

LCQ16: Monitoring of operation of international schools

Following is a question by the Hon Chan Hok-fung and a written reply by the Secretary for Education, Dr Choi Yuk-lin, in the Legislative Council today (July 10):

Question:

Regarding the monitoring of the operation of international schools, will the Government inform this Council:

(1) as it has been reported that the parents of students of an international kindergarten originally intended to cease operation at the end of July this year have been notified that the kindergarten may continue to operate with the current governing team in the next school year, whether any international schools and kindergartens, having applied for cessation of operation, have been approved by the authorities to continue operation in the past five years; if so, of the number, details and vetting and approval criteria of such cases;

(2) whether the Education Bureau (EDB) ultimately invoked section 14(1)(i) of the Education Ordinance (Cap. 279) in the past five years to refuse to register an international school due to the fact that the composition of the proposed management committee or incorporated management committee was such that the school might not be managed satisfactorily; if so, of the number and details of such cases;

(3) as it is reported that a number of international schools plan to increase tuition fees by four per cent to eight per cent in the next school year, of the specific role of the EDB in the determination of the rate of tuition fee adjustments and the financial arrangements by such schools and their sponsoring bodies; and

(4) as it has been reported that in January 2020, the Office of The Ombudsman issued a direct investigation report criticising the EDB for not setting up an approval mechanism in respect of the collection of charges other than tuition fees by international schools (e.g. construction fees and the requirement for parents to purchase debentures) over the years, and in June 2020, the then Secretary for Education indicated that international schools had to seek the EDB's approval for collection of such charges starting from the 2020/2021 school year, of the implementation situation and progress of the relevant measure?

Reply:

President,

The education system in Hong Kong provides parents with diversified and high-quality choices. Apart from publicly-funded schools, private schools (including international schools) in Hong Kong have been playing a unique role in offering local and non-local curricula according to their mission. In particular, the Government is committed to developing a vibrant international school sector to meet the demand for international school places from non-local families living in Hong Kong and families coming to Hong Kong for work or investment. In the 2023/24 school year, there are 54 international schools (including one special school) in Hong Kong which admit 42 100 students, accounting for 6.4 per cent of some 650 000 primary and secondary students in Hong Kong. Apart from international schools, there are about 100 other private schools (Note) in Hong Kong.

(1) According to the Education Ordinance (Cap. 279) (the Ordinance), all schools must be registered with the Education Bureau (EDB). To obtain the registration for offering education, schools must comply with the regulations prescribed in the Ordinance in respect of the premises, safety, management and teaching staff. In the event that a school has ceased operation and cancelled its registration, any relevant persons intending to reopen a school at the old premises must submit application to the EDB for registration of a new school according to the relevant regulations. On the contrary, if a school has not ceased operation or cancelled its registration, there is no need to apply for school registration again. However, applications for a change in the school name and management of the school such as the school supervisor, the school manager and/or the school principal, have to be submitted to the EDB and obtain approval in accordance with the Ordinance before commencing operation.

(2) Schools have to comply with the relevant statutory requirements upon school registration. From our record, the EDB did not exercise the power under the concerned provision of the Ordinance to refuse applications for school registration in the past five years.

(3) In accordance with Regulation 65 of the Education Regulations (Cap. 279A), no change in fees shall be made by all schools (including international schools) without the prior written approval of the EDB. Schools which plan to adjust their school fees in the new school year are required to apply to the EDB. Private schools (including international schools) are self-financing and market-driven in their operation. The EDB will critically consider justifications provided by the schools (e.g. rent increase, salary adjustment of school staff, employment of additional teachers, purchase of teaching materials and major repair works, etc), the schools' financial position, as well as the schools' communication with parents on the relevant issues and response to parents' concerns when examining the applications.

(4) The EDB had been actively following up on the recommendations made in the Ombudsman (OMB)'s report of January 2020 about establishing the more comprehensive application and approval mechanism regarding other charges (such as debentures, capital levies and fees for nomination rights) collected by private schools (including international schools). As it took time to establish a more comprehensive mechanism, the EDB had first introduced the

transitional arrangement in the 2020/21 school year, allowing private schools which wished to continue collecting other charges for the 2020/21 school year to submit applications to the EDB. The EDB would examine the information submitted by the schools before granting the time-limited approval.

In the meantime, the EDB established the "Advisory Committee on Processing Applications for Collection of Capital Levies/Debentures/Nomination Rights" (the Committee), with members who were professional accountants, to formulate the more comprehensive application and approval mechanism to regulate the collection of other charges by private schools for long-term school development. The EDB also met with representatives of private schools with a view to understanding their operations. Following the recommendations of the Committee, the EDB issued the circular to private schools on August 22, 2023, to promulgate the implementation details of the application and approval mechanism for collection of other charges by private schools and started handling applications according to the new mechanism with effect from that date. On August 29, 2023, the EDB conducted a briefing session to give details of the mechanism to school representatives. Furthermore, after being informed of our work progress, the OMB concluded that the EDB had implemented the recommendations made in its investigation report.

Note: "Other private schools" refer to private ordinary primary and secondary day schools registered with the Education Bureau. They include day schools offering local or non-local curriculum day courses but not special schools and primary and secondary day courses operated by private schools offering tutorial, vocational and adult education courses.