) 其他准备工作

1.加强协调宣传工作。演练前学校应向教育主管部门报告。根据不同演练主题,教育部门、中小学要加强与公安、交管、地震、消防等部门的沟通协调,邀请专业人员到校指导,帮助学校完善方案,加强过程指导。学校可视情况通报相关部门和周边单位,并通过广播、网站、横幅标语等方式,预告演练的时间、地点、内容,避免发生误解、谣传和恐慌,保证演练安全顺利进行。

2.印制演练相关文件。包括演练方案、演练人员手册、演练脚本等;酌情配备需要的装备器材,如:胸挂式应急工作证和指挥员、安全疏导员标志,手电、应急灯、口哨、对讲机、手持扩音器、医疗急救箱、灭火器、警戒线等。

3.张贴疏散线路图和指示标志。在每个教室、宿舍、办公室内或门后张贴应急疏散示意图,在教学楼、宿舍楼、办公楼、实验楼等场所疏导通道的适当位置张贴应急疏散示意图和到达避险场的指示标识,避险场所应设置标有文字说明的指示标识、平面图和疏散示意图。指示标识、平面图和疏散示意图应当清晰完整、简洁规范、美观大方。

4.准备演练器材。演练前后勤保障组要提出演练经费申请计划,根据需要购置或准备演练所需的烟雾发生器、警报器、场地标志等物品。

## **六、演练实施阶段**

演练实施包括避险科目、疏散科目。一般情况下,防震疏散演练依次实施避险科目、疏散科目;消防疏散演练直接实施疏散科目;其他应急疏散演练应结合实际进行具体安排。学校可根据实际,酌情增加或强化医疗救护、卫生防疫、人员搜救、治安维护、火灾处置、危化品处置等科目及内容。

### (一) 避险科目

1.总指挥宣布演练开始,广播响起:“现在地震来袭,实施紧急避险”,同时避险警报信号(电铃声、警报

声、哨声等)响起,长鸣60秒。

2.听到信号后,在教室、实验室、宿舍的教职工应第一时间通知学生地震来袭,进行避震。在实验室等地点的教职工应迅速关闭火源、电源、气源等,处理好易燃、易爆、易起化学反应的物品等。

3.师生避险要求:保持镇静,头脑清醒;就近蹲或躺在课桌、实验台、床铺的旁边或承重墙的墙根、墙角;用手或其它柔软物品等保护好头部,尽量蜷曲身体,降低身体重心,缩小面积,不要靠近窗口,避开灯扇,避免被砸;视情况就近关闭火源、电源等。避险动作原则上在12秒内完成。

## (二)疏散科目

1.火灾发生后或者地震暂停后,需要进行疏散时,广播响起:“现在发生火灾(现在紧急避险结束),全体师生立即疏散”,同时,疏散警报信号(电铃声、警报声、哨声等)长鸣,长鸣60秒,停30秒,反复两遍为一个周期,时间共3分钟。

2.在教室、实验室、宿舍等地点的教职工立即告知学生“按照疏散路线,快速疏散”,组织学生从前后门有序进行疏散,并且根据教室、实验室、宿舍等的位置,按照不同楼层,就近从疏散楼梯向下疏散。

3.学生立即向避险场所疏散,要求:沉着冷静,服从指挥;所有学生应做到快速、猫腰、护头、掩鼻(遇到浓烟时,可利用衣服、毛巾或者其他可利用的东西捂住口鼻,并尽量降低行走姿势,以免烟气进入呼吸道。如果烟气特别浓而使人感到呼吸困难,可贴近墙边爬行,因为近地处往往残留清新空气);不拥挤,不推搡他人,不起哄,不高声喧哗,不争先恐后,不拉手搭肩,不嬉戏打闹,不弯腰拾物,不逆流而行;在拥挤的人群中,注意双肘撑开平放胸前,形成一定空间保证呼吸;当发现自己前面有人摔倒了,马上要停下脚步,同时大声呼救,告知后面的人不要向前靠近;当自己摔倒时,应尽快爬起;当被踩踏时,要两手十指交叉相扣、护住后脑和颈部,两肘向前,护住双侧太阳穴,双膝尽量前屈,护住胸腔和腹腔的重要脏器。

4.中高层楼房消防疏散逃生的有关要求:在7层以上中高层建筑物进行消防疏散时,严禁乘坐普通电梯(有条件的可以乘坐消防电梯)或跳楼逃生;处在10楼以下的学生可视情况利用楼梯道走廊向下逃生;12楼以上的学生,可视情况用湿毛巾捂住口鼻后向天台奔跑或尽快寻找阳台等安全的地方躲避,等待专业人员的救援。有条件的学校可自备高空缓降器或救生绳,学生可以通过这些设施离开危险楼层,也可用身边的绳索、床单、窗帘、衣服自制简易救生绳,并用水打湿,从窗台或阳台沿绳缓滑到下面楼层,从而逃离起火层。

5.疏散引导组在第一时间赶到指定位置(楼梯口、转角处、楼门口等)引导疏散,指挥学生保持秩序,控制速度,逐次疏散。同时视实际情况可喊“大家注意脚下,防止滑倒;保持秩序,不要拥挤;注意保护头部,小心坠物;有人摔倒了,大家小心;不要向回跑、不要捡东西”等提示语。帮助有困难的人员疏散。如出现拥挤摔倒等突发情况,负责疏散引导的老师应立即向指挥部报告,等险情排除后,再组织学生有序撤出。待学生疏散完毕后,方可撤离。

组织协调组做好演练指挥、协调等工作;宣传报道组做好演练的记录(摄像、摄影等)和计时等工作;后勤保障组做好报警等工作;抢险救护组做好伤员救治等工作。

6.学生疏散到避险场所后,应按照班级形成队列在指定位置站好,避免混乱。班主任或负责统计的人员进行班级、年级人员统计;抢险救护组检查学生身体、心理状况,进行临时救治、心理疏导;后勤保障组检查学校各项设施、物资等。完成后,各小组负责人及时向总指挥报告,并根据总指挥的指令采取下一步行动。

7.总指挥宣布演练结束。

## 七、演练总结阶段

(一)总指挥对演练进行现场总结讲评,内容主要包括演练组织情况,演练目标及效果,演练中暴露的问题及解决办法等。

(二)结合演练的主题和目的,可适当开展相应的安全教育。

(三)对演练场地进行清理恢复,回收整理演练物资装备。

(四)对演练进行总结评估,各部门和有关人员通过访谈、填写评价表、提交报告等方式,进行总结评估。有条件的学校可建立独立评价机制,聘请相关人员为整个演练进行测评。

(五)将演练文字及视频资料进行整理、保存。

## Appendix 2.8 Advice on Strengthening the Building of Safety Risk Prevention and Control System for Primary and Secondary Schools and Kindergartens (issued by General Office of the State Council of the People's Republic of China in 2017)

### 关于加强中小学幼儿园安全风险防控体系建设的意见

国办发〔2017〕35号

各省、自治区、直辖市人民政府，国务院各部委、各直属机构：

校园应当是最阳光、最安全的地方。加强中小学、幼儿园（以下统称学校）安全工作是全面贯彻党的教育方针，保障学生健康成长、全面发展的前提和基础，关系广大师生的人身安全，事关亿万家庭幸福和社会和谐稳定。长期以来，党中央、国务院和地方各级党委、政府高度重视学校安全工作，采取了一系列措施维护学校及周边安全，学校安全形势总体稳定。但是，受各种因素影响，学校安全工作还存在相关制度不完善、不配套，预防风险、处理事故的机制不健全、意识和能力不强等问题。为进一步加强和改进学校安全工作，经国务院同意，现就建立健全学校安全风险防控体系提出以下意见：

#### 一、总体要求

##### （一）指导思想。

高举中国特色社会主义伟大旗帜，全面贯彻党的十八大和十八届三中、四中、五中、六中全会精神，深入贯彻习近平总书记系列重要讲话精神和治国理政新理念新思想新战略，认真落实党中央、国务院决策部署，运用法治思维和法治方式推进综合改革、破解关键问题，建立科学系统、切实有效的学校安全风险防控体系，营造良好教育环境和社会环境，为学生健康成长、全面发展提供保障。

##### （二）基本原则。

坚持统筹协调、综合施策。将学校安全作为公共安全和社会治安综合治理的重要内容，加强组织领导和协调配合，充分发挥政府、学校、家庭、社会各方面作用，运用法律、行政、社会服务、市场机制等各种方式，综合施策、形成合力。

坚持以人为本、全面防控。将可能对学生身心健康和生命安全造成影响的各种不安全因素和风险隐患全面纳入防控范畴，科学预防、系统应对、不留死角。

坚持依法治理、立足长效。突出制度建设的根本性和重要性，依据法治原则和法律规定，做好顶层设计，依法明确各方主体权利、义务与职责，形成防控学校安全风险的长效机制。

坚持分类应对、突出重点。坚持问题导向,根据不同区域、地方以及不同层次类型学校的实际,区分风险的类型和特点,有针对性地构建安全风险防控机制,集中解决群众关心、社会关注的校园安全问题。

### (三) 工作目标。

针对影响学校安全的突出问题、难点问题,进一步整合各方面力量,加强和完善相关制度、机制,深入改革创新,加快形成党委领导、政府负责、社会协同、公众参与、法治保障,科学系统、全面规范、职责明确的学校安全风险预防、管控与处置体系,切实维护师生人身安全,保障校园平安有序,促进社会和谐稳定。

## **二、完善学校安全风险预防体系**

### (四) 健全学校安全教育机制。

将提高学生安全意识和自我防护能力作为素质教育的重要内容,着力提高学校安全教育的针对性与实效性。将安全教育与法治教育有机融合,全面纳入国民教育体系,把尊重生命、保障权利、尊重差异的意识和基本安全常识从小根植在学生心中。在教育中要适当增加反欺凌、反暴力、反恐怖行为、防范针对未成年人的犯罪行为等内容,引导学生明确法律底线、强化规则意识。学校要根据学生群体和年龄特点,有针对性地开展安全专题教育,定期组织应对地震、火灾等情况的应急疏散演练。教育部门要将安全知识作为校长、教师培训的必要内容,加大培训力度并组织必要的考核。各相关部门和单位要组织专门力量,积极参与学校安全教育,广泛开展“安全防范进校园”等活动。鼓励各种社会组织为学校开展安全教育提供支持,设立安全教育实践场所,着力普及和提升家庭、社区的安全教育。

### (五) 完善有关学校安全的国家标准体系和认证制度。

不断健全学校安全的人防、物防和技防标准并予以推广。根据学校特点,以保护学生健康安全为优先原则,加强重点领域标准的制修订工作,尽快制定一批强制性国家标准,逐步形成有关学校安全的国家标准体系。建立学校安全事项专项认证及采信推广机制,对学校使用的关系学生安全的设施设备、教学仪器、建筑材料、体育器械等,按照国家强制性产品认证和自愿性产品认证规定,做好相关认证工作,严格控制产品质量。

### (六) 探索建立学生安全区域制度。

加强校园周边综合治理,在学校周边探索实行学生安全区域制度。在此区域内,依法分别作出禁止新建对环境造成污染的企业、设施,禁止设立上网服务、娱乐、彩票专营等营业场所,禁止设立存在安全隐患的场所等相应要求。在学生安全区域内,公安机关要健全日常巡逻防控制度,加强学校周边“护学岗”建设,完善高峰勤务机制,优先布设视频监控系统,增强学生的安全感;公安交管部门要加强交通秩序管理,完善交通管理设施。

### (七) 健全学校安全预警和风险评估制度。

教育部门要会同相关部门制定区域性学校安全风险清单,建立动态监测和数据搜集、分析机制,及时为学校提供安全风险提示,指导学校健全风险评估和预防制度。要建立台账制度,定期汇总、分析学校及周边

存在的安全风险隐患,确定整改措施和时限;在出现可能影响学校安全的公共安全事件、自然灾害等风险时,要第一时间通报学校,指导学校予以防范。

#### (八) 探索建立学校安全风险防控专业服务机制。

积极培育可以为学校提供安全风险防控服务的专业化社会组织。采取政府购买服务等方式,鼓励、引导和支持具备相应专业能力的机构、组织,研发、提供学校安全风险预防、安全教育相关的服务或者产品,协助教育部门制定、审核学校安全风险防控预案和相关标准,组织、指导学校有针对性地开展专项安全演练、预防和转移安全风险等工作。

### **三、健全学校安全风险管控机制**

#### (九) 落实安全管理主体责任。

教育部门、公安机关要指导、监督学校依法健全各项安全管理制度和安全应急机制。学校要明确安全是办学的底线,切实承担起校内安全管理的主体责任,对校园安全实行校长(园长)负责制,健全校内安全工作领导机构,落实学校、教师对学生的教育和管理责任,狠抓校风校纪,加强校内日常安全管理,做到职责明确、管理有方。在风险可控的前提下,学校应当积极组织体育锻炼、户外活动等,培养学生强健的体魄。学生在校期间,对校园实行封闭化管理,并根据条件在校门口设置硬质防冲撞设施,阻止人员、车辆等非法进入校园。各类中小学校外活动场所、以学生为主要对象的各类培训机构和课外班等,由地方政府统筹协调有关部门承担安全监管责任,督促举办者落实安全管理责任。

#### (十) 建立专兼职结合的学校安保队伍。

学校应当按照相关规定,根据实际和需要,配备必要的安全保卫力量。除学生人数较少的学校外,每所学校应当至少有1名专职安全保卫人员或者受过专门培训的管理人员。地方人民政府、有条件的学校可以以购买服务等方式,将校园安全保卫服务交由专门保安服务公司提供。学校要与社区、家长合作,有条件的建立学校安全保卫志愿者队伍,在上下学时段维护学校及校门口秩序。寄宿制学校要根据需要配备宿舍管理人员。

#### (十一) 着力建设安全校园环境。

各地要坚持安全优先、勤俭节约的原则开展校园建设。学校建设规划、选址要严格执行国家相关标准规范,对地质灾害、自然灾害、环境污染等因素进行全面评估。各地要建立健全校舍安全保障长效机制,保证学校的校舍、场地、教学及生活设施等符合安全质量和标准。校舍建设要严格执行国家建筑抗震有关技术规范和标准,有条件建设学校体育馆的地方,要按照国家防灾减灾相关标准建设。完善学校安全技术防范系统,在校园主要区域要安装视频图像采集装置,有条件的要安装周界报警装置和一键报警系统,做到公共区域无死角。建立校园工程质量终身责任制,凡是在校园工程建设中出现质量问题导致严重后果的建设、勘察、设计、施工、监理单位,一旦查实,承担终身责任并限制进入相关领域。

## (十二) 进一步健全警校合作机制。

各级教育部门、公安机关和学校要在信息沟通、应急处置等方面加强协作,健全联动机制。公安机关要进一步完善与维护校园安全相适应的组织机构设置形式和警力配置,加强学校及周边警务室建设,派出经验丰富的民警加强学校安全防范工作指导。要将校园视频监控系统、紧急报警装置接入公安机关、教育部门的监控或报警平台,并与公共安全视频监控联网共享平台对接,逐步建立校园安全网上巡查系统,及时掌握、快速处理学校安全相关问题。

## (十三) 健全相关部门日常管理职责体系。

政府各相关部门要切实承担起学校安全日常管理的职责。卫生计生部门要加强对学校卫生防疫和卫生保健工作的监督指导,对于学校出现的疫情或者学生群体性健康问题,要及时指导教育部门或者学校采取措施。食品药品监管部门对学校食堂和学校采购的用于学生集体使用的食品、药品要加强监督检查,指导、监督学校落实责任,保障食品、药品符合相关标准和规范。住房城乡建设部门要加强对学校工程建设过程的监管。环保部门要加强对学校及周边大气、土壤、水体环境安全的监管。交通运输部门要加强对提供学生集体用车服务的道路运输企业的监管,综合考虑学生出行需求,合理规划城市公共交通和农村客运线路,为学生和家长选择公共交通出行提供安全、便捷的交通服务。质量监督部门应当对学校特种设备实施重点监督检查,配合教育部门加强对学校采购产品的质量监管,在学校建立产品质量安全风险信息监测采集机制。公安消防部门要依法加强对学校的消防安全检查,指导学校落实消防安全责任,消除火灾隐患。综治、工商、文化、新闻出版广电、城市管理等部门要落实职责,加强对校园周边特别是学生安全区域内有关经营场所、经营活动的管理和监督,消除安全隐患。

## (十四) 构建防控学生欺凌和暴力行为的有效机制。

教育部门要会同有关部门研究制定学生欺凌和暴力行为早期发现、预防以及应对的指导手册,建立专项报告和统计分析机制。学校要切实履行教育、管理责任,设立学生求助电话和联系人,及早发现、及时干预和制止欺凌、暴力行为。对有不良行为、暴力行为的学生,探索建立由校园警务室民警或者担任法治副校长、辅导员的民警实施训诫的制度。对实施暴力情节严重,构成犯罪的学生,公安、司法机关要坚持宽容但不纵容、关爱又严管的原则,指定专门机构或者专门人员依法处理,特别是对犯罪性质和情节恶劣、手段残忍、后果严重的,必须坚决依法惩处,形成积极正面的教育作用。改革完善专门教育制度,健全专门学校接收学生进行教育矫治的程序,完善专门学校管理体制和运行机制。网络管理部门发现通过网络传播的欺凌或者校园暴力事件,要及时予以管控并通报相关部门。

## (十五) 严厉打击涉及学校和学生安全的违法犯罪行为。

对非法侵入学校扰乱教育教学秩序、侵害师生生命财产安全等违法犯罪行为,公安机关要依法坚决处置、严厉打击,实行专案专人制度。进一步深化平安校园创建活动。建立学校周边治安形势研判预警机制,对涉及学校和学生安全的违法犯罪行为和犯罪团伙,要及时组织开展专项打击整治行动,防止发展蔓延。教育部门要健全学校对未成年学生权利的保护制度,对体罚、性骚扰、性侵害等侵害学生人身健康的违法犯罪行为,要建立零容忍制度,及早发现、及时处理、从严问责,应当追究法律责任的,要协同配合公安、司法机关严格依法惩处。

#### (十六) 形成广泛参与的学生安全保护网络。

教育部门要健全对校园内发生的侵害学生人身权利行为的监督机制和举报渠道,建立规范的调查处理程序。有关部门要与学校、未成年人保护组织、家长加强衔接配合,共同构建对受到伤害学生和涉嫌违法犯罪学生的心理疏导、安抚救助和教育矫正机制。共青团组织要完善未成年人维权热线,提供相应法律咨询、心理辅导等。妇联组织要积极指导家长进行正确的家庭教育,开展未成年人家庭保护相关法律法规宣传,组织落实对未成年人家庭保护的法律规定。支持和鼓励律师协会、政法院校等法律专业组织和单位,设立未成年学生保护的公益性组织,利用和发展未成年人保护志愿律师网络,为学生维护合法权益提供法律服务。

### **四、完善学校安全事故处理和风险化解机制**

#### (十七) 健全学校安全事故应对机制。

学校发生重特大安全事故,地方政府要在第一时间启动相应的应急处理预案,统一领导,及时动员和组织救援和事故调查、开展责任认定及善后处理,并及时回应社会关切。发生重大自然灾害、公共安全事故,应当优先组织对受影响学校开展救援。教育部门应当指导学校建立安全事故处置预案,健全学校安全事故的报告、处置和部门协调机制。在校内及校外教育教学活动中发生安全事故,学校应当及时组织教职工参与抢险、救助和防护,保障学生身体健康和人身安全。

#### (十八) 健全学校安全事故责任追究和处理制度。

发生造成师生伤亡的安全事故,有关部门要依法认定事故责任,学校及相关方面有责任的,要严肃追究有关负责人的责任;学校无责任的,要澄清事实、及时说明,避免由学校承担不应承担的责任。司法机关要加强案例指导,引导社会依法合理认识学校的安全责任,明确学生监护人的职责。积极利用行政调解、仲裁、人民调解、保险理赔、法律援助等方式,通过法治途径和方式处理学校安全事故,及时依法赔偿,理性化解纠纷。对围堵校园、殴打侮辱教师、干扰学校正常教育教学秩序等“校闹”行为,公安机关要及时坚决予以制止。

#### (十九) 建立多元化的事故风险分担机制。

学校举办者应当按规定为学校购买校方责任险,义务教育阶段学校投保校方责任险所需经费从公用经费中列支,其他学校投保校方责任险的费用,由各省(区、市)按照国家有关规定执行。各地要根据经济社会发展情况,结合实际合理确定校方责任险的投保责任,规范理赔程序和理赔标准。有条件的地方,可以积极探索与学生利益密切相关的食品安全、校外实习、体育运动伤害等领域的责任保险,充分发挥保险在化解学校安全风险方面的功能作用。保险监管部门要加强对涉及学校的保险业务的监督和管理,会同教育部门依法规范保险公司与学校的合作,严禁以学校名义指定学生购买或者向学生直接推销保险产品。要大力增强师生和家长的保险意识,引导家长根据自愿原则参加保险,分担学生在校期间因意外而发生的风险。鼓励各种社会组织设立学校安全风险基金或者学生救助基金,健全学生意外伤害救助机制。

## (二十) 积极构建学校依法处理安全事故的支持体系。

各地要采取措施,在中小学推广建立法律顾问制度。教育部门和学校要建立健全新闻发言人制度,增强事故发生后的舆情应对能力。要发挥好安全风险防控专业服务机制的作用,借助专业机构在损失评估、理赔服务、调处纠纷等方面的力量,帮助学校妥善处理事故。教育、司法行政部门要会同相关部门,探索在有需求的县(市、区)设立学校安全事故人民调解委员会,吸纳具有较强专业知识和社会公信力、知名度,热心调解和教育事业的社会人士担任人民调解员,依法调解学校安全事故民事赔偿纠纷。

## **五、强化领导责任和保障机制**

### (二十一) 加强组织领导。

各地要高度重视学校安全风险防控工作,将学校安全作为经济社会发展的重要指标和社会治理的重要内容,建立党委领导、政府主导、相关部门和单位参加的学校安全风险防控体系建设协调机制,定期研究和及时解决学校安全工作中的突出问题,切实为学校正常开展教育教学活动和课外实践活动提供支持和保障。各相关部门和单位要制定具体细则或办法,落实本意见提出的工作要求,加强沟通协调,协同推动防控机制建设,形成各司其职、齐抓共管的工作格局。

### (二十二) 强化基础保障。

各级教育部门、公安机关要明确归口负责学校安全风险防控的专门机构,完善组织体系与工作机制,配齐配强工作力量。各级机构编制部门要根据工作需要,优化现有编制结构,适当向教育部门、公安机关负责学校安全风险防范的机构倾斜。各级财政部门要按规定将学校安全风险防控经费纳入一般公共预算,保障合理支出。要健全学校安全风险防控的网络管理与服务系统,整合各方面力量,积极利用互联网和信息技术,为学校提供便捷、权威的安全风险防控的专业咨询和技术支持服务。加快完善学校安全法律规范,推动适时修改关于未成年人保护的相关法律,启动防控校园暴力行为等相关法律的制修订工作,构建完善的法律保障体系。

### (二十三) 健全督导与考核机制。

各级人民政府教育督导机构要将学校安全工作作为教育督导的重要内容,加强对政府及各有关部门、学校落实安全风险防控职责的监督、检查。对重大安全事故或者产生重大影响的校园安全事件,要组织专项督导并向社会公布督导报告。对学校安全事故频发的地区,要以约谈、挂牌督办等方式督促其限期整改。教育部门要将安全风险防控工作的落实情况,作为考核学校依法办学和学校领导班子工作的重要内容。

高等学校应当结合自身实际,参照本意见,健全安全风险防控体系,完善工作机制和建设方案,所在地的地方人民政府及有关部门应当予以指导、支持,切实履行相关职责。

国务院办公厅

2017年4月25日

## Appendix 2.9 A Letter to Parents of Primary and Secondary School Students Across the Country

尊敬的中小学生家长朋友：

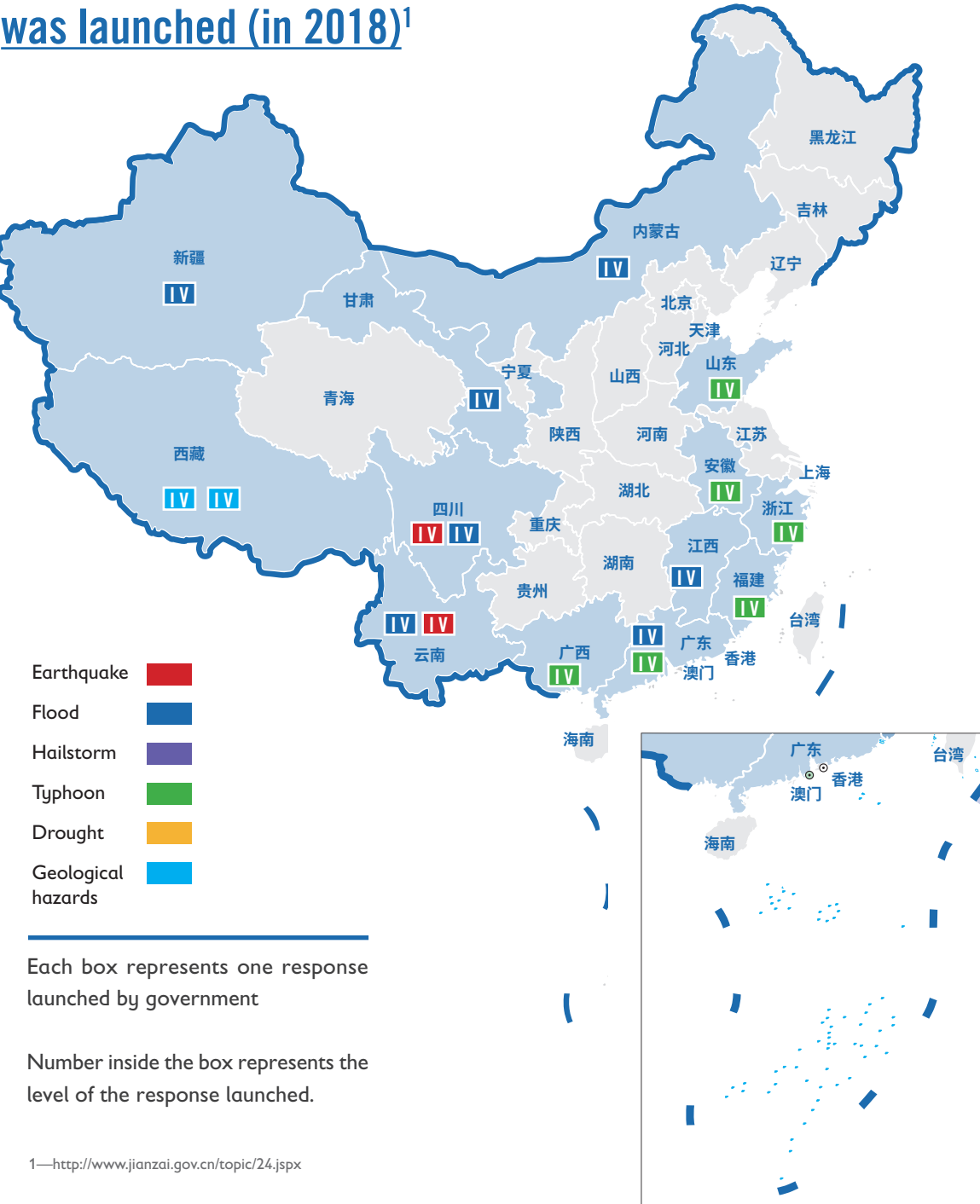
溺水是造成中小學生意外死亡的第一殺手。天氣逐漸變熱，溺水又進入高發季，希望廣大家長務必增強安全意識和監護意識，切實承担起監護責任，加強對孩子的教育和管理，特別是加強放學後、周末、節假日期間和孩子結伴外出游玩時的管理，經常進行預防溺水等安全教育，給孩子傳授相關知識和技能，不斷加強孩子安全意識和自我保護意識，提高孩子們的避險防災和自救能力，嚴防意外事故的發生。要重點教育孩子做到“六不”：不私自下水游泳；不擅自與他人結伴游泳；不在無家長或教師帶領的情況下游泳；不到無安全設施、無救援人員的水域游泳；不到不熟悉的水域游泳；不熟悉水性的學生不擅自下水施救。尤其要教育孩子遇到同伴溺水時避免手拉手盲目施救，要智慧救援，立即尋求成人幫助。

學生安全工作需要各方面盡心盡責、密切配合、齊抓共管。讓我們携起手來，共同為保障廣大中小學生平安健康成長而努力。

祝您的孩子平安、健康、快樂！

教育部基礎教育一司

Appendix 3 The number of times  
the national disaster relief and emergency response  
was launched (in 2018)<sup>1</sup>



## Appendix 4 Themes of Safety Education Day for Primary and Secondary School Students

1996	“全社会动员起来,人人关心中小学校安全工作”
1997	“交通安全教育”
1998	“注重防范,自救互救,确保平安”
1999	“消防安全教育”
2000	“保证中小學生集体饮食安全,预防药物不良反应”
2001	“校园安全”
2002	“关注学生饮食卫生,保障青少年健康”
2003	“大力提高中小學生及幼儿的自我保护意识和能力”
2004	“预防校园侵害,提高青少年儿童自我保护能力”
2005	“增加交通安全知识,提高自我保护能力”
2006	“珍爱生命,安全第一”
2007	“强化安全管理,共建和谐校园”
2008	“迎人文奥运,建和谐校园”
2009	“加强防灾减灾,创建和谐校园”
2010	“加强疏散演练,确保学生平安”
2011	“强化安全意识,提高避险能力”
2012	“普及安全知识,提高避险能力”
2013	“普及安全知识,确保生命安全”
2014	“强化安全意识,提升安全素养”
2015	“我安全、我健康、我快乐”
2016	“预防校园暴力,共建和谐校园”
2017	“强化安全意识,提升安全素养”
2018	“做自己的首席安全官”
2019	“珍爱生命,安全伴我行”

## Appendix 5. Summary table of school safety projects by civil society organizations

### Summary table of school safety projects by civil society organizations

Timeframe: 1<sup>st</sup> January 2016 to 30<sup>th</sup> June 2019

Organizations included: organizations whose projects cover more than one area (provincial or sub-provincial level organizations not included here)

No.	Organization names (in Chinese Pinyin sequence)	Project names	Project timeframe (Y/M–Y/M)	Comprehensive School Safety Framework covered (tick “√”)				Areas covered by projects (provinces)	No. of benefitting schools
				Pillar I	Pillar II	Pillar III	Policy and Environment		
1	<b>Plan International</b>	Disaster Management Training project	2014.9   2018.6	√	√	√		Chunhua, Jia county and Pucheng of Shaanxi province; Wuzhong, Longde and Xiangxi of Ningxia province	70
		Promoting Comprehensive School Safety Safeguarding Children's Needs project	2016.1   2018.6	√	√	√		Honghe, Yunnan province	6
2	<b>Save the Children</b>	Child-centered Disaster Risk Reduction	2014.9   2018.11	√	√	√		Xichang, Liangshan prefecture, Sichuan province	11
		Making children and mothers safer against future disasters	2015.12   2018.3		√	√		Minhang district, Shanghai; Yucheng district, Ya'an, Sichuan province	8
		Building resilience in urban schools in China	2018.7   2023.6		√	√	√	5 districts across the country	500
3	<b>UNICEF</b>	Disaster Risk Reduction Pilot Area in the western China project	2016.10   2018.10	√	√	√	√	Beichuan, Mianzhu, Shifang of Sichuan province	77

No.	Organization names (in Chinese Pinyin sequence)	Project names	Project timeframe (Y/M–Y/M)	Comprehensive School Safety Framework covered (tick “√”)				Areas covered by projects (provinces)	No. of benefitting schools
				Pillar I	Pillar II	Pillar III	Policy and Environment		
4	World Vision	Community-based Disaster Risk Reduction	2007.9   2018.12		√	√			20
		Child-based Disaster Risk Reduction	2007.9   2018.12	√	√	√		Several provinces including Tianjin, Guangdong, Guangxi, Shaanxi, Guizhou, Jiangxi, Hunan, Sichuan, Yunnan, Hebei, etc	200
		Urban Disaster Risk Reduction	2015.9   2017.9	√	√	√		Tianjin, Shandong province	5
		Disability-inclusive Disaster Risk Reduction	2016.9   2018.9	√	√	√		Tianjin, Hunan province, Sichuan province, Jiangxi province	2 (Special education schools)
		Guidance for Disaster Risk Reduction Education for Primary School Students	2017.9   2020.12			√	√	Several provinces including Jiangxi, Guizhou, Guangxi, Yunnan, Tianjin, Shaanxi	
5	Hong Kong Red Cross	School-based Disaster Risk Reduction project		√	√	√		Sichuan province, Guangxi province, Qinghai province, Ningxia province	
6	One Foundation	Disaster Risk Reduction Model Schools project	2014.9   2020.9	√	√	√		Ya'an, Ludian, Jiuzhaigou, Mao county, Muli of Sichuan province; Shouguang, Shandong province	160
		Child Safe Classroom project	2013.4   2020.9			√		16 provinces: Sichuan, Shandong, Shaanxi, Hunan, Hubei, Jiangxi, Yunnan, Guizhou, Xinjiang, Guangdong, Guangxi, Heilongjiang, Jilin, Liaoning, Shanxi, Gansu	600

No.	Organization names (in Chinese Pinyin sequence)	Project names	Project timeframe (Y/M–Y/M)	Comprehensive School Safety Framework covered (tick “√”)				Areas covered by projects (provinces)	No. of benefitting schools
				Pillar I	Pillar II	Pillar III	Policy and Environment		
7	<b>China Children and Teenagers' Fund</b>	Child Safe Education project; Child Disaster Risk Reduction project				√		Multiple provinces across the country	
		Well-being project				√			
		Nationwide Child Food Safety Safeguarding project				√			
8	<b>China Foundation for Poverty Alleviation</b>	Disaster Preparedness section and Child Disaster Risk Reduction Education section under Disaster Relief project		√	√	√	√	28 provinces, implemented through local NGOs	
9	<b>Chinese Red Cross Foundation</b>	Bo'ai School project		√				More than 20 provinces across the country (prefectures, districts)	
		"Safe-keeping" Safe Backpack Donation project				√		Economically under-developed areas such as Liang-shan prefecture of Sichuan province, Xinjiang, etc	
10	<b>China Charities Aid Foundation for Children</b>	Antongsheng Special Funds				√		Multiple provinces and prefectures across the country	

## Appendix 6. GADRRR-ES and WISS Ad Hoc Committee on Comprehensive School Safety Targets and Indicators

GADRRR-ES and WISS Ad Hoc Committee on Comprehensive School Safety Targets and Indicators (Consultation Version, April 2015)	
INPUT INDICATORS	MEASURES
<b>#A1:</b> Legal Frameworks & Policies <u>Enabling policies</u> and legal frameworks are in place at national and/or sub-national levels to addresses <u>key elements</u> of comprehensive school safety.	<u>Enabling policies</u> and legal frameworks are in place at national and/or sub-national levels to addresses <u>key elements</u> of comprehensive school safety.
<b>#A2:</b> Organizational arrangements, leadership, and coordination for risk reduction and resilience is established by senior management, and includes designated <u>focal</u> points responsible at <u>all levels</u> .	a) Education authority provides leadership in disaster risk reduction and management b) Risk Reduction and Resilience Focal Points are engaged at all levels in the education sector
<b>#A3</b> A <u>comprehensive approach to school safety</u> , is the foundation for integrating risk reduction and resilience into education sector strategies, policies and plans.	The framework or approach has been communicated and understood at all levels of education administration, and is publicly available.
<b>#A4:</b> Funding is in place to reduce education sector risks.	a) National education sector budget includes allocation for risk reduction and resilience programming (\$) b) Education in emergencies and/or other sufficient funding sources exist and can be drawn upon by the national education authority, in an emergency. (\$)
<b>#A5:</b> Child-centered Risk Assessment is in place at all levels in the education sector.	a) Hazard mapping and risk analysis information is available to the national education authority from national and sub-national authorities, is available at all levels for education sector planning b) National/sub-national/school-level staff have guidance to assess hazards and risks c) National/sub-national/school-level staff have the capacity to assess hazards and risks
<b>#A6:</b> Monitoring and Evaluation for CSS is underway	a) Data collection tools for Pillars 1, 2, and 3 are well-developed and used at the school and sub-national levels on an annual basis to monitor progress towards scaled, sustainable implementation. b) Output indicator data on impacts of hazards on deaths, injuries, damage to education sector infrastructure, and long-term educational outcomes is systematically collected at national and sub-national levels and reported

GADRRR-ES and WISS Ad Hoc Committee on Comprehensive School Safety Targets and Indicators (Consultation Version, April 2015)	
INPUT INDICATORS	MEASURES
<b>Target: Every new school built is safe one.</b>	
<b>#B1:</b> Guidance and regulations are in place from appropriate authorities for safe school construction. This includes a) safe <u>school site selection</u> b) safe <u>design</u> , and c) safe <u>construction</u>	Qualitative review
<b>#B2:</b> <u>Safe school site selection</u> , <u>design</u> and <u>construction</u> are monitored for compliance/enforcement by appropriate authorities	# and % of new school construction that is monitored for compliance with a) safe school site selection b) safe school design c) safe school construction
<b>Target: Existing schools are being made safer, systematically</b>	
<b>#B3</b> A systematic plan for <u>assessment and prioritization for retrofit and replacement</u> of unsafe schools has been developed, and is being implemented.	a) estimated % of <u>school stock</u> that has been <u>inventoried</u> b) estimated % of school stock covered by the risk assessment process. c) # and % of unsafe school buildings have been identified.
<b>#B4:</b> The prioritization plan for <u>upgrading</u> of existing unsafe schools is being resourced and implemented.	a) <u>construction capacity</u> , <u>systems for monitoring and quality assurance</u> and <u>financial resources</u> are <u>allocated</u> for completion of needed upgrading within a 20-year time-period. b) # and % of unsafe school buildings upgraded each year.
<b>#B5:</b> Education authorities promote <u>routine maintenance</u> and <u>non-structural mitigation</u> for increased safety and protection of investments in public schools.	a) Education authorities provide <u>guidance</u> and skill-training for routine maintenance and for needed non-structural mitigation measures to reduce risks in all schools. b) Roles and responsibilities for maintenance and non-structural mitigation are defined, documented and assigned. c) Education authorities have identified budget for routine and deferred maintenance of school facilities for safety and to protect investments, with transparent monitoring oversight at the school level.
<b>#B6:</b> Planning is undertaken for limited use of schools as temporary shelters or collective centers, during the school year.	a) Disaster management and education authorities have identified those schools that are expected to be use as temporary <u>evacuation centers</u> for disasters with early warning, and as temporary <u>collective centers</u> or shelters in the event of major hazard impact. b) Planning, support and capacity development are being provided at sub-national level to meet these needs.

GADRRR-ES and WISS Ad Hoc Committee on Comprehensive School Safety Targets and Indicators (Consultation Version, April 2015)	
INPUT INDICATORS	MEASURES
<p><b>#C1:</b> Education authorities have national and sub-national <u>plans for education sector risk reduction and management</u>, with focus on safety and security, educational continuity, and protection of education sector investments</p>	<p>a) National and sub-national plans are publicly available and are reviewed annually.</p> <p>b) Plans include risk assessment, risk reduction, response preparedness, and educational continuity</p> <p>c) Planning processes include inputs from children and youth [ ] yes [ ] no</p>
<p><b>#C2:</b> Schools annually review school disaster risk reduction and management measures (e.g. as part of school-based management and/or school improvement).</p>	<p>a) Education authorities provide common approach and <u>guidance policies and procedures</u> for all <u>key elements</u> of risk reduction, response and recovery</p> <p>b) Total number and % of schools that have review school safety measures during the last academic year.</p> <p>c) Students participate in these reviews [ ] yes [ ] no</p>
<p><b>#C3</b> Education authority has established and guides a <u>full simulation drill</u>, held annually, at all levels, to practice response preparedness and to review <u>rrm plans</u> (based on expected scenarios).</p>	<p>a) % of schools participating</p> <p>b) % of admin levels participating</p> <p>c) Students participate in planning and review [ ] yes [ ] no</p>
<p><b>#C4:</b> Education authority has needs assessment, strategy, and implementation plan to develop staff and student capacity for participation in school based disaster risk reduction and management, at necessary scale.</p>	<p>a) Number and percentage of individuals accredited in DRRM through pre-service training programs</p> <p>b) Number and percentage of new staff trained through</p> <p>c) Number and percentage of individuals accredited in DRRM through in-service training programs</p> <p>d) Number and percentage of individuals trained through on-site, and computer-aided instruction</p> <p>e) Students participate in needs assessment and planning</p>

GADRRR-ES and WISS Ad Hoc Committee on Comprehensive School Safety Targets and Indicators (Consultation Version, April 2015)	
INPUT INDICATORS	MEASURES
<b>#D1:</b> National Disaster Management Authority and Education authority have nationally adopted, consensus- and evidence based, <u>action-oriented key messages</u> as foundation for formal and non-formal education.	a) Set of consensus-based and evidence-based action-oriented key messages for personal, family, and household risk reduction has been adopted as foundation for public education
<b>#D2:</b> Education authority has infused climate-aware risk reduction and resilience education into <u>regular curriculum</u> .	a) Consensus based action-oriented key messages are used as a foundation for formal and non-formal education. b) A full set of skills and competencies for risk reduction and resilience have been adopted at national level. c) Number and % of schools that have included disaster risk reduction and management into formal and non-formal education in the last academic year. d) Skills and competencies of students are assessed through measurable learning and RR outcomes.
<b>#D3</b> Schools convey risk reduction and resilience education through <u>non-formal education</u> through participation in <u>School Safety Management</u> , and through <u>afterschool clubs, assemblies</u> and <u>extra-curricular activities</u> .	a) Student participatory activities for engagement in household, school, and community risk reduction are available, and assessed, at school level (including involvement in Pillar 1 and 2 activities). b) Student participatory activities for engagement in household, school, and community risk reduction are utilized, and assessed, at school level through formal and non-formal education (including in Pillar 1 and 2 activities).
<b>#D4:</b> Education authority has needs assessment, strategy, and implementation plan to develop teachers capacity for teaching risk reduction and resilience education.	a) Number and percentage of individuals accredited in RRR Ed through pre-service training programs b) Number and percentage of new staff trained through induction trainings c) Number and percentage of individuals accredited in RRR Ed through in-service training programs d) Number and percentage of individuals trained through on-site, and computer-aided instruction e) Number of pre-service RRR Ed/CSS training programs developed at tertiary level.
<b>#D5:</b> Country has quality and quantity of RRR Education materials for implementation of risk reduction and resilience education at scale.	a) Quality criteria for development and review of RRR educational materials b) Inventory of number and grade levels of educational materials meeting criteria and demonstrate effectiveness in RR&R outcomes c) Quality educational materials are available and utilized at school level
<b>#D6:</b> Monitoring and Evaluation	a) Monitoring and evaluation of effectiveness is RRR educational programs is carried out in terms of student learning outcomes and RR&R outcomes. b) Monitoring and evaluation of implementation is carried out to assess scaled, sustainable implementation



Research Center for Education Legislation and Standards of National Institute of Education Sciences  
Safety Education and Management in Primary and Secondary School Professional Commission of Chinese Society of Education

Save the Children



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