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ACT ON RECOGNITION OF CREDITS, ETC.

[Enforcement Date 28. Mar, 2016.] [Act No.13248, 27. Mar, 2015., Amendment by
Other Act]

교육부 (평생학습지원과)044-203-6396



법제처 국가법령정보센터

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Article 1 (Purpose)

The purpose of this Act is to realize the ideology of continuing education, to contribute to the self-realization of individuals and to the development of the State and society by granting persons, etc., who have completed a course of study assessed and certified, an opportunity of academic background being recognized and of obtaining a degree through the recognition of credit points.

[This Article Wholly Amended by Act No. 8712, Dec. 21, 2007]

Article 2 (Definitions)

The definitions of terms used in this Act shall be as follows.<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690 Mar. 23, 2013; Act No. 13229, Mar. 27>

1. The term "assessment and certification" means that the Minister of Education evaluates whether the courses of study prescribed in Article 3 (1) meet the standards prescribed in paragraph (5) of the same Article and certifies such courses as courses of study for which credit points are recognized;
2. The term "degree" means a bachelor's degree prescribed in Article 35 (1) of the Higher Education Act or a degree having the same validity as that of an associate's degree prescribed in Article 50 (1) of the same Act;
3. The term "university or college" means any of the following universities and colleges defined in the provisions of subparagraphs 1 through 6 of Article 2 of the Higher Education Act:
 - (a) Universities and colleges;
 - (b) Industrial universities;
 - (c) Teachers' universities;
 - (d) Junior colleges;
 - (e) Broadcasting universities, communications universities, open universities and cyber universities;
 - (f) Technical institutes.

[This Article Wholly Amended by Act No. 8712, Dec. 21, 2007]

Article 3 (Assessment and Certification of Courses of Study) (1) The Minister of Education may assess and certify the courses of study established and operated by lifelong learning facilities, vocational training institutes, educational and training facilities of the military or such prescribed by Presidential Decree (referred to as "education and training institutes" hereinafter) as prescribed by Presidential Decree.

<Amended by Act No. 8852, Feb. 29, 2008; Act No.11690 Mar. 23, 2013>

(2) Education and training institutes intending to be assessed and certified as prescribed in paragraph (1) shall apply for assessment and certification to the Minister of Education as prescribed by Presidential Decree.

<Amended by Act No. 8852, Feb. 29, 2008; Act No.11690 Mar. 23, 2013>

(3) When an education and training institute that establishes and operates the courses of study which have been assessed and certified as prescribed in paragraph (1) intends to modify any of the matters of assessment and certification according to the standards for assessment and certification prescribed in paragraph (5), such institute shall obtain certification concerning the said modification pursuant to paragraphs (1) and (2): Provided, That when intending to modify any minor matter prescribed by Presidential Decree, the relevant institute shall file an advance report thereof with the Minister of Education as prescribed by Ordinance of the Ministry of Education.<Amended by Act No. 8852, Feb. 29, 2008; Act No.11690 Mar. 23, 2013; Act No. 13229, Mar. 27, 2015>

(4) Where an education and training institute intends to discontinue or suspend a course of study assessed and certified pursuant to paragraph (1), such institute shall file a report with the Minister of Education in advance as prescribed by Ordinance of the Ministry of Education.<Newly Inserted Act No. 13229, Mar. 27, 2015>

(5) The standards for assessment and certification, including qualifications for professors or lecturers, learning facilities and equipment, and the details of courses of study, and relevant matters necessary to perform assessment and certification as provided under paragraph (1) shall be prescribed by Presidential Decree.<Amended by Act No. 13229, Mar. 27, 2015>

[This Article Wholly Amended by Act No. 8712, Dec. 21, 2007]

Article 4 (Issuance of Assessment Certificates) (1) Where the Minister of Education assesses and certifies as prescribed in Article 3 (1), he/she shall issue a document attesting to assessment and certification (referred to as an "assessment certificate" hereinafter) to the heads of the relevant education and training institutes. <Amended by Act No. 8852, Feb. 29, 2008; Act No.11690 Mar. 23, 2013>

(2) Matters to be stated on an assessment certificate and relevant matters under paragraph (1) shall be prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 8712, Dec. 21, 2007]

Article 4-2 (Operation of Courses of Study Assessed and Certified and Relevant Matters) (1)

The head of an education and training institute shall comply with the regulations for operation of the courses of study assessed and certified as prescribed by Presidential Decree.

(2) The Minister of Education shall formulate and implement a reassessment plan as prescribed by Presidential Decree for ex post facto management of operation of the courses of study assessed and certified.

(3) The Minister of Education shall investigate and inspect an education and training institute for matters relating to operation of the courses of study assessed and certified as prescribed by Presidential Decree.

(4) The Minister of Education may take necessary measures, including recommendation to improve or order to improve, against the head of an education and training institute required to improve operation of the courses of study due to violation of the regulations for operation of the courses of study required under paragraph (1).

[This Article Newly Inserted by Act No. 13229, Mar. 27, 2015]

Article 5 (Revocation, etc. of Assessment and Certification) (1) When an education and training institute that establishes and operates the courses of study which has been assessed and certified as prescribed in Article 3 (1) falls under any of the following subparagraphs, the Minister of Education may take measures, including revoking such assessment and certification, suspending operation of such courses of study, and restricting applications for assessment and certification, as prescribed by Presidential Decree: Provided, That in cases falling under subparagraph 1, he/she must revoke such assessment and certification:

<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690 Mar. 23, 2013; Act No. 13229, Mar. 27, 2015>

1. Where it has obtained assessment and certification by fraud or other improper means;
2. Where it has modified any of the matters of assessment and certification under the standards for assessment and certification prescribed in Article 3 (5) without complying with the procedures for modification of the matters of assessment and certification as prescribed in paragraph (3) of the same Article;
3. Where it has operated the courses of study without satisfying the standards for assessment and certification prescribed in Article 3 (5);
4. Where it fails to comply with the regulations of operation of the courses of study under Article 4-2 (1);
5. Where it has violated a corrective order or modification order issued under Article 6-2 (3).

(2) Where the Minister of Education intends to revoke assessment and certification as prescribed in paragraph (1) 2 through 4, he/she shall issue a corrective order to the heads of education and training institutes, specifying a reasonable period: Provided, That where it is evidently impossible to correct violations because an act of violation has been finished or because of the nature of the act, he/she may revoke without giving a corrective order. <Newly Inserted by Act No. 8916, Mar. 21, 2008; Act No. 11690 Mar. 23, 2013; Act No. 13229, Mar. 27, 2015>

(3) The period to suspend operation of the courses of study or to restrict application for assessment and certification shall be determined by Presidential Decree for a period not exceeding three years. <Newly Inserted by Act No. 13229, Mar. 27, 2015>

[This Article Wholly Amended by Act No. 8712, Dec. 21, 2007]

Article 6 (Public Announcement of Assessment and Certification and Relevant Matters) (1)

Where the Minister of Education assesses and certifies a course of study or takes measures, including revoking assessment and certification of a course of study, suspending a course of study, and restricting application for a course of study in accordance with Article 3 (1) and (3) and Article 5 (1), he/she shall publicly announce such fact. <Amended by Act No. 8852, Feb. 29, 2008; Act No.11690 Mar. 23, 2013; Act No. 13229, Mar. 27, 2015>

(2) Methods of public announcement prescribed in paragraph (1) and other necessary matters shall be prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 8712, Dec. 21, 2007]

Article 6-2 (Information subject to Public Notice of Education and Training Institute, etc.) (1)

The head of an education and training institute operating a course of study assessed and certified shall make a public notice, at least once a year, of any of the following information such institute retains and manages. In such cases, the head of the institute shall submit information subject to public notice to the Minister of Education:

1. Basic information, including operation rules and facilities of the institute;
2. Information on the courses of study assessed and certified and the operation thereof;
3. Information on students, including the number;
4. Information on professors and lecturers;
5. Information on tuition and accounting;
6. Details on revocation of assessment and certification under Article 5;
7. Plans for development and specialization of the relevant education and training institute;
8. Other information on education conditions and the current status of operation of the education and training institute.

(2) In order to verify information subject to public notice listed under paragraph (1), the Minister of Education may request the head of an education and training institute to submit relevant data. In such cases, the head of the institute requested to submit the data shall comply with the request in the absence of special circumstances.

(3) The Minister of Education may issue a corrective order or modification order to the head of an education and training institute who fails to make a public notice or makes a false public notice within a given period.

(4) The specific scope, number, and timing of public notice and necessary matters to submit related data shall be prescribed by Presidential Decree.

[This Article Newly Inserted by Act No. 13229, Mar. 27, 2015]

- Article 7 (Recognition of Credits)** (1) The Minister of Education shall recognize corresponding credit points for a person who has completed a course of study assessed and certified as prescribed in Article 3 (1).
[<Amended by Act No. 8712, Dec. 21, 2007; Act No. 8852, Feb. 29, 2008; Act No.11690 Mar. 23, 2013>](#)
- (2) The Minister of Education may recognize corresponding credit points for a person falling under any of the following subparagraphs:
[<Amended by Act No. 8676, Dec. 14, 2007; Act No. 8712, Dec. 21, 2007; Act No. 8852, Feb. 29, 2008; Act No. 10000, Feb. 4, 2008; Act No.11690 Mar. 23, 2013; Act Nos. 13229 & 13248, Mar. 27, 2015>](#)
1. A person who has completed a course of study as prescribed by the Higher Education Act, the Lifelong Education Act or school regulations at schools or continuing education facilities prescribed by Presidential Decree;
 2. A person who has completed a course of study equivalent to university or college education in a foreign country or in the region north of the Military Demarcation Line;
 3. A person registered as a part-time student who has attended classes as prescribed in Article 36 (1) of the Higher Education Act or Article 32 or 33 of the Lifelong Education Act;
 4. A person who has obtained qualifications prescribed by Presidential Decree or who has completed a course of study necessary to obtain such qualifications;
 5. A person who has passed an examination prescribed by Presidential Decree or has completed a course of study that exempts participants from taking such examination;
 6. A person who is recognized to hold national intangible cultural heritage pursuant to Article 17 of the Act on the Preservation and Promotion of Intangible Cultural Heritage or a person who has received successor training thereof, as specified by Presidential Decree.
- (3) Deleted.
[<by Act No. 6434, Mar. 28, 2001>](#)
- (4) Where a person has obtained recognition of credit points prescribed in paragraph (1) or (2) by deceit or other fraudulent means, the Minister of Education may cancel such recognition of credit points.
[<Newly Inserted by Act No. 8916, Mar. 21, 2008; Amended by Act No.11690 Mar. 23, 2013>](#)
- (5) Standards and procedures for recognition of credit points prescribed in paragraphs (1) and (2) and other necessary matters shall be prescribed by Presidential Decree.
[<Amended by Act No. 8712, Dec. 21, 2007>](#)

Article 8 (Recognition of Credits) (1) A person for whom a certain amount of credit points have been recognized as prescribed in Article 7 shall be recognized as having the level of educational attainment similar to or higher than the level of educational attainment of a person who graduated from a university or college prescribed in subparagraph 1 of Article 2 of the Higher Education Act or a junior college prescribed in subparagraph 4 of Article 2 of the same Act.

(2) Standards for recognition of educational attainment prescribed in paragraph (1) shall be prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 8712, Dec. 21, 2007]

Article 9 (Conferment of Degree) (1) The Minister of Education shall confer a degree on a person who has graduated from a high school or obtains recognition as having the level of educational attainment similar to or higher than the aforementioned, and for whom a certain amount of credit points are recognized as prescribed in Article 7 and who meets the requirements prescribed by Presidential Decree. <Amended by Act No. 8852, Feb. 29, 2008; Act No.11690 Mar. 23, 2013>

(2) A person who falls under any of the following subparagraphs may confer a degree on a person who has graduated from a high school or obtains recognition as having the level of educational attainment similar to or higher than the aforementioned, for whom a certain amount of credit points are recognized as prescribed in Article 7 and who meets the requirements prescribed by Presidential Decree:<Amended by Act No. 8676, Dec. 14, 2007; Act No. 8852, Feb. 29, 2008; Act No.11690 Mar. 23, 2013; Act No. 13229, Mar. 27, 2015>

1. Presidents of universities or colleges;
2. Heads of all kinds of schools of which the academic background to enter schools of the upper level of degree is recognized as prescribed in Article 59 (4) of the Higher Education Act, which have been designated by the Minister of Education;
3. Heads of continuing education facilities of an in-house college-type lifelong educational establishment prescribed in Article 32 of the Lifelong Education Act;
4. Heads of continuing education facilities of a distance college-type lifelong educational establishment prescribed in Article 33 of the Lifelong Education Act.

(3) The Minister of Education, the president of a university or college, and so forth who has conferred a degree as prescribed in paragraph (1) or (2) may revoke the conferment of a degree on a person who has obtained a degree by fraud or other improper means.<Newly Inserted by Act No. 8916, Mar. 21, 2008; Act No.11690 Mar. 23, 2013>

(4) Types of degrees prescribed in paragraphs (1) and (2), the procedures of conferring of academic degrees and other necessary matters shall be prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 8712, Dec. 21, 2007]

Article 10 (Duties of State and Each Local Government)

The State and each local government shall prepare measures necessary to support the learning of those who intend to have credit points recognized pursuant to this Act.

[This Article Wholly Amended by Act No. 8712, Dec. 21, 2007]

Article 11 (Delegation and Entrustment of Authority)

The authority of the Minister of Education vested under this Act may be partially delegated or entrusted to persons stipulated in the following subparagraphs as prescribed by Presidential Decree:<Amended by Act No. 8852, Feb. 29, 2008; Act No.11690 Mar. 23, 2013>

1. Superintendents of education;
2. Heads of education and training institutes;
3. Heads of relevant institutions prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 8712, Dec. 21, 2007]

Article 12 (Corrective Orders, etc.) (1) Where duties conducted by the superintendents of education, heads of education and training institutes or heads of relevant institutions that have been delegated or entrusted with authority as prescribed in Article 11 are handled in violation of this Act, relevant statutes or an order thereunder, the Minister of Education may take necessary measures, such as issuing a corrective order, specifying a period, to the relevant superintendents of education, heads of education and training institutes, or heads of relevant institutions as prescribed by Presidential Decree. <Amended by Act No. 8852, Feb. 29, 2008; Act No. 8916, Mar. 21, 2008; Act No. 11690, Mar. 23, 2013>

(2) The superintendents of education, heads of education and training institutes or heads of relevant institutions, in receipt of a corrective order, etc. issued under paragraph (1) shall comply therewith within a specified period unless any justifiable ground exists to the contrary.

[This Article Wholly Amended by Act No. 8712, Dec. 21, 2007]

Article 12-2 (Hearings)

When The Minister of Education intends to revoke the assessment recognition of courses of study as prescribed in Article 5, he/she shall hold a hearing.<Amended by Act No. 8852, Feb. 29, 2008; Act No.11690 Mar. 23, 2013>

[This Article Wholly Amended by Act No. 8712, Dec. 21, 2007]

Article 12-3 (Fees) (1) A person who falls under any of the following subparagraphs shall pay fees as prescribed by Ordinance of the Minister of Education:

1. A person who intends to apply for assessment and certification under Article 3 (2);
2. A person who intends to apply for credit recognition under Article 7 (1) or (2);
3. A person who intends to apply for recognition of educational attainment under Article 8 (1);
4. A person who intends to attain a degree under Article 9 (1);
5. A person who intends to apply for issuance of document verifying assessment and certification, credit recognition, recognition of educational attainment, or conferment of degree under subparagraphs 1 through 4.

(2) Notwithstanding paragraph (1), an eligible recipient under subparagraph 1 of Article 2 of the National Basic Living Security Act shall be exempt from paying the fees pursuant to paragraph (1) 2 through 4.

Article 13 (Administrative Fines) (1) A person violating Article 3 (4) shall be subject to an administrative fine up to five million won.

(2) An administrative fine under paragraph (1) shall be imposed and collected by Presidential Decree.

[\[This Article Newly Inserted Act No. 13229, Mar. 27, 2015\]](#)