Content

Title：	Implementation Regulations Governing Hosting of Artists and Professional Artist Groups by Educational Institutions Amendment Ch
Date：	2020.06.28
Legislative：	Amendment to all Article promulgated on May 9, 2017. Amended on June 28, 2020.
Content：	Article 1 These Regulations have been formulated in accordance with the provisions of Article 16-1 of the Arts Education Act. Article 2 These Regulations are applicable to educational institutions of all kinds and at all levels under the supervision of the Ministry of Education (hereinafter referred to as “the Ministry”). Article 3 In these Regulations the term “artist” refers to an individual and the term “professional artist group” refers to a group either of which is involved in working in the performing arts, visual arts, audio-visual arts, or some other creative and aesthetic field and has achieved outstanding results in their respective field(s). Article 4 An educational institution may invite an artist or professional artist group to take part in a campus residency program to assist with implementation of the following: 1. Course research and development; 2. Organizing art and cultural exhibitions; 3. Sharing of artistic and creative progress; 4. Training of art teachers; 5. Development of art education and promotional activities; and/or 6. Creating an artistic environment on the campus. Artists and professional artist groups may apply for a campus residency to assist with implementation of the activities specified in the preceding paragraph. Article 5 Before taking part in a campus residency of the sort referred to in the previous article, an artist or professional artist group shall submit an implementation plan for the related course program(s) and submit documentary evidence of some or all of the following types of related experience: 1. Having graduated from a related art department, graduate institute, or group, and being engaged in creative art work; 2. Evidence of engagement in related professional art work; 3. Evidence of being a registered professional art group; 4. Having participated in or organized one or more public art exhibitions and/or art demonstrations; 5. Having received an award or been assessed and publicly designated and/or awarded a certificate for artistic achievement or proficiency in their field(s). Article 6 An educational institution shall set up a working group and invite experts and scholars to undertake evaluations related to the matters specified in the preceding article. If an ad hoc or standing committee discussing teaching program matters has given approval, the educational institution

shall notify the artist or professional artist group regarding the signing of a cooperation agreement with the educational institution for a residency program there.
The cooperation agreement referred to in the preceding paragraph shall clearly state the period of the residency; the work to be undertaken and feedback process(es); the handling of intellectual property rights; the collection, handling, and use of personal information; cancellation or termination of the cooperation agreement; temporary suspension of implementation of the cooperation agreement; how disputes will be handled; and other matters relating to rights and obligations.

Article 7
An educational institution may arrange for an artist-in-residence or professional artist group-in-residence to work with it in any of the following ways, in the light of its teaching requirements:
1. A regular campus residency, to assist teaching;
2. Provide ideas at teaching workshops and discussion forums, regarding courses, teaching materials, and teaching methods;
3. Hold keynote talks and workshops, creative work exhibitions, and/or demonstrations to share artistic and creative processes;
4. Organize professional development workshops or training for teachers;
5. Help to build an artistic campus environment;
6. Other forms of campus residency work that will assist art education and/or activities.

Article 8
If any one of the circumstances listed below applies to any artist in residence at an educational institution or to any member of a professional artist group in residence at an educational institution, the educational institution shall terminate its cooperation agreement with that artist or professional artist group, and the person to whom the circumstances apply is not permitted to ever again be given a campus residency, whether alone or as a member of a professional artist group:
1. The person has been found guilty of a criminal offense against the internal or external security of the State, committed after the Period of National Mobilization for Suppression of the Communist Rebellion, and convicted with no further right of appeal.
2. The person has been found guilty of corruption while working as a civil service employee and convicted with no further right of appeal.
3. The person has been found guilty of a crime as defined in Article 2, Paragraph 1 of the Sexual Assault Crime Prevention Act and convicted with no further right of appeal.
4. The person has been the subject of an investigation by the gender equity education committee of an educational institution or by another appropriate committee set up in accordance with the law and it confirmed that the person committed a sexual assault.
5. The person has been the subject of an investigation by the gender equity education committee of an educational institution or by another appropriate committee set up in accordance with the law and it confirmed that the person has committed sexual harassment or sexual bullying, and it is necessary to terminate the cooperation agreement with that person or the cooperation agreement with the professional artist group of which that person is a member, and for that person to never again be permitted to be given a campus residency, whether alone or as a member of a professional artist group.
6. The person has been penalized in accordance with the provisions of the Child and Youth Sexual Exploitation Prevention Act, or the provisions of Article 20 or Article 25 of the Sexual Harassment Prevention Act and the gender equity education committee of the educational institution has confirmed that the person has been subject to such punishment, and it is necessary to terminate the cooperation agreement with that person or the cooperation agreement with the professional artist group of which that person is a member, and for that person to never again be permitted to be given a campus residency, whether alone or as a member of a professional artist group.
7. The person has been penalized in accordance with the provisions of

Article 97 of the Protection of Children and Youth Welfare and Rights Act by the competent social welfare authority at each level, and this has been confirmed by an ad hoc or standing committee discussing teaching program matters, and it is necessary to terminate the cooperation agreement with that person or the cooperation agreement with the professional artist group of which that person is a member, and for that person to never again be permitted to be given a campus residency, whether alone or as a member of a professional artist group.
8. The person became aware that an incident of suspected sexual assault has occurred on the campus where they are working but did not report the matter in accordance with the provisions of the Gender Equity Education Act, thereby leading to a subsequent sexual assault on that campus; or forged, altered, destroyed, or concealed evidence of any sexual assault incident committed by any other person(s), and any such failure to report or any forging, altering, destroying or concealing of evidence has been investigated and verified by the educational institution.
9. The person forged, altered, or destroyed evidence that any other person(s) committed a dangerous offence on campus involving narcotics or hazardous drugs, and this has been investigated and verified by the educational institution.
10. The person has inflicted corporal punishment on or bullied one or more students, causing severe physical and/or mental injury.
11. The person has acted in violation of any pertinent law or regulations, and the matter has been investigated and verified by the educational institution, and it is necessary to terminate the cooperation agreement with that person or the cooperation agreement with the professional artist group of which that person is a member, and for that person to never again be permitted to be given a campus residency, whether alone or as a member of a professional artist group.
If any of the situations referred to in Subparagraphs 1 to 6 of the preceding paragraph applies to an artist-in-residence or to any member of a professional artist group-in-residence, the educational institution shall terminate the cooperation agreement without the need for an ad hoc or standing committee discussing teaching program matters to review the termination decision.
If the situation referred to in Subparagraph 7 or in Subparagraph 10 of Paragraph 1 applies to an artist-in-residence or to any member of a professional artist group-in-residence and if a meeting of an ad hoc or standing committee discussing teaching program matters attended by at least two-thirds of its members has deliberated the matter and at least half of the members in attendance have supported a resolution to terminate the cooperation agreement with that artist-in-residence or the professional artist group-in-residence, the educational institution shall terminate the cooperation agreement. If any of the situations referred to in Subparagraphs 8, 9 and 11 of Paragraph 1 applies to an artist-in-residence or to any member of a professional artist group-in-residence residence and if a meeting of an ad hoc or standing committee discussing teaching program matters attended by at least two-thirds of its members has deliberated the matter and at least two-thirds of the members in attendance have supported a resolution to terminate the cooperation agreement with that artist-in-residence or the professional artist group-in-residence, the educational institution shall terminate the cooperation agreement.

Article 9
If any one of the circumstances specified in the subparagraphs below applies to an artist-in-residence or a member of an professional artist group-in-residence, the educational institution shall terminate its cooperation agreement with that artist or that professional artist group and the educational institution shall formally decide on a period of between one and four years during which time that person is not permitted to be given a campus residency there:
1. The person has been the subject of an investigation by the gender equity education committee of the educational institution or by another appropriate committee set up in accordance with the law and it confirmed that the person committed sexual harassment or sexual bullying, and that it is necessary to terminate the cooperation agreement with that person or the

cooperation agreement with the professional artist group of which that person is a member;
2. The person has been penalized in accordance with the provisions of the Child and Youth Sexual Exploitation Prevention Act, or the provisions of Article 20 or Article 25 of the Sexual Harassment Prevention Act and the gender equity education committee of the educational institution has confirmed that the person has been subject to such punishment, and it is necessary to terminate the cooperation agreement with that person, or the cooperation agreement with the professional artist group of which that person is a member;
3. The person has inflicted corporal punishment on or bullied one or more student(s), causing physical or mental injury, and it is necessary to terminate the cooperation agreement with that person, or the cooperation agreement with the professional artist group of which that person is a member;
4. The person has been penalized in accordance with the provisions of Article 97 of the Protection of Children and Youth Welfare and Rights Act by the competent social welfare authority at each level, and this has been confirmed by an ad hoc or standing committee discussing teaching program matters, and it is necessary to terminate the cooperation agreement with that person or the cooperation agreement with the professional artist group of which that person is a member; or
5. The person has acted in violation of any pertinent law or regulations, and the matter has been investigated and verified by the educational institution, and it is necessary to terminate the cooperation agreement with that person or the cooperation agreement with the professional artist group of which that person is a member.
If the circumstances referred to in Subparagraph 1 or Subparagraph 2 of the preceding paragraph apply to an artist-in-residence or to any member of a professional artist group-in-residence, the educational institution shall terminate the cooperation agreement without the need for an ad hoc or standing committee discussing teaching program matters to review the termination decision.
If the circumstances referred to in Subparagraph 3 or in Subparagraph 4 of Paragraph 1 apply to an artist-in-residence or to any member of a professional artist group-in-residence and if a meeting of an ad hoc or standing committee discussing teaching program matters attended by at least two-thirds of its members has deliberated the matter and at least half of the members in attendance have supported a resolution to terminate the cooperation agreement with that artist-in-residence or the professional artist group-in-residence, the educational institution shall terminate the cooperation agreement. If the circumstances referred to in Paragraph 1, Subparagraph 5 apply to an artist-in-residence or to any member of a professional artist group-in-residence and if a meeting of an ad hoc or standing committee discussing teaching program matters attended by at least two-thirds of its members has deliberated the matter and at least two-thirds of the members in attendance have supported a resolution to terminate the cooperation agreement with that artist-in-residence or the professional artist group-in-residence, the educational institution shall terminate the cooperation agreement.

Article 10
If the circumstances referred to in either of the following subparagraphs apply to an artist-in-residence or to any member of a professional artist group-in-residence after a cooperation agreement has been signed, the educational institution shall terminate the cooperation agreement after an ad hoc or standing committee discussing teaching program matters has passed a resolution to terminate the cooperation agreement.
1. There are specific instances of their not doing their work or being unable to competently perform their work.
2. There has been a serious breach of the cooperation agreement.
If the circumstances referred to in either subparagraph of the preceding paragraph apply to an artist-in-residence or to any member of a professional artist group-in-residence and if a meeting of an ad hoc or standing committee discussing teaching program matters attended by at least two-thirds of its members has deliberated the matter and at least two-

thirds of the members in attendance have supported a resolution to terminate the cooperation agreement with that artist-in-residence or the professional artist group-in-residence, the educational institution shall terminate the cooperation agreement.

Article 11
If the circumstances referred to in any of the following subparagraphs apply to an artist or to any member of an professional artist group, an educational institution is not permitted to sign a cooperation agreement with that artist or professional artist group for a campus residency; if a cooperation agreement for a campus residency has already been signed, the educational institution shall terminate it.
1. The circumstances referred to in any subparagraph of Paragraph 1 of Article 8;
2. The circumstances referred to in any subparagraph of Article 9, Paragraph 1 and the period of one to four years that was formally decided on has not yet expired;
3. Circumstances referred to in any subparagraph of Article 14, Paragraph 1 of the Teachers' Act, or in Article 19, Paragraph 1, Subparagraph 1 of the Teachers' Act;
4. The circumstances referred to in any subparagraph of Article 15, Paragraph 1 of the Teachers' Act, or in Article 19, Paragraph 1, Subparagraph 2 of the Teachers' Act, and the period of one to four years that was formally decided on has not yet expired.
5. The circumstances referred to in Article 18, Paragraph 1 of the Teachers' Act and the period of suspension without salary for between six months and three years has not yet expired;
6. The circumstances referred to in Article 27-1 of the Gender Equity Education Act, in Paragraph 1, Subparagraph 1 and in the first part of Paragraph 3;
7. The circumstances referred to in Article 27-1 of the Gender Equity Education Act, in Paragraph 1, Subparagraph 2 or in the latter part of Paragraph 3, and the period of one to four years that was formally decided on has not yet expired.
If any of the circumstances in any subparagraph of the preceding paragraph applies to an artist or to a member of a professional artist group, and the matter was reported in accordance with the provisions of Article 12, or the provisions of Article 20, Paragraph 1 of the Teachers' Act, or the provisions of Article 27-1, Paragraph 4 of the Gender Equity Education Act and the person therefore has a criminal record, the educational institution is not permitted to sign a cooperation agreement with that artist or that professional artist group if a cooperation agreement has not yet been signed. If a cooperation agreement has already been signed, the educational institution shall terminate it, without the need for the termination decision to be reviewed by an ad hoc or standing committee discussing teaching program matters, the gender equity education committee, or any other appropriate committee set up in accordance with the law. If the matter was not reported in accordance with the provisions of Article 12 of these Regulations, the provisions of Article 20, Paragraph 1 of the Teachers' Act, or the provisions of Article 27-1, Paragraph 4 of the Gender Equity Education Act, thereby resulting in the person having a criminal record, the educational institution shall handle the matter in accordance with the provisions of Article 8 or Article 9. If a cooperation agreement has not yet been signed, the educational institution is not permitted to sign one with that artist or with a professional artist group of which they are a member; if a cooperation agreement has already been signed, the educational institution shall terminate the cooperation agreement.

Article 12
If any of the circumstances referred to in Article 8, Paragraph 1; Article 9, Paragraph 1; or the preceding paragraph apply to an artist-in-residence or any member of a professional artist group-in-residence, the educational institution shall undertake the related reporting, and collection, checking, handling, and use of information. Before signing a cooperation agreement with an artist or professional artist group, the educational

institution shall check whether or not the circumstances in the preceding article apply to the artist or to any member of the professional artist group; and the education institute shall regularly undertake checks of all persons who have already signed a campus residency cooperation agreement. The provisions of the Regulations Governing Reporting, Handling of Information Collection and Inquiries, and Use of Reports and Data Regarding Educators Unsuitable for Employment apply, mutatis mutandis, to the related reporting; collection, checking, handling, and use of information; and other related matters.

Article 13
The Ministry may create a database of information about artists and professional artist groups, and store the names of artists and groups, their professional field(s), and their contact details. The Ministry may also cross match this information with information on other platforms and introduce artists or professional artist groups to educational institutions that require an artist or a professional artist group for a campus residency.

Article 14
The Ministry may allocate budget funding for approved subsidies for educational institutions for the implementation of artist residency and professional artist group residency programs.
The subsidies referred to in the preceding paragraph are available for such necessary expenses as hourly fees, meeting attendance expenses, teaching materials and teaching aids, work-related travel expenses, making teaching uses publicly known, and printing-related copyright fees. A subsidy is not permitted to exceed 90% of the total amount of the costs of items in an approved program.

Article 15
These Regulations shall come into effect on the date of promulgation.

Data Source： Laws and Regulations Retrieving System