

Executive Summary

Direct Investigation

Special Education Services for Students with Moderate to Severe Emotional and Behavioural Difficulties

Background

During their growth and development, some children and adolescents may have different kinds of adaptation problems, resulting in some transient emotional and behavioural difficulties of varying degrees of severity. In general, their physical and mental developments are normal, but their academic performance is below average. They are also susceptible to various learning difficulties and lacking in effective learning skills.

2. Under the current education system, students “with moderate to severe emotional and behavioural difficulties” can be transferred from mainstream schools as a transitional arrangement to Schools for Social Development (“SSDs”) for more intensive guidance. SSDs help students to overcome their transient adaptation problems and to improve their daily living skills so that they can return to mainstream schooling as soon as possible. Each class of SSDs comprises only 15 students to afford every student sufficient attention and counselling.

3. At present, there are seven SSDs in Hong Kong, including five boys’ schools¹ and two girls’ schools. The services offered are in two main categories, i.e. day placements for non-resident students; and day-cum-residential places for Primary Two to Secondary Three students aged between 7 and 18 who need to attend SSD and receive after-school hostel care.

4. The authorities concerned are the **Education Bureau** (“EDB”) and the **Social Welfare Department** (“SWD”). EDB is responsible for the coordination and formulation of policy and planning regarding SSDs and the “teaching” aspects of SSDs, while SWD is responsible for the hostel service provided by the SSDs.

5. This direct investigation was initiated in September 2010, the beginning of the 2010/11 school year, to examine the administration by EDB and SWD in respect of the vetting of applications and allocation of students to SSDs and the subsequent re-integration of those students into mainstream education.

¹ One of the boys’ schools provides day placements only.

Vetting of Applications

6. Students applying for admission to SSDs must be referred by their original schools or by social workers or student counsellors of social service agencies. Before making referrals, such referrers should provide the students and their families with appropriate professional assessment and counselling to ascertain students' needs and obtain their parents' consent.

7. All applications for SSD placements are vetted and approved by the Vetting Committee under the Central Co-ordinating Referral Mechanism ("CCRM") jointly managed by EDB and SWD.

8. After their applications for day-cum-residential places are approved, students will be put on the central waiting list of CCRM pending allocation. During the period, referrers shall report immediately to EDB and SWD any change in a student's data or condition. Referrers are also required to give monthly updates of students in a standard form to EDB and SWD.

Shortfall in the Provision of Residential Places

9. Statistics on the supply and demand of day-cum-residential places in the four school years from 2007/08 to 2010/11 are as follows:

	2007/08			2008/09			2009/10			2010/11		
	Boys	Girls	Total	Boys	Girls	Total	Boys	Girls	Total	Boys	Girls	Total
Residential places (with day placements)	429	188	617	457	200	657	457	200	657	457	200	657
Approved applications for day-cum-residential places ²	492	301	793	445	323	768	354	273	627	366	286	652
Average no. of applicants waiting for admission per month	188	141	329	181	139	320	161	157	318	52	91	143
No. of students having waited 6 months or more before admission ³	126 (49%)	55 (44%)	181 (48%)	104 (48%)	91 (85%)	195 (60%)	39 (26%)	49 (60%)	88 (38%)	21 (10%)	22 (30%)	43 (15%)
Withdrawals during waiting time	253	179	432	182	189	371	188	161	349	159	151	310

² Around 90% of applications were approved.

³ Figures in brackets represent the percentage of the students concerned over the total number of students approved in the same school year.

10. As shown in the table above, there were over 300 applicants on average waiting for day-cum-residential places per month before the 2010/11 school year. Despite EDB's streamlining of the admission procedures in that school year⁴, the average number of waiting applicants still stood at 143 per month. However, the number of residential places has remained unchanged since the addition of 40 places in the 2008/09 school year.

11. The table also indicates that before the 2010/11 school year, about 38% to 60% of the students had to wait six months or more before they got their day-cum-residential places in SSDs. In the 2010/11 school year, 15% of the students still had to wait six months or more. Ironically, the waiting time was shortened by the relatively high withdrawal rate, which in effect lowered the demand for SSD services.

12. We consider that too long a waiting time would not only mean that applicants cannot obtain the needed services in time, but may also aggravate the emotional or behavioural difficulties of applicants such that they become even more difficult to handle.

13. EDB and SWD, though aware that demand for the services exceeds supply, have all along been unable to resolve the situation effectively.

Inadequacies in the Mechanism for Reporting and Filling Vacancies

14. SSDs have to provide every month, in a standard form, updates to SWD on their "existing vacancies" and "estimated vacancies available soon" regarding day places and residential places. Updates can also be provided by telephone as and when necessary. With such information, SWD will activate the mechanism for filling the places.

15. Nevertheless, some monthly reports submitted by SSDs have been found far from complete. For instance, the numbers of "existing vacancies" and "estimated vacancies available soon" were not provided. Besides, SSDs tended to report mainly "existing vacancies".

16. Regarding "estimated vacancies available soon", most SSDs would, between March and July each year, report the number of such vacancies in respect of the coming school year. In other months, only a few SSDs would make such reports and invite new referrals from Government to fill their estimated vacancies.

⁴ According to a circular issued by EDB in September 2010, if a student fails to turn up for admission to the SSD within 28 working days of receipt of the admission notification, the application will be treated as withdrawn.

17. With regard to the filling of places, data provided by EDB and SWD show that there were dozens of, and sometimes over 100, residential places available on many of the cut-off dates⁵ during the last four school years, while the number of applicants on the central waiting lists and those undergoing the SSD admission procedures still stood at several hundred. This reflected a failure to fully utilise the residential places on the part of EDB and SWD.

18. We consider that regardless of the month of the year, whenever a student is known to be leaving an SSD in the near future, the process to fill the expected vacancy should be started without delay. This would effectively shorten the duration of vacancy of day and residential places and ensure proper use of the resources.

19. Moreover, EDB and SWD should standardise the mechanism for reporting and filling available places, clearly defining “estimated vacancies available soon”. Details of the mechanism should be set out in the relevant circulars for stakeholders’ information and compliance. EDB and SWD should also set up a monitoring system to ensure that SSDs comply with the reporting requirements. Furthermore, as some students may withdraw their applications during the admission stage, EDB and SWD should refer more than one applicant to the SSD when a day-cum-residential place becomes available, so as to maximise admission.

Circuitous and Inflexible Allocation Process

20. Once the number of vacancies is confirmed, SWD will start the process of filling those places according to the order of applicants on the waiting list. The Department will notify EDB within two working days and inform the SSDs concerned at the same time. Upon receipt of SWD’s notification, EDB will send the case information to the respective SSDs by post within seven working days⁶.

21. This Office considers that if SWD and EDB can improve the procedures for case referrals to SSDs (such as shortening the time for referrals), SSDs will be able to start admission even earlier.

22. Another observation from EDB data is that the waiting lists for Secondary One and Two day-cum-residential places are much longer than those for other classes. There is often a shortage of Secondary One and Two day places in some SSDs, even though there may be residential places available. As a result, students on the waiting lists cannot be admitted.

⁵ SSDs are required to provide updates to EDB on 15 September, 15 November, 15 January, 15 April and 15 June of every school year on the enrolment of students in all classes as well as those applicants who are undergoing the admission procedures.

⁶ This is the maximum time limit set by CCRM.

23. We consider that EDB should be more flexible with the class size of 15 students to allow more applicants for day-cum-residential places to be admitted to SSDs sooner.

Lengthy Admission Procedures

24. On receipt of referrals from EDB, SSDs will start their admission process. Social workers of the hostels will interview the parents to assess the students' willingness to attend SSD and when they would be ready for admission. After confirming that a student is willing to be admitted, the SSD should notify EDB, in a standard form, of the admission of the student and the official date of admission.

25. Before the 2010/11 school year, EDB allowed SSDs to complete the admission process within two months. In each of the three school years from 2006/07 to 2008/09, about 200 day-cum-residential places on average were left unfilled for two months or more, just because the applicants deferred their admission. In some cases, such places remained unfilled for as long as nine months.

26. We could understand that transfer to SSDs meant a significant change for both the students and their parents and that they needed time to think it over. Nevertheless, we consider it necessary for EDB and SWD to set a timeframe for students' acceptance of an SSD place in view of the long waiting list.

Long Stay of Students in Some Cases

27. According to EDB's policy and objectives, SSDs aim to provide more intensive guidance to students so that they may re-integrate into mainstream schooling as soon as possible. However, in each of the school years between 2006/07 and 2010/11, an average of 20% of the students stayed at SSDs for more than two years, with 6% staying for more than three years.

28. EDB explained that the principals, teachers and social workers of SSDs met regularly (every six months) to review the performance of students and make professional assessment to decide which students could return to mainstream schooling. EDB did not play any role in the review process, nor had it issued any guidelines to SSDs on review mechanism.

29. Certainly, assessment should be made by education and social service professionals as to when a student can leave an SSD. Yet, the duration of schooling in SSDs has a direct bearing on the availability of day and residential places as well as the waiting time of applicants. EDB should address the issue and draw up guidelines for SSDs on criteria for releasing students. EDB should also remind SSDs to pay attention to and report long stay cases so that the Bureau could follow up and review those cases promptly. Furthermore, EDB should establish a review mechanism for

long stay cases.

Recommendations

30. The Ombudsman makes the following recommendations to EDB and SWD:
- (1) to remind referrers to provide updates on students in a timely manner;
 - (2) to take effective measures to meet the unsatisfied demand for SSD places;
 - (3) to adopt effective measures to ensure that all relevant parties, including SSDs, start the process of filling the anticipated vacancies whenever there are students confirmed to be leaving, irrespective of the month of the year;
 - (4) to standardise the mechanism for reporting and filling available places by clearly defining “estimated vacancies available soon” and setting out details of the mechanism in the relevant circulars so that all stakeholders would comply with the requirements;
 - (5) to set up a monitoring mechanism to ensure that SSDs comply with the relevant requirements for reporting and filling available places;
 - (6) to make more than one referral when a vacancy arises in an SSD, so as to maximise admission;
 - (7) to improve the procedures of making referrals to SSDs;
 - (8) to be more flexible with the class size;
 - (9) to draw up guidelines for SSDs on criteria for releasing students and remind SSDs to pay attention to and report long stay cases; and
 - (10) to establish a review mechanism for long stay cases.

Office of The Ombudsman
February 2012