

School Education Act Enforcement Order (Tentative translation)

(Cabinet Order No. 340 of October 31, 1953)

The Cabinet hereby enact this Cabinet Order, pursuant to the provisions of Article 4, Article 22, paragraph (2), Article 40, Article 83, paragraph (3), and Article 88 of the School Education Act (Act No. 26 of 1947).

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Chapter I Obligation to Enroll in School

Section 1 Register of school-aged children

(Compilation of the register of school-aged children)

Article 1 (1) The board of education of municipalities (this includes special wards; the same applies hereinafter), must compile a register of school-aged children for school-aged children and school-aged students (meaning school-aged children and school-aged students provided in Article 18 of the School

Education Act (hereinafter referred to as "the Act")), with addresses in the jurisdictional district of the relevant municipalities.

- (2) The register of school-aged children under the provisions referred to in the preceding paragraph is to be compiled based on the basic register of residents of the relevant municipality.
- (3) The municipal board of education may prepare the register of school-aged children referred to in paragraph (1) using a magnetic disk (this includes things which can reliably record certain matter through methods equivalent to this; the same applies hereinafter) as provided by Order of the Ministry of Education, Culture, Sports, Science and Technology.
- (4) Matters which must be stated (for a register of school-aged children prepared using a magnetic disk pursuant to the provisions of the preceding paragraph, matters must be recorded; the same applies hereinafter) in the register of school-aged children referred to in paragraph (1) shall be prescribed by Order of the Ministry of Education, Culture, Sports, Science and Technology.

Article 2 The municipal board of education must create in advance the register of school-aged children referred to in paragraph (1) of the preceding Article, at least 5 months prior to the beginning of each school year, as of the date prescribed by Order of the Ministry of Education, Culture, Sports, Science and Technology, for persons with addresses in the relevant municipalities and who shall reach 6 years of age between the beginning and end of the previous school year. In this case, the provisions of paragraphs (2) through (4) of the same Article shall apply *mutatis mutandis*.

Article 3 When matters arise which must be stated newly in the register of school-aged children, when there is a change to matters stated in the register of school-aged children, or when there is any mistake or omission in the matters stated in the register of school-aged children, the municipal board of education must make necessary insertions, deletions, and corrections.

(Notice of notification for change of address of students etc.)

Article 4 When there is a notification under the provisions of Articles 22 or 23 of the Act for Basic Register of Residents (Act No. 81 of 1967) (for persons provided in Article 2, this is limited to notifications under these provisions in relation to changes in address from the day after the day prescribed by Order of the Ministry of Education, Culture, Sports, Science and Technology pursuant to the provisions of the same Article) about persons provided in Article 2, school-aged children or school-aged students (hereinafter referred to using the collective term "students etc."), mayors of municipalities (for special wards it is to be mayors of special wards, and for designated cities referred to in Article

252-19, paragraph (1) of the Local Autonomy Act (Act No. 67 of 1947), it is to be directors of wards or directors of consolidated wards.) shall promptly notify the municipal board of education accordingly.

Section 2 Elementary school, junior high school, compulsory education school, and secondary education school

(Notice of date of enrollment etc., designation of school)

Article 5 (1) The municipal board of education must notify custodians of the date of enrollment to elementary school, junior high school, or compulsory education school at least 2 months prior to the beginning of the following school year, for persons other than certified special needs education school attendees (meaning persons found to be appropriate to enroll in a special needs education school established by the prefecture in which they possess an address, while considering matters including the state of their disabilities, the contents of educational support they need, and the state of improvement of the educational system in regions, out of persons with visual impairment, persons with hearing impairment, persons with intellectual disabilities, persons with physical disabilities, or persons of health impairment (this includes persons with constitutional weakness) whose disabilities are of an extent provided in the table in Article 22-3 (hereinafter referred to as "persons with visual impairment etc."; the same applies hereinafter), out of persons scheduled to enroll in school (meaning persons who must enroll in elementary school, junior high school, compulsory education school, secondary education school or special needs education school from the beginning of the following school year, pursuant to the provisions of Article 17, paragraphs (1) or (2) of the Act; the same applies hereinafter)).

(2) The municipal board of education must designate an elementary school, junior high school, or compulsory education school in which the relevant persons scheduled to enroll must be enrolled as in the notice referred to in the preceding paragraph, if the total number of elementary schools and compulsory education schools established by the relevant municipalities is 2 or more, or if the total number of junior high schools (except ones providing education consistent with education in high school, pursuant to the provisions of Article 17 of the Act (hereinafter referred to as "attached junior high schools")); hereinafter the same applies to this paragraph, item (vii) of the following Article, Article 6-3, paragraph (1), and Articles 7 and 8) and compulsory education schools established by the relevant municipalities are 2 or more.

(3) The provisions of the preceding 2 paragraphs shall not apply to persons scheduled to enroll in school who have had notifications of Article 9, paragraph (1) or Article 17.

Article 6 The provisions of the preceding Article apply mutatis mutandis to the following persons. In this case, the term "at least 2 months prior to the beginning of the following school year" in paragraph (1) of the same Article is deemed to be replaced with "promptly".

- (i) persons scheduled to enroll in school who were newly listed in the register of school-aged children, created by the municipal board of education on or following the day after the limit for notices provided in paragraph (1) of the preceding Article, or school-aged children or school-aged student who were newly listed in the relevant register of school-aged children due to the change in their address (except certified special needs education school attendees, and persons enrolled in elementary school, junior high school, or compulsory education school established by the relevant municipalities);
- (ii) school-aged children or school-aged students, of whom notices referred to in paragraph (2) of the following Article have been given;
- (iii) school-aged children or school-aged students, of whom notices referred to in Article 6-3, paragraph (2) have been given, (except school-aged children and school-aged students stated in the notices referred to in paragraph (3) of the same Article);
- (iv) school-aged children or school-aged students (except certified special needs education school attendees), of whom notices referred to in Articles 10 or 18 have been given;
- (v) out of school-aged children or school-aged students, of whom notices referred to in Article 12, paragraph (1) have been given, persons other than those who certified as the certified special needs education school attendees (except school-aged children and school-aged students stated in the notices in paragraph (3) of the same Article).;
- (vi) out of school-aged children or school-aged students, of whom notices referred to in Article 12-2, paragraph (1) have been given, persons other than those who certified as the certified special needs education school attendees (except school-aged children and school-aged students stated in the notices referred to in paragraph (3) of the same Article);
- (vii) students etc. who have been required to change the elementary school, junior high school, or compulsory education school they must be enrolled in, due to new establishment, abolition, etc. of elementary schools, junior high schools, or compulsory education schools.

Article 6-2 (1) When there are school-aged children or school-aged students enrolled in special needs education school who have ceased to be persons with visual impairment etc., the school principal of the special needs education school in which the relevant school-aged children or school-aged students are

enrolled, must promptly and accordingly notify the prefectural board of education in the address of the relevant school-aged children and students.

- (2) The prefectural board of education must promptly and accordingly notify the municipal board of education in the address of the relevant school-aged children and school-aged students, of the name of the school-aged children and school-aged students, of whom the notice referred to in the preceding paragraph have been given, and the fact that they are no longer persons with visual impairment etc.

Article 6-3 (1) When there are school-aged children or school-aged students enrolled in special needs education school who are considered appropriate to be enrolled in elementary schools, junior high schools, or compulsory education schools established by the municipalities in which they possess an address (except those who have ceased to be persons with visual impairment etc.), due to changes in matters including the state of their disabilities, the contents of educational support they need, and the state of improvement of the educational system in regions, school principals of special needs education schools in which the relevant school-aged children and school-aged students are enrolled must promptly and accordingly notify the prefectural board of education in the address of the relevant school-aged children or school-aged students.

- (2) The prefectural board of education must promptly and accordingly notify the municipal board of education in the address of the relevant school-aged children and school-aged students, of the name of the school-aged children and school-aged students, of whom the notice referred to in the preceding paragraph have been given, and the fact that the prefectural board of education has received a notice of the same paragraph.

- (3) The municipal board of education must promptly and accordingly notify the prefectural board of education, when the school-aged children or school-aged students, of whom the notice referred to in the preceding paragraph have been given, are found appropriate to be enrolled in the relevant special needs education school continuously.

- (4) The prefectural board of education must promptly and accordingly notify the school principal referred to in paragraph (1) when receiving the notice referred to in the preceding paragraph.

Article 6-4 When there are persons who have ceased to be persons with visual impairment etc., out of persons with visual impairment etc. enrolled in elementary school, junior high school, compulsory education school or secondary education school out of school-aged children and school-aged students, the school principal of the elementary school, junior high school, compulsory education school, or secondary education school in which those

persons are enrolled, must promptly and accordingly notify the municipal board of education in the address of the relevant school-aged children or school-aged students.

Article 7 The municipal board of education must notify the school principal of the elementary school, junior high school, or compulsory education school which the relevant students etc. are to enroll in, of the name and date of enrollment of the relevant students etc., at the same time as the notice referred to in Article 5, paragraph (1) (including as applied *mutatis mutandis* pursuant to Article 6).

Article 8 When it is found to be adequate in the case referred to in Article 5, paragraph (2) (including as applied *mutatis mutandis* pursuant to Article 6), the municipal board of education may change its designated elementary school, junior high school, or compulsory education school, upon request of custodians. In this case, it must promptly and accordingly notify the custodians and school principal of elementary school, junior high school, or compulsory education school who was given the notice referred to in the preceding Article, and the school principal of the newly designated elementary school, junior high school, or compulsory education school must be given the notice referred to in the same Article.

(Outside area school enrollment)

Article 9 (1) When intending to enroll students etc. in elementary school, junior high school (except attached junior high schools), compulsory education school, or secondary education school other than elementary schools, junior high schools, or compulsory education schools established by municipalities in which they possess an address, the custodians must notify the municipal board of education in the address of the students etc. accordingly, accompanied by a written application proving the consent of the relevant municipalities or prefectural board of education for elementary schools, junior high schools, compulsory education schools, or secondary education schools established by municipalities or prefectures, and for others, proving the consent of those holding authority to consent to enrollment in the relevant elementary schools, junior high schools, compulsory education schools, or secondary education schools.

(2) When intending to give consent referred to in the preceding paragraph (limited to what pertains to enrollment in elementary school, junior high school (except attached junior high schools), or compulsory education school established by the relevant municipalities), the municipal board of education is to consult in advance with the municipal board of education in the address of

the students etc.

Article 10 When school-aged children or school-aged students enrolled in elementary school, junior high school (except attached junior high schools), or compulsory education school other than elementary schools, junior high schools, or compulsory education schools established by municipalities which they possess an address, leave school prior to completing elementary school, junior high school, or all courses of compulsory education school or the lower courses of secondary education school, the school principal of the relevant elementary schools, junior high schools, or compulsory education schools or secondary education schools must notify the municipal board of education in the address of the relevant school-aged children or school-aged students promptly and accordingly.

Section 3 Special needs education school

(Notice of enrollment in special needs education school)

Article 11 (1) The municipal board of education must notify the prefectural board of education of the names of certified special needs education school attendees out of persons provided in Article 2 and the necessity to enroll them in special needs education school, at least 3 months prior to the beginning of the following school year.

(2) When giving notice referred to in the preceding paragraph, the municipal board of education must send transcripts (for a municipal board of education preparing the register of school-aged children with a magnetic disk pursuant to the provisions of Article 1, paragraph (3), documents stating matters in which the register of school-aged children of those persons is recorded) of the persons pertaining to the notice referred to in the same paragraph to the prefectural board of education.

(3) The provisions in the preceding 2 paragraphs shall not apply to persons, of whom notifications referred to in Article 9, paragraph (1) or Article 17 have been given.

Article 11-2 The provisions of the preceding Article shall apply mutatis mutandis to persons certified as certified special needs education school attendees, as persons with visual impairment etc. who must be enrolled in junior high school courses of special needs education schools from the beginning of the following year, out of school-aged children enrolled in elementary school or the lower courses of compulsory education school.

Article 11-3 (1) The provisions of Article 11 apply mutatis mutandis to certified

special needs education school attendees, out of students etc. newly listed in the register of school-aged children created by the municipal board of education, due to changes in address from the day after the day prescribed by Order of the Ministry of Education, Culture, Sports, Science and Technology pursuant to the provisions of Article 2. In this case, the term "at least 3 months prior to the beginning of the following school year" in Article 11, paragraph (1) is deemed to be replaced with "at least 3 months prior to the beginning of the following school year (if newly stated in the relevant register of school-aged children on or after the day corresponding to the day 3 months prior to the first day of the following school year, promptly)".

(2) The provisions of Article 11 apply mutatis mutandis to certified special needs education school attendees, out of school-aged children or students, of whom notices referred to in Article 10 or Article 18 have been given. In this case, the term "at least 3 months prior to the beginning of the following school year" in Article 11, paragraph (1) is deemed to be replaced with "promptly".

Article 12 (1) When there are school-aged children or school-aged students enrolled in elementary school, junior high school, compulsory education school or secondary education school who have become persons with visual impairment etc., the school principal of the elementary school, junior high school, compulsory education school, or secondary education school in which the relevant school-aged children or students are enrolled, must promptly and accordingly notify the municipal board of education in the address of the relevant school-aged children or school-aged students.

(2) The provisions of Article 11 apply mutatis mutandis to persons certified as the certified special needs education school attendees, out of school-aged children or school-aged students, of whom notices referred to in the preceding paragraph have been given. In this case, the term "at least 3 months prior to the beginning of the following school year" in paragraph (1) of the same Article is deemed to be replaced with "promptly".

(3) The municipal board of education which has received the notice under the provisions of paragraph (1) must accordingly notify the school principal referred to in the same paragraph, when the school-aged children or school-aged students, of whom the notice referred to in the same paragraph have been given, are found appropriate to be enrolled in the elementary school, junior high school, compulsory education school, or secondary education school they are currently enrolled in continuously.

Article 12-2 (1) When there are persons out of school-aged children and school-aged students who are persons with visual impairment etc., enrolled in elementary school, junior high school, compulsory education school, or

secondary education school, who are considered to no longer be appropriate to be enrolled in these elementary schools, junior high schools, compulsory education schools or secondary education schools due to changes in matters including the state of their disabilities, the contents of educational support they need, and the state of improvement of the educational system in regions, the school principal of the elementary school, junior high school, compulsory education school, or secondary education school in which the relevant school-aged children or school-aged students are enrolled, must promptly and accordingly notify the municipal board of education in the address of the relevant school-aged children or school-aged students.

(2) The provisions of Article 11 apply mutatis mutandis to persons certified as the certified special needs education school attendees, out of school-aged children or school-aged students, of whom notices referred to in the preceding paragraph have been given. In this case, the term "at least 3 months prior to the beginning of the following school year" in paragraph (1) of the same Article is deemed to be replaced with "promptly".

(3) The municipal board of education receiving which has received the notice under the provisions of paragraph (1) must accordingly notify the school principal referred to in the same paragraph, when the school-aged children or school-aged students, of whom the notice referred to in the same paragraph have been given, are found appropriate to be enrolled in the elementary school, junior high school, compulsory education school, or secondary education school they are currently enrolled in continuously.

(Notice of insertions, deletions, and corrections to the register of school-aged children)

Article 13 When insertions, deletions, and corrections are made under Article 3 regarding students etc. stated in the notice referred to in Article 11, paragraph (1) (including as applied mutatis mutandis pursuant to Articles 11-2, 11-3, Article 12, paragraph (2), and paragraph (2) of the preceding Article), the municipal board of education must promptly and accordingly notify the prefectural board of education.

(Notice of notification for outside area school enrollment etc.)

Article 13-2 When there are notifications referred to in Article 9, paragraph (1) or Article 17 after the notice, regarding students etc. stated in the notice referred to in Article 11, paragraph (1) (including as applied mutatis mutandis pursuant to Articles 11-2, 11-3, Article 12, paragraph (2), and paragraph (2) of the preceding Article), the municipal board of education must promptly and accordingly notify the prefectural board of education.

(Notice of date of enrollment etc., designation of school in special needs education school)

- Article 14 (1) For students etc., of whom the notice referred to in Article 11, paragraph (1) (including as applied mutatis mutandis pursuant to Articles 11-2, 11-3, Article 12, paragraph (2). and paragraph (2) of the preceding Article) have been given and students etc. who have been required to change special needs education schools they must be enrolled in, due to new establishment and abolition etc. of special needs education schools, the prefectural board of education must notify their custodians of the date of enrollment for special needs education schools, at least 2 months prior to the beginning of the following school year for students etc., of whom the notice referred to in Article 11, paragraph (1) (including as applied mutatis mutandis pursuant to Article 11-2) have been given, and promptly for other students etc..
- (2) When there are 2 or more special needs education schools established by the relevant prefecture, the prefectural board of education must designate special needs education schools in which the relevant students etc. must be enrolled as in the notice referred to in the preceding paragraph.
- (3) The provisions in the preceding 2 paragraphs shall not apply to students etc., of whom notices referred to in the preceding Article have been given.

- Article 15 (1) The prefectural board of education must notify the municipal board of education in the address of the relevant students etc. and school principal of the special needs education schools which the relevant students etc. are to enroll in, of the name and date of enrollment of the relevant students etc., at the same time as the notice referred to in paragraph (1) of the preceding Article.
- (2) When designating special needs education schools in which the relevant students etc. are to enroll pursuant to the provisions of paragraph (2) of the preceding Article, the prefectural board of education must notify the municipal board of education referred to in the preceding paragraph of matters provided in the preceding paragraph, as well as the special needs education school which was designated.

Article 16 When it is found to be adequate in the case referred to in Article 14, paragraph (2), the prefectural board of education may change its designated special needs education school, upon request of custodians. In this case, it must promptly and accordingly notify the custodians, school principal of the special needs education school who was given the notice referred to in the preceding Article, and municipal board of education which was given the notice referred to in the preceding Article, and the school principal of the newly designated special needs education school must be given the notice referred to in

paragraph (1) of the same Article.

(Outside area school enrollment)

Article 17 When intending to enroll persons with visual impairment etc. out of students etc., in special needs education schools other than special needs education schools established by prefectures in which they possess an address, the custodians must notify the municipal board of education in the address of the students etc. accordingly, accompanied by a written application of consent of the relevant prefectural board of education for special needs education schools established by other prefectures, and for others, consent of those holding authority to consent to enrollment in the relevant special needs education schools.

Article 18 When persons with visual impairment etc. out of school-aged children or school-aged students enrolled in special needs education schools other than special needs education schools established by prefectures which they possess an address, leave school prior to completing all courses in the elementary school courses or junior high school courses of special needs education schools, the school principal of the relevant special needs education schools must notify the municipal board of education in the address of the relevant school-aged children or school-aged students promptly and accordingly.

Section 3-2 Hearing of opinions of custodians and persons possessing expert knowledge of schooling for persons with visual impairment etc.

Article 18-2 When intending to give a notice regarding persons with visual impairment etc. out of students etc., referred to in Article 5 (including as applied mutatis mutandis pursuant to Article 6 (except item (ii))), or Article 11, paragraph (1) (including as applied mutatis mutandis pursuant to Articles 11-2, 11-3, Article 12, paragraph (2) and Article 12-2, paragraph (2)), the municipal board of education is to hear the opinions of custodians and persons possessing expert knowledge regarding enrollment in school of students with disabilities etc. including in education, medicine, and psychology.

Section 4 Demands

(Obligations of school principals)

Article 19 School principals of elementary schools, junior high schools, compulsory education schools, secondary education schools, and special needs education schools, must always clarify the state of attendance of school-aged children or school-aged students enrolled in those schools.

Article 20 When school-aged children or school-aged students enrolled in the relevant school do not attend continuously for 7 days except for holidays, or if the state of attendance is otherwise poor, and it is found that custodians have no legitimate grounds for not attending, the school principal of elementary schools, junior high schools, compulsory education schools, secondary education schools, and special needs education schools, must promptly and accordingly notify the municipal board of education in the address of the relevant school-aged children or school-aged students.

(Demand for attendance by the board of education)

Article 21 When the municipal board of education has received the notice referred to in the preceding Article, or has found that the custodians of school-aged children or school-aged students with an address in the relevant municipalities are otherwise neglecting their obligations provided in Article 17, paragraphs (1) or (2) of the Act, the municipal board of education must demand of the custodians attendance of the relevant school-aged children or students.

Section 5 Completion of obligation to enroll in school

(Notice of persons who have completed all courses)

Article 22 After completion of every school year, the school principal of elementary schools, junior high schools, compulsory education schools, secondary education schools, and special needs education schools must promptly notify the municipal board of education in the address of the relevant persons, of the name of persons who have completed all courses in elementary school, junior high school, or the lower courses or upper courses of compulsory education school, or the lower courses of secondary education school, or the elementary school courses or junior high school courses of special needs education school.

Section 6 Exclusion from application of the Administrative Procedure Act

(Disposition to not apply the provisions in Chapter III of the Administrative Procedure Act)

Article 22-2 The disposition prescribed by Cabinet Order referred to in Article 138 of the Act is to be a disposition under Article 5, paragraphs (1) and (2) (including as applied mutatis mutandis pursuant to Article 6), and Article 14, paragraphs (1) and (2).

Chapter II Extent of disabilities of persons with visual impairment etc.

Article 22-3 The extent of disability of persons with visual impairment, persons with hearing impairment, persons with intellectual disability, persons with physical disabilities, or persons of health impairment prescribed by Cabinet Order referred to in Article 75 of the Act, is to be set forth in the following table.

Classification	Extent of disabilities
Persons with visual impairment	Persons with disabilities to an extent of it being extremely difficult or impossible to visually recognize regular characters, shapes, etc. even with the use of a magnifying lens etc., wherein both eyes eyesight of less than approximately 0.3, or high visual performance disability other than eyesight
Persons with hearing impairment	Persons with disabilities to an extent of it being extremely difficult or impossible to understand regular speech even with the use of a hearing aid etc., within the hearing level of both ears being approximately 60 decibels or above
Persons with intellectual disabilities	(i) persons with disabilities to an extent of mental retardation, with difficulty communicating with others, and requiring frequent support in order to have a normal life;
	(ii) persons with disabilities wherein the mental retardation does not reach the extent set forth in the previous item, with extreme difficulty adapting to society;
Persons with physical disabilities	(i) persons in a state of physical disabilities to an extent of basic movements in daily life such as walking, writing etc. being impossible or difficult even with the use of adaptive equipment;
	(ii) persons in a state of physical disabilities which do not reach the extent set forth in the previous item, and requiring constant medical observation guidance;

Persons of health impairment	(i) persons with disabilities to an extent of being in a continuous state of having disorders including chronic respiratory illness, kidney disorder and neurological disorder, and malignant neoplasm, requiring healthcare or a regulated lifestyle;
	(ii) persons with disabilities to an extent of being in a continuous state of physical weakness, requiring a regulated lifestyle;

Remarks

- (i) eyesight shall be measured in accordance with international visual acuity measurement standards and the eye sight of those with some abnormality in refraction shall be measured in relation to corrected vision.;
- (ii) hearing acuity shall be measured with an audiometer of Japanese Industrial Standards.

Chapter III Approval, Notification
Section 1 Approval and notification

(Matters prescribed by Cabinet Order referred to in Article 4, paragraph (1) of the Act)

Article 23 (1) Matters (except what pertains to kindergarten provided in Article 4-2 of the Act) prescribed by Cabinet Order referred to in Article 4, paragraph (1) of the Act (including as applied mutatis mutandis pursuant to Article 134, paragraph (2) of the Act), shall be as follows.

- (i) changes in location of special needs education schools established by municipalities (including public university corporations (meaning public university corporations provided in Article 68, paragraph (1) of the Local Incorporated Administrative Agency Act (Act No. 118 of 2003); the same applies hereinafter) established independently by municipalities or in cooperation with other municipalities; hereinafter the same applies in this paragraph and Article 24-3);
- (ii) establishment and abolition of high school etc. (this includes high school and the upper courses of secondary education school; the same applies hereinafter) departments or departments, graduate courses, or special courses of high school course of special needs education schools, established by municipalities;
- (iii) establishment and abolition of kindergarten courses, elementary school courses, junior high school course, or high school courses of special needs education schools;

- (iv) organization and changes in classes of high school courses of special needs education schools, established by municipalities;
 - (v) establishment and abolition of correspondence education in high school courses of special needs education schools, and establishment of correspondence education in university faculties or academic unit of graduate school, or university departments referred to in Article 108, paragraph (2) of the Act;
 - (vi) Establishment of departments of private university faculties;
 - (vii) Establishment and changing of courses in professional and vocational universities (Limited to those classified into lower courses and upper courses pursuant to the provisions of Article 87-2, paragraph (1) of the Act. The same applies in paragraph (1), item (i), (b) of the following article.);
 - (viii) Establishment of majors in academic unit of graduate school, and courses pertaining to the relevant majors (Meaning the courses prescribed in Article 104, paragraph (3) of the Act. The same applies in paragraph (1), item (i), I of the following article.);
 - (ix) Establishment of college of technology(KOSEN) departments;
 - (x) establishment and abolition of branch campus of high schools, secondary education schools, or special needs education schools established by municipalities;
 - (xi) changes in the code of the school in relation to extensive correspondence courses in high school etc. (meaning extensive correspondence courses provided in Article 54, paragraph (3) of the Act (including as applied mutatis mutandis pursuant to Article 70, paragraph (1) of the Act; the same applies to Articles 24 and 24-2); the same applies hereinafter) (excluding minor changes prescribed by Order of the Ministry of Education, Culture, Sports, Science and Technology,);
 - (xii) changes in the code of the school in relation to the capacity of private schools (except extensive correspondence courses in high school etc. and universities) or private miscellaneous schools;
 - (xiii) changes in the code of the school in pertaining to the capacity of private university faculties or academic unit of graduate school, or university departments referred to in Article 108, paragraph (2) of the Act.
- (2) Matters prescribed by Cabinet Order referred to in Article 4, paragraph (1) of the Act in relation to kindergarten provided in Article 4-2 of the Act, are to be the establishment and abolition of branch campuses.

(Matters prescribed by Cabinet Order referred to in Article 4, paragraph (2), item (iii) of the Act)

Article 23-2 (1) Matters prescribed by Cabinet Order in Article 4, paragraph (2) item (iii) of the Act shall be as follows.

- (i) That which is the establishment or change pertaining to universities set forth in the following, which is free of changes in type and field of degree granted by the relevant universities;
 - (a) Establishment of departments of private university faculties
 - (b) Changes in courses of professional and vocational universities (Except ones which involve changes in classification of course terms of lower courses and upper courses (Except abolition of the relevant classification).)
 - (c) Establishment of majors in academic unit of graduate school, or changes in courses pertaining to the relevant majors
- (ii) That which is an establishment of college of technology(KOSEN) departments, and free of changes in field of departments established by the relevant colleges of technology(KOSEN);
- (iii) That which is the establishment of correspondence education in university faculties or academic unit of graduate school, or university departments referred to in Article 108, paragraph (2) of the Act, and free of changes in type and field of degree granted by the relevant universities;
- (iv) That which is a change in the code of the school pertaining to the capacity of private universities faculties or capacity of university departments referred to in Article 108, paragraph (2) of the Act (Except correspondence education and what pertains to fields prescribed by the Minister of Education, Culture, Sports, Science and Technology), and does not involve an increase in the total number of the relevant capacity;
- (v) That which is a change in the code of the school pertaining to the capacity of correspondence education in private university faculties or university departments referred to in Article 108, paragraph (2) of the Act, and does not involve an increase in the total number of the relevant capacity;
- (vi) Changes in the code of the private university related to the capacity of academic unit of graduate school (Except correspondence education and what pertains to fields prescribed by the Minister of Education, Culture, Sports, Science and Technology.);
- (vii) Changes in the code of the private university related to the capacity of correspondence education in academic unit of graduate school;
- (viii) That which is a change in the code of the school pertaining to the capacity of private colleges of technology, and does not involve an increase in the total number of the relevant capacity;
- (2) The standard for changes in types of degrees and fields in paragraph (1) of the preceding paragraph, changes in departments in item (iii) of the same paragraph, and changes in types of degrees or fields pertaining to correspondence education in item (iii) of the same paragraph, shall be specified by the Minister of Education, Culture, Sports, Science and Technology.
- (3) The Minister of Education, Culture, Sports, Science and Technology must

consult the Central Council for Education, when specifying the standards prescribed in the preceding paragraph.

(Correspondence courses prescribed by Cabinet Order referred to in Article 54, paragraph (3) of the Act)

Article 24 High school etc. correspondence courses prescribed by Cabinet Order referred to in Article 54, paragraph (3) of the Act (meaning correspondence courses provided in Article 4, paragraph (1) of the Act; I same applies hereinafter) are to consider students as persons with addresses in the jurisdictional district of the prefecture wherein the relevant high school etc. is located, and persons with addresses in jurisdictional district within 2 or more other prefectures.

(Matters prescribed by Cabinet Order referred to in Article 54, paragraph (3) of the Act)

Article 24-2 Matters prescribed by Cabinet Order referred to in Article 54, paragraph (3) of the Act shall be as follows.

- (i) establishment and abolition of schools;
- (ii) establishment and abolition of correspondence courses;
- (iii) change in management;
- (iv) changes relating to what is prescribed by Order of the Ministry of Education, Culture, Sports, Science and Technology, of listed matters in the code of the school.

(Cases prescribed by Cabinet Order referred to in Article 131 of the Act)

Article 24-3 Cases prescribed by Cabinet Order referred to in Article 131 of the Act, are to be the cases set forth in item (i) for specialized training colleges established by municipalities, and cases set forth in items (i) and (ii) for private specialized training colleges.

- (i) when intending to establish or abolish a branch campus;
- (ii) when intending to acquire or dispose of rights to land and buildings for campus, school buildings, or other educational uses, or make important changes to the current state of land and buildings by changing the use of them, or through reconstruction etc.

(Notification of establishment and abolition etc. of municipal elementary and junior high schools etc.)

Article 25 (1) When there are grounds set forth in the following regarding elementary schools, junior high schools, or compulsory education schools (in the case of item (v), this includes elementary school courses and junior high school courses of special needs education schools) established by the relevant

municipalities or public university corporations, the municipal board of education or president of public university corporations established independently by municipalities or in cooperation with other municipalities, must notify the prefectural board of education accordingly.

- (i) when intending to establish or abolish;
- (ii) when intending to newly become or cease to be a management;
- (iii) when intending to change name or location;
- (iv) when intending to establish or abolish a branch campus;
- (v) when intending to provide double sessions.

(Notification of changes etc. in name of municipal kindergarten etc.)

Article 26 (1) In the following cases, the municipal board of education or the president of public university corporations established independently by municipalities or in cooperation with other municipalities, must notify the prefectural board of education about kindergartens, high schools, secondary education schools and special needs education schools (in the case of item (ii), this excludes special needs education schools) established by the relevant municipalities or public university corporations, the municipal or prefectural board of education must notify the Minister of Education, Culture, Sports, Science and Technology about the colleges of technology(KOSEN) established by the relevant municipalities or prefectures, the mayor of municipality or prefectural governor must notify the Minister of Education, Culture, Sports, Science and Technology about universities established by the relevant municipalities or prefectures, and presidents of public university corporations must notify the Minister of Education, Culture, Sports, Science and Technology about universities and colleges of technology(KOSEN) established by the relevant public university corporations, respectively and accordingly.

- (i) when intending to change name;
 - (ii) when intending to change location;
 - (iii) when changing the code of the school (except changing the code of the school prescribed in Article 23, Paragraph (1), item (xi));
- (2) When intending to establish or abolish graduate courses or special courses in high school etc. established by the relevant municipalities or public university corporations, the municipal board of education or president of public university corporations established independently by municipalities or in cooperation with other municipalities, must notify the prefectural board of education accordingly.
- (3) When a notification referred to in paragraph (1), item (i) or a notification referred to in item (ii) of the same paragraph (limited to notification in relation to relevant courses) is received regarding high schools etc. with extensive correspondence courses of those established by municipalities or public

university corporations established independently by municipalities or in cooperation with other municipalities, the prefectural board of education must report accordingly to the Minister of Education, Culture, Sports, Science and Technology. The same applies to when the prefectural board of education or president of public university corporations established independently by prefectures or in cooperation with other local governments, changes the name or location in relation to the relevant courses regarding high schools etc. with extensive correspondence courses established by the relevant prefectures or public university corporations.

(Notification of changes in purpose etc. of municipal miscellaneous schools)

Article 26-2 In the following cases, the municipal board of education must notify the prefectural board of education accordingly about miscellaneous schools established by the relevant municipalities.

- (i) when intending to change the purpose, name, or location;
- (ii) when intending to establish or abolish a branch campus;
- (iii) when changing the code of the school.

(Notification of changes in regulations of correspondence education)

Article 27 When intending to change regulations of correspondence education in high school courses of special needs education schools established by municipalities or public university corporations established by municipalities independently or in cooperation with other municipalities, or university faculties or academic unit of graduate school, or university departments referred to in Article 108, paragraph (2) of the Act established by municipalities, prefectures, or public university corporations, the municipal board of education or the president of public university corporations established by municipalities independently or in cooperation with other municipalities must notify the prefectural board of education about the high school courses in special needs education schools established by the relevant municipalities or public university corporations, and the mayor of municipality, prefectural governor, or president of public university corporations must notify the Minister of Education, Culture, Sports, Science and Technology about university faculties or academic unit of graduate school, or university departments referred to in the same paragraph established by the relevant municipalities, prefectures, or public university corporations, respectively and accordingly.

(Notification of changes etc. in purpose of private schools)

Article 27-2 (1) When there are grounds set forth in the following about schools being established (except universities and colleges of technology(KOSEN)), the

management of private schools must notify the prefectural governor accordingly.

- (i) when intending to change the purpose, name or location, or changing the code of the school (except changing the code of the school prescribed in Article 23, Paragraph (1), items (xi) and (xii).);
 - (ii) When intending to establish or abolish graduate courses or special courses in high school etc., or high school course departments, graduate courses, or special courses in special needs education schools;
 - (iii) when intending to establish or abolish a branch campus;
 - (iv) when intending to change regulations of correspondence education in high school courses of special needs education schools;
 - (v) when intending to change the methods of expense estimation and maintenance;
 - (vi) when intending to acquire or dispose of rights to land and buildings for campus, school buildings, or other educational or childcare related uses, or make important changes to the current state of land and buildings by changing use of them, or through reconstruction etc.
- (2) when a notification of changes in name or location (limited to matters in relation to the relevant courses) referred to in item (i) of the preceding paragraph is received regarding private high schools etc. with extensive correspondence courses, the prefectural governor must report accordingly to the Minister of Education, Culture, Sports, Science and Technology.

(Notification of changes etc. in purpose of private miscellaneous schools)

Article 27-3 When there are grounds set forth in the following about miscellaneous category schools being established, the management of private miscellaneous schools must notify the prefectural governor accordingly.

- (i) when intending to change the purpose, name, location, or code of the school (except what pertains to capacity);
- (ii) when intending to establish or abolish a branch campus;
- (iii) when intending to acquire or dispose of rights to land and buildings for campus, school buildings, or other educational uses, or make important changes to the current state of land and buildings by changing use of them, or through reconstruction etc.

(Delegation to Order of the Ministry of Education, Culture, Sports, Science and Technology)

Article 28 Detailed regulations including procedures for application for approval, notification, and reporting which must be done based on the provisions of the Act and this Section, shall be prescribed by Order of the Ministry of Education, Culture, Sports, Science and Technology.

Section 2 School terms, holidays and preservation of documents after abolition of schools

(School terms and holidays)

Article 29 (1) School terms, and holidays in the summer season, winter season, end of school year, and busy farming season etc., or holidays for experimental study activities and other study activities at home and in its region (referred to as "holidays for experimental study activities etc." in the following paragraph) of public schools (except universities; hereinafter the same applies in this Article), shall be prescribed by the relevant municipal or prefectural board of education, for schools established by municipalities or prefectures, and by the president of the relevant public university corporations, for schools established by public university corporations.

(2) For prescribing holidays for experimental study activities etc., municipal or prefectural board of education are to endeavor to take necessary measures including appropriately distributing and prescribing the periods of holidays, in order to ensure the enhancement and smooth implementation of experimental study activities and other study activities of young children or students in the region and the home, in the holidays for experimental study activities etc.

Article 30 Deleted

(Preservation of documents after abolition of schools)

Article 31 When public or private schools are abolished (except private universities and colleges of technology(KOSEN)), the municipal or prefectural board of education which established the relevant school must preserve documents recording the state of study and health of persons who are enrolled in the relevant schools or have graduated from them, for schools established by municipalities or prefectures (except universities), as well as the head of municipalities or prefectures which established the relevant universities, for universities established by municipalities or prefectures, the head of the establishing entities (meaning the establishing entities provided in in Article 6, paragraph (3) of the Local Incorporated Administrative Agency Act) of the public university corporations which established the relevant schools, for schools established by public university corporations, and the governor of the prefectures in which the relevant schools were located, for private schools, respectively, as provided by Order of the Ministry of Education, Culture, Sports, Science and Technology.

Chapter IV Designation of Skill Education Facilities

(Application for designation)

Article 32 Managements of facilities for skill education intending to receive a designation under Article 55 (hereinafter referred to as "designation", except in Article 33-2 and Article 34, paragraphs (2) and (3)), must apply for that designation, to the prefectural board of education in the location of the relevant facilities.

(Standards for designation)

Article 33 The standards for designation shall be as follows.

- (i) the managements possessing an understanding of education in high school, and being persons that are found to be appropriate as managements by observing this Cabinet Order and Order of the Ministry of Education, Culture, Sports, Science and Technology based on this Cabinet Order, etc.;
- (ii) the course term being 1 year or more, and the number of annual guidance hours being 680 hours or more;
- (iii) half or more of persons in charge of skill education (except persons in charge of practical training) possessing a license pertaining to skill education for high school teachers, or being persons deemed to possess equivalent or greater scholastic ability to them, and, half or more of persons in charge of practical training possessing a license pertaining to practical training for high school teachers, or being persons deemed to possess equivalent or greater scholastic ability to them, or being persons possessing 6 or more years of practical experience relating to practical training they are in charge of, and being persons deemed to possess technical excellence;
- (iv) what is equivalent to high school subjects specified by the Minister of Education, Culture, Sports, Science and Technology, being included in skill education;
- (v) the number of persons in charge of skill education and persons receiving skill education, and facilities and equipment, and methods of management respectively satisfying standards prescribed by Order of the Ministry of Education, Culture, Sports, Science and Technology.

(Designation of coordinated subjects etc.)

Article 33-2 When designating under Article 55 of the Act, the prefectural board of education must additionally designate coordinated subjects etc. (meaning what is subject to measures provided in the same Article of subjects in facilities for skill education in relation to the relevant designation, and part of subjects in high school (this is to be according to classification prescribed by Order of the Ministry of Education, Culture, Sports, Science and Technology) where the studies of relevant subjects may be deemed as taking a course; the

same applies hereinafter).

(Public notice of designation)

Article 33-3 When designating, the prefectural board of education must publicly notify the name, location, and coordinated subjects etc. of facilities for skill education which received the relevant designation (hereinafter referred to as "designated skill education facilities").

(Notification of changes in contents)

Article 34 (1) When intending to change matters prescribed by Order of the Ministry of Education, Culture, Sports, Science and Technology including the name, location, and type of skill education of the relevant designated skill education facilities, the managements of the designated skill education facilities must notify in advance the prefectural board of education which designated the relevant designated skill education facilities (hereinafter referred to as "facility designation board of education").

(2) When intending to add, change, or abolish coordinated subjects etc., the managements of the designated skill education facilities must apply to the facility designation board of education, for a designation, change of designation, or cancellation of designation respectively.

(3) When there is a notification under paragraph (1) (limited to what pertains to changes in name or location), when there is a designation under the preceding paragraph, or when there is a change of designation or cancellation of designation, the facility designation board of education must publicly notify these accordingly.

(Notification of abolition)

Article 35 (1) When intending to abolish the relevant designated skill education facilities, managements of the designated skill education facilities must notify the facility designation board of education accordingly of the day of abolition, at least three months prior to the day of abolition.

(2) When there is a notification under the preceding paragraph, the facility designation board of education must publicly notify this accordingly.

(Cancellation of designation)

Article 36 (1) When the designated skill education facilities pertaining to that designation no longer satisfy standards set forth in each item of Article 33, the facility designation board of education may cancel that designation.

(2) When a designation is cancelled under the preceding paragraph, the facility designation board of education must publicly notify this accordingly.

(Investigation)

Article 37 The facility designation board of education may investigate whether or not the designated skill education facilities pertaining to those designations satisfy standards set forth in each item of Article 33, and request the managements of the relevant designated skill education facilities to submit reports or materials relating to skill education in the relevant designated skill education facilities.

(Delegation to Order of the Ministry of Education, Culture, Sports, Science and Technology)

Article 38 Beyond what is provided for in Article 32 through the preceding Article, Order of the Ministry of Education, Culture, Sports, Science and Technology prescribes the procedure for application for designation and other necessary matters for designation.

(Skill education facilities pertaining to part-time courses or correspondence courses in the upper courses of secondary education school)

Article 39 The provisions of Article 32 through the preceding Article apply mutatis mutandis to facilities for skill education pertaining to part-time courses in the upper courses of secondary education school (meaning part-time courses provided in Article 4, paragraph (1) of the Act.) or correspondence courses. In this case, the term "high school" in Article 33 items (i) and (iv) and Article 33-2 is deemed to be replaced with the term "upper courses of secondary education school".

Chapter V Certified Evaluation

(Certified evaluation period)

Article 40 The period prescribed by Cabinet Order in Article 109, paragraph (2) of the Act (including as applied mutatis mutandis pursuant to Article 123 of the Act) shall be within 7 years, and the period prescribed by Cabinet Order in Article 109, paragraph (3) shall be within 5 years.

Chapter VI Council etc.

(Councils etc. referred to in Article 34, paragraph (5) of the Act)

Article 41 Councils etc. provided in Article 34, paragraph (5) of the Act (including as applied mutatis mutandis pursuant to Articles 49, 49-8, 62, Article 70, paragraph (1), and Article 82 of the Act.) is to be the Textbook Authorization Research Council.

(Councils etc. prescribed by Cabinet Order referred to in Article 94 of the Act)
Article 42 Councils etc. prescribed by Cabinet Order referred to in Article 94 of
the Act (including as applied mutatis mutandis pursuant to Article 123 of the
Act) is to be the Central Council for Education.

(Councils etc. prescribed by Cabinet Order referred to in Article 95 of the Act)
Article 43 Councils etc. prescribed by Cabinet Order referred to in Article 95 of
the Act (including as applied mutatis mutandis pursuant to Article 123 of the
Act) is to be the Council for University Chartering and School Juridical Person.

Supplementary Provisions

This Cabinet Order comes into effect as of the date of promulgation.