

# 立法會

## *Legislative Council*

LC Paper No. CB(2)866/09-10

(The minutes have been seen by  
the University Grants Committee  
and The Chinese University of  
Hong Kong)

Ref : CB2/PL/ED

### **Panel on Education**

#### **Minutes of meeting held on Monday, 11 January 2010, at 4:30 pm in Conference Room A of the Legislative Council Building**

- Members present** : Hon Cyd HO Sau-lan (Chairman)  
Dr Hon Priscilla LEUNG Mei-fun (Deputy Chairman)  
Hon LEE Cheuk-yan  
Hon CHEUNG Man-kwong  
Hon LEUNG Yiu-chung  
Hon TAM Yiu-chung, GBS, JP  
Hon Tommy CHEUNG Yu-yan, SBS, JP  
Hon Audrey EU Yuet-mee, SC, JP  
Hon Andrew LEUNG Kwan-yuen, SBS, JP  
Prof Hon Patrick LAU Sau-shing, SBS, JP  
Dr Hon LAM Tai-fai, BBS, JP  
Hon Tanya CHAN  
Hon CHEUNG Kwok-che  
Hon WONG Sing-chi  
Hon WONG Yuk-man  
Hon Mrs Regina IP LAU Suk-yee, GBS, JP  
Dr Hon Samson TAM Wai-ho, JP
- Members absent** : Hon Abraham SHEK Lai-him, SBS, JP  
Hon Starry LEE Wai-king
- Public Officers attending** : Agenda item IV  
University Grants Committee  
Hon Mrs Laura M CHA, GBS, JP  
Chairman

Mr Michael V Stone, JP  
Secretary-General

**Attendance by invitation** : Agenda item V

The Chinese University of Hong Kong

Professor Michael K M HUI  
Pro-Vice-Chancellor

Mr Eric S P NG  
Registrar

Mr Jacob LEUNG  
Secretary of the University

The Teachers' Association of The Chinese University of Hong Kong

Professor WONG Chong-kim  
Chairman

Professor WONG Chi-sum  
Treasurer

The Chinese University of Hong Kong Employees General Union

Miss Emily NG Hiu-chun  
President

Dr Jane CHEUNG Mei-chun  
Representative of CU Instructors

The Student Union of The Chinese University of Hong Kong

Mr LIN Chiu-fai  
President

Student Union of Chung Chi College, The Chinese University of Hong Kong

Miss Annie CHUNG Lee-kwan  
President

Miss NG Pak-chi  
Internal Vice-President Designate

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

**Staff in attendance** : Mr Kelvin LEE  
Assistant Legal Adviser 1

Ms Judy TING  
Senior Council Secretary (2)7 (Acting)

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

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**I. Confirmation of minutes**

[LC Paper No. CB(2)663/09-10]

The minutes of the meeting held on 14 December 2009 were confirmed.

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

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

(a) a letter from the Secretary for Education dated 29 December 2009 about the Final Report of the Study on Small Class Teaching [LC Paper No. CB(2)645/09-10(01)]; and

(b) a referral dated 24 December 2009 from the Complaints Division concerning a request from 葵涌邨基層關注組 for review on policies of student financial assistance [LC Paper No. CB(2)648/09-10(01)].

3. Regarding (a), the Chairman said that the Education Bureau (EDB) had verbally advised the Secretariat that as it had signed an agreement with the consultant commissioned to carry out the study which provided for intellectual property protection, the full Final Report of the Study on Small Class Teaching (the Report) could not be uploaded onto the EDB homepage for public viewing.

4. Ms Audrey EU said that the Administration had originally planned to complete the study before deciding whether to implement small class teaching. Subsequently the Administration had changed its plan and implemented small class teaching in public sector primary schools by phases starting from Primary

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one in the 2009-2010 school year. She pointed out that she and many persons in the education sector who had been studying the subject would like to have a copy of the full Report. She was concerned on whether it was in order to make copies of the full Report.

5. The Chairman said that as the study was funded by public resources, members of the public should be entitled to access to its findings. She suggested and members agreed that clarification should be sought from EDB on whether an agreement had been signed with the consultant which provided that the full Report could not be uploaded onto the Internet. Ms Audrey EU indicated that if the full Report could not be copied for public reference, she would follow up the matter with the Administration.

6. As regards (b), the Chairman said that the subject of prices of school textbooks and development of electronic learning resources had been scheduled for discussion at the next regular meeting of the Panel to be held on 8 February 2010, and discussion would include the provision of Internet access service fee for needy students.

**III. Items for discussion at the next meeting**

[Appendices I and II to LC Paper No. CB(2)665/09-10]

7. The Chairman said that members had agreed at the meeting on 14 December 2009 that only representative organizations of each category of stakeholders should be invited to give views on the subject of prices of school textbooks and development of electronic learning resources. Members had then opined that as the various organizations of each category of stakeholders held similar views on the subject, the Panel should adopt a more efficient approach to receive views by inviting one or two representative organizations of each category. In this connection, the Secretariat, after making reference to the list of the 14 deputations which had attended the meeting on 11 May 2009 to give views on the subject, had drawn up a list of the proposed seven representative organizations to be invited to the next meeting. She referred members to the two lists which were tabled at the meeting.

8. Ms Audrey EU sought clarification on whether, apart from the proposed seven representative organizations, other organizations could also request to attend the meeting to give views. She considered it necessary for the Panel to agree on the proposed arrangement.

9. In reply, the Chairman said that other concern organizations could express their views by way of submissions. In her view, political parties should not be invited as they already had representatives sitting on the Legislative Council (LegCo). The proposed arrangement would enable more in-depth exchange of views between members and the representative organizations of the

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various categories. The Chairman invited members to consider whether the organizations proposed to be invited were representatives of their categories and whether the categories were exhaustive.

10. Mr CHEUNG Man-kwong shared the view that political parties should not be invited. He expressed support for the proposed arrangement of inviting only representative organizations of each category to give views because some categories, such as textbook publishers, had a large number of organizations and many of them held similar views. He considered the proposed list agreeable.

11. While agreeing to the proposed arrangement, Mr Tommy CHEUNG sought clarification on whether other organizations could also request to attend the meeting or whether they could only express their views by way of submissions. He considered it necessary to make clear the stance of the Panel to avoid complaints.

12. Mr CHEUNG Man-kwong said that the seven organizations proposed to be invited already represented their respective categories. He suggested that the Chairman and the Deputy Chairman be given the discretion to decide whether to accede to requests of other organizations to attend the meeting. The Chairman and the Deputy Chairman should consider whether the organization making the request had been covered by the invited organizations.

13. Dr Priscilla LEUNG supported Mr CHEUNG Man-kwong's suggestion to give her and the Chairman discretion to handle the requests of other organizations, if any, to attend the meeting. In her view, the number of other organizations requesting to attend the meeting should not be large.

14. The Chairman concluded that only the proposed seven organizations would be invited to attend the next meeting, and should requests of other organizations to attend the meeting be received, the Panel would consider whether a further meeting to receive views was necessary. Members agreed to the arrangement.

15. The Chairman suggested that in addition to the discussion item on prices of school textbooks and development of electronic learning resources, the Panel might consider discussing the Report at the next regular meeting.

16. Mr Tommy CHEUNG said that he could not attend the next regular meeting as he would be out of town. He was concerned whether members would have adequate time for thorough discussion on the subject of prices of school textbooks and development of electronic learning resources if another discussion item was to be added to the agenda.

17. While not objecting to discussing the Report at the next regular meeting, Ms Audrey EU did not see the urgency. She said that as the Report involved

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technical issues, the Panel should invite deputations to give views. She was concerned whether there would be adequate time to receive views of deputations on two subject matters at the next regular meeting.

18. Mr LEUNG Yiu-chung also considered it important to have in-depth discussion with the invited deputations on the prices of school textbooks and electronic learning resources. He added that small class teaching was a complex subject which would require time for thorough discussion.

19. Having regard to members' views, the Chairman concluded that there would be one discussion item only, i.e. prices of school textbooks and development of electronic learning resources, for the next regular meeting.

**IV. Briefing on the work of the University Grants Committee**  
[LC Paper Nos. CB(2)665/09-10(01) and (02)]

20. Members noted the background brief entitled "Role and functions of the University Grants Committee" prepared by the LegCo Secretariat.

Briefing by the University Grants Committee (UGC)

21. At the invitation of the Chairman, the Chairman of UGC, (Chairman/UGC) briefed members on the work of the UGC as detailed in its paper. She provided supplementary information on measures to enhance the transparency and operation of the UGC, internationalization of the higher education sector and the Higher Education Review as set out in the ensuing paragraphs.

*Transparency of the UGC*

22. Chairman/UGC said that the UGC had taken note of the motion passed at the Council meeting on 18 March 2009 urging the Administration to comprehensively review its role and functions. The UGC took the views of Members seriously. While acknowledging that there was room for improvement in the work and operation of the UGC, Chairman/UGC considered that some criticism might be due to misunderstanding on the role and functions of the UGC. Since taking up of the chairmanship of the UGC in April 2007, she had been endeavoring to improve the work and operation of the UGC. She elaborated that she had visited the eight UGC-funded institutions immediately following her assumption of duties, and communicated with the management with a view to better understanding their main concerns. In 2008, she had held briefings with the teaching staff and students of the institutions. In 2009, she had met with the Senate members of the institutions to obtain their views, in particular on the review of higher education. Furthermore, the UGC held regular meetings with the Heads and Council Chairmen of the institutions.

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23. As regards communication with students, Chairman/UGC said that since 2004, the UGC had held yearly meetings with students to facilitate members of the UGC, in particular the overseas members, to understand their concerns. The UGC also strived to improve the manner of convening such meetings so as to encourage students to freely express their views.

24. Chairman/UGC further informed that the UGC normally held three rounds of meetings each year, and she convened media briefings after each meeting to report on the discussed items. She added that issues of public concerns and the issues discussed by the UGC with the institutions were uploaded onto the UGC website under the section of "Frequently asked questions". The general public could also make use of the "Higher education forum" in the UGC website to express their views on higher education. Chairman/UGC further said that the UGC released Facts and Figures annually in the past. With effect from 2009, such statistics and additional information would be compiled in the form of an annual report. The first annual report would be released in mid-2010 which would include the work of the UGC in the preceding year.

*Operation of the UGC*

25. Chairman/UGC pointed out that the UGC noted the concern about its complicated procedures and micro-management. She explained that some procedures could not be streamlined because they were required by the Administration, such as those relating to the funding arrangements for institutions. With a view to improving the operation of the UGC, she had invited the Vice-Chancellor of each institution to recommend two areas which they would like the UGC to improve most. Most of these recommendations had been accepted by the UGC.

26. Chairman/UGC also apprised that before the passage of the motion by LegCo on 18 March 2009, the UGC had already embarked on reviewing its Notes on Procedures, which governed the UGC's relationship with the Administration and the institutions and set out the major operational/procedural elements of the interplay between the three. The review recommended streamlining some long-established procedures, including reducing the administrative vetting and approval procedures on the part of the UGC Secretariat. The resources thus saved could be allocated to strategic planning and addressing the concerns of the institutions. Chairman/UGC stressed that the streamlining would not diminish the public accountability of the UGC and the institutions. Subject to the agreement of the Administration, the streamlined Notes on Procedures would take effect.

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*Internationalization of the higher education sector*

27. Chairman/UGC said that the UGC noted the various concerns of members on internationalization of the higher education sector including the impact on local students' opportunities for university education. The UGC was of the view that the graduates of Hong Kong should be globally competitive. They should have an international outlook and ability to understand and work with people from different cultures and background in both local and overseas environment. Chairman/UGC stressed that admission of non-local students was only one of the components of internationalization of the higher education sector. Other elements, such as the teaching staff complement of the institutions and the curriculum, also had a bearing. Although the institutions were allowed to admit non-local students up to 20% of their approved student number targets, the quota had not been reached. Of the 20% quota, only 4% took up the 14 500 publicly-funded first-year-first-degree places, and the remaining 16% were enrolled through over-enrollment.

28. Chairman/UGC recognized that the shortfall of hostels for both local and non-local students had been a major concern. She advised that the UGC was liaising with the Administration with a view to identifying more sites for hostels, and it was pursuing the proposal of "joint hostels" for shared use by institutions. The UGC would continue to work with the Administration and the institutions to resolve the shortage problem.

*Higher Education Review 2010*

29. Lastly, Chairman/UGC reported that the review of the higher education was in full swing. The Review Group had met with various stakeholders in the last few months. Two open discussion sessions had been held for the purpose, and another round of discussion with the UGC-funded institutions would be conducted in April 2010. The UGC aimed to submit a report on the review to the Administration by the end of 2010.

Grievance procedures of the institutions

30. Referring to paragraph 34 of the UGC's paper, Mr CHEUNG Man-kwong enquired about the outcome of the UGC meeting with the institutions on 8 January 2010 concerning the grievance procedures of institutions. He asked whether any consideration had been given to the feasibility of involving external members in handling complaints and whether such feasibility would be regarded as institutional autonomy.

31. Chairman/UGC responded that the UGC had been encouraging the institutions to improve their grievance redress mechanisms. In September 2009, the UGC had taken forward its research of the practices of reputable overseas institutions. The UGC had drawn up the "best practice" guidelines for



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consideration by the institutions. One of the major suggestions was to include external members in handling complaints at the final level of appeal to enhance the independence of the grievance procedures.

UGC

32. Following up Mr CHEUNG Man-kwong's question, Ms Audrey EU asked whether the institutions had agreed to the best practice proposed by the UGC, including inviting external independent members to handle the final level of appeal. Chairman/UGC said she had not had the chance to discuss with the institutions as the UGC meeting was only held on 8 January 2010. The Chairman requested and Chairman/UGC agreed to provide written information in this regard to the Panel.

Education services and internationalization

33. Mr CHEUNG Man-kwong said that the shortage of hostels for non-local students would be exacerbated following the implementation of the four-year undergraduate programmes in 2012. He noted that joint hostels were not welcomed by residents in the districts. He pointed out that as more and more hostels were located outside the campuses and far away from the institutions, it was doubtful whether the value of hostel life could still be maintained.

34. Chairman/UGC said that owing to the scarcity of land in Hong Kong, it was inevitable that some hostels were located outside the campuses of the institutions. The UGC had been liaising with the Administration with a view to identifying more sites for hostels. She was of the view that joint hostels would facilitate exchanges among students from different universities and were popular in other jurisdictions. She noted that some district councils did not welcome the construction of hostels in their districts. The UGC had been assisting the institutions to convince the district councils. She would welcome Members' help in this too. To enhance the acceptance of the construction of hostels by district councils, it was suggested that the facilities in the hostels could be made available for use by local residents.

35. With regard to the Hong Kong PhD Fellowship Scheme as mentioned in paragraph 9 of the UGC's paper, Mr CHEUNG Man-kwong questioned whether the Scheme actually helped enhance internationalization of the higher education sector as almost half of the applicants were from Mainland China and about 15% from Pakistan and India.

36. Chairman/UGC acknowledged that Mainland students made up the majority of the applications for the Hong Kong PhD Fellowship Scheme and the applications from Hong Kong students were few. She attributed this to the relatively few number of Hong Kong students pursuing PhD study historically. She pointed out that although Hong Kong was renowned as a developed city, its tertiary institutions were not widely recognized. As the Scheme was only at its early stage of launch, it was hoped that in about five years' time, local institutions

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could build up and make known their reputations worldwide in order to attract students of different ethnic backgrounds. She also assured members that the research postgraduate places under the Scheme would not necessarily be fully allocated should applicants not meet the prescribed requirements.

37. Mrs Regina IP was doubtful whether internationalization of the higher education sector could be achieved as shown in the ethnic backgrounds of the students applying for Hong Kong PhD Fellowship Scheme. She highlighted the concern of many local students that internationalization of the higher education sector would exacerbate the problem of hostel shortage. She was given to understand that many local students living far away from the institutions were offered hostel places for only a short period of time, say one term, during the three-year study. She pointed out that many non-local students, especially those from the Mainland, were offered scholarship to pursue tertiary study in Hong Kong. They were devoted to their study and spent little time communicating with other students. She considered that cultural exchanges did not come along with internationalization of the higher education sector. She sought information on the number of non-local students pursuing undergraduate programmes in Hong Kong.

38. Chairman/UGC shared the view of Mrs Regina IP that the shortfall of hostels was a major concern. The UGC acknowledged that the need of local student for hostel places should be addressed. She said that apart from attracting non-local students to study in Hong Kong, sending local students to attend overseas exchange programmes was another means to achieve internalization of the higher education sector. In order to broaden the horizon of local students, the UGC had been encouraging the institutions to provide opportunities for each local student to study in an overseas institution for at least one term.

39. Mrs Regina IP said that tertiary education in Hong Kong referred mainly to university education. In the United States (US), a three-tier system was adopted under which universities, state colleges, and community colleges provided tertiary education. The tuition fees for study in community colleges were low and the percentage of their students furthering study in universities was high. She sought the view of the UGC on the direction of developing tertiary education and whether a two-tier tertiary education system in Hong Kong would be considered, putting aside resources consideration.

40. Chairman/UGC said that the public expenditure on higher education was already high. Currently, most of the sub-degree programmes were self-financing. The Administration helped sub-degree students meet their academic expenses by providing them with grants and/or loans. While noting the merits of the three-tier tertiary education in the US, the UGC, at the present stage, did not have a firm view on the suitability of two-tier tertiary education in Hong Kong.

41. Professor Patrick LAU said that he looked forward to the report of the

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Higher Education Review 2010. To help sub-degree holders to gain access to university education, he enquired whether the UGC had explored the need to increase the publicly-funded degree places. Chairman/UGC responded that sub-degree education was not under the purview of the UGC. The UGC had also been urging the Administration to increase the publicly-funded first-year-first-degree places.

42. Ms Audrey EU sought the view of the UGC on role differentiation among institutions as recommended in the Sutherland Report. The Report suggested that each institution should contribute to building Hong Kong as a regional education hub in its own areas of strength and aspire to be the top in the region. Ms EU further asked whether the Administration had consulted the UGC in the planning of education services. In her view, the policy lacked concrete proposals.

43. Chairman/UGC said that role differentiation among institutions had been implemented for some time. In the UGC's view, while it was desirable for each institution to strive to improve its own area of strength and aspire to be the top in the region, it might not be the most effective way of using public resources. Moreover, it would not be easy for the institutions to renegotiate on their respective roles at this stage. There was a difficult balance here and the UGC would aim to assist institutions to improve their existing operation. This was one of the areas to be covered in the Higher Education Review 2010.

44. Chairman/UGC further confirmed that the Administration had not consulted the UGC on the development of education services but the Task Force on Economic Challenges had discussed with the UGC once about the matter. The UGC had not undertaken any research on the development of education services.

Improving the operation of the UGC

45. Professor Patrick LAU sought information on the two recommended areas put forward by each institution for improving the operation of the UGC as well as the areas for streamlining the Notes on Procedures of the UGC.

46. Chairman/UGC replied that most of the suggestions for improving the operation of the UGC put forward by the institutions had been accepted by the UGC. These included allowing institutions autonomy to set the various levels of tuition fees (which they already had). Some institutions had also suggested that staff members of different UGC-funded institutions be appointed as members of the UGC. She explained that three members of the UGC had become staff members of an institution because of their change of job. She stressed that all UGC members were appointed in their personal capacities and did not represent any institutions. She could not divulge the details of the streamlined Notes on Procedures as the Administration had yet to approve them. She added that the

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UGC had already streamlined the approval procedures for some funding applications.

47. Dr Priscilla LEUNG was given to understand that the Research Grant Council (RGC) under the UGC had given preference to science disciplines than arts disciplines when considering research proposals. Chairman/UGC replied that the RGC had received more research proposals falling within the science disciplines. The members of the RGC were of diverse background and did not have preference for any particular disciplines. Chairman/UGC agreed to provide written information in this regard to the Panel.

48. The Chairman was concerned about the quality of programmes offered by private universities. Noting that the Quality Assurance Council (QAC) under the UGC was responsible for assuring the quality of the UGC-funded institutions' educational provision (however funded) at first-degree level and above, she sought written information on whether QAC would be responsible for assessing and ensuring the quality of the programmes of private universities. Chairman/UGC undertook to provide written information.

49. The Chairman thanked Chairman/UGC and the Secretary General of UGC for attending the meeting.

**V. The Chinese University of Hong Kong (Amendment) Statutes 2010**  
[LC Paper Nos. CB(2)665/09-10(03) and (04), LS37/09-10,  
CB(2)712/09-10(01) and (02)]

50. Members noted the background brief entitled "The Chinese University of Hong Kong (Amendment) Statutes 2009" prepared by the LegCo Secretariat.

Briefing by The Chinese University of Hong Kong

51. At the invitation of the Chairman, Professor Michael HUI, Pro-Vice-Chancellor of The Chinese University of Hong Kong (CUHK), said that CUHK had taken note of the views expressed by members on the proposed definition of "teacher" in the 2009 Amendment Statutes and student representation in the reorganized Senate at the Panel meeting on 9 November 2009. CUHK had all along acknowledged that instructors were its teachers, as shown in their receipt of the Exemplary Teaching Awards in the past. To address the concern of instructors, an Ad Hoc Working Group had been set up to conduct consultation with the relevant staff including the instructors, Department Heads and Faculty Deans. The Working Group would make reference to the experiences of local and overseas jurisdictions. It would then submit its report to the Vice-Chancellor for further action. To allow sufficient time for the Working Group to complete its tasks, CUHK's Council had decided to remove the part related to the statutory definition of "teacher" from The

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Chinese University of Hong Kong (Amendment) Statutes 2010 (the Amendment Statutes) and put forward only the remaining parts of the proposed Amendment Statutes for processing. CUHK would take into account the views of the stakeholders on the matter before making a decision.

Oral presentation by deputations

*The Teachers' Association of The Chinese University of Hong Kong  
[LC Paper No. CB(2)712/09-10(03)]*

52. Professor WONG Chong-kim presented the views of the Teachers' Association of The Chinese University of Hong Kong (the Association) as detailed in its submission. He elaborated that CUHK employed a large number of instructors in recent years to share the teaching duties of professors because the latter had to focus on research. This development was unhealthy. The title and remuneration of instructors did not correspond with their duties, and many instructors were paid lesser than a veteran secondary school teacher. Many instructors had no job security and sense of belonging with CUHK because they were employed on short-term contracts of one or two-years.

53. Professor WONG said that to address the aforesaid problems, the Association suggested that instructors assuming full-time teaching duties should be given the academic status and respect as teachers. Their title and remuneration should also be commensurate with their duties. Short-term employment of instructors should be minimized in order to safeguard academic freedom and quality of teaching. He urged CUHK to provide a time-table for the Working Group to complete its task to show that CUHK was not resorting to a delaying tactic to address the requests of instructors.

54. Professor WONG further said that while the Association welcomed the addition of elected teacher members to the reorganized Senate, it was concerned that the Senate was streamlined by reducing mainly teacher and student representatives but representatives of the senior management would increase. He also opined that CUHK had not conducted thorough consultation with teachers and students on the reorganization of the Senate.

*The Chinese University of Hong Kong Employees General Union  
[LC Paper Nos. CB(2)736/09-10(01) and (02)]*

55. Miss Emily NG presented the views of The Chinese University of Hong Kong Employees General Union (the Union) as detailed in its submission. She said that the Union was the forerunner of "Proper Name for Instructors Campaign". Owing to members' scrutiny of the legislative proposals, the part related to the statutory definition of "teacher" was removed from the Amendment Statutes for which the Union was grateful. Echoing the views of Professor WONG Chong-kim, Miss NG pointed out that the Union was

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concerned that CUHK was resorting to a delaying tactic to address the requests of instructors. She called on members to continue to monitor the matter.

56. Miss NG noted two misunderstandings at the last discussion of the Panel on the matter, namely instructors should not be eligible for membership of the Senate because they had low academic achievements and taught peripheral subjects and the inclusion of instructors in the definition of "teachers" would entail increase of remuneration. She pointed out that about half of the instructors in CUHK held doctoral degrees. For those who did not have the doctoral qualification, they taught language subjects, which was an important teaching component of CUHK. Instructors also assumed the chairmanship of committees. It was thus unfair to say that they had low academic achievements and should not be eligible for membership of the Senate. Miss NG further said that the Union had sought clarification with CUHK which confirmed that the inclusion of instructors in the definition of "teachers" would not necessarily increase remuneration for instructors. The only impact would be participation of instructors in making academic decisions.

57. Miss NG opined that the root problem of the issue of instructors rested with the funding policies of the UGC. She elaborated that the UGC had accorded priority to research over teaching, resulting in reduction of recurrent grants and increase of the Earmarked Research Grant to the UGC-funded institutions. As detailed in the Union's submission, the appointment of a large number of instructors by CUHK coincided with the reduction of recurrent grants by the UGC. The staff unions of various institutions shared the concern about the priority accorded to research in funding and had signed a joint petition in this regard. She urged members to follow up the matter with the UGC.

*The Student Union of The Chinese University of Hong Kong  
[LC Paper No. CB(2)736/09-10(03)]*

58. Mr LIN Chiu-fai presented the views of The Student Union of CUHK (the Student Union) as detailed in the joint submission of the five student unions of CUHK. He highlighted that the Senate objected to maintaining the President of the Student Union and the representatives of the student unions of the four original constituent colleges as ex-officio Senate members, and proposed instead the election of the three student members by "one person one vote" among students. Mr LIN said that the Student Union did not agree to the proposal because the three elected student members were not backed up by a cabinet and there would not be any monitoring mechanism on their performance as Senate members.

59. Mr LIN pointed out that being the President of the Student Union, his views on issues were formulated after extensive research and study conducted by the cabinet, which helped safeguard the quality of deliberation. He stressed that as the election of post holders of student unions had all along been organized by

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the student bodies as a manifestation of self-governance of students, the proposed election arrangement of student members by the Senate ran counter to the principle of self-governance of students.

60. Mr LIN also raised the issue of the ratio of student members in the reorganized Senate. Referring members to the Appendix to the submission of the Student Union comparing the senate structures of different UGC-funded institutions, he said that if the ratio of student members in the existing Senate was to be followed, the number of student members in the reorganized Senate should be five and not three. He suggested that the proposed additional two seats should be taken up by the representatives of the student unions of colleges so as to safeguard the quality of deliberation.

*Student Union of Chung Chi College, The Chinese University of Hong Kong  
[LC Paper No. CB(2)736/09-10(03)]*

61. Miss Annie CHUNG presented the views of the Student Union of Chung Chi College of CUHK as detailed in the joint submission of the five student unions of CUHK. While acknowledging that the reorganization of the Senate would enhance management efficiency, the Student Union of Chung Chi College considered it important to maintain the valuable tradition of college system of the university. Although College Heads would be ex officio members of the proposed reorganized Senate, there would not be any student representatives of the respective colleges.

62. Miss CHUNG said that student representation of colleges in the Senate was important because it helped promote the value of common governance by teachers and students and facilitated communication between the university and students. Student representatives always strived to fulfill their roles by consulting students on various issues and apprising students of the decisions of the Senate.

63. Miss CHUNG also stressed the importance of the quality of deliberation in the Senate. She was of the view that such quality was closely linked to the representativeness of student members. She pointed out that the three student members proposed to be elected by and from among all students could not fully represent the views of the students because they would not be accountable to any organization or subject to any monitoring mechanism. On the contrary, the presidents of student unions of colleges were in the best position to reflect student views as there were established consultation mechanisms.

Instructors

64. Mrs Regina IP enquired whether CUHK would include representatives of instructors in the reorganized Senate having regard to their large number and their important role in teaching. She pointed out that professors and lecturers

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were different ranks in the United States not because of their different academic achievements but because of the different requirements for academic research. Professors were required to regularly carry out research and make publications, whereas lecturers were not. Nevertheless, lecturers had to continually upgrade their knowledge with a view to delivering quality teaching.

65. Professor Michael HUI replied that some instructors had expressed desire to participate in different committees at various levels of academic governance of the university, including the Senate and the various Boards of Departments and of Faculties. The Working Group would make reference to the experiences of both local and overseas universities and consult staff members. Upon the completion of these tasks, the Working Group would make recommendation on the way forward. As the Working Group was in the process of consultation, CUHK could not make a decision at the present stage.

66. Mr LEE Cheuk-yan sought information on the scope and timetable of the review undertaken by the Working Group. He was concerned in particular whether the terms and conditions of service of instructors, such as promotion, remuneration, and length of contract, would be covered in the review. He said that he had been criticizing the UGC-funded institutions for appointing staff on contract terms. Mr LEE pointed out that giving preference to research over teaching was an unhealthy development. Teaching was important at undergraduate level, whereas research was conducted mostly at the master and doctoral levels. He called on CUHK to accord due respect to instructors. He also sought clarification on the staff members to be consulted by the Working Group. He was concerned about the creation of divisions in the university.

67. Professor Michael HUI stressed that CUHK valued the contributions of every staff member and encouraged them to realize their strengths in both research and teaching. The Working Group would examine not only the definition of "teacher" but also the related requests of instructors. He considered it necessary to listen to the views of other staff members and strike a balance. The Working Group needed time to conduct consultation on the matter.

68. As regards the concern about preference to research than teaching by institutions, Professor HUI said that he did not agree to segregate research and teaching. He pointed out that when he was awarded the Vice-Chancellor's Exemplary Teaching Award of CUHK a few years ago, he had emphasized the equal importance of research and teaching in his speech. He was of the view that universities should create and deliver knowledge in parallel.

69. Mr CHEUNG Man-kwong said that according to the Union, the existing terms and conditions of employment of instructors were discriminatory. The remuneration of instructors was generally worse than that of graduate secondary school teachers. An instructor with a doctoral degree was remunerated two points higher than that of a graduate secondary school teacher. Moreover,



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instructors only earned an increment every two years and one point of increment was divided into four sub-points. He cautioned that instructors would protest against such unfair treatment unless CUHK took immediate action to rectify the situation.

70. With regard to the removal of the part related to the definition of "teacher" from the proposed Amendment Statutes for the time being, Mr CHEUNG Man-kwong sought the views of the deputations on whether they agreed to the arrangement.

71. Professor WONG Chong-kim said that the Association agreed to the removal. He pointed out that instructors assumed a wide variety of duties in CUHK. While many of them undertook teaching duties, some performed administrative and marking work. Some assisted professors in conducting research but without appropriate compensation. They did not voice their grievances because they were employed on contract terms. Professor WONG reiterated the need for setting a timetable for completion of the tasks of the Working Group.

72. Ms Emily NG shared the views of Professor WONG Chong-kim. While agreeing to the removal, she was concerned whether consensus could be reached by stakeholders on the matter. She noted that the Working Group would consult not only instructors but also other staff members. It appeared that the Working Group was considering the interests of stakeholders instead of the teaching quality and development of the university.

73. Dr Priscilla LEUNG pointed out that as she understood, only research professors focused on research while other professors needed to assume teaching duties as well. Instructors worked closely with professors in teaching. She cautioned against the creation of rivalry between professors and instructors, and called on CUHK to recognize the contributions of instructors and to allow their representation in the Senate.

74. Professor Michael HUI said that CUHK was open on the matter. He reiterated that the Working Group would need time to consult staff members and complete its tasks. It did not have a timetable in this regard.

75. Mr LEE Cheuk-yan sought further clarification on the reasons for the Working Group to consult the views of other staff members and the objective of such consultation. He cautioned against creating divisions among staff members.

76. Professor Michael HUI explained that the management of CUHK hoped that its staff members enjoyed working in the university and could realize their strengths and potential. It was necessary for staff members belonging to different grades and groupings to have an appropriate division of labour and

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work together to contribute to the development of CUHK and to the higher education sector of Hong Kong. Professor HUI further clarified that he had said at the earlier Panel meeting that the inclusion of instructors in the definition of "teacher" would lead to earth-shaking changes. His intention was to stress that the changes would be fundamental, and extensive discussion was therefore necessary. There was no negative connotation in his expression.

77. Mr CHEUNG Man-kwong considered it important to set a timetable for the Working Group to complete its tasks. He agreed that the changes would be major as the terms and conditions of service of instructors would need to be addressed in the context. He stressed that the concerns of instructors should be addressed before the submission of the proposal for the reorganization of the Council of CUHK to LegCo for consideration.

78. Professor Michael HUI said that the Working Group aimed to finish consultation with instructors by February 2010. Following that, the Working Group would conduct research on experiences of local and overseas universities, exchange views with other staff members, and prepare a report. He expected that the report could be completed within a few months. However, it would be difficult to say whether a consensus could be reached on the issue. In response to Mr CHEUNG Man-kwong, Professor HUI indicated that the Working Group should complete its tasks before the end of the current legislative session in July 2010.

Student members in the reorganized Senate

79. Mr CHEUNG Man-kwong pointed out that the Hong Kong University of Science and Technology (HKUST) had conducted a poll among all its students to decide on the method of electing student members to its Council. The result of the poll was that students of HKUST voted for electing student representatives to the Council by universal suffrage. He enquired whether the student unions of CUHK would consider adopting the same method in deciding the manner of electing student members to the Senate. He stressed that the main concern of members was the representation of students in the governing bodies of institutions, and members would respect the decision of students.

80. Mr LIN Chiu-fai pointed out that except the University of Hong Kong, the presidents of their student unions in all other UGC-funded universities were ex officio members of their Senates. For HKUST, while the president of its student union was an ex officio Senate member, the other two student members were elected by and from among all full-time undergraduate and postgraduate students respectively. Students of HKUST had decided to elect their student representatives to the Council by and from among all students because the student representatives were appointed to the Council in their personal capacities. The University of Hong Kong adopted a different approach because its student union operated as an independent company which might not be regarded as a

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structure of the university.

81. Mr LIN also informed that the CUHK Convocation and the Union supported maintaining the President of the Student Union as an ex officio Senate member. He said that the Student Union had always been active in participating in the affairs of the university. In electing the cabinet of the Student Union, students had recognized that the President would be an ex officio Senate member. In his view, the proposal for conducting a poll among all students to decide on the method of electing student members to the Senate would be tantamount to vetoing the results of the election of the Student Union.

82. Mr WONG Yuk-man declared interest as a Council member of CUHK. He supported the view that the President of the Student Union should remain as an ex officio Senate member, although it was disputable whether he would be in a better position to represent the students than the student members by universal suffrage. Mr WONG pointed out the double standard adopted by CUHK in the proposed election of the three student members. He elaborated that while two of the student members would be elected by and from among all undergraduate and postgraduate students respectively, the other student representative would be elected by and from among the student members of the Boards of Faculties. He did not agree to the rationale of CUHK that the suggestion to make the President of the Student Union an ex officio Senate member would run counter to the principle of election of a representative to the Senate by and from among all the full-time undergraduate students as detailed in paragraph nine of CUHK's paper. He said that the officer positions of the Student Union including its president were elected by and from among all students. Mr WONG added that CUHK should have widely consulted the students. He noted with concern that the matter had yet to be resolved, notwithstanding that the Student Union had voiced out their objection as early as April 2009.

83. Dr Priscilla LEUNG said that as a former president of a student union of a college of CUHK, she appreciated the requests of the students. Given the unique college system of CUHK, she called on CUHK to respect the collective views of the students of maintaining the representatives of the student unions of the four constituent colleges as ex officio Senate members. She also suggested that students should make clear in their platforms for running the officer positions of student unions that the presidents would be ex officio Senate members.

84. Professor Michael HUI said that the Ad Hoc Committee had conducted many rounds of in-depth discussion before reaching a consensus and presenting the proposal for reorganizing the Senate to the Council. The former president of the Student Union sat on the Ad Hoc Committee. In the light of the joint petition of the respective student unions, the Senate convened an extraordinary meeting on 25 June 2009 at which it was agreed that the proposed method of electing student Senate members be adopted for implementation and a review would be

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undertaken five years after the implementation of the Amendment Statutes.

85. Mr Eric NG, Registrar of CUHK, supplemented that Mr LIN Chiu-fai had attended the extraordinary meeting at which options previously considered by the Ad Hoc Committee were re-examined, and eventually a consensus on the proposed election of student representatives was reached by the attendees to accept the original recommendations of the Ad Hoc Committee. Mr LIN then proposed a motion urging that a review should be undertaken three years after the implementation of the Amendment Statutes, and the motion was passed with an amendment to the effect that the review would be conducted five years after the implementation of the Amendment Statutes.

CUHK

86. Mr Tommy CHEUNG declared interest as a member of CUHK Council. To provide a full picture on the matter, he suggested that CUHK should provide in writing a chronology of events on the discussion on election of student members to the Senate. While understanding the college system of CUHK, he requested the student deputations to explain the rationale of their proposals for increasing two more student members in the reorganized Senate, in addition to the proposed three student members.

87. Mr LIN Chiu-fai acknowledged that the former President of the Student Union had sat on the Ad Hoc Committee but she was dismissed of the presidency because she had failed to reflect the views of the students who had objected to the proposal of the Ad Hoc Committee. CUHK had not addressed the matter until he assumed the presidency of the Student Union and the respective student unions made a joint petition. As this was the view of a minority of members in the Senate, he and the other student representatives could only move a motion at the extraordinary meeting urging the Senate to conduct a review three years after the implementation of the Amendment Statutes with a view to eventually making the presidents of the respective student unions as ex officio Senate members. Mr LIN added that the respective student unions did not agree to the proposal of arranging by the Senate the election of the three student members because it ran counter to the principle of self-governance of students.

88. With regard to the proposal for adding two more student members to the reorganized Senate, Mr LIN explained that the ratio of staff members in the reorganized Senate would be 0.8. In line with this ratio, the number of student members should be increased from three to five. The five student members attending the extraordinary meeting of the Senate had proposed to increase the number of student members to five. The President of the Student Union should remain as an ex officio Senate member; two student members should be elected from student representatives of the four original constituent colleges; and the other two from those of the remaining five colleges. As the proposal did not receive support from the majority of Senate members, he therefore moved a motion urging for a review three years after the implementation of the Amendment Statutes. He stressed that the student members attending the

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extraordinary meeting did not accept the proposal of the Ad Hoc Committee.

89. Dr Priscilla LEUNG said that she supported the proposal for adding two more student members to the reorganized Senate who should be elected from the student representatives of colleges. She suggested that the student deputations should consider how these two seats would be filled should there be vacant presidency of student unions of colleges.

90. Professor Michael HUI reiterated that the proposal for the reorganization of the Senate had been made after broad-based consultation and careful deliberations. He stressed that two student members of the Senate sat on the Ad Hoc Committee. He invited members to consider the implications and propriety of starting the consultation and discussion process all over again.

91. Mr Eric NG supplemented that the Ad Hoc Committee had convened five meetings from June to August 2008. The thirty members of the Committee were elected by and from among members of Heads of Schools, teachers and students, according to their respective constituencies, and included the former President of the Student Union. The proposal for reorganization of the Senate was endorsed unanimously by the Committee, and scrutinized by the Senate in September 2008, and approved by the Council in October 2008. Mr LIN Chiu-fai, after assuming the presidency of the Student Union, had been urging the University to revoke that decision. To address the issues raised in the joint petition of the five student unions, the Senate convened an extraordinary meeting in June 2009. There were student representatives who spoke at that meeting but disagreed with Mr Lin, and considered it more appropriate that student members to the Senate be elected by and from among all students under the one-student-one-vote principle. Following thorough discussions at the meeting, members of the Senate agreed without any dissenting vote to adopt the original proposal for reorganizing the Senate as put forward by the Ad Hoc Committee.

92. Given the divergent views on the matter, the Chairman suggested that students should consider conducting a poll among themselves to decide on the method of electing student members to the Senate.

93. Dr Priscilla LEUNG invited the student deputations to state their proposals. Mr LIN Chiu-fai reiterated that the Student Union proposed that the President of the Student Union should be an ex officio Senate member and two more student members be added to the reorganized Senate who should be elected from the representatives of the colleges.

94. Miss Emily NG opined that as instructors also requested to be represented in the Senate, the proposed size of the reorganized Senate might need to be revised following the review undertaken by the Working Group. She suggested that the issue of student Senate members could also be addressed in that context.

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95. Mr Eric NG stressed that there had been student representatives attending the various meetings of the Ad Hoc Committee and the Senate. They attended the meetings in their personal capacities and had expressed different views all of which were carefully considered. The existing proposal for the reorganization of the Senate was a collective decision made by the Ad Hoc Committee following a due process.

96. As the issues of students and instructors remained to be settled, Mr Tommy CHEUNG enquired whether CUHK would go for maintaining the existing membership of the Senate in the event that consensus could not be reached on these issues. He was concerned that issues relating to the terms and conditions of service of instructors should be factored in the deliberations on the future reorganization of CUHK Council. He regretted such a way of handling the matter.

97. Professor Michael HUI said that the proposal for reorganization of the Senate was originated from the recommendations in the Sutherland Report with a view to enhancing the governance of CUHK. The proposal was put forward after a series of broad-based consultation and careful deliberations. While understanding the various requests of instructors, CUHK did not agree to bundle these with the proposal for reorganization of the Senate.

98. The Chairman opined that it was important for members to understand the related issues in the scrutiny of the Amendment Statutes. She considered it important to give due regard to the important role of instructors in the university and ensure that their terms and conditions of service were fair. To better understand the issues, she requested CUHK to conduct a poll on the roles, terms and conditions of service and qualifications of instructors. She also called on students to conduct a poll among all students to decide on the method of electing student members to the Senate and CUHK to respect the decision made thereupon in the principle of self-governance of students.

99. Mr LIN Chiu-fai responded that the student unions did not object to conducting such a poll to decide on the method of electing student Senate members. However, the discussions were carried out by the Ad Hoc Committee from June to August 2008 when the university was in summer vacation. It was difficult to conduct a poll on or wide consultation with students as many students were on holiday. He supported the proposal to state in the constitution of the Student Union by universal suffrage that its president would be an ex officio Senate member. He further stressed that the election of student Senate members should be organized by students but not the Senate in order to safeguard the principle of self-governance of students.

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**VI. Review of the Pre-primary Education Voucher Scheme**  
[LC Paper Nos. CB(2)665/09-10(05) and (06)]

100. Members agreed to defer discussion on this item to the next regular meeting.

**VII. Any other business**

101. There being no other business, the meeting ended at 6:46 pm.

Council Business Division 2  
Legislative Council Secretariat  
4 February 2010