

The Korean Council for University Education(KCUE) is a non-profit, non-governmental organization comprised of approximately 200 member universities and colleges, both public and private, in the Republic of (South) Korea. Our mission is two-fold:

Work for the sound development of higher education in South Korea by promoting inter-institutional cooperation concerning major issues common to four-year universities and colleges

Increase the autonomy, initiative, public accountability, and overall quality of higher education institutions in South Korea by making recommendations to the government and ensuring their realization in education policies

Refer to the following documents for detailed information on the legal establishment, mission, and functions of the KCUE :

### **Korean Council for University Education Act**

**Act No. 3727 April 1, 1984**

\* The following document is not an official or legal translation by the government of the Republic of Korea and thus should not be used for any purposes outside of personal, non-legal reference.

### **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.

## **Korean Council for University Education**

### **Articles of Association**

\* The following document is not an official or legal translation and thus should not be used for any purposes outside of personal, non-legal reference.

### **Chapter 1: General Statutes**

#### **Article 1: Purpose**

The purposes of this organization are the following: promote cooperation between universities nationwide through autonomous consultation, research, and coordination on educational affairs, finances, facilities, and other areas of interest; increase the independence of universities by making recommendations to the government and ensuring that they are reflected in policies; promote the public accountability of universities; and work for the sound development of university education.

#### **Article 2: Title**

The title of this organization is the “Korean Council for University Education” (hereafter “Council”).

### **Article 3: Office Location**

The offices of the Council will be in Seoul.

### **Article 4: Functions**

The Council will undertake the following in order to accomplish the purposes established in

Article 1:

- a. Research, consultation, and coordination on matters related to the university education system
- b. Research on student admissions and student leadership
- c. Matters related to the assessment of school fees
- d. Projects related to the finances and accounting systems of universities
- e. Projects related to the preparation and management of university budgets
- f. Matters related to the wage systems of universities
- g. Projects related to inter-university faculty exchanges, academic information sharing, and cross-recognition of academic credits
- h. Matters related to joint use of university facilities

- i. Research and evaluation of the management of educational matters by universities
- j. Other matters of mutual interest to universities
- k. Projects delegated or commissioned by the Minister of Education, Science, and Technology
- l. Training of university faculty
- m. Other projects as deemed necessary

## **Chapter 2: Members**

### **Article 5: Member Qualifications**

The members of the Council are the heads of universities (including teacher's colleges and colleges of education).

### **Article 6a: Rights and Responsibilities of Members**

- a. The members of the Council pay membership dues and carry the rights and responsibilities established by these articles of association.
- b. University faculty to which Council affairs are delegated by university heads carry the rights and responsibilities of Council membership.

## **Article 6b: Reprimand of Members**

- a. Members whose actions run counter to the purposes of the Council or damage the reputation or public trust of universities may, at the discretion of the Board of Trustees, receive a warning or be suspended from the Council for no more than three years.
- b. Members suspended from the Council also lose the rights and responsibilities set forth in Article 6.
- c. The results of disciplinary action are made public and reported to the Minister of Education, Science, and Technology.

## **Article 7: Observance of Council Decisions**

Members must comply with decisions made by the Council's General Assembly or Board of Trustees.

## **Article 8: Member Objections and Arbitration**

- a. When unable to execute decisions made by the General Assembly or Board of Trustees, members may, due to extraordinary circumstances at their university, make a formal objection by submitting a written statement of reasons within ten days of receiving notice of a decision.

- b. Within thirty days of receiving a formal objection made in accordance with provision “a” above, the Board of Trustees will reconsider the relevant decision and accept the objection if it determines that the reasons stated by the member are adequate.
  
- c. The Board of Trustees may make decisions regarding formal objections, as established by provision “b” above, through written correspondence when the person with convening authority determines that summoning a meeting will be difficult due to circumstances beyond control.

### **Chapter 3: Executive Officials**

#### **Article 9: Executive Official Types**

- a. The Council has the following executive officials: one chairman, three vice-chairmen, no less than ten and no more than twenty trustees, and two auditors.
  
- b. The secretary-general established in Article 22 below is also a trustee.

#### **Article 10: Executive Official Terms**

- a. The term of office for executive officials is two years.
  
- b. The Board of Trustees shall hold by-elections to fill vacancies occurring before term expiration; the term of office for the newly elected official remains concurrent with that of the preceding official.

### **Article 11: Appointment of Executive Officials**

- a. Executive officials are elected by the General Assembly and assume office upon approval from the Minister of Education, Science, and Technology.
  
- b. Dismissal of executive officers before term expiration is decided by the Board of Trustees and must be approved by the Minister of Education, Science, and Technology; this also applies in cases of by-elections as established by provision “b” of Article 10.

### **Article 12: Duties of Executive Officials**

- a. The chairman represents the Council and leads its operations.
  
- b. Vice-chairmen assist the chairman, and the vice-chairman designated by the chairman or the senior vice-chairman acts in his behalf in times of mishap.
  
- c. Trustees attend meetings of the Board of Trustees and deliberate and decide matters related to Council operations.
  
- d. Auditors inspect the accounting and operations of the Council and request corrections to the Board of Trustees in the event that issues of legality or fairness are discovered; such issues must be reported to the Minister of Education, Science, and Technology.



### **Article 13: Functions**

The General Assembly deliberates and decides on the following matters: election of executive officials, amendments to articles of association, approval of budgets and settling of accounts, approval of work plans, and other important Council matters.

### **Article 14: Convening Sessions**

- a. The General Assembly has regular and special sessions. Regular sessions are held once annually, and special sessions are convened and presided over by the chairman as needed.
- b. With the exception of urgent matters, the chairman must prepare a written agenda and submit it to Council members seven days previous to a General Assembly session.

### **Article 15: Special Cases of Convening Sessions**

- a. The chairman must convene the General Assembly within twenty days when one of the following occurs:
  - A majority of total trustees requests that a session be convened and specifies the purpose.
  - At least one-third of Council members request that a session be convened and specifies the purpose.

- b. The General Assembly may be convened through the approval of a majority of present trustees or at least one-third of Council members when doing so is otherwise impossible due to vacancy of the person with authority to convene or their evasion of such.
- c. The senior vice-chairman presides over General Assembly sessions convened under provision “b” above.
- d. If the Chairman determines that convening the General Assembly will be difficult due to time constraints or other circumstances beyond control, member ideas and intents may be collected by written correspondence and substituted for a General Assembly session.

#### **Article 16: Quorum Requirements**

- a. The General Assembly may open sessions with a majority of Council members present.
- b. Decisions in the General Assembly are made with the approval of a majority of Council members present; the presiding officer decides in the case of a tie.

#### **Article 17: Exclusion from General Assembly Decisions**

The presiding officer and individual Council members cannot participate in decisions regarding the following:

- a. Individual’s own assumption of or dismissal from office.

- b. Matters in which a conflict of understanding between the Council and a Council member or the university they represent may exist due to accompanying receipt of funds or assets.

## **Chapter 5: Board of Trustees**

### **Article 18: Functions**

The Board of Trustees deliberates and decides on the following matters:

- a. Execution of operations
- b. Planning and management of projects
- c. Budgets and settlement of accounts
- d. Commissions from the General Assembly
- e. Matters related to other powers given by these articles of association
- f. Other important matters

### **Article 19: Quorum Requirements**

- a. The Board of Trustees may open meetings with a majority of Council members present.

- b. Decisions in the Board of Trustees are made with the approval of a majority of trustees present; the presiding officer decides in the case of a tie.

#### **Article 20: Convening Meetings**

- a. Meetings of the Board of Trustees are convened and presided over by the chairman.
- b. With the exception of urgent matters, the purposes must be specified and each trustee notified no fewer than seven days in advance of convening a meeting of the Board of Trustees.

#### **Article 21: Special Cases of Convening the Board of Trustees**

- a. The chairman must convene a meeting of the Board of Trustees within ten days if a majority of trustees requests such and specifies the purpose.
- b. A meeting of the Board of Trustees may be convened through the approval of a majority of trustees when doing so is otherwise impossible for seven days or more due to vacancy of the person with authority to convene or their evasion of such.

### **Chapter 5-2: Establishment of Council Branches**

#### **Article 21-1: Establishment of Council Branches**

- a. Region-based and function-based branch organizations may be established to ensure smooth, effective execution of work by the Council.
- b. Specifics regarding the organization and management of such branches will be determined separately.

## **Chapter 6: Organization**

### **Article 22: Secretary-General**

- a. The Council has a secretary-general, appointed by the chairman according to the decision of the Board of Trustees and with the permission of the Minister of Education, Science, and Technology.
- b. The secretary-general's term of office is two years, and he or she may be reappointed. The term of office for those filling pre-term vacancies, however, shall be continuous with that of the preceding secretary-general.
- c. The secretary-general directs Council staff and conducts Council work under the purview of the chairman and the Board of Trustees.

### **Article 23: Council Subdivisions**

- a. The secretary-general directs a University Support Headquarters, a Research Institute for Higher Education, and a Higher Education Training Center and the departments and

teams within them. The Research Institute for Higher Education and the Higher Education Training Center are auxiliary organs of the Council

- b. With the recommendation of the secretary-general, the chairman appoints the directors of University Support Headquarters, the Research Institute for Higher Education, and the Higher Education Training Center and the department directors and team leaders within them; those appointed should have knowledge and experience in university affairs.
- c. The Council may form expert research committees whenever needed; committee members are appointed by the chairman from among university deans, administrative directors, and department heads with the recommendation of the secretary-general.
- d. The directors of University Support Headquarters, the Research Institute for Higher Education, and the Higher Education Training Center assist the secretary-general with overall management of the Council and the operations of each department, the operations of the Research Institute for Higher Education, and the operations of the Higher Education Training Center, respectively.

#### **Article 24: Consultative Committees**

The Council may form consultative committees to provide advice to the chairman and secretary-general regarding the overall management of the Council; details regarding their formation and management will be determined separately.

#### **Article 25: Council Staff**

- a. The Council will have staff according to its administrative and organizational requirements.
- b. Details regarding the appointment, service, pay, and evaluation of staff and the Council's administrative system will be determined separately.

## **Chapter 7: Assets & Accounting**

### **Article 26: Finances**

The finances of the Council include the following sources of income:

- a. Membership dues
- b. Contributions, grants, and donations from the government to defray operating costs
- c. Other income sources

### **Article 27: Fiscal Year**

The fiscal year of the Council coincides with that of the government.

### **Article 28: Work Plans and Budgets**

The secretary-general must prepare an annual work plan and budget, obtain approval from the Board of Trustees and the General Assembly, and submit them to the Minister of Education, Science, and Technology twenty days before the beginning of each fiscal year.

#### **Article 29: Extra-Budgetary Debt**

All extra-budgetary debt and debt forgiveness is decided by the General Assembly and must receive the approval of the Minister of Education, Science, and Technology.

#### **Article 30: Account Settlement**

The secretary-general must prepare an annual statement of revenues and expenditures with an attached performance record for the previous year, obtain approval from the Board of Trustees and the General Assembly, and submit it to the Minister of Education, Science, and Technology no later than two months following the beginning of each fiscal year.

### **Chapter 8: Supplementary Regulations**

#### **Article 31: Amending Articles of Association**

Amendments to these Articles of Association are decided on and approved by at least two-thirds of all Council members and must receive the consent of the Minister of Education, Science, and Technology.

#### **Article 32: Council Dissolution**

- a. Dissolution of the Council is decided on and approved by at least two-thirds of all Council members, and permission from the Minister of Education, Science, and Technology.
- b. Remaining assets following dissolution are handled by decision of the General Assembly with approval from the Minister of Education, Science, and Technology.



### **Article 33: Enforcement Provisions**

The chairman decides matters not stipulated by these Articles of Association or other matters regarding the operations of the Council. Essential matters regarding the operations or assets of the Council, however, are decided by the Board of Trustees.

### **Additional Provisions**

(Enacted 04/02/1982)

*Date of Enforcement.* These Articles of Association become effective on the date determined by the General Assembly.

(Amended 10/08/1982)

- a. *Date of Enforcement.* These Articles of Association become effective on the date of approval by the Minister of Education.
  
- b. *Interim Measures.* Executive officials of the existing Council for University Education are considered executive officials of the Korean Council for University Education established by these articles of association on their effective date; the terms of office of these officials are calculated from the original appointment date according to previous regulations.

(Amended 12/31/1983)

*Date of Enforcement.* These Articles of Association become effective on the date of approval by the Minister of Educational Affairs.

(Amended 03/21/1985)

*Date of Enforcement.* These Articles of Association become effective on the date of approval by the Minister of Educational Affairs.

(Amended 02/04/1989)

*Date of Enforcement.* These Articles of Association become effective on the date of approval by the Minister of Educational Affairs.

(Amended 03/01/1991)

a. *Date of Enforcement.* These Articles of Association become effective on the date of approval by the Minister of Educational Affairs.

b. *Interim Measures.* The term of office of the secretary-general shall be calculated from May 10, 1990 when these Articles of Association become effective.

(Amended 02/26/1993)

*Date of Enforcement.* These Articles of Association become effective on the date of approval by the Minister of Education.

(Amended 07/27/1995)

*Date of Enforcement.* These Articles of Association become effective on the date of approval by the Minister of Education.

(Amended 01/29/2003)

*Date of Enforcement.* These Articles of Association become effective on the date of approval by the Minister of Education and Human Resources Development.

(Amended 07/14/2006)

*Date of Enforcement.* These Articles of Association become effective on the date of approval by the Minister of Education and Human Resources Development.

(Amended 06/13/2008)

- a. *Date of Enforcement.* These Articles of Association become effective on the date of approval by the Minister of Education, Science, and Technology.
- b. *Interim Measures.* The term of office for the first secretary-general following this amendment shall end April 7, 2010 when these Articles of Association become effective.

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