SEOUL METROPOLITAN GOVERNMENT ORDINANCE ON EDUCATIONAL ASSISTANCE FOR REDUCING GAPS IN EDUCATION AND NURTURING TALENTED PEOPLE

Enactment No. 4405, Jul. 19, 2006
Amendment of Other Laws No. 4452, Jan. 02, 2007
Partial Amendment No. 4846, Sep. 29, 2009
Partial Amendment No. 4925, Jan. 07, 2010
Partial Amendment No. 4953, Mar. 02, 2010
Partial Amendment No. 5050, Nov. 04, 2010
Amendment of Other Laws No. 5137, Jul. 28, 2011
Amendment of Other Laws No. 5140, Jul. 28, 2011
Partial Amendment No. 5230, Jan. 05, 2012
Partial Amendment No. 5592, Oct. 04, 2013
Partial Amendment No. 5825, Jan. 02, 2015
Amendment of Other Laws No. 6016, Oct. 08, 2015
Partial Amendment No. 6215, May. 19, 2016
Partial Amendment No. 6659, Sep. 21, 2017
Amendment of Other Laws No. 6851, Mar. 22, 2018
Partial Amendment No. 7078, Mar. 28, 2019
Amendment of Other Laws No. 7423, Dec. 31, 2019

Article 1 (Purpose)

The purpose of this Ordinance is to promote the improvement of the environment for education and balanced regional development and to lay a foundation for nurturing talented people by assisting kindergartens and schools at various levels in the Seoul Metropolitan Government. <Amended by Ordinance No. 4925, Jan. 7, 2010; Ordinance No. 5592, Oct. 4, 2013>

Article 2 (Scope of Application)

This Ordinance shall apply to educational assistance for kindergartens under subparagraph 2 of Article 2 of the Early Childhood Education Act and kindergarteners and schools at various levels under Article 2 of the Elementary and Secondary Education Act and students therein.
[This Article Wholly Amended by Ordinance No. 5592, Oct. 4, 2013]

Article 3 (Formulation and Implementation of Master Plan for Educational Assistance)

(1) The Mayor of the Seoul Metropolitan Government (hereinafter referred to as the "Mayor") shall formulate and implement a master plan for educational assistance by the Seoul Metropolitan Government (hereinafter referred to as "master plan") in order to reduce gaps in education and nurture talented people in the region.
(2) When the Mayor intends to formulate a master plan, he/she shall refer the plan to the Deliberative Committee on Educational Assistance under Article 11 for deliberation after consulting with the Superintendent of the Seoul Metropolitan Office of Education (hereinafter referred to as the "Superintendent"). The foregoing procedure shall also apply where it is intended to amend the master plan.
(3) The master plan under paragraph (1) shall include matters concerning the programs eligible for assistance and the scale and methods for assistance for assisting the following educational programs: <Amended by Ordinance No. 5825, Jan. 2, 2015>
1. Programs for reducing gaps in education for balanced development of the region;
2. Programs for improving educational facilities and environment;
3. Programs for assisting in the operation of curricula and for nurturing good, talented people;
4. Programs for developing and operating educational courses for local residents;
5. Programs for creating spaces that local residents and juveniles can utilize for cultural and sports activities in schools;
6. Educational programs that are difficult to implement by each autonomous Gu;
7. Programs for reducing various gaps created in education (gaps between students, between districts, and between foreign languages) in the course of implementing educational courses for English and secondary foreign languages in order to nurture global, talented people who can communicate with the world;
8. Other educational assistance programs that the Mayor deems necessary for improving educational conditions, except expenses of environment-friendly free meals.
(4) When the Mayor formulates the master plan under paragraph (1), he/she shall publicly notify the plan by the Official Bulletin of the Seoul Metropolitan Government, the Internet, and other means.
(5) Matters necessary for the formulation and public notification of the master plan under paragraph (1) shall be determined by municipal ordinances.

[This Article Wholly Amended by Ordinance No. 5592, Oct. 4, 2013]

Article 4 (Allocation of Budget)

The Mayor allocate the budget for assistance in educational programs under Article 3 (3) with funds transferred from the Seoul Government's special accounts for educational expenditure, etc.
[This Article Wholly Amended by Ordinance No. 5592, Oct. 4, 2013]

Article 5 (Financial Resources, etc. for Educational Subsidies)

(1) The amount of the educational subsidies under Article 4 shall not exceed 4/1000 of ordinary taxes specified in Article 8 (1) 1 of the Framework Act on Local Taxes, out of the revenue of the main budget for the pertinent year.
(2) The educational subsidies shall be divided into general educational subsidies and special educational subsidies, and the funds for the general educational subsidies shall be 90/100 of the total amount of educational subsidies, while the funds for the special educational subsidies shall be 10/100 of the total amount of educational subsidies.
(3) Whether to grant special educational subsidies under paragraph (2) shall be determined by an agreement between the Mayor and the Superintendent on applications filed for the grant by kindergartens, schools, autonomous Gus, etc. (hereinafter referred to as entities eligible for educational assistance"), if extraordinary demands for educational subsidies arise due to an emergency unforeseen at the time of formulating the master plan. Further details about the entities eligible for special educational subsidies and the procedure and methods for the grant of such subsidies shall be prescribed by municipal ordinances.
(4) An educational subsidy shall be granted for a specific program for specified purposes and conditions.
[This Article Wholly Amended by Ordinance No. 5592, Oct. 4, 2013]

Article 6 (Allocation of Expenses)

When the Mayor deems it necessary to allocate financial burdens, taking into consideration the purposes, effects, etc. of a subsidized educational program (hereinafter referred to as "educational assistance program"), he/she may allocate the burden of part of expenses to the Seoul Metropolitan Office of Education (hereinafter referred to as the "Office of Education") or an autonomous Gu. In such cases, the Mayor shall consult with the Superintendent or the head of the relevant autonomous Gu. <Amended by Ordinance No. 5592, Oct. 4, 2013>

Article 7 (Application for Subsidization)

(1) When the head of an entity eligible for educational assistance files an application, he/she shall attach a review opinion of the Superintendent on the feasibility of the program in the application, the possibility of overlapping investment, etc. <Amended by Ordinance No. 4925, Jan. 7, 2010; Ordinance No. 5592, Oct. 4, 2013>
(2) If the Mayor deems it necessary for examining an application filed for assistance under paragraph (1), he/she may request the head of the entity eligible for educational assistance to supplement relevant documents. <Amended by Ordinance No. 4925, Jan. 7, 2010; Ordinance No. 5592, Oct. 4, 2013>

Article 8 (Prohibition of Use for Unauthorized Purposes)

In any of the following subparagraphs, the May may require the person to whom a subsidy for an educational assistance program has been granted to return the full amount or part of the subsidy: Provided, That the foregoing shall not apply where such person has obtained prior approval from the Mayor in any case referred to in subparagraphs (1) through (3): <Amended by Ordinance No. 4925, Jan. 7, 2010>
1. If the person uses the subsidy for any purpose other than the purpose of assistance;
2. If the person completely or partially suspends the relevant program;
3. If it is found impossible to accomplish the purposes of the relevant program;
4. If it is found that the person committed fraud or a serious fault in relation to the relevant program.

Article 9 (Evaluation and Management of Educational Assistance Programs)

(1) The Mayor shall evaluate educational assistance programs and reflect the results thereof in the master plans formulated after evaluation. <Amended by Ordinance No. 4925, Jan. 7, 2010>
(2) If the Mayor deems it necessary for evaluating and managing educational assistance programs, he/she may request the relevant school or entity to submit relevant documents or may authorize public officials under his/her direction to visit the relevant school or entity for inspection. <Amended by Ordinance No. 4925, Jan. 7, 2010>

Article 10 (Return of Unused Subsidies)

If a person to whom a subsidy for an educational assistance program has been granted has an amount left over out of the subsidy as a result of the settlement of the relevant program, he/she shall return the amount. <Amended by Ordinance No. 4925, Jan. 7, 2010>

Article 11 (Establishment and Functions of Deliberative Committee on Educational Assistance)

The Deliberative Committee on Educational Assistance of the Seoul Metropolitan Government (hereinafter referred to as the "Committee") shall be established to deliberate on the following matters concerning educational assistance and render advice to

the Mayor as requested: <Amended by Ordinance No. 4925, Jan. 7, 2010; Ordinance No. 5592, Oct. 4, 2013>
1. Formulation and amendment of master plans;
2. Determination of the order of priority of educational assistance programs and selection of educational assistance programs;
3. The amount of the subsidy for each educational assistance program and methods of assistance;
4. Evaluation of educational assistance programs;
5. Other matters tabled by the Mayor for deliberation.

Article 12 (Composition, etc. of Committee)

(1) The Committee shall be composed of not more than 15 members, including one chairperson and one vice chairperson, and the Director General of the Management and Planning Office of the Seoul Government shall serve as the chairperson, while the Director General of the Office of Planning and Coordination in the Office of Education shall serve as vice chairperson, and committee members shall be commissioned or appointed as follows: <Amended by Ordinance No. 4452, Jan. 2, 2007; Ordinance No. 4925, Jan. 7, 2010; Ordinance No. 5137, Jul. 28, 2011; Ordinance No. 5825, Jan. 2, 2015>
1. Commissioned members: Three members of Seoul Metropolitan Council recommended by the Chairperson of the Metropolitan Council and the persons who have abundance experience and knowledge about education, among the persons engaged in education or journalism and school parents, shall be commissioned by the Mayor as commissioned members, but not more than one-half of commissioned members may be commissioned from among the persons recommended by the Superintendent;
2. Ex officio members: The Directors-General of the bureau in charge of juvenile welfare and the bureau in charge of education in the Seoul Government and the Directors-General of the Education Policy Bureau and the Education Administration Bureau of the Office of Education shall service as ex officio members.
(2) The chairperson shall represent the Committee and administer all administrative affairs of the Committee, but the vice chairperson shall act on behalf of the chairperson, if the chairperson is unable to perform his/her duties due to an unavoidable cause or event. <Amended by Ordinance No. 4925, Jan. 7, 2010>
(3) The term of office of a committee member who is a public official shall correspond to the period during which he/she holds the relevant position, and the term of office of each commissioned member shall be two years but may be renewed consecutively, and the term of office of a committee member commissioned to fill a vacancy shall correspond to his/her predecessor's remaining term of office. <Amended by Ordinance No. 4925, Jan. 7, 2010>

Article 13 (Meetings, etc.)

(1) Committee meetings shall be divided into annual meetings and special meetings. In principle, an annual meeting shall be held once a year, but special meetings may be convened by the chairperson occasionally whenever the chairperson deems necessary. <Amended by Ordinance No. 4925, Jan. 7, 2010>
(2) A committee meeting shall be duly formed with the attendance of the majority of current members, and a resolution shall be adopted by affirmative votes of the majority of the members present at the meeting. <Amended by Ordinance No. 4925, Jan. 7, 2010>
(3) The Committee shall have one executive secretary who shall carry out administrative affairs, and the executive secretary shall be appointed by the chairperson from among public officials of the Seoul Government. <Amended by Ordinance No. 4925, Jan. 7, 2010>
(4) Any committee member who has a direct interest in an item on the agenda shall not participate in deliberation on the relevant item. <Amended by Ordinance No. 4925, Jan. 7, 2010>
(5) Other matters necessary for the operation of the Committee shall be determined by the chairperson after resolution by the Committee. <Amended by Ordinance No. 4925, Jan. 7, 2010>

Article 14 (Allowances, etc.)

The members who attend a committee meeting may be reimbursed for attendance allowances and travel expenses in accordance with the Seoul Metropolitan Government Ordinance on the Payment of Allowances and Travel Expenses for Committees, within budgetary limits.
[This Article Wholly Amended by Ordinance No. 5592, Oct. 4, 2013]

Article 15 (Working-Level Education Council)

(1) In order to efficiently operate the Committee, the Mayor shall establish the Working-Level Education Council of the Seoul Metropolitan Government (hereinafter referred to as the "Working-Level Council") as an organization affiliated with the Committee for deliberating on the following matters: <Amended by Ordinance No. 4925, Jan. 7, 2010>
1. Working-level discussions between the Seoul Government and the Office of Education on policies on education;
2. Specialized survey, research, and review on educational assistance programs for which an application has been filed under Article 7;
3. Other matters tabled by chairpersons (referring to the chairpersons of the Working-Level Council; the same shall apply hereafter in this Article) for deliberation.
(2) The Director-General of the bureau in charge of education in the Seoul Government and the Director General of the Office of

Planning and Coordination in the Office of Education shall serve as chairpersons. <Amended by Ordinance No. 4452, Jan. 2, 2007; Ordinance No. 4925, Jan. 7, 2010; Ordinance No. 5137, Jul. 28, 2011>

(3) The members of the Working-Level Council shall comprise the Directors of related divisions (Officers) in the Seoul Government and the Office of Education and the Education Coordination Officers under Article 17, including two chairpersons. <Amended by Ordinance No. 4925, Jan. 7, 2010>

(4) Other matters necessary for the operation of the Working-Level Council shall be determined by chairpersons after resolution by the Working-Level Council. <Amended by Ordinance No. 4925, Jan. 7, 2010>

Article 16 (Entrustment of Administrative Services)

In order to render assistance in education efficiently, the Mayor may entrust specialized research institutes with the evaluation of educational assistance programs under Article 9 and the development of policies on educational assistance. <Amended by Ordinance No. 4925, Jan. 7, 2010>

Article 16-2 (Submission and Reporting of Master Plans, etc.)

(1) The Mayor shall submit the master plan, including the amount of subsidies for educational assistance programs and the entities eligible for assistance, and the explanatory statement of each program to Seoul Metropolitan Council (hereinafter referred to as the "Council"), along with the budget bill for the following year. <Amended by Ordinance No. 4925, Jan. 7, 2010; Ordinance No. 5592, Oct. 4, 2013>

(2) The Mayor shall report the results of implementation of educational assistance programs during each year and the results of evaluation of performance to the relevant Standing Committee of the Council by the end of May of the following year. <Amended by Ordinance No. 4925, Jan. 7, 2010>

Article 17 (Request for Dispatch of Educational Coordination Officers)

If the Mayor deems it necessary for formulating and executing an educational assistance plan, searching for programs for cooperation between the Seoul Government and the Office of Education, and efficiently implementing educational assistance programs, he/she may request the Superintendent to dispatch public officials under his/her direction (hereinafter referred to as "Educational Coordination Officers"), as prescribed by relevant statutes.

Article 18 (Enforcement Rule)

Matters necessary for the enforcement of this Ordinance shall be prescribed by municipal rule. <Amended by Ordinance No. 4925, Jan. 7, 2010>