

# **A Policy Study on How to Revise the Private Learning Institutes Law**

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Private learning institutes have been representative providers of private education and training in Korea, and played a key role not only in providing private education but also in developing individual vocational competency. In addition, private learning institutes have been quick to respond to the changing needs of the society, thereby supplementing formal education. Also, the functions of private learning institutes have changed in accordance with the changes in the governmental policies on formal school education.

There has been a rising voice that the Private Learning Institutes Law should be overhauled although it has already gone through revision several times since 1961, when the 'Private Learning Center Law', the first law governing private learning institutes, was legislated. This has triggered the current study "A Policy Study on How to Revise the Private Learning Institutes Law", which has been commissioned by the Ministry of Education and Human Resources Development with the purpose of mapping out plans for overhauling the Private Learning Institutes Law.

The study aims to draw improved policy measures for the Private Learning Institutes Law. To this end, the study seeks to suggest a general direction for the revision of the Private Learning Institutes Law and provide a draft proposal for the revision based on the understanding of the current state of main issues and opinions collected from parties concerned.

This study consists of the following parts.

First, this study reviewed major functions and roles of private learning institutes. Changes in private learning institutes and major statistics were surveyed. Also, the functions of private learning institutes with regard to lifelong learning and their general functions as private education providers is addressed along with the changes in the government's policies on private education.

Second, the study made a systematic analysis of the current Private Learning Institutes Law and a review of its main aspects. Major regulations comprising the Private Learning Institutes Law and the regulations applied to each pertinent subject are reviewed and analyzed in the study. Also, an analysis was made on the issues arising in practical application of the law.

Third, centering around these issues, the study examined the current state and problems of the law through interviews with private learning institute owners and government officials who are in charge of administering the law. Officials at local education authorities across the nation who are in charge of affairs related with private institutions were interviewed. Also, operators of private learning institutes in each subject field, those working in branch offices of the Korean Association of Learning Institutes and the Korean Learning Centers Association were interviewed. Information and opinions collected from these interviews form the basis in drawing a final conclusion with respect to the overall direction of the revision.

Fourth, on top of the results derived from the newly acquired materials and existing materials, a survey on private learning institutes was carried out. The survey is roughly divided into two parts. One is the survey conducted on 300 private learning institutes, and the other was conducted on officials at education authorities in cities, provinces and towns across the nation. The respondents offered their thoughts on main issues and on improvement measures for the law. Also included is the result of the survey that was carried out in 2001 by the Ministry of Education and Human Resources Development targeting officials in charge of private learning institutes affairs at the 16 education authorities nationwide. The survey was designed to collect opinions for practical measures regarding the revision of the Private Institutions Law.

Lastly, the study presents a general direction for revision of the Private Learning Institutes Law, and discusses in detail what part of the law should be revised and what would be the best measures. Putting the results together and reflecting the opinions expressed in open hearings, the draft proposal for revision of the current Private Learning Institutes Law is presented.

Major contents of the draft proposal are as follows.

First of all, basic principles for revision are suggested; deregulation for private learning institutes offering adult vocational competency development, overhaul of the legal system regarding private learning institutes, improvement of the classification system of learning courses, strengthening of local autonomies, increase in independence and consolidation of responsibilities of private learning institutes, enhancement of equity among different types of learning institutes, and institutionalization of diverse aspects of the administration of learning institutes.

More specifically, final proposals for revision presented through the study is divided into three parts; the first part is those included in the draft bill which is provided in the appendix of the study, and the second part consists of revision proposals which should be dealt within enforcement decrees or in ordinances which are sub-laws. And the third part includes specific issues that need further review and discussion before finalization of specific points.

The proposals included in the draft bill include the following. Securing of safety measures for learners at private learning institutes and learning centers, deregulation of private learning for adults as a distinction between learning institutes where the learners are primarily adults and those where learners are minors, commission of enactment of provisions on standards for facilities of learning institutes to educational authorities in major provinces and cities, such as the provision to limit running classes at institutes for young learners at late night and the provision to limit the operation of dormitory type learning institutes. Restrictions on running night classes in learning centers were also added, while training of teachers at learning centers is legally supported. As for the new regulations on private tutors, it was made mandatory for private tutors to additionally report the place of tutoring and to provide lessons only at the reported place.

The issues that should be dealt with in sub-laws such as enforcement decrees and ordinances, and those whose specific points need further scrutiny are as follows. A revision is necessary in order to improve the current classification system for the subject field of private learning institutes. Revisions on the current qualification standards for instructors at private learning institutes and

learning centers and the organization and management of the Institution Fee Adjustment Council, established and operated under the current law, are also necessary.

Further discussion need to be made to improve equity among different subjects of the law, including private learning institutes, private learning centers, and private tutors by further strengthening regulations on private tutoring. Also, a clear distinction needs to be made between regulations concerning private learning centers and those concerning private tutors. In addition, specific regulations need to be established for private learning institutes that mainly deal with pre-school children, such as private drawing institutes for pre-schoolers. These institutes also play a role as day care center for young children who are learners at those institutes. Thus, in the long term, there need to be supportive provision for these types of learning institutes.