

立法會
Legislative Council

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**Report of the Panel on Education
for submission to the Legislative Council
2000-2001**

Purpose

The report gives an account of the work of the Panel on Education during the 2000-2001 Legislative Council (LegCo) session. It will be tabled at the meeting of the Council on 4 July 2001 in accordance with Rule 77(14) of the Rules of Procedure of the Council.

The Panel

2. The Panel was formed by a resolution passed by the Council on 8 July 1998 and as amended on 20 December 2000 for the purpose of monitoring and examining Government policies and issues of public concern relating to education matters. The terms of reference of the Panel are in **Appendix I**.

3. The Panel comprises 19 members, with Dr Hon YEUNG Sum and Hon YEUNG Yiu-chung as Chairman and Deputy Chairman respectively. The membership list of the Panel is in **Appendix II**.

Major work

Enhancing learning opportunities

4. The Panel discussed with the Education Commission (EC) and the Administration the EC's report on "Reform Proposals for the Education System in Hong Kong". Members noted that the overall direction of the education reform was to create more room for schools, teachers and students, offer all-round and balanced learning opportunities, and lay the foundation for lifelong learning. The Administration briefed the Panel on the detailed arrangements for implementing the various education reform measures.

5. Members noted with concern that the Chief Executive had put forward the objective of providing tertiary education to 60% of secondary school leavers within 10

years in his Policy Address 2000 but the objective had not been discussed by EC. Members was of the view that while they supported in principle the provision of tertiary education to more secondary school leavers, they were concerned about the financial implications and the standard of tertiary graduates because of the drastic increase in tertiary places. Noting that a majority of those additional tertiary places would be offered on a self-financing basis, some members doubted the feasibility of increasing the provision without Government subsidy.

6. The Administration responded that the objective of providing 60% of secondary school leavers with tertiary education would have to be adjusted in the light of the learning ability of students, the manpower demands of the community and the community's commitment to the nurturing of talents in the next ten years. The Administration would provide tertiary education providers with capital loans and school sites, and students with grants, low-interest loans and non-means tested loans. The Administration would also collaborate with the Hong Kong Council for Academic Accreditation, the Federation of Continuing Education in Tertiary Institutions and various professional bodies to work out an academic accreditation and quality assurance mechanism.

7. The Administration presented to the Panel its proposals to support the progressive increase in post-secondary education opportunities at the meeting on 23 April 2001. As the proposals contained policy issues with far-reaching implications and needed to be studied carefully, a subcommittee was formed to discuss the proposals in detail with Administration. The subcommittee held two meetings at which the principles and development strategy to be adopted in achieving the policy objective of providing 60% of secondary school leavers with post-secondary opportunities were discussed. Members of the subcommittee were supportive of the direction of expanding the provision of post-secondary education. However, they considered that the proposed substantial increase in post-secondary opportunities would be practicably achievable only if the Administration could put forward very concrete plans to achieve the target. Members were of the view that the quality of students and post-secondary programmes should be ensured while increasing quantity. Members also expressed concern about the financial implications in achieving the target of 60%.

8. The Panel discussed the Proposed Code of Practice on Education under the Disability Discrimination Ordinance issued by the Equal Opportunities Commission (EOC) with the Administration and EOC. Members noted that the Disability Discrimination Ordinance sought to ensure that persons with disabilities had equal opportunities in access to, and meaningful participation in, local education.

9. While members did not dispute the principle of integrated education and the principle of equal opportunities for students with disabilities, they expressed concern that schools might be unable to meet the statutory requirements because of their physical and financial constraints in meeting the special needs of these students. They were of the view that the Administration must provide all the necessary manpower and resources support to every school admitting students with various types of disabilities.

10. EOC had advised the Panel that the Disability Discrimination Ordinance exempted educational establishments from liabilities in cases where there would otherwise be an unjustifiable hardship imposed on them. In addition, a school was required under the Disability Discrimination Ordinance to provide the necessary facilities and support only if a student with a disability had chosen to enrol in that school and needed the facilities and support.

11. The Administration informed members that the Education Department (ED) had equipment for use by students with disabilities which could be provided on loan to schools. A central fund of \$2 million had also been set aside to assist schools in procuring special equipment on needs basis. Schools would be allocated with one additional teacher for taking on every five students with disabilities. An additional teacher assistant would be provided for every eight students with disabilities. Schools with less than five students with disabilities would be assisted by the advisory services and support provided by inspectors from ED on a regular basis. The Administration further advised that many training programmes for pre-service teachers had already incorporated modules relevant to supporting students with special educational needs. However, a member pointed out that an additional teacher for every five students with disabilities was insufficient in case they were allocated to different classes.

12. When the Panel discussed education issues in the Report of the Hong Kong Special Administrative Region of the People's Republic of China in the light of the International Covenant on Economic, Social and Cultural Rights (ICESCR), members expressed concern about reports that children of ethnic minorities had encountered difficulties in pursuit of school places and that some of them had to wait for almost one year for the availability of a school place. The Administration informed the Panel that the Administration had provided sufficient school places and placement services for children of ethnic minorities. The seven government or aided schools providing basic education to non-Cantonese speaking children of ethnic minorities had the capacity to operate 23 more classes to meet additional demand. The Administration further explained that children of ethnic minorities might have to wait much longer if they insisted to be enrolled in schools in the vicinity of their residence. Members were of the view that the Administration had a duty to follow up any case of non-attendance to schools. They urged the Administration to promote awareness of the parents of ethnic minorities of their legal obligations in respect of the provision of nine-year compulsory education to children.

13. The Panel was consulted on the Post Secondary Colleges (Amendment) Bill 2001 which sought to enable the Hong Kong Shue Yan College to start offering degree programmes in September 2001. Members expressed support for the Bill.

Teaching and learning

14. The Curriculum Development Council had been conducting a holistic review of the school curriculum in parallel with the EC's review of the education system. The Administration briefed the Panel on the curriculum reform proposals as set out in the

set of consultation documents entitled "Learning to learn" issued by the Curriculum Development Council. Members noted that implementation of curriculum reform not only required teachers to attend training on curriculum and curriculum leadership, but also to design school-based curriculum. Members queried whether teachers would have the time and expertise to do so. The Administration informed the Panel that it had set aside a provision of 150 million for teachers' professional development in the next five years. The school-based curriculum development teams of the Curriculum Development Institute would also provide on-site advice to help schools. Members were of the view that the senior secondary curriculum and university admission system should be carefully designed to align with the new curriculum for basic education.

15. The Administration also briefed the Panel on the provision of school sites in achieving various education initiatives. Members noted with grave concern that although there were over 234 sites reserved for school development, most sites were not readily available in the coming few years. They expressed dissatisfaction that scarce land resources earmarked for school development was left idle when school sites were inadequate.

16. The Administration explained that quite a number of school sites were reserved to tie in with future housing development. Availability of other sites was subject to a number of factors, such as the need for site formation or developing infra-structural facilities, and whether the relevant school projects were supported by District Councils. Members urged that the Administration should give priority to allocation of sites for school development because education was paramount to the future development. They also suggested that the Administration should review sites for re-zoning purposes, identify vacant land adjacent to or close to schools not suitable for the School Improvement Programme, and consider construction of school villages in less build-up areas. The Administration undertook to collaborate with relevant departments to explore the possibility of advancing the availability of the reserved sites as far as practicable. The Administration also advised that ED was exploring the feasibility of establishing an inter-departmental mechanism on school development projects. The Panel would closely monitor the progress on the availability of reserved school sites.

17. As regards the introduction of a new recurrent grant for all public sector schools from the 2000-01 school year, the Panel noted that schools would be able to hire additional staff or procure various services to relieve teachers' workload so that they could focus on their core functions of teaching and learning. Some members were of the view that the new grant was insufficient to strengthen remedial and enhancement measures in school education. They suggested that schools with a large intake of students with lower academic ability should be provided with additional resources and support. Some members also considered that while schools should be allowed to flexibly deploy the allocated resources under the spirit of school-based management, operation of the monitoring mechanism should be made more transparent and accountable.

18. The Panel received a briefing from the Administration on the additional resources and professional support to schools with a large intake of students with lower academic ability. While members agreed that these schools should be provided with additional resources and support, they had reservation as to whether the support could actually meet the needs of the schools in catering for the diverse learning needs of students. Members were of the view that reducing the class size was more fundamental to improve the learning environment so that teachers would be able to devote more time to individual students.

19. Members considered the development of a professional teaching force a crucial means to improving the quality of basic education. The Panel requested a briefing from the Administration on an overview of the current teaching force and its measures to enhance teacher education. Members considered that the Government's target of upgrading 35% of teaching posts in primary schools to graduate posts by the 2001-02 school year too low. They particularly noted with concern that many of these graduate posts had remained unfilled. The Administration was of the position that while schools were encouraged to fill their graduate posts as quickly as possible, the School Management Committee concerned should have the discretion to decide whether there were suitable teachers to fill these vacant posts. The Administration would review the impact of increasing graduate posts on the quality of primary education and then decide whether to increase the proportion of graduate posts further. The Panel requested the Administration to expedite the review and would follow up the issue when the results of review were available.

20. To enhance teachers' professional development through reading and self-learning, the Administration introduced a new initiative for public sector schools to purchase educational publications through an one-off book grant. Members were of the view that teachers should update their professional knowledge and skills through lifelong learning and the one-off book grant should be made recurrent in the long run. The Administration undertook to consider providing recurrent grants for such purpose, subject to effective use of funds and the support of the community.

21. The Administration briefed the Panel on the review of the two-year pilot scheme on the use of information technology (IT) in schools. Members stressed that ED should provide continuous support to the pilot schools so that they would continue to take up their pioneering role in enriching the teaching and learning environment through the use of IT. The Administration advised that after completion of the medium-term review on the Five-year IT Strategy, ED would review its support to these pilot schools and other schools which had implemented IT in education successfully.

22. Regarding the proposal to build the Education Resource Centre in Kowloon Tong, some members suggested that the Administration should reconsider the foundation and structure design to cater for further expansion. They also queried whether Kowloon Tong was the best location for the proposed Centre given that developments there were subject to height restrictions. The Administration explained that the proposed Centre needed to be situated in a convenient place because it meant to provide integrated and more efficient services to the public.

23. In the deliberation of the proposed injection of new funds to the Language Fund which was established to provide non-recurrent funding support to quality language projects, some members expressed concern about the decline in language standard despite the huge investment in the Language Fund. They considered that recruiting quality teachers should be the most effective way to enhance the language standard of students. The Administration explained that one of the main objectives of the proposed injection was to implement a pilot scheme to send pre-service teacher trainees to attend overseas immersion training. The Administration would consider other measures to attract more qualified language teachers which would require recurrent funding support.

24. The Administration briefed the Panel on the progress of the Study on "Enrichment of Language Learning Environment" which would continue until December 2005. In view of the poor English standard of students, a member suggested that the Administration should consider expediting the progress of the Study. Another member was of the view that the Administration should implement immediate measures to improve the language ability of students instead. Some members also considered that the Administration should conduct a comprehensive study on the adverse impact of the new Secondary School Places Allocation system on school operation and learning environment e.g. a greater diversity of students' language ability, and devise appropriate remedial measures.

25. Regarding the Administration's policy on the medium of instruction, the Panel noted with concern that some schools which used Chinese as the medium of instruction had indicated that they would use English as the medium of instruction to different extents at secondary four and five. The Administration explained that schools which used Chinese as the medium of instruction might opt to use English to teach some subjects in some classes at secondary four and five but these schools should ensure that the subject teachers had the requisite capability to teach in English; the students were sufficiently proficient in English; and there were sound school-based support programmes and bridging courses to prepare students for the switch.

26. Members expressed concern that some schools which used Chinese as the medium of instruction might opt to use English as the medium of instruction in order to attract more students and the decision might not be made in the best interest of students. Members pointed out that it was not satisfactory that schools which used Chinese as the medium of instruction were only required to conduct self-assessment in making the decision to use English as the medium of instruction. They requested that the Administration should closely monitor as to whether these schools had met the requirements when they decided to use English as the medium of instruction.

Funding to the University Grants Committee (UGC)-funded institutions

27. The Administration briefed the Panel on the proposed recurrent funding for the UGC-funded institutions in the 2001-02 to 2003-04 triennium. Members noted with concern that the proposed recurrent funding in the next triennium would be about 3.9% (about \$1.9 billion) less than the provision for the recurrent triennium. In

addition, the Cash Limit for the UGC sector calculated on the basis of the overall student unit cost approach was about \$1 billion less than that calculated under the weighted student unit cost approach. When the Finance Committee discussed the funding proposal, some LegCo Members considered that in view of the controversies over the issue, there should be an opportunity for affected parties to make representations to the Panel. The Panel subsequently met with representatives from staff associations and student unions of some UGC-funded institutions and an academic.

28. Members shared the concern of the depositions that the funding proposal would have adverse impact on the quality of tertiary education and that tertiary education would become mainly market-driven catering for the manpower needs of the community only. A member pointed out that while she always supported that UGC-funded institutions should be provided with adequate resources where necessary, she considered that there could be room for further savings at these institutions. Some members were dissatisfied that although half of the savings arising from the 10% reduction in average student cost was ploughed back to the UGC sector, Government had not provided additional funding in support of new developments such as the Areas of Excellence Scheme. They suggested that the UGC-funded institutions should be allowed to use these savings for intended purposes such as maintenance of buildings and replacement of equipment, etc. The Administration assured members that it would endeavour to identify savings during the next triennium for further allocation to UGC, should the UGC sector encountered any genuine financial difficulties, and that UGC would be allowed to distribute to the institutions any savings it could achieve by the end of the triennium.

Management and regulation of schools

29. The Panel held discussions with the Administration and representatives from school sponsoring bodies, parent-teacher associations and concern organisations on the preliminary proposals and the recommendations of the Advisory Committee on School-based Management respectively. Members noted that there were conflicting views between the school sponsoring bodies and other depositions over the more controversial issues relating to the school governance structure, the appointment of principals and the number of teacher and parent managers.

30. Some members expressed support for a one-tier governance structure. They were of the view that there must be only one school management committee in each school which should comprise two teacher managers and two parent managers. These members considered that school sponsoring bodies should accept meaningful participation of teachers and parents in school management as the power of school sponsoring bodies to set the vision and mission for their schools, and to control their private funds and assets would be fully protected in the legislation if the proposed school-based management framework was put in place. However, a member took the view that while participation of parents and teachers in school management should be supported, the Administration should not impose a one-tier governance structure on a mandatory basis.

31. On the proposals to amend the Direct Subsidy Scheme, some members noted with concern that a Direct Subsidy Scheme school would still receive full recurrent subsidy from Government for each student it admitted under the proposed Scheme even if it charged fees up to a maximum of \$70,534 per year. They considered that as reputable aided schools appeared to be the target schools for the proposed Scheme, children of poor families might be deprived of the opportunity to receive quality education if these schools had joined the Direct Subsidy Scheme and were allowed to charge high level of fees. The Administration advised that since all revision of fees would need to be approved by the Director of Education, the Administration would ensure that fees set by Direct Subsidy Scheme schools would be at a reasonable level. These members still expressed strong reservations about the proposed Scheme, pointing out that it was unreasonable that a school charging such a high level of fee would still receive the full Direct Subsidy Scheme subsidy of \$30,229.

32. Some members were also concerned about the monitoring role of the Administration over the performance of Direct Subsidy Scheme schools. The Administration informed the Panel that starting from the 2000-01 school year, new schools were required to enter into service agreements which would incorporate a set of performance targets. Renewal of agreements would be subject to evaluation by ED with reference to the performance targets.

33. Regulation of tutorial schools had been a major area of concern to the Panel. When the Administration briefed the Panel on the existing mechanism to regulate and monitor the operation of tutorial schools, members noted that tutorial schools would have to register with ED and comply with the relevant requirements of the Education Ordinance as other schools. Some members expressed concern about non-compliance of schools with the statutory requirements. The Administration explained that ED had set up a central compliance team with seven ED officers and a retired police officer to investigate serious cases on contravention of the Ordinance. Cases with sufficient evidence, which warranted prosecution, would be referred to the Police for action.

34. When the Administration briefed the Panel on the legislative proposals to update the Education Ordinance and the Education Regulations, members considered that the proposed maximum penalty of \$25,000 was insufficient to deter schools from placing advertisements containing false and misleading information relating to schools, particularly those tutorial schools which charged high course fees. They requested the Administration to consider imposing a higher level of penalty in order to achieve greater deterrent effect. The Administration subsequently proposed to impose a higher level of penalty of a fine of up to \$100,000 for relevant offences in the Education (Amendment) Bill 2000.

35. Members expressed concern that there were loopholes in current legislation to regulate tutorial schools. They pointed out that some schools had collected tuition fees by way of prepaid coupons not in accordance with the number of instalments approved by ED. It was also unfair that a school supervisor would not be held liable for students' losses if the school had been incorporated as a limited company. They requested ED to step up its inspection work and plug any loophole in the legislation.

36. The Panel discussed with the Administration financial proposal in respect of the Composite Furniture and Equipment Grant. While members had no objection to the introduction of a unified funding arrangement to provide schools with funding certainty and greater flexibility, they urged the Administration to consider favourably the proposed rates for primary and special schools.

Other issues

37. The Panel was concerned over repeated incidents of error being found in the examination papers of the Hong Kong Advanced Level Examination. Members discussed the follow-up actions to be taken with the Hong Kong Examination Authority (HKEA). Members expressed dissatisfaction at HKEA for failing to take adequate measures to prevent recurrence of similar incident even though it had pledged to do so. HKEA informed members that it had taken all necessary measures to prevent recurrence of errors in examination papers in the future and would establish a special committee to examine the causes of the errors. Members urged HKEA to devise fair and reasonable remedies for candidates being affected by the incidents. Some members suggested that these candidates should be given the option to re-sit the examination.

38. The Panel also received briefings from the Administration on the Chief Executive's 2000 Policy Objectives and a number of other subject matters, including provision of one-off grant to the Open University of Hong Kong for the Information Technology Development Plan; proposed creation of a permanent Chief Treasury Accountant in ED; financial proposal for promoting parent education; proposals to strengthen and support school-based uniform group activities; a proposal to set up a Personnel Information Management System in ED; and proposed creation of a Senior Principal Executive Officer post in the Education and Manpower Bureau.

39. During the period between October 2000 and June 2001, the Panel held a total of 12 meetings.

Legislative Council

Panel on Education

Terms of Reference

1. To monitor and examine Government policies and issues of public concern relating to education matters.
2. To provide a forum for the exchange and dissemination of views on the above policy matters.
3. To receive briefings and to formulate views on any major legislative or financial proposals in respect of the above policy area prior to their formal introduction to the Council or Finance Committee.
4. To monitor and examine, to the extent it considers necessary, the above policy matters referred to it by a member of the Panel or by the House Committee.
5. To make reports to the Council or to the House Committee as required by the Rules of Procedure.

**Legislative Council
Panel on Education**

Membership list

Chairman	Dr Hon YEUNG Sum
Deputy Chairman	Hon YEUNG Yiu-chung
Members	Hon David CHU Yu-lin Hon Cyd HO Sau-lan Hon Eric LI Ka-cheung, JP Prof Hon NG Ching-fai Hon CHEUNG Man-kwong Hon LEUNG Yiu-chung Hon SIN Chung-kai Hon Andrew WONG Wang-fat, JP Hon Jasper TSANG Yok-sing, JP Hon LAU Kong-wah Hon Emily LAU Wai-hing, JP Hon SZETO Wah Hon Tommy CHEUNG Yu-yan, JP Hon Michael MAK Kwok-fung Dr Hon LO Wing-lok Hon WONG Sing-chi Hon Audrey EU Yuet-mee, SC, JP (Total : 19 Members)
Clerk	Miss Flora TAI Yin-ping
Legal Adviser	Mr Arthur CHEUNG Ping-kam
Date	20 December 2000