

立法會
Legislative Council

LC Paper No. CB(4)38/14-15
(These minutes have been seen
by the Administration)

Ref : CB4/PS/1/12

Panel on Education

Subcommittee on Integrated Education

**Minutes of the fourteenth meeting
held on Wednesday, 23 April 2014, at 10:45 am
in Conference Room 2A of the Legislative Council Complex**

Members present : Dr Hon Fernando CHEUNG Chiu-hung (Chairman)
Hon LEUNG Yiu-chung
Hon TAM Yiu-chung, GBS, JP
Hon Abraham SHEK Lai-him, GBS, JP
Hon Cyd HO Sau-lan
Hon CHEUNG Kwok-che
Dr Hon Kenneth CHAN Ka-lok
Dr Hon Elizabeth QUAT, JP

Member absent : Hon IP Kin-yuen (Deputy Chairman)

Public Officers attending : Item II & III

Mr Kevin YEUNG, JP
Under Secretary for Education

Ms Sophia WONG
Principal Education Officer (Special Education &
Kindergarten Education)

Mr Martin MUI
Senior Specialist (Special Education Support 4)

Ms Doris LEE
Senior Specialist (Educational Psychology Service /
New Territories West)

Attendance by : Item III
Invitation

Mr LEE Chi-yung

Department of Special Education and Counselling,
Hong Kong Institute of Education

Dr Vicky TSANG
Assistant Professor

Ms Josephine CHEUNG

The Special Education Society of Hong Kong

Mr YUNG Ka-kui
Executive Committee Member

HKCKLA Buddhist Po Kwong School

Ms Ada HO
Principal

Clerk in : Miss Polly YEUNG
attendance Chief Council Secretary (4) 4

Staff in : Dr Yuki HUEN
attendance Research Officer 6

Mr Ian CHOW
Council Secretary (4) 4

Ms Sandy HAU
Legislative Assistant (4) 4

Action

I. Confirmation of minutes

(LC Paper No. CB(4)580/13-14 -- Minutes of meeting on 14 January 2014)

The minutes of the meeting held on 14 January 2014 were confirmed.

II. Legislation on inclusive education in Taiwan, the United Kingdom and the United States

(LC Paper No. IN15/13-14 -- Information note on "Legislation on inclusive education in Taiwan, the United Kingdom and the United States" prepared by the Research Office of the Legislative Council Secretariat)

LC Paper No. CB(4)586/13-14(01) -- Paper provided by the Administration)

2. The Subcommittee deliberated (index of proceedings attached at **Annex**).

3. At the invitation of the Chairman, Research Officer 6 briefed members on the Information note on "Legislation on inclusive education in Taiwan, the United Kingdom and the United States" prepared by the Research Office of the Legislative Council Secretariat [LC Paper No. IN15/13-14].

III. Provision of Individual Education Plans for students with special educational needs

Papers provided by the Administration

(LC Paper No. CB(4)586/13-14(02) -- Paper provided by the Administration)

Other paper

Written submissions from deputations / individuals not attending the meeting

(LC Paper No. CB(4)605/13-14(01) -- Submission from Hong Kong Professional Teachers' Union (*Chinese version only*))

Meeting with deputations / individuals and the Administration for agenda item III

4. The Subcommittee deliberated (index of proceedings attached at **Annex**).

EDB

5. At the request of the Subcommittee, the Education Bureau ("EDB") would provide a paper to address the following issues/set out the relevant information as far as practicable –

- (a) the number of students with special educational needs ("SEN") in each of the three tiers under the 3-Tier Intervention Model, and the number of SEN students who were provided with an individual education plan ("IEP");
- (b) under what circumstances IEPs would be developed for SEN students and the difficulties as envisaged by EDB if an IEP was required to be drawn up for each SEN student;
- (c) where feasible, the proportion of SEN students provided with IEPs in Hong Kong and that in other jurisdictions; and
- (d) in the absence of legislation, the concrete measures adopted by the Administration to strengthen the role of parents in providing appropriate educational support to SEN students and to increase the transparency of information on the implementation of IE in ordinary schools.

IV. Any other business

6. There being no other business, the meeting ended at 12:56 pm.

Council Business Division 4
Legislative Council Secretariat
14 October 2014

**Proceedings of the meeting of the
Subcommittee on Integrated Education
on Wednesday, 23 April 2014, at 10:45 am
in Conference Room 2A of the Legislative Council Complex**

Time marker	Speaker(s)	Subject(s)	Action required
<i>Agenda Item I – Confirmation of minutes</i>			
000315 - 000524	Chairman	Minutes of meeting on 14 January 2014 were confirmed	
<i>Agenda Item II – Legislation on inclusive education in Taiwan, the United Kingdom and the United States</i>			
000525 - 002716	Chairman Research Officer 6 ("RO6") Education Bureau ("EDB")	<p>RO6 briefed members on the legislation on inclusive education ("IncE") in Taiwan, the United Kingdom ("UK") and the United States ("US") and the implementation of integrated education ("IE") in Hong Kong –</p> <p>(a) IncE was an approach of transforming the education system and removing barriers that prevented students from participating fully in education, and focused on equipping the school environment to fit the needs of students with special educational needs ("SEN");</p> <p>(b) IE was a process of placing SEN students in ordinary schools, which focused on fitting SEN students into the existing school arrangement;</p> <p>(c) schools in Taiwan, UK and US were under a statutory responsibility to actively seek to remove the barriers to learning and participation by SEN students;</p> <p>(d) the legislation on IncE in Taiwan, UK and US required schools to eliminate discrimination, provide early identification and intervention and appropriate education for SEN students, while involving parents in the whole process;</p> <p>(e) in Hong Kong, schools were required under the Disability Discrimination Ordinance ("DDO") and the pursuant Code of Practice to DDO to accommodate SEN students. The principles adopted for implementation of IE were similar to (d);</p> <p>(f) the legislation on IncE in Taiwan and US required schools to devise an appropriate individual education plan ("IEP") for each SEN student;</p> <p>(g) in UK, the relevant legislation would come into force on 1 September 2014 requiring that each SEN student should be provided with an Education, Health and Care plan, which was an individualized plan covering the provision of</p>	

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		<p>education, health services and social care; and</p> <p>(h) under the IE policy of Hong Kong, students with severe learning difficulties were entitled to IEPs.</p> <p>EDB advised that –</p> <p>(a) IE and IncE aimed to provide equal educational opportunities to SEN students. In fact, the measures and initiatives carried out to implement IE in Hong Kong were comparable to those in Taiwan, UK and US;</p> <p>(b) the implementation of IE in Hong Kong did not seek to make SEN students fit into the existing school environment. Schools would make physical and pedagogical accommodations to support the teaching and learning of their SEN students;</p> <p>(c) under the existing 3-Tier Intervention Model ("the Model") to cater for SEN students, IEPs were required to be devised for those students with severe learning difficulties receiving Tier-3 support. If the schools deemed necessary, IEPs could be provided to SEN students receiving support under the other tiers. It was known that in some schools, IEPs were drawn up for SEN students receiving Tier-2 support; and</p> <p>(d) legislation might not necessarily be the most effective approach in promoting IE. There were views in Taiwan, UK and US that although the relevant legislation had specified the basic requirements, it could not be guaranteed that students would be given the support services most appropriate to their actual needs. For instance, some teachers had applied a single IEP to all SEN students in a class without having regard to individual needs.</p> <p>The Chairman enquired about the number of SEN students requiring support in each of the three tiers under the Model, and the number of students who were provided with an IEP. He recapitulated previous responses given by EDB that such figures were not available since the number of SEN students and the level of support they required might change over time.</p> <p>EDB responded that under the Model underpinned by the "Response to Intervention" ("RTI") approach, schools would provide quality teaching to students with mild or transient learning difficulties under Tier-1 support, review students' progress and adjust the</p>	

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		<p>teaching strategy accordingly. For students with persistent learning difficulties, schools would provide them with Tier-2 support in the form of pull-out or after-school remedial programmes. For students with persistent and severe learning difficulties, schools would provide more intensive Tier-3 individualized support which included the development of IEPs. The tier of support for the students could be adjusted in accordance with their RTI. Hence, Tier-2 support would be provided to an SEN student who had improved after receiving Tier-3 support for some time. A student might need different tiers of support in different subjects. In view of these variations, EDB did not consider it practicable to provide the number of students in each of the three tiers under the Model and the number of students who were provided with IEPs.</p> <p>The Chairman pointed out that the actual amount of Learning Support Grant ("LSG") disbursed to each school would depend on the number of SEN students admitted and the tier of support required by them. Hence, EDB should have information on the number of students in each of the three tiers under the Model, including those SEN students provided with IEPs. Such information would enable members to compare the situation in Hong Kong with that in other jurisdictions, such as Taiwan and US.</p> <p>EDB considered that it might not be appropriate to make a direct comparison between Hong Kong and other jurisdictions due to the differences in the system of supporting SEN students, and emphasized that such a comparison might be misleading.</p> <p>The Chairman requested EDB to provide, to the extent possible, the following information –</p> <ul style="list-style-type: none"> (a) the number of SEN students requiring support in each of the three tiers under the Model, and the number of SEN students who were provided with IEPs; (b) the difficulties as envisaged by EDB if an IEP was required to be drawn up for each SEN student; and (c) where feasible, the proportion of SEN students provided with IEPs in Hong Kong and that in other jurisdictions. 	<p>EDB was requested to provide the information as stated in paragraphs 5(a) – (c) of the minutes.</p>
002717 - 002917	Mr TAM Yiu-chung Chairman	<p>Mr TAM opined that –</p> <ul style="list-style-type: none"> (a) providing SEN students with targeted support according to their needs was of paramount importance; and 	

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		(b) legislation on IE might not necessarily bring about effective implementation of IE and benefit SEN students.	
002918 - 005301	Mr LEUNG Yiu-chung RO6 Chairman Mr CHEUNG Kwok-che EDB	<p>Mr LEUNG remarked that IncE recognized parents' involvement in supporting SEN students. However, the implementation of IE in Hong Kong did not encourage parents' involvement. Quite often, SEN students had to transfer schools in order to obtain the necessary support.</p> <p>Mr LEUNG expressed support for introducing legislation on IE as both the Administration and schools would be under a statutory duty to provide support to SEN students.</p> <p>Regarding Mr LEUNG's enquiry about the differences between IE and IncE, RO6 said that one major difference was that IncE placed much heavier emphasis on parents' rights of involvement in working out measures to support SEN students and their rights to access relevant information about the education for their children.</p> <p>Mr CHEUNG expressed his view that schools might be more willing and prepared to provide support to SEN students if legislation on IE was in place. To better understand the manpower resources required if IEP was provided to each SEN student, he requested EDB to provide, as far as practicable, written information on –</p> <ul style="list-style-type: none"> (a) the number of SEN students in each of the tiers under the Model; and (b) under what circumstances IEPs would be developed for SEN students. <p>EDB advised that –</p> <ul style="list-style-type: none"> (a) the implementation of IE had gained more support by schools and the teaching force over the years. SEN students had all along been provided with appropriate support and services. They would continue to receive such educational support under the existing arrangements; (b) the existing IE framework recognized the need for parents' participation in the planning and review of the support services to SEN students; and (c) at this stage, the Administration considered it more appropriate to focus on exploring how support measures for implementing IE could be 	EDB was requested to provide the information as stated in paragraphs 5(a) – (b) of the minutes.

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		<p>further strengthened, instead of the introduction of legislation.</p> <p>EDB further advised that all along, it had been encouraging schools to adopt the Model to cater for SEN students and to provide them with the appropriate tier of support in accordance with the their RTI. Tier-1 support was quality teaching in the regular classroom to help students with mild or transient learning difficulties. Students with persistent learning difficulties were provided with Tier-2 support, including "add-on" intervention. Those with persistent and severe learning difficulties were provided with Tier-3 support and the development of IEPs. Schools had usually set up Student Support Teams ("SSTs") to plan, implement and review support services for SEN students. SSTs would decide on the need to formulate IEPs for the students concerned under the Model, with the advice of specialists such as educational psychologists ("EPs") and the views of the parents sought when necessary.</p> <p>EDB elucidated on the application of the aforementioned practice in the support of students with specific learning difficulties in reading and writing ("SpLD"). EDB had been collaborating with tertiary institutions to develop the Tiered Intervention Model to help students with SpLD. Computerized assessment tools were developed for teachers to assess the progress and level of support needs of the students while evidence-based and tiered teaching resources were developed for deployment by teachers to meet the needs of the students. The tier of support these students received would be adjusted according to their RTI in regular reviews which involved various stakeholders and took place at least once every six months.</p> <p>Mr LEUNG commented that while both IE and IncE aimed at ensuring equal educational opportunities for SEN students, IncE was more proactive in supporting SEN students.</p> <p>Mr LEUNG asked whether parents could obtain the full assessment report prepared by EPs on their children with SEN.</p> <p>In response, EDB advised that under the Personal Data (Privacy) Ordinance, parents could request to obtain the full assessment reports on their children with SEN. Under the School-based Educational Psychology Service ("SBEPS") or EP services subsidized by EDB, parents could obtain these reports at a very low cost.</p>	

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<i>Agenda Item III –Provision of Individual Education Plans for students with special educational needs</i>			
005302 - 005432	Chairman	Opening remarks	
005433 - 010009	Mr LEE Chi-yung Chairman	Presentation of views	
010010 - 010636	Department of Special Education and Counselling, Hong Kong Institute of Education ("HKIEd") Chairman	Presentation of views [LC Paper No. CB(4)595/13-14(01)]	
010637 - 011424	Ms Josephine CHEUNG Chairman	Presentation of views	
011425 - 012319	The Special Education Society of Hong Kong ("SESHK") Chairman	Presentation of views [LC Paper No. CB(4)595/13-14(02)]	
012320 - 012918	HKCKLA Buddhist Po Kwong School Chairman	Presentation of views	
012919 - 014421	Chairman EDB	<p>EDB advised that –</p> <ul style="list-style-type: none"> (a) it would provide appropriate assistance to individual schools to facilitate their developing IEPs for SEN students; (b) under the existing arrangements, provision of IEPs was subject to students' needs based on professional judgement and decision of schools; and (c) it might be more effective to deploy resources to provide targeted support to individual SEN students according to their needs. The provision of IEPs was only one of many strategies for supporting SEN students. <p>The Chairman said that –</p> <ul style="list-style-type: none"> (a) both EDB and the deputations concurred that home-school co-operation and parents' involvement was very important in the implementation of IE; and (b) to his knowledge, only about 5% of SEN students in Hong Kong were provided with 	

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		<p>IEPs.</p> <p>The Chairman enquired how EDB could ensure –</p> <ul style="list-style-type: none"> (a) parents' participation in working out appropriate support measures for SEN students; and (b) the quality of IEPs drawn up for individual students and whether they were properly implemented. <p>EDB advised that –</p> <ul style="list-style-type: none"> (a) schools should engage parents throughout the entire process of drawing up and implementation of IEP; as far as EDB was aware, parents had participated in most of the cases; (b) the Operation Guide on the Whole School Approach to Integrated Education ("the Operation Guide") compiled by EDB included exemplars, covering learning goals, objectives, instructional strategies, accommodations, success criteria, review timetable, etc. for teachers' reference in the development and implementation of IEPs; (c) it was indicated in the Operation Guide that schools were required to invite parents to meetings for planning and reviewing the effectiveness of their children's IEPs at least twice a year; and (d) overseas experience suggested that the provision of IEP might not necessarily guarantee that SEN students were provided with the support services most appropriate to their needs; parents' participation and the concerted efforts of teachers and stakeholders in the implementation of the support programmes for the SEN students were the major contributing factor for success. <p>In response to a deputation's comment that professional support for SEN students was inadequate, EDB advised that under SBEPS, EPs now visited the public sector schools they served approximately once every two weeks.</p> <p>Referring to his experience as a parent of a child attending a special school for whom an IEP had been drawn up, the Chairman said that he had not been invited to most of the meetings for reviewing his daughter's IEP. He urged EDB to review the existing arrangements for implementing IEPs, particularly with respect to home-school co-operation and parents'</p>	

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		involvement.	
014422 - 015154	Dr Kenneth CHAN EDB Chairman	<p>Dr CHAN commented that –</p> <ul style="list-style-type: none"> (a) the Administration should take into consideration deputations' views and concerns on the implementation of IE and the provision of IEPs when deciding on the way forward; and (b) the Administration should explore the feasibility of enhancing the implementation of IE by way of legislation. <p>EDB stressed that the well-being of SEN students was its prime consideration. At this stage, the Administration considered it more appropriate to focus on exploring how support measures for implementing IE could be further strengthened. Although the Administration held an open view on the suggestion of introducing legislation, it considered that legislation might not necessarily achieve the intended purpose of safeguarding the interests of SEN students.</p>	
015155 - 020151	Chairman EDB	<p>Regarding the concerns raised by deputations and members, EDB advised in reply to the Chairman that it would monitor the implementation of relevant policies and initiatives, including IE, as follows –</p> <ul style="list-style-type: none"> (a) under the School Development and Accountability Framework, schools were required to assess the effectiveness of their support for SEN students through self-evaluation so as to be accountable to its stakeholders. They were requested to set out in their school reports how resources were deployed to provide support services for SEN students, and the reports would be uploaded onto the school websites; (b) schools were also required to submit to EDB a self-evaluation report on the implementation of IE at the end of a school year; (c) EDB staff would visit the schools several times a year to monitor and support the implementation of IE, such as evaluating the effectiveness of the plans and measures of the schools in catering for their SEN students; and (d) as for the progress of teacher training in catering for SEN students, EDB would provide schools with written updates on their teacher training situation at the end of each school year to facilitate schools' planning for the professional development of their teachers. For individual schools requiring special attention in this regard, 	

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		<p>EDB staff would give appropriate advice to their management.</p> <p>The Chairman said that to his knowledge, 45 ordinary schools had their unspent LSG clawed back by the Government. He enquired about the reasons for the claw-back.</p> <p>EDB responded that public sector ordinary primary and secondary schools had been provided with LSG to support their SEN students since the 2003-2004 and the 2008-2009 school years respectively. While EDB had been encouraging schools receiving LSG to fully utilize the grant to support their SEN students, these schools had been allowed to retain the unused resource until the introduction of the claw back mechanism a few years ago. Resignation of the teachers or teaching assistants employed with LSG funding and the lower than expected costs for outsourced services were common reasons for not spending the full amount of LSG by schools.</p> <p>Noting some parents' query that schools might not have spent LSG on supporting their children with SEN, the Chairman considered that EDB should step up its monitoring role and require schools to enhance transparency in their deployment of LSG.</p>	
020152-021110	<p>EDB Ms Josephine CHEUNG HKIEd SESHK Chairman</p>	<p>In response to Ms CHEUNG's views and concerns about the existing mechanism for handling complaints about the implementation of IE, the Chairman said that the subject would be discussed in a future meeting of the Subcommittee.</p> <p>HKIEd urged EDB to provide more resources to schools to develop IEPs for SEN students instead of deploying resources for other services that might not effectively cater for the needs of these students.</p> <p>EDB considered that the need to develop IEPs should be subject to students' needs for support based on professional judgment and decision of schools. There was no need for schools to develop an IEP for every SEN student.</p> <p>The Chairman requested EDB to provide a paper to address the following issues as far as practicable –</p> <ul style="list-style-type: none"> (a) the number of SEN students in each of the three tiers under the Model, and the number of SEN students who were provided with an IEP; (b) the difficulties as envisaged by the Administration if an IEP was required to be drawn up for each SEN student; and 	<p>EDB was requested to provide the information as stated in paragraphs 5(a), (b) and (d) of the minutes.</p>

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		<p>(c) in the absence of legislation, the concrete measures adopted by the Administration to strengthen the role of parents in providing appropriate educational support to SEN students and to increase the transparency of information on the implementation of IE in ordinary schools.</p> <p>SESHK suggested that the Administration should step up teacher training to enhance teachers' capacity in supporting SEN students. The Chairman suggested that EDB should ascertain whether local programmes on special education were available to provide the trained teaching manpower.</p> <p>The Chairman remarked that while the Administration had reservation on introducing legislation on IE, many deputations and some Subcommittee members were in support of the legislative approach.</p>	
<i>Agenda Item IV – Any other business</i>			
021111- 021254	Chairman	Arrangement of visit to Kowloon Bay St. John the Baptist Catholic Primary School in mid-May 2014.	