

# 立法會

## *Legislative Council*

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### **Report of the Panel on Education for submission to the Legislative Council**

#### **Purpose**

This report gives an account of the work of the Panel on Education during the 2009-2010 Legislative Council ("LegCo") session. It will be tabled at the Council meeting on 7 July 2010 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, 9 October 2002, 11 July 2007 and 2 July 2008 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 Hon Cyd HO Sau-lan and Dr Hon Priscilla LEUNG Mei-fun elected as its Chairman and Deputy Chairman respectively. The membership list of the Panel is in **Appendix II**.

#### **Major work**

##### Legislative proposals

4. In the 2009-2010 session, the Panel had considered two legislative proposals concerning the University Grants Committee ("UGC")-funded institutions, namely, the Hong Kong Polytechnic University (Amendment) Bill 2009 and The Chinese University of Hong Kong (Amendment) Statutes 2009.

##### *Hong Kong Polytechnic University (Amendment) Bill 2009*

5. The Hong Kong Polytechnic University (Amendment) Bill 2009 was sponsored by Dr Hon LAM Tai-fai. The Bill sought to, among others, reduce the

size of the Council of the Hong Kong Polytechnic University ("PolyU Council") and revise its composition. Members noted that the size and composition of Councils of the UGC-funded institutions largely followed a formula. The proposal for streamlining the PolyU Council from 29 members to 25 members aligned with the smaller size of the Councils of other UGC-funded institutions. Members did not have any view on the proposed size.

6. Under the existing Hong Kong Polytechnic University Ordinance (Cap. 1075), there were three elected staff members in the PolyU Council, two of whom were elected by and from eligible staff and one from the Senate. Eligible staff were defined as full-time teaching and instructional staff and administration staff of equivalent ranks or grades. While the number of staff members in the PolyU Council would remain the same under the Bill, its constitution would be different. The Bill proposed that the three staff members were to be elected respectively by and from full-time academic staff, non-academic staff and the Senate.

7. The Polytechnic University Staff Association objected to the proposal for separate representation of academic and non-academic staff in the PolyU Council. In the Association's view, the proposal for separate election of representatives of academic and non-academic staff ran counter to the Association's tradition of treating staff members equitably, irrespective of their job nature and ranks. At members' suggestion, the Association conducted a poll among the full-time staff members of PolyU. According to the results of the poll, the majority of them supported the election of the two staff representatives in the PolyU Council by and from among all staff members. The PolyU Council subsequently informed members of its decision to change its proposal in the Bill to reflect the wish of the staff members.

8. Members noted that the representatives of the Senate in the Councils of many universities were not regarded as the representatives of their staff members. The Association held the view that the staff member elected by and from the Senate could not represent the views of frontline staff members because the Senate comprised mainly senior staff members such as Chair Professors, Deans of Faculties and Heads of Departments. Members urged PolyU to reconsider the relevant proposal in the Bill.

*The Chinese University of Hong Kong (Amendment) Statutes 2009*

9. The Panel discussed twice the proposals to amend the Statutes of The Chinese University of Hong Kong which sought to, among others, reorganize the Senate of the Chinese University of Hong Kong ("CUHK") and change the title of teachers. Under the legislative proposals, the membership of the reorganized Senate would be reduced from 207 to 51 or 53, and the number of student representatives from 13 to three to be elected respectively by and from among all full-time undergraduate students, all full-time postgraduate students and student members of the Boards of Faculties. The Students Union of CUHK and the

students unions of the four constituent colleges of CUHK appealed to members to support their call for their presidents to remain as ex officio members in the reorganized Senate on the ground that they were elected by universal suffrage. Members noted the explanation of CUHK that it had conducted thorough discussions and extensive consultation with stakeholders on the reorganization of the Senate and it had been agreed that a review would be conducted five years after the implementation of the proposals.

10. As regards the proposal to adopt the titles of Professor, Associate Professor and Assistant Professor for teachers of CUHK in place of the original titles of Lecturers, Senior Lecturers, Readers and Professors, the Panel noted the call of two staff unions of CUHK for regarding instructors as teachers as they constituted a large number of teaching employees of CUHK. On the other hand, members appreciated the concern expressed by CUHK that the issue at stake involved not only the literal inclusion of instructors in the definition of teachers but also the associated impact on the academic governance, development and management of CUHK. Members considered it important for CUHK to conduct proper consultation with all stakeholders before presenting the legislative proposals to the Council. To address the concern of members, CUHK subsequently set up an Ad Hoc Working Group to conduct consultation with the relevant staff on the issue raised concerning instructors. To allow sufficient time for the Working Group to complete its tasks, the Council of CUHK decided to remove the part related to the statutory definition of "teacher" from the legislative proposals.

11. Pursuant to the Panel meetings, the Students Union of CUHK conducted a vote among all students of CUHK. According to the outcome, the majority of students supported the proposal for there to be four student representatives in the reorganized Senate comprising two from the constituent colleges, one from the student members of the Boards of Faculties, and the President of The Students Union of CUHK. The Panel had written to CUHK requesting it to respect the outcome of the vote.

#### Development of education services

12. As education services were one of the six economic areas proposed by the Task Force on Economic Challenges and following the announcement by the Chief Executive in his 2009-2010 Policy Address that the objective of developing education services was to enhance Hong Kong's status as a regional education hub, the Panel examined the content and the impact of such a policy. Members expressed diverse views on the development of education services. Some members supported the initiative on the ground that it would enhance the quality of the higher education sector and broaden the horizons of local students. Other members criticized the Administration for proposing the development of education services without undertaking any studies or public consultation or thorough consideration of its impact.

13. Members noted that to internationalize the education sector, the non-local

student quota of the publicly-funded programmes had been increased to 20%. Notwithstanding the substantial increase of non-local students in Hong Kong in recent years, the publicly-funded first-year-first-degree places had been kept at 14 500 without adjustment. Every year, some 5 600 local students who had attained the minimum qualification for university education were not admitted to publicly-funded degree programmes. Members were concerned that internationalization of the education sector would further limit the opportunities of local students, such as sub-degree holders, for university education. To mitigate the grievances of local students, there was a suggestion for local students to be allowed to take up the untaken places reserved for non-local students for attending publicly-funded degree programmes. Alternatively, a fee subsidy could be provided for those students who had attained the minimum qualification for university admission but had not been offered publicly-funded degree places to study in self-financing degree programmes.

14. Members were also concerned about the target students of the self-financing degree-awarding institutions. They were worried that the development of education services might end up having local institutions instead of overseas institutions extending their operations to meet the education needs of local students, and the students would likely be sub-degree holders and those who met the admission requirement but were not admitted to publicly-funded degree places. In the Administration's view, increasing the supply of self-financing post-secondary programmes would provide more education opportunities for local students, and admitting non-local students to study in Hong Kong would help broaden the horizons of local students. The programmes provided by the prospective institutions should be of a wide variety and should not necessarily be articulation places for sub-degree holders.

#### Work of UGC

15. The UGC Chairman briefed members on the various areas of work of the UGC. These included improvement to the operation of the UGC, allocation of recurrent and research grants to the UGC-funded institutions, operation of the Research Endowment Fund, the Research Grants Council and Hong Kong PhD Fellowship Scheme, the quality assurance mechanism for educational provision at first-degree level and above, preparation for the new academic structure ("NAS"), education services and internationalization, Higher Education Review 2010 and grievance handling procedures of the UGC-funded institutions.

16. Whether the Research Grants Council was fair in its assessment of grant applications was of concern to members. It was alleged that the Research Grants Council gave preference to science disciplines over arts disciplines when considering grant applications for research projects. The UGC Chairman explained the operation and membership of the four subject panels under the Research Grants Council and provided detailed statistical information on the number of applications considered by each of the panels, the amount sought and the success rate of the applications under the various disciplines.

17. Members exchanged views with the UGC Chairman on the development of education services and internationalization of the higher education sector. Members highlighted their concern about the impact of internationalization of the higher education sector on hostel provision for local students. The UGC Chairman elaborated to members the work of the UGC in this regard including assisting institutions to convince District Councils to accept the construction of hostels in their districts and proposing making available the facilities in the hostels for use by local residents.

18. Members welcomed the initiatives taken by the UGC to enhance its transparency and improve its operation. The Vice-Chancellor of each UGC-funded institution had been requested to recommend two areas which they would like the UGC to improve most, and most of these recommendations had been accepted by the UGC. The UGC had reviewed and streamlined the Notes on Procedures which governed the UGC's relationship with the Administration and set out the major operational/procedural elements of the interplay among the Administration, the UGC and the institutions.

19. Members were pleased to note that after the Panel's discussions on the subject of complaint and grievance handling procedures of the UGC-funded institutions for a number of years, the UGC conducted a research of grievance procedures of 10 reputable overseas institutions in Australia, Canada, the United Kingdom and the United States. Having compared the grievance procedures of these overseas institutions and the UGC-funded institutions, the UGC drew up the guidelines on the best practice in redress mechanism and made specific recommendations in four areas, i.e. appointment of mediators, stipulating the time limits for handling grievances, guarding against retaliation and involvement of external parties in the final level of appeals. The UGC will brief the Panel in July 2010 on the findings of its research and the UGC-funded institutions' responses to the recommended "best practice" guidelines. At the request of the Panel, the Research and Library Services Division of the LegCo Secretariat is conducting a research on the complaint handling mechanisms of overseas universities in the United Kingdom, Australia and Taiwan for reference by the Panel.

#### Capital works projects of the UGC-funded institutions

20. The Panel examined the last of the 12 capital works projects undertaken by the UGC-funded institutions for the implementation of the four-year undergraduate programmes. Members supported the construction of an integrated teaching building within the campus of CUHK to provide additional classroom space to meet the need arising from the increase in student number and more innovative teaching and learning facilities for whole-person development and student-oriented learning.

21. Members sought information on the estimated cost of the project which was around \$179.2 million in money-of-the-day prices. Members noted the adoption

of contract price fluctuation payments for the project which allowed for upward/downward adjustment to contract payments in accordance with movements in the cost of labour and materials in Government civil engineering and building contracts.

22. Members welcomed the adoption of a number of environmental features in lighting, ventilation and orientation of the proposed integrated teaching building at a cost of about \$3.4 million. Members were informed that it would take four to seven/eight years to pay back the cost depending on individual designs, and the average pay-back period was 5.8 years.

#### Matching Grant Scheme

23. Members discussed the Administration's proposal for allocating \$1 billion to launch the Fifth Matching Grant Scheme ("MGS") for matching private donations secured by the 12 local degree-awarding institutions. While supporting the proposal to expand MGS to include the Hong Kong Academy for Performing Arts ("HKAPA") and the Chu Hai College of Higher Education ("CHC") in the Fifth MGS, members were disappointed that it still did not cover sub-degree programmes. Members pointed out that the tuition fees payable by students pursuing publicly-funded degree programmes only made up 20% of the cost. However, sub-degree students were using their own resources or relying on low-interest loans to pay for their tuition fees. Sub-degree students had been assisting the self-financing tertiary institutions in repaying the mortgage of their school premises. If private donations for sub-degree education were eligible for matching grants, institutions would have more resources for investment in sub-degree education, thereby alleviating the financial burden of sub-degree students. Members were concerned that excluding sub-degree programmes from MGS would convey a negative message to the general public that sub-degree education was of lesser importance. The Panel unanimously requested the Administration to expand the Fifth MGS to include sub-degree education without increasing its financial commitment.

24. The Administration explained that the coverage of MGS had been expanded gradually since the third round. The fourth round of MGS had been expanded to include the Open University of Hong Kong ("OUHK") and the Hong Kong Shue Yan University ("HKSYU"), and the proposed fifth round would include HKAPA and CHC. Sub-degree students could be benefited by way of studying articulation programmes in all the 12 local degree-awarding institutions. The Administration had considered the view to expand MGS to cover sub-degree programmes but decided that having regard to the need for priority allocation of resources, the Fifth MGS should cover programmes at degree or above level only. The Administration assured members that the coverage of MGS would be expanded in a progressive manner.

## Hong Kong Diploma of Secondary Education

25. According to the outcome of the study commissioned by the Hong Kong Examinations and Assessment Authority ("HKEAA") and conducted by the Universities and Colleges Admissions Service ("UCAS") of the United Kingdom ("UK") for setting up a point system in the UCAS Tariff for the Hong Kong Diploma of Secondary Education ("HKDSE") results, HKDSE results lacked those levels which were comparable to Grades B and D in the current General Certificate Education ("GCE") A Level Examination. Members expressed grave concern on its impact on local students who wished to apply for admission to UK universities. Most of the renowned UK universities required a candidate to obtain a grade equivalent to Grade B or above in GCE A Level Examination. Without a level equivalent to Grade B in GCE A Level Examination, Hong Kong students would need to obtain Level 5 in HKDSE examination (equivalent to Grade A in GCE A Level Examination) in order to gain admission to these renowned UK universities. Given the wide range between Level 4 (tariff 80) and Level 5 (tariff 120) in HKDSE results, members suggested adding a Level 4\* in HKDSE which was comparable to Grade B in GCE A Level Examination to tackle the problem.

26. The explanation given by the Administration was that there was normally no direct grade by grade comparison between two qualifications unless the design of a system was modelled on another system such as the modelling of the Hong Kong Advanced Level Examination on GCE A Level Examination. There were no direct grade by grade comparisons of International Baccalaureate and Advanced Placement Program with GCE A Level Examination. Each qualification was unique in its design. In the initial stage of designing the HKDSE levels, more levels had been suggested. Having gone through extensive consultations in the past 10 years, HKEAA did not recommend too many levels to avoid labelling effect. Some UK universities had indicated that they would not compare the grades in GCE A Level Examination directly with the levels in HKDSE and understood that Levels 3 to 5\* in HKDSE results were comparable to Grades A to E in GCE A Level Examination. UK had modified the grading structure of GCE A Level earlier this year and further changes would be expected. Both the Administration and UCAS would review the HKDSE levels after the first HKDSE examination in 2012 and would make adjustments to the levels if necessary.

27. Members also discussed the implications of including Mathematics as a mandatory subject for university admission. Currently, Mathematics was not a mandatory subject for university admission. Students who excelled in arts subjects but were weak in Mathematics could be admitted by local universities. However, after the implementation of NAS, students had to attain Level 2 in Mathematics in HKDSE in order to apply for university admission. Members considered it necessary for the UGC-funded institutions to exercise flexibility in considering applications for university admission. According to HKEAA, local universities had agreed to exercise flexibility in considering the applications for admission on a case-by-case basis. HKEAA agreed to relay members' suggestion

to the 334 Liaison Committee.

### Education pathways for the last cohorts of Secondary 5 graduates

28. The Panel was gravely concerned about the study pathways for the last cohorts of Secondary ("S") 5 graduates in 2010 after the implementation of NAS. Members pointed out that the last cohorts of S5 graduates faced different challenges. Starting from the 2010-2011 school year, the public sector schools would no longer provide education programmes leading to Hong Kong Certificate of Education Examination ("HKCEE") and there would not be any S6 Admission Procedure in 2011 in any government, aided and Direct Subsidy Scheme Schools. Students might only sit for the last HKCEE in 2011 as private candidates.

29. Members noted from the Administration that the number of S5 students sitting for five or more subjects in 2010 HKCEE was about 86 500. The projected number of places available for different programmes in 2010 was 88 000. These included 35 000 places for matriculation courses, 10 000 for three-year sub-degree programmes, 15 000 for Project Yi Jin ("PYJ"), 13 000 for vocational education/training programmes and 15 000 for repeating S5. Members doubted whether the quota for repeaters this year would be sufficient to meet with the demand for switching to the NAS S5 from the 2010 cohort of HKCEE candidates. As schools would be allowed to make use of the approved 5% repeater quota on a whole school basis for 2010, members were concerned that should schools deploy all their repeater quota for S5, this would have a chain effect on other levels of secondary students. For the purpose of ascertaining the accuracy of the Administration's assessment, members requested the Administration to provide information on the names of schools including evening schools with the number of S5 repeater places provided for the 2010 S5 graduates. As of date of this report, the information is still outstanding.

30. To facilitate the S5 graduates to have access to information on the availability of S5 repeater places in individual schools, members requested the Administration to coordinate the uploading of such information on the webpage of the Education Bureau ("EDB"), as in the case of the S6 Admission Procedure.

### Project Yi Jin

31. Members welcomed the proposal for increasing the financial commitment for PYJ to meet the projected funding requirement until the 2011-2012 academic year. Members noted that although a PYJ full certificate was comparable to five passes in HKCEE, these five passes did not mean passes in the subjects of Chinese Language, English Language and Mathematics. As a result, a PYJ full certificate did not meet the entry requirement of some civil service grades which required five passes in HKCEE, including Chinese Language, English Language and Mathematics. Noting that the Administration was developing a new PYJ under NAS, members were concerned whether the same problem would recur in respect of the new PYJ qualification.



32. The Administration affirmed that the current PYJ certificate, comparable to level 2 under the qualifications framework, had been accepted by the Government as meeting the entry requirement of some 30 civil service grades which required five passes in HKCEE, including Chinese Language and English Language. The current thinking of the Administration was that a student who had successfully completed the new PYJ would be awarded a qualification that would be comparable to level 2 in five subjects in HKDSE and level 3 under the qualifications framework.

33. As PYJ would cease after two years, i.e. until the 2011-2012 school year, members proposed the expansion of its scope to provide S5 repeating classes for students taking the 2010 HKCEE. In members' view, the first priority was to offer S5 repeating classes in the 2010-2011 school year to enable the 2010 HKCEE students to re-take HKCEE in 2011. As a second priority, classes for articulation to the NAS should be offered under PYJ to enable students to take HKDSE.

34. According to the Administration, the nature of PYJ was different from the mainstream curriculum. The current design of PYJ was skill-based and was not intended to prepare students for taking HKCEE or to provide articulation to the NAS for taking HKDSE. Members' proposal would involve the revision of the approved purposes of the financial commitment for PYJ. Moreover, the availability of teachers would be a concern as the existing PYJ teachers might not have experience in teaching subjects under the mainstream curriculum.

#### Financial Assistance Scheme for Designated Evening Adult Education Courses

35. The Panel received views from deputations on the results of the review of the Financial Assistance Scheme for Designated Evening Adult Education Courses ("the Scheme") and the proposals for improving the Scheme from the 2010-2011 school year onwards. These improvements included running the Scheme as a recurrent programme; extending its coverage so that the number of designated centres would increase from five to a maximum of 15 (or one to three centres in each of the five regions) throughout the territory; and reimbursing tuition fees to eligible adult learners twice a year instead of once a year under the existing arrangement.

36. While expressing support for the implementation of evening adult education courses, members considered the existing mode of operation retrogressive and inadequate to meet the education needs of adult learners. Members reiterated their dissatisfaction about the cessation of operation by the Administration of adult evening courses from September 2003 despite their strong objection. Members were strongly of the view that with the implementation of NAS, the Administration should provide 12-year free education for adult learners, including the new immigrants. Members supported the call of the deputations for extending the Student Travel Subsidy Scheme and the School Textbook Assistance Scheme to cover evening course students and relaxing the eligibility of the Scheme to cover

adult learners repeating a level of study given the new curriculum under NAS.

37. The Administration acceded to members' request to reimburse tuition fees to adult learners who had to repeat a year of study for the purpose of articulating to the NAS. The Administration, however, had no plan for providing free evening secondary education. The Administration maintained its position that the Scheme had already provided financial assistance to adult learners to attend evening secondary education. Other programmes such as PYJ, Skills Upgrading Scheme and Continuing Education Fund were in place to provide different pathways for adult learners.

38. Members did not accept the Administration's explanations. They stressed that S6 was the basic qualification for further study and employment. As the average unit cost for attending evening adult education courses was about \$9,000 as opposed to the average student unit cost of some \$40,000 for day-time S6, the great disparity in resources allocation to these two groups pointed to the need for free evening secondary education.

#### Small class teaching

39. Together with Professor Maurice Galton of the University of Cambridge, the Administration briefed members on the findings of the Study on Small Class Teaching ("the Study") and the recommendations on the support for teachers in the implementation of small class teaching ("SCT") in public-sector primary schools. The stakeholders including schools which had participated in the Study provided views to members on the effectiveness of SCT. While all attending deputations affirmed the positive effects of SCT, members noted with concern the findings of the Study that the impact of SCT was not significant, and enquired about the possible reasons for the findings. According to Professor Galton, the main problem concerned the frequency and length of interaction between students and teachers. At the start of the Study, there was no exchange between teachers and individual students for 70% of a lesson. The percentage was reduced to about 65% at the end of the Study. Notwithstanding this 5% increase in the interaction time, a reduction of class size from 40 to 25 did not bring about any notable differences in the attention students would get from teachers. The key finding was that a more interactive way of teaching was the determining factor to maximize the benefits of smaller classes.

40. Members exchanged views with Professor Galton on the six principles used in the Study, the tools for measuring the effectiveness of SCT and the need for teacher education institutions to adopt a new approach of training to equip teachers with the necessary skills and knowledge to engage more interactively with students. Members noted his advice that SCT had shown to be important in the early years of primary schools. There was strong evidence that the effects of SCT were the greatest at the beginning but would diminish with time. Most countries therefore preferred to adopt "targeted intervention" to identify secondary students who were at risk and allocate resources to help them get back on track.

41. While members had expressed different views on whether a small class alone would bring about improvement in academic performance, members shared the view that it was crucial for schools and teachers to consider how to better utilise a small class setting to promote teaching for understanding by increased pupil participation through extended whole class discussion and increased use of pair and group work. The support of school principals was significant in the implementation of SCT. Some members called for the setting of a target date by which all primary schools had to adopt SCT. The Administration maintained its position that there was no timeframe for the implementation of SCT in all primary schools, taking into account the major factors including the provision of school places and the wishes of schools and parents.

#### Pre-primary Education Voucher Scheme

42. Following up its work in the last session, the Panel continued to monitor the implementation of the Pre-primary Education Voucher Scheme ("PEVS"). In response to the motion carried by the Panel at its meeting on 20 March 2009, the Administration agreed to set up a working group to review PEVS. While members welcomed the setting up of the working group ("WG") under the Education Commission to take forward the PEVS review, members had received complaints from the stakeholders about not being invited to attend the focus group meetings of the WG. Professor Edmond KO Inq-ming, chairman of the WG, explained to members the practical constraints on the number of attendees at each focus group meeting. The WG invited the representative organizations of each category of stakeholders to attend such meetings. Questions on issues of concern were sent to attendees before the meetings, and minutes of meetings were forwarded to them to ensure that their views were recorded accurately. The attendees of the meetings were requested to relay the discussions to their organizations and to submit further views in writing if necessary. To facilitate the WG to solicit views from the stakeholders, the Panel forwarded a list of the deputations and individuals which/who had given views on PEVS at its meetings to the WG for reference.

43. Members highlighted to Professor KO their concerns, including the eligibility of private independent kindergartens ("KGs") for PEVS, equitable provision of subsidy for whole-day KGs, fee remission ceiling for whole-day KGs, teachers' salaries and professional upgrading of teachers. Members stressed that the WG should uphold the principle of not reducing parental choices for KGs in its review. Of particular concern to members was the remuneration for KG teachers. Members pointed out that primary and secondary school teachers would receive salary increase after they had upgraded their qualifications. However, such a mechanism did not apply to KG teachers. Unless this issue was addressed, the grievances of KG teachers would build up. Members requested the WG to consider conducting a survey on KG teachers' salaries to help assess whether a salary framework commensurate with the qualifications of KG teachers should be formulated, or whether a qualification subsidy should be provided to KG teachers.

44. According to Professor KO, the task of the WG was to review PEVS and not pre-primary education as a whole. Nevertheless, the WG recognized that the improvement of PEVS might be related to certain policies of pre-primary education. The WG would consider the pre-primary education in that context and make appropriate recommendations in its report. In view of the tight timetable for the review, it might not be feasible for the WG to carry out a comprehensive and credible survey on KG teachers' salaries. Nevertheless, as one of the main objectives of the review by the WG was to enhance the quality of pre-primary education, the career prospect and morale of KG teachers were important factors for such enhancement, and the WG would aim to make recommendations in this regard. Members noted the plan of the WG to submit a report to the Education Commission by the last quarter of 2010.

#### Framework Agreement on Hong Kong/Guangdong Co-operation

45. Following the signing of the Framework Agreement on Hong Kong/Guangdong Co-operation ("the Framework Agreement") in April 2010, the Panel examined specific policies relating to education which included exploring new operation modes for tertiary institutions of Hong Kong to offer education programmes in Guangdong, supporting higher education institutions of both sides to jointly offer education programmes, encouraging the opening up of education resources for secondary and primary education, and continuing the exchange and collaboration of teacher training.

46. With the increase in exchanges and co-operation on education, members noted with concern the increasing number of cross-border students travelling daily to schools in Hong Kong. Since most of these students were studying in pre-primary and primary schools, members were concerned how the signing of the Framework Agreement would assist them in terms of immigration clearance, transportation arrangements and provision of travel subsidy. The Administration clarified that the existing Student Travel Subsidy Scheme already covered the fare for the trip between the control points and the school on the Hong Kong side. Currently, on-board clearance was provided at the Man Kam To Control Point and the Sha Tau Kok Control Point. The Administration would consider improvements to the existing on-board clearance.

47. Members noted that under the Regulations on Chinese-Foreign Co-operation in Running Schools, Hong Kong's higher institutions were allowed to run schools in the Mainland in collaboration with their Mainland counterparts. One example was the United International College in Zhuhai jointly operated by the Hong Kong Baptist University and the Beijing Normal University. Members were concerned whether the degrees for such courses were awarded by the local university or the Mainland university. As Hong Kong and the Mainland had signed the Memorandum of Understanding on Mutual Recognition of Academic Degrees in Higher Education in 2004, members sought clarification on whether the academic qualification awarded would be mutually recognized. The

Administration had undertaken to provide written information to clarify members' concerns.

#### Internet access charges and e-learning

48. At the strong request of members and many grassroots organizations in the last session, the Administration finally agreed to provide a subsidy for Internet access charges for needy students. The Panel examined the two-pronged approach proposed by the Administration to implement the proposal for providing convenient and suitable Internet learning opportunities to students in need. This included the introduction of a household-based cash subsidy scheme for Internet access charges from the 2010-2011 school year and the provision by a non-profit-making organization of economical Internet access services, suitable computers and softwares and the necessary complementary services such as training and technical support to facilitate needy students and parents to gain access to the Internet for learning. Members noted with concern that about 24 000 low-income families did not have computers at home and did not subscribe to Internet connection possibly due to a lack of financial resources or the perceived negative effects of the Internet. To provide Internet learning opportunities for students of these families, members urged the Administration to approach them, bring home the positive value of Internet learning and secure a computer for each of them.

49. Members also pointed out the possible time lag between the disbursement of the subsidy and the provision of affordable Internet access services by the non-profit-making organization. According to the Administration's timetable, it would issue a Request for Proposal in May 2010 and the non-profit-making organization was expected to commence the implementation of the programme in 2011. Members were concerned that by that time, most of the low-income families which had been disbursed with the subsidy might have signed up Internet access service contracts which normally lasted for two to three years. The Administration allayed members' concern and explained that many Internet service providers ("ISPs") were keen to make special offers targeting the low-income families to coincide with the introduction of the subsidy. The Administration would continue to discuss with them about the contract period. When suitable and affordable offers were available, the Administration would inform the families at the same time when they received the notification of their eligibility for the subsidy.

50. Members were given to understand that two groups of organizations were envisaged to be interested in implementing the programme, namely, industry organizations and non-governmental organizations. Members sought information on the administrative costs of the non-profit-making organization for implementing the programme. According to the Administration, based on the current planning assumptions about the future operation of the organization, the start-up and general administration expenses of the organization was estimated to be about \$22.5 million over the five-year implementation of the Programme. The actual funding requirement and allocation arrangement for the Programme would be

subject to the business proposal and operation solution selected as a result of the Request for Proposal, as well as the subsequent funding agreement to be entered with the organization. Relevant provisions would be included in the formal funding agreement to be concluded with the selected organization to ensure efficiency, effectiveness and economy of its operations and services. A ceiling of administrative costs of the organization would be set out in the funding agreement in the light of the agreed business plan, which would be reviewed from time to time taking into consideration the latest market developments.

#### Prices of school textbooks

51. After following up the subject of prices of school textbooks for many years, the Panel was pleased to note the measures proposed by the Administration to address members' long-standing concern about the increasing prices of school textbooks. The Administration took forward the recommendations of the Working Group on Textbooks and e-Learning Resources Development to implement various measures in this regard. These included, among others, the implementation of the "debundling" policy from the 2010-2011 school year, the change of the "three-year rule of no revision" to "five-year rule of no revision", and the issuance of guidelines to schools stating clearly that they were not allowed to solicit any free teaching or learning materials from textbook publishers.

52. The Panel received views from representative organizations of the stakeholders, including publishers associations, the primary and secondary school councils, grassroot organizations and the Consumer Council on the measures proposed by the Administration. Members noted that as the teaching materials for existing textbooks had already been provided to schools by textbook publishers, the debundling policy might not bring about immediate reduction of textbook prices. However, in the long term, the "debundling" policy would help reduce textbook prices. While schools welcomed the implementation of the "debundling" policy, they were concerned that complementary teaching materials would no longer be available. Members shared their concern and requested the Administration to provide schools with a grant with a prescribed ceiling to purchase teaching materials. Members also requested the Consumer Council to monitor the implementation of the debundling policy with a view to safeguarding the interests of the stakeholders, in particular parents.

53. Members noted the request of publishers for a transitional period for implementing the "debundling" policy. Members also acknowledged their concern about significant investment in textbook research and development. Members, however, considered that the costs of promotional items provided by textbook publishers for schools were substantial and there was room for reducing textbook prices by 20% if every textbook publisher would cut promotion costs. Members urged textbook publishers to take actions to reduce the costs of textbooks for the 2010-2011 school year. Members requested the Administration to discuss with the publishers associations issues relating to the "debundling" policy and the reduction of textbook prices.

54. In May 2010, EDB announced its decision to postpone the implementation of the "debundling" policy for a year having regard to the time needed by textbook publishers to resolve the problems encountered. All members of the two major publishers associations agreed to freeze the prices of the recommended textbooks for the coming school year. The prices of the Recommended Textbook List had also been uploaded onto the EDB's website.

#### Student financial assistance

55. Members examined the proposal to implement an Integrated Student Financial Assistance System ("ISFAST") for supporting the re-engineered business processes and organization re-structuring of the Student Financial Assistance Agency ("SFAA") with a view to enhancing the efficiency and effectiveness of SFAA in daily operations. Members noted the findings of the Audit Commission about the vetting error rates being as high as 10.2% for the means-tested grants and loans under the Tertiary Student Finance Scheme – publicly-funded programmes. Other errors included omission of signatures and failure to take into account certain information of applicants such as bonus income and to take legal action against loan defaulters within the time-bar limit. Members were concerned whether the implementation of ISFAST would ensure correctness and completeness of information provided by applicants and rectification of the deficiencies and human errors identified.

56. According to the Administration, ISFAST would incorporate functions to enable risk-profiling of applications, thereby improving the quality and effectiveness of vetting and counter-checking. Applications would be processed on a household basis. An applicant family that wished to apply for assistance under more than one scheme or had more than one family member applying for assistance in an academic year would only need to submit one application form. Processing of information could be carried out in a focused manner, thus enhancing the assessment of applications. ISFAST would also incorporate case management functions with tracking of case progress. This could enhance monitoring of default recovery cases and ensure that timely legal action would be taken against loan defaulters. While additional manpower was required during the initial period to set up the system, ISFAST would improve its operational efficiency by around 20% as assessed by the Efficiency Unit.

57. Members expressed concern about the privacy of information provided by applicants to SFAA. Members pointed out that since the information provided by an applicant family would be used in relation to different family members and for various schemes administered by SFAA after the implementation of ISFAST, it was necessary to clarify whether such an arrangement would violate any rules and regulations or practices. Members requested the Administration to seek the views of the Department of Justice ("DoJ") and the Office of the Privacy Commissioner for Personal Data ("PCPD").

58. The Administration subsequently relayed to members the advice of DoJ and PCPD. DoJ advised that SFAA, as the data collector/user, would need to comply with the requirements of relevant data protection principles of Schedule 1 to the Personal Data (Privacy) Ordinance. Upon the implementation of the household-based application system supported by ISFAST, SFAA would put in place appropriate administrative measures to ensure that each applicant agreed that the data in his/her application form would be used to support the applications by his/her family members under the same and other assistance schemes. Members also noted the suggestion of PCPD that SFAA should consider incorporating certain personal data protection requirements in the service agreement with the contractor responsible for developing ISFAST to guard against any wrongful act or practice affecting the privacy of personal data. PCPD supported SFAA's plan to conduct a Privacy Impact Assessment before ISFAST commenced operation.

### Language Fund

59. Members examined the proposed injection of \$500 million into the Language Fund for introducing and strengthening measures to enhance language education, especially on Putonghua and English language, for primary and secondary students and the workforce. Under the original English Enhancement Scheme ("EES"), the funding ceilings for schools using Chinese as the medium of instruction ("CMI schools") and schools using English as the medium of instruction ("EMI schools") were set at \$3 million and \$0.5 million respectively. In the proposed Refined EES, the budgetary ceiling for each applicant secondary school would be \$1 million without classification of CMI schools and EMI schools. Members considered that the reduced ceiling for CMI schools would not be conducive to their provision of an English learning and teaching environment.

60. Members noted the Administration's explanation that the original EES was introduced in 2006 with different premise. Upon the implementation of the Medium of Instruction ("MOI") Fine-tuning in the 2010-2011 school year, schools would no longer be classified into CMI schools and EMI schools. The school councils and associations agreed that after the implementation of the MOI Fine-tuning, students would be provided with more opportunities to be exposed to English at schools. They also agreed that, since schools would not be classified into CMI and EMI schools, the uniform budgetary ceiling of \$1 million for each applicant school would be appropriate.

61. At members' request, the Administration provided detailed written information about the English standard of local secondary school students as compared with their overseas counterparts and the English proficiency of students in CMI schools as compared with their counterparts in EMI schools after the implementation of the various measures to enhance English proficiency. Members noted from the information that the standard of English of local students compared favourably with overseas counterparts. There were sustained rises in the passing rates in English Language in HKCEE for all ability groups of CMI schools.



### Education for young drug abusers

62. The Panel held several meetings to examine the provision of education for young drug abusers during and after rehabilitation including the relocation of the centres of the Christian Zheng Sheng Association ("CZSA"). Members were disappointed with the slow progress on the part of the Administration in handling CZSA's application for relocation of its two drug treatment and rehabilitation centres ("DTRC") in Ha Keng and Christian Zheng Sheng College's ("CZSC") application for operating the new senior secondary courses for the residents of DTRCs there. While members considered it necessary to consult the local community concerning CZSA's application for reprovisioning of the two DTRCs to the former site of the New Territories Heung Yee Kuk Southern District Secondary School ("ex-SDSS"), members criticized the Administration for polarizing the issues of reprovisioning of the DTRCs in Ha Keng and the provision of secondary school places for South Lantau residents. Members called on the Administration to achieve a win-win situation to meet the needs of both the residents of DTRCs in Ha Keng and in South Lantau.

63. Members attached great importance to the background and accounts of the services operated by CZSA. The annual sum received by CZSC through payments of Comprehensive Social Security Assistance ("CSSA") to its students was substantial. Members considered it necessary for CZSA to make clear its accounts, and reasonable for the general public to know how the funds of CZSA were spent. Should CZSC wish to apply for full subvention from the Government in future, it should uphold the transparency and accountability of its services so as to alleviate the concerns of the public. The Administration should formulate a subvention mode for CZSA and monitor its accounts as public resources were involved.

64. Many members considered that given the proven success of CZSA, the Administration should encourage other DTRCs to adopt the same model of drug rehabilitation. The Administration acknowledged the need to explore new services to meet the specific needs of young drug abusers. In the Administration's view, being the only rehabilitation centre-cum-school, CZSC served as an example to develop complementary services comprising drug treatment and rehabilitation programmes as well as education programmes to school-aged youngsters. Since rehabilitation centre-cum-school was a new model, the Administration considered it important to consider the matter from a holistic and integrated manner.

65. Members also considered it inadequate for the Administration to focus on prevention of youth drug abuse only. Drug treatment and rehabilitation should be accorded with equal importance. It was necessary to formulate a policy for drug rehabilitation schools as such schools could offer formal education which would help school-age drug abusers restore confidence and reintegrate into the community. Members noted with concern that the current education programmes provided by most DTRCs were not formal and could not help residents to sit public

examinations or to seek jobs.

66. After three meetings with the Panel, CZSA further discussed with the Administration about its relocation proposals. The two parties tentatively agreed that for the time being, the Administration would assist CZSA to carry out in-situ improvement works to its DTRCs in Ha Keng with a view to effecting their relocation to the ex-SDSS site as a long-term solution. The Panel is considering the need to hold a special meeting in late July 2010 to discuss the related arrangements.

#### Education for children with special educational needs

67. After a spate of meetings towards the end of the last session and the motion carried by the Panel calling for, among others, an immediate review of the school leaving arrangements for students with intellectual disability ("ID students") in ID schools, the Administration eventually agreed to deploy resources to implement improvement measures from the 2010-2011 school year. These measures included providing additional places for ID schools so that they could have sufficient capacity to cater for students who needed to extend their years of study and empowering schools to exercise school-based professional judgment according to the objective criteria jointly set by EDB and the sector.

68. Members noted that the number of additional places was calculated on the basis of the standard capacity of the schools, namely, 8% for mild ID schools, 10% for moderate ID schools and 12% for severe ID schools. Members welcomed the development of "Guidelines for Special Schools on School-Based Mechanism for Handling the Extension of Years of Study for Students". With the progressive implementation of the improvement measures, about 500 ID students at various school levels had been approved extension of stay in the 2010-2011 school year.

69. Members noted with concern that while the Administration provided additional places for ID schools on the one hand, it had on the other cut the number of classes in the Ebenezer School & Home for the Visually Impaired ("the Ebenezer School") from nine to eight resulting in the merging of Primary 1 and Primary 2 classes from the 2008-2009 school year onwards. Members pointed out that the Ebenezer School was the only local primary and junior secondary school for the visually impaired. The Administration should have provided additional resources to the Ebenezer School to assist its students in learning. At least, the Ebenezer School should have sufficient classes to operate one class per level. The grants for information technology should be adequate for it to purchase special equipment to suit the needs of its students. Members also queried whether the reduced number of students enrolled in the Ebenezer School was attributed to the implementation of the integrated education policy. Members were worried that without publicity by the Administration, parents of children with special educational needs were simply not aware of the availability of special schools for children with a specific disability such as the Ebenezer School. Members requested EDB to liaise with the Social Welfare Department concerning the

operation of the Special Child Care Centres which were tasked to assess the abilities of disabled pre-school children and provide individualized educational programmes to moderately and severely disabled pre-school children from two to six years of age.

Meetings held

70. During the period between October 2009 and end of June 2010, the Panel held a total of 12 meetings and conducted visits to a school for social development, two sheltered workshops and two DTRCs. Another two meetings have been scheduled for July 2010.

Council Business Division 2  
Legislative Council Secretariat  
29 June 2010

**Panel on Education**

**Terms of Reference**

1. To monitor and examine Government policies and issues of public concern relating to education.
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.

**Panel on Education**

**Membership list for 2009-2010 session**

<b>Chairman</b>	Hon Cyd HO Sau-lan
<b>Deputy Chairman</b>	Dr Hon Priscilla LEUNG Mei-fun
<b>Members</b>	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, GBS, JP Prof Hon Patrick LAU Sau-shing, SBS, JP Hon Starry LEE Wai-king, JP Dr Hon LAM Tai-fai, BBS, JP Hon CHEUNG Kwok-che Hon WONG Sing-chi Hon Mrs Regina IP LAU Suk-ye, GBS, JP Dr Hon Samson TAM Wai-ho, JP Hon Tanya CHAN (up to 28 January 2010) (rejoined on 18 May 2010) Hon WONG Yuk-man (up to 28 January 2010) (rejoined on 26 May 2010)
	(Total : 19 Members)
<b>Clerk</b>	Miss Odelia LEUNG
<b>Legal Adviser</b>	Mr Kelvin LEE