

立法會
Legislative Council

LC Paper No. CB(2)1102/03-04
(These minutes have been
seen by the Administration)

Ref : CB2/PL/ED

Panel on Education

Minutes of meeting
held on Monday, 15 December 2003 at 4:30 pm
in Conference Room A of the Legislative Council Building

Members present : Hon YEUNG Yiu-chung, BBS (Chairman)
Dr Hon YEUNG Sum (Deputy Chairman)
Hon CHEUNG Man-kwong
Hon LEUNG Yiu-chung
Hon SIN Chung-kai
Hon Jasper TSANG Yok-sing, GBS, JP
Hon Emily LAU Wai-hing, JP
Hon SZETO Wah
Hon Tommy CHEUNG Yu-yan, JP
Dr Hon LO Wing-lok, JP
Hon WONG Sing-chi
Hon Audrey EU Yuet-mee, SC, JP

Members absent : Dr Hon David CHU Yu-lin, JP
Hon Cyd HO Sau-lan
Hon MA Fung-kwok, JP

Public Officers: attending : Item IV

Mr Chris WARDLAW
Deputy Secretary for Education and Manpower (5)

Mr Andrew POON
Principal Assistant Secretary for Education and
Manpower (Quality Assurance)

Mrs YU LAW Siu-man
Senior Education Officer (Education Ordinance Review
and Compliance)
Education and Manpower Bureau

Item V

Mr Chris WARDLAW
Deputy Secretary for Education and Manpower (5)

Mr Andrew POON
Principal Assistant Secretary for Education and
Manpower (Quality Assurance)

Mr CHOI Chee-cheong, JP
Secretary General, Hong Kong Examinations and
Assessment Authority

Item VI

Mr Chris WARDLAW
Deputy Secretary for Education and Manpower (5)

Mr Sam HUI
Assistant Secretary for Education and Manpower
(Special Duties)

Mr CHOI Chee-cheong, JP
Secretary General, Hong Kong Examinations and
Assessment Authority

**Clerk in
attendance** : Ms Doris CHAN
Chief Assistant Secretary (2)2

**Staff in
attendance** : Mr Stanley MA
Senior Assistant Secretary (2)6

I. Confirmation of minutes
[LC Paper No. CB(2)636/03-04]

The minutes of the meeting held on 17 November 2003 were confirmed.

Action

II. Information paper issued since the last meeting

2. Members noted the Administration's paper entitled "Start-up loan for post-secondary education providers" [LC Paper No. CB(2)435/03-04(01)] which was circulated to members on 25 November 2003.

III. Items for discussion at the next meeting

3. Members agreed to re-schedule the next regular meeting originally scheduled for Monday, 19 January 2004 at 4:30 pm to another date. The Clerk would issue a circular to inform members of the new date after the meeting.

[Post-meeting note : The next meeting was re-scheduled to Friday, 30 January 2004 from 9:00 am to 12:00 noon.]

4. Members agreed to discuss "Planning and provision of public sector school places" as suggested by the Administration at the next regular meeting. Mr CHEUNG Man-kwong suggested and members agreed to receive deputations at the meeting.

IV. Regulation of private schools offering non-formal curriculum

[LC Paper No. CB(2)312/03-04(01)]

5. At the invitation of the Chairman, Deputy Secretary for Education and Manpower (5) (DS(EM)5) and Principal Assistant Secretary for Education and Education (Quality Assurance) (PAS(EM)QA) briefed members on the salient points of the Administration's paper entitled "Changes in the regulatory control of private schools offering non-formal curriculum (PSNFCs)" [LC Paper No. CB(2)312/03-04(01)].

Regulatory control of PSNFCs

6. Mr CHEUNG Man-kwong said that any changes to be made in the regulatory control of PSNFCs should aim at protecting the interests of students, instead of facilitating regulatory control and law enforcement. He held a strong view that the Administration should continue to play an active role in regulatory control of the operation of PSNFCs. He stressed that the Administration should supervise the financial integrity of PSNFCs, in particular their collection of tuition fees; ensure their compliance with relevant fire and safety legislation as well as requirements under the Education Ordinance (the Ordinance); and monitor the quality of their teachers and programmes. He added that he would carefully examine the proposed amendments to the Ordinance in respect of the proposed changes to make sure that the interests of students would not be jeopardised.

Action

7. Mr CHEUNG Man-kwong stressed that the Education and Manpower Bureau (EMB) should provide students with adequate protection against financial loss arising from sudden closure of PSNFCs. He pointed out that EMB had previously suggested a number of measures to provide safeguards for students, including the provision of bank guarantee/performance bond/trust account, the provision of insurance coverage, the establishment of an industry compensation fund or student protection fund. He considered that the proposed changes were in effect a relaxation in regulatory control of the operation of PSNFCs. He stressed that although students and parents as consumers should share a duty in exercising their rights and responsibilities in choosing PSNFCs, the law should provide them with reasonable protection in the event of the sudden disclosure or bankruptcy of a PSNFC.

8. In response, DS(EM)5 said that the Administration had attached great importance to the protection of the interests of students and parents in proposing the changes in regulatory measures for the PSNFC sector. The Administration would retain provisions on school registration and safety requirements to ensure safety of students, and registration of supervisors and managers to ensure proper management. He explained that in order to maintain a proper balance of regulation, EMB would set out the conditions under three categories for granting the proposed exemptions to individual PSNFCs. He pointed out that the Administration had followed up the proposed measures to provide financial security to students as discussed at the Panel meeting on 28 February 2002, but had found the measures not feasible. He stressed that the proposed changes would require full disclosure of school and programme information to students and parents, and consequently improve the transparency of PSNFCs. To enhance consumer education, EMB would collaborate with the Consumer Council to step up publicity programmes to educate parents and students on the points to note in selecting PSNFCs. In addition, EMB would continue to provide essential school information and records of contravention of the Ordinance on the EMB homepage and make known serious malpractices and repeated offences to the public through various channels. DS(EM)5 highlighted that the ultimate goal of the proposed changes was to promote a provider-consumer relationship at the point of business where PSNFCs should be held accountable for the services they provided, and students should exercise their rights and responsibilities in choosing PSNFCs.

9. PAS(EM)QA supplemented that the difficulties encountered in pursuit of feasible options for improving financial security to students of PSNFCs were detailed in the annex of the Administration's paper. He said that the proposed options for providing financial security to students were found not feasible either due to high costs incurred, a lack of cost-effective means to maintain the administration and finance of such schemes, or an absence of legislative support under the existing law. He pointed out that the high expense for provision of financial security, if adopted, would ultimately have to be borne by students.

Action

10. Mr CHEUNG Man-kwong pointed out that the proposal to exempt PSNFCs from provisions relating to fees and collections under section 9(3) of the Ordinance would allow PSNFCs to set their programme fees arbitrarily. He considered that the proposal would create a loophole through which PSNFCs could collect the total tuition fee of a programme by way of an agreed arrangement between students and PSNFCs. He questioned how EMB could ensure no sudden closure of PSNFCs after implementation of the proposed changes, and in the event of such a closure, provide appropriate compensation for students' losses in terms of the monies, time and efforts they had invested in their studies.

11. PAS(EM)QA responded that under the existing practice of the Ordinance, schools could only collect the inclusive fees for an educational course on an equal monthly basis. The proposal to exempt PSNFCs from provisions relating to fees and collections required PSNFCs to set out their programme fees in a leaflet and display the fees for each instalment and the number of instalments at a prominent place in the school premises. He pointed out that unless otherwise permitted in writing by the Administration, course fees should be collected on an equal monthly basis.. He added that to protect the interest of students, PSNFCs were required to set out their course details, the course fees, the responsible teachers and principals, and the refund policies and procedures in a leaflet and distribute the leaflet to each student before enrolment.

12. PAS(EM)QA further said that there were only a few sudden closures of PSNFCs in 2001 and 2002, but not in 2003 so far. In the case of the closure of the Hong Kong Management College (HKMC) in 2001, EMB had collaborated with the Consumer Council to assist students in the refund of paid tuition fees. He added that PSNFCs were subject to market forces. The Administration had not set a maximum level of fees for educational programmes operated by PSNFCs.

13. Mr CHEUNG Man-kwong questioned the need to propose the changes in regulatory control of PSNFCs for implementation in the 2003-04 school year, given that the existing control mechanism was effective and not a single closure of PSNFC was reported in 2003 so far. He pointed out that many students affected by the closure of HKMC had not been able to obtain refund of the paid tuition fees. However, the incident had attracted the community's attention and forced the Administration to reinforce regulatory measures against possible malpractice of PSNFCs. He considered that EMB should not move towards deregulation in the control of PSNFCs due to budgetary constraints. He added that Legislative Council (LegCo) Members would be blamed for any abrupt closure of PSNFCs after implementation of the proposed changes if they supported the relevant amendments to the Ordinance to be proposed.

14. DS(EM)5 responded that the Administration had not changed the existing requirements governing the operation of PSNFCs, including the collection of

Action

fees on an equal monthly basis. He stressed that the proposed exemptions from the respective provisions relating to fees and collections, teachers and principals under section 9(3) of the Ordinance would be granted subject to the conditions as detailed in the Administration's paper. He added that since no closure of PSNFCs was reported in the current school year so far, the risk that the proposed changes would bring about sudden closure of PSNFC was low.

15. PAS(EM)QA supplemented that the exemption from provisions relating to fees and collections was proposed having regard to the request of the trade. Given the resource constraints, priority should be given to deploying the limited manpower in the Bureau to support the mainstream schools and the current education reform. He added that PSNFCs should serve as a complement to the mainstream education. Professionally speaking, students were not encouraged to enrol in programmes on subjects which were taught in ordinary schools.

16. Dr YEUNG Sum said that he shared the concern of Mr CHEUNG Man-kwong that the proposed changes in regulatory control would create loopholes for malpractices, which would lead to abuses in collection of fees and sudden closure of PSNFCs. He pointed out that as most parents would give their best to support their children in education, it was very likely that the PSNFC sector would continue to expand in the future. He urged the Administration to work out measures to prevent sudden closure of PSNFCs if a self-regulation policy was adopted for the sector. He did not share the view of the Administration that such a deregulation policy would help promote life-long learning and diversity in education.

17. DS(EM)5 responded that the Administration was aware of members' concern about the possible adverse impact of the proposed changes and parents' high expectation of their children in academic attainment. He pointed out that the vast majority of students should be able to attain satisfactory academic results in the mainstream schools. He agreed that the PSNFC sector would continue to expand. Given the resource constraints, EMB was working towards the direction of self-regulation and self-reporting by PSNFCs. He reiterated that as reflected by the small number of closures in the past two years, the risk that sudden closure of PSNFCs would occur as a result of the proposed changes in regulatory control was low. He stressed that while making changes in the regulatory control of PSNFCs to allow the market mechanism to operate, the Administration would continue the enforcement work against operation of unregistered schools and contravention of the relevant provisions of the Ordinance. In collaboration with the Consumer Council, the Administration would expand the publicity programmes and improve the transparency of PSNFCs, and educate parents and students to exercise their consumer right and responsibility to make informed choices. The ultimate aim was to improve provider-consumer relationship at the point of business.

Action

Advertising with false information

18. Mr SZETO Wah asked how the Administration would tackle PSNFCs which had advertised false or misleading information to promote student enrolment.

19. DS(EM)5 responded that EMB would "name and shame" the PSNFCs which had made use of false or misleading advertisement to promote student enrolment. EMB would provide records of contravention of the Ordinance on its homepage. In addition, EMB would collaborate with the Consumer Council to reinforce consumer education and make known serious malpractices and repeated offences to the public through various channels.

20. Mr SZETO Wah agreed that EMB should "name and shame" those PSNFCs which had displayed or advertised false or misleading information in recruitment of students. He considered it difficult for parents and students to assess whether the information contained in an advertisement was false or misleading. He asked whether the Administration would reinforce enforcement actions against such malpractices.

21. PAS(EM)QA responded that section 86A and B of the Ordinance had stipulated that it was an offence for an unregistered, registered or provisionally registered school to publish any advertisement containing false or misleading information. EMB would investigate all reported cases of malpractices, and refer them to the Department of Justice for advice if prosecution should be taken against the school where appropriate.

Reinforced consumer education

22. Mr LEUNG Yiu-chung considered that if parents and students could be taught how to select tutorial schools through reinforced customer education, then EMB should also be able to identify the good and the bad PSNFCs. He suggested that EMB should take the initiative to assist parents and students in selection of PSNFCs and implement appropriate measures to improve regulatory control and prevent sudden closure of schools. He shared the view of Mr CHEUNG Man-kwong that apart from financial loss, the closure of a PSNFC would seriously affect students who had put in considerable time and efforts in their studies. He questioned how EMB could ensure no sudden closure of PSNFCs would occur if the proposed changes in regulating the operation of PSNFC were implemented.

23. DS(EM)5 responded that there were around 2 100 PSNFCs and 1 200 schools in the territory. In view of limited resources, EMB should not be expected to play the role of a quality controller for the PSNFC sector. He stressed that the proposed changes aimed at enhancing administrative efficiency in regulatory control of the operation of PSNFCs, and establishing a regulatory

Action

framework in which parents/students and PSNFCs could develop a good provider-consumer relationship in the long run. The Administration believed that the proposed conditions for granting exemptions would improve the transparency of PSNFCs and enhance interactions between parents/students and PSNFCs which would be beneficial to long-term development of the trade.

24. PAS(EM)QA remarked that due to resource constraints, EMB would not be able to monitor the operation and services of some 2 100 PSNFCs in the market. He pointed out that many private tutorial schools were providing child care service for young children whose parents were engaged in full time work. He considered that parents and students were in the best position to decide whether they would be getting value for money and to exercise the responsibility of consumers when choosing PSNFCs. He anticipated that parents and students would make better use of the after school care services provided by non-government organisations which were funded by the Social Welfare Department.

25. Mr LEUNG Yiu-chung remarked that the increasing demand of students and parents for tutorial programmes and the increasing supply of such programmes by PSNFCs in the market reflected that the quality of school education did not meet the expectations of students and parents. He was not convinced that EMB should refrain from playing an active role in regulatory control of PSNFCs on the ground of insufficient resources. He urged the Administration to review the existing regulatory mechanism with a view to improving the confidence of parents and students on selection of PSNFCs; and make an estimate of the possible impact of the proposed changes on parents and students on their selection of PSNFCs.

26. DS(EM)5 responded that the proposed changes would not affect the existing protection to parents and students, and would improve the arrangements and procedures for regulating the operation of PSNFCs. He reiterated that the proposed conditions for granting exemptions to PSNFCs would improve the transparency of PSNFCs and help promote a better relationship between parents/students as the end users and PSNFCs as the service providers in a free market.

Consultation

27. Ms Emily LAU shared the view of Mr LEUNG Yiu-chung that the decline in the quality of school education had contributed to the growth of the PSNFC sector. She expressed support for the proposed changes on the condition that the Administration should carefully plan the implementation so that parents and students would not be adversely affected. Referring to paragraph 18 of the Administration's paper which specified that the savings arising from the proposed changes would be used to improve teaching and learning in mainstream schools, Ms LAU asked how much resources and how many people would then be re-deployed to support the mainstream schools.

Action

Admin

28. DS(EM)5 responded that the Administration had drawn up the proposed changes after wide consultation with the stakeholders concerned in the past year, and would provide the details of the implementation at a later stage. He pointed out that the proposed changes would make the re-deployment of staff feasible to support the mainstream schools and undertook to provide a written response in respect of the manpower deployment after the meeting. He also pointed out that the current regulation of private schools was mostly an administrative function. In re-prioritizing EMB's functions to tie in with the education reform particularly at this time of financial stringency, there was a pressing need for EMB to re-deploy the manpower to improve professional support to the mainstream schools.

29. PAS(EM)QA supplemented that under the current regulatory framework, staff of EMB would conduct inspection visits on the operation of schools and PSNFCs to enforce compliance with the legislative requirements. The proposed changes would reduce the frequency of visits and administrative work related to PSNFCs, and create room for EMB staff to provide more professional support to the public sector schools in the districts.

30. Ms Emily LAU asked whether the 13 parent-teacher federations (PTFs) and the Committee on Home-School Co-operation as stated in paragraph 19 of the Administration's paper had expressed support for the proposed changes in regulatory control of the operation of PSNFCs. DS(EM)5 replied that the Committee had expressed support and the 13 PTFs had made no adverse comments on the proposed changes.

31. Mr Tommy CHEUNG sought clarifications as to whether parents and teachers of the 13 PTFs held a consensus view on the proposed changes in regulation control of PSNFCs. He pointed out that while the proposed changes would benefit teachers in terms of the increase in job opportunities created by an expanding PSNFC sector, they would put parents and students at a higher risk of suffering financial loss. He asked how the views of the parents of the 13 PTFs were ascertained.

32. Senior Education Officer (Education Ordinance Review and Compliance) explained that EMB had sought the views of the 13 PTFs on the proposed changes at a meeting held on 28 October 2003 and the representatives in attendance were all parents. After consulting the Committee on Home-School Co-operation, EMB had made some changes to its original proposals including the specification of the right of students to choose to pay one to three months' course fee and teachers convicted of an offence punishable with imprisonment were not allowed to teach in PSNFCs. After consolidating the views received during the consultation exercise, EMB had forwarded the final proposals to the 13 PTFs to invite further views and had received no adverse comments from them.

Action

Definition of "school"

33. Mr CHEUNG Man-kwong queried the justifications for amending at a later stage the definition of "school" under the Ordinance to the effect that PSNFCs providing education courses for 30 or more persons aged between six and 18 at any one time would be required to register under the Ordinance. He pointed out that the proposal, if implemented, would mean deregulation of control of small tutorial schools accommodating less than 30 persons at any one time. The proposal would have far-reaching implications on the safety and other matters relating to students' interests.

34. DS(EM)5 responded that the Administration would consider members' views on the proposal to amend the definition of "school" under the Ordinance. EMB would continue to explore the appropriate parameters for redefining the definition, having regard to the interests of students and parents.

Way forward

35. Mr Tommy CHEUNG suggested that the Administration should explore the feasibility of establishing an industry compensation fund similar to that of the travel industry for providing compensation to students in the event of the closure of PSNFCs.

36. PAS(EM)QA responded that based on the experience of setting up the Travel Industry Compensation Fund, it would take a long time to enact the relevant legislation for the establishment of a similar compensation fund among the PSNFCs which were at present loosely organised and difficult to be pooled together. He pointed out that it would require the cooperation of PSNFCs so that the industry could be effectively covered as a whole and hence provide comprehensive protection for the students and parents.

37. Mr SIN Chung-kai, Mr CHEUNG Man-kwong and Ms Emily LAU expressed support for exploring the feasibility of establishing an industry compensation fund for the PSNFC sector to protect the interests of parents and students. Mr SIN and Mr CHEUNG urged the Administration to improve protection of parents and students against financial loss after implementation of the proposed changes even though the costs incurred would be borne by parents and students. In response to Ms Emily LAU's request, the Administration undertook to explore the feasibility of establishing an industry compensation fund.

Adm

38. In concluding the discussion, the Chairman requested the Administration to consider members' views and explore the suggestion to establish an industry compensation fund with PSNFCs and other major stakeholders. He suggested that the Administration should carefully plan the implementation of the proposed changes to avoid sudden closure of PSNFCs.

Adm

Action

V. Injection of funds to Hong Kong Examinations and Assessment Authority

[LC Paper No. CB(2)634/03-04(01)]

39. The Chairman welcomed the representative of the Hong Kong Examinations and Assessment Authority (HKEAA) to the meeting.

40. Mr CHEUNG Man-kwong questioned whether it was appropriate to provide a one-off grant of \$136.7 million in 2003-04 to support the research activities as described in paragraph 9 of the Administration's paper before the policy decision to implement the three-year academic structure for senior secondary education and four-year undergraduate programmes was made. He considered that the Administration should allocate the provision of \$136.7 to HKEAA by phases over a period of five years, and use the unallocated funds in areas that would benefit students direct.

41. DS(EM)5 explained that the HKEAA Council had conducted a strategic review from September 2002 and completed the final report in May 2003. The review had pointed out two central observations, namely, there were significant and serious gaps and disconnections in assessment policy and practice in Hong Kong; and HKEAA had operated within a limited Ordinance and with limited sources of revenue. He explained that HKEAA was a statutory body operated on a self-financing basis and its main income was the charges collected from students of the Hong Kong Certificate of Education Examination (HKCEE) and the Hong Kong Advanced Level Examination (HKALE). In other words, the current income sources of HKEAA could only cater for its existing self-financing activities, and was unable to support the conduct of the proposed assessment development and research activities.

42. DS(EM)5 further explained that the development of existing senior secondary curriculum and corresponding assessment mechanism was a necessary and on-going process regardless of the decision on the implementation of the three-year academic structure for senior secondary education. He pointed out that the assessment mechanism for HKCEE with more than 120 000 candidates each year and HKALE should be revamped to incorporate new assessment approaches such as standards-referenced and school-based assessment to improve the existing systems and to pave the way for the new three-year senior secondary curriculum when implemented. DS(EM)5 added that the one-off grant would provide HKEAA with the certainty in the planning and development processes for conducting the proposed assessment and research activities. He considered the results of the assessment work and research activities would ultimately benefit students' learning in schools.

43. Mr CHEUNG Man-kwong was not convinced that the funding support for HKEAA to conduct the proposed researches and assessment work should be provided on a one-off basis. He saw no justification for the Administration to

Action

reduce funding support for other educational services on the one hand and on the other, provide a one-off grant of \$136.7 million to start the assessment development when the senior secondary curriculum was still at an early stage of development. He also considered it premature to conduct the proposed research when the community as a whole was still debating whether it was appropriate to adopt a "3+3+4" structure for the junior secondary, senior secondary and university programmes. He pointed out that the addition of new subjects and integration of existing subjects for the new senior secondary curriculum were still controversial issues within the school sector. Mr CHEUNG considered it more appropriate to launch the proposed research activities by stages in the light of the progress of the education reform, i.e., when the Administration had decided a timetable for implementing the "3+3+4" structure and the senior secondary education curriculum.

44. Secretary General, Hong Kong Examinations and Assessment Authority (SG(HKEAA)) explained that arising from the recommendations of the strategic review, HKEAA was working towards the development of assessment policy in the light of the school curriculum reform and the expectations of the community. He pointed out that assessment of HKCEE performance should follow the emphasis on development of students' abilities in independent and creative thinking and problem solving. The proposed research activities were targeted at developing assessment policies and mechanisms that would enhance all-round development of students in schools and facilitate the implementation of the new senior secondary curriculum in due course.

45. DS(EM)5 supplemented that the one-off grant would enable the enhancement of HKEAA's research capacity to keep up with supporting the education initiatives and development of effective assessments in public examinations. He stressed that the one-off grant was decided after consultation with the HKEAA Council and the Curriculum Development Institute (CDI), having regard to the recommendations of the strategic review that HKEAA should be provided with the necessary funding support to strengthen its research and development capacity.

46. Mr Tommy CHEUNG said that although it would be undesirable to discontinue funding support for research activities in progress, there was no need to provide the total funding by a one-off grant. He suggested that the Administration should explore other methods of providing funding support to HKEAA, such as the allocation of funds at different stages of development. He also asked whether the proposed research activities and assessment work would be conducted on a regular or one-off basis, and why HKEAA had not carried out the proposed researches at an earlier time.

47. DS(EM)5 explained that HKEAA was restrained by its sources of income and did not have the capacity to carry out the proposed research and development activities without additional funding support. He pointed out that

Action

EMB would sign a letter of agreement with HKEAA to specify the ambit of the research activities and assessment development work to be undertaken by HKEAA and the monitoring mechanism to be applied. He explained the roles and functions of the Research Committee, the Finance and General Purposes Committee and the School Examinations Board under HKEAA in monitoring the usage of the one-off grant. He added that EMB had representatives in HKEAA Council and the said Committees and Board.

48. SG(HKEAA) said that the funding support should be one-off in nature because the proposed research studies arising from a need to improve the assessment policies and systems in school education in the light of the education reform was not a regular exercise. Under the letter of agreement, HKEAA was required to keep separate income and expenditure accounts for the one-off grant, and report progress of the use of the fund through its annual reports. He added that HKEAA had received similar funding support from the Administration to perform specific tasks in the past.

49. PAS(EM)QA supplemented that the assessment in public examinations would have to be revised in the light of the current education reform and latest thinking and practices in teaching and learning. The emphasis on public examinations should also be adjusted to meet the curriculum reform in progress. Effective feedback loop should be established to further enhance students' learning and class teaching. Furthermore, the format and contents of public examination as an external assessment on students' learning would have to be modified to match with the internal assessments conducted by schools under school-based assessment.

50. Mr Tommy CHEUNG said that the Liberal Party would support the proposed assessment development and research activities. He suggested that the Administration should set out the justifications for a one-off grant in greater detail in its proposal to be submitted to the Finance Committee for consideration. DS(EM)5 agreed to do so.

51. Dr YEUNG Sum said that he supported the proposed research on assessment development but objected to the provision of funding support on a one-off basis. He suggested that the Administration should report the implementation progress of the research activities and seek funding support at appropriate stages. He added that he supported the conduct of more education research for the development of assessment policies on areas such as the criteria for allocation of secondary one places to male and female primary school graduates and the setting of standards and practices for assessing the performance of undergraduates of different disciplines.

52. Mr LEUNG Yiu-chung considered that to reduce unnecessary waste of education resources, the Administration should conduct the proposed research and assessment work when the "3+3+4" structure was adopted and implemented.

Action

Given the many new education initiatives and frequent changes in school curriculum in recent years, he queried how the findings and results of the proposed research studies under the existing education system could match with the requirements of the future senior secondary curriculum under a “3+3+4” structure.

53. DS(EM)5 reiterated that the development of existing senior secondary curriculum and corresponding assessment mechanism was a necessary and on-going process regardless of the decision on the implementation of the three-year academic structure for senior secondary education. He stressed that the proposed research and assessment development work would be consistent with the developments under the concept of a “3+3+4” structure. The research and development to be conducted would include the adoption of school-based assessment and standards-based assessment in school education. The proposed research activities would help formulate long-term policies for the development of existing and any new and reliable public examination system to support the implementation of existing and new senior secondary curriculum, develop standards for assessment and comparison of students’ performance in schools and public examinations, and enhance assessment literacy of the teaching profession. He stressed that curriculum reform and assessment were closely related, and research and development on school-based and standards-based assessment was urgently needed. He added that the assessment policy and instruments which had been or would be developed such as the Basic Competency Assessment and on-line script marking would ultimately benefit teachers and students in the teaching, learning and assessment process.

54. Mr LEUNG Yiu-chung expressed doubt about the reliability of using the research data and findings based on the existing education system to develop standards for assessment and comparison of students’ performance under the new secondary curriculum to be adopted under a “3+3+4” structure. He considered that the Administration should set out a list of measurable objectives to be achieved from the proposed research studies as well as some quantitative indicators for assessment of students’ performance. He asked about the justifications for the high costs of the proposed assessment development and research activities.

55. DS(EM)5 responded that the recommendations of the strategic review to develop assessment policies and conduct the proposed research work were made after wide consultation with key stakeholders through workshop and focus group discussions. In fact, in the face of the implementation of the education reform measures and the increasing expectations of the community, HKEAA had responded by broadening its operation without additional sources of income. The provision of the one-off grant was essential for HKEAA to carry out the proposed research and assessment development activities, the results of which would help align the progress of school-based and standards-based assessment with the pace of curriculum reforms. In particular, the development of

Action

appropriate assessment mechanism for HKCEE would benefit some 120 000 candidates annually and their teachers and parents.

56. Mr SZETO Wah said that research on the impact of the education reform on school operation and students' performance in public examinations was more urgently needed than research on assessment development and policies. He pointed out that implementation of the education reform measures had substantially changed the mode of school operations in recent years. He considered that the effects of new initiatives on school education such as the curriculum reform would not be apparent during the early stages of implementation. It would therefore be unlikely that the results of the proposed research studies would be reliable as the schools and students would need time to develop and master the requirements of the new school curriculum.

57. SG(HKEAA) responded that public examinations had tremendous impact on teaching and learning activities in schools. HKEAA aimed to improve the existing public examination system by broadening the range of assessment methods which would best meet the curriculum requirements in the education reform. He pointed out that the adoption of the standards-referenced assessment, school-based assessment and new technology to improve assessment of students' performance in public examinations would enhance teaching and learning activities in schools. He stressed that the research studies would not only enhance assessment of HKCEE, but would also provide the foundation for implementation of the new three-year senior secondary education in due course. The costs incurred for the research studies and assessment work would be well justified.

58. Mr SZETO Wah considered that the review of the outcomes of the education reform was more urgent than the research on assessment development and should be given priority. SG(HKEAA), while acknowledging the importance of the evaluation of the education reform, pointed out the importance of examination research. He said that other places were revamping their examination systems. If Hong Kong stayed put, it would be lagging behind, which would not be in the interest of the students. PAS(EM)QA remarked that assessment development in public examination should match with the development of the new curriculum in schools. Since the new curriculum would focus on developing students' abilities in critical and high order thinking and analysis, problem solving, etc., the design of the public examination system and the assessment of participants' performance should be improved in tandem.

59. Mr SZETO Wah expressed concern about the additional burden on teachers if they were required to attend training programmes on assessment concepts and skills in order to enhance assessment literacy of teachers. DS(EM)5 responded that training programmes were meant to give teachers the necessary support, particularly in carrying out the internal assessments under the school-based assessment scheme. Attendance would be voluntary.

Action

60. Ms Emily LAU shared the view that the design of the public examination system was crucial to the teaching and learning patterns and activities in schools. She expressed support for conducting the proposed research on public examination, but expressed reservations about the provision of a one-off grant for the entire proposal. She asked whether the cost estimates would be dependent on the ongoing development of the curriculum and supporting assessments in the next five years as highlighted in the footnote in paragraph 11 of the Administration's paper.

61. DS(EM)5 expressed understanding of members' concerns about the provision of the funding support in the form of a one-off grant, but stressed that a one-off grant was critical in that it provided HKEAA with the certainty that the assessment development process would, once started, not be interrupted due to funding constraints. He explained that the footnote in paragraph 11 was not intended to indicate the possibility of higher budget costs. It merely served to indicate the costs were rough estimates based on the agenda of work.

Adm

62. Ms Emily LAU asked how the Administration would monitor the progress of the proposed research activities. She also requested the Administration to provide for members' information the membership lists of the HKEAA Council and its Research Committee, Finance and General Purposes Committee and School Examinations Board.

63. DS(EM)5 noted Ms Emily LAU's request for the membership lists. He reiterated that the letter of agreement would specify the ambit of the assessment, policy and research activities to be undertaken by HKEAA, the monitoring mechanism and the need to keep separate accounts. He assured members that the Administration would ensure that the one-off grant would be used for the specified purposes and report the progress of the assessment development to the Panel at appropriate time.

64. Ms Emily LAU noted that under the HKEAA Ordinance, the Chief Executive had the authority to approve or reject HKEAA's annual estimates of income and expenditure and programmes. She considered that the LegCo should play a role in approving the annual estimates of HKEAA. She requested the Administration to consider submitting the annual estimates of HKEAA to LegCo for approval. SG(HKEAA) reminded the meeting that according to the HKEAA Ordinance, HKEAA should submit its annual estimates and programme of activities to the Chief Executive for approval.

65. Mr CHEUNG Man-kwong said that he would not support the funding proposal if the Administration did not provide a breakdown of the estimated costs of the research and assessment activities listed in paragraph 9. He considered the estimated costs of the categorized activities shown in paragraph 11 of the paper too broad and vague. He did not consider that the Administration's paper had presented sufficient details of the proposal and

Action

queried whether the Administration was aware of the research activities to be conducted by HKEAA. He requested the Administration to provide more details of the research and assessment activities in its paper to be submitted to the Finance Committee for approval of funding. Mr CHEUNG added that he did not object to the proposed research and assessment activities, particularly the proposed standards-referencing of HKCE Chinese and English Language examinations.

66. DS(EM)5 responded that the Administration would provide more details in its submission to the Finance Committee, but pointed out that it would be difficult to provide a detailed breakdown of the research activities involved and the costs incurred. He pointed out that the Research Committee of HKEAA and CDI had prepared a detailed agenda for the proposed assessment development and research activities. SG(HKEAA) supplemented that the one-off grant of \$136.7 million covered not only research activities, but also a wide variety of assessment work including the implementation of standards-referencing and school-based assessment for Chinese Language, English Language and other subjects in the HKCEE. This development work would take place alongside the regular activities of HKEAA and additional resource support would be necessary. In addition, the research activities would identify useful qualitative and quantitative assessment data for schools' reference.

67. Mr LEUNG Yiu-chung asked whether the assessment development would incorporate research studies on how to assist students with learning difficulties and special needs to take public examinations. SG(HKEAA) responded that HKEAA had been working with relevant parties on how to provide appropriate arrangements for these students when they take public examinations.

68. Mr LEUNG Yiu-chung asked whether the multiple-choice item analysis reports for the HKCEE and HKALE had positive effects on teaching and learning in schools. SG(HKEAA) responded that this service was welcome by schools, and so far more than 300 schools had subscribed for the provision of these reports.

69. In summing up the discussion, the Chairman requested the Administration to consider members' views and suggestions expressed at the meeting, in particular their reservations about the provision of a one-off grant and their request for a detailed breakdown of the estimated costs of the major research and assessment activities.

Adm

Action

**VI. Hong Kong Examinations and Assessment Authority Ordinance
Schedule 2 (Amendment) Order 2003**
[LC Paper No. CB(2)634/03-04(02)]

70. Members raised no objection to the proposed amendment to Schedule 2 of the HKEAA Ordinance to reduce the composition of the HKEAA Council from 27 to 17 members.

71. Ms Emily LAU was of the view that members of the HKEAA Council should be appointed to represent their sectoral interest. She asked why the Administration considered it appropriate to appoint members of the HKEAA Council in their personal capacity.

72. DS(EM)5 explained that the Administration was of the view that members of HKEAA should continue to be appointed in their personal capacity as at present, contributing their respective expertise instead of representing sectoral interests.

73. SG(HKEAA) supplemented that if members of the HKEAA Council were appointed to represent sectoral interests, the decision making process of HKEAA Council would be prolonged as members would have to consult their respective sectors before expressing views at meetings. He added that HKEAA Council would separately consult relevant institutions on specific issues as appropriate.

74. Mr SZETO Wah asked how the number of members in the existing membership categories would be decreased in order to reduce the overall size of the HKEAA Council from 27 to 17.

75. DS(EM)5 responded that the number of members from different sectors would be decided before the proposed amendments were introduced into the LegCo for negative vetting. The preliminary view of the Administration was that the number of members from local universities could be reduced and that primary school principals and parents should also be appointed to widen the membership spectrum of the HKEAA Council.

VII. Any other business

76. There being no other business, the meeting ended at 7:05 pm.