

立法會
Legislative Council

LC Paper No. CB(2)2390/08-09
(The minutes have been seen by
the Administration)

Ref : CB2/PL/ED

Panel on Education

Minutes of meeting
held on Monday, 8 June 2009, at 4:30 pm
in Conference Room A of the Legislative Council Building

Members present : Hon Cyd HO Sau-lan (Chairman)
Dr Hon Priscilla LEUNG Mei-fun (Deputy Chairman)
Hon LEE Cheuk-yan
Hon CHEUNG Man-kwong
Hon LEUNG Yiu-chung
Hon TAM Yiu-chung, GBS, JP
Hon Abraham SHEK Lai-him, SBS, JP
Hon Tommy CHEUNG Yu-yan, SBS, JP
Hon Audrey EU Yuet-mee, SC, JP
Hon Andrew LEUNG Kwan-yuen, SBS, JP
Prof Hon Patrick LAU Sau-shing, SBS, JP
Hon Starry LEE Wai-king
Hon Tanya CHAN
Hon WONG Sing-chi
Hon WONG Yuk-man
Hon Mrs Regina IP LAU Suk-yee, GBS, JP
Dr Hon Samson TAM Wai-ho, JP

Member attending : Dr Hon David LI Kwok-po, GBM, GBS, JP

Public Officers attending : Agenda item IV

University of Hong Kong

Prof Richard Y C WONG
Deputy Vice-Chancellor and Provost

Prof Johannes M M CHAN
Dean of Law

Mr Henry W K WAI
Registrar

Ms Dora K M YUE
Assistant Registrar, Registry

Agenda item V

Mr Kenneth CHEN, JP
Under Secretary for Education

Ms Amy WONG
Principal Assistant Secretary for Education (Higher
Education)

Agenda item VI

Mr Kenneth CHEN, JP
Under Secretary for Education

Mrs Michelle WONG
Deputy Secretary for Education (4)

Miss WU Po-ling
Principal Assistant Secretary (School Administration
& Support)

Clerk in attendance : Miss Odelia LEUNG
Chief Council Secretary (2)6

Staff in attendance : Mr Stanley MA
Senior Council Secretary (2)8

Ms Judy TING
Council Secretary (2)3

Miss Jenny LEE
Legislative Assistant (2)6 (Acting)

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I. Confirmation of minutes
[LC Paper No. CB(2)1582/08-09]

The minutes of the special meeting held on 20 March 2009 were

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confirmed.

II. Information paper(s) issued since the last meeting

2. Members noted the following papers issued since the last meeting -

- (a) a letter dated 30 April 2009 from Dr Pauline CHIU concerning the Biology curriculum guidelines [LC Paper No. CB(2)1565/08-09(01)];
- (b) a further submission from the Concern Group of Hong Kong Science Education concerning the Biology curriculum guidelines [LC Paper No. CB(2)1565/08-09(02)];
- (c) a submission from the Public Administration and Politics Society of The Open University of Hong Kong concerning the provision of first-year-first-degree places and the role of the University Grants Committee in the higher education sector [LC Paper No. CB(2)1624/08-09(01)];
- (d) a letter dated 18 May 2009 from Hong Kong Association for Parents of Persons with Physical Disabilities to the Secretary for Education concerning the improvement works for SAHK Ko Fook Iu Memorial School for the implementation of the new senior secondary academic structure [LC Paper No. CB(2)1651/08-09(01)];
- (e) correspondence between SKH Kei Hin Primary School/SKH St John's Primary School and the Education Bureau concerning their applications for reprovisioning of school premises [LC Paper Nos. CB(2)1685/08-09(01), (02), (03) and (04)];
- (f) the Secretary for Education's reply dated 25 May 2009 to SKH St John's Primary School concerning reprovisioning of its school premises [LC Paper No. CB(2)1746/08-09(01)];
- (g) a letter dated 21 April 2009 from The Student Union of The Chinese University of Hong Kong regarding the re-structuring of the Senate of The Chinese University of Hong Kong [LC Paper No. CB(2)1718/08-09(01)];
- (h) a letter dated 25 May 2009 from City U Substantiated Staff Union concerning salary arrangements for the Community College of the City University of Hong Kong [LC Paper No. CB(2)1737/08-09(01)]; and

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- (i) a submission from Hong Kong Unison concerning the General Certificate of Secondary Education (Chinese) Examination fee [LC Paper No. CB(2)1738/08-09(01)].

III. Items for discussion at the next meeting

[Appendices I and II to LC Paper No. CB(2)1727/08-09 and CB(2)1727/08-09(07)]

Items proposed for discussion

3. Mr CHEUNG Man-kwong and Mr WONG Sing-chi suggested that the Panel should discuss the remuneration arrangements for staff of the Community College of the City University of Hong Kong. Members agreed.

4. Mr CHEUNG Man-kwong, Ms Audrey EU and Ms Starry LEE considered that the Panel should revisit the subject of "Fine-tuning the medium of instruction policy for secondary schools". The Chairman informed members that the subject had been scheduled for discussion in early July 2009.

5. Referring to The Ombudsman's report on investigation into the complaints against the Hong Kong Examinations and Assessment Authority (HKEAA) which was released recently, Ms Audrey EU suggested that the Panel should discuss the mechanism for checking and marking of examination papers for examinations administered by HKEAA. Members agreed.

6. The Chairman pointed out that as shown in the List of outstanding items for discussion, the Panel had previously agreed to revisit "Review of the Pre-primary Education Voucher Scheme" and to discuss "Monitoring of Direct Subsidy Scheme schools". She suggested holding a few special meetings of the Panel in June and July 2009 to discuss the outstanding items and the proposed items at the meeting. Members agreed. The Chairman said that she would discuss with the Clerk on the dates for the special meetings.

[Post-meeting note: the Panel would hold the following special meetings to discuss the following items -

Special meeting on 22 June 2009

- (a) review of Pre-primary Education Voucher Scheme; and
- (b) school leaving arrangements for students studying in schools for children with intellectual disability

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Special meeting on 6 July 2009

- (a) monitoring of Direct Subsidy Scheme schools;
- (b) inter-institutional redress mechanism for the higher education sector; and
- (c) remuneration arrangements for the Community College of the City University of Hong Kong

Special meeting on 11 July 2009

- (a) fine-tuning the medium of instruction for secondary schools;
- (b) Liberal Studies under the new senior secondary curriculum; and
- (c) mechanism for checking and marking examination papers for examinations administered by HKEAA.]

Proposal for the setting up of a subcommittee to monitor issues relating to the subject of Liberal Studies under the new senior secondary curriculum

7. The Chairman suggested and members agreed to advance the discussion on Mrs Regina IP's proposal to set up a subcommittee to monitor issues relating to the subject of Liberal Studies under the new senior secondary (NSS) curriculum. Mrs IP said that there were concerns and complaints about the teaching and assessment of the subject of Liberal Studies which would be a core subject under the NSS curriculum. Although she had proposed the setting up of a subcommittee to study issues relating to Liberal Studies, she noted the large number of subcommittees on policy in operation and was open on the way to follow up the matter.

8. The Chairman said that while she supported the establishment of a subcommittee to monitor issues relating to the subject of Liberal Studies, she was concerned that the activation of further subcommittees appointed by Panels would be subject to the approval of the House Committee. She suggested that as an alternative, the Panel might hold special meetings to discuss the subject at regular intervals. Mr CHEUNG Man-kwong suggested that the Panel should first discuss the matter in July 2009. Mrs Regina IP agreed.

IV. The University of Hong Kong (Amendment) Bill 2009
[LC Paper Nos. CB(2)1727/08-09(01) and (02)]

9. Dr David LI thanked members for including the University of Hong

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Kong (Amendment) Bill 2009 (the Bill) in the agenda for the meeting. He highlighted that the Bill, which was technical in nature, sought to effect the recommendations made by the Audit Commission in 2003; and to streamline the academic titles used by the University of Hong Kong (HKU). Subject to members' views, he would proceed to seek the President's approval for introducing the Bill into the Legislative Council (LegCo) in accordance with Rule 51(1) of the Rules of Procedure.

10. Professor Richard WONG briefed members on the purpose and the proposed amendments under the Bill as detailed in the paper provided by HKU. He highlighted that the change of the academic titles would not entail any change to the terms and conditions of employment of the relevant staff. Only 20 of the some 800 staff members preferred to retain their old titles.

Role and composition of the Court and the Council

11. Mr CHEUNG Man-kwong said that he respected the history and tradition of HKU and did not object to the amendments under the Bill to define the Court and the Council as the "supreme advisory body" and the "supreme governing body" respectively. After the clarification of the Court as the supreme advisory body, LegCo representatives would sit on the advisory body but not the governing body of HKU. Such an arrangement was not in line with other University Grants Committee (UGC)-funded institutions such as the Chinese University of Hong Kong (CUHK) where LegCo representatives sat on its governing body. He noted that the Council of HKU could have 25 members and there were only 24 members currently. He asked whether HKU would consider including LegCo representation in its Council.

12. Professor Richard WONG explained that in response to the recommendations made in the UGC Report on Higher Education in Hong Kong in March 2002, the Council had set up an independent review panel comprising Professor John Niland, Professor Neil Rudenstine and the Chief Justice to conduct a review of the governance and management structure of HKU. According to the report of the review panel (the Fit for Purpose Report), members of the Council should be appointed in his personal capacity as trustee instead of delegate or representative of a particular constituency. Although the Council did not have ex-officio LegCo representation, it had two members elected by the Court. He added that HKU was conducting a stock-taking exercise on the progress of implementation of the recommendations in the Fit for Purpose Report, and a review report would be released later.

13. Mr CHEUNG Man-kwong opined that HKU could consider adopting different approaches in having LegCo representation in its Council. For example, in the case of CUHK, the relevant ordinance provided for the inclusion of three LegCo members in its Council, whereas in the case of the Hong Kong University of Science and Technology, it appointed Mr Abraham SHEK as its Council

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member.

14. Professor Johannes CHAN responded that the Council was open on the appointment of LegCo members as its members. Currently, the Council had appointed 13 external members.

15. Dr Priscilla LEUNG asked whether there was any objection to the proposal to define the Court and the Council as the "supreme advisory body" and the "supreme governing body" respectively. She was also concerned how the change of their respective roles would be conducive to the governance of HKU.

16. Professor Richard WONG explained that the Bill sought to rectify the inconsistency in the role of the Court and the Council in the Ordinance and the Statutes, but would not change their roles and functions that had remained so since the establishment of HKU a century ago. Except in some specified areas such as the power to approve the establishment of a faculty, the Court had all along assumed an advisory role in university management. On the other hand, the Council had all along been the governing body of HKU. According to the Fit for Purpose Report, the size of the Council should be in the range of 18 to 24. Currently, the Council had elected teacher, student and staff representatives and a majority of external members who were nominated and/or appointed by the Council and/or the Chancellor. In his view, the re-structured Council was more efficient in operation and decision making. Members' attendance rate at Council meetings was high, and no adverse comments on its operation had been received so far. The stock-taking exercise on the progress of implementation of the recommendations in the Fit for Purpose Report would cover the operation of the re-structured Council.

Academic titles

17. Ms Audrey EU noted that the Bill provided for the amendment to the existing academic titles of Teachers used by HKU which would comprise Assistant Professors, Associate Professors, Professors and Chairs. She was given to understand from HKU that existing staff members could retain the old academic titles of Reader, Senior Lecturer, Lecturer and Associate Lecturer by virtue of the transitional provision. However, she noted that the transitional provision did not provide for the retention of the old academic titles. She asked whether the academic staff in HKU had been consulted and had expressed support for the use of the new academic titles.

18. In response, Professor Johannes CHAN explained that under the transitional provision, staff members who decided to retain the old academic titles would continue to enjoy the "good cause" protection in their employment with HKU. In approving the Human Resources Reform proposals in 2004, the Council had made it clear that the terms and conditions of employment for staff members who opted to retain their existing titles should remain unchanged.

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Staff had been consulted on their wish to change their titles. So far, a total of 20 staff members had decided to retain the old titles. New staff would all be employed with the new academic titles. He acknowledged that the retention of old titles was effected by way of administrative arrangement and not express provisions in the Bill.

19. Ms Audrey EU remarked that as the Bill did not provide for the retention of the old academic titles, it might be necessary to form a Bills Committee to study the Bill in detail. Mr CHEUNG Man-kwong said that the Bills Committee should invite the 20 staff members who had retained the old titles to express views on the matter.

20. Professor Richard WONG replied that the new academic titles had been adopted since the 2004-2005 academic year. HKU had been using the new and old academic titles for its staff as shown in its 2006 calendar and thereafter.

21. Ms Audrey EU pointed out that her concern was the proposed deletion of the old academic titles in the Bill and the retention of the titles by administrative arrangements. She considered that HKU had to address this concern.

Conditions of employment

22. Mr LEUNG Yiu-chung asked whether the Bill would have any adverse impacts on the terms and conditions of employment for academic and non-academic staff, in particular new recruits who were employed on contract terms.

23. Professor Richard WONG responded that the Bill provided that all existing and new staff would enjoy the "good cause" protection in their employment with HKU. On the basis of the Human Resources Reform in 2004, HKU had adopted the American model on staff employment. All new academic staff in HKU were employed on contract terms initially, and would be considered for substantiated employment after satisfactory completion of two instead of one three-year contracts. Previously, staff promotion was subject to the approved staff establishment as funded by the Government. After the reform, staff promotion was decided on the basis of performance. In other words, an Assistant Professor would be promoted to Associate Professor and further to Professor on the basis of his performance without regard to financial consideration. From that perspective, the career development prospect for academic staff members had been improved.

24. Mr LEUNG Yiu-chung enquired about the mechanism for the assessment of staff performance for promotion. He was concerned how HKU would prevent the cultivation of a culture of flattery among staff members in competition for promotion.

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25. Professor Richard WONG responded that a mechanism had been put in place in HKU to assess the performance of teachers for promotion purpose. This involved a committee assessment and a peer review process. Normally, a committee would be appointed to assess the teaching performance and research work of the prospective teachers and comments from overseas professors in the relevant disciplines would be sought.

26. Professor Johannes CHAN supplemented that the Human Resource Reform proposals were introduced after two-year extensive consultation with staff members and the staff associations. Under the reform, staff promotion and staff remuneration were administered by separate systems, and promotion did not necessarily entail a salary increase. The HKU management was aware of the need to curb the growth of a culture of flattery in the university campus and had built in an appeal mechanism to ensure fair and objective performance evaluation.

27. The Chairman asked whether it was possible that a teacher was promoted without a salary increase because of the separate systems for staff promotion and staff remuneration.

28. Professor Richard WONG replied that it was possible in principle but in practice it was highly unlikely for a staff member to be promoted without an increase in salary, given the size of HKU's staff establishment and the need to compete with other institutions in recruitment and retention of quality staff with the implementation of four-year undergraduate programmes in the 2012-2013 academic year.

29. Mr LEUNG Yiu-chung said that there had been staff complaints about the emphasis in publication of academic work in international journals in considering promotion, with the result that academics would tend to select international instead of local issues as the theme for research. He asked whether there were any effective mechanisms to prevent flattery in the higher education sector.

30. Professor Richard WONG responded that no system could prevent flattery altogether in the higher education sector. He pointed out that the promotion system after the human resources reform was better in the sense that staff promotion was no longer subject to the consideration of the approved establishment and that promotion of academic staff was considered by a two-tier committee appointed for the purpose, plus a peer review process which might involve three to six external professors in the relevant fields of study. Staff members felt aggrieved could seek redress through the established complaints and grievances mechanism.

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Legislative timetable

31. The Chairman, Ms Audrey EU and Mr CHEUNG Man-kwong considered it necessary to form a Bills Committee to scrutinize the Bill in detail.

32. At the invitation of the Chairman, the Clerk explained the procedures for the presentation of bills introduced by Members. She said that the Member in charge of the bill had to give notice of his intention to present the bill. Members might not introduce a bill which, in the opinion of the President, related to public expenditure or political structure or the operation of the Government. In the case of a bill which, in the opinion of the President, related to Government policies, the written consent of the Chief Executive for presentation of the bill had to be obtained. The bill to be presented by Members had to be published in the Gazette. The Clerk further said that as regards the Bill in question, Dr David LI had not submitted it to the President for consideration. For any bill to resume its Second Reading debate at the last Council meeting for the current session on 8 July 2009, the relevant bills committee had to report its deliberations to the House Committee on 19 June 2009. Having regard to the steps involved, it appeared unlikely that the legislative procedures for the Bill could be completed within the current session. Members noted.

V. Recognition of academic qualifications awarded by Mainland and Taiwan higher education institutions

[LC Paper Nos. CB(2)1727/08-09(03) and (04)]

Briefing by the Administration

33. US(Ed) briefed members on the main points of the Administration's paper. He highlighted that in July 2004, a Memorandum of Understanding between the Mainland and Hong Kong on Mutual Recognition of Academic Degrees in Higher Education (MoU) had been signed to promote co-operation in education and student exchange. In 2005, the University Act of Taiwan was amended, and in 2007, the Regulations Regarding the Evaluation of Universities were enacted to set out the implementation details of the evaluation to be undertaken by Taiwan universities. Since May 2008, Hong Kong Council for Accreditation of Academic and Vocational Qualifications (HKCAAVQ) had implemented a new set of guidelines on assessing Taiwan qualifications.

Recognition of higher education qualifications awarded by institutions in Taiwan

34. Mr WONG Yuk-man said that the relationship between the Mainland and Taiwan had improved in recent years, which resulted in closer relationship between the Hong Kong Special Administrative Region and Taiwan. Recently, two senior Hong Kong government officials paid visit to Taiwan in either

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official or private capacities. He was of the view that in the foreseeable future, this harmonious relationship would promote more education and cultural exchange between the both places. He considered it necessary for the Administration to change its mindset concerning the recognition of Taiwan academic qualifications.

35. Mr WONG Yuk-man further said that the Mainland and Taiwan had taken a big step forward in improving the cross-straits relationship. Referring to the economic forum, co-sponsored by Taiwan Kuomintang and the Communist Party of China, held in Beijing on 15 April 2006, he pointed out that Mr Chen Yunlin, the then Director of China's Taiwan Affairs Office, announced the 15 new measures to promote economic co-operation between the Mainland and Taiwan, and one of the measures was the Mainland recognition of academic qualifications conferred by Taiwan institutions. Although the opposition party of Taiwan, the Democratic Progressive Party, was against the recognition of the academic qualifications awarded by institutions in the Mainland, the mainstream opinion in Taiwan was in favour of mutual recognition of academic recognitions.

36. Mr WONG Yuk-man added that owing to the small number of local universities in the past, many Hong Kong students pursued tertiary education in Taiwan and returned to Hong Kong to seek employment or further study. Since then, local students holding Taiwan academic qualifications had faced the problem of having their qualifications formally recognized by the Hong Kong Government. The problem remained unresolved as of date. Mr WONG considered the existing arrangements of assessing Taiwan qualifications politically incorrect and lagged behind the current trend. As Hong Kong and Taiwan shared similar cultures, the number of Hong Kong students studying in Taiwan was increasing, he called on the Administration to formulate policies on the recognition of Taiwan qualifications.

37. In response, US(Ed) said that individuals holding academic qualifications awarded by bodies outside Hong Kong could seek assessment of HKCAAVQ. The assessment mechanism applied to all non-local academic qualifications obtained outside Hong Kong, including the Mainland and Taiwan.

38. Mr CHEUNG Man-kwong noted that the University Act of Taiwan had been amended to ensure universities regularly carry out self-evaluation, and the Ministry of Education organized regular evaluations on the universities. As the evaluations were conducted regularly, it would imply that the outcome of the evaluations on individual universities could be different. He asked whether HKCAAVQ would make reference to these evaluation results in assessing Taiwan qualifications. Referring to the new set of guidelines on assessing Taiwan qualifications implemented since May 2008, Mr CHEUNG sought information on the differences between the old and the new sets of guidelines. Since Hong Kong and Taiwan had not signed any memorandum of understanding, he asked whether the mechanism for assessing the Mainland and

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Taiwan academic qualifications was the same.

39. US(Ed) replied that in assessing Taiwan qualifications, HKCAAVQ would take into account various factors including the results of evaluation on the universities conducted by the Ministry of Education of Taiwan. The new set of guidelines on assessing Taiwan qualifications had reflected these results. From August 2008 to March 2009, HKCAAVQ had completed 91 assessment cases from applicants holding Taiwan qualifications, and about 95%, i.e. 86 cases, had been assessed as comparable with the qualifications obtainable under the local education system or from local institutions. US(Ed) emphasized that the new guidelines were useful for HKCAAVQ in assessing Taiwan qualifications.

40. Mr CHEUNG Man-kwong remarked that the Taiwan Ministry of Education regularly conducted quality evaluation on Taiwan institutions and some of them might have their status formally recognized or their recognized status removed following the quality evaluation. He asked whether HKCAAVQ would align its criteria on assessing Taiwan qualifications with the changes of the recognition status of Taiwan institutions.

41. In reply, US(Ed) said that HKCAAVQ would take into account the yearly evaluation report of the Taiwan Ministry of Education on Taiwan institutions and any changes in their accreditation status.

Recognition of higher education qualifications awarded by institutions in the Mainland

42. Referring to the MoU signed between Hong Kong and the Mainland, Mr CHEUNG Man-kwong enquired whether the academic qualifications awarded by the institutions of the Mainland listed on the MoU were recognized automatically by Hong Kong, or whether only those academic qualifications after an independent qualifications assessment would be recognized. Should the former be the case, he was concerned whether there was a disparity of treatment between the Mainland and Taiwan.

43. US(Ed) said that the MoU signed between Hong Kong and the Mainland was the only one on mutual recognition of academic qualifications signed by Hong Kong with other jurisdictions. The MoU facilitated education and student exchanges between the two places, given the large number of higher education institutions in the Mainland. Taiwan, on the other hand, had fewer higher education institutions, and the existing mechanism could meet the current demands for assessing Taiwan qualifications.

44. In response to Mr CHEUNG Man-kwong's question as to whether the Administration would regularly review the institutions listed in the MoU signed between Hong Kong and the Mainland and make changes by addition or deletion, US(Ed) replied that the list of recognized institutions in the MoU was updated on

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a regular basis. In assessing the non-local qualifications, HKCAAVQ also made reference to international databases on credential recognition.

45. Mr CHEUNG Man-kwong requested the Administration to provide written information on the higher education institutions and the academic programmes of the completed assessment cases as mentioned in paragraph six of the Administration's paper.

Assessment of study programmes offered by non-local institutions

46. Ms Audrey EU shared the view that a mechanism should be established for assessing the Mainland and Taiwan qualifications. She considered that the assessment service provided by HKCAAVQ to individual applicants was not practical, and HKCAAVQ's assessment should be focused on the study programmes of the institutions instead of the totality of qualifications of individual applicants. Referring to the factors considered by HKCAAVQ when assessing non-local qualifications, Ms EU pointed out that many of these factors were indeed institution-based but not applicant-based.

47. Ms Audrey EU considered it important for individuals to find out before enrolment whether their preferred institutions and the study programmes were formally recognized in Hong Kong. She suggested that the Administration should make available on the internet information on the programmes of the Mainland and Taiwan institutions that were formally recognized by Hong Kong as a means of quality assurance to students.

48. Ms EU noted from the background brief prepared by the LegCo Secretariat that the Census and Statistics Department carried out the Thematic Household Survey on the "Pattern of Study in Higher Education" from June to August 2004. She enquired whether the Administration had conducted any similar survey recently to collect updated information on students studying in the Mainland and Taiwan.

49. In reply, US(Ed) said that the assessment service provided by HKCAAVQ referred to the totality of the educational qualifications of the individual applicants, and not the quality of individual institutions. He pointed out that there were a great number of higher education institutions outside Hong Kong and the quality of each institution and each study programme varied, it was therefore important to consider the integrated learning outcomes and qualifications of an individual applicant. With regard to professional recognition in Hong Kong, US(Ed) advised that the practice varied. For example, the Hong Kong Institution of Engineers had signed agreements for reciprocal recognition of professional and technologist qualifications with many overseas engineering institutions, while the Law Society of Hong Kong and the Hong Kong Institute of Architects considered applications for membership on an individual basis.

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50. Ms Audrey EU requested the Administration to make available on the internet the relevant information on the completed assessment cases, and said that the information should reflect the objective assessment mechanism adopted by HKCAAVQ.

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51. The Chairman supported the requests of Ms Audrey EU for updated information regarding Hong Kong students studying in the Mainland and Taiwan, and the completed assessment cases concerning the Mainland and Taiwan institutions. She also echoed the views of Ms EU that HKCAAVQ should assess the quality of the relevant institutions and study programmes instead of the qualifications of an applicant. She considered it important for students to know before application for enrolment for a particular programme the recognition or otherwise of the programme in Hong Kong.

52. In response to Ms Audrey EU about the assessment fee charged by HKCAAVQ for each application, US(Ed) replied that the fee was \$2,160.

53. The Chairman asked whether there was a situation where two applicants holding the same qualification awarded by the same non-local institution obtained different assessment results. US(Ed) replied that there were a great number of higher education institutions outside Hong Kong and it would take time to formulate a mechanism for assessing the qualifications awarded by all these institutions.

54. Mr CHEUNG Man-kwong said that there should be no question on the quality of some renowned institutions in the Mainland and Taiwan, such as Tsinghua University, Peking University, National Taiwan University. The Administration should at least state categorically that the qualifications awarded by these universities were recognized locally.

55. Dr Priscilla LEUNG said that many graduates with their Taiwan qualifications including those awarded by National Taiwan University and National Chengchi University were already well recognized by Hong Kong employers/institutions/bodies. A number of Taiwan graduates had also joined the civil service. The School of Law of the City University of Hong Kong, for example, admitted applicants with Taiwan qualifications into its master programme. Dr LEUNG emphasized that although Taiwan qualifications were generally accepted in Hong Kong, it was important for the Administration to establish a mechanism, similar to the MoU signed between Hong Kong and the Mainland, to formally recognize Taiwan qualifications. The Mainland and Taiwan had been working closely to promote cultural, education, economic and legal co-operation, and it was important for the Hong Kong Government to establish closer links with Taiwan.

56. Dr Priscilla LEUNG cautioned that the Administration should be careful

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in collecting information on recognized Taiwan qualifications from employers/institutions/bodies as many factors were taken into account other than the applicant's academic qualifications in considering whether to accept an applicant for a particular post or a course.

57. Dr Priscilla LEUNG also said that it was the overseas practice for third-party organizations to rank universities in terms of their performance, and Governments were generally not involved in compiling the information because it would give rise to unnecessary controversies.

58. In response, US(Ed) said that the decisions as to whether or not to accept particular qualifications for employment, study or registration purposes rested with the employer/institution/body concerned. He took the view that many individuals who had successfully applied for a position, membership registration or enrolled in a study programme had not sought qualifications assessment service from HKCAAVQ. He stressed that the Administration did not wish to interfere in the decision making of an employer/institution/body as to whether or not to accept particular qualifications for employment, study or registration purposes. US(Ed) reiterated that HKCAAVQ took into account a host of factors when considering applications for qualifications assessment.

59. Mr Tommy CHEUNG considered the existing arrangement of assessing the academic qualifications of individuals on a case-by-case basis unacceptable. He suggested that HKCAAVQ should assess the study programmes and the institutions, and that the relevant information should be made available in the public domain. The Administration should make public the information on study programmes and institutions which had all long been recognized by Hong Kong, such as certain study programmes offered by the Tsinghua University. Whether the academic qualification would be recognized for membership of a professional body would be a matter for the professional body. He further suggested that a complaints mechanism should be established for appeal against the assessment by the applicants.

60. US(Ed) reiterated that many individuals who had successfully applied for a position, membership registration or enrolled in a study programme had not sought qualifications assessment service from HKCAAVQ. Professional institutions had devised their own requirements for membership and the decisions as to whether or not to accept particular qualifications for membership rested with the professional institutions.

61. Principal Assistant Secretary for Education added that HKCAAVQ considered each application independently on the basis of the totality of the applicant's academic qualifications and the components of the course of study, including transfer of credits, acquired by the applicant. HKCAAVQ would also consider how the applicant had acquired the qualification, such as whether the applicant had attended more than one institution with the result of spending

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lesser time than prescribed to complete his or her programme. It was necessary for HKCAAVQ to independently assess each application for qualifications assessment.

Admin 62. Mr Tommy CHEUNG queried the need to consider the process of acquiring the qualification by an applicant. He opined that as long as the qualification was awarded by an institution, it did not matter how the individual had acquired it. Quoting an example to illustrate his concern, he said that two students graduated from the University of California Los Angeles (UCLA) could obtain their qualifications by different ways with one student attending only UCLA to complete the study programme, while the other attending other institutions as well. The assessment results of these two students could be different since HKCAAVQ considered each application independently and took into account how the qualification was obtained. In order to avoid confusion, Mr CHEUNG called on the Administration to provide information on the study programmes and institutions which were recognized in Hong Kong.

Admin 63. Mr Abraham SHEK also considered the existing arrangement of assessing the academic qualifications of individuals instead of the quality of the study programmes and institutions unacceptable and ridiculous. He shared the view that it did not matter how the qualifications were obtained as long as they were awarded by the institutions concerned. Mr SHEK pointed out that globalization had strengthened human movement with people studying and working in different places. This explained why the Administration had endeavoured to develop Hong Kong into a regional education hub to attract overseas students. He urged the Administration to review the existing policy and report the outcome of review to the Panel.

Admin 64. Mr WONG Yuk-man strongly requested the Administration to consider members' views and review the existing policy. He also requested the Administration to provide information on Taiwan institutions/study programmes offered by Taiwan institutions which had been accepted for civil service appointment purpose.

65. Concluding the discussions, the Chairman requested the Administration to provide written response to members' views and requests. She said that members could consider moving a motion for debate on the subject.

VI. School leaving arrangements for students studying in schools for children with intellectual disability

[LC Paper Nos. CB(2)1727/08-09(05) and (06), CB(2)1748/08-09(01) and CB(2)1766/08-09(01)]

66. Mr Abraham SHEK suggested that as only 30 minutes had been allocated for the discussion of the subject, the Panel should hold another meeting to

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examine it in greater depth.

67. The Chairman said that the Administration had held a two-hour discussion with the Hong Kong Special Schools Council (HKSSC) and parent organizations on the matter. She suggested that members should first listen to the Administration's response to the concerns of HKSSC and parents, and then decide how the matter should be followed up. Members agreed.

Briefing by the Administration

68. At the invitation of the Chairman, US(Ed) briefed members on the school leaving arrangements for students with intellectual disability (ID students) studying in special schools as set out in the Administration's paper.

Arrangements for extension of stay in the 2009-2010 school year

69. Referring to a complaint from a principal and paragraphs 4 and 6 of the Administration's paper, Mr CHEUNG Man-kwong asked whether the Administration had adopted a more stringent approach in considering applications from ID students for an extension of stay in special schools in the 2009-2010 school year; and whether students would be allowed to complete the two-year Extension of Years of Education (EYE) Programme after reaching the age of 18. Given the implementation of the NSS academic structure in the 2009-2010 school year and the confusion caused by the overlap of the old and new systems, HKSSC had requested that the Administration should consider allowing students to stay in special schools after reaching the age of 18 for justifiable reasons. These students included newly arrived children and children who were admitted to special schools at an older age, non-Chinese-speaking students, students recently transferred from other schools, and students who could not attain the learning outcomes because of various reasons. Parents had also requested that ID students be allowed to stay for one more year in special schools notwithstanding their completion of the specified years of education.

70. In response, US(Ed) clarified that there had not been any change to the existing policy. He explained that in the past, ID schools offered six-year primary and four-year junior secondary education for ID students. In the 2002-2003 school year, EDB launched a two-year EYE Programme for students after their junior secondary education. As ID children were generally admitted to ID schools at the age of six, they would normally leave the ID schools at the age of 18. The Administration had put in place a mechanism for handling exceptional cases with flexibility, including allowing ID schools to apply for an extension of stay on behalf of students who had been absent from school for a long period due to health or other justifiable reasons. In addition, the Administration also allowed special schools to let individual students extend their stay by making use of the vacancies in the approved classes, provided that the admission of new students would not be affected. Under the NSS academic

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structure, ID students would be provided with 12 years of education including six-year primary, three-year junior secondary and three-year senior secondary education. Like mainstream schools and students, ID schools would start to operate Senior Secondary 1 (SS1) in the 2009-2010 school year and progress up to SS3 year by year, and ID students currently in S3 lower classes would progress to SS1 in the next school year.

71. US(Ed) further said that before the full implementation of the NSS academic structure at all levels in the 2011-2012 school year, arrangements for students at other levels under the existing academic structure would remain unchanged. Students who were currently in Secondary 3 (S3) upper classes would progress to the first year of the EYE Programme while the first year students of the EYE Programme would proceed to the second year in the 2009-2010 school year. Students who were currently attending the second year of the EYE Programme would leave school at the end of the school year. US(Ed) added that the policy concerning the school leaving arrangements for ID students could not be changed overnight.

72. Deputy Secretary for Education (4) (DS(Ed)4) supplemented that EDB would continue to follow the established procedures in handling exceptional cases with regard to school leaving arrangements for ID students in the 2009-2010 school year and the suggestions of HKSSC would be duly considered. The Administration was aware of the concern of parents of ID students and ID schools about the arrangements on the application for extension of stay, and had agreed with HKSSC that a review would be conducted on school leaving arrangements for ID students upon the implementation of the NSS academic structure in the 2009-2010 school year, with a view to enhancing the existing mechanism for smooth processing of applications for extension of stay.

73. Mr LEE Cheuk-yan said that the Administration had focused its attention only on the financial implications of allowing students reaching the age of 18 to stay in special schools. He considered that the imposition of the age limits of 20 and 18 for students to leave special schools after completion of junior secondary education and the EYE Programme respectively was discriminatory as such age limits did not apply to mainstream schools. He called on the Administration to remove the age limits altogether and let special schools decide the extension of stay in the light of the needs of their students.

74. In response, US(Ed) explained the provision of primary and secondary education in mainstream schools and special schools under the existing and the NSS academic structure; as well as the different education programmes and assessment for ID students in special schools and other students in mainstream schools. He highlighted that there were systems in both special schools and mainstream schools in handling cases about class repetition. In mainstream schools, 3% to 5% of students could be allowed to repeat class, whereas in special schools, flexibility was exercised in allowing ID students to extend their

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stay. US(Ed) pointed out that ID students followed their Individualized Education Programmes tailored by ID schools in the light of their abilities. As they approached the age of 18, schools would arrange post-school vocational training or rehabilitation services in skills centres, sheltered workshops, day activity centres, etc for them as appropriate. In fact, some 70% of ID students aged 18 or above were accommodated by services operated by the Vocational Training Council, the Social Welfare Department and other organizations. The Administration considered it appropriate for these students to transit to post-school placement services that would help them develop abilities to lead a normal life and integrate into the community.

75. Miss Tanya CHAN said that parents preferred their children to stay in special schools than to transit to vocational training or rehabilitative service centres, even though they had reached the age of 18 because their children made progress by studying. As principals understood the ability of their students best, she queried the rationale for seeking the approval of the Permanent Secretary for Education (PSED) for ID students reaching the age of 16 and 20 to remain in primary and junior secondary classes in special schools respectively as specified in the Code of Aid for Special Schools (the Code). She pointed out that for an ID student who had completed primary education at the age of 16, he would at least take four years to complete the junior secondary education and another two years to finish the EYE Programme in an ID school, and by then he should be at the age of 22.

76. DS(Ed)4 replied that the provision for seeking PSED's approval for extension of stay beyond the age of 16 and 20 in primary and junior secondary classes of special schools respectively had been in the Code for many years. She pointed out that under the existing system for special education, students who were capable of following the ordinary curriculum would attend public examinations with appropriate accommodation. As students with severe to profound hearing impairment and students with severe or multiple physical disabilities had problems in language development, or had to attend regular and frequent hospitalization and receive therapy services where necessary, the Administration considered it appropriate to provide them with longer years of junior secondary study in special schools. ID students who did not follow the ordinary curriculum and would not participate in public examinations were expected to complete junior secondary classes at the age of 16 and the EYE Programme at 18.

77. Dr Priscilla LEUNG enquired about the justifications for maintaining the age limits of 20 and 18 for ID students to complete junior secondary education and the EYE Programme at special schools. She requested the Administration to provide an estimate of the costs involved for allowing students reaching the age of 18 to stay in special schools to attend junior secondary education or the EYE Programme.

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78. US(Ed) explained that before launching the EYE Programme in 2002, consensus had been reached with HKSSC that only students below 18 could be enrolled in the Programme. Subject to the availability of places and without affecting the admission of new students, special schools were allowed to use the vacant places in the approved classes to accommodate students aged 18 or above who had applied for an extension of stay. In the 2009-2010 school year, ID students who were absent from school for a long period due to health or other justifiable reasons could apply for an extension of stay in the same manner as in the current arrangement. As agreed with HKSSC, a review on the school leaving arrangements for ID students would be conducted upon the implementation of the NSS academic structure in the 2009-2010 school year with a view to enhancing the mechanism for the smooth processing of applications for extension of stay.

79. Ms Audrey EU said that it was obviously a form of disability discrimination to impose age limits for ID students to leave special schools and complete the EYE Programme as such age limits did not apply to students in mainstream schools. Moreover, students who had reached the age of 18 had to apply to PSED for repeat of class in special class but students in mainstream schools were not subject to such a requirement. Whether the former students could stay in special schools was subject to the availability of vacant places in the approved classes. In Ms EU's view, the problem lay with the Administration not including ID students over the age of 18 in the calculation of approved classes. In her view, the costs involved for accommodating these ID students in the approved classes in the 2009-2010 school year should not be substantial.

80. US(Ed) responded that for mainstream schools, a quota of 3% to 5% had been set for students repeating class at different levels. Under the existing mechanism, around 100 applications for extension of stay in special schools were received each year in the past, and the majority of these applications were approved.

81. Ms Audrey EU remarked that the large number of parents and their ID children protesting at the LegCo carpark at the date of the meeting was evident that most of their applications for extension of stay in the 2009-2010 school year had not been approved. She urged the Administration to consider their difficulties and review the arrangements for extension of stay of ID students in the 2009-2010 school year.

82. The Chairman requested the Administration to advise whether the imposition of age limits for ID students to complete junior secondary classes and the EYE Programme in special schools was consistent with the provisions of the Disability Discrimination Ordinance.

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Follow-up

83. In view of the time constraint, members agreed to follow up discussion on the subject at the special meeting scheduled for 22 June 2009 at 10:45 am.

84. The meeting ended at 6:48 pm.

Council Business Division 2
Legislative Council Secretariat
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