

SUMMARY OF RESPONSES TO FEEDBACK FROM PUBLIC CONSULTATION ON PRIVATE EDUCATION BILL

BACKGROUND

1. The Ministry of Education will be introducing a Private Education Bill this year which will provide for the set up of the Council for Private Education (the Council) as an independent regulatory body to oversee the regulation of the private education (PE) sector. Under the new regulatory regime, a mandatory enhanced registration framework and a voluntary quality assurance framework called EduTrust will be implemented.

2. A public consultation exercise to seek feedback on the draft Private Education (PE) Bill was conducted from 1 – 21 July 2009. Members of the public and stakeholders in the private education sector were invited to send in their feedback.

PARTICIPANTS OF THE CONSULTATION EXERCISE

3. MOE would like to thank members of the public and stakeholders who participated in the public consultation exercise. A total of 20 responses were received; respondents ranged from individual members of the public to representatives from the private education institutions (PEIs).

SUMMARY OF COMMENTS

4. In summary, respondents were supportive of the move towards enhanced regulation of the PEIs which fall under the scope of the PE Bill. For the comments and suggestions which have been received, MOE will not be addressing feedback similar to those which were received from the first public consultation exercise on the private education regulatory framework (11 Mar - 6 May 2009) as these have been addressed in the summary of responses published on 1 July 2009. New and relevant feedback pertaining to the enhanced registration framework and EduTrust will be addressed in this paper, together with those pertaining to the clauses under the draft PE Bill. The consultation exercise has also enabled MOE to provide clarifications to queries raised by industry players and stakeholders.

5. A summary of the key comments received, together with MOE's responses, is appended below.

Main Points of Feedback/Comments	MOE's Responses
1) Offering of Private Education in Singapore or Elsewhere	
Clarifications have been sought on Clause 33 (1) of the PE Bill, which stipulates that no person in Singapore shall offer to provide or provide private education in Singapore or elsewhere. In particular, the query is about whether	Any person in Singapore who offers to provide or provides private education overseas, whether through their registered business entities in Singapore or otherwise, will be required to register with the Council first. The rationale is for

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<p>individuals or companies who only wish to provide private education overseas are required to register with the Council.</p>	<p>the Council to have oversight of the types of courses which such persons or entities are offering overseas leveraging on the name of Singapore's education system.</p> <p>PEIs which are offering to provide or providing private education overseas will also be required to register with the Council first.</p>
2) Provision of Accreditation or Examination Services	
<p>Responses which were received indicated that there are some PEIs which have set up separate entities to accredit the courses they provide and suggested that such entities should also be registered with the Council to ensure that their accreditation services are genuine.</p>	<p>MOE agrees with this suggestion. Under the new regime, persons with the intent of providing accreditation or examination services will be required to seek the Council's prior approval.</p>
3) Self-developed Courses leading to External Qualifications	
<p>There has been feedback that some PEIs are making arrangements for their self-developed diploma courses to articulate into degree courses run by overseas universities which they wholly or partially own. It was suggested that some form of quality assurance should be imposed on such overseas universities which have articulation or credit transfer arrangements with the PEIs.</p>	<p>The Council will be requiring PEIs with articulation or credit transfer arrangements with overseas education institutions to ensure that these overseas institutions are bona fide and accredited by the relevant home government authorities where they are based.</p>
4) Prohibition of False and Misleading Advertisements Related to PEIs	
<p>Suggestions have been made that Clause 45 of the PE Bill which provides for the prohibition of false or misleading advertisement related to a PEI should be specific only to PEIs and should not cover any other persons.</p>	<p>The Council is of the view that any person who knowingly publishes false or misleading advertisement related to a PEI, whether locally or overseas, should be taken to task, and this provision should not be specific only to PEIs.</p>
5) Permission to Offer Courses	
<p>Suggestions have been received that, to prevent students from being misled by errant PEIs offering unregistered courses, the Council should make it an offence for PEIs to fail to seek permission to offer courses. In addition, the Council should also</p>	<p>The draft PE Bill provides for an administrative penalty to be meted out for the failure of PEIs to seek permission to offer courses. However, to ensure that all PEIs comply with this regulation, the administrative penalty will be enhanced to a criminal offence. Any</p>

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<p>publish all registered courses of PEIs so that prospective students could make informed choices.</p>	<p>managers of PEIs found guilty of failing to seek the Council's permission to offer courses shall be liable of a fine of up to \$10,000 or a jail term of 12 months, or both inclusive. In addition, it is also an offence for PEIs or any persons to advertise un-registered courses or solicit or receive any fee from any student in respect of such a course. Any managers of PEIs or any persons found guilty of doing so will be liable for a fine of up to \$10,000 or a jail term of up to 12 months, or both.</p> <p>The Council will be publishing the list of registered PEIs on its website, including courses which they have registered with the Council. PEIs are also required to disclose information on their premises, teaching facilities, teachers and courses to the public. These measures will help raise consumer awareness and allow prospective students to make informed choices on the types of courses and PEIs they wish to enroll in.</p>
<p>6) Inclusion of Private Schools for Special Needs Students in the Regulatory Scope of the Council</p>	
<p>There have been some requests for clarification on whether the Council will be regulating privately-run schools offering full-time special education for pupils with physical or intellectual disabilities.</p>	<p>Privately-run schools offering full-time special education will come under the regulatory scope of the Council. The First Schedule of the PE Bill, where private education is defined, will be revised to address this query.</p>

CONCLUSION

6. As indicated above, MOE will make further refinements to take the inputs and suggestions received into consideration when finalising the PE Bill and operationalising the regulatory framework for the PE sector. MOE will be moving the PE Bill by the third quarter of this year.