

## **SUMMARY OF RESPONSES TO KEY COMMENTS FROM THE PUBLIC CONSULTATION EXERCISE ON THE PRIVATE EDUCATION REGULATIONS 2009**

### AIM

1. This paper provides an update on the key comments received during the public consultation exercise on the Private Education (PE) Regulations, and the Council for Private Education's (CPE) proposed responses to them.

### BACKGROUND

2. The PE Regulations has been drafted with the aim to enhance the overall quality of the PE sector by setting baseline requirements in respect of corporate governance, academic rigour, information disclosure, and student protection.

3. The public consultation exercise on the PE Regulations was conducted from 11 November 2009 to 25 November 2009. During this period, the CPE received responses from both PEIs and members of the public through the online channel provided.

### SUMMARY OF RESPONSES FROM THE PUBLIC CONSULTATION EXERCISE

4. The respondents were generally supportive of the registration requirements stipulated in the PE Regulations. A number of respondents also asked the CPE to provide more illustrations to ensure that the PEIs better understand how to apply and operationalise the legislative requirements.

5. The summary of the key feedback or comments received, together with the responses from the CPE, are presented in Table 1 below.

Table 1: Collated Feedback from Public Consultation on PE Regulations

Feedback / Comments	CPE's responses
<b>Names of PEIs</b>	
Respondents sought the CPE's consideration to allow the use of 'brand name' for PEIs.	<p>PEIs may seek the CPE's approval to have a 'brand name', using the same application process as that of seeking the CPE's approval for the use of department or school name.</p> <p>However, each PEI is only allowed one 'brand name' which must closely relate to the registered name of the PEI. Each application will be reviewed separately.</p>

Feedback / Comments	CPE's responses
<b>Academic and Examination Boards</b>	
<p>Some respondents felt that there was no necessity for a PEI offering externally developed courses to set up its own Examination Board because the assessments are marked and moderated by the external course developer or their validated / appointed centres.</p>	<p>The Examination Board helps the PEI to develop procedures related to the assurance of integrity and quality of assessments. It also puts in place processes on how the PEI should handle students' queries and grievances with regard to examination matters.</p> <p>As long as examinations and tests are conducted at the PEI, and / or invigilated by staff of the PEI, such processes should be applied. This goes beyond the marking of examination papers and the moderation of marks.</p>
<b>Course Delivery</b>	
<p>With regard to external degree programmes (EDPs), respondents suggested that besides the Vice-Chancellor (VC), the letter from the foreign institution appointing the PEI to deliver the EDP should be co-signed by another senior member of the institution's management. This is to prevent the VC or President of the foreign institution colluding with the PEI in return for other incentives.</p>	<p>The CPE understands the respondents' concerns. However, to demand for more than 1 signatory from the foreign institution may prove too onerous for PEIs. Also, it may not check any collusion between the foreign institution and the PEI, if any exists, as the VC or president of the foreign institution is the highest authority there.</p> <p>The CPE has in place processes to verify claims of the foreign institutions, including seeking confirmation from source of such claims with the relevant authorities in their home countries or institutions.</p>
<p>Some respondents proposed that a foreign institution should not be allowed to offer customized certificate and diploma courses in Singapore when such courses are not being offered in its home campus. This is to avoid the foreign institution capitalizing on the Singapore market with certificates that would not be recognised in its home country.</p>	<p>To prevent foreign institutions from running diploma mills and/or degree mills in Singapore, the CPE will only permit foreign institutions of higher learning to award or confer certificates and diplomas in Singapore under certain conditions, including:</p> <ul style="list-style-type: none"> <li>(i) these foreign institutions must be accredited by the relevant authorities in their home countries; and</li> <li>(ii) the certificate and diploma programmes must be conducted at the foreign institution's home campus and have at least a batch of students already graduated from them.</li> </ul>
<p>Some respondents put forth that PEIs which are financially</p>	<p>When PEIs offer courses overseas, they do so leveraging on the standing of the</p>

Feedback / Comments	CPE's responses
<p>sound and have proven to be of high quality (for example, have obtained the SQC-PEO status) should be waived from the requirement of having to seek the CPE's permission prior to offering its courses overseas.</p>	<p>Singapore Education brand and that of their local operations here. Hence, the CPE has regulatory interests to ensure that our good standing is safeguarded. Requiring PEIs to seek CPE's permission prior to offering courses overseas is a necessary part of effectively implementing such a safeguard, notwithstanding the financial background or SQC status of individual PEIs.</p>
<b>Teacher Deployment</b>	
<p>Some respondents expressed concerns over honorary degrees. They proposed that honorary degrees should not be considered as "relevant academic qualifications" in the deployment of teachers as such degrees are obtained without the awardees having undergone the actual studies.</p>	<p>CPE will provide clarification that honorary degrees will not be considered towards the fulfilment of teachers' qualifications.</p>
<p>Some respondents wanted the CPE to stipulate the steps the PEI should take in ensuring that the teachers deployed meet the minimum requirements.</p>	<p>The CPE has defined the baseline criteria which all teachers must meet. The CPE requires the PEIs to internalise such obligations and institute the necessary processes in order to comply with these requirements. PEIs are able to adopt different systems to recruit and verify the qualifications of the teachers they employ. The CPE will hold the PEI accountable if they deploy teachers who do not have the necessary qualifications to teach.</p>
<p>Some respondents felt that, for teachers who do not meet the criteria set by the CPE, the PEIs should be allowed to provide testimonials as substitutes for the actual academic qualifications. These respondents felt that the PEIs, as employers, should have the final say of who they employ.</p>	<p>As quality of teachers is one of the key complaints on PEIs, the CPE will require PEIs to adhere to the stipulated academic and work experience requirements for teachers to ensure that teachers deployed in PEIs meet certain baseline quality standards.</p>
<b>Advertisements and Disclosure</b>	
<p>Some respondents felt that PEIs should not be allowed to advertise the honorary degrees</p>	<p>The CPE does not prescribe the academic qualifications of the managers and members of the Academic and Examination Boards.</p>

Feedback / Comments	CPE's responses
<p>received by their managers, or members of Academic and Examination Boards, so as not to give the impression that the managers or the Board members are very highly qualified.</p> <p>They also suggested that alternatively, the CPE should at least require each honorary degree holders to indicate that his degree is an honorary one and the degree conferring institution.</p>	<p>However, should the PEI wish to announce the qualifications of its managers and Board members, it will be required to disclose if their qualifications are honorary ones.</p>
<p>Some respondents asked the CPE to allow PEIs to reflect their logos, together with those of the external course developers or foreign institutions, on the certificates and transcripts issued to students.</p>	<p>For courses leading to diploma or below qualifications, the CPE has no objection to the PEI jointly issuing the award together with its partner, provided that</p> <ul style="list-style-type: none"> <li>(i) the PEI has proper permission from the external course developer; and</li> <li>(ii) the external course developer is genuine and has proper authorization from its home government to offer its programmes overseas.</li> </ul> <p>For EDPs, the CPE will not allow PEIs to put their logos on the certificate awarded to students because these PEIs do not have degree awarding powers here in Singapore nor in the home country of the foreign institution.</p>
<b>Fees Collection</b>	
<p>Some respondents raised the concern that the formula "A/B x 6" would only restrict fee collection for courses of duration 6 months or longer. For courses shorter than 6 months in duration, the PEI would essentially be collecting the entire course fees in advance.</p>	<p>In order to be allowed to collect up to 6 months fees at any 1 time, the PEI must be a subscriber of the industry-wide fee protection scheme approved by the CPE.</p> <p>For short courses of less than 6 months, the CPE will allow PEIs to collect the entire amount of fees for such courses, subject to the PEIs stating clearly their refund policies in the student contracts.</p>
<p>Respondents commented that by stipulating that the PEIs can only collect fees "at least 23</p>	<p>The fees collection formula for PEIs which are members of the industry-wide course fee protection scheme will be adjusted to</p>

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<p>weeks" after the commencement of the course disadvantage the PEIs which collect fees on a termly basis (where each term is usually either 3 or 4 months).</p>	<p>accommodate the varied fees collection schedules, so that PEIs may collect fees 1 week prior to the start of a new term.</p>
<p>Some respondents appealed to the CPE to allow PEIs to collect late payment charges from students who do not pay their fees on time as a deterrent against late payment or default payment.</p>	<p>As long as the student is still enrolled with the PEI, and the latter is still conducting lessons for the student, the CPE agreed that the PEI should be allowed to impose late payment charges.</p> <p>However, the PEI must ensure that such late payment charges are disclosed in its course brochures, and clearly stipulated in the student contract.</p>