

**Alternative Report to the United Nations Committee on
Economic, Social and Cultural Rights
Republic of Korea, 62th Session**

Submitted by

World Without Worries about Shadow Education (WWWSE)

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I. INTRODUCTION

1. World Without Worries about Shadow Education(WWWSE) is a non-profit organization established in 2008 operated with donations from parents, teachers, and citizens passionate about bringing Korea's educational problems to an end. With the goal of creating an educational environment where students are free from excessive academic competition and overburdening private education for college entrance, we engage in the activities that raise people's awareness on the issues of education while proposing alternative policies.

2. As per CESCR's recommendations in General comment No.33 and No.34 on reducing extreme competition and strengthening public education in Korean education, WWSE would like to bring the following areas to the CESCR:

- 1) Late-night and holiday operation of private institutes
- 2) Excessive private education for infants
- 3) Schools' evaluation systems that line up students in a row
- 4) Excessive hierarchical system of high schools
- 5) Nominal open recruitment system for principals

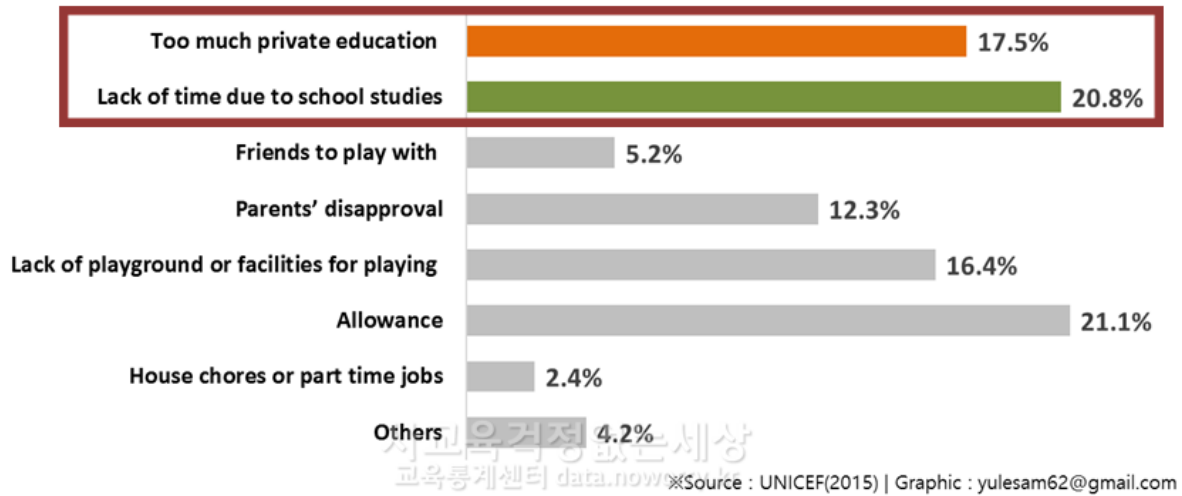
II. Late-night and holiday operation of private institutes

3. Statistics Korea reports in 'Daily schedule survey 2014'(2015) that the time Korean students study most after school are in between 16:00~18:00 in case of elementary school, 17:00~22:00 as for middle school, and after 21:00 on the part of high school students¹. The ratio of students who rely on private education for studies outside of school were found to be 72.5% of elementary school students, 64.6% of middle school students, and 36.1% of high school students². In UNICEF's report on the factors that hinder Korean children's play and leisure time, 'too much private education' and 'lack of time due to studying' occupied 17.5% and 20.8% respectively.

¹ Statistics Korea defines participants of an activity as those who continue the act for more than 10 minutes, and the students' study hours outside of school herein is a separate data that observed the time period of the participants' high participation rate (Daily Schedule Survey 2014, Statistics Korea 2015)

² High school students' relatively low participation rate in private education is due to self-study time after school during which students have to study at school until late night

[Graph 1] Factors that hinder children’s play and leisure time



4. Clause 2 of Article 16 of Private Institute Law places restriction on late night operation of private institutes through municipal and provincial ordinances. However, the legal operational hours of private institutes in 8 regions among 17 cities and provinces start from 5am and end at midnight, seriously violating students’ rights to health. These regions are Gyeongnam, Chungbuk, Gyeongbuk, Gangwon-do, Daejeon, Jeju, Chungnam, and Ulsan.

[Chart 1] Ordinance regulating the operation hours of private institute by cities and provinces

(The opening hour is 5am in all areas) ★Excessive areas

Cities/Provinces	Kindergarten	Middle School	High School
	Elementary School		
Seoul	10pm		
Busan	10pm		11pm
Daegu	10pm		
Incheon	9pm	10pm	11pm
Gwangju	10pm		
Daejeon	10pm	11pm	12am

★Ulsan	12am		
Sejong	9pm	10pm	
Gyeonggi	10pm		
★Gangwon	10pm	11pm	12am
★Chungcheongbuk	11pm		12am
★Chungcheongnam	9pm	11pm	12am
Jeollabuk	9pm	10pm	11pm
Jeollanam	10pm		11: 50 pm
★Gyeongsangbuk	9pm	11pm	12am
★Gyeongsangnam	9pm	11pm	12am
★Jeju	9pm	11pm	12am

5. The chart above shows an insufficient regulation of operation hours, and even these regulations are not properly observed. In 2016, private tutoring institutes that violated the curfew were continuously caught in Gangnam and Seocho, the busiest private education districts in Seoul³. Starting from 15 institutes in August, 7 were exposed in October, and 6 in December. Even this crackdown is not thoroughly implemented due to the understaffed monitoring teams. According to 2015 data on 'Inspection of private institutes by cities and provinces', the average inspection rate was 61.7%, revealing 4 out of 10 private institutes were unexamined. The number of staffs monitoring 125,000 private institutes in Korea were only 414, and the number of private institutes to be monitored per one staff was 302. Therefore, supply of manpower is in urgent need⁴.

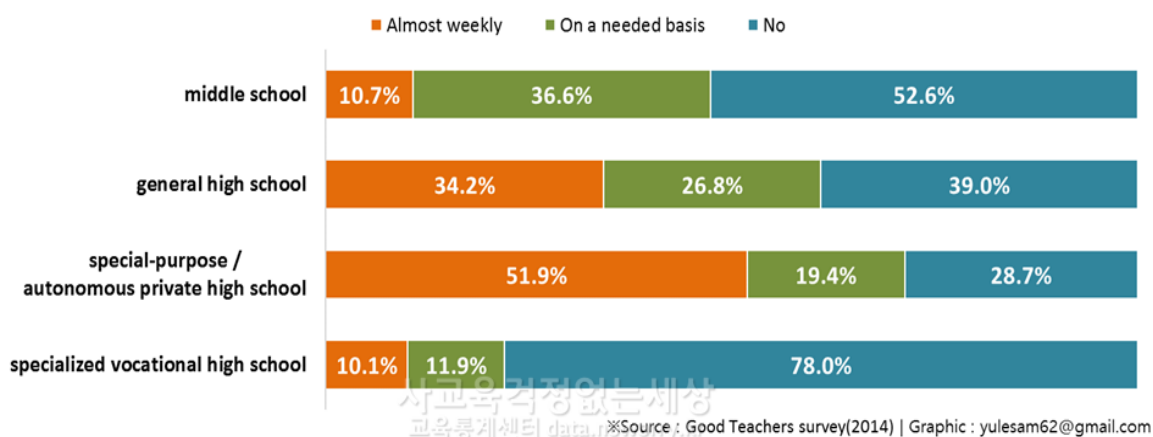
6. Children's academic labor continues on Sundays and holidays. To a survey that asked 2,774 students in middle and high school in Seoul (middle school: 1353, general high school: 1019, special-purpose / autonomous private high school: 162, specialized vocational high school: 239) whether they were

³ <http://www.asiatoday.co.kr/view.php?key=20161109010006245> (2016.11.11)

⁴ http://edu.donga.com/?p=article&at_no=2016101412142445081 (2016.10.14)

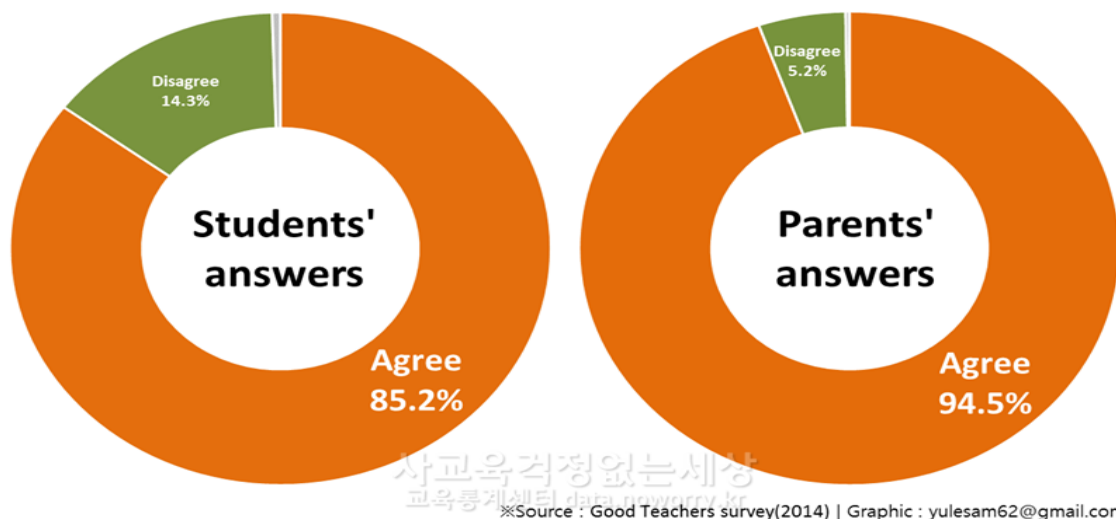
attending private tutoring institutes for academic purposes on Sundays, 51.9% of special purpose high school students, 34.2% of general high school students and 10.7% of middle school students answered that they attend on a weekly basis. Including responses that said yes on a needed base, 47.3% of middle school students, 61% of general high school students and 71.3% of special purpose and private autonomous high school students were continuing their academic labor at private institutes on Sundays.

[Graph 2] Private Institute Attendance on Sundays by schools



7. It was confirmed that the ratio of students who want to rest at least for a day in a week is high. To the question whether they agree with the law that bans operation of private education institutes on Sundays, 85.2% of the students and 94.5% of parents answered yes.

[Graph 3] Law on banning private institutes from Sunday operation



8. Since students are suffering from academic labor even on weekends night and day while the working hours for adults are set as 40h per week, measures ensuring students' basic rights to rest,

health, and sleep are indispensable.

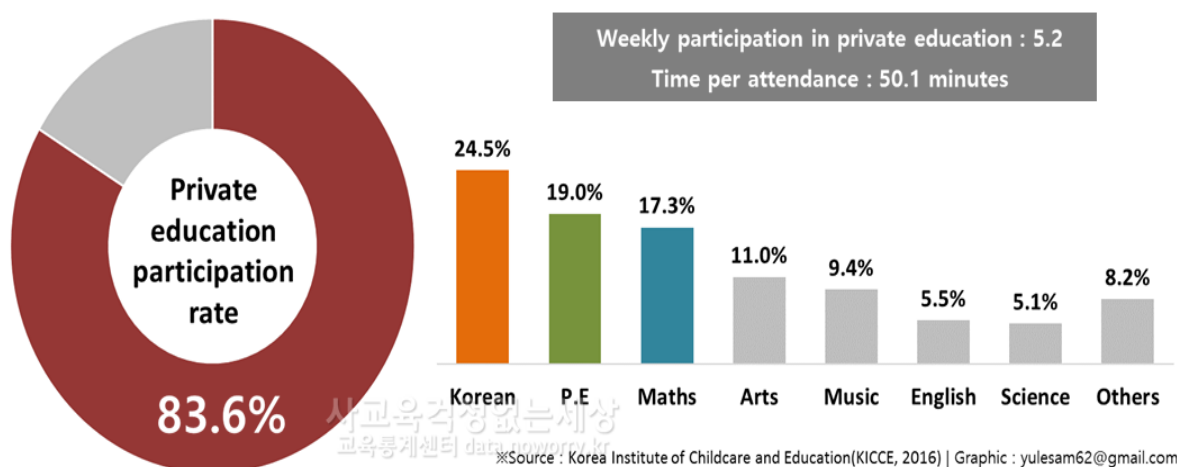
Suggested List of Issues

- What measures does the State party intend to take to manage and monitor illegal late-night operation of private education institutes? Does the State Party have plans to implement curfew regulations with consistency in order to stop the operation of private tutoring institutes past 10 pm?
- What are the plans of the State Party to prepare legal grounds for enforcing private institutes to close on Sundays and allow rest to students participating in academic labor both on weekdays and weekends?

III. Excessive private education for infants

9. Currently, private education for infants are becoming common in Korea. When Korea Institute of Childcare and Education(KICCE) surveyed 704 parents of children under age 6 in 2016, 83.6% of infants under 6 were receiving private education, proving that most 6-year-old children are participating in private education. They were receiving 2.2 kinds of private education on average, with 5.2 attendances per week spending 50.1 minutes per attendance.

[Graph 4] Private education of children under age 6

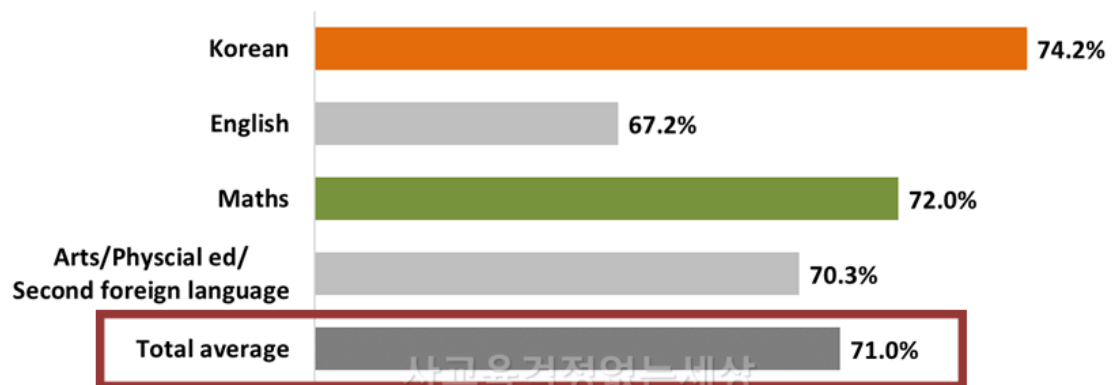


10. Among the private education infants receive, the proportion in school subject areas such as Korean,

English, and Maths is quite high. When WWES surveyed 5,470 parents of first-year-students in elementary schools in 2013, the percentage of students who participated in pre-school private education was 71%.

By subject, the percentage of children who had private education in Korean was 74.2%, 72% in Maths, 70.3% in arts and physical education as well as second foreign language, and 67.2% in English.

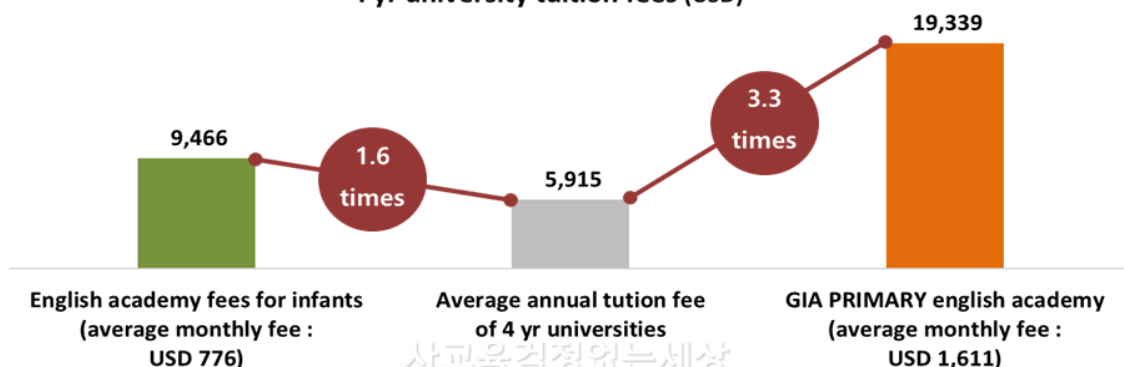
[Graph 5] Pre-school private education participation rate by subject



※Source : WWES & Lawmaker Kim Sang hee's office(2013) | Graphic : yulesam62@gmail.com

11. English academies for infants among private tutoring academies are excessive not only in terms of class hours and fees but in the volume of academic burden placed on the infants. These academies which run half day programs start classes in the morning just like daycare centers or kindergartens and teach English for more than 3 hours. They are commonly termed “English kindergartens” but in actuality are “language institutes” subject to Private Education Institute Law, not childcare facilities. The average monthly fee for these English academies for infants is KRW 890,000 (≒ USD 775.6), which is double the monthly amount of 4 year university annual tuition fees which totals KRW 6.67million(≒ USD 5,812).

[Graph 6] Tuition fees of English academy for infants compared to 4 yr university tuition fees (USD)



※Source : WWES(2016) | Graphic : yulesam62@gmail.com

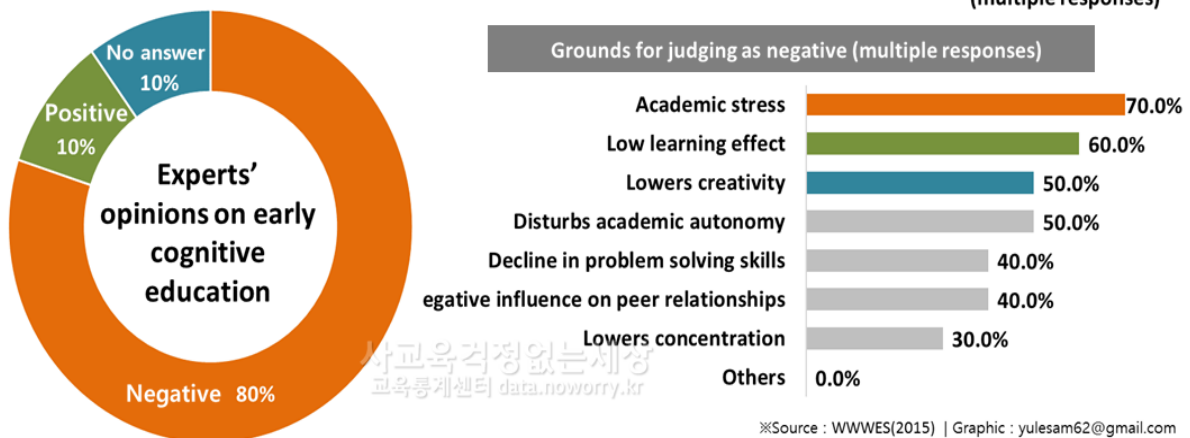
12. The average hours taught in these academies are 4 hours and 57 minutes. This is equal to 7.4 classes in elementary schools, meaning there are extra 2.4 classes in addition to 5 classes allotted for grade 1 and 2 of elementary schools. These hours are equal to middle school class hours. When the text books for 7 year old children(who spent 3 years at the academy) at Academy P, the representative franchise of English academies for infants, were examined, the number of books amounted to 37 with 4,258 pages.

[Pic 1] Textbooks for 7 year old kids(on the left) / Text in the reading comprehension book (on the right)



13. Such private education during early childhood threatens children’s mental health. According to WWES’s survey in 2015, 80% of psychiatrists thought that early cognitive education causes harm to infants’ mental health. Among the reasons for this argument, “academic stress” accounted for 70% and “low learning effect” occupied 60%.

[Graph 7] Experts’ opinions on ‘the influence of early cognitive education on the infants’ mental health’ (multiple responses)



※Source : WWES(2015) | Graphic : yulesam62@gmail.com

Suggested List of Issues

- What measures does the State party intend to take on restricting excessive private education which causes great harm on child development and on reducing academic stress for the infants?
- What regulations does the State party have on expensive English academies for infants that widen inequality gap in education?

IV. Score evaluations that focus on ranking students

14. Currently there are ongoing discussions and attempts surrounding new evaluation systems in middle schools. However, due to some high schools' admission criteria that reflect students' school grades, middle schools have to conduct separate assessments that rank students from #1 to #100 based on their test scores. As a result, students' competition to get better grades and academic stress are exacerbating. Furthermore, intense relative evaluation systems prevent schools from introducing diverse curriculum and evaluations, which in turn hampers strengthening public education. Inevitably, schools end up focusing on ranking students rather than providing classes and evaluations that benefit students' growth and development. In classrooms driven by competitive dynamics of relative evaluation, classes that reflect each student's talent or interest become impossible. Additionally, students cannot learn how to cooperate with others or care for them as they have to compete with one another on a constant basis.

15. As a result of intense relative evaluation system, students are rigorously ranked which leads them to experience resulting discrimination. In 2013, 16.5% of elementary school students, 37.7% of middle school students and 47.8% of high school students replied that they have experienced discrimination due to their academic scores⁵. Cases of students being offered different learning environment (facilities) or opportunities according to their scores are common. This is related to schools' ranking systems of evaluation⁶.

⁵ Korean Social Trends 2015, Statistics Korea

⁶ <http://www.jbnews.com/news/articleView.html?idxno=775051> (2016.12.14)

[Pic 2] A sample of a student's score card

과목	국 어	수 학	사 회	과 학	영 어																					
만점	100	100	100	100	100																					
점수	100	100	92	84	100																					
평균	학교	82.2	73.6	78.3	71.9	70.3																				
	성별	89.3	83.8	83	79	87.2																				
학년	87	83.1	83.8	78.7	84																					
학급	99	99	81	74	99																					
학년	100	100	73	62	100																					
성별	100	100	68	61	100																					
구분 \ 문항번호	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	
국 어	정답	3	4	2	5	1	4	1	5	2	3	3	5	4	5	2	5	5	2	3	2	1	4	1	3	3
	결과	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O
	정답률	A	A	A	A	B	A	A	A	B	A	B	A	C	A	B	A	A	C	A	A	C	A	B	A	A
수 학	정답	3	1	4	2	5	4	3	5	4	1	3	4	1	2	4	3	3	2	3	5	2	1	5	2	4
	결과	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O
	정답률	A	A	A	B	A	A	B	A	A	A	A	A	B	B	A	A	A	A	A	B	B	A	B	A	B
사 회	정답	5	1	3	4	5	2	4	4	5	3	3	1	3	4	1	4	5	2	5	3	2	2	4	2	1
	결과	O	O	O	X	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O	X	O	O	O
	정답률	A	A	B	A	C	A	A	A	B	B	B	A	A	A	A	A	A	A	A	A	A	A	A	B	A
과 학	정답	4	3	5	1	4	4	1	2	1	3	5	2	5	1	4	1	3	5	1	2	2	2	4	2	3
	결과	O	X	O	O	O	O	O	O	O	O	X	O	O	O	X	O	O	O	O	O	O	X	O	O	O
	정답률	B	A	A	A	A	B	B	A	A	B	A	C	A	A	A	C	A	A	B	B	B	C	B	B	B
영 어	정답	4	1	1	4	5	3	5	2	5	3	3	2	1	4	3	1	5	3	1	4	2	2	4	4	
	결과	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O
	정답률	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O

(Red numbers indicate student's ranking in class and in one's entire grade)

Suggested List of Issues

- What immediate measures does the State party intend to take to correct this discrimination while indicating that intense relative evaluation system for college entrance is exacerbating the discriminatory practices based on students' test scores?
- Does the State party have plans for a college admission process and an educational environment which can put a stop to the relative grading system that excessively lines up students in a row?
- Does the State party intend to take measures on implementing a new evaluation system that strengthens public education with instruction methods and evaluations focused on students' overall growth? Does the State party have concrete and realistic measures concerning the above?

V. Unfair admission process and excessive hierarchy of high schools

16. The admission process of high schools in Korea begins in April with the selection process of schools for the gifted students followed by that of special purpose high schools, private autonomous high schools, and specialized high schools. Then autonomous high schools and Science core high schools in the second group of schools accept students. After such process is over, remaining students are

assigned to general high schools.

As for the method of selection, schools in the first group including schools for the gifted, special-purpose high schools and private autonomous schools pick students based on the students' middle school grades, interview outcomes, essays and other documents. General high schools and autonomous public high schools either select remaining students after admission process of previously mentioned schools is complete in unequalized districts or are assigned students by lot in equalized districts. The background for introducing private autonomous high schools and special purpose high schools was to diversify types of high schools, however, they have rapidly contributed to creating a hierarchical ranking among high schools based on students' academic records.

17. The end result is that general high school students suffer from severe sense of defeat. When there were only 10 special purpose high schools in Seoul, those who prepared for entrance into these schools in a middle school class of 34-35 students were less than 5. There were not many students who felt discouraged for not being included in the preparation group for special purpose high schools. However, when more than 30% of middle school students were accepted into special purpose high schools (ex.7 students out of one middle school) and private autonomous high schools(ex.75 students out of one middle school) in 2013, things began to change. Students began to "distinguish" oneself from another based on the possibility of getting accepted into private autonomous high schools with their academic scores or financial status of their families. They began recognizing their limits.

18. A middle school teacher said, "Middle school students who have to go to general high schools feel defeated. The expression, ghettoization of general high schools, become embedded in them since their middle school years. Going to a general high school, to some extent, means you are a loser, and I do not understand why general high schools have become institutions where young students have to bear with and risk going to".⁷

19. Even worse, the admission process of high schools focused on test scores has intensified the competition for good grades among middle school students. According to 'Survey on the private

⁷ <http://www.hani.co.kr/arti/society/schooling/646264.html> (2014. 07.09)

education spending of K12 students' of Korea Statistics Office in 2015, middle school students were spending KRW 275,000(=USD 241), which is KRW39,000(=USD 34) higher than KRW 236,000(=USD 207) of high school students. It was confirmed that the intensified hierarchical ranking among high schools led to increased pressure and burden on the students around the admission process, which resulted in higher private education spending of middle school students than that of high school students.

20. The government introduced a performance evaluation system of absolute grading method in 2012, however, due to the admission criteria of high schools for the gifted, special-purpose high schools and private autonomous high schools that look at students' grades, middle schools are evaluating students in percentile ranks from 1 to 100. This indicator is calculated based on the students' ranks according to their scores relevant to high school admission and the number of students in one's school.

In particular, since these high schools that students desire to enter set middle school GPA as one of the selection criteria, competition for good grades among middle school students in the middle to upper percentile are intensive. This serves as a big impediment to the expansion of test-free semesters during which students can explore their careers through experiential and discussion-based learning. After these special semesters are over, which usually take place in the second half of the first year, most students have to go back to traditional classes of rote teaching style for high school entrance preparation.

21. The tuition fees of private autonomous high schools are triple the amount of general high schools. Thus many students who cannot afford high tuition fees give up on applying for private autonomous high schools. A special quota for disadvantaged students does exist, (20% of all the freshmen as stipulated in Clause 3 of Article 9 of Elementary and Secondary Education Act), but the 2014-2016 data collected by Lawmaker Yoo Eun-hye revealed that only 14% of all the entrants of private autonomous high schools were from low-income families. Therefore, students with mediocre academic scores or of low SES have to go to general high schools distant from their homes. This runs counter to the basic features of rights to education stated in CESCR's General Comment No.13. Education should be accessible to the most vulnerable groups(non-discriminatory) and should be within reasonable distance (physical accessibility). Additionally, schools must be affordable to all students (economic accessibility). However, Korea's current high school system and its admission process fail to meet any of these features.

Suggested list of issues.

- What plans does the State party have on examining and adjusting the influence of high school's complicated admission process on the students' academic stress and intensive competition commented by UNCESC?
- What plans does the State party have on reforming the high school admission process and its systems so that it can guarantee the basic features of rights to education such as non-discrimination, physical accessibility, and economic accessibility?

VI. Nominal open recruitment system for principals

22. Currently, in Korea's elementary and middle schools, regular teachers are promoted on the basis of seniority as school principals. Such promotion system gives preference to teachers who focus on being promoted to administrative positions rather than on teaching. This is changing the cultural focus around the teaching profession from teaching to advancement, which can hardly be stated as having a positive influence on strengthening education for the students.

23. However, the expansion of open recruitment system for principals can establish a new teacher model doing best in teaching one's students, as well as a competency-based promotion system through which the public can build trust toward teachers and principals. This will ultimately contribute to strengthening public education. It has been proved that schools where teachers have become principals through the open-recruitment system exhibit improvement in democratic operation, transparency of personnel and financial management, curriculum autonomy, morale of school faculties, trust of local community and parents in schools, student achievement, and curriculum befitting the demands of students and parents⁸

24. In order to expand the system, the national assembly established a regulation containing the grounds of open recruitment system for principals in the Rules for the Public Educational Personnel and Staff Act on September 30th, 2011⁹. However, regulations for Elementary and

⁸ Challenges of improving Open Recruitment system for principals (KEDI, 2012).

<https://www.kedi.re.kr/khome/main/research/selectPubForm.do?maxLinks=10&maxResults=10¤tPage=1&plNum0=8803&tabGb=0>

⁹ Lawmaker Kim Young-jin who proposed the law on Sept 16, 2011, confirmed that the system will enable

Secondary Education Act limited the ratio of schools with open recruitment system to 15% of the applicant schools, leaving 1 out of 6 applicant schools in introducing the system. After the establishment of this regulation, the ratio of regular teachers appointed as principals after October 7th, 2009, was reduced to half of the previous year's figure.

[Chart 2] Previous position of newly appointed principals

Classification	Principal	Deputy principal	Teacher	Professional	Others	Total
3 rd application('08.9)	32 (45%)	24 (33.8%)	7 (9.9%)	8 (11.3%)	-	71
4 th ('09.3)	41 (38.0%)	46 (42.6%)	12 (11.1%)	9 (8.3%)	-	108
5 th ('09.9)	25 (24.8%)	57 (56.4%)	8 (7.9%)	11 (10.89%)	-	101
6 th ('10.3)	41 (30.6%)	65 (48.5%)	4(3%)	20 (14.9%)	4 (3%)	134
'10.9.1.	66 (15%)	333 (78%)	-	29 (7%)	-	428
11.3.1	72(19.2%)	265 (70.7%)	3(0.8%)	34 (9.1%)	1 (0.26%)	375
11.9.1	29 (9.8%)	240 (81.3%)	1 (0.3%)	25 (8.6%)	-	295
12.3.1.	35 (11.3%)	249 (80.4%)	3 (1.0%)	21 (6.8%)	2 (0.7%)	310

each school to be responsible for its own operation and the climate of the teaching profession will improve

12.9.1.	14 (5.0%)	242 (87.3%)	2 (0.7%)	17 (6.1%)	2 (0.7%)	277
13.3.1.	23 (10.7%)	169 (78.2%)	4 (1.9%)	18 (8.3%)	2 (0.9%)	216
13.9.1.	19 (9.2%)	168 (81.6%)	2 (1.0%)	16 (7.8%)	1 (0.5%)	206
14.3.1.	22 (8.6%)	207 (80.9%)	4 (1.5%)	21 (8.2%)	2 (0.8%)	256
sum	419 (15.1%)	2,065 (74.4%)	35 (1.3%)	229 (8%)	7 (0.2%)	2,777

Education, Science and Technology Committee, 「19th National Assembly Policy book」 2012. 6, Education Ministry 「National Assembly Research Service data」2014. 2.

Good Teachers, 「Good Teachers policy discussion data」, 2014. 12. 29.

25. The Public Educational Personnel and Staff Act which regulates open recruitment system for principals stipulates that the eligibility of the applicants and its scope of applicability are designated by a Presidential decree, thus entrusting the matter of applicants without principal's license with the executive order. Upon this legal arrangement, the 15% restriction in Elementary and Secondary Education Act should be deemed as illegal as the basic matters of the open recruitment system and the details of its implementation has been delegated to the Presidential decree which cannot exceed the application of the law and should not be against the purpose of legislation or its original intention.

Suggested List of Issues

- What measures does the State party intend to take on revising illegal regulations and expanding the open recruitment system for principals as there is a great need for competent principals who can drive reform for strengthening public education in Korea's current situation?