

Korean Council for University Education Act

Act No. 3727 April 1, 1984

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Article 1: Purpose

This Act organizes and establishes support for the Korean Council for University Education and designates its purposes as increasing independence in the operation of universities, promoting public accountability in universities, and working for sound development of higher education through inter-university cooperation.

Article 2: Organization

- a. The Korean Council for University Education (hereafter “Council”) is organized in order for the heads of universities (“university” hereafter includes teacher’s colleges and colleges of education) to accomplish the purposes set forth in Article 1.
- b. The Council is a legally incorporated entity.
- c. The heads of universities as a matter of course become members of the Council upon establishment.

Article 3: Functions

The Council shall have the following functions:

- a. Conduct research on the university education system and its management.
- b. Conduct research on the university admissions system.
- c. Conduct research on means and future programs of financial support for universities.
- d. Conduct research on university curriculums and teaching methods and propagate results.
- e. Evaluate universities.
- f. Provide training to university faculty.
- g. Execute projects commissioned by the Minister of Education, Science, and Technology.
- h. Execute other projects related to inter-university collaboration.

Article 4: Articles of Association

The articles of association of the Council shall include particulars regarding the following:

- a. Purpose
- b. Organization name
- c. Main office location
- d. Executive officials and staff
- e. General Assembly and Board of Trustees
- f. Projects to be undertaken
- g. Organization of the Council
- h. Assets and accounts
- i. Membership dues
- j. Member objections regarding Council decisions and arbitration procedures
- k. Amendments to articles of association

Article 5: General Assembly

- a. The Council shall have a General Assembly composed of Council members.
- b. The General Assembly shall be the highest decision-making body of the Council.

Article 6: Executive Officials

- a. The Council shall have a chairman, three vice-chairmen, no less than ten and no more than twenty trustees, and two auditors.
- b. Executive officials are chosen in the General Assembly and must be approved by the Minister of Education, Science, and Technology. With the exception of the chairman and vice chairmen, vacancies for executive officials occurring before term expiration will be filled through by-election in the Board of Trustees.
- c. The term of office for executive officials shall be two years. The term of office for those filling pre-term vacancies, however, shall be continuous with that of the preceding official.
- d. The chairman represents the Council and its general affairs. Vice-chairmen assist the chairman and act on behalf of the chairman in times of mishap.
- e. Auditors inspect the accounting and related affairs of the Council.

Article 7: Board of Trustees

- a. The Council shall have a Board of Trustees composed of the chairman, vice-chairmen, and trustees.
- b. The Board of Trustees shall deliberate and decide on Council matters in accordance with this law and the Council's articles of association.
- c. Auditors may attend and speak in Board of Trustee meetings.

Article 8: Secretary-General

- a. The Council shall have a secretary-general to execute business and responsibilities mandated by the Board of Trustees.
- b. The secretary-general is chosen by the Board of Trustees, approved by the Minister of Education, Science, and Technology, and appointed by the chairman.

Article 9: Budgetary Support

- a. The state may, within budgetary constraints, assist with expenses necessary for the operation of the Council.
- b. Individuals, legal entities, and organizations may donate monetary funds or other assets to support the operation and facilities of the Council.
- c. In accordance with provision "b" above and the Regulatory Law on Tax Reduction and Exemption, monetary funds or other assets donated to the Council may be applied as exemptions in the calculation of income tax.

Article 10: Use of Public Assets

- a. The state and local governing bodies may, when needed for the support of the Council, loan or otherwise permit the uncompensated use of public and state assets by the Council regardless of regulations in the National Property Act or local financial laws.
- b. Necessary particulars regarding the terms, conditions, and procedures of provision "a" above are determined by executive order.

Article 11: Faculty Dispatch & Employment

In order to accomplish the purposes set forth in Article 1, the Council may request the dispatch and temporary employment of faculty from educational institutions as particular needs require.

Article 12: Publications & Data Access

- a. The Council may request access to publications, data, and other materials relevant to its operations from state and public agencies or research institutes.
- b. When requests are made in accordance with provision "a" above, the Council must provide appropriate compensation to the agency or institute when required.
- c. Materials provided in accordance with provision "a" above may only be used by the Council for research purposes.

Article 13: Fiscal Year

The fiscal year of the Council shall coincide with that of the government.

Article 14: Work & Budget Plans

The Council shall complete a work and budget plan and submit them to the Minister of Education, Science, and Technology twenty days before the start of each fiscal year.

Article 15: Reporting Requirements

The Council must submit an annual statement of revenues and expenditures with an attached performance record for the previous year to the Minister of Education, Science, and Technology no later than two months following the beginning of each fiscal year.

Article 16: Member Compliance

Members of the Council must abide by decisions made by the General Assembly or Board of Trustees.

Article 17: Commissioned Tasks

- a. The Minister of Education, Science, and Technology may, as determined by executive order, commission the Council to conduct certain tasks related to the administration of universities and the management of educational affairs.
- b. When commissioning tasks according to provision “a” above, funds required for their execution must also be granted to the Council.

Article 18: Evaluation of Universities

- a. In order to improve university education and its administration, the Council shall obtain needed data and materials and periodically conduct evaluations of the educational affairs and overall operations of universities.
- b. The results of evaluations conducted according to provision “a” above shall promptly be submitted to the Minister of Education, Science, and Technology.

Article 19: Reservation of Title

The title “Korean Council for University Education” and all analogous titles are reserved for use only by the Council established by this act.

Article 20: Application of Civil Laws

All other regulations outside this act that are included within civil law regarding incorporated bodies shall apply to the Council.

Article 21: Penalty for Title Violation

Those violating Article 19 shall be subject to a fine not to exceed 1,000,000 won.

Article 22: Enforcement

Necessary particulars regarding the enforcement of this act shall be determined by executive order.

Additional Provisions

Provision 1 (Enforcement Date)

This act shall be put in force on the day of promulgation – April 10, 1984.

Provision 2 (Interim Measures)

- a. Upon execution of this act, the existing Incorporated Korean Council for University Education shall be considered the Korean Council for University Education as established by this act.
- b. Upon execution of this act, the assets, rights, and duties of the existing Incorporated Korean Council for University Education shall be the assets, rights, and duties of the Korean Council for University Education as established by this act, and the registry and other public records of those assets, rights, and duties showing the name of the Incorporated Korean Council for University Education shall be considered the name of the Korean Council for University Education as established by this act.
- c. The actions of the existing Incorporated Korean Council for University Education before execution of this act shall be considered those of the Korean Council for University Education established by this act, and actions taken towards the Incorporated Korean Council for University Education shall be considered actions taken towards the Korean Council for University Education established by this act.
- d. Grants given or promised to the existing Incorporated Korean Council for University Education before execution of this act shall be considered given or promised to the Korean Council for University Education established by this act.
- e. Upon execution of this act, the officials and employees of the existing Incorporated Korean Council for University Education shall be considered the officials and employees of the Korean Council for University Education established by this act.