

**Bills Committee on The English Schools Foundation (Amendment) Bill 2007**

**Summary of views of organizations and individuals  
(as at 26 October 2007)**

Issue	View	Organization/ Individual
<b>Objects and powers of the Foundation Clause 7 (Section 4)</b>		
<b>Proposed Committee Stage amendment (CSA) to include "without regard to disability or special educational needs (SEN)" in the objects of the Foundation (Hon Dr Fernando CHEUNG)</b>	<u>Support</u>	KGV Sarah Roe Mr Albert LEUNG
	<p><i>Reasons</i></p> <p>(a) The CSA is in line with the local and international trend to promote inclusiveness in the provision of education for students with SEN. It would not require the Foundation to admit any students with any SEN as it has its own admission criteria and quota.</p> <p>(b) The CSA provides an opportunity for the Foundation to demonstrate its position and commitment on inclusive education, and should not be perceived as a challenge to its management or a limitation to its admission criteria.</p> <p>(c) The CSA will affirm the long-term vision and mission as well as the medium-term and short-term objectives of the Foundation in respect of education for students with SEN. However, additional amendments may be needed to safeguard the Foundation from running into financial difficulties in fulfillment of the mission.</p>	KGV
		Sarah Roe KGV  Mr Albert LEUNG

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	<u>Object</u>	Academic Com Management Com Staff Council APTESFS JCPTA Ms Virginia Wilson
	<p><i>Reasons</i></p> <p>(a) An "open door" policy irrespective of disability or SEN is not viable for the Foundation, which is not physically and financially capable of catering for the needs of all the students in their care.</p> <p>(b) The CSA is too broad and open-ended which would mean that students with severe SEN would need to be accepted by any of the Foundation schools. This will require substantial capital works and financial resources that will have impact on the rest of the students.</p> <p>(c) Teachers are concerned that the proposed CSA will have impacts on the teaching approach, teaching skills, classroom activities and student learning. The Foundation schools will have practical problems in terms of the provision of specialist equipment and the learning environment to cope with severe SEN.</p> <p>(d) The Foundation and its schools have established a framework and made many changes to cater for the needs of students with SEN in the past two years. A preferable approach is to continue to refine the SEN programmes instead of resorting to words in the objects of the Foundation.</p>	<p>Academic Com</p> <p>JCPTA</p> <p>Staff Council</p> <p>Ms Virginia Wilson</p>

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	<p>(e) The CSA would give rise to practical and financial issues that would become the burden of the teaching staff. These include lack of space, access to areas of the school, resources for all pupils, and the time required to effectively teach a broad spectrum of students, which would significantly affect the teachers' terms and conditions of services. Instead of improving access for children with SEN to the Foundation's schools, the CSA could ultimately reduce the standard of education for all students by placing an unfair, unnecessary and unmanageable burden on teachers.</p>	APTESFS
	<p><i>Suggestions</i></p> <p>(a) The admission criteria should form part of the SEN policy and be reviewed together with related issues such as resources availability, class sizes and dynamics.</p> <p>(b) The matters concerning SEN should be dealt with through a process of negotiation involving teachers, parents, principals, school councils, the Board and the Education Bureau, outside the legislative process.</p> <p>(c) The Government should require public sector and private schools including international schools to admit students with SEN.</p>	<p>JCPTA</p> <p>Staff Council</p> <p>Ms Virginia Wilson</p>

Issue	View	Organization/ Individual
<b>Composition of the Board of Governors</b> <b>Clause 8 (section 6)</b>		
<b>Proposed CSA to remove Legislative Council (LegCo) representation in the Board (Hon Tommy CHEUNG)</b>  <b>Clause 8 (section 6(1)(a))</b>	<u>Object</u>	Academic Com Staff Council JCPTA
	<i>Reasons</i>  (a) Representation and contribution of LegCo members has been valuable and important as a significant number of students and their families are permanent residents of Hong Kong.  (b) Parents value LegCo representation as the Foundation is partially Government-funded. Parents are concerned about the balance of composition in the Board after the removal of LegCo representation.  (c) Stakeholders value LegCo representation in the Board which will be an important part of the checks and balances system to enhance the transparency of the Foundation's governance.	Academic Com  JCPTA  Staff Council
	<i>Suggestion</i>  (a) If one of the two seats for LegCo members in the Board is removed, it should be replaced with a member to be selected from APTESFS. APTESFS considers that there should be a member in the Board to represent the opinions of the professional teachers of the Foundation, and this member should be classified as an independent member.	APTESFS

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<p><b>Proposed CSA to include a representative from parents of students with SEN in the Board</b> <b>(Hon Tommy CHEUNG)</b></p> <p><b>Clause 8 (section 6(1))</b></p>	<p><u>Support</u></p>	<p>KGV Sarah Roe Mr Albert LEUNG</p>
	<p><i>Reasons</i></p> <p>(a) The CSA would ensure that the voice of parents of students with SEN would be heard by the Foundation and that its policies can better meet the needs of students with SEN.</p> <p>(b) The CSA will provide a proper forum for SEN issues to be articulated and understood at the top.</p> <p>(c) The inclusion of a representative from parents of students with SEN in the Board will enable interaction of members on an equal basis, enhance understanding of SEN and facilitate formulation of policies and measures to address the needs of students with SEN in learning. It will also promote an inclusive culture in schools.</p>	<p>KGV</p> <p>Sarah Roe</p> <p>Mr Albert LEUNG</p>
	<p><u>Object</u></p>	<p>Academic Com Management Com Staff Council APTESFS JCPTA Ms Virginia Wilson</p>

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	<p><i>Reasons</i></p> <p>(a) All parents enjoy an equal opportunity to serve as a parent representative in the Board. The provision of designated representation of specific parent group is against the school philosophy of inclusiveness and anti-discrimination.</p> <p>(b) The seven parent representatives in the Board are to speak for the needs of all the parents of the students in the Foundation schools, and they could be parents of students with SEN.</p> <p>(c) The majority of parents will not support the CSA as it has been agreed that any group representation contradicts the requirement for parent members to make their own decisions rather than as delegates. Any Board member should act on behalf of the greater good of the Foundation, rather than any individual constituency.</p> <p>(d) It is difficult to identify with accuracy, consistency and fairness the level of SEN for designated membership in the Board.</p> <p>(e) Other interest groups in the Foundation will request similar representation in the Board.</p> <p>(f) The proposed composition in the Bill is well balanced, allows the widest practical representation of all stakeholders, and has suitable checks and balances.</p>	<p>Academic Com Staff Council</p> <p>APTESFS</p> <p>JCPTA Ms Virginia Wilson</p> <p>Academic Com Staff Council</p> <p>Academic Com Staff Council</p> <p>Management Com</p>

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	<p><i>Suggestions</i></p> <p>(a) The functions of the Board should include responsibility for a regular review of SEN provision and resources throughout the Foundation.</p> <p>(b) If SEN representation is needed, an independent third party with experience on SEN should be included in the Board.</p>	<p>JCPTA</p> <p>Ms Virginia Wilson</p>
<p><b>Proposed CSA to include a representation from the Administration on the Board</b> (Hon Tommy CHEUNG)</p> <p><b>Clause 8 (section 6(1))</b></p>	<p>The Board should include a representative from the Administration to ensure that the interests of civil servants with children attending the Foundation schools are well served.</p>	<p>OIA PFCSS</p>
<p><b>Composition of Nominating Committee</b></p> <p><b>Clause 8 (section 8)</b></p>	<p>The rationale for including in the Nominating Committee two members nominated by The Hong Kong General Chamber of Commerce and the British Chamber of Commerce in Hong Kong is unclear. The inclusion of any business sector interest in the composition of the Nominating Committee is opposed.</p>	<p>OIA PFCSS</p>
<p><b>Composition of School Councils</b> <b>Clause 8 (section 14)</b></p>		
<p><b>Proposed CSA to include a representative from parents of students with SEN in each School Council</b></p>	<p><u>Support</u></p>	<p>KGV Sarah Roe Mr Albert LEUNG</p>

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<p><b>(Dr Hon Fernando CHEUNG)</b></p> <p><b>(Clause 8 (section 14(1)))</b></p>	<p><i>Reasons</i></p> <p>(a) The CSA will enhance effective deployment of resources as well as independence and autonomy of the Foundation schools in the provision of education for students with SEN.</p> <p>(b) The CSA is complementary to SEN representation in the Board to ensure flow of information both up and down, and to facilitate debate and resolutions of important or difficult issues in a uniform manner.</p> <p>(c) The inclusion of a representative from parents of students with SEN in each School Council will enable interaction of members on an equal basis, enhance understanding of SEN and facilitate formulation of policies and measures to address the needs of students with SEN in learning. It will also promote an inclusive culture in schools.</p>	<p>KGV</p> <p>Sarah Roe</p> <p>Mr Albert LEUNG</p>
	<p><u>Object</u></p>	<p>Academic Com Management Com Staff Council APTESFS JCPTA Ms Virginia Wilson</p>
	<p><i>Reasons</i></p> <p>(a) There are opportunities for parents of students with SEN to involve with School Councils and existing advisory groups which should be formalized and given more support from the Foundation.</p>	<p>Academic Com</p>



Issue	View	Organization/ Individual
	<p>(b) There is already provision for interested parties and specialists to be invited to School Council meetings when particular issues are being discusses.</p> <p>(c) All parents enjoy an equal opportunity to serve as a parent representative on the School Councils. The provision of designated representation of specific parent group is against the school philosophy of inclusiveness and anti-discrimination.</p> <p>(d) The parent representatives in the School Councils are to speak for the needs of all the parents of the students in the Foundation schools, and they could be parents of students with SEN.</p> <p>(e) The majority of parents will not support the CSA as it has been agreed that any group representation contradicts the requirement for parent members to make their own decisions rather than as delegates. Any member should act on behalf of the greater good of the Foundation, rather than any individual constituency.</p> <p>(f) It is difficult to identify with accuracy, consistency and fairness the level of SEN for designated membership on the School Councils.</p> <p>(g) Other interest groups in the Foundation will request similar representation in the School Councils.</p> <p>(h) The proposed composition in the Bill is well balanced, allows the widest practical representation of all stakeholders, and has suitable checks and balances.</p>	<p>JCPTA</p> <p>Academic Com Staff Council</p> <p>APTESFS</p> <p>JCPTA Ms Virginia Wilson</p> <p>Academic Com Staff Council</p> <p>Academic Com Staff Council</p> <p>Management Com</p>

<b>Issue</b>	<b>View</b>	<b>Organization/ Individual</b>
	<p><i>Suggestions</i></p> <p>(a) The written responsibilities of School Councils should include a regular review of the SEN provisions and resources.</p> <p>(b) School Councils can invite non-voting members of any constituency including parents of students with SEN to attend meetings and address issues.</p>	<p>JCPTA</p> <p>Ms Virginia Wilson</p>

Remarks : A list of organizations/individuals and their submissions is in the **Appendix**.

Council Business Division 2  
Legislative Council Secretariat  
30 October 2007

## List of organizations/individuals and their submissions

Abbreviation	Organization/Individual	LC Paper No.
Academic Com	Academic Committee, The English Schools Foundation	CB(2)2780/06-07(02)
APTESFS	Association of Professional Teachers in English Schools Foundation Schools	CB(2)112/07-08(01)
JCPTA	Joint Council of Parent Teacher Associations	CB(2)2735/06-07(01)
KGV	A Group of SEN Parents of King George V School	CB(2)2780/06-07(03)
Management Com	Management Committee, The English Schools Foundation	CB(2)95/07-08(01)
OIA	Overseas Inspectors' Association, Hong Kong Police Force	CB(2)2347/06-07(01)
PFCSS	Police Force Council Staff Side	CB(2)2748/06-07(01)
Sarah Roe	Jockey Club Sarah Roe School Parent Teachers Association	CB(2)117/07-08(01)
Staff Council	Staff Council, The English Schools Foundation	CB(2)2815/06-07(01)
	Mr Albert LEUNG	CB(2)2815/06-07(03)
	Ms Virginia Wilson	CB(2)2815/06-07(02)