

LIFELONG EDUCATION ACT

[Enforcement Date: Aug. 9, 2009] [Act No. 9641, May 8, 2009, Partial Amendment]

Ministry of Education, Science and Technology (Knowledge and Information Division)

Tel.: 02-2100-6430

CHAPTER I GENERAL PROVISIONS

Article 1 (Purpose)

The purpose of this Act is to provide for the basic matters concerning responsibilities of the State and local governments for the promotion of lifelong education, lifelong education system, and management thereof, as prescribed in the Constitution and the Framework Act on Education.

Article 2 (Definitions)

The definitions of terms used in this Act shall be as follows:

1. The term "lifelong education" means all types of systematic educational activities including scholastic ability supplementing education, education for fundamentals and learning characters for adults, education for enhancement of vocational abilities, education for humanities and liberal arts, education for culture arts, education for citizen's participation, etc. , other than regular school education;
2. The term "lifelong educational institution" means any facility, corporation, or organization applicable to any of the following items:
 - (a) Facilities, corporations, or organizations authorized, registered, and reported in accordance with this Act;
 - (b) Private teaching institutes implementing lifelong vocational education, other than private teaching institutes for school curricula, among private teaching institutes under

the Act on the Establishment and Operation of Private Teaching Institutes and Extracurricular Lessons; and

(c) Other facilities, corporations, or organizations aiming mainly for the purpose of lifelong education under other laws and regulations;

3. The term “education for learning characters” refers to a systematic educational program for persons who experience inconveniences in home, social, and occupational lives as they are short of basic abilities for carrying on their daily lives, so that they can be equipped with abilities to understand characters.

Article 3 (Relations with Other Acts)

Except as especially provided for in other Acts, this Act shall apply to lifelong education.

Article 4 (Idea of Lifelong Education)

(1) All citizens shall be guaranteed equal opportunity for lifelong educations.

(2) Lifelong education shall be conducted based on the learners' free participation and voluntary learning.

(3) Lifelong education shall not be exploited as a tool for the propaganda of political or personal prejudice.

(4) Any person who has completed a certain course of lifelong education shall be granted social treatments such as corresponding qualifications, recognition of academic background, etc.

Article 5 (Liabilities of the State and Local Governments)

(1) The State and local governments shall formulate and carry forward policies to promote lifelong education in order to grant opportunities for lifelong education to all the people.

(2) The State and local governments shall aggressively encourage implementation of lifelong education to the founders of organizations, facilities, business places, etc. under their control.

Article 6 (Curricula, etc.)

Except as especially provided for in this Act and other laws and regulations, the curricula, methods, and time, etc. of lifelong education shall be determined by those who conduct such lifelong education; and the needs and practical usefulness of students shall be respected.

Article 7 (Use of Public Facilities)

(1) Any person who conducts lifelong education may utilize public facilities for his/her lifelong education within the scope of not undermining the original purpose of such public facilities under the conditions as prescribed by the relevant laws and regulations.

(2) In the case of section (1), the manager of public facilities shall permit the utilization of such public facilities unless there exist any special situations not to.

Article 8 (Study Leaves and Support for Study Expenses)

The State, the heads of local governments, the heads of public institutions or administrators of various corporations may grant their employees paid or non-paid leaves for study to expand their opportunities for lifelong education, or pay them study expenses such as book expenses, education expenses, and research expenses, etc.

CHAPTER II BASIC PLAN, ETC. FOR PROMOTION OF LIFELONG EDUCATION

Article 9 (Establishment of Basic Plan for Promotion of Lifelong Education)

(1) The Minister shall establish the basic plan for the promotion of lifelong education (hereinafter referred to as the “basic plan”) every five years. <Amended by Act No. 8852, Feb. 29, 2008>

(2) The basic plan shall contain the following matters:

1. Matters concerning goals of mid-term and long-term policies and basic direction for promotion of lifelong education;
2. Matters concerning establishment of bases and promotion of lifelong education;
3. Matters concerning expansion of investment and financial resources required therefor to promote lifelong education;
4. Matters concerning analysis and evaluation of policies to promote lifelong education;
and
5. Other matters necessary for the promotion of lifelong education.

(3) The Minister shall notify the basic plans to the heads of the related central administrative agencies, the Special Metropolitan City Mayor, the Metropolitan City Mayor, the *Do* governors, the Special Self-Governing *Do* governor (hereinafter referred to as the “Mayor/*Do* governor”), Superintendents of City/*Do* Offices of Education, the head of the city/*Gun/Gu* (referring to the autonomous *Gu*; the same shall apply hereinafter). <Amended by Act No. 8852, Feb. 29, 2008>

Article 10 (Establishment of Lifelong Education Promotion Committee)

(1) The Lifelong Education Promotion Committee (hereinafter referred to as the “Promotion Committee”) shall be established under the control of the Minister to deliberate major matters in respect to the policies for the promotion of lifelong education. <Amended by Act No. 8852, Feb. 29, 2008>

(2) The Promotion Committee shall deliberate the following matters:

1. Matters concerning the basic plan;

2. Matters concerning evaluation and reformation of policy systems to promote lifelong education;
3. Matters concerning cooperation and conciliation of affairs for supporting lifelong education; and
4. Other matters prescribed by Presidential Decree for the policies to promote lifelong education.

(3) The Promotion Committee shall be composed of not more than twenty members including the chairperson.

(4) The chairperson of the Promotion Committee shall be the Minister, and the members shall be commissioned by the chairperson among persons having profound professional knowledge and experience in lifelong education, such as the Vice Ministers of the Ministries related to lifelong education, specialists related to lifelong education, etc. *<Amended by Act No. 8852, Feb. 29, 2008>*

(5) Matters necessary for the organization and operation shall be prescribed by Presidential Decree.

Article 11 (Establishment and Implementation of Annual Implementation Plan to Promote Lifelong Education)

The Mayor/*Do* governor shall establish and implement an annual implementation plan to promote lifelong education (hereinafter referred to as the “implementation plan”) in accordance with the basic plan. In this case, the Mayor/*Do* governor shall consult with the Superintendents of City/*Do* Offices of Education.

Article 12 (City/*Do* Lifelong Education Council)

(1) The City/*Do* Lifelong Education Council (hereinafter referred to as the “City/*Do* Council”) shall be established under the jurisdiction of the Mayor/*Do* governor to deliberate matters necessary for establishment and implementation of the implementation plan.

(2) The City/*Do* Council shall be composed of not more than twenty members including the chairperson and vice-chairperson.

(3) The chairperson of the City/*Do* Council shall be the Mayor/*Do* governor, and the vice-chairperson shall be the Superintendent of the City/*Do* Office of Education.

(4) The members of the City/*Do* Council shall be commissioned by the chairperson upon consultation with the Superintendent of the Office of Education of the relevant City/*Do*, among persons having profound professional knowledge and experience in lifelong education such as related public officials, specialists related with lifelong education, and operators of the institutions related with lifelong education.

(5) Matters necessary for the organization and operation of the City/*Do* Council shall be determined by the Municipal Ordinance of the relevant local government.

Article 13 (Cooperation of Heads of Related Administrative Agencies)

(1) When the Minister deems it necessary for the establishment of the basic plan, he/she may request the heads of the related administrative agencies, other agencies, or organizations for the related materials. *<Amended by Act No. 8852, Feb. 29, 2008>*

(2) When the Mayor/*Do* governor deems it necessary for the establishment of the implementation plan, he/she may request the heads of the related administrative agencies, other agencies, or organizations for the related materials.

(3) The heads of agencies or organizations who have received such request for materials pursuant to sections (1) and (2) shall cooperate with such request, unless there exist any special situations not to.

Article 14 (City/*Gun/Gu* Lifelong Education Council)

(1) The city/*Gun/Gu* Lifelong Education Council (hereinafter referred to as the “city/*Gun/Gu* Council”) shall be established in the city/*Gun/Gu* for the conciliation between projects related to the implementation of lifelong education for the local residents and promotion of cooperation between the related agencies.

(2) The city/*Gun/Gu* Council shall be composed of not more than twelve members including one chairperson and one vice-chairperson.

(3) The chairperson of the city/*Gun/Gu* Council shall be the head of the city/*Gun/Gu*, and the members of the city/*Gun/Gu* Council shall be commissioned by the chairperson from the related public officials of the city/*Gun/Gu* and local office of education, specialists in lifelong education, and operators of the related institutions of lifelong education within the relevant jurisdictional area.

Article 15 (Lifelong Learning City)

(1) The State may designate and support lifelong learning cities for the city/*Gun/Gu* to promote lifelong education of local communities.

(2) The Nationwide Lifelong Learning City Council may be established for connection and cooperation, and promotion of exchanges of information among lifelong learning cities under section (1).

(3) Matters necessary for the organization and operation of the Nationwide Lifelong Learning City Council under section (2) shall be prescribed by Presidential Decree.

(4) Matters necessary for the designation of and support for the lifelong learning cities under section (1) shall be determined by the Minister. *<Amended by Act No. 8852, Feb. 29, 2008>*

Article 16 (Support for Expenses and Assistance)

(1) The State and local governments may implement or assist the lifelong education promotion projects applicable to any of the following subsections in accordance with the conditions as prescribed by this Act and other laws and regulations:

1. Establishment and operation of lifelong educational institutions;
2. Fostering and assignment of lifelong education teachers;
3. Development of lifelong educational programs; and

4. Other projects performed to promote participation in lifelong education of the people.

(2) The head of the local government may implement or support lifelong education promotion projects for the local residents in accordance with the conditions as prescribed by the Municipal Ordinance of the relevant local government. In this case, he/she shall consult with the Superintendent or the head of the respective district office of education.

Article 17 (Guidance and Assistance)

(1) The State and local governments may, upon request from the lifelong educational institutions, guide or support their activities for lifelong education.

(2) The State and local governments may, upon request from the lifelong educational institutions, implement training programs necessary to upgrade the capabilities of persons engaged in activities for lifelong education at such institutions.

Article 18 (Statistical Survey, etc. on Lifelong Education)

(1) The Minister and the Mayor/*Do* Governor shall examine the basic data such as the actual status, etc. of implementation of lifelong education and assistance, and open the statistics related thereof to the public. *<Amended by Act No. 8852, Feb. 29, 2008>*

(2) Persons in charge of affairs related to lifelong education and operators of the lifelong educational institutions shall cooperate with the examinations under section (1).

CHAPTER III NATIONAL INSTITUTE FOR LIFELONG EDUCATION, ETC.

Article 19 (National Institute for Lifelong Education)

(1) The State shall establish the National Institute for Lifelong Education (hereinafter referred to as the “Institute”) to assist the affairs related to the promotion of lifelong education.

(2) The Institute shall be a juristic person.

(3) The Institute shall be established by registering its incorporation at the location of its main office.

(4) The Institute shall conduct the following affairs:

1. Affairs of assistance and survey for the promotion of lifelong education;
2. Assistance in establishment of the basic plan deliberated by the Promotion Committee;
3. Assistance in development of a lifelong educational program;
4. Fostering and training of employees in lifelong education including lifelong education teachers under Article 20;
5. Establishment of liaison system between lifelong educational institutions;
6. Assistance to the City/*Do* Institute for Lifelong Education under Article 20;
7. Establishment and operation of the comprehensive information system of lifelong education;
8. Matters concerning credit units or recognition of credit units pursuant to the Act on Recognition of Credits, etc. and the Act on the Acquisition of Academic Degrees through Self-Education;
9. Integrated management and operation of learning accounts under Article 23; and
10. Other projects necessary for the achievement of goals of the Institute.

(5) The following matters shall be stated in the articles of association of the Institute:

1. Objective;
2. Name;
3. Location of its main office;

4. Matters concerning its projects;
5. Important matters concerning its officers and staff;
6. Matters concerning the board of directors;
7. Matters concerning its assets and accounting; and
8. Matters concerning changes in the articles of association.

(6) When intending to change the articles of association, the authorization from the Minister shall be obtained. <Amended by Act No. 8852, Feb. 29, 2008>

(7) The State may contribute the expenses necessary for the establishment and operation of the Institute within the limit of the budget.

(8) Except as provided for in this Act in respect to the Institute, the provisions concerning an incorporated foundation as referred to in the Civil Act shall apply *mutatis mutandis*.

Article 20 (Operation of City/Do Institute for Lifelong Education)

(1) The Mayor/Do governor may establish or designate and operate the City/Do Institute for Lifelong Education as provided by Presidential Decree.

(2) The City/Do Institute for Lifelong Education shall conduct the following affairs:

1. Providing opportunities for lifelong education and information thereof for the relevant region;
2. Counseling on lifelong education;
3. Operation of lifelong educational program;
4. Establishment of liaison system between lifelong educational institutions of the relevant region; and

5. Other matters deemed necessary by the Mayor/*Do* governor for the promotion of lifelong education.

Article 21 (Establishment and Operation, etc. of City/*Gun*/*Gu* Lifelong Learning Center, etc.)

(1) The Superintendent of the City/*Do* shall establish or designate and operate lifelong learning centers for the residents in the jurisdictional area for the operation of lifelong educational programs and to provide opportunities for lifelong education.

(2) The head of the city/*Gun*/*Gu* may implement projects necessary for the promotion of lifelong education of the relevant local government such as establishment of the lifelong learning center or financial support, etc.

(3) Matters necessary for the establishment and operation, etc. of the lifelong learning centers under sections (1) and (2) shall be prescribed by the Municipal Ordinance of the relevant local government.

Article 22 (Promotion of Lifelong Education Related to Informatization)

(1) The State and local governments shall make efforts to informatize education and to develop a curriculum for lifelong education related therewith in coalition with various levels of schools, civil organizations, and corporations, etc.

(2) The State and local government may operate a system of collecting and providing information of the instructors, as provided by Presidential Decree, for the various levels of schools, lifelong educational institutions, etc. to utilize necessary human resources.

Article 23 (Learning Accounts)

(1) The Minister shall make efforts to introduce and operate the learning accounts (referring to a system which intensively manages the comprehensive personal learning experiences of the people) to encourage lifelong education of the people and to develop and manage human resources. <Amended by Act No. 9641, May 8, 2009>

(2) The Minister may recognize evaluation of the curriculum to be managed by the learning accounts under section (1) as provided by Presidential Decree. <Newly Inserted by Act No. 9641, May 8, 2009>

(3) Where a lifelong educational institution, which establishes and operates the curriculum which has obtained recognition of evaluation under section (2), applies to any of the following subsections, the Minister may revoke such recognition of evaluation: *Provided*, that where it applies to subsection 1, he/she shall revoke the recognition of evaluation: <Newly Inserted by Act No. 9641, May 8, 2009>

1. Where the recognition of evaluation has been obtained by fraudulent or other illegal means;
2. Where the curriculum has been operated in violation of the contents of recognition of evaluation obtained in accordance with section (2); and
3. Where the lifelong educational institution has fallen short of the standards for recognition of evaluation under section (2).

(4) In the event that the Minister intends to revoke the recognition of evaluation pursuant to section (3) 2 and 3, he/she shall order in advance correction thereof to the head of the lifelong educational institution in accordance with the period and procedures prescribed by Presidential Decree. <Newly Inserted by Act No. 9641, May 8, 2009>

CHAPTER IV LIFELONG EDUCATION TEACHERS

Article 24 (Lifelong Education Teachers)

(1) The Minister shall grant the qualification of teacher for lifelong education to any person who applies to any of the following subsections to foster the specialized manpower for lifelong education: <Amended by Act No. 8852, Feb. 29, 2008; Act No. 9641, May 8, 2009>

1. Any person who has earned not less than the specified credits for the subjects related to lifelong education prescribed by the Ordinance of the Ministry of Education, Science

and Technology at the school under Article 2 of the Higher Education Act (hereinafter referred to as “university or college”) or institution of which the graduates are deemed as having academic background equal to or higher than those of university or college graduates, and has acquired a degree;

2. Any person who has earned not less than the specified credits for the subjects related to lifelong education prescribed by the Ordinance of the Ministry of Education, Science and Technology at the education and training institution operating a curriculum which has been recognized for evaluation pursuant to Article 3 (1) of the Act on Recognition of Credits, etc. (hereinafter referred to as the “credit bank institution”), and acquired a degree;
3. Any graduate of university or college or a person deemed as having an academic background equal to or higher than those of university or college graduates, who has earned a certain amount of credits for courses related with lifelong education prescribed by the Ordinance of the Ministry of Education, Science and Technology at a university or college, an institution of which the graduate is deemed as having academic background equal to or higher than those of university or college graduates, a cultivation and training institution for lifelong education teacher under Article 25, or a credit bank institution; and
4. Any other person who meets the requirements for qualification prescribed by Presidential Decree.

(2) Any lifelong education teacher shall perform the duties of planning, proceeding, analyzing, evaluating, and teaching of lifelong education.

(3) No person who applies to any of Article 28 (2) shall become a lifelong education teacher.

(4) Matters necessary for the levels, scope of duties, curricula, training, and procedures for issuing certificates of lifelong education teachers shall be determined by Presidential Decree.

(5) The Minister may collect service fees from the persons who intend to be issued or reissued certificates of lifelong education teachers under section (1), as prescribed by the

Ordinance of the Ministry of Education, Science and Technology. <Newly Inserted by Act No. 9641, May 8, 2009>

Article 25 (Training Institution for Lifelong Education Teachers)

(1) The Minister may designate a lifelong educational institution as an institution for cultivating and training lifelong education teachers after taking into account the facilities, curriculum, teachers, etc. necessary for cultivation and training of lifelong education teachers in accordance with Presidential Decree. <Amended by Act No. 8552, Feb. 29, 2008>

(2) The Minister may entrust the Institute with the affairs concerning cultivation and training of lifelong education teachers. <Amended by Act No. 8552, Feb. 29, 2008>

Article 26 (Assignment and Hiring of Lifelong Education Teachers)

(1) Lifelong education institutions shall station lifelong education teachers under Article 24 (1) at their respective institution.

(2) The head of kindergartens and schools under the Early Childhood Education Act, the Elementary and Secondary Education Act, and the Higher Education Act may hire lifelong education teachers where necessary for the operation of lifelong educational program.

(3) Lifelong education teachers shall be stationed to the City/*Do* Institute for Lifelong Education under Article 20 and the city/*Gun/Gu* Lifetime Learning Center under Article 21.

(4) Institutions subject to stationing lifelong education teachers and standards for such arrangement pursuant to sections (1) through (3) shall be prescribed by Presidential Decree.

Article 27 (Supports for Expenses for Hiring Lifelong Education Teachers)

The State and local governments may subsidize expenses, etc. to be used for operating a lifelong educational program and hiring lifelong education teachers pursuant to Article 26 (2).

CHAPTER V LIFELONG EDUCATIONAL INSTITUTIONS

Article 28 (Founder of Lifelong Educational Institution)

(1) Founders of lifelong educational institutions shall contribute to the lifelong education for the residents of local communities by implementing various kinds of lifelong educational programs.

(2) No person who applies to any of the following subsections shall become the founder of a lifelong educational institution:

1. A person who is incompetent or quasi-incompetent;
2. A person who has been sentenced to imprisonment and for whom three years have not elapsed from the date on which the execution of such sentence was terminated (including the case where the execution of such sentence is deemed to be terminated) or the execution of such sentence was exempted;
3. A person who is in the probation period after being sentenced to suspension of imprisonment;
4. A person whose qualification is suspended or lost by a court ruling or by other Acts;
5. A person for whom three years have not elapsed after his/her authorization or registration was cancelled, or his/her lifelong education curriculum was closed down in accordance with Article 42; and
6. A corporation whose officer applies to subsections 1 through 5.

(3) The founders of lifelong educational institutions referred to in subsection 2 (a) of Article 2 shall take necessary safety measures in relation to the operation of such lifelong education facilities, such as subscription to insurance policies or mutual-aid business with the contents to compensate for the deaths or injuries incurred by users of such facilities, in accordance to the conditions as prescribed by the Municipal Ordinances of the Special Metropolitan City,

the Metropolitan City, the *Do*, and the Special Self-Governing *Do* (hereinafter referred to as the “City/*Do*”)

(4) Where a learner cannot continue to learn, or teaching cannot be continued due to the closure of the lifelong educational institutions, the founder of the lifelong educational institution shall take measures necessary to protect the learner such as returning the tuition fees received from the learner as provided by Presidential Decree.

(5) The establishing entity of the lifelong educational facilities which recognize academic background under Article 31 (2) shall be educational foundations under the Private School Act or incorporated foundations under the Act on the Establishment and Operation of Public-Service Corporations.

Article 29 (Lifelong Education in School)

(1) The heads of schools of various levels under the Elementary and Secondary School Act and the Higher Education Act shall, in implementing lifelong education, develop and implement the curricula and methods of education from the consumers’ viewpoints pursuant to the idea of lifelong education, and make efforts to develop communities and regional cultures focusing on schools.

(2) The heads of schools of various levels may directly implement lifelong education in compliance to the demand of the students, their parents, and local residents after taking into account the educational environment of the relevant schools, or entrust the local government or private entities with implementation of such education. *Provided*, that profit pursuing corporations and organizations shall be excluded.

(3) To implement the lifelong education in schools under section (2), the classrooms, libraries, gymnasiums, and other facilities of the schools of various levels shall be utilized.

(4) In the event that the heads of schools open the schools to the public pursuant to sections (2) and (3), matters necessary for management and operation of the relevant facilities during the opening hours shall be prescribed by the Municipal Ordinance of the relevant local government.

Article 30 (Lifelong Educational Establishments Attached to Schools)

(1) The heads of schools of various levels may establish and operate lifelong educational establishments for the enhancement of cultures or vocational education for the students, their parents, and local residents. In the event of establishing lifelong educational establishments, the heads of schools of various levels shall report thereof to the competent authority.

(2) The head of a university or college may operate various kinds of curricula of lifelong education including curriculum for vocational education for college students or persons other than college students.

(3) Establishment of schools of various levels shall be equipped with structures and equipment in the forms convenient for implementation of various kinds of lifelong education.

Article 31 (School-Style Lifelong Educational Establishments)

(1) A person who intends to establish and operate a school-style lifelong educational facility shall file a registration with the Superintendent of the Office of Education after making such establishment equipped with facilities and equipment prescribed by Presidential Decree.

(2) The Superintendent of the Office of Education may designate school-style lifelong educational establishments satisfying the requirements above the prescribed standards as establishments, the graduates of which are recognized as having academic background of graduates of high school or lower, from the school-style lifelong educational establishments referred to in section (1).

(3) Teachers under Article 19 (1) of the Elementary and Secondary Education Act may be placed in the establishment, the graduates of which are recognized as having academic background. In this case, the provisions concerning teachers of national and public schools shall apply *mutatis mutandis* to the service, domestic training, and reeducation of the teachers.

(4) Advanced technical schools which establish and operate specialized departments as referred to in Article 54 (4) of the Elementary and Secondary Education Act may convert to and operate lifelong educational establishments, the graduates of which are recognized as having equivalent academic experience and degree as graduates of junior colleges after obtaining authorization from the Minister. In this case, the name of the college and the major field can be used.

(5) Matters necessary for the standards for designation, procedures, qualification for admission, qualification for teachers of the lifelong educational establishments recognizing academic experience under section (2), and matters necessary for the standards for authorization, procedures, operation methods for management of school affairs, etc. of the lifelong educational establishments under section (4) shall be prescribed by Presidential Decree.

(6) The local governments may grant subsidies or provide other assistance necessary for the lifelong educational establishments recognizing academic career within the extent of the budget as provided by the Municipal Ordinance of the relevant local government.

(7) In the event that the person who has been designated as the lifelong educational establishment recognizing academic background under section (2) intends to close down such establishment, he/she shall prepare for the matters prescribed by Presidential Decree such as the measures to deal with students, etc. and obtain authorization from the competent Superintendent of the Office of Education.

Article 32 (Lifelong Educational Establishment in the Form of In-House College)

(1) An operator of the place of business (including place of business which is jointly operated), the scale of which is at least that scale prescribed by Presidential Decree, may establish and operate a lifelong educational establishment, the graduates of which are recognized as having equivalent academic background and degrees as graduates of junior colleges, universities or colleges, after obtaining authorization from the Minister. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 9641, May 8, 2009>*

(2) The lifelong educational establishment in the form of an in-house college referred to in section (1) shall be intended for the education of employees working for the place of business (referring to the employees employed by the relevant place of business and employees of other business working at the relevant place of business), and expenses necessary for the education shall be, in principle, borne by the employer of the relevant employee. *<Amended by Act No. 9641, May 8, 2009>*

(3) Matters necessary for the standards for establishing a lifelong educational establishment in the form of an in-house college under section (1) and operation of the credit system, etc. shall be prescribed by Presidential Decree.

(4) In the event that any person intends to close down his/her lifelong educational establishment in the form of an in-house college under section (1), he/she shall file a report thereof with the Minister. *<Amended by Act No. 8852, Feb. 29, 2008>*

Article 33 (Remote College-Style Lifelong Educational Establishment)

(1) Any person may implement lifelong education such as implementing remote education to many specified or unspecified persons or by providing them with a variety of information via telecommunication media.

(2) In the event that any person intends to implement the remote education referred to in section (1) for many unspecified persons in return for their learning fees, he/she shall file a report thereof with the Minister in accordance with Presidential Decree. Where he/she intends to discontinue such remote education, he/she shall notify such fact to the Minister. *<Amended by Act No. 8852, Feb. 29, 2008>*

(3) Any person who intends to establish a remote college-style lifelong educational establishment under section (1), the graduates of which are recognized as having academic background and degrees equal to those of graduates of junior colleges or universities or colleges, shall obtain authorization from the Minister as provided by Presidential Decree. Where he/she intends to close down such establishment, he/she shall report such fact to the Minister. *<Amended by Act No. 8852, Feb. 29, 2008>*

(4) The Minister shall implement evaluation of the remote college-style lifelong educational establishment authorized pursuant to section (3), and disclose the results thereof to the public. <Amended by Act No. 8852, Feb. 29, 2008>

(5) Matters necessary for the standards for establishing the remote college-style lifelong educational establishment under section (3) and operating method of the credit system, etc. shall be determined by Presidential Decree.

(6) No person who applies to any subsection of Article 28 (2) shall become the founder of a remote college-style lifelong educational establishment.

Article 34 (Provision for *Mutatis Mutandis* Application)

Articles 28, 29, 31, and 70 of the Private School Act shall apply *mutatis mutandis* to the person who establishes and operates the remote college-style lifelong educational establishment under Article 33 (3) and such establishment.

Article 35 (Lifelong Educational Establishment Attached to Place of Business)

(1) An operator of the place of business, the scale of which is at least that prescribed by Presidential Decree, may establish and operate a lifelong educational establishment for the customers, etc. of the relevant place of business.

(2) A person who intends to establish a lifelong educational establishment attached to the place of business under section (1) shall file a report thereof with the Superintendent of the Office of Education in accordance with the Presidential Decree. In the event that he/she intends to close down such lifelong educational establishment, he/she shall notify such fact to the Superintendent of the Office of Education.

Article 36 (Lifelong Educational Establishment Attached to Civil and Social Organization)

(1) Civil and social organizations shall endeavor to operate a lifelong education curriculum that is consistent with the objectives of the relevant civil and social organization by

establishing a mutually organic cooperative system among them, and utilizing idle facilities, including public facilities and civilian facilities, etc.

(2) Civil and social organizations prescribed by Presidential Decree may establish and operate lifelong educational establishments for the general public.

(3) A person who intends to establish a lifelong educational establishment attached to a civil and social organization under section (2) shall report thereof to the Superintendent of the Office of Education in accordance with Presidential Decree. In the event that he/she intends to close down such establishment, he/she shall notify such fact to the Superintendent of the Office of Education.

Article 37 (Lifelong Educational Establishment Attached to Media Institution)

(1) Any person who runs media such as a newspaper or broadcasting station shall contribute to the promotion of lifelong education for the people by publishing or broadcasting a variety of lifelong educational programs via the relevant press media institution.

(2) A person who runs a media institution prescribed by Presidential Decree may establish and operate a lifelong educational establishment to enhance the culture and elevate the abilities of the people.

(3) A person who intends to establish a lifelong educational establishment attached to a media institution under section (2) shall file a report thereof with the Superintendent of the Office of Education in accordance with Presidential Decree. In the event that he/she intends to close down such establishment, he/she shall notify such fact to the Superintendent of the Office of Education.

Article 38 (Lifelong Educational Establishment Related to Development of Knowledge and Human Resources)

(1) The State and local governments shall promote and foster the knowledge and human resources development project aiming for developing human resources through the supply of knowledge and information as well as education and training.

(2) Any person prescribed by Presidential Decree among persons who are engaged in the knowledge and human resources development project under section (1) may establish and operate a lifelong educational establishment.

(3) A person who intends to establish a lifelong educational establishment in relation to the knowledge and human resources development project under section (2) shall, in accordance with the Presidential Decree, file a report thereof with the Superintendent of the Office of Education. In the event that he/she intends to close down such establishment, he/she shall notify such fact to the Superintendent of the Office of Education.

CHAPTER VI EDUCATION FOR LEARNING CHARACTERS

Article 39 (Implementation, etc. of Education for Learning Characters)

(1) The State and local governments shall endeavor to elevate the basic abilities including abilities to understand characters required for social lives of adults.

(2) The Superintendent of the Office of Education may establish and operate the educational program for learning characters for adults at the elementary schools and/or middle schools located within his/her jurisdictional area, or designate the educational program for learning characters operated by local governments, corporations, etc. in accordance with the Presidential Decree.

(3) The State and local governments may provide financial assistance for the educational program for learning characters under section (2) as provided by Presidential Decree.

Article 40 (Curriculum, etc. of Educational Program for Learning Characters)

A person who has completed the educational program for learning characters established or designated pursuant to Article 39 shall be recognized for his/her academic background corresponding thereto, and matters necessary for the organization of curriculum, the procedures for recognition of academic career, etc. shall be prescribed by Presidential Decree.

CHAPTER VII MANAGEMENT AND RECOGNITION OF RESULT OF LIFELONG LEARNING

Article 41 (Recognition of Credits, Academic Career, etc.)

(1) A person who has completed a curriculum of lifelong education pursuant to the provisions of this Act or other laws and regulations, other than the curriculum of lifelong education in which persons who completed such curriculum are recognized for their academic background, may be recognized for his/her credit units or academic background in accordance with the Act on Recognition of Credits, etc.

(2) A person who applies to any of the following subsections may be recognized for his/her credit units or academic background corresponding thereto as provided by the Act on Recognition of Credits, etc.:

1. A person who has completed various courses of liberal arts or courses required to acquire qualification at schools of various levels or lifelong educational establishment;
2. A person who has acquired qualification recognized in the company after undergoing certain amount of education at his/her company, etc.;
3. A person who has been recognized for his/her qualification through the capability measurement examination conducted by the State, local governments, schools of various levels, industrial enterprises, or civil organizations;
4. A person who is a holder of the important intangible cultural property recognized by the Protection of Cultural Properties Act or any other person who has been under the holder's tutorage for the inheritance of such intangible cultural property; and
5. A person who has passed an examination prescribed by Presidential Decree.

(3) The heads of schools of various levels and lifelong educational establishments may mutually recognize the credit units, academic background, and degrees which the learners

have acquired from domestic and foreign schools of various levels, lifelong educational establishment, and lifelong educational institutions in accordance with Article 31.

CHAPTER VIII SUPPLEMENTARY PROVISIONS

Article 42 (Administrative Disposition)

The Minister or the Superintendent of the Office of Education may, in the event that the founder of a lifelong educational establishment applies to any of the following subsections, revoke his/her authorization for establishment or registration of such establishment, or order closure of the lifelong educational courses, or may order the operation of the whole or part of lifelong educational courses suspended for a fixed period not exceeding one year: *Provided*, that in the case of subsections 1 and 4, the authorization and registration shall be revoked: <Amended by Act No. 8852, Feb. 29, 2008>

1. Where he/she has received authorization or registration by fraudulent or other illegal means;
2. Where his/her establishment has fallen short of the standards at the time of authorization or registration;
3. Where he/she has operated and managed his/her lifelong educational establishment by illegal means; and
4. Where he/she applies to any of the causes for disqualification as prescribed in any subsection of Article 28 (2).

Article 43 (Hearing)

The Minister or the Superintendent of the Office of Education shall, in the event that he/she intends to revoke the authorization or registration in accordance with the provisions of Article 42, hold a hearing. <Amended by Act No. 8852, Feb. 29, 2008>

Article 44 (Delegation of Authority)

Part of the authority of the Minister or the Superintendent of the Office of Education under this Act may be delegated to the heads of university and college institutions, the Superintendents of the Offices of Education or the heads of the district offices of education.
<Amended by Act No. 8852, Feb. 29, 2008>

Article 45 (Prohibition on Use of Analogous Name)

Any person other than the Promotion Committee, Institute, Lifelong Education Council, or Lifelong Learning Center shall not use any name analogous to such names.

Article 46 (Fine for Negligence)

(1) Any person who applies to any of the following subsections shall be punished by a fine for negligence not exceeding five million won:

1. A person who has failed to furnish data or furnished false data in violation of Article 18 (2);
2. A person who has neglected to file a report as prescribed in the provisions of Articles 32 (4), 33 (2) and (3), 35 (2), 36 (3), 2637 (3) and 38 (3); and
3. A person who has used an analogous name in violation of Article 45.

(2) The fine for negligence of section (1) shall be imposed and collected by the competent authority under the conditions as prescribed by the Presidential Decree.

(3) Any person who is dissatisfied with a disposition taken to impose a fine for negligence against him/her in accordance with section (2) may raise an objection to the competent authority within 30 days from the date on which a notice of such disposition was served on him/her.

(4) The competent authority shall, if a person subjected to a disposition taken to impose a fine for negligence against him/her in accordance with section (2) raises an objection in accordance with section (3), promptly notify the competent court of the fact. The competent

court shall, upon receiving such notice, put the case on trial in accordance with the Non-Contentious Case Litigation Procedure Act.

(5) Where a person has not raised any objection during the period as prescribed in section (3) and has failed to pay his/her fine for negligence, such fine for negligence shall be collected according to the practices of a disposition taken to collect default national or local taxes.

ADDENDUM

This Act shall enter into effect three months after its promulgation.