Issues with Chinese Preschool Education and Implications of the Preschool Education Law of the People’s Republic of China (Draft)

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Abstract: The release of the Preschool Education Law of the People’s Republic of China (Draft) marks the state’s emphasis on the importance of early childhood education at the legislative level. The law reaffirms the significance of building a more scientific preschool education system that respects the characteristics of child cognitive development. This article elaborated on the issue of advanced education in China’s pre-primary institutions as well as its harms and highlighted the implications of the Preschool Education Law for developing a more scientific pre-primary education curriculum.

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Introduction

PRESCoOL education lays the groundwork for individuals’ lifelong education and thus should be seen as an essential public welfare service (State Council of China, 2018). In November 1949, under the newly established Ministry of Education of the People’s Republic of China, the Department of Primary Education set up the Section of Early Childhood Education, the first central-level organization in China specializing in preschool education regulation. In October 1951, the State Council issued the “Decision on Reforming the Educational System”, initiating organized and structured preschool education in New China (Department of Planning and Construction of the State Education Commission of China, 1987).

Preschool children are experiencing a transition from being taken care of by the family to living a school life, a vulnerable period of life highlighted by their physical and mental immaturity. They are by nature active and more often emotional than rational. Hence, education for this group should be filled with positive elements such as love, respect, and encouragement (Gordon & Browne, 2016). An ideal educational environment for preschoolers should be relaxing, safe, and compatible with their cognitive levels, where they can learn through perceptual experiences, hands-on activities, collaborative interactions, exploration, and creation in the form of games (Yu, 2021). However, due to the prevalent utilitarian orientations, there have been wrong attitudes towards early childhood education, instigating severe problems with preschool education (Yang et al., 2021).

In the milieu of harsh education and employment competitions, numerous Chinese parents take the view that children should begin to learn elementary knowledge in kindergarten to get well prepared for primary education. As a result, advanced education for preschoolers has become increasingly common (Jin, 2022). In response to the challenges prevalent in this sector, including the above issue, the call for legislation targeting preschool education from all stakeholders is intensifying. On June 2, 2023, the Executive Meeting of the State Council of China approved the Preschool Education Law of the People’s Republic of China (Draft) [hereinafter referred to as Preschool Education Law (Draft)], which aims to regulate pre-primary education for 3-6-year-olds (State Council of China, 2023), and submitted it to the fifth meeting of the Standing Committee of the 14th National People’s Congress for review in August 2023. It consists of 74 articles grouped into eight sections, including general principles, planning and operation, care and education, preschool staffing, sources of funding, regulation and supervision, legal responsibilities, and supplementary provisions. Regarding preschool curricula, the law explicitly stipulates that kindergartens should scientifically implement care and education based on the characteristics of the physical and mental development of preschool-age children and that learning materi-
als or instructional methods used in primary education must not be administered to preschoolers (Jiang & Wang, 2023).

**The Prevalence of Advanced Education in Chinese Kindergartens**

According to a survey conducted by China Youth Daily, in 2018, when asked about advanced education in kindergartens, 81.1% of respondents said that the problem was bad in their nearby kindergartens, with 19.8% saying it was very bad. 54.0% said that nearby kindergartens teach Pinyin, literacy, and numeracy, which should be part of the primary curriculum, and 47.4% said that kindergartens use textbooks to teach subject-based content and give written homework (Wang, 2021).

**Manifestations of Advanced Education in Chinese Kindergartens**

Advanced education in kindergartens refers to the phenomenon that instruction of primary-level knowledge and skills is conducted in advance in kindergartens, using methods that do not suit the characteristics of preschoolers’ cognition, with utter disregard for the principles underlying early childhood education (Yao, 2017). Specific signs include teaching primary school learning content such as Pinyin, literacy, computer science, and English in non-game environments; requiring preschoolers to carry out intensive training activities such as rote memorization and copying; lacking activity areas for specific purposes as relevant national standards mandate; and no equipment of game-based teaching aids or reading materials suiting the actual development level of young children. Furthermore, upon entering primary education, first graders may face tests assessing knowledge and skills that are expected to be developed during their subsequent years in primary school, rather than skills acquired during preschool education (Sun & Ma, 2021).

**Causes of Advanced Education in Chinese Kindergartens**

Ripples of Examination-Oriented Education

In China, the education process is like a chain, with all education levels being interlocked links. Higher education stands at the top of the chain. The pressures of the college entrance examination, a high-stakes exam, ripple over the whole chain, and as a result, preschool education becomes an exten-
sion of basic education (it includes primary and secondary education in China) (Liu, 2014). Preschool education, as the link preceding primary education, is often seen as a part of the latter. A primary education environment is created in kindergarten by implementing primary schools’ curricula, instructional approaches, evaluation methods, etc. (Tuo, 2013). Consequently, pre-primary education has deviated from its original purpose of promoting children’s healthy development and has become a competitive tool in the educational rat race.

Sacrifice of Scientific Preschool Education Ideas

High-quality preschool education seeks to promote holistic child development by creating learning experiences. These experiences should be built on the child’s competence and be challenging but within reach. To this end, educators must be sensitive to the developmental characteristics of young children (National Research Council, 2001).

The Ministry of Education of China (2001) issued “Guidelines for Kindergarten Education,” emphasizing that preschool education must pay attention to the development level of each individual child. “Guiding Opinions on the Reform and Development of Early Childhood Education” reiterates that pre-primary institutions must respect the physical and mental development state of children and the variations among individuals (State Council of China, 2003). Nevertheless, in recent years, a sizeable portion of kindergartens have sacrificed scientific education ideas to pursue more profits. They introduce the primary curriculum into preschool instruction and use this as an attraction to garner the attention of parents with “extra education needs.” By doing so, they succeed in increasing the enrolments of students and, consequently, revenues, but exacerbate the problem of advanced education at the pre-primary level (Wang, 2021).

Shortages of Qualified Preschool Teachers

Bolstering kindergarten staffing is one of the major purposes of releasing “Several Opinions of the State Council on Deepening the Reform and Regulating the Development of Preschool Education” (State Council of China, 2018). The paper stresses that preschool institutions should employ qualified staff and should not use substitute teachers for a long period of time; that the accreditation system for preschool teachers and principal qualifications must be stringently implemented to ensure the quality of teaching staff; and that graduates of non-preschool education backgrounds must first receive relevant professional training and obtain preschool teacher credentials before teaching in kindergartens. However, both public and private kindergartens face shortages of quality teachers. Some of the teachers in service have not
received any professional training in early childhood education. These teachers lack expertise in creating and implementing preschool curricula and thus resort to learning content, pedagogies, evaluation standards, and class management relevant to primary education in their preschool careers. This is one of the main sources of advanced education in kindergartens (Rao, 2017). Even though an increasing number of preschool education-major graduates with junior college degrees or above have been recruited by kindergartens as a result of the rapid growth of the preschool education sector in China in recent years, these novice teachers have difficulty adhering to advanced, scientific preschool education concepts and unwillingly opt to adopt the prevalent advanced education in their work (Wang, 2021).

Parents’ Unreasonable Expectations

Advanced education in kindergartens occurs in a peculiar social context. For some parents, the pursuit of excellent performance in their young children has become the primary goal of the whole family, no matter how incompatible it is with the latter’s cognitive and psychological levels (Zhao, 2018). To make their kids outstanding among peers, these parents may send them to so-called “high-quality” preschool institutions such as bilingual kindergartens and sky-high-priced nursery schools and enroll them in all sorts of extracurricular training programs entailing Pinyin, arithmetic, art, dance, music, basic English, and more (Jin, 2011). Their behaviors incite more parents to follow suit, thus inducing a vicious circle (Guo, 2019).

Harms of Advanced Education for Preschool Children

Nature wants children to remain children before they grow into adults. Disrupting this natural course will result in the production of some aging children, comparable to precocious fruits that are neither fully grown nor sweet and are likely to go rotten soon (Rousseau, 1911). While advanced education seems to have promotional effects on early child development, it truly disrupts the natural course of child growth and impairs children’s physical and mental development. In the meantime, it hampers the healthy development of the whole early childhood education sector (Wei Liang, 2012).

Detrimental to Child Development

Early childhood is an important stage in which children develop a preliminary understanding of the world, mainly through perceptual experiences. Advanced, subject-based learning in kindergartens deprives children of their
play time, thus reducing their opportunities to explore autonomously and inhibiting their curiosity about the world. This is unfavourable to their healthy mental development (Wang, 2005). Also, the emphasis on content knowledge acquisition over moral and character building and social development is likely to lead to complications in the child’s adulthood, such as a lack of self-confidence, difficulty with interpersonal relationships, and confusion in self-concept (Zhao & Deng, 2022). Furthermore, too much schoolwork brought on by advanced education significantly lessens the child’s interactions with their peers, impeding the development of collective and teamwork consciousness in them. The lack of social skills may result in social disorders in young children, such as being abnormally silent in social settings (Chen, 2021).

Young children are experiencing fast physical growth as well as physical vulnerability in the preschool phase. A 40-minute session of concentrated learning may harm their vision, increasing the risk of myopia; sedentary behaviour can cause muscle fatigue and problems with bone growth; and engaging in cognitive activities of disproportionate levels of difficulty may have adverse effects on the development of the nervous system in young children. Therefore, unscientifically advanced education is detrimental to the physical development of preschoolers (He, 2018).

It is noteworthy that the assumed edge generated by advanced education is actually disadvantageous to the child’s learning in subsequent stages. There is a hierarchical relationship between preschool and primary education, with the latter building on the former (Liu, 2014). The primary education curriculum is beyond the cognitive ability of some preschoolers, and thus its advanced implementation may lead to learning fear and academic weariness in them. Also, the content advanced to the preschool phase will be repeated in the primary instruction, which discourages students’ engagement in learning and contributes to their passive attitudes towards study. Thus, in the long run, students with advanced education experience may fall behind (Song, 2019).

**Adverse Impact on the Preschool Education Profession**

The classification of education levels is based on the evolving capacities of children, which necessitates differential curricula and instructional methods at different ages. Both advanced and delayed education incompatible to the child’s natural needs have negative effects on their development (Rao, 2017). The Ministry of Education’s “Guidelines for Kindergarten Education” underscore five principles for kindergarten education: (i) respecting the personal dignity and legal rights of children; (ii) contributing to harmonious physical and mental development; (iii) integrating education in day-to-day care; (iv) recognizing differences among individuals; and (v) implementing
game-based curricula (Ministry of Education of China, 2001). The prevalent practices of teaching primary curriculum in kindergartens are in violation of any of these principles.

At the same time, advanced education in kindergartens is a waste of educational resources. Classroom-based instruction for preschoolers means low utility of those facilities intended for game-based curricula. Also, if the initial years of primary education are spent on repeating learning materials that have been delivered in kindergartens, what is the point of deploying pre-primary institutions (Liu, 2021)?

The Significance of the Preschool Education Law in China

Background of China’s Preschool Education Law

At present, preschool education remains a weak link in the national education system in China. Despite the wide range of early childhood education regulations, from 1904’s “Imperial Regulations of Preschool Education and Family Education” (Gu, 1998) to 2018’s “Opinions on Deepening the Reform of Preschool Education and Regulating its Development” (State Council of China, 2018), there is still a lack of explicit legislation on preschool education, hindering its quality improvement.

From a global point of view, preschool education development is heavily reliant on legal backing from the state in both developed and developing countries. Germany’s “Good Daycare Law” and “Child Welfare Act” stipulate that pre-primary institutions are obligated to provide quality preschool education (Liu, 2018). With “Investing in the Early Years: The National Strategy for Early Childhood Development” and the “National Quality Framework for Preschool Education and Childcare,” the Australian government provided the bedrock for a healthy development of the country’s preschool education (Wu, 2015). In Brazil’s “National Education Plan” and “National Preschool Education Policy,” there are provisions on the quality standards of preschool education (Pang & Xia, 2013). These examples illustrate the international community’s unwavering commitment to improving the quality of early childhood education.

In the context of the national strategy for education development and growing public interest in early childhood education, the Chinese government has been pushed to undertake legislative endeavors to improve preschool education. In 2018, the Standing Committee of the 13th National People’s Congress included the legislation on preschool education in the priority category in legislative planning, marking the official initiation of the legislative process of preschool education law (Jiang, 2022). In 2020, the
Ministry of Education made public the Preschool Education Law of the People’s Republic of China (Draft for Soliciting Opinions) to solicit comments from the public (Ministry of Education of China, 2020). On August 28, 2023, the Preschool Education Law of the People’s Republic of China (Draft) was submitted to the Fifth Session of the Standing Committee of the 14th National People’s Congress for review (State Council of China, 2023).

**Implications of the Preschool Education Law for Pre-Primary Curriculum Development**

- Taking the Characteristics of Young Children’s Physical and Mental Development as the Primary Consideration

The section on “General Principles” of Preschool Education Law (Draft) stresses that the main purpose of preschool education is to promote the holistic development of children by executing an education that suits their physical and mental development needs. Article 13 states that the law guarantees the right of the preschool-age child to education—an education prioritizing the best interests of the child. Article 31 says that kindergartens must devise scientific childcare and educational activities that conform to relevant national regulations and are consistent with the age characteristics of preschool children (Ministry of Education of China, 2023). Young children are at a special stage of development. To respect the physical and mental development state of young children, it is essential to treat them as actors with unique qualities and needs (Ministry of Education of China, 2012). A scientific view of education is crucial to a preschool education that seeks to support children to adapt to society and nature, build character, and develop potent communication and interaction competences.

Comenius, known as the “father of modern education,” has been highly acclaimed for his idea of “education according to nature,” an important component of which is the notion that education should suit the natural development of young children marked by their age characteristics (Comenius, 1986). Rousseau expressed the idea of natural education in Emile, or Education, suggesting that the best thing humans can do for their own education is to participate in, and avoid interfering with, nature’s way (Rousseau, 1911). Today, child-centered natural education has become a widely accepted concept in the international preschool education community and, recently, has garnered the attention of Chinese early childhood educators. The introduction of the philosophy of natural education has the potential to help remove illegitimate practices in Chinese preschool education, such as advanced education, as well as contribute to reforming early childhood educa-
Adhering to Game-based Preschool Curricula

The United Nations’ Convention on the Rights of the Child (1989) recognizes the right of the child to engage in play (United Nations, 1989). As one of the parties to the convention, China issued a series of papers to protect the right of children to play. The “Guidelines for Kindergarten Education” stipulates games as the basic component of the pre-primary curriculum (Ministry of Education of China, 2001). 2012’s “Guidelines for the Learning and Development of Children Aged 3-6” state clearly that preschool children should learn through direct experiences based on games or life contexts (Ministry of Education of China, 2012). However, sacrificing children’s right to play to implement advanced education has been popular among Chinese kindergartens.

The Preschool Education Law (Draft) provides a legal guarantee for the right of kindergarten children to play by making it compulsory that learning activities in pre-primary education institutions are primarily based on games. Article 28 of the law states that kindergartens shall integrate education into day-to-day care, ensure all children are treated on an equal footing while respecting the qualities of each individual, pay attention to the development of good habits in students, and make games the main form of learning activities to enable preschool children to attain pre-primary education experiences that best promote their physical and mental development (Ministry of Education of China, 2023). Article 32 reaffirms the necessity of practical life-based kindergarten education programs that support, to a maximal degree, children to gain knowledge through close interaction with nature, hands-on manipulation, and personal experiences, among other activities, with a view to promoting the physical, linguistic, social, scientific, and artistic development of children in a coordinated manner (Ministry of Education of China, 2023).

Interest in games is natural for young children. Play is the optimal means for developing their personalities and social skills (Xin, 2023). According to Froebel (1897), “the father of kindergarten,” play is of the highest value for human development in childhood among all activities because it is a spontaneous expression of the child’s nature and fundamental needs. That is why it can always provide them with satisfaction, joy, freedom, and peace, as well as harmony with their surroundings. Froebel’s learning philosophy emphasizes the importance of play, nature, and hands-on experiences while fostering a child’s intellectual, emotional, and physical growth.

Children in play are the most creative, engaging in active acquisition, absorption, and transformation (Wang et al., 2018). There are many success-
ful experiments on game-based education in China, among which the “Anji Game” model is an exemplary one. The Experimental Kindergarten of Anji County developed an innovative, game-focused preschool education model. In the “Anji Game,” young children are the leading actors, having the opportunity to explore and create freely. Encouraging autonomous decisions in accordance with their interests and needs is emphasized. In other words, they have the right to decide what games to play, what activities to participate in, and what materials to use. Children’s high level of autonomy effectively boosts their confidence in decision-making and problem-solving. In the meantime, their teacher acts as an observer or facilitator, providing appropriate support and guidance depending on their development level and individual needs rather than directly telling them what to do. For example, the teacher may raise action-provoking questions such as “what kind of game do you want to play for today?” and “what materials do you need to implement your plan?” but leave the decision to students to make the game truly a child-centered activity (Du, 2023). Hence, preschool education researchers call the “Anji Game” a form of real game in which children learn by playing and establish relations between experiences through direct involvement (Li, 2019).

**Conclusion**

The development level of a nation’s education is, to a large extent, the product of educational policies and their implementation strategies. Despite there being plural educational regulations on preschool education in China, their low legal standing has compromised their effectiveness in regulating the overall development of education at this level, resulting in certain persistent issues, such as advanced education in kindergartens. The Preschool Education Law of the People’s Republic of China (awaiting ratification) is formulated to provide legal backing for China’s future preschool education policies and their implementation. It is of great significance for the development of preschool education in China in that it not only compensates for the gap in legislation on preschool education but also can be used to address the current challenges faced by the pre-primary education community. It promises to play a substantial role in meeting the public’s needs for higher-quality preschool education in the new era.
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