



# Evaluation Manual for Establishment of

Kindergarten, Primary,  
and Secondary  
Foreign Educational  
Institutions

March, 2022



Ministry of Education



National Research  
Foundation of Korea



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# I

## Manual Overview

Evaluation Manual for Establishment of  
Kindergarten, Primary, and Secondary Foreign Educational Institutions

1. Purpose and Contents
2. Introduction of the Foreign Educational Institution System
3. Foreign Educational Institution Establishment Procedures
4. Administrative Measures Related to Establishment Evaluation
5. Composition and Functions of the Evaluation Committee on Establishment and Operation of Foreign Educational Institutions
6. Contact Details for Free Economic Zones and Current Status of Foreign Educational Institutions

# I

## Manual Overview

### 1

## Purpose and Contents

### 1-1

## Purpose

- This manual aims to facilitate the process of evaluating the applications for establishment of foreign educational institutions so that it can be carried out in a consistent, professional and systematic way by clarifying and standardizing the evaluation procedures and standards in accordance with the relevant laws and regulations.

### 1-2

## Basic objectives

- Provide clear explanations on the criteria, standards, and procedures of the evaluation on establishment of foreign educational institutions
- Improve the convenience of filling out the application form for establishment of foreign educational institutions and the efficiency of evaluation by standardizing the application form
- Provide assistance to applicants for establishment of foreign educational institutions in understanding the feasibility of establishment, standards of evaluation, and procedures of evaluation by allowing them to self-check the establishment standards, etc. and self-evaluate the results before applying.

### 1-3

## Contents

- Introduction of the foreign educational institution system
- Foreign educational institution establishment procedures
- Administrative measures related to establishment evaluation
- Composition and functions of the evaluation committee on establishment and operation of foreign educational institutions
- Contact details for Free Economic Zones and other organizations
- Current status of primary and secondary foreign educational institutions

## 2 Introduction of the Foreign Educational Institution System

### 2-1 Purpose of introducing this system

- The system of foreign educational institution aims to foster an environment for foreign investment in such specific areas as Free Economic Zones and Jeju Special Self-Governing Province by improving the educational environment for foreigners in Korea according to the relevant laws and regulations.

### 2-2 Qualifications for establishment

- Persons eligible to establish foreign educational institutions shall be limited to foreign school foundations\*(Article 4 of the Special Act on Establishment and Management of Foreign Educational Institutions in Free Economic Zones and Jeju Free International City)

\* The term 'foreign school foundation' refers to a state or local autonomous government, or a non-profit foundation that has established and operated a kindergarten, primary, secondary, or higher educational institution in a foreign country under the pertinent foreign laws or regulations (Article 2 of the Special Act on Establishment and Management of Foreign Educational Institutions in Free Economic Zones and Jeju Free International City)

### 2-3 Areas eligible for establishment

- **Free Economic Zones** (Article 22 of the Special Act on Designation and Management of Free Economic Zones): Incheon, Gwangyang Bay Area, Busan · Jinhae, Gyeonggi, Daegu · Gyeongbuk, East coast, Gwangju, and Ulsan (as of Dec. 2020)
- **Jeju Special Self-Governing Province** (Article 220 of the Special Act on the Establishment of Jeju Special Self-Governing Province and the Development of Free International City)
- **Pyeongtaek-si** (Article 27 of the Special Act on Support, etc. for Pyeongtaek-si, etc. Following the Relocation of U.S. Military Bases in Korea)
- **Areas Adjacent to the Districts Returned from the United States Armed Forces in Korea** (Article 18 of the Special Act on Support, etc. for the Areas Adjacent to the Districts Granted to the United States Armed Forces in Korea, etc.)
- **Base Districts inside the International Science and Business Belt** (Article 42 of the Special Act on Establishment of and Support for the International Science and Business Belt)
- **Saemangeum Project Area** (Article 61 of the Special Act on Implementation of and Support for the Saemangeum Project)

## 2-4 Relevant laws and regulations

### • Evaluation and operation related laws and regulations

- 『Special Act on Establishment and Management of Foreign Educational Institutions in Free Economic Zones』 and Jeju Free International City (hereinafter referred to as the ‘Special Act’) and the Enforcement Decree of the same Act
- Accounting Standards for Foreign Educational Institutions (Ministry of Education Notice No. 2014-49)

### • Other laws and regulations for reference

- 『Special Act on Designation and Management of Free Economic Zones』 and the Enforcement Decree of the same Act
- 『Special Act on the Establishment of Jeju Special Self-Governing Province and the Development of Free International City』 and the Enforcement Decree of the same Act
- 『Special Act on Development of Enterprise Cities』
- 『Special Act on Support, etc. for Pyeongtaek-si, etc. Following the Relocation of U.S. Military Bases in Korea』
- 『Special Act on Support, etc. for the Areas Adjacent to the Districts Granted to the United States Armed Forces in Korea, etc.』 and the Enforcement Decree of the same Act
- 『Special Act on Construction of the Administrative City in Yeongi-Gongju Area as the Follow-up Measure for the New Administrative Capital』
- 『Special Act on Establishment of and Support for the International Science and Business Belt』
- 『Special Act on Implementation of and Support for the Saemangeum Project』

## 3 Foreign Educational Institution Establishment Procedures

### 3-1 Preparation phase

Request the opinion of the superintendent of education\*

\*Required only when a state subsidy is provided

- The head of the hosting local government (or the Free Economic Zone Authority) requests the superintendent of education’s opinion on attracting the foreign school (the Notice of the Ministry of Trade, Industry and Energy on ‘Guidelines for Management of the State Subsidy Program for Attraction of Foreign Educational or Research Institutions’)
- The superintendent of education reviews the reputation of the principal school of the foreign school and its plans to open and operate a branch school in Korea (including faculty, finances, and curriculum) and notifies the attracting host organization whether he/she has any objection to the payment of a state subsidy for opening of the foreign school.

Attraction is confirmed

- An MOU is concluded and a contract is signed between the foreign school foundation and the head of the host local government (or the Free Economic Zone Authority) attracting the school.

Prepare for opening

- Making preparations for school opening, including school land, school buildings, facilities and equipment

Fill out the application form

- Fill out the application form referring to the checklists and the application manual for establishment evaluation

### 3-2 Application evaluation and approval phase

#### Apply for approval of establishment

- The applicant submits an application for approval of establishment\* and related documents to the relevant superintendent of education.
- \* The main content of the application for establishment shall essentially correspond to the content of the establishment plan submitted to the superintendent of education while seeking his/her opinion at the time of conclusion of the agreement.

#### Evaluation

##### Document screening

- The evaluation committee on establishment and operation of foreign educational institutions conducts its evaluation.

##### Interviews

- Checks to see if the establishment standards, such as the applicant for establishment of foreign educational institutions and school establishment and operation plans, are satisfied.

##### On-site inspection of the branch school

- Those concerned of the foundation and the branch school are interviewed and evaluated.
- Inspects the facilities and equipment of the branch school.
- Interviews relevant officials of the hosting local government (or the Free Economic Zone Authority).

##### On-site inspection of the principal school

- Interviews those concerned of the principal school, such as the headmaster, faculty, etc., and those concerned of the Ministry of Education of the home country, if necessary.
- Checks the principal school facilities, verifies the documents submitted by the applicant, etc. in the home country.

##### Comprehensive evaluation

- A final decision is made on whether the application is approved or not.

#### Deliberation and resolution by the Free Economic Zone Committee

- The Free Economic Zone Committee reviews the results of evaluation.

#### Approval of establishment by the superintendent of education

### 3-3 Post-approval phase

#### Registration of foundation

- Register the establishment of the foundation's branch office (within 3 weeks from the approval date)

#### Fulfillment of the conditions of approval for establishment\*

- Submit a report to the relevant education office on fulfillment of the conditions of approval and implementation of recommended actions

\* If the conditions of approval are not carried out, administrative measures may be taken, including cancellation of establishment approval, reduction of student quota, suspension of student enrollment, etc.

#### School opening

- Enroll students and operate the school in accordance with the details of approval

## 4 Administrative Measures Related to Establishment Evaluation

Phases		Conditions of invocation	Effect of measures
Application submission/ Evaluation phase	Application submission	<ul style="list-style-type: none"><li>• The application conforms to the formal statutory requirements.</li></ul>	<ul style="list-style-type: none"><li>• Proceed with the evaluation process for approval</li></ul>
	Return	<ul style="list-style-type: none"><li>• The application is deficient in formal statutory requirements and the deficiency cannot be rectified afterwards. (In principle, rectification of deficiencies should be made 12 months prior to the scheduled school opening date.)</li><li>• Resubmission of the rejected application (Existing deficiencies that were reasons for initial rejection are not rectified.)</li></ul>	<ul style="list-style-type: none"><li>• The same application cannot be submitted again.</li><li>• After resubmission, the evaluation process will proceed again from the beginning.</li></ul>
Approval phase	Approval	Approval	<ul style="list-style-type: none"><li>• The application meets the standards for approval.</li></ul> <ul style="list-style-type: none"><li>• School can be established.</li></ul>
		Conditional approval	<ul style="list-style-type: none"><li>• Some parts do not meet the approval standards, but they can be rectified afterwards.</li></ul> <ul style="list-style-type: none"><li>• The deficiency should be corrected by a certain date.</li></ul>
	Rejection	<ul style="list-style-type: none"><li>• Significant defects in conforming to the standards for approval</li></ul>	<ul style="list-style-type: none"><li>• School cannot be established.</li><li>• In the case of resubmission of the application, whether the deficiency has been corrected will be checked at the time of reception, and if some obvious deficiencies still exist, the application shall be rejected.</li></ul>

### ※ Definition of Key Terms

- Foreign School Foundation (Article 2 (1) of the Special Act on Establishment and Management of Foreign Educational Institutions in Free Economic Zones and Jeju Free International City)

- The term 'foreign school foundation' refers to a state or local autonomous government, or a non-profit corporation that has established and operated a kindergarten, primary, secondary, or higher educational institution under the relevant foreign laws or regulations in a foreign country.

- Foreign Educational Institution (Article 2 (5) of the Free Economic Zone Act and Article 2 (2) of the Special Act on Establishment and Management of Foreign Educational Institutions in Free Economic Zones and Jeju Free International City)

- The term 'foreign educational institution' refers to a school (including a branch school) established and operated in accordance with foreign laws and regulations.

- The term 'foreign educational institution' refers to a foreign educational institution established and operated in Free Economic Zones under Article 22 of the Free Economic Zone Act and a foreign educational institution established and operated in Jeju Special Self-Governing Province under Article 220 of the Special Act on the Establishment of Jeju Special Self-Governing Province and the Development of Free International City.

※ Branch school shall maintain the same quality of education as its principal school.

## 5

## Composition and Functions of the Evaluation Committee on Establishment and Operation of Foreign Educational Institutions (Article 4 to 6 of the Enforcement Decree of the Special Act)

### 5-1 Composition

- The committee shall be comprised of seven to nine members including the chairperson.
- Meetings of Committee shall be opened with the attendance of a majority of the members duly elected and seated and shall make decisions with the concurrence of a majority of the members duly elected and seated.

### 5-2 Functions

- Matters concerning establishment of foreign educational institutions
- Matters concerning adjustment of the percentage of domestic students eligible for admission to foreign educational institutions
- Matters concerning closure of foreign educational institutions
- Matters concerning revocation of approval for establishment, closure of a department, or suspension of student enrollment, etc.
- Other matters requested by the relevant superintendent of education concerning approval of establishment of foreign educational institutions, etc.

## 6

## Contact Details for Free Economic Zones and Current Status of Foreign Educational Institutions

### 6-1 Contact details for free economic zones

- |  |  |
|--|--|
| <ul style="list-style-type: none"> <li>• Incheon Free Economic Zone Authority<br/><a href="http://www.ifez.go.kr/">http://www.ifez.go.kr/</a> ☎ 032-120</li> </ul>                           | <ul style="list-style-type: none"> <li>• Chungbuk Free Economic Zone Authority<br/><a href="https://www.chungbuk.go.kr/eco/index.do/">https://www.chungbuk.go.kr/eco/index.do/</a> ☎ 043-220-8312</li> </ul> |
| <ul style="list-style-type: none"> <li>• Gwangyang Bay Area Free Economic Zone Authority<br/><a href="http://www.gfez.go.kr/">http://www.gfez.go.kr/</a> ☎ 061-760-5114, 5223</li> </ul>     | <ul style="list-style-type: none"> <li>• East coast Free Economic Zone Authority<br/><a href="http://www.efez.go.kr/">http://www.efez.go.kr/</a> ☎ 033-539-7800</li> </ul>                                   |
| <ul style="list-style-type: none"> <li>• Busan-Jinhae Free Economic Zone Authority<br/><a href="http://www.bjfez.go.kr/">http://www.bjfez.go.kr/</a> ☎ 051-979-5000, 055-320-5000</li> </ul> | <ul style="list-style-type: none"> <li>• Ulsan Free Economic Zone Authority<br/><a href="https://www.ulsan.go.kr/s/ufez/">https://www.ulsan.go.kr/s/ufez/</a> ☎ 052-120</li> </ul>                           |
| <ul style="list-style-type: none"> <li>• Gyeonggi Free Economic Zone Authority<br/><a href="https://ggfez.gg.go.kr/">https://ggfez.gg.go.kr/</a> ☎ 031-8008-8615</li> </ul>                  | <ul style="list-style-type: none"> <li>• Gwangju Free Economic Zone Authority<br/><a href="https://www.gwangju.go.kr/gjfez/">https://www.gwangju.go.kr/gjfez/</a> ☎ 062-120</li> </ul>                       |
| <ul style="list-style-type: none"> <li>• Daegu · Gyeongbuk Free Economic Zone Authority<br/><a href="http://www.dgfez.go.kr/">http://www.dgfez.go.kr/</a> ☎ 053-550-1500</li> </ul>          |  |

### 6-2 Contact details for jeju free international city

- Jeju Free International City Development Center  
<http://www.jdcenter.com/> ☎ 064-797-5500

6-3

## Current status of establishment and operation of primary and secondary foreign educational institutions (as of Oct. 2021)

Region	Name	Current Status	Hosting Organization
Daegu	Daegu International School	<ul style="list-style-type: none"> <li>• Size: K-12 (kindergarten · primary · middle · high school), 680 students</li> <li>• Principal school: Lee Academy, USA</li> <li>• April 30, 2010: Establishment approved</li> <li>• August 23, 2010: School opened</li> </ul>	Daegu Free Economic Zone Authority
Incheon (Songdo)	Chadwick Songdo International School	<ul style="list-style-type: none"> <li>• Size: K-12 (kindergarten · primary · middle · high school), 2080 students</li> <li>• Principal school: Chadwick School, USA</li> <li>• June 25, 2010: Establishment approved</li> <li>• September 7, 2010: School opened</li> </ul>	Incheon Free Economic Zone Authority NSIC*

\* NSIC: New Songdo International City Development

For Your  
Reference

## Current status of establishment and operation of higher foreign educational institutions

Region	Name	Current status	Hosting Organization
Incheon (Songdo)	State University of New York Korea (SUNY Korea*)	SBU**	Incheon Free Economic Zone Authority
		FIT***	
	George Mason University Korea	<ul style="list-style-type: none"> <li>• Size: 1,040 students in undergraduate courses, 167 students in master's or doctoral degree courses</li> <li>• Principal school: State University of New York, USA</li> <li>• July 13, 2011: Establishment Approved</li> <li>• March 3, 2012: School opened</li> </ul>	Incheon Free Economic Zone Authority
	Ghent University Global Campus	<ul style="list-style-type: none"> <li>• Size: 175 students in undergraduate (associate degree) courses</li> <li>• Principal school: Fashion Institute of Technology, USA</li> <li>• March 3, 2017: Establishment Approved</li> <li>• September 3, 2017: School opened</li> </ul>	
	The University of Utah Asia Campus	<ul style="list-style-type: none"> <li>• Size: 1,200 students in undergraduate courses</li> <li>• Principal school: George Mason University, USA</li> <li>• August 13, 2013: Establishment Approved</li> <li>• March 3, 2014: School opened</li> </ul>	

\* SUNY Korea: State University of New York Korea

\*\* SBU: Stony Brook University

\*\*\* FIT: Fashion Institute of Technology

## II

# Overview of the Evaluation Criteria

Evaluation Manual for Establishment of  
Kindergarten, Primary, and Secondary Foreign Educational Institutions

1. Regarding the Applicant for Establishment
2. Establishment Plan
3. Operation Plan

## II

# Overview of the Evaluation Criteria

## 1 Regarding the Applicant for Establishment

### 1-1 Criteria related to foreign school foundation

- < 1 > Whether the founder is a non-profit foreign school foundation
- < 2 > Whether the applying foundation's board of directors has approved the establishment plan

### 1-2 Educational demand for and locational conditions of the prospective school site

- < 1 > Sufficient educational demand for sustainable school operations
- < 2 > Locational conditions of the school

### 1-3 The applicant's school operation capabilities and reputation of the principal school

- < 1 > Applicant's school operation capabilities
- < 2 > Reputation of the principal school

## 2 Establishment Plan

### 2-1 Securing school buildings and school land

- < 1 > Stable securing of the school buildings and school land (including passing the educational environment evaluation)
- < 2 > Procurement of teaching materials and equipment

## 2-2 Securing faculty

- < 1 > Whether teachers are secured in accordance with the establishment standards
- < 2 > Whether the plan to secure excellent faculty is appropriate

## 2-3 The basic properties for profit and financial operation plan

- < 1 > Securing the basic properties for profit sufficiently
- < 2 > Soundness of the school's financial operation plan
- < 3 > Whether the financing plan and the surplus use plan are appropriate

# 3 Operation Plan

## 3-1 School management system

- < 1 > Appropriateness of the decision-making system (governance structure)
- < 2 > Leadership of the person in charge
- < 3 > Qualifications of the representative of the branch school (head of the foreign educational institution)
- < 4 > Liquidation of the foreign educational institution

## 3-2 Founding philosophy of the school

- < 1 > Whether the founding philosophy of the school conforms to the Korean constitution and universal values
- < 2 > The school development plan

## 3-3 Academic affairs management plan

- < 1 > Ways to obtain the Korean scholastic recognition
- < 2 > Whether the academic affairs management plan is appropriate

For Your  
Reference

## Evaluation process is simplified when applying for some changes in establishment

- When the number of classes is increased:

- To simplify the evaluation process, evaluation of the following will be omitted: the non-profit nature of the applicant's principal school's foundation, school management capabilities and reputation of the principal school, school management system, founding philosophy, and academic affairs management plan.

※ In the case of the educational demand and school location, only the data on student demand may be submitted.

<Table> Simplified evaluation criteria for increasing the number of classes

Evaluation Criteria	Increasing the number of classes (primary · secondary)
1-1. Items related to foreign school foundation	×
1-2. Educational demand for and locational conditions of the prospective school site	○
1-3. Applicant's school operation capabilities and reputation of the principal school	×
2-1. Securing school buildings and school land	○
2-2. Securing faculty	○
2-3. Basic properties for profit and financial operation plan	○
3-1. School management system	×
3-2. Founding philosophy of the school	×
3-3. Academic affairs management plan	×

- Some criteria can be omitted or required additionally depending on the situation of each school. So, contact the relevant officer of the competent education office before filing an application.

# III

## Explanation of Establishment Evaluation by Criterion

Kindergarten, Primary, and Secondary  
Evaluation Manual for Establishment of  
Foreign Educational Institutions

1. The Applicant for Establishment
2. Establishment Plan
3. Operation Plan

### III

## Explanation of Establishment Evaluation by Criterion

※ The content of the application for establishment and other relevant documents shall essentially correspond to the content of the establishment plan submitted to the superintendent of education while seeking his/her opinion at the time of conclusion of the agreement.

### 1 The Applicant for Establishment

#### 1-1 Regarding the foreign school foundation

##### Evaluation Standard

The applicant shall be a state or local autonomous government, or a non-profit foundation that has established and operated a kindergarten, primary, or secondary educational institution in a foreign country under relevant foreign laws or regulations.

##### [Explanation of the evaluation standard]

Whether a foreign school foundation is a non-profit foundation shall be confirmed through certification documents issued by the competent administrative or judicial organization of the relevant country. However, in the case where the non-profit school foundation of the principal school (hereinafter referred to as the ‘foreign school foundation’) cannot directly establish a branch school due to the laws, systems, and conditions of the relevant country, establishment can be approved, if it is verified that (1) the actual applicant is the principal school, and that (2) the principal school shall bear the ultimate responsibility for the academic, administrative and financial matters when the financial condition of branch school deteriorates. It shall be also checked whether establishment of the branch school is being proceeded under the approval of the board of directors of the foreign school foundation, but review shall be made on the premise that a resolution by the board of directors of the foreign school foundation will be submitted even after an application for establishment is filed. The board of directors may be referred to as various different names in accordance with the articles of incorporation of the relevant foreign school foundation or the relevant laws of the home country, and also the decision-making systems may be different from those of Korea because laws and regulations differ country by country. Therefore, approval of establishment of the branch school of the foreign school foundation shall be evaluated in consideration of this and the applicant shall be guided to prepare application documents accordingly.

##### [Required documents for evaluation]

Application Form Annex No. 3 (Summary of the Application for Establishment Approval), Annex No. 4 (Current Status of Foreign School Foundation) and other supplementary documents\*

- \* Documents issued by the competent administrative or judicial organization proving the legal status of the applicant, which is the foreign school foundation
- \* The articles of incorporation and administrative regulations of the foreign school foundation’s board of directors
- \* Composition of the board of directors and the list of board directors
- \* The resolution of the board of directors of the foreign school foundation approving establishment of the foreign educational institution
- \* Regulations pertaining to the decision-making process and operation of the branch school

### ※ Domestic Foundation's Participation in School Operation

- A domestic foundation can take part in the branch school's operation through a consignment contract on some specific businesses, such as student recruitment, public relations, etc.
- Whether the applicant has a plan to commission the branch school's operation to another foundation in the form of a service contract shall be checked at the time of establishment evaluation, and if so, the applicant should submit such a plan together with its application.

1-2

## Educational demand for and locational conditions of the prospective school site

### Evaluation standard

The applicant must ensure that a sustainable and stable school operation is possible by understanding the locational characteristics of the prospective school site and drawing up a plan for securing students.

### 【Explanation of the evaluation standard】

A decision will be made based on whether a sustainable school operation will be possible through stable enrollment of students and whether regional characteristics are taken into account when selecting the location for the school. For the most part, the applicant's student enrollment plan, the agreement with the local autonomous government (or the Free Economic Zone Authority), and a letter of recommendation from the head of the local autonomous government (or the Free Economic Zone Authority) shall be the basis of judgment. However, request for additional explanations to the personnel in charge at the Free Economic Zone Authority or other relevant organizations can be made, if deemed appropriate by the committee.

### 【Required documents for evaluation】

- A written agreement between the applicant and the hosting local autonomous government (or the Free Economic Zone Authority)
- A letter of recommendation from the head of the hosting local autonomous government (or the Free Economic Zone Authority) (confirming the educational demand, etc.)
- Student recruitment plan (locational conditions, student demand projections, means of recruiting students, etc.)

1-3

## Establishment applicant's school management ability and reputation of principal school

### Evaluation standard

The applicant shall establish a school that can satisfy the purpose of and expected benefits from founding this school in Korea. Judgment on this shall be made based on the principal school's experiences in school operation, trustworthiness, standing, and reputation.

### 【Explanation of the evaluation standard】

A decision will be made on whether the applicant has demonstrated excellent school operation capabilities and whether it will be able to run a similarly excellent educational institution in Korea.

### 【Required documents for evaluation】

Documents proving the reputation of the school being operated by the applicant

- \* Documents related to the principal school's official certification of international scholastic recognition
- \* Status of graduates who have been admitted to prestigious universities

## 2 Establishment Plan

### 2-1 Securing school buildings and school land

#### Evaluation standard

Whether the applicant satisfies the following establishment requirements concerning school buildings, school land, and facilities shall be checked:

- Kindergarten, primary, and secondary educational institutions: school buildings pursuant to Article 3 of the Regulations Concerning Establishment and Operation of High Schools and Various Schools Below High School, and school land pursuant to Article 4 to 6 of the same Regulations (including leasing).

#### 【Explanation of the evaluation standard】

##### (1) Standards for school buildings

###### (A) Standard area (including rental thereof)

School		Standard area per number of students (unit: m <sup>2</sup> )		
Kindergartens		40 persons or less	41 persons or more	
		5N	80+3N	
		Total area of classroom out of school buildings: 2.2N		
Primary schools, civic schools, and various other equivalent schools		240 persons or less	241 to 960 persons	961 persons or more
		7N	720+4N	1,680+3N
Middle schools, high civic schools, and various other equivalent schools		120 persons or less	121 to 720 persons	721 persons or more
		14N	1,080+5N	1,800+4N
High schools, high technical schools, and various other equivalent schools	By specialization area	120 persons or less	121 to 720 persons	721 persons or more
	Humanities	14N	960+6N	1,680+5N
	Vocational		720+8N	2,160+6N
	Arts and Sports		480+10N	1,920+8N

#### <Notes>

1. N refers to the student quota of all grade levels in each school.
2. Classification of specialization of high schools in the above table should abide by the regulations by the relevant city or provincial superintendent of education. If there are two or more specialization areas in the same high school, the total area combining the standard area for each specialization area shall be applied.
3. In the case of integrated management schools pursuant to Article 30 of the 'Primary and Secondary Education Act' or two or more levels of schools are present in the same school premises, the total area combining the standard area for each level of school shall be applied.
4. For schools that conduct both day and night classes, the one with greater number of students shall be the basis of calculation.
5. The standard area required for in-depth or extra classes for differentiated education may be determined by the relevant city or provincial superintendent of education to cater to regional and school characteristics.

## (B) Internal Environment: Compliance with Article 4 of the School Health Act

### ● Article 4 (Environmental Sanitation and Food Sanitation in School)

- ① The head of each school shall, as prescribed by Ordinance of the Ministry of Education, properly maintain and administer environmental sanitation, such as the control of ventilation, lighting, illumination, temperature and humidity, the prevention and management of hazardous substances including hazardous heavy metals, the installation and management of water supply and drainage systems and lavatories, and the prevention and control of air pollution, asbestos, waste, noise, volatile organic compounds, germs, dust, etc., and food sanitation, such as the management of tableware, foodstuffs and drinking water in a school facility (referring to the site of a school building, a playground, a school building, a gymnasium, a dormitory, a school meal facility, and an auditorium installed in the site of a school building or a playground; hereinafter the same shall apply).
- ② The head of a school shall, as prescribed by Ordinance of the Ministry of Education, perform inspections in order to appropriately maintain and administer environmental sanitation and food sanitation in a school facility pursuant to paragraph (1), and record, maintain, and report the results thereof. In such cases, if a member of a school steering committee or a parent requests participation in an air quality inspection conducted for an inspection of environmental sanitation, such participation shall be permitted.
- ③ The head of a school may, as prescribed by Ordinance of the Ministry of Education, entrust inspection-related affairs prescribed in paragraph (2) to a measuring agency under Article 16 of the Environmental Testing and Inspection Act, or perform such affairs by asking the superintendent of education to provide specialized human resources and other support.
- ④ Where the results of inspection prescribed in paragraphs (2) and (3) fail to meet the standards prescribed by Ordinance of the Ministry of Education, the head of a school shall take necessary measures, including facility supplementation, and report thereon to the Minister of Education and the superintendent of education.
- ⑤ If deemed necessary to appropriately maintain and administer environmental sanitation and food sanitation under paragraph (1), the Minister of Education or the superintendent of education may have the relevant public official gain access to a school to perform inspections or check the results, etc. thereof under paragraph (2), and if improvement is required, he or she may provide administrative and financial support to the school.
- ⑥ The head of a school shall make public results of the inspections of environmental sanitation and food sanitation under paragraph (2) and supplementary measures under paragraph (4) on the website of the school or the website related to publication operated by the Minister of Education. In such cases, measured figures shall include the records of the first measurement and re-measurement.
- ⑦ Where the head of a school performs inspections of environmental sanitation in a school facility under paragraph (2) and confirms that highly hazardous substances can continue to occur, he or she shall request the superintendent of education to conduct a special inspection, and in response to such request, the superintendent of education shall conduct said inspection and formulate and implement countermeasures.

## (C) Protection of Educational Environment: Compliance with Article 6 of the Educational Environment Protection Act

### ● Article 6 (Approval for Educational Environment Evaluation Report, etc.)

- ① Any of the following persons shall submit a statement of assessment concerning impacts on educational environment (hereinafter referred to as “statement of educational environment assessment”) to the superintendent of education, as prescribed by Presidential Decree, and obtain approval therefrom :
  1. Person who intends to establish a school;
  2. Person who formulates an urban or Gun management plan under Article 24 of the National Land Planning and Utilization Act;
  3. Development project implementer under Article 3 (1) of the Act on the Special Cases concerning the Procurement, etc. of School Sites;
  4. Person who intends to implement a rearrangement project in a rearrangement zone under subparagraph 1 of Article 2 of the Act on the Maintenance and Improvement of Urban Areas and Dwelling Conditions for Residents, after a school (excluding schools under each subparagraph of Article 2 of the Higher Education Act) or an educational environment protection zone established and publicly announced pursuant to Article 8 (1) is designated and publicly notified as a rearrangement zone;
  5. Person who intends to construct a building with the scale under the proviso to Article 11 (1) of the Building Act in an educational environment protection zone established and publicly notified pursuant to Article 8 (1).
- ② Subject matters to assessment on school educational environment under paragraph (1) shall include the locations, sizes and shapes, topography and soil environment, atmosphere environment, and surrounding harmful environment, and public facilities of planned school sites or planned rearrangement zones, etc.
- ③ To approve a statement of educational environment assessment, a superintendent of education shall refer the statement of educational environment assessment to the City /Do Committee for deliberation ; and for such deliberation, shall also provide the review opinions of both a specialized institution for education environment under Article 13 and an institution designated by Presidential Decree.
- ④ Notwithstanding paragraph (3), in cases falling under any of the following, a statement of educational environment assessment may be approved via a deliberation by the Local Committee. In such cases, the review opinions of both specialized institution for education environment under Article 13 or an institution designated by Presidential Decree may be omitted:
  1. In case of selecting a site to only establish a kindergarten under subparagraph 2 of Article 2 of the Early Childhood Education Act or change the location thereof;
  2. In case of selecting a site to only establish an alternative school under Article 60-3 of the Elementary and Secondary Education Act or change the location thereof;
  3. In case of selecting a site to operate a school under subparagraphs 1 through 4 of Article 2 of the Higher Education Act (including a school equivalent to such school, but excluding a graduate school) within an industrial complex, by changing a part of such school from the main location thereof, as prescribed by Presidential Decree
- ⑤ A superintendent of education shall recommend to a project implementer under Article 7 (1) the matters necessary for educational environment protection as a result of a statement of educational environment assessment. In such cases, the project implementer shall comply with such recommendation except in extenuating circumstance and notify the superintendent of education of the result of measures to comply with such recommendation.
- ⑥ Authority under paragraph (1) of a superintendent of education may be partially delegated to the heads of district offices of education, as prescribed by Presidential Decree.
- ⑦ The Minister of Education may disclose statements of educational environment assessment, as prescribed by Presidential Decree, except where such disclosure is restricted pursuant to other statute.
- ⑧ Items, procedures, and standards for preparing statements of educational environment assessment, and other necessary matters such as preparation methods by item shall be prescribed by Presidential Decree.

## (2) Standard for school land

(A) Standard area (leasing possible): the land area for school buildings and the area for physical education field are combined

- Land area for school buildings: the area in accordance with the articles concerning building-to-land ratio and floor area ratio of the construction-related laws and regulations
- Area for physical education field

School	Standard area for the physical education field per number of students (unit: m <sup>2</sup> )		
Kindergarten	40 persons or less	41 persons or more	
	160	120+N	
Primary school	600 persons or less	between 601 and 1,800 persons	1,801 persons or more
	3,000	1,800+2N	3,600+N
Middle school	600 persons or less	between 601 and 1,800 persons	1,801 persons or more
	4,200	3,000+2N	4,800+N
High school	600 persons or less	between 601 and 1,800 persons	1,801 persons or more
	4,800	3,600+2N	5,400+N

### <Notes>

1. N refers to the student quota of the all grade levels in each school.
2. If indoor sports facilities, including a swimming pool · gym · auditorium · dance room, etc. are in the school, the area twice the area of the total floor area of the combined indoor sports facilities may be excluded.
3. In the case of integrated management schools pursuant to Article 30 of the 'Primary and Secondary Education Act' or two or more levels of schools are present in the same school land, the total area combining the standard area for each level of school shall be applied.
4. For schools that conduct both day and night classes, the one with greater number students shall be the basis of calculation.

## 【Required documents for evaluation】

Application Form Annex No. 5 (School buildings, school land, faculty, and comprehensive list of basic properties for profit), Annex No. 6 (Current status of school buildings and school land secured), Annex No. 7 (Statement of facilities and equipment), and other supplementary documents\*

- \* A copy of the building register and the building occupancy permit
- \* A statement of the total construction cost, showing the amount already paid off and the outstanding amount (summary)
- \* School building floor plan (with each room's name marked) and the layout plan
- \* A copy of the land book and a copy of the land register
- \* Lease-related agreements (when leasing)
- \* Dormitory construction plan (if necessary)
- \* A statement showing the current status of the principal school's school buildings, school land, and facilities (if necessary)
- \* The progress schedule for construction of the required facilities that are not built yet, and the documents supporting such a schedule (if necessary)

## 2-2 Securing faculty

### Evaluation standard

Whether the applicant has satisfied the following establishment standards concerning faculty shall be checked:

- ① Early childhood educational institutions: As prescribed by Article 23 of the Enforcement Decree of the Early Childhood Education Act or in accordance with the principal school's faculty securing standards.
- ② Primary and secondary educational institutions: Faculty deployment standards for each level of the school as determined by the superintendent of education pursuant to Article 19 of the Primary and Secondary Education Act, or in accordance with the principal school's faculty securing standards.

### 【Explanation of the evaluation standard】

In the case where a foreign school foundation establishes a foreign educational institution with the same standards as the school that it has founded in its home country in accordance with the home country's laws and regulations, it will be deemed to have satisfied the establishment standard, overriding the evaluation standard above. (Article 2 (3) of the Enforcement Decree of the Special Act on Establishment and Management of Foreign Educational Institutions in Free Economic Zones and Jeju Free International City)

### 【Required documents for evaluation】

Annex No. 8 (Current status of secured faculty), Annex No. 9 (Faculty securing plan) and other supplementary documents\*

- \* Employment contracts for the teaching staff already hired
- \* Documents proving teaching abilities, such as resumes and teaching licenses
- \* Faculty education and training plan (if any)
- \* Personnel management regulations

## 2-3 Basic properties for profit and financial operation plans

### Evaluation standard

Concerning the basic properties for profit, whether the applicant satisfies the following establishment standard shall be checked:

- Kindergarten, primary and secondary educational institutions: Whether the basic properties for profit have been secured as prescribed by Article 13 (1) of the Regulations Governing Establishment and Operation of High Schools and Various Schools below High School or whether the applicant has purchased a guarantee insurance with the insured amount equal to the value of the basic properties for profit.

\* Regarding the financial operation plan, the soundness of financial operations, a financing plan to make up for the operational losses, and the appropriateness of the plan for the use of the surplus funds after account settlement will be reviewed.

### 【Explanation of the evaluation standard】

- Securing the basic properties for profit whose value is equivalent to the amount equal to or 1/2 or more of the total annual operating income by school accounting standards\*.

\* The Regulations Governing Establishment and Operation of High Schools and Various Schools below High School prescribes securing of the total annual operating income by school accounting standards as of the year when school organization is completed.

(The total annual operating income from school accounting is defined as the amount that is derived after the revenues from transferred money, from subsidy or financial aid, from donation, and from subsidy for school operation are deducted from the total operating income under Appendix No. 3 of the Special Case Regulations Concerning the Financial Accounting Rules for Private Educational Institutions.) However, in the case where classes, departments, or student quotas are increased, this amount should be the sum of the total annual operating income from school accounting for the immediately preceding year and the operating income that is increased due to such increases in classes, departments, or student quotas.

※ The appraisal method laid out in Article 8 of the Detailed Enforcement Rules of the Regulations Governing Establishment and Operation of High Schools and Various Schools below High School shall be applied in calculating the value of the basic properties for profit.

- The basic properties for profit shall generate annual revenues based on the value of the total properties.
- A guarantee insurance should be taken out with the insured amount equal to 1/2 or more of the total annual operating income by school accounting standards.

### [Required documents for evaluation]

Annex No. 10 (Current Status of Basic Properties for Profit and Financial Operation Plan) and other supplementary documents\*

- \* Current Status of basic properties for profit and list of properties (Can be omitted if a guarantee insurance is taken out.)
- \* Annual income from the basic properties for profit (Can be omitted if a guarantee insurance is taken out.)
- \* Guarantee insurance policy (If the guarantee insurance is not taken out yet, a letter of promise to purchase a guarantee insurance policy and a quotation for such a guarantee insurance should be submitted.)
- \* Financial operation plan and the basis for calculation
- \* Financing Plan
- \* Plan for the use of the surplus funds after account settlement

#### ● Matters to consider when drawing up a financial operation plan

- \* The financial operation plan should show the school opening preparation period and 10 years from the date of school opening.
- \* The amounts should be given in Korean Won, and if the financial operation plan written in a foreign currency is converted into Korean Won, the exchange rate used for such conversion should be given.
- \* The financial operation plan should use realistic estimates. (If there is a large gap between this plan and the actual operation in the future, the school will be asked to explain the reasons for such a gap.)
- \* Different financial operation plans for three different scenarios (optimistic, neutral, and pessimistic) should be formulated and the financial operation plan based on the neutral scenario should be submitted. However, the differences in annual profits and losses from the three scenarios should also be presented.
- \* The calculation basis for the basic assumptions (student enrollment rate, re-enrollment rate, inflation rate, etc.) that were applied when drawing up the financial operation plan should be presented.
- \* The revenues and expenditure of affiliated organizations such as a language education center should be noted separately in the financial operation plan.
- \* For personnel expenses, detailed items should be noted separately (salary, severance pay, insurance premium, etc.).
- \* Yearly personnel supply plan (including faculty and staff) for calculation of personnel expenses should be in place.
- \* The transaction details (incurred expenses, etc.) between the foreign school foundation (principal school) and the foreign educational institution (branch school) should be noted separately and the calculation basis should be presented.

### 3 Operation Plan

#### 3-1 School management system

##### Evaluation standard

The organization and operation of the decision-making body needed for school management should be reasonable, and the leadership of the person in charge should be demonstrated in drawing up and executing the school's management policy.

##### 【Explanation of evaluation standard】

The appropriateness of the school's decision-making system and the leadership of the person in charge will be reviewed. In an effort to strengthen the stability and soundness of the foreign educational institution, it will be suggested that someone recommended by the hosting local autonomous government (or the Free Economic Zone Authority) or the relevant office of education participate in the school's decision-making body.

##### 【Required documents for evaluation】

- \* Articles of Incorporation of the foreign school foundation and the operational regulations of the foreign school foundation's board of directors
- \* Organization chart of the board of directors of the foreign school foundation and the names of the directors (In case where a separate non-profit foundation is founded in an overseas location for establishment and operation of the branch school, the organization chart of the board of directors and the names of the directors of that foundation should also be submitted.)
- \* Regulations concerning the decision-making process and operation of the branch school
- \* The organization chart of the branch school's operating committee and the (tentative) names of the committee members

#### 3-2 Founding philosophy of the school

##### Evaluation standard

A person who founds and operates a foreign educational institution shall enact a school charter and announce it to the consumers of education. The school charter shall conform to the universal values of the mankind and the constitution of the Republic of Korea. If it is different from that of the principal school, the reasons should be explained.

##### 【Explanation of the evaluation standard】

It is required that a person who founds and operates a foreign educational institution enact a school charter voluntarily and announce it to the consumers of education. This will encourage him/her to carry out the school charter in a more responsible manner. The school charter should include the founding philosophy of the school, purpose of establishment, objectives of education, and school development plans. The founding philosophy is the most basic and publicly announced promise made by the school foundation, and it can be viewed that the content of this charter is realized through school regulations and the academic affairs management plan.

##### 【Required documents for evaluation】

Annex No. 11 (School Charter)

### 3-3 Academic affairs management plan

#### Evaluation standard

The basic principles of academic affairs management, learner protection mechanism, etc. will be assessed through this criterion. Whether a detailed and feasible academic affairs management plan has been formulated will be reviewed. Entrance examination guidelines, PR plans, and plans for supporting the social minorities will also be put under scrutiny.

#### [Explanation of the evaluation standard]

The appropriateness of the overall educational operation plan of the foreign educational institution will be checked based primarily on the academic affairs management plan. Whether the academic affairs management plan is specifically mentioned in the school regulations will also be confirmed. Whether there is no problem in the school regulations concerning the academic affairs management plan and whether students of the branch school will receive the same scholastic recognition as the principal school will be checked.

In the case of primary and secondary foreign educational institutions, if they have a plan to receive scholastic recognition from Korea will also be checked. In particular, if the school regulations need to be revised, the revised regulations should be made public in advance, reviewed, and formally announced in accordance with the relevant school regulations. If the superintendent of education considers any part of the revised version in violation of the pertinent laws and regulations, he/she may, with his/her authority for the management of and supervision over the schools, require the school to rectify it. In addition, overall learner support systems, including that for the social minorities, will be evaluated.

In particular, in the case of primary and secondary foreign educational institutions, they will be demanded to reflect matters regarding provision of educational opportunities for a variety of students (such as securing a dormitory, making plans for supporting the social minorities, etc.) in their academic affairs management plan.

#### <Details of academic affairs management plan>

Details of academic affairs management plan	Main content	Remarks
Academic affairs management plan	<ul style="list-style-type: none"> <li>• Academic calendar</li> <li>• Curriculum overview</li> <li>• Curriculum management plan (International standard curriculum, etc.)</li> <li>• Curriculum organization system</li> <li>• Lesson plans</li> <li>• Teacher evaluation and student performance assessment plans</li> <li>• Admissions procedure plan and PR plan</li> <li>• Scholarships and support plan for the social minorities</li> <li>• Higher-level school entrance guidance plan</li> <li>• Plans to obtain Korean scholastic recognition</li> </ul>	

#### [Required documents for evaluation]

Annex No. 12 (School Regulations), Annex No. 13 (Academic Affairs Management Plan)

# IV

## Checklists

Evaluation Manual for Establishment of  
Kindergarten, Primary, and Secondary Foreign Educational Institutions

1. Checklist Overview and Instructions on How to Fill Them Out
2. Items for Checking (Evaluation Criteria for Establishment Approval)
3. Detailed Items of the Checklists

## Checklists

### **Checklists for Application for Establishment of Foreign Educational Institutions**

Applicant (Proxy) :

Signature and seal

# Checklists for Application for Establishment of Foreign Educational Institutions

## 1 Checklist Overview and Instructions on How to Fill Them Out

### (1) Overview

- The main purpose of these checklists are to provide assistance to applicants for foreign educational institution establishment so that they can self-check on the status of the necessary paperwork and their capabilities to establish and operate a branch school in Korea before they apply for establishment evaluation.
- In addition, these checklists aim to shorten the time it takes to approve establishment of a foreign educational institution while providing assistance in making preparations for successful establishment and operation of a foreign educational institution, and ultimately help foreign school foundations achieve their purpose of establishing a branch school in Korea and operate it successfully.
- However, completing and submitting these checklists does not guarantee that the paperwork for establishment evaluation is complete, and therefore, applicants for establishment of a foreign educational institution are encouraged to ensure that all the necessary documents are prepared by performing a self-check with these checklists.

### (2) How to fill out the checklists

- Applicants should check Yes (Y), No (N) or N/A (Not Applicable) for each question on the checklists.
  - Y : Affirmative
  - N : Negative
  - N/A : Not Applicable
- If the question is about preparing and writing application documents, and if the applicant answered Yes to this question, indicate the page number of the application documents submitted in relation to this item in the 'Documents submitted in relation to this' section (write the title of the document if it is turned in as an appendix).
- If the question is about fulfillment or violation of relevant laws and regulations, check either Yes (Y), No (N) or N/A. If a legal requirement is not met yet, a plan to do so in the future should be made.
- Applicants should be sure that they are fully prepared to apply for establishment evaluation by performing frequent self-checks using these checklists before they submit all the application documents. The final checklists should be signed by the applicant (or its proxy) and handed in together with the application and other related documents.
- The contact details for the person in charge of the entire checklists and those of the persons in charge of each criterion should be provided so that the evaluating organization can contact them when they have any queries or need to visit them for an interview.

## 2 Items for Checking (Evaluation Criteria for Establishment Approval)

### A. Applicant for establishment

#### A-1 Regarding foreign school foundation

- < 1 > Whether the applicant is a non-profit foreign school foundation
- < 2 > Whether the applying foundation's board of directors has approved the establishment plan

#### A-2 Educational demand for and locational conditions of the prospective school site

- < 1 > Whether there is enough educational demand for sustainable school operation
- < 2 > Locational conditions of school establishment

#### A-3 School operation capabilities of the applicant and the reputation of the principal school

- < 1 > Whether the applicant has the capabilities to operate a school
- < 2 > Reputation of the principal school

### B. Establishment plan

#### B-1 Securing school buildings and school land

- < 1 > Stable securement of school buildings and school land
- < 2 > Check if teaching tools and equipment are secured

#### B-2 Securing faculty

- < 1 > Whether faculty is secured according to the school establishment standards
- < 2 > Whether the plan for securing high-quality faculty is appropriate

#### B-3 Basic properties for profit and financial operation plans

- < 1 > Stable securing of basic properties for profit
- < 2 > Soundness of the school financial operation
- < 3 > Whether the financing plan and the surplus use plan are appropriate

## C. Operation plan

### C-1 School management system

- < 1 > Appropriateness of the decision-making system (governance structure)
- < 2 > Leadership of the person in charge
- < 3 > Qualifications of the representative of the branch school (head of the foreign educational institution)
- < 4 > Liquidation of foreign educational institution

### C-2 Founding philosophy of the school

- < 1 > Whether the school's founding philosophy conforms to the Korean constitution and universal values
- < 2 > School development plan

### C-3 Academic affairs management plan

- < 1 > Plan for obtaining Korean scholastic recognition
- < 2 > Whether the academic affairs management plan is appropriate

## D. Documents to be prepared and items to be checked (examples)

- School charter
- A copy of the foundation register of the person applying for establishment of a school foundation, an official government certificate proving the non-profit foundation status, and other related documents for certification
- A resolution or meeting minutes containing the decisions related to establishment of a branch school by the highest decision-making body and the board of directors of the principal school
- The principal school's global vision and plans for founding and operating a branch school
- A report on the student demand projections for each major of the branch school to be established and strategies for student recruitment
- Documents proving the reputation of the principal school
- Career history of the person in charge of school operations (chairman of the board of directors of the foundation, president of the principal school, and the person appointed as the head of the branch school) showing their experiences in school operations (resumes, etc.)
- Documents proving securement of school land and school buildings (lease contract, blueprint, a copy of the land register, a copy of the building register, etc.)
- Plans to secure faculty, staff, and the basic properties for profit, and related documentary evidence (or when planning to purchase a guarantee insurance policy, a plan thereof)
- Financial operation plans for the next 10 years by scenario (optimistic, neutral, and pessimistic) and submit the one with the neutral scenario
- If receiving a financial aid from the Korean government or a local autonomous government (or Free Economic Zone Authority), documents proving such an arrangement (MOU, etc.)
- The school's decision-making process chart
- The school's academic regulations, academic affairs management regulations, and academic calendar and curriculum management plans of the branch school, etc.

※ The content of the application for establishment and other relevant documents shall essentially correspond to the content of the establishment plan submitted to the superintendent of education while seeking his/her opinion at the time of conclusion of the agreement.

### 3 Detailed Items of the Checklists

- Documents submitted in relation to this: Please write the applicable page number of the application documents that are submitted in relation to this criterion. (If it is submitted as an attachment, please indicate its title.)

#### 1 Foreign school foundation

##### ① Foreign school foundation

1. Is the applicant a non-profit foreign school foundation?

■ Yes(      )                      ■ No(      )                      ■ N/A(      )

▶ Check on this : Whether the applicant is duly qualified and whether such qualification is proved sufficiently by the documentary evidence

▶ Documents submitted in relation to this :

2. Has the board of directors of the foreign school foundation applying for the establishment of a foreign education institution approved the establishment plans for the branch school?

■ Yes(      )                      ■ No(      )                      ■ N/A(      )

▶ Check on this : Whether the applicant is duly qualified and whether such qualification is proved sufficiently by the documentary evidence.

▶ Documents submitted in relation to this :

##### ② Documents for Certification

1. Have you prepared relevant documentary evidence, such as a copy of the foundation register of the applicant and an official government certificate proving the applicant's non-profit organization status?

■ Yes(      )                      ■ No(      )                      ■ N/A(      )

▶ Check on this : Whether the applicant is duly qualified and whether such qualification is proved sufficiently by the official documentary evidence

▶ Documents submitted in relation to this :

2. Have you prepared a resolution or meeting minutes containing the decisions related to the establishment of a branch school by the highest decision-making body and the board of directors of the principal school?

■ Yes(      )                      ■ No(      )                      ■ N/A(      )

▶ Check on this : Whether the applicant is duly qualified and whether such qualification is proved sufficiently by the official documentary evidence

▶ Documents submitted in relation to this :

**③ Are there any items to be mentioned additionally regarding establishment application (such as the reason for not having the documentary evidence yet)?**

■ Yes(      )                      ■ No(      )                      ■ N/A(      )

▶ Documents submitted in relation to this :

**④ Non-profit foundation for establishment and operation of the branch school (applicable only when establishing a non-profit foundation)**

1. Is there any plan to set up a separate non -profit foundation to establish and operate a branch school in Korea?

■ Yes(      )                      ■ No(      )                      ■ N/A(      )

▶ Check on this : Check to see if it is necessary to set up a separate non-profit foundation and if so, check the establishment plan.

▶ Documents submitted in relation to this :

2. Did the highest decision-making body of the principal school pass a resolution allowing establishment of a separate foundation to operate a branch school?

■ Yes(      )                      ■ No(      )                      ■ N/A(      )

▶ Check on this : Check on the resolution of the highest decision-making body of the principal school

▶ Documents submitted in relation to this :

3. Are the articles of incorporation of the foundation and (a draft of) the operational regulations prepared to operate the branch school?

■ Yes(      )                      ■ No(      )                      ■ N/A(      )

▶ Check on this : Check the key content of the articles of incorporation of the non-profit foundation and (a draft of) the operational regulations.

▶ Documents submitted in relation to this :

**⑤ In connection with the establishment of a separate foundation for establishing and operating a branch school, are there any additional items to explain (such as the reason for establishing a separate foundation)?**

■ Yes(      )                      ■ No(      )                      ■ N/A(      )

▶ Documents submitted in relation to this :

- Documents submitted in relation to this: Please write the applicable page number of the application documents that are submitted in relation to this criterion. (If it is submitted as an attachment, please indicate its title.)

## 2

## Educational demand for and locational conditions of the prospective school site

### ① Demand for students in the prospective school site

1. Did you check the student demand in the prospective site for the branch school?

■ Yes( )                      ■ No( )                      ■ N/A( )

▶ Check on this : Check on the student demand survey method, survey time, and survey organization.

▶ Documents submitted in relation to this :

2. Have you set up a marketing plan to attract students to the branch school?

■ Yes( )                      ■ No( )                      ■ N/A( )

▶ Check on this : Check the marketing strategies to attract students to the branch school and to each division of the branch school.

▶ Documents submitted in relation to this :

3. Do you have a contingency plan in case the branch school fails to attract enough students?

■ Yes( )                      ■ No( )                      ■ N/A( )

▶ Check on this : Check the contingency plan of the principal school in the case of failure to attract a sufficient number of students.

▶ Documents submitted in relation to this :

### ② Locational conditions

1. Have you visited the candidate site, check its locational conditions, and sign an agreement (MOU), etc. regarding such matters as support for investment with the relevant local autonomous government (or Free Economic Zone Authority)?

■ Yes( )                      ■ No( )                      ■ N/A( )

▶ Check on this : Check the content of the agreement signed with the relevant local autonomous government (or Free Economic Zone Authority) or the central government agency.

▶ Documents submitted in relation to this :

2. If you have signed an agreement with a local autonomous government (or Free Economic Zone Authority) or a central government agency, have you prepared documents proving existence of such an agreement?

■ Yes( )                      ■ No( )                      ■ N/A( )

▶ Documents submitted in relation to this :

### ③ Prediction of student demand and analysis of locational conditions

Have you prepared detailed data on estimated student demand by each grade level of the school?

■ Yes( )                      ■ No( )                      ■ N/A( )

▶ Documents submitted in relation to this :



## Applicant's school operation capabilities and the reputation of the principal school

### ① Applicant's school operation capabilities

Does the applicant have an experience in founding and operating a school in its home country?

■ Yes(      )

■ No(      )

■ N/A(      )

▶ Check on this : Check to see if you documents proving the establishment date, major history, and the excellence of the principal school.

▶ Documents submitted in relation to this :

### ② Do the senior administrators of the principal school have an experience in operating a school successfully?

■ Yes(      )

■ No(      )

■ N/A(      )

▶ Check on this : Check the major career history of the head of school and the assistant head of school for academic affairs.

▶ Documents submitted in relation to this :

### ③ Does the principal school have high reputation at home and abroad?

■ Yes(      )

■ No(      )

■ N/A(      )

▶ Check on this : • Check the domestic reputation of the school  
                               - Evaluation by a professional evaluation agency  
                               - Evaluation by the local community  
                               • Check the international reputation of the school  
                               - Evaluation by a professional evaluation agency

▶ Documents submitted in relation to this :

### ④ Have you prepared documents proving the domestic and international reputation level of the principal school?

■ Yes(      )

■ No(      )

■ N/A(      )

▶ Check on this : Check the content of the documents proving the level of reputation.

▶ Documents submitted in relation to this :

- Documents submitted in relation to this: Please write the applicable page number of the application documents that are submitted in relation to this criterion. (If it is submitted as an attachment, please indicate its title.)

## 4 Securing school buildings and school land

### ① Do the school buildings and school land satisfy the establishment standards?

■ Yes(      )      ■ No(      )      ■ N/A(      )

- ▶ Check on this :
  - Be sure that you have secured the legally required areas of school buildings and school land based on the number of students.
  - Check the areas of school buildings and school land already secured or to be secured.
- ▶ Documents submitted in relation to this :

### ② Is it possible to secure the school buildings and school land before the school opening date?

■ Yes(      )      ■ No(      )      ■ N/A(      )

- ▶ Check on this : Check the scheduled dates for securing school buildings and school land.
- ▶ Documents submitted in relation to this :

### ③ Have you prepared the documentary evidence for securement or planned securement of the school buildings and school land?

■ Yes(      )      ■ No(      )      ■ N/A(      )

- ▶ Documents submitted in relation to this :

### ④ Do you need to secure any additional space, such as the one for a science lab?

■ Yes(      )      ■ No(      )      ■ N/A(      )

- ▶ Check on this : Check on the space to be secured if a science lab or any experimentation equipment is necessary.
- ▶ Documents submitted in relation to this :

## 5 Securing faculty

### ① Is the plan to secure excellent faculty in place?

■ Yes(      )      ■ No(      )      ■ N/A(      )

- ▶ Check on this :
  - Check the plan to dispatch faculty from the principal school by year
  - Check the plan to hire new faculty
- ▶ Documents submitted in relation to this :

### ② Can you secure a sufficient number of teachers to satisfy the faculty to student ratio of the first year before the school opening date?

■ Yes(      )      ■ No(      )      ■ N/A(      )

- ▶ Check on this : Check the legally required number of teachers to satisfy the faculty to student ratio and the number of teachers planned to be secured for the school opening year.
- ▶ Documents submitted in relation to this :

### ③ Can you submit a list of teachers for the departments to be opened in the branch school to the Korean educational authorities before the school opening date?

■ Yes(      )      ■ No(      )      ■ N/A(      )

- ▶ Documents submitted in relation to this :

### ④ Have you prepared documents proving your plan to secure faculty and staff of the branch school?

■ Yes(      )      ■ No(      )      ■ N/A(      )

- ▶ Documents submitted in relation to this :

### ⑤ Are there any policies and plans to facilitate faculty recruitment effort, including providing incentives to high-performing faculty and staff, etc., at the principal school and the branch school level?

■ Yes(      )      ■ No(      )      ■ N/A(      )

- ▶ Documents submitted in relation to this :

- Documents submitted in relation to this: Please write the applicable page number of the application documents that are submitted in relation to this criterion. (If it is submitted as an attachment, please indicate its title.)

## 6

### Basic properties for profit and financial operation plan

#### ① Have you secured the basic properties for profit (or have you taken out a guarantee insurance policy)?

■ Yes( )                      ■ No( )                      ■ N/A( )

- ▶ Check on this :
  - Check the amount that is required to be secured as the basic properties for profit and the basis of such calculation.
  - Check how the basic properties for profit will be secured in what form. (If this is to be replaced with a guarantee insurance policy, check the amount of insurance premium, calculation basis, insurance company, and the (expected) date of insurance policy purchase.)
- ▶ Documents submitted in relation to this :

#### ② Have you prepared pro forma financial statements for the school opening preparation period and for the 10 years after school opening?

■ Yes( )                      ■ No( )                      ■ N/A( )

- ▶ Check on this : Please refer to '2-3. Basic properties for profit and financial operation plan' when you work on this.
- ▶ Documents submitted in relation to this :

#### ③ For the assumptions and calculation bases that you used when drawing up the pro forma financial statements, have you prepared them in an Excel file?

■ Yes( )                      ■ No( )                      ■ N/A( )

- ▶ Documents submitted in relation to this :

#### ④ Have you prepared a contingency plan to resolve the problem of shortage of funds that might arise when the school operation funds suffer a loss or a loss is suffered in the course of school operations?

■ Yes( )                      ■ No( )                      ■ N/A( )

- ▶ Check on this : Check ways to procure more funds to make up for the shortage.
- ▶ Documents submitted in relation to this :

#### ⑤ Have you prepared a financing plan to procure funds to resolve the shortage in school operation funds and the relevant documentary evidence proving such a plan?

■ Yes( )                      ■ No( )                      ■ N/A( )

- ▶ Documents submitted in relation to this :

#### ⑥ Have you come up with a plan on how to use the surplus funds from account settlement, if any?

■ Yes( )                      ■ No( )                      ■ N/A( )

- ▶ Documents submitted in relation to this :

## 7 School management system

### ① Have you formulated regulations regarding the decision-making body required for the management of the branch school?

■ Yes(      )      ■ No(      )      ■ N/A(      )

- ▶ Check on this :
  - Check to see if there is an organizational chart showing the major decision-making process of the principal school and the branch school and their relationship with each other.
  - Check the branch school's right to appoint its own head of school and to establish a separate foundation for its operation.
- ▶ Documents submitted in relation to this :

### ② Is there a system allowing interested parties to participate in school operations, such as the school operating committee?

■ Yes(      )      ■ No(      )      ■ N/A(      )

- ▶ Check on this : Check the members of the school operating committee.
- ▶ Documents submitted in relation to this :

### ③ Do you have a plan to include persons recommended by the central or local autonomous government (or Free Economic Zone Authority) in the top decision-making body of the branch school (operating committee)?

■ Yes(      )      ■ No(      )      ■ N/A(      )

- ▶ Check on this : Check the (tentative) list of the members of the branch school's operating committee.
- ▶ Documents submitted in relation to this :

## 8 Founding philosophy of the school

### ① Have you prepared a school charter (containing the founding philosophy) of the principal school and the branch school?

■ Yes(      )      ■ No(      )      ■ N/A(      )

- ▶ Check on this : If the founding philosophy of the two schools is different, check on why.
- ▶ Documents submitted in relation to this :

### ② Does the founding philosophy contained in the branch school's school charter conform to the spirit of the Korean constitution?

■ Yes(      )      ■ No(      )      ■ N/A(      )

- ▶ Documents submitted in relation to this :

### ③ Is the founding philosophy in conformity with the universal values of the mankind?

■ Yes(      )      ■ No(      )      ■ N/A(      )

- ▶ Documents submitted in relation to this :

- Documents submitted in relation to this: Please write the applicable page number of the application documents that are submitted in relation to this criterion. (If it is submitted as an attachment, please indicate its title.)

9

## Academic affairs management plans

### ① Do students of the branch school receive the same scholastic recognition as those of the principal school?

☐ Yes(      )      ☐ No(      )      ☐ N/A(      )

- ▶ Check on this : If the same scholastic recognition is not given or the same degree cannot be awarded, the reasons should be checked.
- ▶ Documents submitted in relation to this :

### ② Is there a document or a plan signed and sealed by the principal of the school certifying that the branch school will give the same scholastic recognition as the principal school?

☐ Yes(      )      ☐ No(      )      ☐ N/A(      )

- ▶ Check on this : Check the content of the document signed and sealed by the president (principal).
- ▶ Documents submitted in relation to this :

### ③ Do you have a plan to obtain scholastic recognition from Korea?

☐ Yes(      )      ☐ No(      )      ☐ N/A(      )

- ▶ Check on this : Check the reasons for receiving Korean scholastic recognition and the steps for receiving such recognition.
- ▶ Documents submitted in relation to this :

### ④ Have you mapped out curriculum plans for the departments to be opened in the branch school?

☐ Yes(      )      ☐ No(      )      ☐ N/A(      )

- ▶ Check on this : Check the difference in lecture plans between the departments of the principal school and those of the branch school.
- ▶ Documents submitted in relation to this :

### ⑤ Have you made a plan to receive accreditation from an international accreditation agency?

☐ Yes(      )      ☐ No(      )      ☐ N/A(      )

- ▶ Check on this : Check the name of the international accreditation agency and the schedule for such accreditation.
- ▶ Documents submitted in relation to this :

### ⑥ Have you prepared student selection standards?

☐ Yes(      )      ☐ No(      )      ☐ N/A(      )

- ▶ Check on this : Check the student selection standards and see how they are different from those of the principal school.
- ▶ Documents submitted in relation to this :

**7 Do you have a system in place to respond to student safety accidents on campus?**

■ Yes(      )                      ■ No(      )                      ■ N/A(      )

▶ Check on this : Check the school's response system.

▶ Documents submitted in relation to this :

**8 Have you made a plan to support students in their on-school and off-school activities?**

■ Yes(      )                      ■ No(      )                      ■ N/A(      )

▶ Check on this : Check the plan for on-campus and off-campus activities.

▶ Documents submitted in relation to this :

**9 Do you have a scholarship program or a plan to provide support for the social minorities?**

■ Yes(      )                      ■ No(      )                      ■ N/A(      )

▶ Documents submitted in relation to this :

**10 Have you prepared the graduation requirements for the branch school students?**

■ Yes(      )                      ■ No(      )                      ■ N/A(      )

▶ Check on this : Check the academic requirements for graduation.

▶ Documents submitted in relation to this :

**10 Person in charge and contact details****1 For each of the criteria below, give the name of the person in charge and his/her contact information.****1****2****3****4****5****6****7****8****9**

▶ Check on this : Department in charge/Person in charge (name and contact numbers)/Supervisor (name and contact numbers)/contact information of the persons overseas (if necessary)

**2 Person who was in charge of preparing the whole checklists and his/her contact number**

▶ Check on this : Department in charge/Person in charge (name and contact numbers)/Supervisor (name and contact numbers)/contact information of the persons overseas (if necessary)



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Evaluation Manual for Establishment of  
Kindergarten, Primary, and Secondary Foreign Educational Institutions

# Appendices

## **[Appendix 1] Application Form for Approval of the Establishment of Foreign Educational Institutions of Kindergarten, Primary, and Secondary Schools**

## **[Appendix 2] Relevant Laws and Regulations**

- ❶ Special Act on Establishment and Management of Foreign Educational Institutions in Free Economic Zones and Jeju Free International City
- ❷ Enforcement Decree of the Special Act on Establishment and Management of Foreign Educational Institutions in Free Economic Zones and Jeju Free International City
- ❸ School Health Act and Enforcement Rule (Excerpt)
- ❹ Educational Environment Protection Act (Excerpt)



## Appendix 1

### Application Form for Approval of the Establishment of Foreign Educational Institutions of Kindergarten, Primary, and Secondary School



(Annex No. 1) Cover

**Application for Approval for the Establishment of  
(the Name of the Foreign Educational Institution)**

Month      Day      Year

**Applying Foundation's Name**



## (Annex No. 2) Written pledge of application

### **Pledge of Application for Approval for the Establishment of a Foreign Educational Institution**

This application was prepared in accordance with the 「Special Act on Establishment and Management of Foreign Educational Institutions in Free Economic Zones and Jeju Free International City」 and the Enforcement Decree thereof.

We hereby confirm that this application does not include any misrepresentation of facts or any deliberate error, and we seek your approval for our application for school establishment.

Month                  Day                  Year

Foundation's Name : \_\_\_\_\_

Representative : \_\_\_\_\_ (Signature)

**ATTN: Superintendent of Education 000,  
Office of Education**



### (Annex No. 3) Summary of the application for establishment approval

Applicant	Name of the foundation and the date of establishment					
	Location of the Foundation (Country/City)					
	Foundation's phone number					
	Representative					
Description of the application for approval ('School' refers to the foreign educational institution that will be founded in Korea.)	School operation system					
	School name					
	School address					
	School's phone number					
	Student quota	Number of classes by school level (by specialization)		Student quota		School attendance period
		School level (by specialization)	Number of classes	Admission quota	Organization quota	
Total ( )		persons	persons			
Scheduled date of opening						
<p><b>[Attachments]</b></p> <ul style="list-style-type: none"> <li>• Documentary evidence proving the legal status of the applying foundation issued by a certified accreditation agency</li> <li>• Articles of incorporation and the operation regulations of the foundation's board of directors</li> <li>• Organization chart of the board of directors of the foundation and the names of the directors</li> <li>• The board of directors' resolution on founding a foreign educational institution</li> <li>• Regulations concerning the decision-making process and operation of the branch school</li> <li>• An agreement between the applicant and the hosting local autonomous government (or Free Economic Zone Authority)</li> <li>• A letter of recommendation from the head of the hosting local autonomous government (or Free Economic Zone Authority)</li> <li>• Student recruitment plan (locational conditions, student demand projections, and student recruitment plans)</li> <li>• Documents related to certified international scholastic recognition of the principal school</li> <li>• Documentary evidence of the reputation of the principal school</li> </ul>						



## (Annex No. 4) Current status of the foreign school foundation

Name						
Foundation name	(In Korean) (In the foreign language)		School name	(In Korean) (In the foreign language)		
Purpose of Establishment						
Legal status of the foundation and the evidence for such status						
Location (Address and the school operated by the same foundation, etc.)						
Address of the foundation			Address of the principal school			
Name of the school operated by the same foundation						
Representatives (Major careers of the chairman of the board of directors of the foundation and the representative of the branch school)						
Representative type	Chairman of the board of directors			Representative of the branch school		
Name						
Degrees	Year when it was earned	Name of the school where the degree was earned	Major	Year when it was earned	Name of the school where the degree was earned	Major
Major careers						



## (Annex No. 5) All-inclusive table of school buildings, school land, faculty, and basic properties for profit

Departments by school level (by specialization)			Student quota		School attendance period	
School level (by specialization)	Department	Number of classes	Admission quota	Organization quota		
Total(            )			Persons	Persons		
Type		By school level	Minimum standard (A)	Secured (B)	Secured rate(%) (B/A)	Securing plan (required amount of funds)
School buildings	㎡					
		Total				
School land ※ Mark the area for physical education field in (            )	㎡					
		Total				
Faculty	Persons		Persons	Persons	Persons	
			Persons	Persons	Persons	
		Total				
Basic properties for profit	Million KRW					
Total						



## (Annex No. 6) Current status of secured school buildings and school land

School buildings (unit : area/m <sup>2</sup> )										
Classification		Minimum standard area (A)	Secured			Secured rate(%) (B/A)	Remarks			
Level of school	Facilities(e.g.)		Quantity	Seats	Area (B)					
	General classroom									
	Special classroom									
	A/V room									
	Library									
	Dormitory									
	Others									
	General classroom									
	Special classroom									
	A/V room									
	Library									
	Dormitory									
	Others									
Total										
Total cost of building construction and whether collateral security is set up										
School land										
Current status of secured land					Secured area (m <sup>2</sup> )					Existence of collateral security, etc.
Location	Lot number	Land category	Registered owner	Area (m <sup>2</sup> )	Name under which it is secured	Method of securement				
						Gift	Purchase	Lease	Total	
Total										
<b>[Attachments]</b> <ul style="list-style-type: none"> <li>• A copy of the building register and the building occupancy permit</li> <li>• A statement of the total construction cost, showing the amount already paid off and the outstanding amount (summary)</li> <li>• School building floor plan (with each room's name marked) and the layout plan</li> <li>• A copy of the land book and a copy of the land register</li> <li>• Lease-related contracts (when leasing)</li> <li>• Dormitory construction plan (if necessary)</li> <li>• A statement showing the current status of the principal school's school buildings, school land, and facilities</li> <li>• Progress schedule for construction of required facilities that are not built yet, and documents supporting such a schedule (if necessary)</li> </ul>										



## (Annex No. 7) Statement of facilities and equipment

Class type (examples)	Equipment	Specifications	Required standards	Secured	Securing plan by year		
					Year	Year	Year
General classrooms							
Special classrooms and preparation rooms							
A/V room							
Library							
Others							



## (Annex No. 8) Current status of secured faculty

Hiring of faculty					
Status of securing faculty			Teacher-to-student ratio (%)		
Principal school (A)	Branch school (B)		Ratio of Principal school (%)	Ratio of Branch school (%)	

  

Faculty					
1) Principal school					
No.	School level	Teacher name	Position	Subject in charge	Whether on rotation
1					
2					
3					
4					
5					

  

2) Branch school					
No.	School level	Teacher name	Position	Subject in charge	Whether on rotation
1					
2					
3					
4					
5					

  

**[Attachments]**

- Employment contracts for hired teachers
- Documents proving work abilities, such as teachers' resume and certificates of qualification, etc.
- Teacher training plans (if any)
- Regulations on personnel management



## (Annex No. 9) Plan for securing faculty

[illegible]



## (Annex No. 10) Current status of basic properties for profit and financial operation plan

Standard calculation		(unit : million KRW)			
Year of organization completion	Year				
Total annual operating income from school accounting					
Standard amount for the new school	(One half of the total annual operating income for the year when school organization is completed.)				
Total secured amount					
Guarantee insurance policy purchase amount and insurance premium					
Details of required funds		(Unit : million KRW)			
Type	Required funds	Source of funds			
Basic properties for education	School building construction cost (rental fee)				
	School land purchase cost (rental fee)				
	Total				
Basic properties for profit					
Securement of teaching tools and equipment					
Securement of faculty					
Others					
Total					
Ten-year* financial operation plan of the branch school					
*It should include the school opening preparation period and the 10 years after school opening. (Unit : million KRW)					
Details	Year(1st year)	Year(2nd year)	Year(3rd year)	Year(4th year)	
Revenue					
	Total				
Expenditure					
	Total				
※ In case the expenditure exceeds the revenue, an explanation is required and a financing plan should be in place.					
<b>[Attachments]</b> <ul style="list-style-type: none"> <li>• Current status of basic properties for profit and list of properties (Omitted if a guarantee insurance is taken out.)</li> <li>• Annual income from basic properties for profit (Omitted if a guarantee insurance is taken out.)</li> <li>• Guarantee insurance policy certificate (If the guarantee insurance is not taken out yet, a letter of promise to purchase a guarantee insurance policy and a quotation thereof should be submitted.)</li> <li>• Financial operation plan and calculation bases</li> <li>• Financing Plan</li> <li>• Plan for the use of the surplus funds after account settlement</li> </ul>					



## (Annex No. 11) School charter

### A. The Need for Enacting a School Charter

- A person who founds and operates a foreign educational institution shall voluntarily enact a school charter and announce it to the consumers of education, which will encourage him/her to implement the school charter in a more responsible manner.

### B. The Content of the School Charter

- The charter should contain educational visions that the person who founds and operates a foreign educational institution presents and promises to implement to the consumers of education. There is no fixed format for the charter, but it should contain an overall school operational plan and visions for future development that are mapped out on the basis of the founding philosophy the principal school, such as the purpose of establishing the branch school, educational objectives, mid- and long-term school development plans, etc.

### C. The Nature of the School Charter

- The school charter is the goal and action plan to be pursued by the school founder and the school itself, while it is also a kind of 'contract' presented by the supplier of education to the consumers of education. In this sense, it differs from the school regulations, which are the rules for internal matters of the school, and the articles of incorporation of the school's foundation, which serves as the basis of operation of the foundation. It can be considered to have ideological superiority to the school regulations and the articles of incorporation.

### D. Changing the School Charter

- The school charter, by its nature and content, should remain unchanged for a considerable period of time, and if it has to be changed, such changes shall be made in a systematic way so that any change can be publicly recognizable. Therefore, in principle, the school charter that was created at the time of school opening must not be revised, but it can be supplemented with additional content (and the history of such revisions should be kept).



## (Annex No. 12) School regulations (examples)

### Chapter 1 General Provisions

Article 1 (Purpose)

Article 2 (Name)

Article 3 (Location)

### Chapter 2 Required Study Period, School Year, Semesters, and School Holidays

Article 4 (Required Study Period)

Article 5 (School Year)

Article 6 (Semesters)

Article 7 (School Holidays)

### Chapter 3 Class Organization and Student Quota

Article 8 (Number of Classes)

Article 9 (Student Quota)

### Chapter 4 Educational Courses, Curriculum, Number of School Days, Examinations, and Recognition of Course Completion

Article 10 (Educational Courses)

Article 11 (Curriculum and Number of School Days)

Article 12 (Examinations, Recognition of Course Completion)

### Chapter 5 Admissions, Readmissions, Transfer Admissions, Transfers, Time-off from Attendance, Expulsions, Course Completion, Graduation, and Relevant Procedures, etc.

Article 13 (Admission)

Article 14 (Readmissions)

Article 15 (Transfer Admissions)

Article 16 (Transfers)

Article 17 (Time-off from Attendance)

Article 18 (Expulsions)

Article 19 (Course Completion and Graduation)

### Chapter 6 Collection of Tuition, Admission Fee, and Other Fees, Scholarships

Article 20 (Collection of Tuition, Admission Fee, and Other Fees)

Article 21 (Scholarships)

## Chapter 7 Qualifications and Duties of the Principal and Faculty

Article 22 (Qualifications and Duties of the Principal)

Article 23 (Standards for Faculty Employment and Resignation)

## Chapter 8 Student Awards and Disciplinary Actions

Article 24 (Student Awards)

Article 25 (Disciplinary Actions)

Article 26 (Expulsion)

## Chapter 9 Supplementary Provisions

Article 27 (Revision of School Regulations)

Article 28 (Detailed Enforcement Regulations): Items required for implementation of these school regulations shall be separately laid out by the school principal.

### ADDENDA

Article 1 (Enforcement Date) These school regulations shall take effect from      Month      Date      Year

#### How to draw up school regulations

- The above school regulations (examples) are not standardized and it may vary by school.
- How to write provisions :

- Article 8 (Number of classes) In our school, Kindergarten will have ○ classes in each grade, Primary school will have ○ classes in each grade, Middle school will have ○ classes in each grade, High school will have ○ classes in each grade, and the total class number for all grades will be ○○.

- Article 9 (Student Quota) In our school, Kindergarten will have ○○ students in each class, Primary school will have ○○ students in each class, Middle school will have ○○ students in each class, High school will have ○○ students in each class, and the total student number will be ○○○.

By level	Number of classes	Student quota per class	Total quota
Kindergarten			
Primary school			
Middle school			
High school			
Total			

- Article 13 (Qualifications for Admission) A student that falls under one of the categories below may be enrolled into our school:

- ※ In case the head of the school wishes to revise the school regulations, the revised regulations should be made public in advance, reviewed, and announced formally in accordance with the school regulations.
- ※ If the relevant superintendent of education considers any part of the school regulations reported to him/her in violation of the pertinent laws and regulations, he/she may demand its correction.



## (Annex No. 13) Academic affairs management plan

### Major items to be included in the academic affairs management plan

- Academic calendar
- Overview of curriculum
- Curriculum management plan (International standard curriculum, etc.)
- Curriculum organization system
- Lesson plans
- Plans for teacher evaluation and student performance assessment
- Admissions plan and PR plan
- Scholarships and plan for supporting the social minorities
- Plans for student guidance regarding pursuance of higher level of education
- Plans for obtaining Korean scholastic recognition



## Appendix 2. Relevant Laws and Regulations

### ① Special Act on Establishment and Management of Foreign Educational Institutions in Free Economic Zones and Jeju Free International City

[Enforcement Date 23. Mar, 2021.] [Act No. 17954, 23. Mar, 2021., Amendment by Other Act]

**Article 1 (Purpose)** The purpose of this Act is to enhance the educational environment for foreigners residing in free economic zones and Jeju Special Self-Governing Province by prescribing necessary matters concerning the establishment, management, etc. of foreign educational institutions to be established in free economic zones under Article 22 of the Special Act on Designation and Management of Free Economic Zones, and foreign educational institutions to be established in Jeju Special Self-Governing Province under Article 220 of the Special Act on the Establishment of Jeju Special Self-Governing Province and the Development of Free International City.

**Article 2 (Definitions)** The terms used in this Act are defined as follows:

1. The term “foreign educational foundation” means the State, a local government, or a non-profit corporation which establishes and manages a preschool, elementary, secondary, or higher educational institution under the foreign statutes or regulations in a foreign country;
2. The term “foreign educational institution” means a foreign educational institution to be established and managed in free economics zones under Article 22 of the Special Act on Designation and Management of Free Economic Zones, and a foreign educational institution to be established and managed in Jeju Special Self-Governing Province under Article 220 of the Special Act on the Establishment of Jeju Special Self-Governing Province and the Development of Free International City.

**Article 3 (Relationship to Other Statutes)** Except as otherwise provided in this Act, foreign educational institutions to be established under this Act shall not be subject to the Early Childhood Education Act, the Elementary and Secondary Education Act, the Higher Education Act, and the Private School Act.

**Article 4 (Qualifications for Establishment)** Persons eligible to establish foreign educational institutions shall be limited to foreign educational foundations

**Article 5 (Approval of Establishment)** (1) A foreign educational foundation that intends to establish a foreign educational institution shall meet the standards for establishment, including facilities and equipment as prescribed by Presidential Decree and obtain approval from the approving authority under subparagraph 2 upon recommendation from the recommending authority under subparagraph 1:

1. The recommending authority classified as follows:

- (a) A foreign educational institution to be established in a free economic zone: The head of an administrative body under Article 27-2 of the Special Act on Designation and Management of Free Economic Zones;
- (b) A foreign educational institution to be established in Jeju Special Self-Governing Province: The Governor of Jeju Special Self-Governing Province;

2. The approving authority classified as follows:

- (a) A foreign educational institution equivalent to a kindergarten defined in subparagraph 2 of Article 2 of the Early Childhood Education Act or a school defined in Article 2 of the Elementary and Secondary Education Act: The superintendent of education having jurisdiction over the area in which the relevant foreign educational institution is to be established (hereinafter referred to as “superintendent of education”);
- (b) A foreign educational institution equivalent to a school defined in Article 2 of the Higher Education Act: The Minister of Education.

(2) A foreign educational foundation that intends to apply for approval of establishment of a foreign educational institution under paragraph (1) shall submit an application form to a person authorized to grant approval of the relevant foreign educational institution under paragraph (1) 2 (hereinafter referred to as “approving authority”), along with documents containing the trading name, the purpose of establishment, an educational management plan, etc., as prescribed by Presidential Decree.

(3) The approval under paragraph (1) may be subject to conditions.

(4) The head of a foreign educational institution shall obtain approval from the approving authority in advance when intending to modify the matters regarding the approval of establishment, including the trading name, the purpose of establishment, the school building and site, and other important matters as prescribed by Presidential Decree.

(5) Procedures for approval of establishment of foreign educational institutions and other necessary matters concerning establishment shall be prescribed by Presidential Decree.

**Article 6 (Registration of Establishment)** (1) When obtaining establishment approval for a foreign educational institution, the foreign educational foundation shall file for the same registration of establishment as that of a branch office of a juristic person under Article 50 of the Civil Act within three weeks of the approval date of establishment. In this case, “director” in the matters to be registered shall be construed as “representative of the foreign educational institution”.

(2) The registration under paragraph (1) shall include the following:

- 1. Applicable statutes or regulations for establishment of the foreign educational foundation in the relevant country;
- 2. Name and address of the foreign educational institution representing the foreign educational foundation in the Republic of Korea.

(3) Articles 51, 52, 52-2, 53, and 54 of the Civil Act shall apply mutatis mutandis to the registration under paragraph (1). In such cases, “director” and “juristic person” shall be construed as “head of the foreign educational institution” and “foreign educational institution”, respectively.

- (4) In cases of filing registration for modification by applying mutatis mutandis Article 52 of the Civil Act pursuant to paragraph (3), if the modification of the registered matters occurs in a foreign country, the approving authority shall be notified of the grounds therefor without delay, and the period of registration shall be counted from the date of receipt of the notification.

**Article 7 (Legal Capacity of Foreign Educational Institutions to Hold Rights)** With regard to the legal capacity of foreign education institutions to hold rights and to perform lawful acts, Articles 34 and 35 of the Civil Act shall apply mutatis mutandis.

**Article 8 (Establishment of Foreign Educational Institution)** (1) The foreign education institution shall come into existence when it registers the establishment pursuant to Article 6.

- (2) In the case of paragraph (1), the head of the foreign educational institution shall represent the foreign educational foundation.

**Article 8-2 (Teachers and Staff)** Article 10-4 of the Educational Officials Act and Articles 57 and 70-3 of the Private School Act shall apply mutatis mutandis to the appointment of teachers and staff of foreign educational institutions.

**Article 9 (Guidance and Supervision)** (1) The approving authority shall be responsible for the guidance and supervision of foreign educational institutions.

- (2) If deemed necessary for the guidance and supervision of foreign educational institutions, the approving authority may require the head of a foreign educational institution to submit relevant materials as prescribed by Presidential Decree.

**Article 10 (Student Quota)** (1) The quota for students of a foreign educational institution shall be set by the head of that foreign educational institution, except for quotas relating to the fostering of human resources, including teachers, medical personnel, pharmacists, and medical technicians, as prescribed by Presidential Decree: Provided, That the quota for domestic students admissible to foreign educational institutions equivalent to all high schools or schools at lower level shall be determined by the head of the foreign educational institution within the scope of the ratio prescribed by Presidential Decree.

- (2) Quotas for domestic students admissible to foreign schools to be established in free economic zones under Article 60-2 of the Elementary and Secondary Education Act shall be prescribed by Presidential Decree.

**Article 11 (Recognition of Scholastic Ability)** (1) Where a foreign educational institution equivalent to an elementary, middle, or high school under Article 2 of the Elementary and Secondary Education Act operates a curriculum prescribed by Presidential Decree, the superintendent of education may designate such institution as an educational institution to which scholastic recognition is granted.

- (2) Any person who graduates from a foreign educational institution equivalent to a university or junior college under Article 2 of the Higher Education Act shall be deemed to have the same scholastic attainment as a person who has graduated from the corresponding school in the Republic of Korea.
- (3) Necessary matters concerning the designation under paragraph (1) shall be determined by Presidential Decree.

**Article 12 (Accounting of Foreign Educational Institutions)** The accounting of foreign educational institutions shall follow the accounting principles as prescribed by the Minister of Education, etc.

**Article 13 (Rental and Sale of State-Owned or Publicly-Owned Property)** With regard to the rental and sale of State-owned, publicly-owned property, etc. to foreign educational institutions, the provisions relating to support for foreign investment in Article 13 of the Foreign Investment Promotion Act shall apply mutatis mutandis. In this case, “foreign-invested companies, etc.” shall be construed as “foreign educational foundation”.

**Article 14 (Financial Support)** The State or local governments may provide support under Article 22 (6) of the Special Act on Designation and Management of Free Economic Zones at the request of foreign educational institutions, as prescribed by Presidential Decree.

**Article 15 (Measures Regarding Support)** (1) The State or local governments may take any of the following measures with regard to foreign educational institutions or foreign educational foundations supported under Article 13 or 14:

1. To participate in a decision-making body concerning the management of a foreign educational institution, with the prior consent of that foreign educational foundation or foreign educational institution: Provided, That participation is permissible without the prior consent of such foundation or institution where the State or a local government provides the whole or a part of the school site and facilities, and the foreign educational foundation establishes and manages the foreign educational institution (hereinafter referred to as “jointly managed foreign educational institution”);
2. To be briefed by the foreign educational foundation or the foreign educational institution on its operations or accounting if deemed necessary;
3. To recommend modifications to budget-related measures if the budget management of the foreign educational foundation or the foreign educational institution is deemed improper in light of the purpose for the support.

(2) The State or local governments may cease support under Article 13 or 14 on the grounds falling under any of the following subparagraphs:

1. Where continuous support is deemed improper due to poor outcomes from the support;
2. Where the foreign educational foundation or the foreign educational institution fails to follow the recommendations under paragraph (1) 3.

**Article 16 (Approval of Closure of Foreign Educational Institution)** The head of a foreign educational foundation or a foreign educational institution who intends to close the foreign educational institution shall obtain approval from the approving authority.

**Article 17 (Corrective Orders)** (1) The approving authority may issue a corrective order for a specified period where the foreign educational institution falls under any of the following subparagraphs:

1. Where it violates the standards for establishment under Article 5 (1);
2. Where it fails to meet the conditions of approval under Article 5 (3);
3. Where it sets the quota, in violation of Article 10;
4. Where it fails to hold classes for at least three months consecutively, except during a vacation period;
5. Where a foreign educational institution under subparagraph 2 (c) of Article 2 of the Industrial Education Enhancement and Industry-Academia-Research Cooperation Promotion Act violates any statutes or regulations related to industry-academia-research cooperation or any order issued thereunder;
6. Where it violates this Act or an order issued under this Act.

(2) The approving authority may revoke the approval of establishment under Article 5 (1) or take necessary measures, such as the closure of a department or the suspension of student enrollments, as prescribed by Presidential Decree, where the foreign educational institution falls under any of the following subparagraphs:

1. Where it is issued with a corrective order under paragraph (1) but fails to comply with it without good cause within the designated period;
2. Where it fails to rectify the issues provided for in paragraph (1).

(3) The approving authority may order a person who operates any facility as a de facto foreign educational institution by using the title of a foreign educational institution or enrolling students without obtaining approval of establishment under Article 5 (1), to close such facility.

**Article 18 (Modification or Revocation of Approval of Establishment of Foreign Educational Institution)**

(1) The approving authority may revoke approval of establishment under Article 5 (1) in any of the following cases:

1. Where approval of establishment under Article 5 (1) or approval of modification under paragraph (4) of the same Article has been obtained by fraud or other improper means;
2. Where the foreign educational institution fails to open for at least one year from the scheduled date of opening.

(2) The approving authority may revoke or modify approval of establishment under Article 5 (1) in any of the following cases:

1. Where the Special Act on Designation and Management of Free Economic Zones or the Special Act on the Establishment of Jeju Special Self-Governing Province and the Development of Free International City is repealed or the designation of the free economic zone is canceled;
2. Where the foreign educational foundation which establishes and manages the foreign educational institution is closed or dissolved.

- (3) Where any cause prescribed in paragraph (2) 2 occurs, the head of the foreign educational institution shall report the fact to the approving authority within seven days.

**Article 19 (Hearings)** Where the approving authority intends to revoke approval of establishment, close a department, or suspend student enrollment under Article 17 (2) or 18, he/she shall hold a hearing.

**Article 20 (Liquidation of Foreign Educational Institution)** (1) Where a foreign educational institution is closed or its approval of establishment is revoked under Article 16, 17 (2) or 18, it shall liquidate all of the property belonging to its account. In such cases, the foreign educational foundation which established and manages the foreign educational institution shall fulfill the obligations not satisfied out of all of the property of the said institution.

- (2) With regard to the liquidation under paragraph (1), Articles 81 through 85, 87 through 92, and 94 and 95 of the Civil Act shall apply mutatis mutandis. In this case, “director”, “juristic person”, and “prosecutor” shall be construed as “head of the foreign educational institution”, “foreign educational institution”, and “approving authority”, respectively.
- (3) Where the foreign educational institution is liquidated under paragraph (1), its assets, capital, reserves, and other surpluses shall first be appropriated to discharge the obligations to Korean citizens and to the foreigners who have an address or residence in the Republic of Korea.
- (4) No property of the foreign educational institution liquidated under paragraph (1) shall be transferred to another account of the said institution without undergoing the liquidation procedures as prescribed by this Act.

**Article 21** Deleted.

**Article 22 (Penalty Provisions)** Any person who falls under any of the following subparagraphs shall be punished by imprisonment with labor for not more than three years or by a fine not exceeding 30 million won:

1. Anyone who operates any facility as a de facto foreign educational institution by using the title of a foreign educational institution or enrolling students, without obtaining approval of establishment under Article 5 (1);
2. Anyone who fails to obtain approval of modification, in violation of Article 5 (4);
3. Anyone who has obtained approval of establishment under Article 5 (1) or approval of modification under paragraph (4) of the same Article by fraud or other improper means;
4. Anyone who closes a foreign educational institution without obtaining approval of closure, in violation of Article 16;
5. Anyone who transfers the property of a foreign educational institution to other accounts of a related foreign educational foundation without going through the liquidation procedures prescribed in this Act pursuant to Article 20 (4).

**Article 23 (Penalty Provisions)** The head of any foreign educational institution who violates a corrective order issued under Article 17 (1) shall be punished by imprisonment with labor for not more than one year or by a fine not exceeding 10 million won.

**Article 24 (Administrative Fines)** (1) The head of any foreign educational institution who fails to perform the duties relating to registration under this Act shall be subject to an administrative fine not exceeding five million won.

(2) The administrative fine prescribed in paragraph (1) shall be imposed and collected by the approving authority, as prescribed by Presidential Decree.

(3) Any person who is dissatisfied with a disposition of an administrative fine issued under paragraph (2) may file an objection with the Minister of Education within 60 days after the date on which he/she received the notification of the administrative fine.

(4) Where any person who is subject to the disposition of an administrative fine issued under paragraph (2) has filed an objection pursuant to paragraph (3), the Minister of Education shall, without delay, notify such fact to the competent court which, in turn, shall conduct the trial on the administrative fine in accordance with the Non-Contentious Case Procedure Act.

(5) Where no objection is filed within the period specified in Article 3 and an administrative fine is not paid, the administrative fine shall be collected in the same manner as delinquent local taxes are collected.

**ADDENDA <Act No. 17954, Mar. 23, 2021>**

This Act shall enter into force on the date of its promulgation. (Proviso Omitted.)

## ② Enforcement Decree of the Special Act on Establishment and Management of Foreign Educational Institutions in Free Economic Zones and Jeju Free International City

[Enforcement Date 1. Jan, 2021.] [Presidential Decree No.30993, 8. Sept, 2020., Amendment by Other Act]

**Article 1 (Purpose)** The purpose of this Decree is to provide for matters mandated by the Special Act on Establishment and Management of Foreign Educational Institutions in Free Economic Zones and Jeju Free International City and necessary matters for the enforcement thereof.

### Article 2 (Standards for Facilities, Equipment, and Others for Establishing Foreign Educational Institutions)

(1) The standards for establishing a foreign educational institution equivalent to a kindergarten prescribed in the Early Childhood Education Act or a school under the Elementary and Secondary Education Act, among the standards for facilities, equipment, and others for establishing foreign educational institutions provided in Article 5 (1) of the Special Act on Establishment and Management of Foreign Educational Institutions in Free Economic Zones and Jeju Free International City (hereinafter referred to as the “Act”) shall be as follows:

1. Securing school buildings (including rental thereof) as prescribed in Article 3 of the Regulations on Establishment and Management of Various Levels of Schools below High School;
2. Securing school sites (including rental thereof) as prescribed in Article 6 of the Regulations on Establishment and Management of Various Levels of Schools below High School;
3. Securing teachers as prescribed in Articles 33 through 35 of the Enforcement Decree of the Elementary and Secondary Education Act;
4. Securing basic properties for profit, the value of which is equivalent to a half of the annual operating revenues of the school account, or subscribing to guaranty insurance, the insurance money of which is equivalent to such value, as prescribed in Article 13 (1) of the Regulations on Establishment and Management of Various Levels of Schools below High School.

(2) The standards for establishing a foreign educational institution equivalent to a school (including graduate school universities under Article 30 of the same Act; hereinafter the same applies) under Article 2 of the Higher Education Act, among the standards for facilities, equipment, and others for establishing foreign educational institutions under Article 5 (1) of the Act, shall be as follows:

1. Securing classrooms, laboratories, professors’ offices, libraries, etc. in the school building (including rental thereof) as prescribed in Article 4 of the Regulations on Establishment and Management of Universities;
2. Securing school sites (including rental thereof) as prescribed in Article 5 of the Regulations on Establishment and Management of Universities;
3. Securing teachers as prescribed in Article 6 of the Regulations on Establishment and Management of Universities;
4. Securing basic properties for profit, the value of which is equivalent to the annual operating revenues of the school account, or subscribing to guaranty insurance, the insurance money of which is equivalent to the value of the annual operating revenues of the school account, under Article 7 (excluding the part concerning the obligation to secure an amount specified in each subparagraph of paragraph (1) of the same Article) of the Regulations on Establishment and Management of Universities.

- (3) Where a foreign school foundation establishes a foreign educational institution that meets the same level of standards applicable to the schools established in the foreign country, in accordance with the standards determined and publicly announced by the Minister of Education, taking the statutes, etc. of a foreign country into consideration, the foreign school foundation shall, notwithstanding the provisions of paragraphs (1) 1 through 3 and (2) 1 through 3, be regarded as having satisfied the standards for establishment provided in the relevant subparagraph, respectively.
- (4) When it is intended to increase the number of classes or the student quota or to establish new departments or faculties of a foreign educational institution, the school as a whole including the increased or established portion shall meet the standards as prescribed in this Decree.
- (5) “Other matters prescribed by Presidential Decree” in Article 5 (4) of the Act means the founder and manager of the school, and the matters under Article 3 (1) 14.

**Article 2-2 (Special Cases concerning Foreign Educational Institutions Equivalent to Graduate School Universities and Colleges)** (1) In applying Article 2 (2) 1 to a foreign educational institution which is equivalent to a school prescribed in Article 2 of the Higher Education Act, the term “1000 persons” under the latter part of Article 4 (3) of the Regulations on Establishment and Management of Universities shall be construed as “400 persons”, and the term “200 persons” thereunder as “100 persons”, respectively.

- (2) In the case of a foreign educational institution which is equivalent to a graduate school university prescribed in Article 30 of the Higher Education Act, school buildings and school sites under Article 2 (2) 1 and 2 may be secured, leasing part of the buildings and part of land appurtenant thereto.

**Article 3 (Application for Approval for Establishing Foreign Educational Institutions)** (1) Pursuant to Article 5 (2) of the Act, any person who intends to establish a foreign educational institution shall prepare documents stating the following matters and apply to a person authorized to grant approval of the relevant foreign educational institution under Article 5 (1) 2 of the Act (hereinafter referred to as “approving authority”) for approval of the establishment of the foreign educational institution by no later than 12 months prior to the scheduled date of opening of the foreign educational institution:

1. Title;
2. Purpose of establishment;
3. Location;
4. Representative;
5. School regulations;
6. Charter of the school;
7. Management plans for academic affairs (including departments, majors, student quota, curricula, etc.);
8. Financial plans for four years from the year the school opens;
9. Present condition of school buildings;
10. Present condition of facilities, including equipment for experiments and practical exercises;
11. Present condition of basic properties for profit;

12. List of teachers;
13. Scheduled date of opening of schools;
14. Plans for annexed schools, if any;
15. Certificate of verification for establishment plans of the foreign school foundation for the foreign educational institution;
16. Written accord concerning the establishment and management of the foreign educational institution, concluded between the said institution and a Free Economic Zone, or between the said institution and Jeju Free International City.

(2) When a person who intends to establish a foreign educational institution applies for approval for establishing the foreign educational institution under paragraph (1), the approving authority shall approve the application after deliberation by the Deliberation Committee for Establishment of Foreign Educational Institutions prescribed in Article 4: Provided, That an application for approval for establishing a foreign educational institution in a Free Economic Zone shall undergo deliberation by the Deliberation Committee for Establishment of Foreign Educational Institutions prescribed in Article 4, prior to deliberation and resolution by the Free Economic Zone Committee provided in Article 22 (2) of the Special Act on Designation and Management of Free Economic Zones.

(3) The approving authority shall notify an applicant of as to whether an application is approved under paragraph (2), by no later than 6 months prior to the scheduled date of opening of a foreign educational institution.

**Article 4 (Establishment and Functions of Deliberation Committee for Establishment and Operation of Foreign Educational Institutions)** (1) The approving authority shall install the Deliberation Committee for the Establishment and Operation of Foreign Educational Institutions (hereinafter referred to as the “Committee”) in order to deliberate on necessary matters concerning approval for establishment and operation of foreign educational institutions.

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

1. Matters concerning the establishment of foreign educational institutions approved by the approving authority under Article 5 of the Act;
2. Matters concerning adjustment of the percentage of domestic students admissible to foreign educational institutions under the proviso to Article 10 (1) of the Act and the percentage of domestic students admissible to jointly-managed foreign educational institutions under Article 15 (1) 1 of the Act;
3. Matters concerning the closure of foreign educational institutions as prescribed in Article 16 of the Act;
4. Matters concerning the revocation of approval for establishment, closure of a department, or suspension of student enrollments as prescribed in Article 17 of the Act;
5. Other matters requested by the approving authority concerning the approval for establishment of foreign educational institutions, etc.

**Article 5 (Composition, etc. of Committee)** (1) The Committee shall be comprised of between seven to nine members including the chairperson.

- (2) The approving authority shall appoint or commission members who have sufficient experience in educational administration, from among personnel who may represent the views of a wide cross-section of fields, including academic or business circles and education-related groups. The term of membership shall be one year, which may be renewed.
- (3) The chairperson shall be elected from the members, represent the Committee, and control the overall business of the Committee.
- (4) The chairperson shall convene and preside over meetings of the Committee.
- (5) Meetings of Committee shall be opened with the attendance of a majority of the members duly elected and seated, and shall make decisions with the concurrence of a majority of the members duly elected and seated.
- (6) The Committee shall have an administrative secretary and a clerk to deal with administrative affairs, who shall be appointed by the approving authority from among the public officials belonging to the approving authority.

**Article 5-2 (Exclusion, Challenge and Evasion of Committee Members)** (1) Where a member of the Committee falls under any of the following subparagraphs, he/she shall be excluded from deliberation and resolution of the agenda concerned:

- 1. Where a member of the Committee, or a person who is or was his/her spouse falls under any of the following:
  - (a) Where he/she is or was an executive director of the foreign school foundation directly involved in the agenda concerned;
  - (b) Where he/she is or was a teacher of the educational institution established and managed by a foreign school foundation directly involved in the agenda concerned in a foreign country pursuant to foreign statutes;
- 2. Where a member of the Committee falls under any of the following:
  - (a) Where he/she is or was a relative of the executive director of the foreign school foundation directly involved in the agenda concerned;
  - (b) Where he/she is or was a relative of the teacher working for the educational institution established and managed by the foreign school foundation directly involved in the agenda concerned in a foreign country pursuant to foreign statutes;
- 3. Where a member of the Committee or a corporation, group etc. to which a member of the Committee belongs testified, made a statement, consulted, researched or appraised in connection with the agenda concerned;
- 4. Where a member of the Committee or a corporation, group etc. to which a member of the Committee belongs is or was an agent of the foreign school foundation directly involved in the agenda concerned.

- (2) A party directly involved in the agenda concerned may, if the circumstances indicate that it would be difficult to expect fair deliberations and decisions by a member of the Committee, file his/her request for a challenge to the member with the Committee, and the Committee shall decide whether or not to accept the request by resolution. In this case, the member of the Committee who is the subject of the request for challenge may not participate in the resolution.
- (3) Where a member of the Committee falls under any of the causes of exclusion in paragraph (1), he/she shall voluntarily refrain from deliberations and resolutions on the agenda concerned.

**Article 5-3 (Dismissal and Disappointment of Committee Member)** The approving authority may dismiss or relieve a member of the Committee from his/her office if the member falls under any of the following subparagraphs:

1. Where he/she becomes unable to perform his/her duties due to any mental or physical disability;
2. Where he/she is deemed not suitable to the office of a member of the Committee due to such reasons as neglect of duties, injury to dignity, etc.;
3. Where a member of the Committee fails to voluntarily refrain despite that he/she falls under any of subparagraphs of Article 5-2 (1).

**Article 6 (Standards for Reviewing Establishment of Foreign Educational Institutions)** In examining the matters concerning the establishment of foreign educational institutions, the Committee shall include the following matters:

1. Standards for facilities, equipment, and others for establishment as prescribed in Article 2;
2. Legal status of founders of foreign educational institutions in their home countries;
3. International reputation of the academic fields to be established and managed;
4. Feasibility and practicality of plans for establishment and management;
5. Founding philosophy of the schools;
6. Demand for education and conditions of location of the prospected school site.

**Article 7 (Student Quota)** (1) “Quota related to fostering human resources prescribed by Presidential Decree, such as teachers, medical personnel, pharmacists and medical technicians” in the main sentence of Article 10 (1) of the Act shall be as follows:

1. Quotas related to nurturing teachers;
2. Quotas related to nurturing the following personnel:
  - (a) Medical personnel as prescribed in Article 2 (1) of the Medical Service Act;
  - (b) Medical technicians as prescribed in Article 1 of the Medical Technologists, etc. Act;
  - (c) Pharmacists and herbalists as prescribed in Article 2 (2) of the Pharmaceutical Affairs Act;
  - (d) Veterinarians as prescribed in Article 2 (1) of the Veterinarians Act.
- (2) When determining the matters concerning paragraph (1) 2, the Minister of Education shall consult with the head of the administrative agency concerned.

(3) The percentage of domestic students eligible to be admitted to a foreign educational institution in accordance with the proviso to Article 10 (1) of the Act shall be the percentage adjusted by the Committee within 30 percent of the student quota of the relevant foreign educational institution. In such cases, the Superintendents of a competent Office of Education may, by the educational regulations of a relevant Special Metropolitan City, Metropolitan City, or Do, raise the admission rate additionally within 20 percent of the said student quota, in consideration of the educational conditions of the Special Metropolitan City, Metropolitan City, or Do.

(4) Deleted.

(5) The number of domestic students eligible to be admitted to a foreign educational institution in accordance with Article 10 (2) of the Act shall not exceed 30 percent of the student quota of the foreign educational institution, and the Superintendents of a competent Office of Education may, by the educational regulations of a relevant Special Metropolitan City, Metropolitan City, or Do, raise the admission rate additionally within 20 percent of the said student quota, in consideration of the educational conditions of the Special Metropolitan City, Metropolitan City, or Do.

#### **Article 8 Deleted.**

**Article 9 (Designation of Foreign Educational Institutions with Scholastic Recognition)** (1) “Educational program prescribed by the Presidential Decree” referred to in Article 11 (1) means an educational program organized and operated to ensure that domestic students take two or more courses, including Korean Language and Social Studies (including courses recognized by the Minister of Education as the ones related to Social Studies, such as Korean History) for at least two hours each a week.

(2) The head of a foreign educational institution who intends to be designated as a foreign educational institution with scholastic recognition as referred to in Article 11 (1) of the Act shall submit plans for the organization and operation of curricula provided for in paragraph (1) to the superintendent of education.

(3) Domestic students who have graduated from foreign educational institutions designated as foreign educational institutions with scholastic recognition pursuant to Article 11 (1) of the Act shall be deemed to have the same scholastic attainment as those who have graduated from elementary, middle and high schools based on the term of study completed.

**Article 9-2 (Transfer and Special Admission of Students from/into Foreign Educational Institutions with Scholastic Recognition)** The principal of an elementary or middle or high school, or of any school of other various types that corresponds to an elementary or middle or high school in terms of scholastic recognition as provided in Article (2) of the Elementary and Secondary Education Act, may allow transfer or special admission of students between the relevant school and a foreign educational institution designated pursuant to Article 11 (1) of the Act as an educational institution with scholastic recognition.

**Article 10 (Application for Financial Support, etc.)** Foreign school foundations and foreign educational institutions that seek to obtain support from the State or local governments under Article 14 of the Act shall file an application with statement of its management objectives, and foreign educational institution that has obtained financial support shall not use such support for any purposes, other than its stated management objectives.

**Article 11 (Standards for Approval for Closure of Foreign Educational Institutions)** (1) Where a foreign school foundation, etc. seeks to apply for approval for closing its foreign educational institution under Article 16 of the Act, it shall file an application with the approving authority, accompanying the following documents:

1. Grounds for closure;
2. Scheduled date of closure;
3. Methods of dealing with students and school register;
4. Plans for dealing with the faculty;
5. Plans for disposition of residual property.

(2) When receiving an application for approval for closure under the provisions of paragraph (1), the approving authority shall approve it, following the deliberation by the Committee.

**Article 12 (Charter of School)** Any person who intends to establish a foreign educational institution shall include the following matters in the charter of the school prescribed in subparagraph 6 of Article 3:

1. Founding philosophy of the foreign educational institution;
2. Plans for management of academic affairs;
3. Plans for financial management;
4. Plans for securing educational and research facilities and equipment;
5. Plans for personnel management and welfare of the faculty and staff;
6. Plans for welfare and guidance of students;
7. Plans for the long-term development of the foreign educational institution.

**Article 13 (Guidance and Supervision with regard to Foreign Educational Institutions)** (1) The head of a foreign educational institution shall submit a statement of student quota, facilities, equipment, and teachers as of April 1 each year to the approving authority by April 30 of the relevant year.

(2) The approving authority may require submission of the following documents for the purposes of guiding and supervising foreign educational institutions under Article 9 of the Act:

1. Operational plans and a statement of budget for the following academic year;
2. Operational performance and a statement of account settlement for the current school year;
3. List of property as at the end of the current school year;
4. Other related documents, ledgers and reference materials deemed necessary for supervising administrative affairs.

**Article 14** Deleted.

**Article 15 (Re-Examination of Regulation)** (1) The Minister of Education shall examine the appropriateness of the following matters every three years, counting from each base date specified in the following (referring to the period that ends on the day before the base date of every third year) and shall take measures, such as making improvements:

1. Student quota in accordance with Article 7 : January 1, 2017;
2. Designation of a foreign educational institution with scholastic recognition in accordance with Article 9: January 1, 2017.

**Article 16 (Criteria for Imposition of Administrative Fines)** The criteria for imposing administrative fines under Article 24 (1) of the Act shall be as specified in the attached Table.

**ADDENDA <Presidential Decree No. 30993, Sept. 8, 2020>**

This Decree shall enter into force on Jan. 1, 2021.

### ③ School Health Act and Enforcement Rule of the School Health Act (Excerpt)

#### 1. School Health Act

[Enforcement Date 12. Sept, 2020.] [Act No. 17472, 11. Aug, 2020., Amendment by Other Act]

**Article 4 (Environmental Sanitation and Food Sanitation in School)** (1) The head of each school shall, as prescribed by Ordinance of the Ministry of Education, properly maintain and administer environmental sanitation, such as the control of ventilation, lighting, illumination, temperature and humidity, the prevention and management of hazardous substances including hazardous heavy metals, the installation and management of water supply and drainage systems and lavatories, and the prevention and control of air pollution, asbestos, waste, noise, volatile organic compounds, germs, dust, etc., and food sanitation, such as the management of tableware, foodstuffs and drinking water in a school facility (referring to the site of a school building, a playground, a school building, a gymnasium, a dormitory, a school meal facility, and an auditorium installed in the site of a school building or a playground; hereinafter the same shall apply).

(2) The head of a school shall, as prescribed by Ordinance of the Ministry of Education, perform inspections in order to appropriately maintain and administer environmental sanitation and food sanitation in a school facility pursuant to paragraph (1), and record, maintain, and report the results thereof. In such cases, if a member of a school steering committee or a parent requests participation in an air quality inspection conducted for an inspection of environmental sanitation, such participation shall be permitted.

(3) The head of a school may, as prescribed by Ordinance of the Ministry of Education, entrust inspection-related affairs prescribed in paragraph (2) to a measuring agency under Article 16 of the Environmental Testing and Inspection Act, or perform such affairs by asking the superintendent of education to provide specialized human resources and other support.

(4) Where the results of inspection prescribed in paragraphs (2) and (3) fail to meet the standards prescribed by Ordinance of the Ministry of Education, the head of a school shall take necessary measures, including facility supplementation, and report thereon to the Minister of Education and the superintendent of education.

(5) If deemed necessary to appropriately maintain and administer environmental sanitation and food sanitation under paragraph (1), the Minister of Education or the superintendent of education may have the relevant public official gain access to a school to perform inspections or check the results, etc. thereof under paragraph (2), and if improvement is required, he or she may provide administrative and financial support to the school.

(6) The head of a school shall make public results of the inspections of environmental sanitation and food sanitation under paragraph (2) and supplementary measures under paragraph (4) on the website of the school or the website related to publication operated by the Minister of Education. In such cases, measured figures shall include the records of the first measurement and re-measurement.

- (7) Where the head of a school performs inspections of environmental sanitation in a school facility under paragraph (2) and confirms that highly hazardous substances can continue to occur, he or she shall request the superintendent of education to conduct a special inspection, and in response to such request, the superintendent of education shall conduct said inspection and formulate and implement countermeasures.

**Article 4-2 (Special cases concerning Maintenance and Management of Air Quality)** (1) The head of a school shall conduct a sanitation inspection of air quality under Article 4 (2) at least once in the first and second half of each year, respectively.

- (2) The head of a school shall regularly conduct an inspection at least once each year with respect to equipment used to measure air quality in a school building under Article 4 (2) and (3), as prescribed by Ordinance of the Ministry of Education.

**Article 4-3 (Construction of Air Purification Installations)** The head of a school (excluding a school defined in Article 2 of the Higher Education Act) shall construct an air purification installation and a fine dust-measuring device in each classroom to manage air quality in a school building, as prescribed by Ordinance of the Ministry of Education.

## 2. Enforcement Rule of the School Health Act

[Enforcement Date 24. Oct, 2019.] [Ordinance of the Ministry of Education No. 194, 24. Oct, 2019., Partial Amended]

**Article 3 (Maintenance and Management of Environmental Sanitation and Food Sanitation)** (1) The standards for environmental sanitation and food sanitation in the school buildings to be maintained and managed by the head of a school pursuant to Article 4 of the School Health Act (hereinafter referred to as the “Act”) shall be as follows:

1. The standards for the regulation of ventilation, collection of lights, lighting, temperature and humidity, and the standards for the structure and installation of ventilating facilities shall be as stated in the attached Table 2;
- 1-2. Standards for prevention and management of hazardous substances including hazardous heavy metals, etc. are as shown in Attached Table 2-2;
2. The standards for the installation and management of the water supply and sewerage facilities, and restrooms shall be as stated in the attached Table 3;
3. The standards for the prevention and disposal of wastes and noise shall be as stated in the attached Table 4;
- 3-2. The standards for maintenance and management of the air quality in school buildings shall be as stated in the attached Table 4-2;
4. The standards for food sanitation such as tableware, foodstuffs, drinking water, etc. shall be as stated in the attached Table 5.

- (2) The head of a school shall implement the inspection in order to confirm whether or not the status of environmental sanitation and food sanitation in the school buildings conform to the standards pursuant to the provisions of paragraph (1).
- (3) The types and periods of inspection implemented pursuant to paragraph (2) shall be as stated in the attached Table VI, and the method of inspection and other necessary matters shall be determined and publicly announced by the Minister of Education.
- (4) When the head of a school has implemented the inspection pursuant to paragraphs (2) and (3), he/she shall record and maintain the results thereof, and where the status of environmental sanitation and food sanitation in the school buildings fall short of the standards under paragraph (1), he/she shall devise necessary measures such as supplementation of facilities, etc.
- (5) Deleted.

**Attached Table 2. Ventilation, lighting, Illuminance, temperature and humidity control standards and ventilation facilities structure and installation standards**

(Related to Article 3 (1) 1)

**1. Ventilation**

**A. Ventilation Control Standards**

Ventilation windows, etc. shall be frequently opened or mechanical ventilation equipment shall be operated frequently so that the ventilation volume per person is 21.6 cubic meters per hour or more.

**B. Ventilation system structure and installation standards (limited to the case where the structure and installation standards of ventilation facilities are provided)**

- 1) Ventilation facilities shall be installed with a capacity that can introduce enough outside air and discharge inside air to meet the air quality maintenance standards in the school building.
- 2) The standard of the capacity for the school building's ventilation equipment shall be a capacity suitable for the control standard of ventilation.
- 3) The indoor air shall be circulated evenly by distributing the air entering a school building in a balanced manner.
- 4) When a centrally managed ventilation system is planned, the ventilation duct shall be made of a material that does not pollute the air.

**2. Lighting (Natural Lighting)**

A. The ratio of outdoor horizontal illuminance and indoor illuminance due to skylight not including direct sunlight shall be at least 5% on average, but not less than 2%.

B. The ratio of maximum illuminance and minimum illuminance shall not exceed 10 to 1.

C. The glare from reflections outside the classroom shall be prevented.

### 3. Illuminance (artificial lighting)

A. The lighting level of the classroom shall be 300 lux or higher based on the desk surface.

B. The ratio of maximum illuminance and minimum illuminance shall not exceed 3 to 1.

C. The glare caused by artificial lighting shall be prevented.

### 4. Indoor temperature and humidity

A. The indoor temperature shall be between 18 and 28 °C, but the heating temperature shall be between 18 and 20°C and the cooling temperature shall be between 26 and 28 °C.

B. The relative humidity shall be between 30% and 80%.

## **Attached table 2-2. Standards for prevention and management of hazardous substances including hazardous heavy metals, etc.**

(Related to Article 3 (1) 1-2)

1. Artificial grass and elastic packaging materials installed in school facilities such as gymnasiums shall use products certified pursuant to Article 15 (1) of the 「Industrial Standardization Act」
2. Regular inspection as to whether the artificial turf and elastic packaging materials installed pursuant to paragraph 1 are damaged shall be conducted and whether harmful substances such as hazardous heavy metals are generated also shall be conducted, and require shall be taken
3. Among school facilities, children's activity spaces pursuant to Article 2, No. 8 of the Environmental Health Act shall be checked whether they are maintained and managed in accordance with the environmental safety management standards pursuant to Article 23 (1) of the same Act

### Attached Table 3. Standards for installation and management of sewage facilities and restrooms

(Related to Article 3 (1) 2)

#### 1. Installation and management standards for sewage facilities

It shall be installed and managed in accordance with the relevant provisions of the 「Water Supply and Waterworks Installation Act」 and the 「Sewage Act」

#### 2. Installation and management standards for restrooms

##### A. Installation standards for restrooms

- (1) Restrooms shall be installed separately for men and women, but the required area and the number of toilets shall be secured so that students and faculty to use them easily and conveniently.
- (2) Toilets and urinals shall be flush-type (except for cases where it is difficult to install flush toilets due to insufficient water and sewage facilities or water pollution, etc.)
- (3) The entrance shall be installed for men and women respectively.
- (4) In the partition of the toilet, there shall be a facility for placing belongings or hanging clothes. The entrance shall be installed separately for men and women.
- (5) Hand washing facilities and disinfection facilities shall be provided in the restroom.

##### B. Standards for maintenance and management of restrooms

- (1) It shall keep clean and hygienic at all times.
- (2) It shall disinfect the interior and exterior of the toilet at least 3 times a week from April to September and at least once a week from October to March of the following year to prevent the release of odors and the occurrence and propagation of harmful insects such as mice, flies, and mosquitoes.

### Attached Table 4. Standards for Prevention and Treatment of Waste and Noise

(Related to Article 3 (1) 3)

#### 1. Deleted <Nov. 14, 2005>

#### 2. Standards for prevention and treatment of waste

- A. School sites and buildings shall be kept clean and prevent or reduce waste such as waste recycling measures
- B. It shall be prohibited to install and operate waste incineration facilities within schools in accordance with Article 20-2 of the 「Enforcement Regulations of the Waste Control Act」 .
- C. When discharging wastes , it is required to separate them depending on their type and properties.

#### 3. Standards for Noise

The noise level in the school building shall be 55dB(A) or less.

**Attached Table 4-2. Standards for Maintenance and Management of Air Quality, etc.**

(Related to Article 3 (1) 3-2)

**1. Standards for maintenance**

Contaminant Item	Standard(under)	Applicable Facility	Note
A. Fine dust	35 $\mu\text{g}/\text{m}^3$	School building and school meal facility	Dust 2.5/ $\mu\text{m}$ or less in diameter
	75 $\mu\text{g}/\text{m}^3$	School building and school meal facility	Dust 10/ $\mu\text{m}$ or less in diameter
	150 $\mu\text{g}/\text{m}^3$	Gym and auditorium	Dust 10/ $\mu\text{m}$ or less in diameter
B. Carbon dioxide	1,000ppm	School building and school meal facility	1,500ppm or less if the school building and school meal facility provide main ventilation using mechanical ventilation
C. Formaldehyde	80 $\mu\text{g}/\text{m}^3$	School building, dormitory (limited to those within 3 years of construction) and catering facilities	Extensions and renovations are included in construction
D. Total suspended bacteria	800CFU/ $\text{m}^3$	School building and school meal facility	
E. Settled bacteria	10CFU/room	Health room and school meal facility	
F. Carbon monoxide	10ppm	Individually heated classrooms and roadside classrooms	Heated classrooms are limited to those heated by direct combustion
G. Carbon monoxide	0.05ppm	Individually heated classrooms and roadside classrooms	Heated classrooms are limited to those heated by direct combustion
H. Radon	148Bq/ $\text{m}^3$	Dormitory (limited to those within 3 years of construction), 1st floor and basement of school building	Extensions and renovations are included in construction
I. Total volatile organic compounds	400 $\mu\text{g}/\text{m}^3$	A school within three years of its construction	Extensions and renovations are included in construction
J. Asbestos	0.01f/cc	Schools falling under asbestos buildings under the latter part of Article 22 (1) of the "Asbestos Safety Management Act"	
K. Ozone	0.06ppm	Faculty office and administrative office	It shall be limited to cases where there are office equipment (copiers, etc.) that generate ozone in the applicable facility
L. Mite	100mites/ $\text{m}^2$	Health room	
M. Benzene	30 $\mu\text{g}/\text{m}^3$	Dormitory within three years of its construction	Extensions and renovations are included in construction
N. Toluene	1,000 $\mu\text{g}/\text{m}^3$		
O. Ethylbenzene	360 $\mu\text{g}/\text{m}^3$		
P. Xylene	700 $\mu\text{g}/\text{m}^3$		
Q. Styrene	300 $\mu\text{g}/\text{m}^3$		

## 2. Standards for management

Facilities subject to management	Standards for intensive management
A. Newly established school	<ol style="list-style-type: none"> <li>1) In accordance with Article 11 (1) of the 「Indoor Air Quality Control Act」, construction materials that emit pollutants shall not be used.</li> <li>2) Ventilation facilities shall be installed for smooth ventilation in the classroom.</li> <li>3) School equipment such as desks, chairs and tops shall not be used. It is necessary to use products certified by Korean industry standards in accordance with Article 15 of the 「Industrial Standardization Act」.</li> <li>4) It shall take necessary measures to ensure that formaldehyde and volatile organic compounds in school buildings meet maintenance standards.</li> </ol>
B. Schools within three years of opening	Formaldehyde and volatile organic compounds shall be managed intensively to meet the maintenance standards.
C. Schools after 10 years or more of opening	<ol style="list-style-type: none"> <li>1) It is necessary to focus on managing fine dust and airborne bacteria to meet the maintenance standards.</li> <li>2) When renovating or repairing existing facilities, it shall not use building materials that emit pollutants in accordance with Article 11 (1) of the 「Indoor Air Quality Control Act」.</li> <li>3) School equipment, such as desks, chairs, and tops, must use products certified by Korean industry standards in accordance with Article 15 of the 「Industrial Standardization Act」.</li> </ol>
D. Schools falling under asbestos buildings under the latter part of Article 22 (1) of the 「Asbestos Safety Management Act」	It is necessary to focus on managing asbestos to meet maintenance standards.
E. Individual heating (limited to direct combustion heating ) classrooms and roadside classrooms	It is necessary to focus on managing carbon monoxide and nitrogen dioxide to meet maintenance standards.
F. School meal facility	It is necessary to focus on managing fine dust, carbon dioxide, formaldehyde, total suspended bacteria and falling bacteria to meet the maintenance standards.
G. Health room	It is necessary to focus on managing the falling bacteria and mites to meet the maintenance standards.

**Attached Table 5. Details on Food Sanitization including the Management of Tableware, Foodstuffs, and Drinking Water, etc.**

(Related to Article 3 (1) 4)

**1. Standards for the management of tableware and foodstuffs**

- A. The inside of a foodstuffs handling foodstuffs storage room and kitchen shall be always maintained clean.
- B. Food ingredients and products are easily decomposed and changed among foodstuffs, so they shall be kept and managed in cold storage facilities.
- C. When storing, transporting, and displaying foodstuffs, they shall be managed conforming to the preservation and storage standards stipulated by the standards and specifications of foodstuffs. In this case, cold storage and transportation facilities shall always work normally.
- D. Staffs directly engaged in the manufacturing, cooking, and processing of foodstuffs shall thoroughly manage personal hygiene by wearing sanitary clothes, sanitary caps, etc.
- E. The machine, apparatus, and tableware directly used in manufacturing, cooking, and processing of foodstuffs shall be always maintained and managed clean by washing and sterilizing them after use.
- F. Foodstuffs past their shelf life shall neither be serviced nor displayed and kept for the purpose of providing them to others.

**2. The standards for drinking water management**

**A. Installation of water supply facilities**

- (1) When drinking water is supplied by water supply system or small water supply system, the drinking water shall be directly supplied to taps not going through water tanks unless it is difficult to directly connect to the taps.
- (2) When drinking water is supplied with groundwater and others, the drinking water shall go through facilities including water tanks.

**B. Management of water supply facilities**

- (1) Water supply facilities and equipment shall be always managed in a sanitary way. The cleaning and sanitary condition of the water tanks used in the water supply facilities shall be inspected according to Article 22-3 of the Enforcement Rule of the Water Supply And Waterworks Installation Act and measures including the installation of a locking system shall be conducted to prohibit the access of unauthorized persons.
- (2) When using groundwater for drinking, to secure the stability of the water quality of raw water, if necessary, measures including purification or sterilization shall be taken.
- (3) Sanitary measures including sterilization, the inspection of the water quality, and washing shall be conducted on water supply equipment and water supply pipes according to Paragraph (2) and (3) of Article 33 of the Water Supply And Waterworks Installation Act.

### C. Supply of drinking water

Drinking water supplied to students and faculty shall meet the water quality standards in accordance with Article 5 of the Drinking Water Management Act.

### D. Qualities tests of drinking water

- (1) In the case of a school using a water storage tank, a water quality test must be conducted in accordance with Article 22-3, Paragraph 4 of the 'Enforcement Rule Water Supply And Waterworks Installation Act'.
- (2) Groundwater shall be inspected for water quality in accordance with Article 4, Paragraph 2 of the 'Rules for drinking water quality standards and inspections'.

E. Notwithstanding the items 'B' and 'D', the head of the school considers the size of the school and the age of the water supply facilities, the cleaning and sanitary condition inspection cycle of the water supply facilities and water quality inspection (conducted at schools that are not subject to water quality inspection) (including water quality inspection), the cycle can be shortened.

**Attached Table 6. Types and timing of on environmental sanitation and food sanitation check in a school facility**

(Related to Article 3 (3))

Check Type	Check Period
Daily Check	<ul style="list-style-type: none"> <li>• Every school day</li> </ul>
Periodic Inspection	<ul style="list-style-type: none"> <li>• Every grade : At least once (In case of a sanitation inspection of air quality under Paragraph (1) of Article 4-2, conduct at least once in the first and second half of each year, respectively.). However, if a separate number of checks is specified according to the provisions of each subparagraph of Paragraph (1) of Article 3, the regulations shall be followed.</li> </ul>
Special Inspection	<ul style="list-style-type: none"> <li>• When there is concern for generating a group of patients caused by an infectious disease or a group of patients is found</li> <li>• When the environment becomes unclean or polluted due to floods, etc.</li> <li>• If the school is newly constructed, rebuilt, or repaired, or if new equipment such as a desk, chair, computer, etc. is brought to the school facility and formaldehyde and total volatile organic compound exposure is introduced</li> <li>• When the head of a school considers a special check required</li> </ul>

Note : In case of the periodic inspection on radon of pollutants under attached Table 4-2, dormitory(limited to the one built within 3 years) and 1st floor school facility when the inspection results of the initial and following year fell short of the maintenance standards under 50%, an interval for periodic checks can be extended as provided by Ordinance of the Ministry of Education.

#### **④ Educational Environment Protection Act (Excerpt)**

[Enforcement date 25. Sept, 2020.] [Act No.17075, 24. Mar, 2020., Partial Amended]

##### **Article 2 (Definitions)** The terms used in this Act are defined as follows:

1. The term “educational environment” means all factors related to schools and adjacent areas thereof to keep unimpaired the health, sanitation, safety, learning, etc. of students.
2. The term “school” means a kindergarten under subparagraph 2 of Article 2 of the Early Childhood Education Act; a school under Article 2 of the Elementary and Secondary Education Act and Article 2 of the Higher Education Act; and any of the schools of various levels (excluding schools, the public notification of information on which is determined by Presidential Decree to be impossible for reasons such as national defense and public security) established pursuant to other Act 2.
3. The term “planned school site” means any of the following lands:
  - (a) School site determined and publicly notified by an urban or Gun management plan pursuant to Article 30 of the National Land Planning and Utilization Act;
  - (b) Kindergarten site secured by a person intending to establish a kindergarten under subparagraph 2 of Article 2 of the Early Childhood Education Act (in case of intending to establish a private kindergarten, referring to a site approved for the establishment thereof from superintendent of education of the Special Metropolitan City, the Metropolitan City, the Special Self-Governing City, the Do, or the Special Self-Governing City (hereinafter referred to as “superintendent of education”));
  - (c) Special school site secured by a person intending to establish a special school under subparagraph 4 of Article 2 of the Elementary and Secondary Education Act (in case of intending to establish a private special school, referring to a site approved for the establishment thereof from the superintendent of education);
  - (d) Alternative school site secured by a person intending to establish an alternative school under Article 60-3 of the Elementary and Secondary Education Act (in case of intending to establish a private alternative school, referring to a site approved for the establishment thereof from the superintendent of education);
4. The term “school boundary” means the boundary of a school site registered in the cadastral register under subparagraph 19 of Article 2 of the Act on the Establishment, Management, etc. of Spatial Data;
5. The term “boundary of a planned school site” means the boundary of a school site either publicly notified or acquired pursuant to subparagraph 3 (a) through (d).

##### **Article 6 (Approval for Statement of Educational Environment Assessment)**

- (1) Any of the following persons shall submit a statement of assessment concerning impacts on educational environment (hereinafter referred to as “statement of educational environment assessment”) to the superintendent of education, as prescribed by Presidential Decree, and obtain approval therefrom:
  1. Person who intends to establish a school;
  2. Person who formulates an urban or Gun management plan under Article 24 of the National Land Planning and Utilization Act;
  3. Development project implementer under Article 3 (1) of the Act on the Special Cases concerning the Procurement, etc. of School Sites;

4. Person who intends to implement a rearrangement project in a rearrangement zone under subparagraph 1 of Article 2 of the Act on the Maintenance and Improvement of Urban Areas and Dwelling Conditions for Residents, after a school (excluding schools under each subparagraph of Article 2 of the Higher Education Act) or an educational environment protection zone established and publicly announced pursuant to Article 8 (1) is designated and publicly notified as a rearrangement zone;
  5. Person who intends to construct a building with the scale under the proviso to Article 11 (1) of the Building Act in an educational environment protection zone established and publicly notified pursuant to Article 8 (1).
- (2) Subject matters subject to assessment on school educational environment under paragraph (1) shall include the locations, sizes and shapes, topography and soil environment, atmosphere environment, and surrounding harmful environment, and public facilities of planned school sites or planned rearrangement zones, etc.
  - (3) To approve a statement of educational environment assessment, a superintendent of education shall refer the statement of educational environment assessment to the City/Do Committee for deliberation; and for such deliberation, shall also provide the review opinions of both a specialized institution for education environment under Article 13 and an institution designated by Presidential Decree.
  - (4) Notwithstanding paragraph (3), in cases falling under any of the following, a statement of educational environment assessment may be approved via a deliberation by the Local Committee. In such cases, the review opinions of both specialized institution for education environment under Article 13 or an institution designated by Presidential Decree may be omitted:
    1. In case of selecting a site to only establish a kindergarten under subparagraph 2 of Article 2 of the Early Childhood Education Act or change the location thereof;
    2. In case of selecting a site to only establish an alternative school under Article 60-3 of the Elementary and Secondary Education Act or change the location thereof;
    3. In case of selecting a site to operate a school under subparagraphs 1 through 4 of Article 2 of the Higher Education Act (including a school equivalent to such school, but excluding a graduate school) within an industrial complex, by changing a part of such school from the main location thereof, as prescribed by Presidential Decree.
  - (5) A superintendent of education shall recommend to a project implementer under Article 7 (1) the matters necessary for educational environment protection as a result of a statement of educational environment assessment. In such cases, the project implementer shall comply with such recommendation except in extenuating circumstance and notify the superintendent of education of the result of measures to comply with such recommendation.
  - (6) Authority under paragraph (1) of a superintendent of education may be partially delegated to the heads of district offices of education, as prescribed by Presidential Decree.
  - (7) The Minister of Education may disclose statements of educational environment assessment, as prescribed by Presidential Decree, except where such disclosure is restricted pursuant to other statute.
  - (8) Items, procedures, and standards for preparing statements of educational environment assessment, and other necessary matters such as preparation methods by item shall be prescribed by Presidential Decree.

