

The strengthening of democratic control over the authority of the superintendent of education in the Corona era

Jong-Ryeol Park*, Sang-Ouk Noe**

*Professor, Dept. of Police & Law, KwangJu Women's University, Gwangju, Korea

**Professor, Dept. of Police & Law, Joongbu University, Chungcheongnamdo, Korea

[Abstract]

While welcoming the distributing of the powers of the Ministry of Education, which is currently being promoted, to the city and provincial offices of education, I am very concerned that this will expand and amplify the powers concentrated in one central institution to 17 local institutions closer to the field. Until now, the Ministry of Education and the Office of Education have served as co-cause providers as important reasons for hindering school education. The transfer of the authority of the Ministry of Education is highly likely to be deformed as soon as it results in the quantitative reduction of the functions and roles of the existing Ministry of Education and the quantitative expansion of the roles and functions of the city and provincial offices of education. In the reality that no legal device for school autonomy has been established, it is highly likely that emphasizing the principle of school autonomy in our educational climate, which is deeply rooted in the vertical bureaucratic administrative culture, will end with a simple measure or stop at the level of imitation. Therefore, a more stable device is needed to check the authority of the city and provincial office of education and the superintendent of education to take over the authority of the Ministry of Education. This is also a system that is still required even when school autonomy becomes legal. Therefore, it is necessary to revitalize the independent education committee, establish a local education committee in the city and province education office, and activate the resident participation system (resident proposal system, resident voting system, resident litigation system, resident audit request system).

▶ **Key words:** Local Education Autonomy System, The Education Committee,
The Resident Participation System, School Autonomy, The Superintendent of Education

[요 약]

현재 추진하고 있는 교육부의 권한이 시·도교육청으로 배분되는 것을 환영하면서도 이것이 오히려 중앙 일개 기관에 집중되어 있던 권한을 현장에 더욱 가까운 지방 17개 기관으로 확대 증폭시키는 것이 되지 않을까 본인은 굉장히 우려하고 있다. 그간 학교교육을 저해하는 주요원인으로 교육부와 교육청이 공히 공동원인 제공자로 기능해 왔다. 교육부의 권한 이양은 기존 교육부의 기능과 역할의 양적 축소와 시·도 교육청 역할과 기능의 양적 확대로 귀결되는 순간 개악이 될 가능성이 높아진다. 학교자치에 대한 법적 장치도 마련되지 않은 현실에서 더욱이 수직적 관료행정 문화의 뿌리가 깊은 우리 교육계 풍토에서 학교자치 원칙을 강조하는 것은 말 뿐인 조치로 끝나거나 시늉내기 수준에서 멈춰버릴 가능성이 농후하다. 따라서 교육부의 권한을 넘겨받을 시·도교육청과 교육감의 권한을 견제할 수 있는 보다 안정적인 장치가 필요하다. 이는 학교자치가 법제화되어도 여전히 요구되는 제도이기도 하다. 따라서 독립적인 교육위원회 부활, 시·도 교육청에 지방교육위원회 설치, 주민참여제도(주민소환제, 주민직접발안제, 주민소송제, 주민투표제, 주민감사청구제도)의 활성화가 필요하다고 생각한다.

▶ **주제어:** 지방교육자치제도, 교육위원회, 주민참여제도, 학교자치, 교육감

-
- First Author: Jong-Ryeol Park, Corresponding Author: Sang-Ouk Noe
 - *Jong-Ryeol Park (park3822@kwu.ac.kr), Dept. of Police & Law, KwangJu Women's University
 - **Sang-Ouk Noe (nosang2424@daum.net), Dept. of Police & Law, Joongbu University
 - Received: 2021. 05. 12, Revised: 2021. 05. 31, Accepted: 2021. 05. 31.

I. Introduction

Although the Ministry of Education's authority, which is currently being promoted for education autonomy, is welcomed to be distributed to the city and provincial offices of education, it is very worried that this will expand and amplify the authority concentrated in one central institution to 17 local institutions closer to the site. As an important cause of hindering school education, the Ministry of Education and the Office of Education have both functioned as co-cause providers. The transfer of authority of the Ministry of Education is likely to be a change for the worse as soon as it results in the reduction of the functions and roles of the existing Ministry of Education and the expansion of the functions and role of the city and provincial offices of education.

In the reality that no legal system for school autonomy has been established, it is highly likely that emphasizing the principle of school autonomy in our educational climate, which is deeply rooted in the vertical bureaucratic administrative culture, will end as a mere measure or stop at the level of imitation. Therefore, a stronger and more stable device is needed to keep in check of the authority of the city and provincial offices of education and the superintendent of the education which will take over the authority of the Ministry of Education. This is also a system that is still required even if school autonomy is legislated.

II. Promotion of the Ministry of Education for Education Autonomy

The Presidential Committee on Self-Government and Decentralization has the following implications: First, in the area of cooperation between central and local governments, the basic direction of strengthening educational autonomy and cooperation with local autonomy is to expand the step-by-step transfer from kindergarten, elementary and middle schools to city and

provincial education offices and school education, and to promote the linkage and cooperation between education autonomy and local autonomy. Second, in the areas of reorganization of the local administrative system and improvement of the local election system, it was planned to cooperate with the National Assembly in relation to the reform of the superintendent of education election system.

In line with this, the 'Educational Autonomy Policy Council' was launched and the 'Educational Autonomy Policy Roadmap' was decided and announced in December 2017[1]. As a result, in January 2018, the Ministry of Education launched a department called the Local Education Autonomy Promotion Team, which consists of 12 people.

The first step is to abolish the guidelines of the Ministry of Education which has insufficient legal grounds, so that the city and provincial office of education will do it, and it will also support the school. Therefore, 83 priority tasks that violate the autonomy of schools and city and provincial offices of education are improved. And the second step is to review the amendment of the law to distribute the authority and start the legislation. In order to organize and operate an expert council for the improvement of education decentralization laws, the 'Education Decentralization Act Reorganization Advisory Committee' was established to work closely with the Special Committee of the working committee of the "Education Autonomy Policy Council", which are operated by the Ministry of Education and the National Council of Superintendents of Education. In order to promote the 'Educational Autonomy Policy Roadmap', the Ministry of Education (Local Education Autonomy Promotion Group)-Joint Special Committee (National Council of Superintendents of Education) within the working committee of the "Education Autonomy Policy Council" was established.

The first step is to improve the priority task of allocation of authority. The direction is to jointly promote educational autonomy and school democracy between the Ministry of Education and the city and provincial offices of education. If the

legal basis is weak, it is abolished, and if there is an explicit basis, the authority will be allocated through amendment of the law, and the education policy area requiring the national accountability will play the role of the central government at a minimum. The role of the Ministry of Education is to abolish the guidelines with weak legal basis, improve the system for the operation and activities of the school, and the autonomy of the city and provincial office of education and the role of the city and provincial office of education is to abolish the guidelines of the city and provincial office of education and redistribute the authority to school for the autonomous operation and educational activities of the school. Accordingly, they will specify the improvement tasks through the General Assembly of the National Council of Superintendents of Education and promote their own plans in accordance with the conditions of the City and Provincial Office of Education.

The second step is to revise the law for the allocation of authority, and the plan is to establish a law revision plan considering the method of allocation and validity of authority.

III. The Improvement Tasks of the Extremely high authority of the Superintendent of education of dictatorship

1. Restoration of an independent education committee

Currently, the education committee is operated by the local council, but this is an extremely incomplete system and unconstitutionality of the constitutional spirit that regulates professionalism, autonomy, and political independence of education, and it can be said to be an institutional defect in that it does not meet the basic requirements of local autonomy. Therefore, the transfer of authority from the Ministry of Education has increased the responsibility of the city, provincial

education office and the superintendent of education, but the parliament cannot control the local education administrative power as it is organized and operated in the same way without professionalism, autonomy, and political independence as the general committee does. Furthermore, the elected superintendent of education is always likely to be an imperial superintendent, noting that the superintendent can be replaced by completely different people. Therefore, the independent education committee to check the administrative power of the city and provincial education office and the superintendent should be revived and autonomy, professionalism, and political neutrality should be established.

2. The Establishment of Local Education Committee in City and Provincial Office of Education

I think it is necessary to operate a local education committee and to establish the new method in the Local Education Autonomy Act so that local education experts and education officials (teachers, students, parents, local education organizations, and local residents) can actively reflect on the whole process of local education administration.

3. Activating the resident recall system

3.1 Improvement plan for the resident recall system

The resident recall system is a system that is faithful to the principle of direct democracy because it removes public officials from public office by the will of the residents[2]. The resident recall system is a physical institutional device that removes the problematic representatives and restores the actual democratic representation system through direct democratic means of destroying the principle of guaranteeing the term system and the principle of free delegation, which corresponds to the basic principle of the representation system, for the public representatives appointed through public elections or selection process. In this regard, the essence of

recall of residents is sometimes described as "Notbremse" to guarantee the so-called democratic or representative principle[3]. The Local Autonomy Act, amended in 2006, established a new provision for recalling residents to prepare the basis for recalling residents as the rights of local residents. (Act No. 7957, May 24, 2006). At the same time, the Recall of Residents Act (Act No. 7958) was enacted and implemented in July 2007. In Article 24-2 of the Local Education Autonomy Act, residents have the right to recall the superintendent of education.

However, the recall system is very difficult for residents to recall local officials. The Ministry of Public Administration and Security presents a total of 94 cases (as of 2019.10.31), 8 of which were voted, and 86 of which were not voted. Among the eight cases in which the vote was held, the recall was only the dismissal of two city councilors in Hanam-si, Gyeonggi-do, in connection with the construction of a crematorium.

Among the cases in which voting was conducted, there were 6 cases where they were not recalled because they did not meet the 30% of rate, and there were 1 cases where the 30% rate was met but not recalled due to the lack of satisfied votes. And if the vote was not proceeded, the most frequent case was the non-submission of the signature. The main reason why the recall of residents is actually not successful is that the signature of more than 10% of the total number of residents who requested to recall the residents is difficult, and after that, more than one-third of the total number of local voters must be counted and the election must be held during the weekday.

The amendment to the 「Residents Voting Act」 and the 「Recall of Residents Act」 was passed at the Cabinet meeting on December 22, 2020. The main amendments are as follows: First, in accordance with the revision of the Public Officials Election Act, the age for voting for residents will be lowered from the current 19 to 18. Second, the requirements for the recall vote for residents are eased according to the size of the voting claimant, and the requirements for

the confirmation of the recall vote for residents are eased from more than one-third to more than one-quarter of the total number of voters, so that the residents' opinions can be reflected more easily. Third, in line with the development of information and communication technology, we introduce online signature request so that residents can participate in the request for recall without time and space constraints, and provide grounds for electronic voting on the referendum. Fourth, the referendum should be careful in establishing and implementing policies by referring to the results of the vote, and abolish the counting requirements to guarantee residents' right to know. In addition, major decisions made by local governments will be expanded to allow them to be subject to referendum under the law without delegation of ordinances. Fifth, with the introduction of the online request system and the spread of a non-face-to-face culture, the resident recall system will be expanded to enable the use of information and communication networks (text messages, internet homepages, telephones, etc.) to request for signatures, which were currently only available verbally.

The improvement plan is as follows : First, it is to improve the unnecessary regulations that classify the signatures by town, village, and village (Article 6 of the Enforcement Decree of the Recall of Residents Act). This problem is a matter of administrative personnel if signed without distinction, and there is no reason to limit the signature paper, and it will be resolved if the electronic signature claim system is introduced anyway.

Second, it is to restrict the activities against the request for the recall of residents such as public officials to ensure fairness. Even if there are regulations that prevent public officials from performing signature requests (Article 10 (2) of the 「Resident Subpoena Act」), restrictions on interference with signature requests are inadequate and need to be newly established.

Third, the reason for requesting the recall of residents should be specified in detail in the 「Act

on the recall of Residents. It may not be properly communicated to residents, or it may be used as a way of political offensives against the other party.

Fourth, voting is implemented on weekends to raise turnout.

Fifth, various voting methods must be implemented. Canada's method of voting by mail should also be considered.

3.2 Plans to activate recall of residents by electronic voting

3.2.1 Basis for Public Official Election Act

The current regulations related to electronic voting are stipulated in Article 278 of Chapter 17 of the 「Public Official Election Act」 (voting and counting by computer organizations), and specified in 「Public Official Election Management Regulations」 Articles 148 to 159. And for the promotion of the e-election project, 「The rules on the establishment and operation of the e-election promotion council」 are stipulated as the rules of the Central Election Commission. Article 178 of the Public Official Election Act, which is the legal basis for electronic voting, was newly established in 2000.2.16, but 20 years later, electronic voting has never been conducted in public election, and electronic counting is being implemented only.

The concept of "electronic voting and counting" means voting and counting by a computer organization (Article 148 (1) of the Public Official Election Management Rule). The Central Election Commission shall promote office work computerization for accurate and prompt management of voting, counting, and other election affairs, and in the computerization of voting office management, the confidentiality of voting shall be guaranteed and the vote of electors shall be easy, the attendance of political parties or candidates shall be guaranteed, and the corrective action of the voting error, the prevention of invalid votes, and other voting accuracy shall be ensured. (Article 278 (1) and (2) of the Public Official Election Act)

In the computerization of the counting office work management, the calculation of the number

of votes by political party or candidate should be accurate, the results of the vote should be verified, and the attendance of political parties or candidates should be guaranteed. When the National Election Commission intends to conduct electronic voting, it shall publicize it by distributing notices and advertise it using media outlets so that voters can know, and whether or not to conduct such voting is determined in consultation with the political parties that constitute the negotiating group in the National Assembly. The National Election Commission may establish and operate an electronic election promotion council involving a political party that has formed a negotiating group in the National Assembly for consultation (Article 278-3-5 of the Public Official Election Act).

In the computerization of voting and counting and other election office management, the procedures and methods for voting and counting, voting and counting by computer experts, commissioning office workers, preparing, verifying and keeping computerized organization operation programs, and the composition and functioning and operation of electronic election promotion councils and other necessary matters shall be prescribed by the Rules of the National Election Commission (Article 278 (6) of the Public Official Election Act).

3.2.2 Specific procedures for electronic voting

When electronic voting is conducted, a computerized organization (electronic voting machine) with a computerized processing method, not a ballot paper and a ballot box, is installed at the polling place and the electronic voting machine can be installed at least two at each polling place. The voting manager shall issue the electoral registration number to the electors who have signed or stamped the electoral register after his/her identity has been confirmed, and the elector shall vote according to the voting method installed in the electronic voting machine. The voting manager shall, without delay, send electronic voting machines, voting collection storage disks and record book storage boxes to the

county and the city committee, and the chairperson of the county and the city committee shall compute and output the number of ballots stored in the ballot count storage disk by the electronic organization and contrast them with the number of ballot papers recorded in the ballot book. If it is impossible to read the ballot tally storage diskette due to a defect in the vote count by the computer organization, it shall be counted according to the data stored in the electronic voting machine and if it is impossible to read due to a defect in the electronic voting machine, the ballot shall be counted according to the ballot record kept in the ballot record storage box. After the counting is completed, the ballot collection storage diskette shall be sealed separately (Articles 148-159 of the Rules on Public Official Election Management)

3.2.3 The need for institutional maintenance

If the regulations on electronic voting are not clear, social confusion may occur and institutional insufficiency of electronic voting may be a major obstacle to the introduction and settlement of electronic voting. The current Public Official Election Act has only one abstract article on electronic voting. And the clear definition of what electronic voting is, and the specific procedures and contents for electronic voting are not prescribed by independent laws such as the Public Official Election Act, but are prescribed by the Public Official Election Management Regulations established by the National Election Commission. Therefore, in order to officially conduct electronic voting, it is necessary to amend and supplement related laws. There will be a way to revise the Public Official Election Act to establish regulations on electronic voting, and it will be a way to make a special law on electronic voting and to integrate electronic voting. And in terms of content, it is necessary to provide specific regulations on electronic voting execution and procedures, and to provide format, structure, voting method, voting result transmission, counting procedure, etc. of electronic voting machines and electronic ballot counting machines. In addition,

there should be conditions for the electronic voting system and the electronic ballot counting system, and penalties for electronic voting and electronic counting interference. It is hoped that effective legislation on electronic voting will be made in the National Assembly [4].

3.2.4 Activating recall of residents by electronic voting using blockchain

The blockchain-based electronic voting system is a method of applying the technology of blockchain to the whole process from the identity authentication of the voters to the voting result, and is reliable by synchronizing the data base that stores the voting results of the administrator and participants. As more than 90 countries are conducting electronic voting using blockchain overseas, Estonia is the most advanced Internet voting country in the world, and it has been able to vote electronically with ID cards such as digital resident registration cards, and the turnout rate has also increased significantly.

Recently, Gangnam-gu Office is also promoting the construction of a referendum system using blockchain as part of the Smart City project. Gangnam-gu Office will also make this in the form of a mobile app to enhance convenience, and it will also allow you to check the history of voting or counting on a smartphone or receive the result via a push message. Chungbuk National University introduced blockchain technology in 2019 to the student council election to secure the reliability of voting and improve participation rate. No manipulation can be made because the candidates of the school synchronize the voting results and store and manage them respectively. Chungbuk National University, which had experience in re-election due to lack of turnout, finished the election with a turnout of 59% in this blockchain-based electronic vote. The National Election Commission is supporting the online voting system called k-voting, and as the number of votes using the system is increasing every year, high security for online voting is required, and

blockchain-based online system is being built to prevent data forgery. In order to establish a mid to long term roadmap for construction, the introduction and using example of blockchain in overseas developed countries and in Korea, and the environment of online voting system for blockchain application is being analyzed. In addition, it is expected to derive management and maintenance plans for each block chain node, and to calculate the appropriate large-capacity infrastructure scale[5].

The purpose of applying electronic voting using blockchain to recall residents is to greatly complement the existing limitations and is also suitable for the Corona era. It is expected to contribute greatly to solving the problem of low turnout and the proportion of signatory, and when used in parallel with the existing paper voting method, side effects are expected to be minimized and the effect will increase, so it is expected to play a role of supplementing the existing system. In line with the coronavirus era, the introduction of a resident recall system that increases security, transparency, fairness, and convenience is expected to provide an opportunity to strengthen the control system of residents.

Mobile applications should be used to increase the efficiency of the blockchain-based referendums by applying them to residents' recalls. In modern society with high smartphone possession rate, it is very advantageous that there is no limit to place and time when the referendum is carried out through mobile application using smartphone and tablet PC[6].

One thing that has changed in the history of Korean public office elections as of 2013 is that voters can pre-vote before the voting day, even if it is not the day of the voting day. This system is based on the result of establishing a database of integrated electoral registers through computerization. As electronic technology is introduced in the election process, voters can exercise their rights as sovereigns more conveniently and easily. When a new technology was introduced and public trust in

the technology was formed, the technology quickly entered the system and raised the rights of the people. Regarding electronic voting, the reason why the K-voting system of the National Election Commission has been widely used in the private sector due to the completion of technical development and the reason why relatively safe voting methods(touch screen method) have never been implemented in Korea seems to be because public confidence in system stability or manipulation risks has not been formed. However, if the blockchain online voting system is established in 2022 due to the development of non-face-to-face and non-contact technologies accelerated by the Corona crisis, it is expected that public confidence in electronic voting will be measured again and social discussions will be held on how new technologies will be reflected in public election[7].

4. Activating other resident participation system

Other resident participation systems include the resident proposal system, the resident voting system, the resident litigation system, and the resident audit request system.

4.1 Resident proposal system for Enactment and Amendment of Ordinance

The Local Autonomy Act was partially amended in 1999 to expand residents' direct participation in local autonomy, and introduced the residents' ordinance and the amendment and abolition of ordinance requesting system at that time. It is a type of resident initiative system that requires a certain number of residents to enact, amend or abolish a specific ordinance, and in foreign countries, it is already generalized with the implementation of local autonomy system. This system seems to perform the function of inducing residents' interest and participation in the administration and activation of local council functions by giving the residents the right to make such a initiative.

Since its introduction in 1999, there have been 239 proposals (average 13.2 cases per year), and 94

proposals (average 8 cases per year) except for the meal ordinance from '03 to '05, the request system for the enactment, amendment and abolition of ordinances faced a limit due to the strict request requirements and procedures for resident signatures.

In the 'Autonomous Decentralization Committee under the President', first, it eases the requirements and procedures of the claim through the enactment of the Act on the Proposition of the Ordinance of Residents, second, the age of the claim is lowered to 18 years old, third, the claimant can initiate the ordinance directly to the local council without passing the head of the organization, fourth, when drafting the ordinance, the government and local governments can provide administrative and financial support to residents who lack legal knowledge. Fifth, the requirements for signing claims, divided into two stages of metropolitan and basic, are subdivided by population size, and only the upper limit is stipulated in the law to reinforce the autonomy of local governments, and sixth, the ordinance is mandatory for deliberation and resolution within one year (which can be extended for one year if necessary) so that it is not automatically discarded at the expiration of the term of the member and automatically reviewed by the next council. Seventh, it is to install and operate a system that can be signed online through authorized electronic signatures.

Recently, Hadong-gun, Gyeongsangnam-do, proposed an ordinance for eco-friendly school meals, but most of them were dismissed by the Hadong-gun office. I think it is very positive that the applicant tried to activate the resident proposal system by initiating the ordinance directly to the local council without passing through the head of the local organization.

4.2 Resident voting system

Article 14 of the 「Local Autonomy Act」 amended on March 16, 1994, stipulated that the head of a local government can put the major decisions to the referendum of local governments that cause excessive burden on local governments or that have

abolished or divided local governments. Accordingly, the Resident Voting Act was enacted and implemented in 2004. However, so far, there have been a total of eight cases (1 case of the head of a group, 2 residents' claims, and 5 national policies), which are also mostly related to the consolidation of administrative districts led by the central government, and their utilization is low. Accordingly, the amendment of Residents Voting Act and the Recall of Residents Act was passed at the State Council on December 22, 2020, and the contents are as described above.

4.3 Resident audit request system

The resident audit request system is a system in which residents may directly request the Mayor and the Provincial Governor to audit the city/county and autonomous districts if the administrative affairs belonging to the authority of the local government and the head of the local government are deemed to be in violation of statutes (Article 16 of the Local Autonomy Act). In 1999, through the revision of the 「Local Autonomy Act」, it was introduced as a model of the Citizen Audit Claim System which was implemented by several local governments such as the Seoul Metropolitan Government, and has been implemented since 2000, and it was limited to residents over 19 years old through the revision of the Local Autonomy Act on January 11, 2006. In addition, this system is intended to strengthen the monitoring of residents on municipal administration and protect the rights and interests of local residents from illegal administrative dispositions. In addition, this system is intended to strengthen the monitoring of residents on municipal administration and protect the rights and interests of local residents from illegal administrative dispositions. However, in the current Local Autonomy Act, only residents who filed an audit request can file a resident lawsuit, and the Precaution of resident audit request is introduced [8]. The reason for the fact that the average number of requests for resident audits per year is only 18 is that the standard of the number of requests for resident audits is high and the period of time (2 years) for

filing claims is short, which is a factor that hinders the utilization of the system. In response, the Presidential Committee on Autonomy and Decentralization first lowered the number of applicants for resident audits (500 people → 300 people in cities and provinces, 300 people → 200 people in large cities over 500,000 people, 200 people → 150 people in counties and districts). Second, the age of the claim was lowered (19 → 18). Third, the effectiveness was improved by extending the period of the claim (2 years → 3 years).

In this regard, my opinion is that the 17th Article of the Local Autonomy Act should be amended to the precaution of residents' lawsuits that make it impossible to file a resident suit without a request for resident audit.

4.4 Resident litigation system

With the revision of the Local Autonomy Act in January 2005, the resident litigation system was introduced and implemented on January 1, 2006. The legal and fair management of local finance formed by the public burden of residents is very important in establishing local autonomy by preventing corruption of local administration and eliminating distrust. For this purpose, the resident litigation system may be a judicial system that prohibits or requests the court to correct financial accounting violations, such as illegal expenditure of public funds by local government agencies or public officials, by exercising their rights in accordance with the ideology of resident autonomy. However, the problem with the current system is that first, it demanded the precaution of the audit request for resident litigation. Second, it is necessary to not only prevent the financial accounting of local governments but also to provide indirect control function for non-financial activities by targeting the appropriateness of policies. Third, it is necessary to expand the scope of information disclosure in order to effectively disclose the administration. In response, the Autonomous Decentralization Committee under the

President is promoting the disclosure of local financial information and the expansion of accessibility, the disclosure of information on parliamentary activities (the obligation to establish an ethics review committee composed of private members, and the introduction of a parliamentary information disclosure system).

IV. Conclusion

The "Educational Autonomy Policy Council" was launched and the "Educational Autonomy Policy Roadmap" was deliberated and decided and announced in December 2017. As a result, in January 2018, the Ministry of Education launched a department called the Local Education Autonomy Promotion Team, which consists of 12 people. According to this roadmap, the first step is to abolish guidelines that have insufficient legal grounds for common implementation, and support city and provincial offices of education for schools. Therefore, 83 priority tasks that violate the autonomy of schools and city and provincial offices of education are to be improved. And the second step is to start legislation for the allocation of powers. In order to organize and operate an expert council in connection with the maintenance of the decentralization laws and regulations, the 'Educational Decentralization Act Improvement Advisory Committee' was established to closely link with the Special Committee of the Education Autonomy Policy Council, which is operated by the Ministry of Education and the National Council of Superintendents of Education. The Ministry of Education (Local Education Autonomy Promotion Team) and the Provincial Office of Education (National Metropolitan Superintendents' Council Secretariat) were established within the Working Committee of the Education Autonomy Policy Council to promote the roadmap for education autonomy.

While welcoming the distributing of the powers of the Ministry of Education, which is currently being promoted, to the city and provincial offices of

education, I am very concerned that this will expand and amplify the powers concentrated in one central institution to 17 local institutions closer to the field. Until now, the Ministry of Education and the Office of Education have served as co-cause providers as important reasons for hindering school education. The transfer of the authority of the Ministry of Education is highly likely to be deformed as soon as it results in the quantitative reduction of the functions and roles of the existing Ministry of Education and the quantitative expansion of the roles and functions of the city and provincial offices of education. In the reality that no legal device for school autonomy has been established, it is highly likely that emphasizing the principle of school autonomy in our educational climate, which is deeply rooted in the vertical bureaucratic administrative culture, will end with a simple measure or stop at the level of imitation. Therefore, a more stable device is needed to check the authority of the city and provincial office of education and the superintendent of education to take over the authority of the Ministry of Education. This is also a system that is still required even when school autonomy becomes legal. Therefore, it is necessary to revitalize the independent education committee, establish a local education committee in the city and province education office, and activate the resident participation system (resident proposal system, resident voting system, resident litigation system, resident audit request system).

REFERENCES

- [1] "The Roadmap for Educational Autonomy Policy for Realizing School Democracy," the Education Ministry and the National Council of Superintendents of the City of Education, p.1~14. 2017.12.
- [2] Choi Bong-seok, 「Local Autonomy Law」, Samwonsa, p110. 2018.
- [3] Choi Bong-Seok, "The Current Status and Tasks of Direct Democratic Citizen Participation", Hallym Law, p.91, 2001.
- [4] So Jae-in, "Election System in the Post-Corona Era", Daily Life Law, Paengin Publishing House, p.30~31. 2020.7.30
- [5] Kim Joon-young, "Blockchain in the Life of Hugo (Blockchain Even in Voting)", The Korea Financial News, March 17, 2020
- [6] Sohn Joo-hee et al. 1, "A plan to revitalize resident summons using electronic voting (focusing on electronic voting using blockchain)", Local Government Research Vol. 23, No. 4, p.154~162. 2020.
- [7] Jaeseon Kim, "Review of Legislative Issues on the Introduction of Online Voting System", Administrative Law Theory Practical Society, Administrative Law Research No. 40, 2017.8
- [8] Choi Bong-seok, 「Introduction to Administrative Law」, Samwonsa, p.591. 2018.

Authors



Jong-Ryeol Park received the Ph.D. degree in Laws and Civil Law from Chosun University, Korea, in 2001, 2006 respectively. Dr. Park joined National Communication Ombudsman District

Prosecutors' Office in Gwangju in 2009 and was a member of Metropolitan Police Agency Administrative Disposition of a Driver's Licence Review Committee in Gwangju in 2010. Also he was Policy Advisers in Gwangju, Jeonnam Regional Military Manpower Administration. He is currently a professor in the Dept. of Police & Law at Kwangju Women's University. He is interested in Civil Special Act and Registration of Real Estate Act.



Sang-Ouk Noe received the Ph.D. degree in Police Studies from Wonkwang University, Korea, in 2015. Voluntarily resigned from human resources department of Posco Gwangyang steel mill in 2008 and worked

as professor for industry-academy cooperation in Gangneung Wonju National University and Cheonnam National University, trying to promote employment and field practices. Since 2015, I have been working as an assistant professor in Police Law Department of Joongbu University. Furthermore, I was designated as a professional member of Korea Industry Commercialization Association in 2014.