

# Status of stay to be granted to foreign children staying in Korea for a long term to guarantee their right to education

## ☐ Application Period

☐ February 1, 2022 – March 31, 2025

## ☑ Eligibility & Next Steps

### ☐ Eligibility

Foreign children who meet one of the two sets of eligibility requirements can be granted visas.

#### ○ Eligibility 1

- ① Born in Korea or entered Korea as an infant or a young child\* (before the age of six)
- ② Have lived in Korea for at least six years
- ③ On the date of application, attending an elementary, middle or high school in Korea or have graduated from a high school in Korea

\* 'infants and young children' means pre-schoolers under the age of six (subparagraph 1 of Article 2 of the Child Care Act)

#### ○ Eligibility 2

- ① Entered Korea at the age of six or older
- ② Have lived in Korea for at least seven years
- ③ On the date of application, attending an elementary, middle or high school in Korea or have graduated from a high school in Korea

※ Those who don't meet the requirements on the effective date of the scheme can also apply when they become eligible during the application period. (by Mar 31, 2025)

## ☐ Eligible Children

### ○ Next Steps for Eligible Children

- Immigration offices that have jurisdiction over the child's place of residence will process his/her application and review relevant information. When the application is approved, a visa will be granted and the child will be notified about the conditions that need to be met in order to maintain the visa (e.g., compliance with the law and order of Korea, demonstration of good character as a student).

#### ① Those who are middle or high school students on the date of application

- will be granted a D-4 study visa, which will remain valid until graduating from high school.

#### ② Those who are high school graduates on the date of application

- will be able to switch to a different visa that allows them to study or work in Korea if eligible.

- Those who are ineligible for visas for study or work will be issued a G-1 visa, which allows them to stay in Korea for a year. (If holding a different visa, it will be switched to the G-1 visa.)

**③ Failure to meet the conditions for maintaining their visa (e.g. school expulsion, commission of crime)**

- will result in visa cancellation or refusal of visa extension in accordance with the Immigration Act

**□ Parents of the Eligible Children**

**○ Next Steps for Parents of Eligible Children**

- As a general rule, parents of eligible children are supposed to leave Korea. Considering that their child is a minor, however, they will be permitted to temporarily stay in Korea to raise their child until the child graduates from high school or becomes an adult.

**① Paying a penalty for illegally staying in Korea**

- When applying for visa issuance for their child, parents will be notified about their obligation to pay a penalty for their illegal status of stay.
  - \* 30 percent of the original penalty amount will be charged. However, If it is proved, during the review of their child's visa application, that they are lacking ability or unable to pay the penalty, the penalty may be reduced or waived.
- After paying the penalty, parents can stay in Korea temporarily on a G-1 visa until their child graduates from high school. In the meantime, they will also be allowed to engage in activities beyond their visa status to raise their child.

**② Leaving Korea when their visa expires**

- Parents must leave Korea when their child graduates from high school or becomes an adult. Those who keep staying in Korea after their visa expires will be ordered to leave and face re-entry restrictions.

**③ Required Documents and Inquiries**

- Application Form and Required Documents** : Please visit [www.immigration.go.kr](http://www.immigration.go.kr) (Korea Immigration Service) or [www.hikorea.go.kr](http://www.hikorea.go.kr) (HiKorea)
- Inquiries** : Please visit the application desk at the immigration office that has jurisdiction over your place of residence.