

**Legislative Council  
of the  
Hong Kong Special Administrative Region**

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**Panel on Education  
Subcommittee on Integrated Education**

**R E P O R T**

**September 2014**

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### **Appendices**

- I. Number of students with SEN studying in public sector ordinary primary and secondary schools by major SEN types from the 2009-2010 to 2013-2014 school years**
- II. Membership list of the Subcommittee**
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### **Acronyms and abbreviations**

## **Part I - Introduction**

### **Background**

In 1997, a two-year pilot project on integrated education was launched under which participating schools were required to adopt a whole school approach ("WSA") to provide an accommodating learning environment for students with special educational needs ("SEN"). After the two-year pilot project, the Integrated Education Programme ("IE Programme") was extended to other ordinary schools from the 1999-2000 school year onwards.

2. Generally speaking, SEN students refer to students who need special educational support because of certain learning difficulties. The major types of SEN include the following –

- (a) specific learning difficulties ("SpLD");
- (b) attention deficit and hyperactivity disorder ("AD/HD");
- (c) autistic spectrum disorder ("ASD");
- (d) speech and language impairment;
- (e) hearing impairment ("HI");
- (f) visual impairment ("VI");
- (g) physical disability ("PD"); and
- (h) intellectual disability ("ID")

3. Based on the information provided by the Education Bureau ("EDB") in April 2014, the number of SEN students studying in public sector ordinary primary and secondary schools in the 2013-2014 school year is about 33 830. A breakdown of students according to the types of SEN from the 2009-2010 to 2013-2014 school years is in **Appendix I**. According to EDB, it promotes integrated education in accordance with five basic principles, namely, early identification, early intervention, WSA, home-school co-operation and cross-sector collaboration.

### **The Subcommittee**

4. In view of public concerns about the implementation of integrated education over the years, the Panel on Education decided at its meeting on 11 December 2012 to set up a subcommittee to study integrated education ("the Subcommittee"). The membership list and terms of reference of the Subcommittee are in **Appendices II** and **III** respectively. Pursuant to Rule 26(c) of the House Rules, the House Committee gave approval on 15 November 2013 for the Subcommittee to continue its work until the end of September 2014.

5. Under the chairmanship of Dr Hon Fernando CHEUNG, the Subcommittee held a total of 18 meetings. In addition to meetings with the Administration, the Subcommittee held a series of theme-based meetings of prolonged duration to receive views on the implementation of integrated education with respect to different types of SEN. The Subcommittee posted notices on the website of the Legislative Council ("LegCo") to invite interested parties to give views on issues under study. The deputations and individuals that have submitted views to the Subcommittee are listed in **Appendix IV**. Consolidated summaries of the views and concerns raised by these parties and the Administration's written responses thereto can be found at the following weblink:

[http://www.legco.gov.hk/yr15-16/english/panels/ed/ed\\_ie/papers/ie\\_c.htm](http://www.legco.gov.hk/yr15-16/english/panels/ed/ed_ie/papers/ie_c.htm)

6. At the request of the Subcommittee, the Research Office of the LegCo Secretariat prepared a paper on the legislation on inclusive education in Taiwan, the United Kingdom ("UK") and the United States ("US") (**Appendix V**). The Subcommittee visited two secondary schools (namely, Buddhist Tai Kwong Chi Hong College and Aberdeen Technical School) to acquire first-hand information on the implementation of integrated education at the school level. It also visited the Kowloon Bay St. John the Baptist Catholic Primary School to understand the operation of the Sign Bilingualism and Co-enrolment in Deaf Education Programme.

## **Part II – Early identification and early intervention for students with special educational needs**

### **Existing arrangements**

7. The responsibilities for early identification and assessment of children with developmental disorders including SEN are shared among the Department of Health ("DH"), Hospital Authority ("HA"), Social Welfare Department ("SWD") and EDB.

8. Through the Comprehensive Child Development Service jointly launched by DH, HA, EDB, SWD and non-governmental organizations ("NGOs"), teachers of pre-primary institutions may refer children with developmental problems to the Maternal and Child Health Centre ("MCHC")<sup>1</sup> of their respective districts. According to the Administration, the preliminary assessment by doctors at MCHC usually takes place within one to two months. If necessary, the children will be referred to the Child Assessment Centres under DH or HA for comprehensive multi-disciplinary team assessment and arrangement of rehabilitation services. Meanwhile, schools, teachers, parents may also refer a child under 12 years of age suspected to have SEN to the Child Assessment Service ("CAS") of DH for assessment via registered medical practitioners or psychologists. The Administration has advised that in the past three years, nearly all new cases referred to CAS for assessment were seen within three weeks, while assessments for over 90% of newly registered cases were completed within six months.

9. SWD provides rehabilitation services through special child care centres, early education and training centres and the integrated programme in kindergarten-cum-child care centres to pre-school children for early intervention. It also renders support to families with needs. As at November 2013, there were 5 957 children waiting for subvented pre-school rehabilitation services. Currently, there are a total of 6 245 subvented pre-school rehabilitation places. An additional 1 471 places are expected to come on stream during the current-term Government, including 832 additional places in 2014-2015. While waiting for subvented services, pre-school children from low-income families may apply for subsidies to acquire rehabilitation services from NGOs<sup>2</sup>.

10. When the children identified with SEN reach school age, EDB will, subject to parental consent, transfer their information to the primary schools or special schools. EDB also provides schools with tools and training on early

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<sup>1</sup> According to the information provided by the Administration in March 2014, there are 32 MCHCs across the territory.

<sup>2</sup> With effect from May 2013, the ceiling of the monthly subsidy has been raised to \$2,615. As announced in the 2014 Policy Address, the subsidy will be incorporated into SWD's regular subvention programme instead of an assistance item under the Community Care Fund.

identification of such students. Currently, teachers use the norm-referenced Observation Checklists for Teachers and the Hong Kong Specific Learning Difficulties Behaviour Checklist to identify as early as possible Primary One students with learning difficulties for timely intervention. Where necessary, arrangement will be made for further assessment by educational psychologists ("EPs") or referral to other specialists for assistance.

### **Co-ordination of responsibilities**

11. As quite a number of departments/bureaux are involved in the provision of identification and intervention services, the Subcommittee is concerned about the co-ordination problems due to the lack of steer by any of the bureaux. Members share many deputations' criticisms about the long waiting time for pre-school age children to receive assessment by HA/DH and the subvented pre-school rehabilitation services provided by SWD<sup>3</sup>. There is serious concern that children will miss the prime time for effective and timely assistance, thereby defeating the objective of early identification and early intervention and turning these principles into an empty slogan.

12. The need for better co-ordination is underlined in a motion passed by the Subcommittee on 27 May 2013 which urges, amongst others, EDB to take the lead in establishing a cross-departmental and cross-sectoral working group. To bring the matter to the attention of top-level government, the Subcommittee has written to the Chief Secretary for Administration urging for a holistic and forward-looking approach in forecasting the demand for services and devising plans and measures to meet the demand.

13. In its responses, the Administration explains that government departments have a clear division of responsibilities in their expert areas and will work together to ensure orderly service delivery. Since the identification and assessment of children with SEN straddle different age groups and stakeholders, service needs can be best met if individual services are provided by the relevant professional departments. The Administration has assured members that EDB, DH, HA and SWD will continue to enhance their services through close collaboration.

### **Assessment of SEN students**

14. According to some deputations, parents of children with SEN were often provided with only a summary report of the assessment which did not contain sufficient information on the developmental needs of their children. There was

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<sup>3</sup> For example, the average waiting time in 2012-2013 for various types of subvented pre-school rehabilitation services ranged from 12.7 months to 16.9 months. See [LC Paper No. CB\(2\)1275/12-13\(07\)](#).

also wide variation in the format and coverage of such reports. Meanwhile, the Subcommittee has noted from the findings of a study commissioned by the Equal Opportunities Commission ("EOC Report")<sup>4</sup> that the identification of SEN students had been criticized to be too sloppy and simple.

15. Some members have enquired on the feasibility of devising a standardized format for reporting so as to facilitate reference by parents and schools. As advised by the Administration, upon completion of the assessment, EPs would provide parents with an Assessment Summary which sets out the overall test findings together with recommendations on follow-up actions. Parents may request to obtain a copy of the detailed assessment report by filling in a form in accordance with the Personal Data (Privacy) Ordinance (Cap. 486). Given that assessment reports are prepared by EPs with regard to individual cases and professional views, the assessment procedures, analysis, diagnosis, conclusions and recommendations are different. Hence, it is not possible for the reports to be standardized in content and layout. At the request of the Subcommittee, the Administration has provided information on the key items that are covered in a typical assessment report prepared by EPs<sup>5</sup>. Nevertheless, the Subcommittee is of the view that consideration should be given to devising a standardized format to facilitate reference.

### **Notification mechanism**

16. The Subcommittee considers it vital to put in place an effective notification mechanism so that information on the SEN students can be made available to schools early for the arrangement of timely and appropriate support.

17. In this connection, EDB has explained that parents are requested to indicate the SEN (if any) of their children when seeking admission under the Primary One Admission System. Subject to parental consent, EDB will arrange for the assessment reports of CAS on the SEN students to be sent to the primary schools concerned before commencement of the school term. According to EDB, about 90% of the parents of SEN students have given consent to release the assessment reports to the primary schools concerned. To facilitate the progression of SEN students to secondary schools, EDB issues a circular memorandum annually to remind primary schools to transfer information on their Primary Six students with SEN to the secondary schools concerned as soon as possible after obtaining parental consent. It is noted from EDB that in the 2012-2013 school year, about 80% of the parents of these students had given consent.

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<sup>4</sup> Report of the Study on Equal Learning Opportunities for Students with Disabilities under the Integrated Education System released by EOC in 2012. See [http://www.eoc.org.hk/EOC/Upload/ResearchReport/IE\\_eReport.pdf](http://www.eoc.org.hk/EOC/Upload/ResearchReport/IE_eReport.pdf).

<sup>5</sup> These items include the reason for referral, background information/history/presenting problems, behavioural observation, assessment procedures/tests administered with dates, assessment findings (should include analysis of findings/interpretation of results), summary and conclusion, recommendations.

## **Recommendations**

18. The Subcommittee has noted that due to improvement in assessment tools and increased awareness of SEN, the number of students in ordinary schools identified to have SEN has been on the increase. It recommends that the Administration should -

- (a) establish a cross-departmental and cross-sectoral working group to critically review the existing mechanism and deploy necessary resources to ensure that SEN students can receive early identification and intervention;
- (b) to take practicable steps to shorten the waiting time for assessment of SEN students so that the assessment can be completed preferably within three months;
- (c) explore other options, such as the issuance of vouchers to children with SEN to procure the necessary services from NGOs/service providers in a timely manner;
- (d) seriously consider devising a standardized format for assessment reports on SEN students; and
- (e) examine the feasibility of establishing a centralized database for each SEN student which includes information on assessment and services rendered to the student to facilitate communication between parents, schools and service providers.



### **Part III – Issues related to student placement**

#### **Existing arrangements**

19. Currently, a dual-track mode is adopted in delivering integrated education and special education. EDB will, subject to the assessment and recommendations of specialists and the consent of parents, refer students with severe or multiple disabilities to special schools while other SEN students may attend ordinary schools. On admission arrangements, parents of children with SEN will apply for a place for their children in ordinary primary and secondary schools through the established mechanisms, i.e. the Primary One Admission System and the Secondary School Places Allocation System.

#### **Admission of SEN students to ordinary schools**

20. The Subcommittee has noted from the EOC Report released in 2012 that the respondent schools found it easier to accept students with HI, VI and PD than those with other types of SEN such as ID, ASD or AD/HD. According to some parents, they had encountered difficulties when applying for admission because some ordinary schools were reluctant to admit SEN students. Some members have observed that certain ordinary schools have a much higher intake of SEN students than other schools. To help ascertain whether this is indicative that some schools are not receptive of SEN students, resulting in the clustering of SEN students in only a handful of schools, the Subcommittee has sought information on the transfer of schools by regular students and by SEN students.

21. The Subcommittee notes from the information provided by EDB that in the 2012-2013 school year, out of a total student population of 606 378 in all public-sector ordinary schools, 1 261 students (0.2%) had transferred schools. The percentages for the two preceding years were comparable<sup>6</sup>. EDB has cautioned that the transfer of schools may be due to different reasons such as the change of residence, adaptation problems, certain schools renowned in supporting SEN students etc. It has also stressed that under the Disability Discrimination Ordinance (Cap. 487) ("DDO") and the Code of Practice on Education issued by EOC, schools cannot refuse application for admission from SEN students.

22. On whether EDB will encourage ordinary schools to admit more SEN students to boost enrolment, EDB has stated that currently, there is no policy to close a school due to under-enrolment. Support measures for SEN students should not be introduced for the sake of raising enrolment and avoiding school

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<sup>6</sup> See [LC Paper No. CB\(4\)954/13-14\(01\)](#). No separate statistics on SEN students are available.

closure. The Administration's priority is on how the various support measures for SEN students can be enhanced.

### **Feasibility of designating certain schools for supporting SEN students**

23. The Subcommittee notes that under the current school place allocation systems, students with different types of SEN may be admitted to the same school. Members find that it is unrealistic to expect schools and teachers to be well-versed in handling all types of SEN. They have discussed with EDB and deputations the feasibility of placing SEN students into certain schools more experienced and resourced in supporting SEN students, or designating some schools as "specialist" or "characteristic" schools to cater for specific types of SEN. This approach may enable schools to accumulate expertise while rendering more specialized support to the SEN students concerned.

24. According to the Administration, the current implementation of integrated education is in line with the global trend. Confining the intake of SEN students to a handful of schools or designating certain schools for particular types of SEN will deviate from the existing policy, and may also result in an alternative type of special schools. Some deputations have cautioned that this approach may also violate the requirements under DDO to provide equal educational opportunities, as well as result in a labeling effect on certain schools and reduce the choice of schools for SEN students.

25. Whilst members do not call for a total revamp of the existing system, they consider that the Administration should address the difficulties faced by schools in catering for diverse SENs within the school. They have referred to the successful outcomes of the Sign Bilingualism and Co-enrolment in Deaf Education Programme<sup>7</sup> under which the primary school concerned can provide effective support to students with HI. The Administration has been asked to explore feasible models which would enable schools to deliver, and SEN students to receive, the necessary support.

### **Articulation from special schools to ordinary schools and vice versa**

26. Whilst noting the current dual-track mode, the Subcommittee is concerned about those SEN students who cannot cope with education in ordinary schools, in particular students assessed to have limited intelligence, i.e. intelligence quotient ("IQ") between 70 and 79.

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<sup>7</sup> In August 2006, the Centre for Sign Linguistics and Deaf Studies of the Chinese University of Hong Kong received funding from the Hong Kong Jockey Club to conduct an experimental programme on the implementation of sign bilingualism and co-enrolment. Details can be found at [http://www.cuhk.edu.hk/cslds/jcslco/introduction\\_en.html](http://www.cuhk.edu.hk/cslds/jcslco/introduction_en.html).

27. Some members and deputations have highlighted that under the existing policy, a student with limited intelligence may only be referred to a special school upon parental consent on an exceptional basis if he/she is also diagnosed with other types of SEN. Question has been raised as to whether greater flexibility can be exercised in the placement of these students to special schools with regard to their well-being and parental choice. The Administration has also been asked to consider allowing students with limited intelligence and who have experienced severe adjustment difficulties in ordinary schools to take part in short-term attachment programmes run by Special Schools cum Resource Centres which are now only offered to ordinary school students with ID, i.e. IQ below 70.

28. According to EDB, in considering requests for transfer of schools, the learning needs of the students would be the key consideration. Where circumstances so warrant, EDB will handle individual cases with flexibility and with due regard to specialist recommendations. It has also pointed out that the number of students with limited intelligence and those with ID account for about 6 to 7% and 2% of the student population respectively. In addition to the resources implications on special schools, it is questionable whether all students with limited intelligence will benefit from the segregated learning environment in special schools. The Administration has nevertheless taken note of members' views and suggestions for consideration.

## **Recommendations**

29. The Subcommittee recommends that the Administration should –

- (a) explore feasible models to enable schools to implement targeted support for supporting different types of SEN students within the same school;
- (b) having regard to the well-being of the students and parental choice, exercise greater flexibility in the placement of students with limited intelligence to special schools or ordinary schools; and
- (c) take steps to improve the transparency of information, such as requiring schools to include in their school profiles information on the number of SEN students admitted, the support services provided to these students and any other relevant information that can facilitate the choice of school.

## **Part IV – Resources and support for schools**

### **Existing arrangements**

#### Funding support

30. To help schools cater for SEN students, EDB has been providing public sector primary and secondary schools with additional resources which include the Learning Support Grant ("LSG"). Under the New Funding Model ("NFM"), EDB encourages schools to cater for student diversity through the 3-tier intervention model which consists of –

- |                    |  |
|--------------------|--|
| (a) Tier-1 support | quality teaching in classroom to support students with transient or mild learning difficulties;  |
| (b) Tier-2 support | "add-on" intervention such as small group learning, pull-out programmes etc. for students with persistent learning difficulties including SEN; and |
| (c) Tier-3 support | intensive individualized support for students with severe learning difficulties and SEN, including drawing up Individual Education Plans ("IEPs")  |

Currently, the amount of LSG for students requiring tier-2 and tier-3 support is \$10,000 and \$20,000 per student per annum respectively. The ceiling of LSG has been raised from \$1 million to \$1.5 million per school per annum with effect from the 2013-2014 school year.

31. In addition to LSG, other resources provided to schools include the Enhanced Speech Therapy Grant, the Intensive Remedial Teaching Programme ("IRTP"), IE Programme, additional teachers for supporting academically low achievers in secondary schools and the Top-up Fund for purchasing special furniture/equipment or carrying out minor conversion works. Schools may pool and flexibly deploy LSG and other school-based resources to provide support for their SEN students.

#### Professional support

32. Implemented by EDB since the 2008-2009 school year, the School-based Educational Psychology Service ("SBEPS") covers about 70% of all public sector secondary and primary schools in the 2013-2014 school year. The service will be progressively extended to cover all public sector schools by the 2016-2017 school year. Meanwhile, training places for professional practice have also been increased to produce 15 or 25 graduates each year. Under SBEPS, one EP

serves six to 10 schools. EPs visit the schools they serve on a regular basis to provide assessment and intervention for students, training for parents, consultation and professional development for teachers, as well as advise on school policies and measures for supporting SEN students. As informed by EDB, there are a total of 80 EPs under SBEPS, of whom 60 are employed by school sponsoring bodies and 20 by EDB. It is expected that 134 EPs will be in service upon the full implementation of SBEPS<sup>8</sup>.

33. Whilst EDB does not provide school-based speech therapy and occupational therapy service similar to SBEPS, it has encouraged schools to deploy the various school-based resources to acquire the necessary services. The professional staff of EDB also visit schools regularly to give advice on matters such as school policies, teaching strategies, resources deployment, home-school co-operation etc.

34. The Subcommittee notes that the annual expenditure incurred by EDB on additional support and services for integrated education has risen from \$859 million in the 2008-2009 school year to an estimated \$1.08 billion in the 2013-2014 school year, representing an increase of about 26%. However, during the same period, the number of students assessed with SEN has risen by some 92% from 17 600 to about 33 830 students. The Subcommittee is deeply concerned that the increase in relevant expenditure may not adequately meet the challenges arising from the significant increase in the number of SEN students. It has also examined the effectiveness of the school-based resources and ways to enhance support for these students.

### **Implementation of LSG**

35. Despite the increase in the annual ceiling of LSG to \$1.5 million, the actual amount of LSG received by the school would depend on the number of SEN students and the tier of support required. To enhance support for individual students, members have urged the Administration to also increase the rates of subsidy per student, and to keep the rates under periodic reviews and adjustments. In this regard, members note that as announced in the 2014 Policy Address, the rates of LSG per year per student requiring tier-2 and tier-3 support will be increased by 30% to \$13,000 and \$26,000 respectively in the 2014-2015 school year, with the basic provision per school per annum for the first one to six students requiring tier-3 support also raised to \$156,000. The rates and ceiling of LSG will also be adjusted annually according to changes in the Composite Consumer Price Index.

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<sup>8</sup> See the Secretary for Education's reply to a written question ([LCQ10](#)) raised by Hon IP Kin-yuen at the Council meeting on 14 May 2014.

36. According to some deputations, some schools might not have deployed LSG for the direct benefit of SEN students. It was submitted that in some cases, the teaching assistants engaged by LSG funding were deployed to perform other school duties not related to SEN students. The Subcommittee has examined EDB's monitoring role over schools' use of LSG which should be purpose-specific.

37. As confirmed by EDB, LSG should be used for supporting SEN students and academically low achievers. In general, schools use LSG for employing additional teachers and/or teaching assistants as well as procuring services to support SEN students. Pursuant to the existing School Development and Accountability Framework, EDB requires schools to submit a self-evaluation report on the implementation of WSA to integrated education at the end of a school year in which the deployment of resources should be set out. Professional staff from EDB also conduct regular school visits and annual reviews, and organize training/sharing sessions on the effective deployment of resources.

38. It has come to members' attention that notwithstanding keen competition for resources, some schools have not utilized the full amount of LSG. In fact, unspent LSG of some \$3.4 million from 45 schools was clawed back to EDB at the close of the 2011-2012 school year/financial year. This has prompted concerns about individual schools' capability to deploy LSG, and whether sufficient guidance has been provided to schools regarding the use of LSG. Some of the reasons known to EDB for the claw-back of LSG included the resignation of the teachers engaged with LSG funding and the lower than expected costs for outsourced services. The Subcommittee considers that the Administration should continue to monitor the claw-back, if any, of unspent LSG and maintain close liaison with the schools concerned.

39. Some members have expressed the view that the provision of additional teaching support under the former IE Programme and IRTP<sup>9</sup> might be more effective in assisting SEN students than the current NFM underpinned by WSA, the 3-tier intervention model and the provision of LSG. The Administration has highlighted that NFM was introduced in the 2003-2004 school year for the purpose of allowing greater flexibility for schools to deploy resources. As the number and needs of SEN students can vary, the provision of teaching resources may not necessarily be the best means to cater for SEN students. In fact, schools on IRTP have been encouraged to migrate to NFM to enjoy flexibility in deploying and consolidating resources.

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<sup>9</sup> Under the IE Programme which covered five types of SEN, one additional teacher would be provided to each school admitting five or more target students, and one learning support assistant for every eight or more target students. Under IRTP, mainstream primary schools admitting 15 or more target students were provided with additional resource teachers.

40. Regarding some members' request for a breakdown of SEN students by tier of support, EDB has advised that under the "Response to Intervention" ("RTI") approach underpinning the 3-tier intervention model, the level of support provided to SEN students may require upward or downward adjustment according to their RTI. Hence, the distribution of students receiving support under each tier may change from time to time according to the varying performance of these students. The Subcommittee does not subscribe to EDB's explanation that a breakdown is not readily available. It considers that as the amount of LSG disbursed to each school is based on the number of SEN students admitted and the tier of support required, EDB should be able to compile the information to reflect the position as at a given date.

### **Provision of educational psychology service**

41. While welcoming the progressive extension of SBEPS to cover all public sector primary and secondary schools by the 2016-2017 school year, the Subcommittee has examined the current status and future planning of EP service.

42. Members note that under the existing SBEPS, the ratio of EP to schools is about 1:7.5 and on average, each EP is only able to visit each school served by him/her twice a month. Although most of EP's time is spent on assessment and intervention, a long waiting time is still required for students to receive such service under the current manning ratio. There is hardly any spare capacity for EPs to be involved in systemic enhancement and home-school collaboration. The aforesaid concerns have been borne out in the survey report provided to the Subcommittee by the Division of Educational Psychology of the Hong Kong Psychological Society, which also explains the need to enhance the service ratio of EP to schools to 1:4<sup>10</sup>.

43. To meet service demand at the student, teacher and school levels, the Subcommittee urges the Administration to seriously consider the EP profession's suggestion to improve the ratio of EP to schools to 1:4. To give effect to the principles of early identification and early intervention, members also consider that the Administration should explore the feasibility of extending SBEPS to pre-school children, so that their learning and developmental problems can be handled before they reach school age.

44. As advised by EDB, it is working towards the target of extending SBEPS to all public sector schools by the 2016-2017 school year. In its view, the existing SBEPS has been working effectively in providing SEN students with timely assessment and intervention, and in enhancing teachers' professional knowledge and skills. On the suggestion of lowering the EP to schools ratio to

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<sup>10</sup> See [LC Paper No. CB\(4\)1039/13-14\(01\)](#).

1:4, EDB considers that the matter would require careful study in terms of resource implications and cost-effectiveness. Although EDB has no immediate plan to revise the manning ratio, it is open to further discussion with stakeholders on the way forward after the full implementation of SBEPS in 2016-2017. Some members and deputations however have stressed the need for early planning instead of until 2016-2017.

### **Creation of the post of Co-ordinator for SEN students**

45. In examining the resources and support for schools to implement integrated education, the Subcommittee is keenly aware of the heavy teaching and non-teaching workload on frontline teachers. Providing support to SEN students is primarily an add-on duty for many of them. Most members of the Subcommittee share the view of the teaching profession and other stakeholders that a permanent functional post should be created in each school to take up the responsibility to steer and co-ordinate services and support for SEN students ("the SENCO post"). It is noted that the EOC Report released in 2012 has also recommended the setting up of a SENCO post at management level. The holder of the SENCO post will be in the best position to co-ordinate resources and efforts in the provision of targeted support to SEN students and help formulate school policies and measures in this regard. Some members consider that this arrangement will result in a win-win situation for the school, SEN students and frontline teachers.

46. EDB has referred to the deputy headship post in public sector primary schools created in the 2008-2009 school year, whose duties include steering and co-ordinating efforts to support SEN students. Currently, primary and secondary schools have generally formed student support teams, and assigned vice-principals or senior teachers to lead and co-ordinate the engagement of the teaching force in implementing integrated education under WSA. According to EDB, the current practices allow schools to utilize resources effectively and flexibly. The improved student-to-teacher ratios in recent years<sup>11</sup> have given teachers more room to cater for students' learning diversity and SEN. Besides, the appropriate ranking and availability of qualified candidates to fill the posts also needs to be considered. In view of the above, EDB has indicated that it has no plan to create the SENCO post.

47. A member has expressed the view that as resources are limited, it will be more useful and beneficial to teachers if resources are deployed to strengthen training and better equip them in supporting SEN students, instead of creating a regular SENCO post. In consideration that different initiatives are competing for

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<sup>11</sup> The respective student-to-teacher ratios of public sector secondary and primary schools have improved from 18.1:1 and 19.1:1 in the 2004-2005 school year to 13.8:1 and 14.2:1 in the 2013-2014 school year.



limited resources, the member opines that priority should be given to strengthening training on integrated education for the teaching force.

48. To evaluate more objectively the efficacy of the proposed post in providing school-based support for SEN students, there is a suggestion that EDB should implement a pilot scheme by providing SENCO posts in a handful of schools for a trial period of two to three years. The Administration has agreed to tap some thinking on the suggestion.

### **Barrier-free access and facilities**

49. As informed by EDB, schools constructed after 1997 are in compliance with the prevailing requirements promulgated by the Buildings Department on barrier-free access to facilitate access to school buildings and facilities by persons with disabilities. In the 2012-2013 school year, out of the 852 ordinary public sector schools in Hong Kong, 227 of them were completed after 1997 and complied with the above standards. As for schools built before 1997, subject to technical feasibility, EDB has installed in their premises barrier-free facilities such as lifts, accessible toilets, ramps etc. through the second and subsequent phases of the School Improvement Programme. Schools may also carry out repair and improvement works on their facilities according to their needs in the context of the annual major repair/alteration programme, or apply for assistance under the Top-up Fund.

50. One of the main concerns raised by many deputations for students with VI and PD was that not all ordinary schools have provided the necessary barrier-free access and facilities to cater for these students. Members consider that EDB should take stock of the existing facilities at schools and ensure that rectification works will be carried out where feasible. The EDB has advised that while it does not keep statistics on the barrier-free facilities of individual schools, it will continue to install or improve school facilities for use by persons with disabilities as far as possible under the existing channels.

### **Recommendations**

51. The Subcommittee recommends that the Administration should -

- (a) step up monitoring and ensure that LSG is used for supporting SEN students;
- (b) continue to monitor the claw-back, if any, of unspent LSG and maintain close liaison with the schools concerned;

- (c) in collaboration with stakeholders, keep the existing funding mechanism under review;
- (d) explore the feasibility of improving the EP-to-schools ratio to 1:4 and extending SBEPS to pre-school education;
- (e) consider implementing a pilot scheme of providing a SENCO post in schools, and subject to successful outcomes, propose a timetable for establishing a regular SENCO post in each ordinary school; and
- (f) review on a regular basis the resources allocated for integrated education with a view to ensuring that they can adequately meet the needs and the trend of increase of SEN students.

## **Part V – Professional development of teachers**

### **Existing arrangements**

52. In the 2007-2008 school year, EDB launched the first five-year teacher professional development framework and provided structured training courses on catering for SEN students pitched at the Basic, Advanced and Thematic levels ("BAT Courses") for in-service teachers of public sector schools. In line with the international trend of supporting students according to their needs instead of the types of their SEN, EDB has, starting from the 2012-2013 school year, re-categorized the elective modules of the Advanced Course and Thematic Courses<sup>12</sup> so that teachers would be able to understand the learning and developmental needs of the students. A new round of BAT Courses has also been launched with the following targets to be achieved by each ordinary school by the end of the 2014-2015 school year –

- (a) at least 10% to 15% of teachers will complete the 30-hour Basic Course;
- (b) at least three to six teachers will complete the 90-hour Advanced Course; and
- (c) at least three to six teachers will complete the 90- to 120-hour Thematic Courses.

Apart from the BAT Courses, EDB also organizes workshops, seminars and sharing sessions from time to time for school heads, teachers and parents to enhance their awareness and understanding of students with different types of SEN.

53. As regards pre-service training for prospective teachers, EDB has informed the Subcommittee that teacher education institutions have included "supporting SEN students" or related contents in their pre-service teacher training programmes.

### **Teachers' capacity in supporting SEN students**

54. The Subcommittee considers that the preparedness and capability of the teaching force in catering for SEN students is pivotal to the success of integrated education. Some members are of the view that while WSA has its merits, it has

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<sup>12</sup> The elective modules are re-categorized into (i) Cognition and Learning Needs; (ii) Behavioural, Emotional and Social Development Needs; and (iii) Sensory, Communication and Physical Needs.

been implemented in such a sweeping and hasty manner that neither schools nor the teaching force has been adequately prepared to meet the challenges.

55. According to EDB, the existing training arrangements enable teachers to acquire the necessary training for supporting SEN students, while building up a critical mass of trained teachers in each school to guide and collaborate with colleagues in implementing WSA and appropriate teaching strategies to support SEN students.

56. Some members consider that the Administration has relied too heavily on the BAT Courses and has sidelined the importance of specialized and comprehensive pre-service training. There is a suggestion that the former two-year SEN training offered by the Hong Kong Institute of Education ("HKIEd") should be reinstated. While explaining that the BAT Courses are a practical form of training to equip teachers with the requisite knowledge and skills, EDB has advised that currently, degree programmes in special education are offered by HKIEd which are comparable to the former two-year training on special education. The Administration has noted the suggestion of providing government scholarships to encourage teachers to pursue studies in integrated education overseas.

### **Training targets**

57. Whilst noting that EDB has raised the training targets for the BAT Courses<sup>13</sup>, members generally consider that even if the new targets are attained, the number of teachers well-equipped to handle SEN students still lags behind the increase in students assessed with different types of SEN. The Subcommittee has noted with concern that according to the EOC Report released in 2012, among the 192 schools under study, only 26% of the principals have attended the BAT Courses. Furthermore, 49% of the teachers have not received any training in inclusive education. EDB has updated members that as at March 2014, 42% of public sector primary school teachers and 18.3% of public sector secondary school teachers have completed 30 hours or more structured training in special education (including BAT Courses or equivalent). In terms of schools, as at March 2014, 99.3% of public sector primary schools and 87.2% of public sector secondary schools had 10% or more of their teachers having completed special education training. Some schools have not met the training targets due to reasons such as the resignation of those teachers who have received training.

58. Notwithstanding EDB's explanation, some members still cast doubt over the efficacy of the training targets. There is a view that to implement WSA, the

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<sup>13</sup> According to the previous targets, for each ordinary school, at least 10% of its teachers should have completed the Basic Course; at least three teachers should have completed the Advanced Course; and at least one teacher should have completed the thematic training on each of the types of SEN of its students.

target should be set for all teachers in public sector schools to complete the BAT Courses. Moreover, for each of the four core subjects of Chinese Language, English Language, Mathematics and Liberal Studies ("LS") under the senior secondary curriculum, at least one teacher should have received training in special education.

### **Teachers' workload**

59. The Subcommittee is fully appreciative of the pressure on frontline teachers in having to cope with their heavy teaching and non-teaching duties while providing support to students with diverse SEN. In voicing their concerns, the teaching profession has depicted the enormous difficulties of attending to students with different SEN present within the same class. They have also stressed the need for greater support in carrying out various educational reforms including the implementation of integrated education.

60. Given the heavy workload of many serving teachers, there may be practical difficulties for schools to release them to attend BAT Courses or other in-service training. While supply teachers can provide manpower relief, there is concern about the continuity and quality of teaching if too much reliance is placed on substitute teachers. Some members consider that EDB should examine the feasibility of arranging special education experts to provide on-site training for teachers. The Subcommittee also sees a need to strengthen support on all fronts (e.g. the creation of a SENCO post and professional support such as SBEPS, speech and occupational therapy services etc. as discussed in Part IV) so that teachers can be placed in a better position to cater for SEN students. Whilst noting from EDB that the respective student-to-teacher ratios of public sector secondary and primary schools have improved to 13.8:1 and 14.2:1 in the 2013-2014 school year, some members opine that the relevant ratios should be further lowered to give teachers more room to cater for learner diversity including SEN.

### **Recommendations**

61. The Subcommittee recommends that the Administration should-

- (a) require pre-service teacher training programmes run by tertiary institutions to include integrated/special education as a core module;
- (b) provide more incentives (such as scholarships and career advancement) for in-service teachers to undertake further training in integrated education;

- (c) review the existing training targets and set a timetable for all school heads and teachers to complete those courses under the BAT Courses (or their equivalent) relevant to their needs;
- (d) examine the feasibility of arranging on-site training for serving teachers; and
- (e) explore in collaboration with the teaching profession on ways/support to enhance teachers' capacity in catering for SEN students.

## **Part VI – New senior secondary curriculum and assessment**

### **Existing arrangements**

62. The new senior secondary ("NSS") curriculum of the new academic structure ("NAS") has been implemented since the 2009-2010 school year to provide for three years of junior secondary and three years of senior secondary education leading to the Hong Kong Diploma of Secondary Education ("HKDSE") Examination. The NSS curriculum comprises three components, namely, (i) four core subjects of Chinese Language, English Language, Mathematics and LS; (ii) a choice of two or three subjects from 20 elective subjects, a range of Applied Learning ("ApL") courses and other languages; and (iii) Other Learning Experiences ("OLE"). The HKDSE Examination is administered by the Hong Kong Examinations and Assessment Authority ("HKEAA") which also provides special examination arrangements to SEN students according to their needs.

### **The NSS curriculum**

63. The Subcommittee notes that under the prevailing principle of "one curriculum framework for all", SEN students studying in ordinary secondary schools follow the same curriculum as regular students, with certain adaptations to the curriculum and assessment to cater for their different learning needs and abilities.

64. The Subcommittee shares many deputations' concern that SEN students, in particular those with SpLD, AD/HD and ASD, are disadvantaged under the NSS curriculum as the four core subjects place heavy emphasis on students' language competency and timed written assessments, in which these students are relatively weak. While many of these students lack the critical and analytical skills to achieve academic excellence, they may possess other creative skills and talents. However, the existing examination-oriented education system is not conducive to tapping and developing the potentials of these students.

65. According to the Administration, the NSS core curriculum has the flexibility to cater for student diversity. Some examples include the Elective Part of the Senior Secondary English Language curriculum under which students may choose three out of the eight suggested elective modules according to their preferences and abilities, and the Chinese Language curriculum which allows flexible use of learning materials, with over 300 pieces of recommended reference materials to cater for students' interests and abilities. Regarding concerns about the LS subject, the Administration has highlighted that the Independent Enquiry Study project of the LS subject can be submitted in either

written or non-written form to cater for students of different language abilities. Meanwhile, a medium and long-term review of the LS subject is underway.

66. The choice of electives under the NSS curriculum is also of concern to members. For instance, according to some parents, some schools only offer a limited range of ApL courses. Some students with PD have been advised by their schools not to take certain subjects such as Physical Education and Domestic Science out of safety or other reasons. A concern group has informed the Subcommittee that students with VI have not been given equal opportunities by their schools in OLE.

67. In this regard, the Administration considers that schools are in the best position to offer elective subjects having regard to the needs of their students, the resources available, their mission and school culture. Meanwhile, "student opportunities" is one of the guiding principles of a school-based OLE programme and schools should allocate OLE opportunities appropriately for all students, including SEN students. There is no policy decision that SEN students should not be allowed to take specific subjects. It would be for the school to communicate with the students/parents to explain the rationale for its decision and to provide appropriate support to the students concerned. Whilst noting that EDB would follow up individual cases where necessary, members consider that the Administration should critically review whether the practices described above amount to discrimination, in violation of DDO and the Code of Practice on Education.

### **Special examination arrangements**

68. Members concur that apart from daily learning support, appropriate special examination arrangements for SEN students are necessary to ensure that they can demonstrate their subject knowledge and skills and enjoy equal opportunities in assessments.

69. In 2009, EDB issued a set of guidelines<sup>14</sup> to schools setting out the principles and strategies on internal examination arrangements. As regards public examinations, including the HKDSE Examination, HKEAA has set up the Committee on Special Needs Candidates comprising representatives from EDB, special schools, secondary schools, tertiary institutions, Committee on Home-School Co-operation, and experts in the fields on educational psychology and occupational therapy. Some of the special arrangements implemented by HKEAA include extended examination time, question papers in enlarged print etc. According to EDB, it has been working closely with HKEAA to review the

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<sup>14</sup> The Guidelines on Special Examination Arrangements for Internal Examinations for Students with Special Educational needs. See [http://www.edb.gov.hk/attachment/en/curriculum-development/major-level-of-edu/special-educational-needs/supporting-resources/SpecialExamArrangement\\_\(eng\)\\_29012013.pdf](http://www.edb.gov.hk/attachment/en/curriculum-development/major-level-of-edu/special-educational-needs/supporting-resources/SpecialExamArrangement_(eng)_29012013.pdf).



special examination arrangements, including the types, target groups, criteria and arrangements.

70. The Subcommittee has sought information on the performance of SEN students in the four NSS core subjects in HKDSE Examinations. It is found that in the 2014 HKDSE Examination, the percentages of SEN students who have attained Level 2 or above in Chinese Language, English Language, Mathematics and LS are 49.2%, 47.1%, 58.1% and 60% respectively; while the corresponding percentages for regular students are 80.6%, 79%, 80.6% and 87.9% respectively<sup>15</sup>. Apparently, the results of SEN students compare much less favourably than those of regular students. Similar patterns are found in candidates' performance in the four NSS core subjects in the HKDSE Examinations of 2012 and 2013<sup>16</sup>.

71. Whilst members are fully aware that the performance of candidates in public examinations may be affected by various factors, they consider it important to put in place adaptation measures so that SEN students can be equitably assessed without having an unfair advantage over other candidates. To harness the benefits of technology, the Subcommittee has called on HKEAA to allow the use of assistive tools, speech-to-text conversion software or scribe in public examinations by SEN students who have difficulties in articulating written answers. As confirmed by HKEAA, it is studying the feasibility of allowing SEN students to answer questions by speech-to-text software or audio recording for the LS subject.

## **Recommendations**

72. The Subcommittee recommends that the Administration/HKEAA should -

- (a) take into account the needs of SEN students in its NAS Medium-term Review and in formulating appropriate recommendations;
- (b) provide more guidance to schools in catering for the learning needs of SEN students under the NSS curriculum;
- (c) expedite and promote the use of assistive tools and IT software in the assessment of SEN students in all subjects where appropriate;
- (d) periodically review, in conjunction with stakeholders and concern groups, the special examination arrangements for SEN students; and

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<sup>15</sup> See [LC Paper No. CB\(4\)1012/13-14\(01\)](#).

<sup>16</sup> See [LC Paper Nos. CB\(4\)233/13-14\(02\)](#) and [CB\(4\)946/12-13\(01\) \(Revised\)](#).

- (e) explore the possibility of establishing a designated fund for developing and acquiring the necessary assistive technology in the assessment of SEN students.

## **Part VII – Higher education**

### **Existing arrangements**

73. Students aspiring to progress to higher education have to meet the minimum general entrance requirements. For four-year undergraduate programmes, they have to attain Level 3 or above in Chinese Language and English Language, and Level 2 or above in Mathematics and LS (i.e. "3322") in the HKDSE Examination. The corresponding requirements for sub-degree programmes are five subjects at Level 2 or above (including Chinese Language and English Language).

74. According to the Administration, it is committed to providing young people, including SEN students, with flexible and diversified study pathways with multiple entry and exit points, which include undergraduate and sub-degree programmes and vocational education programmes. For instance, to enable SEN students to acquire appropriate professional education and training opportunities, the Government has supported the Vocational Training Council ("VTC") to set up the Youth College in the 2012-2013 academic year which provides dedicated support to SEN students and ethnic minority students.

75. The opportunities for SEN students to receive higher education and the support rendered to these students by the tertiary education sector are of major concern to the Subcommittee. For the purpose of this study, the Subcommittee has focused on the University Grants Committee ("UGC")-funded sector and VTC.

### **Admission of SEN students to post-secondary programmes**

76. The Subcommittee notes that Article 24 of the United Nations Convention on the Rights of Persons with Disabilities ("UNCRPD") requires, among others, that "States Parties shall ensure that persons with disabilities are able to access general tertiary education, vocational training, adult education and lifelong learning without discrimination and on an equal basis with others".

77. According to EDB's information in April 2014, the provisional number of full-time SEN students enrolled in UGC-funded undergraduate and sub-degree programmes in the 2013-2014 academic year is 247 and 11 respectively. The total of 258 SEN students accounts for only 0.3% of the total number of students. The corresponding percentage for the 2011-2012 and the 2012-2013 academic years was also 0.3%<sup>17</sup>.

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<sup>17</sup> See Controlling Officer's Reply Serial No. [EDB025](#) for the special meeting of the Finance Committee to examine the Estimates of Expenditure 2014-2015.

78. Given the persistently low proportion of SEN students pursuing UGC-funded programmes, the Subcommittee is deeply concerned that these students may have been disadvantaged under the existing admission system which is highly competitive and results-oriented. The Administration has explained that applicants with SEN are assessed by post-secondary institutions on the same basis with other applicants, taking into account their academic performance, non-academic achievements, recommendations of school principals, admission interviews etc. A sub-system under the Joint University Programmes Admission System (i.e. "JUPAS") was created in 1997 for admission of SEN students, whereby they do not need to compete with other applicants, but must meet the minimum entrance requirements of the corresponding programmes.

79. Some deputations have referred to examples of prestigious overseas universities which have a much higher intake of SEN students, in sharp contrast to the situation in Hong Kong. Members remain concerned whether SEN students in Hong Kong are able to compete on an equal footing with regular students for access to higher education.

80. The Subcommittee also notes that VTC has a special admission procedure under which SEN students who meet the entrance requirements and assessed to be able to complete the programme during the interview will be offered a place. According to the provisional figures for the 2013-2014 academic year, the total number of SEN studying in the VTC member institutions<sup>18</sup> is 657, of which 352 are enrolled in the Youth College<sup>19</sup>. The total number of SEN students accounts for 1% of VTC's total student population pursuing vocational education programmes.

### **Policy on implementation of integrated education in the higher education sector**

81. The Subcommittee notes that currently, there is no declared policy on implementation of integrated education in the higher education sector. Under the auspices of institutional autonomy, it is for individual institutions to administer the necessary support measures for their SEN students. This is quite different from the promulgated policy of implementing integrated education in ordinary primary and secondary schools according to certain prescribed principles such as WSA, 3-tier intervention model etc.

82. In the view of the Administration, it is not appropriate to direct how individual institutions, which enjoy autonomy in their academic and

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<sup>18</sup> Referring to the vocational education programmes provided by VTC.

<sup>19</sup> See Controlling Officer's Reply Serial No. [EDB074](#) for the special meeting of the Finance Committee to examine the Estimates of Expenditure 2014-2015. The total number includes students in publicly-funded and self-financing programmes.

administrative affairs, should provide support to SEN students. While members respect institutional autonomy, some of them are gravely concerned that in the absence of a clear policy and basic prescribed requirements, the institutions may lack the necessary direction and incentive to promote integrated education, particularly since the number of SEN students is relatively small. It is also difficult for the Administration and the community to assess the effectiveness or otherwise of the support provided to SEN students.

### **Role of the Government and UGC**

83. According to EDB, it would encourage the sharing of information on guidelines and codes of practice among the Government, NGOs and institutions, organize sharing sessions and workshops on issues of common concern to institutions and conduct studies on best practices in other jurisdictions in relation to the formulation of strategies and measures for supporting SEN students. UGC has also indicated that it will take the opportunity of the meetings with the Presidents of the UGC-funded institutions to draw their attention to the need to provide whole-campus support to SEN students.

84. Some members consider that the Government/UGC, as the major funding provider, should play a more active role in facilitating and overseeing the institutions in their provision of support to SEN students. There is a suggestion that instead of relying on ad-hoc activities, the Administration should co-ordinate the participation of all post-secondary institutions to form a joint-institutional working group as a standing forum to formulate policies and strategies, review practices and set targets for supporting SEN students. Greater use should also be made of the Internet platform for experience sharing among institutions. To enhance transparency, there is a view that UGC should require the institutions under its purview to publish on their websites their existing policy, services and support for SEN students. This would also encourage more students to declare their SENs to the institutions. The Administration has noted the suggestions for consideration with the UGC-funded institutions.

### **Provision of resources**

85. For each triennium, funding allocated to UGC-funded institutions is assessed according to the approved student numbers and disbursed in the form of a block grant. Individual institutions have flexibility in deploying their resources to enhance support for their SEN students. UGC does not specify how individual institutions should use their allocated resources.

86. Some members have requested the Administration to consider providing project-based funding to the institutions for supporting SEN students. In

response, UGC has confirmed that it is exploring the feasibility of offering a special funding injection to the institutions primarily for raising awareness of and initiating a cultural change in supporting SEN students. The funding will also support the purchase of assistive tools and strengthen training among academic and administrative staff. Institutions will be required to submit progress reports to UGC on the implementation of these initiatives.

87. Currently, VTC has a higher intake of SEN students among post-secondary institutions. On the funding arrangement, members note that since the 2013-2014 financial year, an additional annual recurrent funding of \$12 million has been allocated to VTC for procuring equipment and learning aids for SEN students, providing them with counseling services and enhancing the support for teaching and learning. The Administration has also earmarked about \$25.9 million to support the operation of the Youth College in the 2014-2015 academic year.

### **Support for SEN students pursuing post-secondary education**

88. Many deputations have depicted the day-to-day formidable challenges faced by SEN students studying in UGC-funded institutions and member institutions of VTC. For instance, according to some students with HI, not all institutions can provide free sign language interpreters or note-takers. Electronic versions of printed textbooks may not be readily available to students with VI. Members are seriously concerned about cases in which SEN students have to withdraw from their studies due to the lack of support. It was also submitted that many support measures for SEN students would cease upon their completion of secondary education<sup>20</sup>.

89. According to the Administration, many post-secondary education institutions provide special support services according to the needs of SEN students, including assigning academic advisors, providing special examination and assessment arrangements, appropriate boarding in campus, appropriate equipment (e.g. automatic page turner), scholarships and advisory service.

90. The Subcommittee does not doubt the usefulness of these measures and considers that they should be strengthened. Nevertheless, members consider that the absence of a defined policy on integrated education and the lack of high-level oversight by the Government are not conducive to creating a caring and inclusive campus. At the institutional level, the Subcommittee sees merits in the establishment of a dedicated unit or certain specialized posts in each institution to steer and co-ordinate the overall strategies and the provision of services for SEN students.

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<sup>20</sup> According to some deputations, the provision of free hearing aids by EDB would cease upon the students' completion of Secondary Six.

91. A number of deputations have pointed out that some SEN students were offered places by Taiwan universities where the learning and teaching environment was much more supportive. There is a suggestion that consideration should be given to providing financial assistance to needy SEN students so that they can benefit from university education in Taiwan. As advised by the Administration, it has no plan to set up a dedicated scholarship scheme for this purpose. However, there are scholarship schemes set up by the private sector for application by SEN students to pursue studies overseas.

## **Recommendations**

92. The Subcommittee recommends that the Administration/UGC should -

- (a) consider the feasibility of formulating a policy on implementation of integrated education in the higher education sector;
- (b) work with the institutions to regularly review their admission arrangements to ensure that deserving SEN students will not be unfairly denied access;
- (c) actively explore the setting up of a standing forum participated by all UGC-funded institutions to formulate policies and strategies, share experience, review practices and set targets for supporting SEN students;
- (d) play a more active role to oversee and facilitate the institutions in the provision of support to SEN students;
- (e) explore, in conjunction with the institutions under its purview, the feasibility of setting up a dedicated unit/specialized posts in each institution to oversee the provision of support to SEN students;
- (f) consider requiring the UGC-funded institutions to publish on their websites their existing policy, services and support for SEN students; and
- (g) offer the special injection of funding to UGC-funded institutions for supporting SEN students as early as possible.

## **Part VIII – Complaint-handling, home-school co-operation and public education**

### **Existing arrangements**

93. The existing mechanism for handling complaints against schools, including complaints about the implementation of integrated education, comprises the following approaches –

- (a) school-based complaint handling procedures: the complainant and the school would initially resolve a dispute through discussion at the school level;
- (b) mediation by EDB: if a mutual agreement cannot be reached, the case may be referred to the relevant Regional Education Office ("REO") of EDB for arranging a mediation meeting to assist both parties to reach a settlement; and
- (c) Case Study Group: should the dispute remain unresolved, EDB will appoint members to form a Case Study Group to solicit views from professionals and the persons concerned. The Group will review the case in an objective and fair manner and put forward settlement proposals to EDB.

94. If the complaint relates to disability discrimination, apart from the above procedures, the complainant may also submit the case to EOC for investigation. Where the Education Ordinance (Cap. 279), education policies and services directly provided by EDB are involved, the complaint will be handled by the Bureau.

95. As regards home-school co-operation, EDB has urged schools to establish a regular communication mechanism with parents, details of which have been set out in the Operation Guide on the Whole School Approach to Integrated Education, including engaging parents in planning of intervention programmes and evaluating the progress of their children and the effectiveness of the support so as to tie in with the work of the schools. Schools are also required to report their policies on integrated education, additional resources allocated and support measures in their Annual School Reports and on their school websites for parents' reference. The Parent Guide on the Whole School Approach to Integrated Education is also available on EDB's website.

96. According to the Administration, it attaches great importance to publicity and information dissemination for enhancing public awareness of integrated education, and will continue to collaborate with the school sector, government



agencies and NGOs to promote integrated education through different media and activities such as workshops, exhibitions, TV programmes, docu-drama series etc.

### **School-based complaint-handling procedures**

97. Members note that in line with the spirit of school-based management, parents/complainants are often advised to pursue their complaints through the complaint-handling procedures put in place by individual schools. Quite a number of deputations have reflected concerns about the conflicting roles of schools in being the subject of complaint and the investigator of complaints at the same time. Some parents are also worried that as a result of their lodging complaints against the school, their children with SEN may be victimized. There is reservation over whether schools are well-placed to deal with complaints against themselves objectively and fairly.

98. Most members share the view that to ensure impartiality and fairness in handling and resolving complaints related to integrated education, the Administration should consider the feasibility of establishing an independent complaint-handling mechanism. However, given that a set of procedures are already in place for handling complaints against schools (including those related to integrated education), a member has expressed reservation on whether it is necessary or appropriate to set up a separate mechanism for this purpose as this may give rise to duplication of work and resources.

99. The Subcommittee has requested EDB to provide relevant information in order to gauge the prevalence of complaints and the efficacy of school-based complaint-handling procedures. According to EDB, in the 2010-2011, 2011-2012 and 2012-2013 school years, the number of complaints related to the implementation of integrated education recorded and filed by EDB was 6, 4 and 4 cases respectively. The Administration does not collect information on the number of complaints handled directly by individual schools under their respective procedures. For the past three years, there has not been any unresolved complaint which requires the appointment of a Case Study Group. In EDB's view, the school-based approach can redress grievances at source and facilitate timely responses and follow-up action. Members note that to address concerns about the existing arrangements, EDB launched the Pilot Project on Revised School Complaints Handling Arrangements in the 2012-2013 school year to help participating schools put in place or enhance the school-based mechanism for establishing a fair, just and open system for managing complaints.

## **Role of EDB and EOC**

100. The Subcommittee notes that under the Code of Practice on Education issued by EOC, education establishments should develop grievance procedures to handle grievances or complaints from their students and parents; while the Government should help resolve disputes between schools and students and their parents concerning matters relating to DDO. Although the Administration has stated that it will not set up a separate body to handle complaints about integrated education, some members consider that EDB and EOC should play a greater role in facilitating the satisfactory and early resolution of complaints. EDB should also keep under ongoing review the consistency in practice adopted by different REOs in handling complaints against schools in their respective districts.

101. In submitting views to the Subcommittee, a number of deputations observed that discrimination against SEN students still prevailed at the school and community levels. Members concur that there is a strong need for the Administration to take action to enhance home-school co-operation and step up public education initiatives at all fronts to create a more inclusive school and social environment. They believe these proactive measures will help promote mutual understanding and reduce complaints.

## **Recommendations**

102. The Subcommittee recommends that the Administration should-

- (a) keep the existing complaint-handling mechanism under ongoing review and enhancement; and where necessary, gauge the views of stakeholders (e.g. parents, schools, teachers) and collect relevant information so as to ascertain the effectiveness of the arrangements;
- (b) consider the feasibility of establishing an independent complaint-handling mechanism for dealing with complaints related to integrated education;
- (c) proactively promote home-school co-operation and step up public education initiatives to arouse public awareness of the concept and measures in integrated education, thereby helping reduce the incidence of misunderstanding and disputes; and
- (d) urge EOC to monitor and where necessary, review the implementation of DDO and the Code of Practice on Education.

## **Part IX – The way forward for supporting students with special educational needs**

103. In the foregoing Parts, the Subcommittee has examined the main challenges arising from the implementation of integrated education in Hong Kong. In the course of its study, the Subcommittee has also identified a number of policy issues worth-exploring with a view to enhancing support for SEN students. They are discussed in the ensuing paragraphs.

### **Regulation by way of legislation**

104. At present, there is no legislation in Hong Kong that specifically deals with education for SEN students. The Subcommittee notes from the paper prepared by the Research Office of the LegCo Secretariat (**Appendix V**) that in Taiwan, UK and US, legislation on inclusive education, which emphasizes on equipping the school environment to fit the needs of SEN students, has been put in place. The identification and assessment of SEN students, the entitlement of each SEN student to IEP, parents' participation, the appeal and monitoring mechanisms are enshrined in the relevant legislation.

105. Some members and deputations support the introduction of legislation on integrated education in Hong Kong. While reckoning that legislation is not a panacea, they see merits in specifying the requirements for supporting SEN students in law for reference and compliance by schools and other relevant parties. Some of them also look forward to a clearer delineation of the responsibilities and training required of teachers in supporting SEN students so that the necessary resources can be provided accordingly. Some members however consider it more pragmatic to focus on the provision of timely and appropriate support to teachers and schools in catering for diverse SEN students. A member has also expressed reservation on the legislative approach, and considers that legislation may not necessarily address all the issues and problems arising from the implementation of integrated education.

106. With the implementation of DDO and the Code of Practice on Education, the Administration is of the view that the existing legal framework can basically serve as an effective safeguard for the rights of SEN students. On overseas experience, it has indicated that while legislation can prescribe the basic requirements, the mere fulfillment of these requirements cannot ensure service quality. Legislation has also created considerable administrative work for schools and teachers. From an educational perspective, the Administration considers the adoption of WSA more effective in supporting SEN students. It is of the view that at this stage, it is more appropriate to focus on exploring how

support measures for implementing integrated education can be further strengthened.

107. Whilst noting the Administration's stance, the Subcommittee considers that the Administration should maintain an open mind on the legislative approach; and where appropriate, initiate the necessary study and consultation in due course.

### **Provision of IEPs**

108. Under the 3-tier intervention model (discussed in Part IV), intensive individualized support including the provision of IEPs is only available to students with persistent and severe learning difficulties requiring tier-3 support. The student support team in the school, in consultation with professionals and parents, will decide on the need to formulate IEPs, which cover measurable learning targets, specific teaching strategies, accommodations required, success criteria and review timetable etc. The school is required to invite parents to meetings for reviewing the effectiveness of IEP at least twice per year. Although IEPs are not required for students receiving tier-1 and tier-2 support, schools are required to maintain student support registers for these students.

109. The Subcommittee has noted from EDB that, based on information provided by schools, about 1 600 students were provided with IEPs in the 2012-2013 school year (as at April 2013)<sup>21</sup>. Owing to the importance of IEPs in the educational development of SEN students and the low proportion of these students (i.e. not more than 5%) provided with IEPs, some deputations and members have questioned whether, as a longer-term goal, consideration would be given to requiring schools to develop IEP for every SEN student. This will bring Hong Kong more on par with those jurisdictions where all SEN students are entitled to IEPs.

110. According to EDB, the existing arrangement serves to ensure that the most appropriate resources and services can be made available to students with diverse needs. In places where the requirement of IEP is mandatory for all SEN students, teachers are often strained with the administrative/paper work. The requirement may have become a formality and in some cases, a single IEP is applied to all SEN students in a class regardless of their needs. EDB considers that IEPs is only one of the many strategies (e.g. differentiated teaching, assistive technologies etc.) for supporting SEN students. Instead of being a general requirement, the provision of IEPs should be subject to students' needs and based on professional judgement and decision of schools.

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<sup>21</sup> See [LC Paper No. CB\(4\)613/12-13\(01\)](#).

111. In this connection, the Subcommittee notes that one of the recommendations in the EOC Report released in 2012 was the provision of specialized and long-term IEP for each student diagnosed with SEN. Some members opine that certain shortcomings identified in the implementation of IEPs for SEN students in overseas regimes should not be a reason for excluding the matter from consideration in the longer run.

### **Support for students with mental derangement**

112. Mental derangement ("MD") covers a range of conditions such as depression, anxiety and psychosis. The Administration has briefed the Subcommittee on the existing identification, assessment and educational services for students with MD, which are broadly similar to those for SEN students. Students with MD are mainly attended by psychiatrists and followed up by paramedical professionals such as clinical psychologists and medical social workers.

113. The Subcommittee is concerned that although students with MD also face difficulties in mainstream education, currently, MD or mental disorders is not a specified type of SEN for which schools can receive additional recurrent resources from EDB. EOC has also submitted its views that the support for students with mental illness under the existing education system is far from satisfactory. It has referred to the inquest into the death of a student who committed suicide in 2010 in which the Jury has recommended that the Government and educational institutions should assess whether the existing integrated education system is suitable for persons with mental illness<sup>22</sup>. Members share deputations' view that tragedies might have been averted if targeted and timely support had been rendered to these students.

114. On the reasons for not including MD as a type of SEN, the Administration has explained that unlike ID or ASD, MD is not a developmental disorder. With proper treatment and rehabilitation, students with MD can overcome their difficulties which are mostly transient in nature. Hence, the main role played by schools is to help them adapt to school life in tandem with the medical treatment and rehabilitation requirements. For students with severe emotional and behavioural problems induced by their MD, EDB will consider providing their schools with a time-limited grant for employing teaching assistants to help the students concerned follow classroom routines and learn effectively. EDB also encourages schools to adopt the 3-tier intervention model and where necessary, to work out IEPs for these students. It has laid down in its School Administration Guide a guideline entitled "How Schools can Help Students with Mental Health Problems".

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<sup>22</sup> Coroners' Report 2011. See [http://www.judiciary.gov.hk/en/publications/coroner\\_report\\_may2012.pdf](http://www.judiciary.gov.hk/en/publications/coroner_report_may2012.pdf).

115. Some members have queried the discrepancy between the number of students receiving psychiatric service as reported by HA (i.e. 17 000 cases in 2012-2013) and that known to EDB (i.e. about 130 cases). According to the Administration, the figure of 17 000 included students aged 18 or below, and covered students suffering from MD as well as other SENs. The number known to EDB included only primary and secondary students whose parents had given consent to disclose the information to EDB.

116. The Subcommittee has been informed that EDB has reached a consensus with the seven district centres of the Early Assessment Service for Young People of HA under which school may call the respective district service centres for expert advice and support. To improve the notification mechanism, members note that HA has newly introduced an "opt-out" system, under which the psychiatrists will, unless there is objection from parents, inform the schools of the students diagnosed with MD so that the student support teams of the relevant schools can make timely arrangements.

### **Cross-sectoral collaboration**

117. Cross-sectoral collaboration is one of the five basic principles according to which integrated education is implemented. The Subcommittee notes that EDB has set up the Task Force on Integrated Education in Mainstream Schools ("the Task Force") in 2005 comprising representatives from major stakeholders. EDB provides regular updates to the Task Force and seeks its views on improvement measures. EDB, DH and HA also conduct annual meetings to discuss issues of concern. Notwithstanding, the Subcommittee has expressed concerns about the delivery of some services and support which straddle different sectors or government agencies.

### **Amplification devices for students with HI**

118. The Subcommittee notes that for students with persistent HI, they are referred by HA/DH to EDB for provision of free hearing aids. For those suffering from profound HI, cochlear implant surgery is usually performed. The cochlear implant is made up of an implant which can usually last for a lifetime, and an external speech processor subject to three-year warranty. These processors are regarded as medical items and the costs for their repair and maintenance are not covered by the services of standard charges of HA. Since April 2013, the replacement of external speech processor and related accessories has been covered under the Samaritan Fund.

119. Some members share deputations' view that as the external speech processor is an integral part of the cochlear implant necessary for improving the

hearing ability of students with HI, it should not be treated as a self-paid medical item. They consider that as students with HI are entitled to equal opportunities in education through the use of assistive devices, it is unfair that their entitlement should be subject to means test as currently required under the Samaritan Fund.

120. At present, the provision of external speech processors (as part of the cochlear implant) and hearing aids is administered by HA and EDB respectively. The provision of the former is subject to a cost while the latter is provided free of charge. There is a view that consideration should be given to adopting a uniform approach, given that both devices are assistive tools for supporting students with HI.

#### Access by students with VI to printed works

121. To improve access by students with VI to printed works (notably textbooks and related publications) published locally and overseas, the Subcommittee has asked the Administration to consider introducing amendments to the existing copyright legislation in order to give effect to the Marrakesh Treaty to Facilitate Access to Published Works for Persons who are Blind, Visually Impaired, or otherwise Print Disabled ("Marrakesh Treaty") adopted by the World Intellectual Property Organization on 28 June 2013. Pursuant to the Treaty, contracting parties are required to adopt national law provisions that permit the reproduction, distribution and making available of published works in accessible formats through limitations and exceptions to the rights of copyright owners.

122. According to EDB's information in September 2013, although the Marrakesh Treaty has yet to come into force, EDB will pay close attention to its development and will advise the Commerce and Economic Development Bureau on relevant issues where necessary. EDB has also advised that the current arrangements for the production of Braille textbooks and reference books are made in compliance with the Copyright Ordinance (Cap. 528).

#### **Use of sign language**

123. The Subcommittee has exchanged views with the Administration and deputations on the use of sign language, having regard to Article 24 of UNCRPD which contains provisions requiring States Parties to promote and facilitate the learning of sign language. There is a view that the role of sign language should be clearly stated in Hong Kong's education policies. Some deputations have strongly requested that sign language should be used as an additional medium of instruction. Some members have suggested that sign language should be included in the regular school curriculum, and that EDB should promote sign bilingualism in ordinary schools on account of the success of the Sign

Bilingualism and Co-enrolment in Deaf Education Programme. The Subcommittee has also passed a motion urging the Government to proactively provide funding support to sign bilingualism co-enrolment schemes currently implemented in mainstream schools.

124. According to EDB, it has all along encouraged teachers to adopt the most appropriate mode to teach and communicate with students with HI having regard to their needs and abilities. In fact, most developed countries provide children with HI with different teaching/support modes instead of adhering to one particular mode. EDB has informed members that apart from the use of sign bilingualism, there are also successful cases in which the school adopts WSA to create an inclusive and caring learning and teaching environment for students with HI.

125. While EDB has no plan to include sign language into the ordinary school curriculum, it will continue to promote sign language to tie in with the work of the Working Group on Promoting Sign Language under the Rehabilitation Advisory Committee. In response to members' concern about the future funding support for the Sign Bilingualism and Co-enrolment in Deaf Education Programme, EDB has reverted to the Subcommittee that it has suggested to the Centre for Sign Linguistics and Deaf Studies to seek funding from the Quality Education Fund to try out the strategies in supporting students with HI.

## **Recommendations**

126. The Subcommittee recommends that the Administration should –

- (a) make reference to the experience of overseas jurisdictions in implementing legislation on inclusive education, and consider with an open mind the adoption of the legislative approach in Hong Kong; and where appropriate, initiate the necessary study and consultation in due course;
- (b) formulate plans, strategies and secure resources to include the provision of IEPs for all SEN students as a longer-term goal;
- (c) follow up the relevant recommendation in the Coroners' Report 2011 and consider ways to strengthen support for students with MD under the existing integrated education system;
- (d) pay close attention to cross-sectoral issues with a view to delivering equitable and appropriate services and support to SEN students;



- (e) continue to keep in view the developments of different teaching/support modes for students with HI such as sign bilingualism, and initiate improvements to the existing arrangements where appropriate; and
- (f) where certain teaching/support modes for students with HI have produced successful outcomes, take steps to provide resources to support such initiatives.

## **Part X – Summary of recommendations**

127. The Subcommittee's recommendations are summarized below.

128. The Subcommittee recommends that the Administration and relevant authorities should –

### In respect of early identification and early intervention for students with special educational needs (paragraph 18 refers)

- (a) establish a cross-departmental and cross-sectoral working group to critically review the existing mechanism and deploy necessary resources to ensure that SEN students can receive early identification and intervention;
- (b) to take practicable steps to shorten the waiting time for assessment of SEN students so that the assessment can be completed preferably within three months;
- (c) explore other options, such as the issuance of vouchers to children with SEN to procure the necessary services from NGOs/service providers in a timely manner;
- (d) seriously consider devising a standardized format for assessment reports on SEN students;
- (e) examine the feasibility of establishing a centralized database for each SEN student which includes information on assessment and services rendered to the student to facilitate communication between parents, schools and service providers;

### In respect of student placement (paragraph 29 refers)

- (f) explore feasible models to enable schools to implement targeted support for supporting different types of SEN students within the same school;
- (g) having regard to the well-being of the students and parental choice, exercise greater flexibility in the placement of students with limited intelligence to special schools or ordinary schools;
- (h) take steps to improve the transparency of information, such as requiring schools to include in their school profiles information on the number of SEN students admitted, the support services provided

to these students and any other relevant information that can facilitate the choice of school;

In respect of resources and support for schools (paragraph 51 refers)

- (i) step up monitoring and ensure that LSG is used for supporting SEN students;
- (j) continue to monitor the claw-back, if any, of unspent LSG and maintain close liaison with the schools concerned;
- (k) in collaboration with stakeholders, keep the existing funding mechanism under review;
- (l) explore the feasibility of improving the EP-to-schools ratio to 1:4 and extending SBEPS to pre-school education;
- (m) consider implementing a pilot scheme of providing a SENCO post in schools, and subject to successful outcomes, propose a timetable for establishing a regular SENCO post in each ordinary school;
- (n) review on a regular basis the resources allocated for integrated education with a view to ensuring that they can adequately meet the needs and the trend of increase of SEN students;

In respect of professional development of teachers (paragraph 61 refers)

- (o) require pre-service teacher training programmes run by tertiary institutions to include integrated/special education as a core module;
- (p) provide more incentives (such as scholarships and career advancement) for in-service teachers to undertake further training in integrated education;
- (q) review the existing training targets and set a timetable for all school heads and teachers to complete those courses under the BAT Courses (or their equivalent) relevant to their needs;
- (r) examine the feasibility of arranging on-site training for serving teachers;
- (s) explore in collaboration with the teaching profession on ways/support to enhance teachers' capacity in catering for SEN students;

In respect of the new senior secondary curriculum and assessment  
(paragraph 72 refers)

- (t) take into account the needs of SEN students in its NAS Medium-term Review and in formulating appropriate recommendations;
- (u) provide more guidance to schools in catering for the learning needs of SEN students under the NSS curriculum;
- (v) expedite and promote the use of assistive tools and IT software in the assessment of SEN students in all subjects where appropriate;
- (w) periodically review, in conjunction with stakeholders and concern groups, the special examination arrangements for SEN students;
- (x) explore the possibility of establishing a designated fund for developing and acquiring the necessary assistive technology in the assessment of SEN students;

In respect of higher education (paragraph 92 refers)

- (y) consider the feasibility of formulating a policy on implementation of integrated education in the higher education sector;
- (z) work with the institutions to regularly review their admission arrangements to ensure that deserving SEN students will not be unfairly denied access;
- (aa) actively explore the setting up of a standing forum participated by all UGC-funded institutions to formulate policies and strategies, share experience, review practices and set targets for supporting SEN students;
- (bb) play a more active role to oversee and facilitate the institutions in the provision of support to SEN students;
- (cc) explore, in conjunction with the institutions under its purview, the feasibility of setting up a dedicated unit/specialized posts in each institution to oversee the provision of support to SEN students;
- (dd) consider requiring the UGC-funded institutions to publish on their websites their existing policy, services and support for SEN students;

- (ee) offer the special injection of funding to UGC-funded institutions for supporting SEN students as early as possible;

In respect of complaint-handling, home-school co-operation and public education (paragraph 102 refers)

- (ff) keep the existing complaint-handling mechanism under ongoing review and enhancement; and where necessary, gauge the views of stakeholders (e.g. parents, schools, teachers) and collect relevant information so as to ascertain the effectiveness of the arrangements;
- (gg) consider the feasibility of establishing an independent complaint-handling mechanism for dealing with complaints related to integrated education;
- (hh) proactively promote home-school co-operation and step up public education initiatives to arouse public awareness of the concept and measures in integrated education, thereby helping reduce the incidence of misunderstanding and disputes;
- (ii) urge EOC to monitor and where necessary, review the implementation of DDO and the Code of Practice on Education;

In respect of the way forward for supporting SEN students (paragraph 126 refers)

- (jj) make reference to the experience of overseas jurisdictions in implementing legislation on inclusive education, and consider with an open mind the adoption of the legislative approach in Hong Kong; and where appropriate, initiate the necessary study and consultation in due course;
- (kk) formulate plans, strategies and secure resources to include the provision of IEPs for all SEN students as a longer-term goal;
- (ll) follow up the relevant recommendation in the Coroners' Report 2011 and consider ways to strengthen support for students with MD under the existing integrated education system;
- (mm) pay close attention to cross-sectoral issues with a view to delivering equitable and appropriate services and support to SEN students;
- (nn) continue to keep in view the developments of different teaching/support modes for students with HI such as sign

bilingualism, and initiate improvements to the existing arrangements where appropriate; and

- (oo) where certain teaching/support modes for students with HI have produced successful outcomes, take steps to provide resources to support such initiatives.

## Appendix I

### Number of students with SEN studying in public sector ordinary primary and secondary schools by major SEN types from the 2009-2010 to 2013-2014 school years

School year	School level	Specific learning difficulties	Intellectual disability	Autism spectrum disorders	Attention deficit/ Hyperactivity disorder	Physical disability	Visual impairment	Hearing impairment	Speech & language impairment	Total
<b>2009-2010</b>	Primary	7 910	760	1 480	1 490	170	50	340	1520	<b>13 720</b>
	Secondary	5 050	710	570	740	190	90	470	180	<b>8 000</b>
<b>2010-2011</b>	Primary	8 550	770	1 980	2 000	210	50	330	1 480	<b>15 370</b>
	Secondary	6 430	810	780	1 250	230	90	450	230	<b>10 270</b>
<b>2011-2012</b>	Primary	8 430	780	2 320	1 950	140	40	310	1 970	<b>15 940</b>
	Secondary	7 850	940	1 050	1 790	250	110	490	210	<b>12 690</b>
<b>2012-2013</b>	Primary	8 390	760	2 840	2 450	130	30	270	1 940	<b>16 810</b>
	Secondary	9 050	930	1 310	2 330	250	100	420	190	<b>14 580</b>
<b>2013-2014</b>	Primary	8 190	750	3 310	2 850	120	30	260	1 880	<b>17 390</b>
	Secondary	9 890	930	1 660	3 010	240	100	400	210	<b>16 440</b>

Source : Controlling Officer's Reply Serial No. EDB356 for the special meeting of the Finance Committee to examine the Estimates of Expenditure 2014-2015

**Panel on Education**

**Subcommittee on Integrated Education**

**Membership list**

<b>Chairman</b>	Dr Hon Fernando CHEUNG Chiu-hung
<b>Deputy Chairman</b>	Hon IP Kin-yuen
<b>Members</b>	Hon LEUNG Yiu-chung Hon TAM Yiu-chung, GBS, JP Hon Abraham SHEK Lai-him, GBS, JP Hon Cyd HO Sau-lan (up to 29 May 2014) Hon CHEUNG Kwok-che Hon Claudia MO (up to 23 October 2013) Dr Hon Kenneth CHAN Ka-lok Dr Hon Helena WONG Pik-wan (up to 14 March 2014) Dr Hon Elizabeth QUAT, JP  Total : 8 Members
<b>Clerk</b>	Miss Polly YEUNG
<b>Legal Adviser</b>	Miss Carrie WONG
<b>Date</b>	3 June 2014



**Panel on Education**

**Subcommittee on Integrated Education**

**Terms of Reference**

To study and review the existing policy on integrated education, including the support measures for students with special educational needs and the strengthening of teaching, administrative and financial support for special schools and schools implementing integrated education, and make timely recommendations.

**Lists of organisations and individuals that have submitted views to the Subcommittee****Organizations**

1. 1st Step Association
2. ADDult Value Association
3. Association for the Rights of Hearing Impaired Students
4. Association for the Rights of Students with Hearing Impairment
5. Autism Hong Kong
6. Autism Partnership Hong Kong
7. Autism Partnership School
8. Autism Recovery Network Limited
9. Buddhist Tai Kwong Chi Hong College Parent-Teacher Association
10. Caritas Youth and Community Service
11. Center for Sign Linguistics and Deaf Studies, The Chinese University of Hong Kong
12. Chinese YMCA of Hong Kong Y's Men's Centre for the Deaf
13. Chosen Power (People First Hong Kong)
14. Civic Party
15. CNEC Lau Wing Sang Secondary School
16. CODA Hong Kong
17. Concord Mutual-Aid Club Alliance
18. Council of Non-profit Making Organizations for Pre-primary Education
19. Democratic Alliance for the Betterment and Progress of Hong Kong
20. Democratic Party
21. Department of Special Education and Counselling, Hong Kong Institute of Education
22. Distinctive Learning Society
23. Division of Educational Psychology, The Hong Kong Psychological Society
24. Division of Speech Therapy, Department of Otorhinolaryngology, Head and Neck Surgery, Faculty of Medicine, The Chinese University of Hong Kong
25. Education Convergence
26. Education Employees General Union
27. ELCHK Hung Hom Lutheran Primary School
28. Equal Opportunities Commission
29. Fortress Hill Methodist Secondary School
30. Fortress Hill Methodist Secondary School Parents Teachers Association
31. Heep Hong Parents' Association
32. Heep Hong Society
33. HKCKLA Buddhist Po Kwong School
34. HKMLC Queen Maud Secondary School
35. Hong Kong Association for AD/HD

36. Hong Kong Association for Parents of Persons with Physical Disabilities
37. Hong Kong Association for Specific Learning Disabilities
38. Hong Kong Association of Squint and Double Vision Sufferers
39. Hong Kong Association of the Deaf
40. Hong Kong Association of the Heads of Secondary Schools
41. Hong Kong Autism Awareness Alliance
42. Hong Kong Blind Union
43. Hong Kong Blind Union Trailwalker Vocational and Educational Resource Centre
44. Hong Kong Christian Service Chih Ai Parents' Association
45. Hong Kong Christian Service Infant Stimulation and Parent Effectiveness Training Service
46. Hong Kong Christian Service School Social Work Service
47. Hong Kong Federation of Handicapped Youth
48. Hong Kong Federation of the Blind
49. Hong Kong Integrated Education Concern Association
50. Hong Kong Integrated Education Concern Association (Policy Research Group)
51. Hong Kong Occupational Therapy Association
52. Hong Kong Parents Association for the Hearing-Impaired
53. Hong Kong Professional Teachers' Union
54. Hong Kong Red Cross John F. Kennedy Centre Alumni Association
55. Hong Kong Sign Language Association
56. Hong Kong Social Workers' General Union
57. Hong Kong Student Aid Society
58. Kowloon Bay St. John the Baptist Catholic Primary School
59. Labour Party
60. News of Deaf
61. Ng Yuk Secondary School
62. Parents Group of SLD Community Support Project, Caritas – HK(YCS)
63. S.K.H. Tin Shui Wai Ling Oi Primary School
64. SAHK
65. SEN Rights
66. SILENCE
67. Society for the Welfare of the Autistic Persons
68. Special Educational Needs & Parents Association Limited
69. Suen Mei Speech & Hearing Centre
70. The Fortright Caucus
71. The Hong Kong Institute of Education
72. The Hong Kong Society for the Blind
73. The Hong Kong Society for the Deaf
74. The Liaison Group of Professional Training Programmes for Educational Psychologists in Hong Kong

75. The Parents Association of Autistic Children in Mainstream Education Limited
76. The Parents' Association of Pre-school Handicapped Children
77. The Special Education Society of Hong Kong Ltd.
78. Young DAB
79. 香港明愛康復服務家長諮詢聯會融合教育關注小組
80. 香港特殊學習障礙協會(大專關注組)
81. 香港特殊學習障礙協會(大學關注組)
82. 香港特殊學習障礙協會(小學家長代表)
83. 香港特殊學習障礙協會(小學關注組)
84. 香港特殊學習障礙協會(中學關注組)
85. 香港特殊學習障礙協會倡議小組
86. 香港聾人協進會聾童教育中心
87. 真鐸學生權益關注組
88. 視障中學生關注融合教育聯盟
89. 視障生融合教育關注組
90. 輕度智障權益關注組
91. 關注特殊教育權益家長大聯盟
92. 聽障學生權益會
93. 聽障學生權益會人工耳蝸關注組
94. 聽障學生權益會大專教育關注組
95. 聽障學生權益會手語教學關注組
96. 聽障學生權益會助聽器質素關注組

### Individuals

97. Ms ANNE
98. Dr Angel AU
99. Ms AU Pik-hau
100. Mr Philip CHAN
101. Ms Winnie CHAN
102. Mr CHAN Chau-fat
103. Ms CHAN Ching-han
104. Ms CHAN Fung-shan
105. Ms Ice CHAN Suet-lai
106. Ms CHAN Xiang-yuen
107. Miss Stella CHAN Yuen-tang
108. Ms CHENG Ko-yau
109. Miss CHENG Wing-yan
110. Ms Josephine CHEUNG
111. Miss Kate CHEUNG

112. Ms Krystal CHEUNG
113. Ms CHEUNG Kam-ling
114. Ms CHEUNG Man-chu
115. Miss CHEUNG Pui-pui
116. Miss Winnie CHEUNG Wing-yin
117. Mr CHIU Ka-chun
118. Ms Fanny CHOI
119. Ms CHOI Ah-ping
120. Ms CHOI Shuet-chun
121. Ms CHOI Tsz-wan
122. Mr CHOI Yip-piu
123. Mr CHONG Chan-yau
124. Mr CHUIN Chi-wai
125. Miss FONG Ching-man
126. Dr Robert HANSON
127. Ms HO Chun
128. Ms Doreen HO Mei-yee
129. Ms HO Shuk-yi
130. Ms HON Man-fong
131. Ms Shirley HUI
132. Mr HUI Wai-chun
133. Ms HUNG Sau-king
134. Mr IP Chi-yung
135. Ms JENNY
136. Mr KWONG Chung-on
137. Ms Anita LAM
138. Miss Emily LAM
139. Ms LAM Ka-man
140. Ms Becky LAU
141. Mr Joseph LAU
142. Mr LAI Ka-yau
143. Dr Tony LAI Tai-sum
144. Mr LEE Chi-yung
145. Ms LEE Kit-yi
146. Mr LEE Kwok-tung
147. Ms LEE Pui-ying
148. Ms Bernice LEUNG
149. Ms LI Lei
150. Mrs LING CHOW Hor-yee
151. Ms Candy LING Yuet-man
152. Alex LIU
153. Ms LO Sau-fun
154. Mr LO Tak-keung

155. Mr MAK Ka-yue
156. Miss MAK Wai-kwan
157. Ms Maggie MAN Suet-yung
158. Mr Ronald NG Ho-yin
159. Ms NG Lai-ho
160. Dr Lydia NG Shuk-ying
161. Ms PANG Sze-yau
162. Ms POON Lai-ching
163. Miss Joyce PUN Chung-sze
164. Mr SHEK Yiu-fai
165. Mr SHIU Siu-pui
166. Professor SIN Kuen-fung
167. Ms SO Ting-wai
168. Ms TAI Ngan-yung
169. Ms Cindy TANG
170. Mr FC TANG
171. Miss Mandy TANG Hoi-man
172. Mr TANG Siu-chung
173. Prof Gladys TANG Wai-lan
174. Mr WA Kwai-lun
175. Mr WO Wei-yan
176. Ms Angela WONG
177. Ms Vivian WONG
178. Dr WONG Chi-tak
179. Mr WONG Ka-ho
180. Mr WONG Man-kit
181. Ms WONG Ping
182. Ms Sophia YAO Shu-hong
183. Ms Apple YAU
184. Mr Billy YAU
185. Ms Peggy YAU Pik-wan
186. Ms Koby YEUNG
187. Mr John YIU Chun-yiu
188. Ms YU Ling
189. Mr 吳長耀
190. Ms 陳秀菁

#### Others

191. 2 members of the public
192. A group of post-secondary students concerning students with special educational needs
193. 10 batches of submissions from deputations/individuals

## INFORMATION NOTE

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

#### 1. Introduction

1.1 Hong Kong provides special education services for children with special educational needs ("SEN") because of their visual impairment, hearing impairment, physical disability, intellectual disability or other impairment/disability. Students with severe SEN or multiple disabilities are referred to special schools for intensive support services subject to the assessment and recommendation of specialists and parental consent. Other students with SEN are placed in ordinary schools. Since the 1970s, the Government has been providing support for ordinary schools in catering for students with SEN. With the enactment of the *Disability Discrimination Ordinance* in 1996, the Equal Opportunities Commission issued the *Code of Practice on Education* in 2001 to provide schools and educators with practical guidance for developing policies that prevent and eliminate disability discrimination. Meanwhile, the Education Bureau also provides schools with practical guidance on integrated education.

1.2 At present, there is no legislation in Hong Kong that specifically addresses the education of students with SEN. The rights of students with SEN have been an area of concern for the Subcommittee on Integrated Education, particularly whether they should be safeguarded by legislation for their entitlement to the requisite services and support measures. To facilitate the Subcommittee's deliberation, this information note studies the legal framework in Taiwan, the United Kingdom ("UK")<sup>1</sup> and the United States ("US") governing the education of students with SEN in ordinary schools, and the salient features of which are highlighted in the **Table** on pages 4-15.

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<sup>1</sup> Education is a devolved matter in the UK, allowing England, Wales, Scotland and Northern Ireland to be responsible for their own education policy. These regions are governed by similar legal framework, notwithstanding the difference in their code of practice. In order to avoid duplication, this information note has made reference to the case of England for the study of legislation on the inclusive education of students with SEN in the UK.

### Integrated versus inclusive education

1.3 Hong Kong implements "integrated education", whereas Taiwan, the UK and the US apply "inclusive education". Generally speaking, integrated education is a process of placing students with SEN in ordinary or the so-called mainstream schools.<sup>2</sup> While also featuring the inclusion of SEN students in ordinary schools, inclusive education is "an approach that looks into how to transform education systems in order to remove the barriers that prevent pupils from participating fully in education".<sup>3</sup> In other words, integrated education focuses on fitting SEN students into the existing school arrangement and inclusive education emphasizes on equipping the school environment to fit the needs of SEN students.<sup>4</sup>

1.4 Under the inclusive education policy, schools in Taiwan, the UK and the US all assume the statutory responsibility to actively seek to remove the barriers to learning and participation that can hinder or exclude students with SEN. As such, they have made adjustments with respect to areas such as physical facilities and pedagogic adaptation to cater for the needs of students with SEN.

### Legislation on education of students with special educational needs

1.5 Taiwan, the UK and the US have all set out a comprehensive legal framework for the education of students with SEN. In particular, they emphasize elimination of discrimination, early identification/intervention and appropriate education for students with SEN. These places also recognize parents' rights in the whole process and the importance of devising individual education plan ("IEP") for each SEN student. Furthermore, appeal and monitoring mechanisms are also set out in their legislative regime. In Taiwan and the US, the relevant legislation even imposes statutory requirements governing the qualifications of special education teachers and funding arrangements for special education. In comparison, Hong Kong's Education Bureau implements integrated education in accordance with five basic principles covering early identification, early intervention, Whole School Approach, home-school co-operation and cross-sector collaboration.<sup>5</sup>

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<sup>2</sup> See Equal Opportunities Commission (2012).

<sup>3</sup> See United Nations Educational, Scientific and Cultural Organization (2014).

<sup>4</sup> See Equal Opportunities Commission (2012).

<sup>5</sup> See Education Bureau (2010).



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### Statutory requirement for individual education plan

1.6 In Taiwan and the US, the statutory entitlement of students with SEN to IEP is enshrined in the relevant legislation. Schools are required to devise appropriate IEPs tailored to the needs of individual SEN students. These IEPs must include information about the student concerned and the educational programme designed, which may include annual goals, teaching strategies, special education and related services, accommodation, needed transition services and measured progress. In the UK, the recently passed *Children and Families Act 2014*<sup>6</sup> stipulates that each SEN student shall be provided with an "Education, Health and Care plan", which is an individualized plan embracing education, health services and social care provisions.<sup>7</sup>

1.7 IEP is not established as a statutory entitlement for SEN students in Hong Kong. As such, IEP might not be available in all the schools that have implemented integrated education. Under the prevailing policy to adopt the Whole School Approach to cater for student differences, the Education Bureau resorts to the 3-Tier Intervention Model in providing individualized support to students with SEN. Only students with severe learning difficulties are entitled to Tier-3 support<sup>8</sup>, which includes intensive individualized support such as drawing up of an IEP.

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<sup>6</sup> The *Children and Families Act 2014* was passed on 13 March 2014. It will replace Chapter 1 of Part IV of the *Education Act 1996* ("Children with special educational needs") when coming in force on 1 September 2014.

<sup>7</sup> Currently, schools are only advised to develop IEPs for students with SEN. These schools may also use alternative methods to record how they meet the students' educational needs.

<sup>8</sup> Students with other learning difficulties are entitled to Tier-1 or Tier 2 support. Tier-1 support refers to quality teaching in the regular classroom for supporting students with transient or mild learning difficulties. Tier-2 support refers to "add on" intervention for students assessed to have persistent learning difficulties, which may involve small group teaching, pull-out programmes etc.

**Table – Legislation on inclusive education in Taiwan, the United Kingdom and the United States**

	Taiwan	The United Kingdom	The United States
<b>Background information</b>			
Total number of SEN students	• 103 662 as at October 2013. <sup>9</sup>	• 1 545 610 as at January 2013. <sup>10</sup>	• 6 573 975 as at fall 2012. <sup>11</sup>
Number of SEN students in ordinary schools	• 97 030 or 93.6% of total as at October 2013.	• 1 448 105 or 93.7% of the total as at January 2013.	• 6 184 035 or 94.1% of the total as at fall 2012. <sup>12</sup>
Legal framework for education of SEN students	<ul style="list-style-type: none"> <li>• Relevant legislation includes:               <ul style="list-style-type: none"> <li>(a) <i>Special Education Act</i> 《特殊教育法》;</li> <li>(b) <i>People with Disabilities Rights Protection Act</i> 《身心障礙者權益保障法》;</li> <li>(c) Enforcement Rules (施行細則) of (a) and (b); and</li> <li>(d) regulations promulgated by the Ministry of Education.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Relevant legislation and guidance include:               <ul style="list-style-type: none"> <li>(a) <i>Children and Families Act 2014</i>;</li> <li>(b) <i>Special Educational Needs and Disability Act 2001</i>;</li> <li>(c) <i>Education Act 1996</i>;</li> <li>(d) <i>Disability Discrimination Act 1995</i>;</li> <li>(e) <i>Equality Act 2010</i>; and</li> <li>(f) statutory guidance such as the <i>Special Educational Needs Code of Practice</i> ("<i>SEN Code of Practice</i>")<sup>13</sup> issued by the Department for Education.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Relevant legislation include:               <ul style="list-style-type: none"> <li>(a) <i>Individuals with Disabilities Education Act</i> ("IDEA");</li> <li>(b) <i>No Child Left Behind Act of 2001</i>;</li> <li>(c) <i>Code of Federal Regulations, Title 34 – Education</i> ("34 CFR"); and</li> <li>(d) state laws and regulations on special education.</li> </ul> </li> </ul>

<sup>9</sup> The figure only covers pre-school to secondary school disabled students with SEN (身心障礙類). Students with SEN studying at post-secondary institutions and gifted/talented students (資賦優異類) were excluded. The latter are also considered as students with SEN in Taiwan.

<sup>10</sup> The figure refers to students with SEN studying at nursery, primary, secondary and special schools.

<sup>11</sup> The figure refers to those students aged 3-21 and receiving special education services.

<sup>12</sup> The figure refers to students with SEN attending regular pre-school/early childhood programmes and regular classes.

<sup>13</sup> The *Children and Families Act 2014* provides for the Secretary of State for Education to issue a code of practice for inclusive education and the power to revise the code from time to time. As such, the Department for Education is expected to issue a new *SEN Code of Practice* on 1 September 2014, the same date when the relevant provisions of the *Children and Families Act 2014* comes into force.

**Table – Legislation on inclusive education in Taiwan, the United Kingdom and the United States (cont'd)**

	Taiwan	The United Kingdom	The United States
<b>Definition of students with SEN</b>			
Categories of students with SEN	<ul style="list-style-type: none"> <li>Two categories: students with disabilities and gifted/talented students.<sup>14</sup></li> <li>Disabilities include:               <ol style="list-style-type: none"> <li>intellectual disabilities;</li> <li>visual impairments;</li> <li>hearing impairments;</li> <li>communication disorders;</li> <li>physical impairments;</li> <li>cerebral palsy;</li> <li>health impairments;</li> <li>severe emotional disorders;</li> <li>learning disabilities;</li> <li>severe/multiple impairments;</li> <li>autism;</li> <li>developmental delays; and</li> <li>other disabilities.</li> </ol> </li> </ul>	<ul style="list-style-type: none"> <li>Currently, a child has special educational needs if he or she has a learning difficulty which calls for special educational provision to be made for him or her.</li> <li>Another category of SEN students will be added from 1 September 2014 onwards. Young person has special educational needs if he or she has a learning difficulty or disability which calls for special educational provision to be made for him or her.</li> </ul>	<ul style="list-style-type: none"> <li>In general, a SEN student is the one who is aged 3-21 and needs special education and related services because he or she is evaluated as having:               <ol style="list-style-type: none"> <li>mental retardation;</li> <li>hearing impairments;</li> <li>speech or language impairments;</li> <li>visual impairments;</li> <li>serious emotional disturbance;</li> <li>orthopaedic impairments;</li> <li>autism;</li> <li>traumatic brain injury;</li> <li>other health impairments; or</li> <li>specific learning disabilities.</li> </ol> </li> <li>SEN students may also include those who are aged 3-9 and need special education and related services because of developmental delays in one or more of the following areas:               <ol style="list-style-type: none"> <li>physical development;</li> <li>cognitive development;</li> <li>communication development;</li> <li>social or emotional development; or</li> <li>adaptive development.</li> </ol> </li> </ul>

<sup>14</sup> This information note confines the study to SEN students with disabilities.

**Table – Legislation on inclusive education in Taiwan, the United Kingdom and the United States (cont'd)**

	Taiwan	The United Kingdom	The United States
<b>General principles on education of students with SEN</b>			
General principles on inclusive education	<ul style="list-style-type: none"> <li>• Placement of students with SEN follows the principle of proximity (就近入學).</li> <li>• Provision of special education and related services should be based on the principles of appropriateness (合適性化), individualization (個別化), localization (社區化), accessibility (無障礙) and integration (融合).</li> <li>• Curriculum, teaching materials, teaching methods and assessment for special education should be flexible to the extent that they meet the needs and suit the characteristics of individual SEN students.</li> </ul>	<ul style="list-style-type: none"> <li>• Currently, a SEN child who has a statement of SEN<sup>15</sup> must be educated in an ordinary school unless the arrangement is incompatible with:               <ul style="list-style-type: none"> <li>(a) the wishes of the child's parents; or</li> <li>(b) the provision of efficient education for other children.</li> </ul> </li> <li>• For a child without a statement of SEN, he or she must be educated in an ordinary school unless under exceptional circumstances.</li> <li>• When the <i>Children and Families Act 2014</i> comes into force in September 2014, an integrated Education, Health and Care plan ("EHC plan") will replace the current statement of SEN. Children and young people with EHC plans must be educated in ordinary schools unless the arrangement is incompatible with:               <ul style="list-style-type: none"> <li>(a) the wishes of their parents; or</li> <li>(b) the provision of efficient education for other students.<sup>16</sup></li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• To the maximum extent appropriate, students with disabilities, including those in public or private institutions or other care facilities, are educated with other students who are not disabled.</li> <li>• Special classes, separate schooling, or other removal of students with disabilities from the regular educational environment occurs only when the nature or severity of the disability of a student is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.</li> </ul>

<sup>15</sup> The statement is a document setting out the child's needs and all the extra help he or she should receive, which will be issued after a formal assessment of the child has been made.

<sup>16</sup> SEN children and young people without EHC plan must be educated in ordinary schools in accordance with Article 34 of the *Children and Families Act 2014*.

**Table – Legislation on inclusive education in Taiwan, the United Kingdom and the United States (cont'd)**

	Taiwan	The United Kingdom	The United States
<b>Identification and assessment of SEN students</b>			
Identification of SEN students	<ul style="list-style-type: none"> <li>Students with SEN should be appropriately assessed, placed and provided with special education as well as related services, subject to their guardian's consent.</li> </ul>	<ul style="list-style-type: none"> <li>An assessment can be requested by a parent or the school (which should consult the parents first).<sup>17</sup> The local authority decides whether to make the assessment.</li> <li>After the assessment, the local authority decides whether to issue a statement of SEN (or to formulate an EHC plan from 1 September 2014).</li> </ul>	<ul style="list-style-type: none"> <li>A parent, a state or local educational agency, or other state agency may request for an initial evaluation. The student concerned must be evaluated in 60 days after his or her parents have given their consent.</li> <li>Once evaluation has been completed, the parents are invited to the school for a meeting to evaluate whether their child is qualified for a special education programme.</li> </ul>
Parties responsible for assessment	<ul style="list-style-type: none"> <li>Assessment is conducted by the district-based Committee for Assessment, Placement and Counselling of Students in Special Education (特殊教育學生鑑定及就學輔導會). The committee is set up by local authorities and comprises:               <ol style="list-style-type: none"> <li>scholars and experts;</li> <li>educational and school administrators;</li> <li>delegates of teachers' organizations;</li> <li>representatives of parents;</li> <li>professionals of special education; and</li> <li>delegates of related institutions.</li> </ol> </li> </ul>	<ul style="list-style-type: none"> <li>Assessment is conducted by the local authorities which will ask for input from:               <ol style="list-style-type: none"> <li>the parents;</li> <li>the school;</li> <li>educator;</li> <li>doctor;</li> <li>educational psychologist;</li> <li>social services; and</li> <li>anybody who may be in a position to provide advice.<sup>18</sup></li> </ol> </li> </ul>	<ul style="list-style-type: none"> <li>Assessment is conducted by the state or local educational agency with input from:               <ol style="list-style-type: none"> <li>the parents;</li> <li>the regular teacher<sup>19</sup>; and</li> <li>at least one person qualified to conduct individual diagnostic examinations, such as a speech-language pathologist, school psychologist or remedial reading teacher.</li> </ol> </li> </ul>

<sup>17</sup> Under Article 36 of the *Children and Families Act 2014*, a request for assessment can also be made by the young person himself or herself.

<sup>18</sup> Local authorities must also consult the young person when making an education, health and care assessment after the *Children and Families Act 2014* comes into force.

<sup>19</sup> If the student with SEN does not have a regular teacher, he or she can be assessed by a regular classroom teacher qualified to teach a student of his or her age.

**Table – Legislation on inclusive education in Taiwan, the United Kingdom and the United States (cont'd)**

	Taiwan	The United Kingdom	The United States
<b>Identification and assessment of SEN students (cont'd)</b>			
Frequency of re-assessment	<ul style="list-style-type: none"> <li>The Committee for Assessment, Placement and Counselling of Students in Special Education should re-assess the adequacy of placement each year.</li> <li>If there are any changes to the disabilities of the SEN student or any other special needs, teachers, parents or the SEN student concerned can apply for re-assessment.</li> </ul>	<ul style="list-style-type: none"> <li>Local authorities must review a child's statement of SEN at least once a year. They should also consider informally reviewing the statement for a child under five at least every six months to ensure that the provision continues to be appropriate to the child's needs.</li> <li>For a student who was not previously issued with a statement of SEN, re-assessment will only be conducted if his or her parents make such a request. Local authorities must comply with the request unless they have already made a statutory assessment within six months of the date of the request or unless they conclude, upon examining all the evidence provided to them, that a statutory assessment is not necessary.</li> <li>Under the <i>Children and Families Act 2014</i>, local authorities must review individual EHC plans every 12 months. Besides, a re-reassessment must be made if a request is made by the child's parent, the young person concerned or the school. Local authorities may also secure a re-assessment at any other time if they think fit.<sup>20</sup></li> </ul>	<ul style="list-style-type: none"> <li>A re-evaluation shall occur at least once every three years, unless the parents and the local educational agency agree that a re-evaluation is unnecessary. But it shall not be more frequent than once a year unless the parents and the local educational agency agree otherwise.</li> </ul>
<b>School arrangements for inclusive education</b>			
Designated unit or personnel for inclusive education	<ul style="list-style-type: none"> <li>Schools should set up a designated unit to take charge of special education, which is tasked with recruiting special education teachers, related professionals, teaching assistants, and aides to students with SEN.</li> </ul>	<ul style="list-style-type: none"> <li>Schools should identify a staff member to act as the Special Educational Needs Coordinator ("SENCO"). He or she is responsible for:               <ol style="list-style-type: none"> <li>overseeing the day-to-day operation of the school's SEN policy;</li> <li>coordinating provision for students with SEN;</li> <li>liaising with teachers, parents and other professionals in respect of students with SEN;</li> <li>advising and supporting fellow teachers and staff; and</li> <li>overseeing the records of all students with SEN.<sup>21</sup></li> </ol> </li> </ul>	<ul style="list-style-type: none"> <li>No specific requirement.</li> </ul>

<sup>20</sup> For a child under five, the draft new *SEN Code of Practice* also advises local authorities to consider reviewing his or her EHC plan at least every three to six months to ensure that the provision continues to be appropriate.

<sup>21</sup> The *Children and Families Act 2014* imposes a statutory duty on schools to prescribe SENCO as "having responsibility for co-ordinating the provision for pupils with special educational needs". See Department for Education and Department of Health (2013).

**Table – Legislation on inclusive education in Taiwan, the United Kingdom and the United States (cont'd)**

	Taiwan	The United Kingdom	The United States
<b>School arrangements for inclusive education (cont'd)</b>			
Accommodation and other support	<ul style="list-style-type: none"> <li>Schools should provide students with SEN with the following support services:               <ul style="list-style-type: none"> <li>(a) educational auxiliary devices;</li> <li>(b) appropriate teaching materials;</li> <li>(c) assistance in learning and living;</li> <li>(d) rehabilitation services;</li> <li>(e) family support services;</li> <li>(f) access to campus; and</li> <li>(g) other support services.</li> </ul> </li> <li>Assessment of students with SEN should be flexible to the extent that it meets their needs and characteristics. In addition, all schools and test centres should provide appropriate test services, support and resources to students with SEN.</li> </ul>	<ul style="list-style-type: none"> <li>Schools must not treat disabled students less favourably than others. They must make "reasonable adjustments" to ensure that disabled students are not at a substantial disadvantage.</li> <li>Schools must also prepare accessibility strategies and plans for (a) increasing the extent to which disabled students can participate in the schools' curriculums, (b) improving the physical environment of the schools for the purpose of increasing the extent to which disabled students are able to take advantage of education and associated services provided by the schools, and (c) improving the delivery to disabled students of information which is provided in writing for students who are not disabled.</li> <li>The <i>Equality Act 2010</i> extends the "duty to make adjustments" to include the requirement for schools to provide auxiliary aids and services to disabled students.<sup>22</sup></li> </ul>	<ul style="list-style-type: none"> <li>Support services may include positive behavioural interventions and supports, and supplementary aids and services.<sup>23</sup></li> <li>All children with disabilities are included in the general state and district-wide assessment programmes with appropriate accommodations and alternate assessments where necessary and as indicated in their respective IEP.</li> </ul>

<sup>22</sup> The draft new *SEN Code of Practice* also includes "working with the head teacher and school governors that the school meets its responsibilities under the *Equality Act 2010* with regard to reasonable adjustments and access arrangements" as one of the key responsibilities of the SENCO.

<sup>23</sup> Supplementary aids and services may include interpreter services, assistive technology devices and services, consulting teachers, environmental adaptations, note takers and modifications to the regular class curriculum.

**Table – Legislation on inclusive education in Taiwan, the United Kingdom and the United States (cont'd)**

	Taiwan	The United Kingdom	The United States
<b>Individual education plan ("IEP")</b>			
IEP is mandatory for all SEN students	<ul style="list-style-type: none"> <li>Yes. IEP should be developed a month after the enrolment of new students or prior to the beginning of a new semester for existing students.</li> </ul>	<ul style="list-style-type: none"> <li>Currently not mandatory as schools are only advised to develop IEP for individual SEN students.</li> <li>When the <i>Children and Families Act 2014</i> comes into force on 1 September 2014, each SEN student shall be provided with an EHC plan that serves as an individualized plan embracing education, health services and social care provisions.</li> </ul>	<ul style="list-style-type: none"> <li>Yes. At the beginning of each school year, each local/state educational agency or other state agency shall have an IEP for each SEN student.</li> </ul>
Contents of IEP	<ul style="list-style-type: none"> <li>IEP should include the following information:               <ol style="list-style-type: none"> <li>the student's current status of abilities and family background;</li> <li>needs in special education and related services, and the corresponding support strategies;</li> <li>learning goals in school year and semester, and the method, date and criteria for assessing such goals;</li> <li>interventions and administrative support for students with emotional and behavioural problems; and</li> <li>transition counselling and services.</li> </ol> </li> </ul>	<ul style="list-style-type: none"> <li>IEP should include information about:               <ol style="list-style-type: none"> <li>the short-term targets set for or by the student;</li> <li>the teaching strategies to be used;</li> <li>the provision to be put in place;</li> <li>when the plan is to be reviewed;</li> <li>success and/or exit criteria; and</li> <li>outcomes (to be recorded when IEP is reviewed).<sup>24</sup></li> </ol> </li> </ul>	<ul style="list-style-type: none"> <li>IDEA requires certain types of information to be included in IEP:               <ol style="list-style-type: none"> <li>present levels of educational performance;</li> <li>measurable annual goals;</li> <li>the progress of the student concerned towards meeting the annual goals;</li> <li>special education and related services;</li> <li>participation with non-disabled students; and</li> <li>individual appropriate accommodations or alternate assessment.</li> </ol> </li> </ul>

<sup>24</sup> According to the draft new *SEN Code of Practice*, the contents of EHC plan should specify, among other things, any need for: (a) support facilities and equipment and specific staffing arrangements; (b) modifications to the application of the National Curriculum; (c) exclusions from the application of the National Curriculum and proposed substituted provision; (d) residential accommodation; and (e) arrangements for setting shorter term targets and monitoring progress.



**Table – Legislation on inclusive education in Taiwan, the United Kingdom and the United States (cont'd)**

	Taiwan	The United Kingdom	The United States
<b>Individual education plan (cont'd)</b>			
Parties responsible for developing IEPs	<ul style="list-style-type: none"> <li>The development of IEP should involve:               <ol style="list-style-type: none"> <li>school administrators;</li> <li>special education and related teachers;</li> <li>the student concerned and his or her parents;</li> <li>related professionals; and</li> <li>related personnel invited by the student's parents.</li> </ol> </li> </ul>	<ul style="list-style-type: none"> <li>IEP should be developed by:               <ol style="list-style-type: none"> <li>the SENCO;</li> <li>class teacher;</li> <li>subject teacher; and</li> <li>external specialist, if necessary.</li> </ol> </li> <li>IEP should be discussed with the student concerned and his or her parents.</li> </ul>	<ul style="list-style-type: none"> <li>IDEA requires the IEP team to comprise at least the following persons:               <ol style="list-style-type: none"> <li>the parents of the SEN student;</li> <li>not less than one regular education teacher of the student;</li> <li>not less than one special education teacher or, where appropriate, not less than one special education provider (i.e. related service provider) of the student;</li> <li>a representative of the local educational agency;</li> <li>an individual who can interpret the instructional implications of evaluation results;</li> <li>at the discretion of the parents or the local educational agency, other individuals who have knowledge or special expertise regarding the SEN student concerned; and</li> <li>whenever appropriate, the SEN student concerned.</li> </ol> </li> </ul>
Frequency of review	<ul style="list-style-type: none"> <li>IEP should be reviewed at least once each semester.</li> </ul>	<ul style="list-style-type: none"> <li>IEP should be reviewed at least twice a year.<sup>25</sup></li> </ul>	<ul style="list-style-type: none"> <li>IEP should be reviewed at least once a year.</li> </ul>
Transition plan	<ul style="list-style-type: none"> <li>Schools in each educational phase should offer complete and continuous transition counselling and services. Transition plan is included in IEP.</li> </ul>	<ul style="list-style-type: none"> <li>The annual review of statement of SEN in year 9 and the years after must include a transition plan.<sup>26</sup></li> <li>Transition plan is included in the statement of SEN (or the EHC plan).</li> </ul>	<ul style="list-style-type: none"> <li>Beginning not later than the first IEP to be in effect when a student turns 16, or younger if determined appropriate by the IEP Team, and updated annually thereafter. IEP must include appropriate measurable post-secondary goals related to training, education, employment, and where appropriate, independent living skills; and the transition services needed to assist the student in reaching those goals.</li> </ul>

<sup>25</sup> For children under five, IEP should be reviewed at least three times a year.

<sup>26</sup> Year 9 is the third year of secondary school and incorporates students aged 13-14.

**Table – Legislation on inclusive education in Taiwan, the United Kingdom and the United States (cont'd)**

	Taiwan	The United Kingdom	The United States
<b>Qualification of special education teachers</b>			
Subject to statutory requirement	<ul style="list-style-type: none"> <li>Yes. All the personnel and administrators responsible for the provision of special education services in (a) special schools and (b) regular schools with special education classes should have "special education background", i.e. completion of three or more credit hours of special education courses.</li> </ul>	<ul style="list-style-type: none"> <li>No. Nevertheless, anyone who wants to teach in maintained schools<sup>27</sup>, including special schools, needs to attain the Qualified Teacher Status ("QTS"). All those seeking QTS must have basic knowledge and skills in the field of SEN. Teachers of classes with hearing-impaired and visually-impaired students must obtain additional qualification.</li> </ul>	<ul style="list-style-type: none"> <li>Yes. Each person employed as a special education teacher in elementary school, middle school, or secondary school should be highly qualified, which means he or she is appropriately and adequately prepared and trained and equipped with the knowledge and skills to serve children with disabilities.</li> </ul>
<b>Rights of parents of SEN students</b>			
Rights entitled	<ul style="list-style-type: none"> <li>Parents of students with SEN have the rights to:               <ol style="list-style-type: none"> <li>attend the meetings to deal with the students' assessment and placement; and</li> <li>file an appeal if they have any grievances about their child's assessment, placement or counselling services.</li> </ol> </li> </ul>	<ul style="list-style-type: none"> <li>Parents of students with SEN have the rights to:               <ol style="list-style-type: none"> <li>have their child educated in accordance with their wishes;</li> <li>ask for assessment, re-assessment or review of their child's educational needs;</li> <li>be given notice when a local authority decides to make an assessment;</li> <li>appeal against the decision of the local authority;</li> <li>be involved in the development of their child's statement of SEN (or EHC plan); and</li> <li>be provided with advice and information about matters relating to the educational needs of their child.<sup>28</sup></li> </ol> </li> </ul>	<ul style="list-style-type: none"> <li>IDEA requires that parents of students with SEN participate in each step of the special education process with the right to:               <ol style="list-style-type: none"> <li>receive notice of assessment and placement for their child;</li> <li>give informed consent before conducting any evaluation and provision of special education and related services to their child; and</li> <li>participate in all meetings concerning their child's special education.</li> </ol> </li> </ul>

<sup>27</sup> Maintained schools are funded by local authorities.

<sup>28</sup> The *Children and Families Act 2014* and the draft new *SEN Code of Practice* also emphasize the participation of parents in the whole process, especially in decision making, during which they should be provided with information and support.

**Table – Legislation on inclusive education in Taiwan, the United Kingdom and the United States (cont'd)**

	Taiwan	The United Kingdom	The United States
<b>Appeal mechanism</b>			
Appeal channels	<ul style="list-style-type: none"> <li>Parents of students with SEN can file an appeal with the Ministry of Education or the local authorities against any decision made on matters relating to the assessment, placement and counselling services provided to their child.</li> <li>Each local authority is empowered to set up its own Appeal Committee for Special Education Students (特殊教育學生申訴評議會) to deal with the appeals received. The Committee is composed of scholars and experts in special education, educational and school administrators, professionals of special education, delegates of teachers' and parents' organizations, and experts in law and psychology.</li> </ul>	<ul style="list-style-type: none"> <li>Parents of student with SEN can appeal to the First-tier Tribunal<sup>29</sup> against (a) the decision made by local authorities on refusing to make an assessment or to issue a SEN statement, or (b) the contents of the statement per se.</li> <li>The hearing will usually be attended by up to three tribunal members: a Chair who is a Tribunal Judge, and two specialist members.</li> <li>Under the <i>Children and Families Act 2014</i>, parents or the young person may lodge an appeal with the First-tier Tribunal. They may only do so after contacting an independent mediation adviser and discussing with the adviser whether mediation might be a suitable way of resolving the disagreement.<sup>30</sup></li> </ul>	<ul style="list-style-type: none"> <li>Parents can file a due process complaint to the state educational agency with respect to any matters relating to the identification, evaluation, or educational placement of their child, or the provision of a free appropriate public education to their child.</li> <li>Within 15 days of receiving notice of the complaint and prior to the initiation of a due process hearing, the local educational agency must first convene a resolution meeting with the parents and the relevant member(s) of the IEP Team who have knowledge of the facts identified in the complaint.</li> <li>If the local educational agency has not resolved the complaint to the satisfaction of the parents within 30 days of the receipt of the complaint, the due process hearing may occur. The hearing will be conducted by the state educational agency.</li> </ul>
Deadline for filing an appeal	<ul style="list-style-type: none"> <li>The parents should file the appeal within 20 days from the date of receiving the decision.</li> </ul>	<ul style="list-style-type: none"> <li>At present, the parents should file the appeal no later than two months after the local authorities notify them the decision. This time limit will still apply under the <i>Children and Families Act 2014</i>.</li> </ul>	<ul style="list-style-type: none"> <li>The parents should file the complaint no later than two years after the date they knew about the alleged violation that forms the basis of the complaint, or the explicit time limitation for presenting such a complaint as stipulated by the state.</li> </ul>

<sup>29</sup> The First-tier Tribunal is part of the court system of the UK, comprising seven chambers being structured around different areas. Special Educational Needs and Disability is dealt with by the "Health, Education and Social Care Chamber" of the First-tier Tribunal.

<sup>30</sup> It is for the parents or young person to decide whether to go to mediation. If not, they will be issued with a certificate by the mediation adviser to proceed with their appeal within one month.

**Table – Legislation on inclusive education in Taiwan, the United Kingdom and the United States (cont'd)**

	Taiwan	The United Kingdom	The United States
<b>Monitoring mechanism</b>			
Monitoring authorities	<ul style="list-style-type: none"> <li>Local authorities (city or county governments) and the Ministry of Education.</li> </ul>	<ul style="list-style-type: none"> <li>Local education authorities, the Office for Standards in Education, Children's Services and Skills ("Ofsted")<sup>31</sup>, and the Secretary of State for Education.</li> </ul>	<ul style="list-style-type: none"> <li>State educational agency and the Secretary of Education.</li> </ul>
Means to monitor the implementation of inclusive education	<ul style="list-style-type: none"> <li>Local authorities evaluate the implementation of special education in schools below senior high level at least once every three years.</li> <li>The Ministry of Education evaluates the implementation of special education by the local authorities at least once every three years.</li> </ul>	<ul style="list-style-type: none"> <li>Any person authorised by a local education authority shall be entitled to have access at any reasonable time to the premises of any school for the purpose of monitoring the special educational provision made in pursuance of the SEN statement for the child at the school.<sup>32</sup></li> <li>Ofsted inspectors also look closely at schools' SEN policies and practices. Through their examination of and reports on the education system, they also monitor and evaluate the impact of the <i>SEN Code of Practice</i> and other measures on schools and local education agencies.<sup>33</sup></li> <li>The Secretary of State for Education can intervene where local education authorities or maintained schools<sup>34</sup> are acting unreasonably or failing to fulfil a statutory duty, or where local education authorities are failing to perform their functions to an adequate standard.<sup>35</sup></li> </ul>	<ul style="list-style-type: none"> <li>The state educational agency is responsible for ensuring that (a) the requirements of IDEA are met; and (b) all educational programmes for children with disabilities in the state are under the general supervision, and meet the educational standards, of the state educational agency.</li> <li>The Secretary of Education monitors the implementation of IDEA through oversight of the general supervision conducted by the states. In particular, the Secretary requires each state to monitor the local educational agencies located in the state, using quantifiable and qualitative indicators as are needed to adequately measure performance.</li> </ul>

<sup>31</sup> Ofsted inspects and regulates services which care for children and young people, and those providing education and skills for learners of all ages.

<sup>32</sup> A similar provision is set out in the *Children and Families Act 2014* which stipulates that a person authorised by a local authority is entitled to have access at any reasonable time to the premises of schools and institutions for the purpose of monitoring the education or training.

<sup>33</sup> According to the draft new *SEN Code of Practice*, Ofsted-registered early years providers have a duty to promote equality of opportunity for children in their care, including support for children with SEN or disabilities. Ofsted can consider complaints from parents about early years providers and schools but only where the complaint is about the early years provision or the school as a whole, rather than in relation to individual children, and where the parent has tried to resolve the complaint through the early years provider's or school's own complaints procedure. Ofsted can respond to a complaint by bringing forward an inspection, or it could decide to look at the matters raised when next inspecting the school.

<sup>34</sup> In the UK, some special schools are local education authority maintained schools.

<sup>35</sup> According to the draft new *SEN Code of Practice*, if disagreements have not been resolved at the local level, complaints can be made to the Secretary of State against the governing body of a maintained school or a local authority for acting unreasonably or failing to carry out one of its statutory duties, including their SEN duties. The Secretary of State can issue directions governing the exercise of a power or the performance of a duty by the governing body of a maintained school or a local authority.

**Table – Legislation on inclusive education in Taiwan, the United Kingdom and the United States (cont'd)**

	Taiwan	The United Kingdom	The United States
<b>Funding arrangements</b>			
Funding of special education	<ul style="list-style-type: none"> <li>Each year the Taiwan government shall allocate not less than 4.5% of its budgeted expenditure on education to special education.</li> <li>For local governments, they shall set aside no less than 5% of their education budgets for special education.</li> </ul>	<ul style="list-style-type: none"> <li>No specific requirement.</li> </ul>	<ul style="list-style-type: none"> <li>Federal funding is provided to each state under the "Grants to States" programme to help them finance the additional costs of providing special education and related services to SEN students. The level of funding allocated to a particular state is based on the number of children with disabilities identified as residents of that state. A state may receive up to 40% of the average per pupil expenditure in public elementary schools and secondary schools.</li> <li>In order to be eligible for federal funding, each state is required to submit an annual plan to the Secretary of Education which contains a set of assurance stating that it has policies and procedures in place as required by IDEA.</li> </ul>

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## References

### Taiwan

1. Ministry of Education. (2013) *Education Statistics The Republic of China 2013 Edition*. Available from: [https://stats.moe.gov.tw/files/ebook/Education\\_Statistics/102/102edu.pdf](https://stats.moe.gov.tw/files/ebook/Education_Statistics/102/102edu.pdf) [Accessed April 2014].
2. *Special Education Net*. (2014) Available from: <http://www.set.edu.tw/> [Accessed April 2014].
3. 《身心障礙及資賦優異學生鑑定辦法》，2013年，網址：<http://law.moj.gov.tw/LawClass/LawAll.aspx?PCode=H0080065> [於2014年4月登入]。
4. 《身心障礙者權益保障法》，2011年，網址：<http://law.moj.gov.tw/LawClass/LawAll.aspx?PCode=D0050046> [於2014年4月登入]。
5. 《特殊教育法》，2013年，網址：<http://law.moj.gov.tw/LawClass/LawAll.aspx?PCode=H0080027> [於2014年4月登入]。
6. 《特殊教育法施行細則》，2012年，網址：<http://law.moj.gov.tw/LawClass/LawAll.aspx?PCode=H0080032> [於2014年4月登入]。
7. 《特殊教育學生申訴服務辦法》，2011年，網址：<http://law.moj.gov.tw/LawClass/LawAll.aspx?PCode=H0080063> [於2014年4月登入]。

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## The United Kingdom

8. *Children and Families Act 2014*. Available from: [http://www.legislation.gov.uk/ukpga/2014/6/pdfs/ukpga\\_20140006\\_en.pdf](http://www.legislation.gov.uk/ukpga/2014/6/pdfs/ukpga_20140006_en.pdf) [Accessed April 2014].
9. Department for Education. (2011) *Support and aspiration: new approach to special educational needs and disability A consultation*. Available from: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/180836/DFE-00046-2012.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/180836/DFE-00046-2012.pdf) [Accessed April 2014].
10. Department for Education. (2013) *Children with Special Educational Needs 2013: An Analysis*. Available from: <https://www.gov.uk/government/publications/children-with-special-educational-needs-an-analysis-2013> [Accessed April 2014].
11. Department for Education and Department of Health. (2013) *Draft Special Educational Needs (SEN) Code of Practice: for 0 to 25 years*. Available from: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/251839/Draft\\_SEN\\_Code\\_of\\_Practice\\_-\\_statutory\\_guidance.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/251839/Draft_SEN_Code_of_Practice_-_statutory_guidance.pdf) [Accessed April 2014].
12. Department for Education and Skills. (2001a) *Inclusive Schooling*. Available from: <http://webarchive.nationalarchives.gov.uk/20130401151715/https://www.education.gov.uk/publications/eOrderingDownload/DfES-0774-2001.pdf> [Accessed April 2014].
13. Department for Education and Skills. (2001b) *Special Educational Needs Code of Practice*. Available from: <http://webarchive.nationalarchives.gov.uk/20130401151715/https://www.education.gov.uk/publications/eOrderingDownload/DfES%200581%20200mig2228.pdf> [Accessed April 2014].

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14. Department for Education and Skills. (2001c) *Special Educational Needs Toolkit*. Available from: <http://webarchive.nationalarchives.gov.uk/20130401151715/https://www.education.gov.uk/publications/eOrderingDownload/DfES-0558-2001-2.pdf> [Accessed April 2014].
  15. *Disability Discrimination Act 1995*. Available from: <http://www.legislation.gov.uk/ukpga/1995/50/data.pdf> [Accessed April 2014].
  16. *Education Act 1996*. Available from: <http://www.legislation.gov.uk/ukpga/1996/56/data.pdf> [Accessed April 2014].
  17. *Equality Act 2010*. Available from: <http://www.legislation.gov.uk/ukpga/2010/15/data.pdf> [Accessed April 2014].
  18. *Special Educational Needs and Disability Act 2001*. Available from: <http://www.legislation.gov.uk/ukpga/2001/10/data.pdf> [Accessed April 2014].

### The United States

19. *Code of Federal Regulations, Title 34 – Education*. Available from: <http://www.gpo.gov/fdsys/pkg/CFR-2009-title34-vol1/content-detail.html> [Accessed April 2014].
20. *IDEA Data Center*. (2014) Available from: <http://www.ideadata.org/> [Accessed April 2014].
21. *Individuals with Disabilities Education Act*. Available from: <http://www.gpo.gov/fdsys/pkg/PLAW-108publ446/html/PLAW-108publ446.htm> [Accessed April 2014].
22. Legislative Analyst's Office. (2013) *Overview of Special Education in California*. Available from: <http://www.lao.ca.gov/reports/2013/edu/special-ed-primer/special-ed-primer-010313.pdf> [Accessed April 2014].



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23. *No Child Left Behind Act of 2001*. Available from: <http://www2.ed.gov/policy/elsec/leg/esea02/107-110.pdf> [Accessed April 2014].
  24. U.S. Department of Education. (2014) *Building the Legacy: IDEA 2004*. Available from: <http://idea.ed.gov/> [Accessed April 2014].

#### Hong Kong and others

25. Education Bureau. (2010) *Operation Guide on the Whole School Approach to Integrated Education*. 2<sup>nd</sup> edition. Available from: [http://www.edb.gov.hk/attachment/en/edu-system/special/support/wsa/ie%20guide\\_en.pdf](http://www.edb.gov.hk/attachment/en/edu-system/special/support/wsa/ie%20guide_en.pdf) [Accessed April 2014].
26. Education Bureau. (2012) *Progress of Implementing Integrated Education in Ordinary Schools and the Way Forward*. Paper submitted to the Panel on Education of the Legislative Council for discussion on 10 July 2012. LC Paper No. CB(2)2518/11-12(01).
27. Education Bureau. (2013) *Response to the Equal Opportunities Commission's Report of the Study on Equal Learning Opportunities for Students with Disabilities under the Integrated Education System*. Paper submitted to the Subcommittee on Integrated Education of the Legislative Council for discussion on 19 February 2013. LC Paper No. CB(4)410/12-13(03).
28. *Education Bureau*. (2014) Available from: <http://www.edb.gov.hk> [Accessed April 2014].
29. Equal Opportunities Commission. (2012) *Study on Equal Learning Opportunities for Students with Disabilities under the Integrated Education System*. Available from: [http://www.eoc.org.hk/EOC/Upload/ResearchReport/IE\\_eReport.pdf](http://www.eoc.org.hk/EOC/Upload/ResearchReport/IE_eReport.pdf) [Accessed April 2014].
30. United Nations Educational, Scientific and Cultural Organization. (2014) *Inclusive Education*. Available from: <http://www.unescobkk.org/education/inclusive-education/> [Accessed April 2014].

## **Acronyms and abbreviations**

AD/HD	attention deficit and hyperactivity disorder
ApL	Applied Learning
ASD	autistic spectrum disorder
BAT Courses	structured training courses at the Basic, Advanced and Thematic levels
CAS	Child Assessment Service
DDO	Disability Discrimination Ordinance
DH	Department of Health
EDB	Education Bureau
EOC	Equal Opportunities Commission
EOC Report	Report of the Study on Equal Learning Opportunities for Students with Disabilities under the Integrated Education System released by the Equal Opportunities Commission
EP	educational psychologist
HA	Hospital Authority
HKDSE	Hong Kong Diploma of Secondary Education
HKEAA	Hong Kong Examinations and Assessment Authority
HKIEd	The Hong Kong Institute of Education
HI	hearing impairment
ID	intellectual disability
IE Programme	Integrated Education Programme

IEP	Individual Education Plan
IQ	intelligence quotient
IRTP	Intensive Remedial Teaching Programme
LegCo	Legislative Council
LS	Liberal Studies
LSG	Learning Support Grant
Marrakesh Treaty	Marrakesh Treaty to Facilitate Access to Published Works for Persons who are Blind, Visually Impaired, or otherwise Print Disabled
MCHC	Maternal and Child Health Centre
MD	mental derangement
NAS	new academic structure
NFM	New Funding Model
NGO	non-governmental organization
NSS	new senior secondary
OLE	Other Learning Experiences
PD	physical disability
REO	Regional Education Office
RTI	Response to Intervention
SBEPS	School-based Educational Psychology Service
SEN	special educational needs
SENCO	Co-ordinator for SEN students

SpLD	specific learning difficulties
SWD	Social Welfare Department
the Subcommittee	Subcommittee on Integrated Education
the Task Force	Task Force on Integrated Education in Mainstream Schools
UGC	University Grants Committee
UK	the United Kingdom
UNCRPD	the United Nations Convention on the Rights of Persons with Disabilities
US	the United States
VI	visual impairment
VTC	Vocational Training Council
WSA	whole school approach