

**Re : The Inquiry On Allegations Relating To
The Hong Kong Institute of Education**

**Closing Submissions Of Counsel For
The Hong Kong Institute Of Education (“the Institute”)**

The Role of the Institute

1. The Institute and its affairs are the objects of the Inquiry.

2. The Inquiry has arisen as a result of allegations made by Prof. Morris (the President) and Prof. Luk (the Vice-President (Academic)) against Prof. Li (the SEM), Mrs. Law (the PSEM) and Dr. Leung (the Chairman of Council of the Institute).

3. As the Institute acting by its governing body, Council, does not know who is telling the truth, especially as between Prof. Morris and Prof. Luk on the one hand and Dr. Leung on the other hand, the Institute has adopted a neutral position whilst leaving it to the major players to decide for themselves as to the manner in which and extent to which they will take part in the Inquiry.

4. Whilst adopting a neutral stance, the Institute appreciates that it has a duty to assist the Commission by making discovery of documents and inviting members of the Institute, including its staff, Council members and former Council members, to provide witness statements on matters relevant to the Inquiry.

5. At the same time, the Institute offered legal advice and assistance to its staff, Council members and former Council members by making available to them the services of the Institute's solicitors, Messrs. Johnson, Stokes and Master. Many of them took the benefit of the same.

6. Consequently, many box files of documents were made available by the Institute to the Commission and a large number of staff, Council members and former Council members supplied witness statements to the Commission. It is to be noted that the majority of such witness statements were compiled with the assistance of the Institute's solicitors. The members and former members of the Institute who availed themselves of the services of the Institute's solicitors and who filed witness statements are listed in **Annex 1** hereto. Some of them requested and were provided with copies of the transcripts of the hearing.

The Interest of the Institute in the Inquiry

7. Although the Institute has adopted a neutral stance in the

Inquiry and its lawyers have not acted for any particular individual member of the Institute, the Institute as a Government-funded institution is eager to ensure that no damage has been or will be done to its integrity, well-being and reputation in the course of the Inquiry and in the course of events leading up to the Inquiry.

8. With this in mind, certain observations and submissions are made below.

The Stance of the Institute and its Council on Full Merger

9. The evidence which has been adduced in the course of the Inquiry shows beyond doubt that, soon after the Niland Report was published in March 2004, Council decided to adopt the principle of “no full merger” and has adhered to it ever since. Up to today, nothing whatever has been done by Council to give the slightest hint that it intends to depart from that principle.

10. It is an undeniable fact that in paragraph 12 (c) of the minutes of Council meeting held on 21st June 2004, it is recorded that :-

“The Council

(d) AFFIRMED that further exploration of the feasibility, desirability and form of deep collaboration with other local tertiary institution(s) was to be carried out

within the parameters as set out in paragraphs 7 (a) and (b) of the paper [GC 17 /2004].”

[IEEM-2 p. 6]

11. Paragraph 7 (a) of the paper GC 17/2004 reads as follows : -

“(a) Question 1 : Should the Council pursue opportunities for integration/partnership with other institution(s)?

(i) All groups were against a full merger as defined in the Niland Report. In view of the fact that the UGC has already implemented measures to encourage deep collaboration among institutions and for the purposes of enhancing and expanding the core role of the Institute, all groups agreed that institutional integration under the affiliation/federation model was worth exploring.*

**Extracted from Niland Report :*

Merger, in its full and total form, occurs where the integrating parties fuse permanently into a single entity in all respects. The new entity will have a clear identity with a single governing body, a single academic senate, a single vice chancellor or president a unified management structure. Rationalisation may take longer in other important areas such as degree programme offerings, the structure of academic units and management systems. But the merger strategy should drive to fusion here as well, and in a relatively short time.

“An institutional merger is taken to mean an amalgamation of two or more separate

institutions that surrender their legally and culturally independent identities in favour of a new joint identity under the control of a single governing body. All assets, liabilities and responsibilities of the former institutions, including the human elements, are transferred to the single new institution". (Harman, 2002; p. 94)"

[emphasis added]

[IEEM-2 p. 12]

Thus Council firmly decided against a full merger of the Institute with any other institution as early as June 2004.

12. At Council meeting held on 24th June 2005, a paper GC 21/2005 was tabled. [IEEM-2 p. 55]

13. The paper GC 21/2005 is intituled "Deep Collaboration" [IEEM-2 p. 61]. The introductory paragraph thereof reads as follows : -

"At the Council Retreat held last year, the Council agreed on a number of principles (Annex I) which guide the Institute to explore and foster institutional deep collaboration. Recently, active discussions with the other institutions on deep collaboration have been resumed."

14. The said Annex I to GC 21/2005 is intituled "Deep Collaboration Parameters approved by Council on 21 June 2004" ("the Parameters") [IEEM-2 p. 62]. It provides as follows : -

- “1. *against a full merger.*
2. *maintain independence in the areas of academic matters, financial matters and governance & management;*
3. *establish and maintain a distinct focus on student support services leading to the preparation of professional teachers, an appropriate degree award mechanism which preserves teacher education identity, and an academic staff appraisal system that encourages teacher education ; and*
4. *both parties believe in the principle that ultimately “teacher education needs to be sponsored by the Government” in order to better serve the community and the quality of programmes and students.”*

[emphasis added]

15. Paragraph 10 of the minutes of the said Council meeting held on 24th June 2005 has also recorded the following : -

- “(f) *in response to an enquiry, HEARD Professor Bernard Luk explain that initial discussions would focus on the collaboration for the coming 6 years to tie in with the UGC funding cycle which was in terms of triennia, and that as merger would not be a part of the discussion of the CUHK-HKIEd Task Force, the chances of a merger arising out of the discussion would be virtually nil;*
- (k) *AUTHORISED the President, in consultation with the Council Chairman, to execute an agreement on deep collaboration with CUHK provided that such an agreement would be based on the approved*

principles.”

[IEEM-2 p. 55]

16. Thus, once again, Council re-iterated and re-affirmed the ‘no full merger’ principle.

17. Pursuant to the resolution passed at that meeting, the Institute entered into the Deep Collaboration Agreement dated 9th July 2005 with CUHK in which the words “other than a full merger” appear in clause 9. [MLA2 p. 426]

18. Nothing has ever been done by Council to move away from or modify the principle of “no full merger” up to today.

The Integrity of the Council

19. Although in certain of the witness statements and in some parts of the oral evidence there seemed to be some hint or suggestion that some Council members were implicated in the sense that they might not have been unaffected or unbiased in some of their deliberations in Council meetings, especially the ones concerned with the question of re-appointment of Prof. Morris as President, the Institute is pleased to note that any such hint or suggestion has now been disavowed by the relevant witnesses, except in relation to Dr. Leung and, to a lesser extent, Mr. Eddie Ng, the Deputy Chairman of

Council.

20. In the Transcript Bundles, on Day 11, at page 13 line 25 to page 14 line 4, Prof. Morris gave the following evidence :

*"First of all, I just want to clarify this :
are you making an allegation against any of the council
members?"*

A. No, I'm not.

Q. You're not?"

A. No."

- On the same day, page 18 line 23 to page 19 line 13, Prof. Morris further gave the following evidence :

*"So, of the external voting members, they are
all either from the education field or from the industry,
people who certainly one would expect to be independently
minded; is that a fair statement?"*

A. Yes.

*Q. You are not suggesting that there is any influence
that the EMB was asserting over these individuals
at the time when they were voting on the
re-appointment?"*

A. No, I'm not aware of any influence.

*Q. You are not saying that their vote in relation to the
re-appointment was affected by the merger issue,*

are you?

A. *I don't know that it is.*

Q. *You are not saying it is?*

A. *I'm not saying it is.*

Q. *Thank you. That clarifies matters."*

21. In the Transcript Bundles, Day 14, at page 86 line 21 to page 87 line 9, Prof. Luk gave the following evidence :

"Q. Just so that there is no misunderstanding whatsoever, do you make any allegation regarding the conduct on the part of the voting members in relation to this council meeting and in particular the voting on the question of the re-appointment of Prof. Morris at this council meeting?

A. *My allegations have referred to the chairman, Dr. Thomas Leung, sometimes the deputy chairman Mr. Eddie Ng misleading the external council members in the process of the presidential review.*

Q. *Your allegations and accusations are only directed at those two persons, Dr. Thomas Leung and Mr. Eddie Ng, but not the other voting members?*

A. *Not the non-officers of the council, no."*

22. In the Transcript Bundles, Day 17, at page 30 line 10 to page 31 line 4, Prof. Grossman gave the following evidence :

“Q. Just one final matter I'd like to clarify. The vote in relation to the re-appointment of the president, there were 10 voting members who voted against re-appointment and three who voted in favour; is that right?”

A. Yes, and there were three abstentions.

Q. Yes, and there were three abstentions. You have made your views known about the procedure and also what you say about the council chairman, but I just want to clarify as to whether you have anything to say with regard to the other voting members. Are you saying that they have been acting other than independently and in the best interests of the Institute?”

A. No, I would not say that. What I would say, having been involved in these, it's extremely unusual, it would be very unlikely that any president would be re-appointed without a strong recommendation from the re-appointment committee. And a committee that makes no recommendation is the same as saying: we don't support him. That's how I interpret it. But I have no evidence that council members did anything than act independently.”

Alleged Pressure for Full Merger and the Re-Appointment of Prof. Morris as President

23. It is the case of Prof. Morris that pressure was exerted on him to agree to a full merger of the Institute with CUHK and that, if he were not to agree to the same, he would not be re-appointed as President.

24. It is the evidence of Prof. Morris that Dr. Leung made it plain to him at a breakfast meeting on 10th June 2006 that his re-appointment as President would be dependent on his agreement to a merger (full merger) between the Institute and CUHK. Such allegation has been vigorously denied by Dr. Leung.
25. It is for the Commission to resolve this conflict between Prof. Morris and Dr. Leung.
26. Although the Commission has observed in the course of the hearing that the question of the re-appointment of Prof. Morris is strictly not relevant to the Terms of Reference of the Inquiry, in view of the suggestions by Professors Morris, Luk and Grossman of unfairness and impropriety in the process of consideration and deliberation of that question on the part of the Ad Hoc Committee appointed by Council, the Institute feels that it should make the following observations.
27. The contract of employment of Prof. Morris as President was due to expire in September 2007.
28. On 6th April 2006, Council passed a resolution to formalize “the procedures for the re-appointment or otherwise of the President, as set out in paragraph 3 of the paper GC 16/2006, on the understanding that the staff Council Members would decide among themselves as to who would participate in the ad hoc committee” to

be set up.

[IEEM-2 p. 93]

29. The said paper GC 16/2006 is intituled "Proposed procedures for re-appointment or otherwise of the President" [IEEM-2 p. 95]. Paragraphs 3 and 4 of that paper read as follows :-

"Proposed Procedures

3. *To ensure a due process is observed and in the light of prevailing practices for other contract renewals, it is now proposed that the following procedures be formalized :*

- (a) *that an ad hoc Council committee comprising the following members be set up by the Council to consider all matters relating to and to make recommendations to the Council for the re-appointment or otherwise of the President :*

Chairman

Chairman of the Council

Members

Deputy Chairman of the Council

Treasurer of the Council

Two staff Council Members

The Secretary to Council shall, with the help as necessary by a senior staff member in the

Human Resources Office, serve as the secretary of this ad hoc committee;

- (b) that this ad hoc committee be established about 1 – 1.5 year before the expiry of the President's contract;*
- (c) that this ad hoc committee be authorized to collect views and comments from any staff, students and stakeholders outside of the Institute, **as the ad hoc committee may think fit**, on the performance and suitability of the incumbent President, and take these views/comments into consideration in formulating the recommendation; and*
- (d) that these views/comments be included in a summary form in the report from the ad hoc committee to the Council.*

4. *According to the information we recently collected, the above proposed procedures are largely in line with the prevailing practices and procedures used in the other UGC-funded institutions in relation to the appointment of President/Vice-Chancellor. Each Council generally establishes a committee to review the performance of the President/Vice Chancellor and then makes a recommendation to the Council for approval."*

[emphasis added]

It is to be noted that under paragraph 3(c) of the said paper, the procedure to be adopted for the collection of views and comments was to be decided by the ad hoc committee itself.

30. Shortly after 6th April 2006, the ad hoc committee which then became known as the “Ad Hoc Committee on the Review of the President” (“the Ad Hoc Committee”) was established with the following membership : -

“Chairman : Dr. Thomas Leung, BBS, JP (Chairman of the Council)

<i>Members : Mr. Eddie Ng, JP</i>	<i>(Deputy Chairman of the Council)</i>
<i>Mr. Pang Yiu Kai, JP</i>	<i>(Treasurer of the Council)</i>
<i>Prof. David Grossman</i>	<i>(staff Council Member)</i>
<i>Mr. Wong Ping Ho</i>	<i>(staff Council Member)</i>

Secretary : Mr. Norman Ngai (Secretary to Council)*

** with the help as necessary by a senior staff member in the Human Resources Office”*

[IEEM-2 p. 97]

31. Subsequently, the Ad Hoc Committee decided by circulation on the Proposed Procedures for the Review of the President (paper AHCRP 1/2006 (cir)) (“the Review Procedures”) [IE – 3 p. 275]. The same was passed by three votes in favour with one vote against and one abstention [IE – 3, p. 285]

32. Paragraph 4 of the Review Procedures reads as follows : -

“Proposed Procedures for the Review

4. To facilitate the conduct of the review of the

performance of the President, the following procedures are proposed :-

- (a) the Committee, as agreed at the Council meeting held on 6 April 2006, is the Reviewer who will undertake an overall appraisal on the performance of the President.*
- (b) the President's performance will be reviewed against the functions related to his work portfolio, with particular focus on strategic dimensions, including academic and overall development of the Institute, relationships with key stakeholders, ability of securing connections and resources, internal leadership, and capability of managing people and resources, and building up spirits and culture;*
- (c) evaluation of the performance of the President will be obtained from key stakeholders including the UGC, Council Members, Department Heads, representatives from the Academic Staff Association and students("relevant parties");*
- (d) evaluations from the relevant parties will be collected by the Council Chairman through two channels : (i) face-to-face meetings in small groups with all the relevant key and identified stakeholders as stated in (c) above and in the interest of maintaining confidentiality, **it is proposed that the two staff Council Members and the Secretary of the Committee be excused from these meetings;** and (ii) written evaluations collected from the aforesaid parties in strict confidence and addressed directly to the Council Chairman;*
- (e) each relevant party being consulted will be*

provided with the job specification of the President, which was dated September 2002 (... ..), and the Criteria for Evaluation (... ..) for reference (it should be noted that since the job specification was dated back in 2002, some of the duties stated therein would have already been taken over by events);

- (f) the Council Chairman will undertake to summarise the evaluations collected and put it forward to the Committee for discussion;*
- (g) the Committee will then make the performance assessment, and provide it to the President for feedback or comments, along with a full list of those individuals consulted in the appraisal process;*
- (h) the feedback/comments from the President on the performance assessment as stated in (g) above will be discussed by the Committee; and*
- (i) the Committee will make appropriate recommendation to the Council for deliberations and approval.”*

[emphasis added]

33. Subsequently, the Ad Hoc Committee set to work with the three non-staff members carrying out interviews with, inter alia, members of the staff in small groups. Views were collected and the Ad Hoc Committee finally made a report to Council without making any recommendation one way or the other.

34. There have been certain suggestions (mainly by Professors

Morris, Luk and Grossman) that there was unfairness and impropriety in three aspects : -

- (i) There was delay between April and October 2006 when nothing was done by the Ad Hoc Committee.
- (ii) The interviews with staff were not carried out properly because the two staff-members of the Ad Hoc Committee, namely, Prof. Grossman and Dr. Wong Ping Ho, had been excluded.
- (iii) A lot of leading questions were asked of the staff during the interview.

35. Regarding the question of the alleged delay, three points are to be noted : -

- (i) It seems that it was only in about the middle of June 2006 that Prof. Morris confirmed that he was definitely going to seek re-appointment.
- (ii) The Institute has produced a record of the out-of-town or leave movements of the five members of the Ad Hoc Committee and of the leaves taken by Prof. Morris during the months of April to September 2006 [IE-26 pp. 53 – 1 to 65] which tends to support the suggestion that it was

rather difficult to hold a meeting of the Ad Hoc Committee before October 2006, especially after taking into account the vacation period between July and September.

(iii) The time frame for the establishment of the Ad Hoc Committee was 1 – 1.5 years before the expiry of the President’s contract. See paragraph 3 (c) of the Proposed Procedures set out in paragraph 30 above. September 2006 would be one year before the expiry of the President’s contract in September 2007.

36. Regarding the exclusion of Prof. Grossman and Dr. Wong Ping Ho from the interviews with staff members, the reason advanced by Dr. Leung was that their presence would have inhibited the staff members from speaking their minds frankly. Such exclusion was also consequential upon a letter of advice by Messrs. Johnson, Stokes and Master dated 26th October 2006 [IE-26 p. 48] which advised that “the level of involvement of the staff Council Members in the Ad Hoc Committee be minimized” due to the prohibition in S. 11 (7) of the Hong Kong Institute of Education Ordinance against certain Council members (including the relevant staff members of the Ad Hoc Committee) participating in any deliberation on the appointment of the President. From the Institute’s point of view, what is most important is that the correct procedure as decided by the majority of the Ad Hoc Committee itself was adhered to. See paragraph 4(d) of the Review Procedures set out in paragraph 32 above.

37. Regarding the complaint about leading questions being asked at the interviews, there are two points to note :-

- (i) The asking of leading questions is neither here nor there unless the interviewee is also restricted to answering the questions in a particular way.
- (ii) There is produced a contemporaneous note taken by Ms. Connie Wong of an interview conducted by Dr. Leung and Mr. Eddie Ng with Prof. Luk, Prof. Moore and Ms. Katherine Ma on 14th November 2006 [**W1 pp. 18 – 22 to 18 – 31**]. This has been confirmed by Prof. Moore as being a full and detailed note of the meeting [**Transcript Day 23, p. 223 lines 19 to 23**]. This does not indicate that leading questions were being asked. Rather, all three interviewees would appear to have had ample opportunity to extol the virtues of and promote Prof. Morris as a suitable candidate for re-appointment as President.

38. Eventually, the Ad Hoc Committee presented its report to Council. It is intituled “Report from the Ad Hoc Committee on the Review of the President (“Review Committee”)” (paper GC 50/2006) consisting of 100 odd pages including the source documents [**IEEM-2 pp. 135 – 279**].

39. Paragraph 8 of the same Report reads as follows :-

“8. For a whole month (13 October to 14 November 2006) before the first meeting of the Review Committee on 21 November, the external Committee members had attended 25 meetings with a wide spectrum of members of the Institute (Vice Presidents, Associate Vice Presidents, Deans, Programme Directors, Heads of Departments and Centres, professors not holding headship, representatives from students and the Academic Staff Association, and 5 staff selected at random), including many of the members of the Academic Board.”

[IEEM-2 p. 136]

40. Paragraph 16 of the same Report reads as follows : -

“16. The Review Committee agreed to submit the following materials to the Council for deliberation and decision, without making any recommendation on the reappointment or otherwise of the President. A full set of the documents pertaining to the review process shall be made available to Members at the 1 Dec meeting upon request :

- (i) President's Self-Review;
- (ii) President's job specification as at 2002;
- (iii) Evaluation criteria;
- (iv) Summary of comments collected/received;
- (v) Views of Committee Members; and
- (vi) President's responses.”

[IEEM-2 p. 138]

41. That Report was tabled at Council meeting held on 1st December 2006 when Council came to deal with the question of the re-appointment of Prof. Morris. Paragraph 14 (19) (xv) of the

minutes of that meeting has recorded the Chairman as saying : -

“(xv) all the information that the Review Committee had collected/received, including the Summary, the President’s self-evaluation, the findings of the Student’s Union survey, the respective comments of the Review Committee Members on the Summary and the President’s responses had been made available to all Council Members for consideration, and to the best knowledge of the Chairman, the Review Committee had not left out any information of significance which might affect the objectivity of Members’ judgement;”

[IEEM-2 p. 122]

42. The question of the re-appointment of Prof. Morris was eventually adjourned to the next meeting for continuation of the oral presentation by Prof. Morris to and for deliberation by Council. That meeting on 1st December 2006 had lasted almost 4 hours.
43. The next Council meeting was held on 25th January 2007 during which Prof. Morris continued to make his oral presentation and answered a lot of questions by Council members. Council then voted by secret ballot on the motion “That the President be appointed for a Further Term” with the result of 3 votes ‘For’, 10 votes ‘Against’ and 3 votes ‘Abstain’. See paragraph 5 (170) of the minutes **[IEEM-2 p. 325 – 26]**. That meeting on 25th January 2007 lasted over 4 hours.
44. In all the circumstances set out above and in light of the fact

that the relevant witnesses have confirmed that they are not making any allegation regarding the independence of the external voting Council members, it is submitted that the entire process relating to the question of the re-appointment of Prof. Morris as President has been carried out fairly and openly from the time when Council decided to set up the Ad Hoc Committee at Council meeting held on 6th April 2006 until the time when Council voted against the re-appointment of Prof. Morris as President at Council meeting held on 25th January 2007. In other words, there is no substance in any suggestion that Council and the Ad Hoc Committee appointed by it have acted with impropriety or in breach of the correct procedure or against the law in relation to the decision on the non-re-appointment of Prof. Morris as President.

45. It is to be further noted that both at the 1st December 2006 and 25th January 2007 Council meetings, the Chairman confirmed that the question of re-appointment of Prof. Morris had nothing to do with the question of merger (full merger). See, e.g., paragraph 14 (15) (i) – (v) of the minutes of the 1st December 2006 meeting [IEEM-2 p. 119] and paragraph 5 (23), (27) and (96) of the minutes of the 25th January 2007 meeting [IEEM-2 pp. 325 – 6, 326 – 7 and 325 – 17].

46. Furthermore, in response to inquiries addressed to them by the solicitors for the Commission, the external Council members listed below all confirmed that : -

(a) they did not receive any communication from Dr. Leung or any EMB official on the issue of merger of the Institute during the period between January 2006 and February 2007;

(b) they did not receive any communication from Dr. Leung or any EMB official on the question of re-appointment of the President during the period between January 2006 and February 2007;

except those set out in their respective witness statements which appear to be quite innocuous and

(c) they did not receive any communication from Dr. Leung and any EMB official in which the question of re-appointment of the President was linked to the question of merger of the Institute.

Those external Council members are as follows : -

(i) Dr. Cheung Kwok Wah [W1 p. 271]

(ii) Mr. Ma Siu Leung [W1 p. 273]

(iii) Mr. Cheung Pak Hong [W1 p. 275]

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|--------|---------------------|-------------|
| (iv) | Mr. Pang Yiu Kai | [W1 p. 299] |
| (v) | Mr. Eddie Ng | [W1 p. 301] |
| (vi) | Mr. Cheng Man Yiu | [W1 p. 306] |
| (vii) | Mr. Chan Wing Kwong | [W1 p. 309] |
| (viii) | Prof. Leslie Lo | [W1 p. 310] |
| (ix) | Ms. Bella Lo | [W1 p. 311] |
| (x) | Mr. Lee Chien | [W2 p. 5] |
| (xi) | Ms. Ada Wong | [W2 p. 22] |
| (xii) | Mr. Tai Hay Lap | [W2 p. 31] |
| (xiii) | Ms. Catherine Yen | [W2 p. 78] |

These were all the external Council members other than Dr. Leung who were present at Council meeting held on 25th January 2007.
[See IEEM-2 p. 325 – 1]

47. On all the evidence, it is fair to say that it is clear that Council as a whole never exerted or attempted to exert pressure on

Prof. Morris to agree to a full merger of the Institute with CUHK either in relation to the question of his re-appointment as President or otherwise.

48. Even if there was a private agenda on the part of Dr. Leung and Prof. Li that the Institute should have a full merger with CUHK, there is no evidence and basis to suggest that Dr. Leung or Prof. Li could have persuaded the external Council members of the Institute, who are admittedly all independent persons, to go along with such a proposal in view of the clear statements of principle by Council in the past.

Failure to Inform or Consult Council

49. It is noted that Prof. Morris and Prof. Luk did not choose to inform or consult Council regarding the pressure for a full merger, the pressure to sack staff and to issue a statement condemning the hunger strikers, as the case may be, which eventually form the subject-matters of this Inquiry. It is further noted that either Prof. Morris or Prof. Luk could have raised their concerns on these issues to Council by means of their regular written reports presented to Council at Council meetings. The concerns mentioned above will be dealt with in turn below.

The First Allegation

50. According to Prof. Morris, Prof. Li first applied pressure on him to agree to a full merger with CUHK during the telephone conversation on 21st January 2004. This is the subject of the First Allegation.

51. Between then and February 2007, there were 15 Council meetings. Prof. Morris did not inform Council of such pressure until the 1st December 2006 Council meeting when he made reference to the pressure allegedly exerted on him by Dr. Leung at the breakfast meeting on 10th June 2006.

The Second Allegation

52. According to Prof. Morris, the first occasion on which Mrs. Law suggested or hinted that he should cause staff members to be dismissed was on 30th October 2002. Since then, there had been other occasions when a similar thing happened.

53. Between 30th October 2002 and February 2007, there were 20 Council meetings. Prof. Morris did not bring the matter to the attention of Council.

The Third Allegation

54. The telephone conversation between Prof. Li and Prof. Luk which forms the subject of the Third Allegation took place on 30th

June 2004. Prof. Luk did not inform Council at any time. He did inform Prof. Morris of the telephone conversation, but Prof. Morris likewise did not inform Council.

Prof. Luk's Intranet Letter

55. Prof. Luk did not inform or consult Council before his intranet letter was published, either in respect of the matters referred to therein or the fact that he was going to publish it.

Exclusion of Council Officers from Important Matters

56. According to Prof. Kenneth Young of CUHK, it was Prof. Luk who telephoned him in September 2006 to initiate the resumption of discussions which eventually took place in October and November 2006. The discussions then broke off. See Transcript Bundles Day 24 p. 117 line 10 to p. 121 line 1. At page 119 lines 10 – 15, Prof. Young said the following : -

“A. That series of discussions broke off for a very particular and very unusual reason. At the last of these recorded meetings, somebody from the IEd side, I believe it was Prof Luk, implored us not to tell Dr Thomas Leung about the discussions that were going on. We found that extremely bizarre.”

57. It also emerged that one of the documents put forward by Prof. Luk's team to Prof. Young's team was a paper dated 20th

October 2006 intituled “HKIEd – CUHK Discussion Paper” [E3 pp. 180 – 183]. That paper appears to contemplate the replacement of Council of the Institute by a new body called “HKIEd Board of Trustees (to be set up in place of HKIEd Council)” [E3 p. 180] and cross-membership between the CUHK Council and the HKIEd Board of Trustees [E3 p. 181]. It also refers to a Stage IV involving “Full federal integration : from 2015” with “CUHK Council as the supreme governing body” [E3 p. 183].

58. Such evidence has not been challenged by Mr. Martin Lee S.C. acting for Prof. Morris and Prof. Luk.

59. In his evidence, Transcript Bundles Day 26 p. 98 line 16 to p. 107 line 15, Dr. Leung said that Prof. Luk was not authorized to negotiate along those lines with CUHK, that he did not know anything about it and that he was very surprised by the whole episode. He said that the proposal in effect amounted to disbanding the Council of the Institute and would definitely not be acceptable to the Institute.

60. The “HKIEd – CUHK Discussion Paper” referred to in paragraph 57 above would appear to be contrary to the Parameters adopted by Council as referred inn paragraph 14 above, more particularly, paragraph 2 of the Parameters which reads as follows : -

“2. maintain independence in the areas of academic

matters, financial matters and governance & management”.

61. Council has requested clarification from Prof. Morris in respect of this issue but Prof. Morris has declined to respond to such request until the completion of the Inquiry.

What the Council could or might have done

62. If Council had been informed about all the matters referred to paragraphs 49 to 60 above, it would have had an opportunity to investigate those matters and could or might have done something useful to address those matters. In such circumstances, the necessity for the present Inquiry might have been avoided.

Important Points of Clarification

63. In the course of the hearing, some witnesses, in particular, Prof. Li, had expressed certain negative views about the quality of various aspects of the Institute. Such views are unjustified. Such views as expressed could not have been challenged on the spot because the Institute had no advance notice of the same and therefore did not have the necessary information to hand. As they have been reported in the media, such views have seriously undermined the reputation and status of the Institute and affected the morale of the entire Institute, especially its teaching staff and students. They need

to be addressed. There are now annexed hereto as **Annex 2** a response prepared by Dr. K. C. Lai to some of the negative views and as **Annex 3** another response by Prof. Phil Moore.

64. Furthermore, Dr. Leung in response to certain questions by the Chairman of the Commission had expressed certain views on the question of “public interest”. See Transcript Bundles Day 32, page 138 line 20 to page 143 line 9. Since Dr. Leung was a witness called by the Commission as opposed to the Institute, he could only have been speaking in his personal capacity. For the avoidance of doubt, there is annexed hereto as **Annex 4** a summary prepared by Dr. Louisa Lam which shows that the management and staff of the Institute have in fact made serious and continued efforts towards collaboration with other UGC – funded institutions and the Institute is now working with four fellow universities in collaborative or joint degrees. This shows that the Institute as a whole does try to make the most efficient use of public funding and does very much have public interest at heart.

65. Lastly comments and evidence were given by Mrs. Law and Prof. Li in regard to the Institute's early childhood education programmes which were inaccurate. Professor Margaret Wong of the Institute has prepared **Annex 5** attached hereto to clarify such inaccuracies.

1st June 2007

Patrick Fung S.C.
Counsel for the Hong Kong
Kong Institute of Education

Annex 1

JSM - Assistance provided to staff and council members/ex-council member of the HKIEd

	Preparation of witness statements and/or advice on evidence	Transcripts	Other Comments
Dr. Thomas Leung	X	X	
Dr. Lai Kwok Chan	X	X	
Dr. Cheng Yin Cheong		X	
Dr. Wong Ping Man		X	
Prof. Magdalena Mok	X	X	
Dr. Pang I Wah	X	X	
Dr. Lai Ming Hoi		X	
Mr. Pang Yiu Kai	X	X	
Prof. Phillip Moore	X	X	
Prof. David Grossman	X		
Mr Eddie H. K. Ng	X		
Mr Chan Wing Kwong	X		
Dr. Cheung Kwok Wah	X		
Mr Cheung Pak-hong	X		
Mr Anthony Chow Wing Kin			(telephone enquiry only)
Mr Lee Chien	X		
Miss Bella S. Y. Lo	X		
Prof. Leslie N. K. Lo			
Mr Ma Siu Leung	X		
Mr Tai Hay Lap	X		
Miss Catherine K. S. Yen	X		
Dr. Simon Ip	X	X	
Prof. Louisa Lam		X	

*Prof Arthur Li's oral evidence given on Monday, May 21 2007***(I) p 120, lines 5-13 of the LiveNote transcript.**

(He was referring to the staff qualifications and the standard of student intake of HKIED during his conversation with Dr. Simon Ip, then Chairman of HKIED Council, in July 2002.)

“One was that at that point in time, only

5 about 20-odd per cent of their staff have a PhD.
 6 Secondly, the student intake, the standard of the
 7 student intake was also low. I think the best two A
 8 levels plus Chinese and English was around E, didn't
 9 make it to a D, the average grade of these subjects.
 10 I felt that if they were going to train up the teachers
 11 of tomorrow, they should really have better quality of
 12 students. So I was quite frank in my assessment at that
 13 point of HKIED.”

Response

The staff qualifications and the standard of the student intake of HKIED in 2001/2002 would need to be interpreted in context. At that point in time, the HKIED was still in the early stages of upgrading from a sub-degree to a degree-granting institution, since the Chief Executive had only announced the policy of upgrading HKIED in his 1998 Policy Address.

Furthermore, the figures cited by Professor Arthur Li were inaccurate.

Staff Qualification:

In January 2002, 30% (113 in number) of the Institute's academic staff had already obtained a doctorate degree. (This percentage has since increased to 84% by the end of 2006.)

The Hong Kong Institute of Education
 Upgrading of Academic Staff Qualifications from 1999/2000 to 2006/07

Highest Qualification Attained	1999/00 (as at 01 Jan 2000)		2001/02 (as at 15 Jan 2002)		2002/03 (as at 30 Jun 2003)		2004/05 (as at 30 Jun 2005)		2006/07 (as at 31 Dec 2006)	
	No. of Staff	%	No. of Staff	%	No. of Staff	%	No. of Staff	%	No. of Staff	%
Doctorate's Degree	80	20.5%	113	29.9%	163	45.4%	215	65.9%	213	83.8%
MPhil	37	9.5%	28	7.4%	23	6.4%	12	3.7%	4	1.6%
Other Master	252	64.6%	228	60.1%	172	47.6%	98	30.1%	37	14.6%
Bachelor's Degree	21	5.4%	10	2.6%	2	0.6%	1	0.3%		
Total	390	100%	379	100%	360	100%	326	100%	254	100%

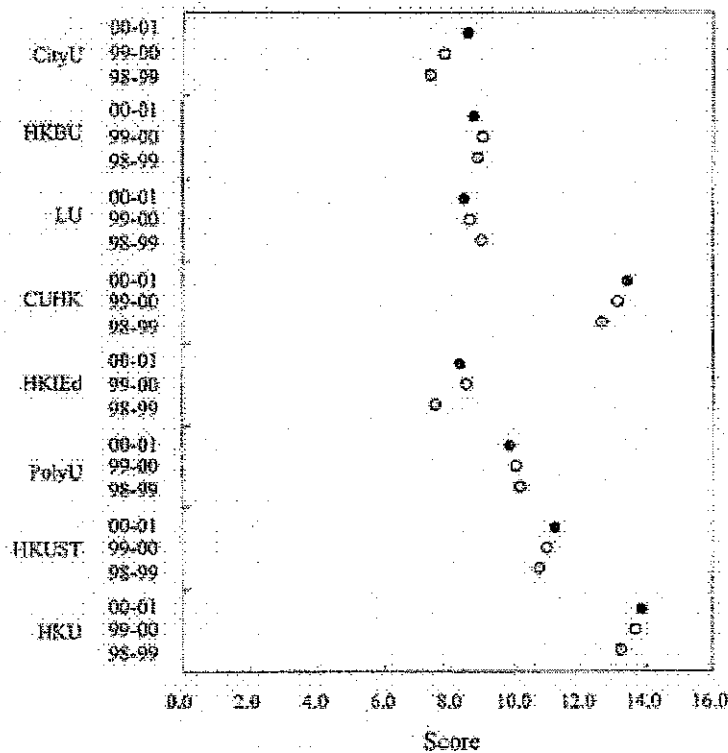
Remarks:

The above figures do not include President, Vice Presidents, Centre Director (CIRD), Head(SAAP), Instructors, Teaching Fellows and staff appointed on non-regular terms but include Deans.

Student Admissions Scores:

On March 14, 2002, the UGC had sent to HEIs the JUPAS admission scores that it had collected from the eight institutions (See statistics below). The figure indicated that the average grade of the “best two A levels plus Chinese and English” of HKIEd students admitted through JUPAS was a D, not E. This grade was similar to three other UGC-funded institutions.

Average HKALE Score of Full-time FYFD JUPAS Entrants



Note: The HKALE score is the sum of the scores for 1 AL pass plus 1 AL pass or 2 AS passes in subjects with best results, other than AS Use of English and AS Chinese Language & Culture. The subjects for calculation do not necessarily include those specified in the departmental entrance requirement, and the highest score will be taken.

The score for each subject pass is allocated as follows:

AL: A=10, B=8, C=6, D=4, E=2, other grades=0;

AS: A=5, B=4, C=3, D=2, E=1, other grades=0.

The measure is the average HKALE Score of the JUPAS entrants in three academic years from 1998-99 to 2000-01.

Prof Arthur Li's oral evidence given on Tuesday, May 22

(II) p30, lines 22-25 & p.31 lines 1-4 of the LiveNote transcript.

(He was referring to the standard of student intake of HKIEd in general.)

22 A. I get the impression, whenever we talk about HKIEd,
23 there is a general perception that their students are
24 not as good. For instance, even in my own evidence
25 yesterday, Mr Chairman, I had to say that their students

31

1 only manage to get an E of the two best subjects in
2 their A levels. So I felt, although that was the truth,
3 that was still unfair.

4 THE CHAIRMAN: All right.

Response

The standard of the student intake of HKIEd in comparison with other HEIs has to be interpreted in context. The HKIEd was still a relatively new degree-awarding institution, and without a university title, it is in an unequal position to compete for students.

Furthermore, the figures cited by Professor Arthur Li were inaccurate. For the 2005 and 2006 intakes, the average admission scores of HKIEd students (best two A levels plus Chinese and English) were 8 (equivalent to getting two Ds in the best two subjects) and 8.9 (equivalent to getting between 1C plus 1D and two Ds) respectively. (These admission scores have been submitted to the UGC in the form of annual Common Data Common Format (CDCF) returns.)

(III) p 33, lines 4-9 of the LiveNote transcript.

(He was referring to the standard of student intake of 2+2 programmes in comparison with that of HKIEd's programmes.)

4 A. I was more or less saying the future is the 2+2. If you
5 can see, if you link up with another institution, their
6 results are much better.

7 Q. At least it seems that you see the 2+2 as the way
8 forward?

9 A. It is.

Response

The comments made by Professor Arthur Li were inaccurate. There is no conclusive evidence to establish that the results of students of 2+2 programmes were “much better” than those admitted to HKIEd’s BEd programmes. The Institute has started to offer 2+2 programmes in English Language Education with Lingnan University in 2005/06 and with CUHK in 2006/07 respectively. A comparison of the average admission scores (best two A levels plus Chinese and English) of students admitted to these “2+2” English programmes and the Institute’s BEd English Education programmes is given in the following table:

Programme	Average Admission Score	
	2005	2006
<u>HKIEd Programmes</u>		
BEd English - Primary	7.8	9.4
BEd English - Secondary	8.5	8.9
<u>“2+2” Programmes offered jointly by HKIEd and another institution</u>		
BA Eng & Education (HKIEd & LU)	7.7	8.3
BA Eng Studies & Ed (HKIEd & CUHK)	NA	9.2

Note: based on best two A levels plus Chinese and English.

On the Matter of HKIED Quality

Context

On a number of occasions during the Commission of Inquiry, the Commission has heard negative comments about the quality of students, programmes and teaching at the Institute. Many of these comments are attributable to Prof Li but there seems to be very little evidence to support such claims. If EMB has data to support such claims, then these should have been presented as evidence. Examples of such statements from Prof Li are found in the following:

- ◆ 26th May, page 62 lines 23-25.

“...Because the quality of teaching and quality of their programme could be improved”

- ◆ 26th May, page 64, line 11 when responding to questions regarding programmes

“...we have doubts about the quality.”

- ◆ 21st May, page 211, lines 12-16

“...What I am trying to tell them is, ‘No this is not good enough. You have to look at new programmes, new ways of educating your students... We want our future teachers to be creative.’”

- ◆ 23rd May, page 95, lines 16-22

“...we want to see in their curriculum that there is more interaction with schools. We like to see a more diverse curriculum, their students. We like to see a greater exposure of their students to other disciplines”

Intake Quality: Some General Comments

Intake profile (as measured by public examinations) for HKIED full-time teacher education undergraduate students has improved over the years. It is to be remembered that the intake to all UGC funded institutions represents the top 18% of students completing secondary school, when those going overseas for their studies are discounted. Consequently, the number of high quality students is a relatively fixed number by virtue of the cap of 14,500. On 26th May, Commissioner Lee made such observations and Prof Li agreed with him. (26th May, page 162 lines 12-22)

Internationally, education and teacher education tend to have lower intake profiles than other disciplines. This is the case in Hong Kong where the intake profile for teacher education is much below a university’s average intake profile.

However, more important than intake quality is output quality. After all, university education is about making a difference. In this context, it is worth noting that the

UGC is vigorously pursuing an outcomes-based education agenda by providing substantial funds to ensure the focus on university education is OUTCOMES (not intake). In a similar manner, EMB policy also is moving more towards outcomes by introducing school-based assessment as an integral part of secondary school assessment practices. Below are examples of evidence demonstrating quality of teaching, graduates and programmes at the HKIEd.

Evidence of Quality: Some Outcome Indicators

Teaching quality:

1. Student Evaluation of Teaching (Attachment 1)

Student evaluation of teaching within the Institute is an important indicator of quality. Each lecturer is assessed by his/her students in every module they teach. Of course, improvements can be made but the evidence shows that the quality of teaching is not poor.

- ◆ Students rate highly the teaching of staff with an Institute mean of over 3.00 on a 4 point scale. This is a positive indicator of quality. Moreover, areas rated highest include “inspiring me to think”, “helping develop my knowledge and skills” and “value to my professional development as a teacher”.
- ◆ Since the 2001-2002 academic year, the Institute’s teaching profile has improved each year. This demonstrates a commitment by the Institute to continual improvement in teaching quality.

2. Teaching and Learning Quality Process Review TLQPR (2002) (Attachment 2)

While the TLQPR may have been some time ago, nevertheless, the findings are public evidence of the quality of teaching in the Institute. The Panel was “favourably impressed” (Section 1.1.1) noting among other things that:

“Feedback from students concerning their educational experiences in the Institute was very positive. Furthermore, their contributions to the conversations concerning quality processes on campus were impressive, and indicated that they were adopting a reflective approach to these matters that were contributing to their own professional growth.” (Section 1.1.1 (c)) and,

“There is a well-placed emphasis on field experience and supervision as critical elements of students’ professional development”. (Section 1.1.1 (f))

3. Institutional Review (2003) (Attachment 3)

The UGC Institutional Review Panel’s Final Report made a number of comments relevant to teaching quality. These include:

“Students themselves, in discussion with the Panel, believed that they were properly trained for their professional roles, and are highly appreciative of staff commitment, enthusiasm and responsiveness”. (p. 8)

Programme Quality:

1. Institutional Review (2003) (Attachment 3)

This UGC Institutional Review followed from the successful TLQPR where programme related matters were praised. The Final Report from the Institutional Review Panel made very positive reference to the quality of graduates and the quality assurance processes underpinning such outcomes.

These include:

“The Panel observed that HKIED is strongly led in respect of quality.” (p. 3)

“The Panel also observed that the quest for quality assurance has gone beyond procedures and encompasses the attitude of academic and administrative staff and students.” (p. 3)

“The Panel observed that HKIED draws on a wide range of sources for benchmarking purposes and for continuous monitoring of programme quality.” (p.5)

“From the Panel’s meetings with school principals, it was also clear that the Institute’s claim that its programmes are well regarded by the teaching profession is well justified.” (p.5) and,

“The Panel’s discussion with school principals showed approval of HKIED’s ability to produce young teachers who are committed and energetic, with particularly strong attributes in pastoral care.” (p. 8)

2. Graduate Employment Rates (Attachment 4)

HKIED systematically gathers data on the employment status of its graduates. Graduate employment rates show very high levels across the years. Since 1998, the percentage of graduates employed or pursuing further studies has ranged between 95 to 99 percent. For the last two years the figures have been 98 and 99 percent.

3. Employer Surveys Conducted by HKIED (Attachments 5 and 6)

Each year HKIED surveys employers of its graduates. Principals rate graduates’ performance on 12 categories of teachers’ work after the graduates have been employed for one year. The major findings are:

- ◆ Consistently, principals rate the graduates as more than meeting requirements in all areas of teachers’ work with initiative, enthusiasm,

willingness to learn and sense of responsibility rated highly. It should be noted that the principals also rate these four dimensions among the most important attributes of a teacher.

- ◆ Comparisons across the years show more recent graduates being rated higher by the principals than graduates from some years ago.

In 2006, the above mentioned survey sought comparative data by asking principals to compare HKIEd graduates with those they have employed from other institutions in Hong Kong. (See Attachment 6) Over 400 principals responded. The findings show:

- ◆ For the Primary level, over 50% of the principals rated HKIEd graduates as better than those from other universities (cf. 43% “no different”).
- ◆ For the Secondary level, 33% of the principals rated HKIEd graduates as better than those from other universities (cf. 58% “no different”).
- ◆ For the Early Childhood level, 91% of the principals rated HKIEd graduates as better than those from other universities (cf. 9% “no different”).

The above data, gathered by the Institute as an integral component of its quality assurance and improvement processes, show that HKIEd graduates are of quality as seen by their employers. Further, when principals are asked to compare the quality of HKIEd graduates with those from other institutions in Hong Kong, HKIEd graduates are seen to be more than comparable to others and indeed better than others, more noticeably in primary and early childhood sectors. It is to be noted that only two or three cohorts of full-time BEd secondary and languages graduates have entered the market as these programmes were commenced in the early 2000.

4. Independent Surveys of Employers (Attachment 7)

In 2005 an independent survey of primary and early childhood principals was conducted by The City University of Hong Kong. When responding to the survey, these principals were not aware that the survey was commissioned by HKIEd and hence the likelihood of biased responses was removed as the survey was totally independent of HKIEd. Nearly 700 principals rated the performance of teacher education graduates from universities in Hong Kong, including HKIEd. The important findings include:

- ◆ The comparisons showed HKIEd graduates being ranked first or second among the universities.
- ◆ Moreover, principals expressed a clear preference for employing HKIEd graduates over graduates from other institutions.

These independent findings reinforce the Institute's own survey data reported above regarding graduate quality. Moreover, the findings showed that principals in both early childhood and primary sectors viewed work attitudes such as sense of responsibility, taking initiative, enthusiasm and caring as the most important attributes of a teacher. These independent findings on the important attributes of a teacher reinforce the Institute's own findings of what is important and what HKIED graduates do well.

5. Independent Survey Funded by the UGC (2003) (Attachment 8)

An independent survey funded by the UGC in 2003 showed HKIED graduates outranking graduates from all other seven universities in Hong Kong on almost every one of the 32 outcome dimensions (e.g. communication skills, analytic skills, personality development, virtues, global perspectives). This survey was completed by the graduates themselves rather than their employers.

6. Comments on Curriculum (Attachment 9)

Comments by Prof Li on the curriculum and diversity.

"...we want to see in their curriculum that there is more interaction with schools. We like to see a more diverse curriculum, their students. We like to see a greater exposure of their students to other disciplines" (23rd May, page 95, lines 16-22),

It is worth noting in this context that major curriculum revisions were undertaken as part of consolidating a Core Curriculum for the BEd programmes for full implementation in 2006/07. These revisions further enhanced the nature and extent of the substantial contacts with schools, increased student choice and flexibility, made interdisciplinary general education mandatory and deliberately built in exchanges and immersions as part of the curriculum. The expected *outcomes* of these programmes, which drove the curriculum design, were developed through wide consultation with major stakeholders including principals.

7. Other Points

- ◆ The Commission needs to recognize that the Institute does have long term planning in place. The Institute Strategic Plan 2006-2012 was approved by Council after a long consultation with major stakeholders who presumably represent community and public interest.
- ◆ The Institute has a number of collaborative programmes. HKIED

currently collaborates with HKUST, Lingnan, PolyU and CUHK on collaborative programmes.

31/05/07

The following corrections/clarifications should be made:

On Tuesday 22 May 2007 (Paras. 35 & 36 of the transcript), Arthur Li claimed that the HKIEd has only the ONE collaborative programme with CUHK. He also claimed that there were some programmes with UST, but "I think that has been stopped. UST pulled out."

These statements are NOT true, as HKIEd has the following collaborative programmes with other institutions in addition to the one mentioned with CUHK:

- (a) BSc in Mathematics (Mathematics and IT Education) with HKUST. This programme started in the year 2000, and was the first inter-institutional programme ever offered in Hong Kong. It has been offered every year since then, and is very much ongoing. In the *JUPAS Guide 2007*, it is listed on p. 155 under HKUST as #5220 MAIE, and the role of HKIEd is clearly stated.
- (b) BSc in Biochemistry and Science Education, BSc in Biology and Science Education, BSc in Chemistry and Science Education, and BSc in Physics and Science Education, all with HKUST. These programmes started in 2002, and the first cohorts of students graduated in 2006. While there has not been sufficient enrolment in these programmes after that year to make the programmes viable (due to the perceived lack of prospects for science teachers), the programmes still exist and are listed on p. 155 of the *JUPAS Guide 2007*. Both the HKUST and the HKIEd are interested in offering these programmes, these programmes are promoted every year, and they will be offered whenever there is sufficient enrolment.
- (c) BA(English Language Teaching) with Hong Kong Polytechnic University. This programme started in 2001, and it has had continuous and successful intakes up to and including 2004, at which time Hong Kong Polytechnic University decided that because their role statement did not include teacher education, they should not continue with the programme. The last cohort of this programme will graduate in 2008.
- (d) BA (Contemporary English and Education) with Lingnan University. This programme started in 2006, and is listed in the *JUPAS Guide 2007* on p. 75 (under Lingnan) and on p. 115 (under HKIEd) as J001.

Accusation on PGDE(ECE) students' prior subject knowledge

Source: A letter from PSEM to Messrs Wilkinsons & Gist on Commission of Inquiry on Allegations relating to the Hong Kong Institute of Education on 14 May 2007

Para (1)(g) of the letter

(g) For many years, Dr Rao has served on the validation committee of HKIEd's ECE programmes. She pointed out at the meeting that HKIEd did not require students admitted to their PGDE (ECE) programmes to have prior subject knowledge. I only became aware of this practice at the meeting, and agreed that this was unsatisfactory. This is the background to Ms Wong's assertion on page 3 of her email that "PSEM was not happy that HKIEd did not require students to have adequate subject knowledge in early childhood". Without this background, Ms Wong's note is subject to mis-interpretation.

Response from HKIEd

According to EMB policy, kindergartens are allowed to employ untrained degree-holders without specifying subject discipline. A time-limited teaching permit will be issued by the EMB to the untrained teachers and they must complete the QKT training within the first two years of their service (point 3 of EMB Circular No.28/2003, Attachment I). The HKIEd offered the PGDE(ECE) Programme starting from 2005 to cater for this group of untrained teachers to support the Government policy and enhance the quality of the profession.

Accusation on admitting graduates of its Yi Jin and the quality of ECE students

Source: A letter from PSEM to Messrs Wilkinsons & Gist on Commission of Inquiry on Allegations relating to the Hong Kong Institute of Education on 14 May 2007

The 1st paragraph of Paragraph (2) of the letter

Ms Wong reported that I had “doubts on the quality of pre-primary education programmes currently provided by HKIEd”. What I said at the meeting was that to raise the quality of ECE, we must attract better students to become ECE teachers. HKIEd had been the major provider of ECE training, and most of its C(ECE) students were serving teachers. HKIEd also admitted graduates of its Yi Jin programme to the C(ECE) programme. This was unsatisfactory, and caused concern about the exit standards of its C(ECE) graduates. The discussion on “quality” at the meeting focused on student intake and exit standards, rather than the programmes themselves. By inviting HKU and CUHK to run degree courses on ECE, we hoped to attract better students.

1. Response from HKIEd on the alleged admission of Yi Jin Graduates to CE(ECE) Programme

The HKIEd’s CE(ECE) Programme has to meet the admission requirements (please see the remark in Attachment II). All students admitted must have fulfilled the stipulated requirements and no applicants will be discriminated. Since the inception of the CE(ECE) Programme in 1998, it only admitted one student with Yi Jin background on the fact that she has satisfied the entrance requirements, as follows:

- has achieved a total of 6 HKCEE passes
- has achieved a total of 8 points for the best six subjects in HKCEEs
- has achieved a score of 72 in an ECE interview (50 was the passing mark)

2. Response from HKIEd on the quality of ECE students

The qualification of the students of the Institute’s CE(ECE) Programme is always higher than the students in other CE(ECE)-level courses. Examples are the application figures of the Institute’s CE(ECE) Programme from 2003/04 to 2006/07, most of the students are S.7 graduates: 84.9% in 2003/04, 63.6% in 2004/05, 80.3% in 2005/06 and 86.2% in 2006/07. Also according to The Independent Survey on Teacher Attributes and Teacher Education Programme in Hong Kong, conducted by the City University of Hong King in October 2005, HKIEd ECE graduates topped the preference of the kindergarten principals and child-care centre supervisors.

36 FYFD

Source: A letter from PSEM to Messrs Wilkinsons & Gist on Commission of Inquiry on Allegations relating to the Hong Kong Institute of Education on 14 May 2007

The 2nd paragraph of Paragraph (3) of the letter

The post-meeting discussion was exploratory in nature. The reason for proposing that the 36 FYFD places be allocated to a collaborative programme between CUHK and PolyU was to show support for the inter-disciplinary approach to ECE programme. However, I recognized UGC's difficulty in allocating FYFD places to PolyU due to its policy on role differentiation. The alternative of allocating the FYFD places to HKU was meant to attract good students into the ECE sector. There is no question that the student intake at HKU is much better than that at HKIEd. Dr Rao had confirmed this at the meeting.

Response from HKIEd

There is no sound justification to make such comparison as there is no BEd(ECE) pre-service programme in HKU. Since its inception in Sept 2005, the Institute's BEd(ECE) Programme is gaining credibility among the secondary school applicants. Though only 60/90 places are offered, the Institute is receiving overwhelming response from S.7 graduates. The number of JUPAS applications choosing the programme as either Band A or Band B is increasing from 563 in May 2005, 913 in May 2006 to 1,233 in May 2007. The total number of applications received is also increasing from 1,392 in May 2005, 2,764 in May 2006 to 3,770 in May 2007.

Accusation on the cost of HKIEd Programmes

Source: On 23 May 2007 (Para. 75 of the transcript), Arthur Li attributed the term “Rolls Royce” to the HKIEd ECE programmes.

Response from HKIEd

The HKIEd tendered CE(ECE) 3-year part-time programme (equivalent to a 2-year full-time) had a unit cost of \$90,000 per student for the 3 years (averaging \$30,000 per year), while the unit cost for the HKBU one (run by their Continuing Education Division and of far inferior quality) costs \$81,000. So the yearly difference in cost is \$3000 and the difference in tuition is only \$540 per year because students pay 18% of the cost. The HKIEd bid for 320 places and got 120, whereas HKBU got over 300. The HKIEd had over 1000 applicants for its 120 places. The HKIEd programme may be a Rolls Royce in terms of quality, but certainly not in cost.

13 August 2003

Education and Manpower Bureau Circular No. 28/2003

Qualification Requirement for Newly Appointed Kindergarten Teachers

[Note: This circular should be read by -

1. Supervisors of All Kindergartens and Schools with Kindergarten Classes -- for necessary action; and
2. Heads of Sections -- for information]

Summary

This circular outlines the implementation arrangements of requiring all newly appointed kindergarten teachers to possess a Qualified Kindergarten Teacher (QKT) qualification as from 1 September 2003, the requirement of which has been announced in Administration Circular No. 27/2002 on "Qualifications and Training Requirements of Kindergarten Principals and Teachers".

Details

2. With effect from 1 September 2003, all newly appointed kindergarten teachers are required to possess a QKT qualification or its equivalent. Serving untrained kindergarten teachers who have been issued a teaching permit before 1 September 2003 may continue to serve in respective kindergartens. However, they must obtain a QKT qualification or its equivalent, should they, on resignation or transfer, be re-appointed as teacher of another kindergarten.

3. To support the spirit of continuing education, serving untrained kindergarten teachers who are attending QKT training courses or have been admitted to QKT training courses in the immediate following school year would be allowed to take up teaching employment in another kindergarten on or after 1 September 2003 provided that they have met the prescribed requirement for being issued a permit to teach. Degree holders may be appointed as kindergarten teachers on condition that they must complete QKT training within two years unless with the approval of the Education and Manpower Bureau.

4. In light of the QKT qualification requirement, supervisors should ensure that new kindergarten teachers employed on or after 1 September 2003 should possess the required qualification. As kindergartens are required to employ 100% QKTs with effect from the 2004/05 school year, supervisors should arrange where necessary, their serving untrained teachers to attend relevant training courses as soon as possible.

Enquiry

5. For enquiries, please contact the Kindergartens and Support Section, Quality Assurance Division at 2892 6317 or 2892 5760.

Ms Jane CHENG
for Secretary for Education and Manpower

Educational Level of A3C020 Year 1

	2003/04	2004/05	2005/06	2006/07
PQ=N, F.7	79	42	49 (17 from BEd)	81 (40 from BEd)
PQ=N, F.5	14	20	11	12
PQ=R/D	---	3 (2 completed F.7)	1	1
Others	---	1** (PQ=S) (Yi Jin)	---	---
Sub-total	93	66	61	94
F.7 (%)	84.9%	63.6%	80.3%	86.2%
Others - F.7 (%)	0%	3%	0%	0%

Remark

The entry requirements of CE(ECE), 2004 entry are as follows:

- have obtained Grade E or above in at least SIX DIFFERENT subjects, including Mathematics, Chinese Language and English Language (Syllabus B) 1 at HKCEE level in not more than two sittings, with at least four subjects in one sitting; AND
- have scored at least 11 points for the best six subjects in the HKCEE(s) mentioned in item 1 above; OR
- satisfactorily completed S7.

Note 1: An achievement of Grade C in English Language (Syllabus A) is regarded as equivalent to Grade B in English Language (Syllabus B) for the purpose of this requirement.

Note 2: Grades A to E are given the numerical values of 5 to 1 respectively for the purpose of calculating points.

** : The student (with Yi Jin background) was admitted to CE(ECE) in 2004 as:

- she has achieved a total of 6 HKCEE passes (including passes in Chinese Language, English Language (Syllabus A), Mathematics) after taking HKCEEs in 2002 & 2004
- she has achieved a total of 8 points for the best six subjects in HKCEEs
- she has achieved a score of 72 in the ECE interview.

Though the student does not have 11 points for the best six subjects in the HKCEEs & her pass in English Language is not in Syllabus B as stated in the entry requirements^{##}, she is admitted to the CE(ECE) through a 'special entry route' proposed to the Admission Committee i.e. students who failed to obtain at least 11 points in the HKCEE will also be admitted to CE(ECE) if they have achieved a score of 60 or above in the ECE interview, and obtained at least 8 points for the best six subjects in the HKCEE(s). It is noted that the implementation of this special entry will not affect the QKT registration status of these students because the EMB only requires QKT applicants to have 5 passes in the HKCEE including Chinese Language and English Language.