Order for Second Reading read.

The Minister of Education and Human Resources (Dr. V. Bunwaree): Mr Speaker, Sir, I beg to move that the Education (Amendment) Bill (No. XXV of 2011) be read a second time.

This Bill, Mr Speaker, Sir, is being presented in the context of implementation of innovative educational reforms and transformation which lay emphasis on holistic learner development, enhancement of educational outputs and empowerment of students to become global citizens. It addresses directly the issue of additional tuition which is undermining our education system.

Here, I wish to point out, Mr Speaker, Sir, that we have considered appropriate to use the words “additional tuition” in lieu of private tuition which is a term connoting privacy of tutoring and which can be misleading, from a legal perspective.

Additional tuition, Mr Speaker, Sir, is a phenomenon which is deep-rooted in our education system which has been lasting for decades, and is widespread both in the primary and secondary sub-sectors. It has over the years given rise to a situation where it has almost to become an extension of the mainstream schooling.

It breeds social inequality which it perpetrates and places a significant financial burden on parents when education is ostensibly feefree.

It not only represents a financial burden on parents but also causes undue stress and exerts much pressure both on parents and children alike. Even teachers providing such tuition suffer by having to work long hours and this has a definite bearing upon their health. We must accept that competition promoted by the system is a major factor fuelling additional tuition.

Mr Speaker, Sir, we know that, over the years, efforts have been made to fight against the negative aspects of the competition especially at the CPE level. In fact, the issue, I believe, should be addressed not only from the bottom but more so from the top.

It is common knowledge today that, for example, at the HSC level, the Laureate Scheme is strongly prized.

This has given rise to the fallacious belief...
Mr Speaker: I will have to remind the hon. Minister that he is opening the floodgate. We will have to talk about CPE, competition. This is a Bill which is going to limit additional tuition from Standard I to Standard IV, allowing additional tuition to stand from Standard V to Standard VI. Therefore, there is nothing wrong as such with additional tuition, but I think the hon. Minister can limit himself as to why he is not allowing additional tuition for Standard IV.

Dr. Bunwaree: I understand your position, Mr Speaker, Sir.

Mr Speaker: This is an amendment to a Bill; it’s not general policy debate.

Dr. Bunwaree: Yes, but it is a topic of national importance. So, I believe certain information has to be given.

Mr Speaker: Therefore, the hon. Minister is going against my ruling!

Dr. Bunwaree: No, I will try to limit myself within the ruling you gave.

Mr Speaker: Thank you.

Dr. Bunwaree: I was saying, Mr Speaker, Sir, that, however, the real picture is that because of the competition at the highest level, all the children are taken from the very early stages because parents believe that they have to go in that direction which is not necessarily true.

Mr Speaker, Sir, children spend an average of 9 hours a day in regular and additional tutoring while adults have a 7-hour standard working day, en général. Children hence devote more time daily in their studies than parents at work. In 1989, Mr Speaker, Sir, a study was carried out by the University of Mauritius and confirmed that additional tuition does not leave much time for children’s emotional, social and physical development.

It must be pointed out, Mr Speaker, Sir, that additional tuition is a phenomenon which is rampant internationally and not limited to Mauritius only. As a matter of fact, the former Director of the International Institute for Educational Planning (IIEP) of UNESCO, Mark Bray, has extensively researched on this phenomenon which he refers to as the “shadow education system”. In a report, published in 1999 by Mr Bray, it has been established that supplementary tutoring leads to fatigue and adversely affects children’s lives and negatively impacts on their mental development.

Referring to one particular developed nation (Japan), mention has been made in that report that despite its economic prosperity and apparent educational successes as reflected in international rankings of educational assessments, the society in that country
became increasingly concerned about problems of suicide, bullying and acquisition of discrete knowledge relevant to examination rather than to real life.

Mr Speaker, Sir, the report highlights as well that extended hours of study for the very young can adversely impact upon development tasks as the building of sound and socially acceptable attitudes.

According to the same report, there is a likelihood that teachers might slow down their pace of delivery in order to ensure that they have a market for the after-school supplementary classes and this to the detriment of students.

The report also highlights that one of the strategies to reduce demand for additional tuition resides in making classes more interesting, innovative and learner-centred through the adoption of an activity approach supported by ICT-based aids.

I must add that outright ban at all levels is neither a viable and practical option nor an implementable one. This is why we are going, I’ll call, into a phased manner and we are talking only of Standard IV in the Bill.

The 2009 report, Mr Speaker, Sir, by the same author regarding Government policies for private tutoring reinforces the argument that the most abusive and socially inequitable aspects of private tutoring need to be addressed by means of regulations.

The policy orientation and response in regard to the issue of additional tuition has been the subject of discussions over the past twenty years; there have been White Papers, Education plans, policy analyses, but very little in terms of concrete actions to address this scourge. We agree that it is a complex matter and cannot be overhauled overnight.

But a responsible Government, Mr Speaker, Sir, cannot just sit, analyse and not take any action to deal with it.

In fact, we started stressing the need to review our current policy on additional tuition already since 2008 when we were discussing with the stakeholders about the reforms in education and we produced the Education and Human Resources Strategy Plan (2008-2020). The plan mentions the need of eliminating it at Standard IV which falls now under the second stage of the primary cycle. The primary cycle which was initially divided in 2 stages of 3 years has now been extended to 3 stages of two years.

Stage I - (Standards I & II) covers programmes such as -
- Bridging the gap,
- Baseline profiling.
Stage II which covers Standard III and IV includes -
- Diagnostic assessment;
- Remedial education;
• Continuous assessment, and
• Enhancement Programme.

Stage III which covers Standards V & VI, in fact, takes into consideration the -
• the Enhancement Programme techniques will be used during normal classes in Standards V and VI, and
• the Special CPE repeaters Programme has been introduced at Standard VI level.

Mr Speaker, Sir, we primarily aim at rendering the learning experiences of children more enriching, enjoyable and rewarding. We also aim at gradually developing in children the drive towards empowerment through self-learning and ultimately, in the long term, opening up new vistas for them to function as citizens of the world.

Mr Speaker, Sir, the objectives underlying the policy reforms in the education sector with regard to the issue of additional tuition are -
(1) To phase out gradually a system which places an over-reliance on academic performance and create an educational environment which promotes holistic learner development;
(2) To improve performance and quality standards;
(3) To cater for the needs of different ability groups, including academically less proficient ones, by providing for innovative pedagogical programmes within mainstream education for remediation purposes;
(4) To bring more equity in learning opportunities to all pupils by alleviating the financial burden of a majority of parents, and
(5) To promote ethics, equity and inclusiveness.

We are also determined, Mr Speaker, Sir, to change the focus of assessment that is currently summative to review and adapt the curriculum and stress on essential learning competencies.

Since I assumed office as Minister of Education and Human Resources, I have been reflecting on ways and means to come forward with a strategy to address this issue of additional tuition. I had engaged in consultations with a number of stakeholders and institutions with a view to charting the way forward.

Mr Speaker, Sir, it is on the basis of the outcome of such consultations and general recommendations of the Education and Human Resources Strategy Plan that the Bill has been drafted and the objectives of which are clearly set as follows -
(i) to extend the current ban on additional tuition to standard IV;
(ii) to regulate the provision of additional tuition to students in Standards V and VI and for secondary classes; and
(iii) to provide for the conduct of the Enhancement Programme and any other
programmes in schools to enhance innovative teaching and learning experiences and to promote the integral development of pupils.

Mr Speaker, Sir, this Bill incorporates one of the most important amendments to the Education Act in regard to additional tuition since May 1991, when a first amendment was made to Section 37 of the Act to, inter-alia, prohibit such tuition up to Standard III. At that material time the amendment was brought to ban tuition up to Standard III. Then, there were no meaningful and sustainable accompanying pedagogical measures which had been introduced.

Mr Speaker, Sir, however, this Bill comes at an opportune time when there has been much groundwork done in terms of sensitisation, consultations and introduction of accompanying pedagogical programmes and other administrative measures in support of these new policy initiatives. I had, in this august Assembly, Mr Speaker, Sir, on various occasions, in replies to Parliamentary Questions and during my intervention on the previous Budget Speech made announcements on new policy orientations and objectives on additional tuition.

It is to be noted that in early 2010, my Ministry has successfully implemented the administrative decision for not authorising the use of school premises for additional tuition to pupils of Standard IV. This was done in the context of the introduction of the Enhancement Programme which has been dispensed to pupils with parental consent as well as support of teachers, Head Masters and Inspectors.

Parents were sensitised through the Media and each parent concerned was so informed by way of a ‘Lettre aux Parents’ issued in February 2010. I had also recourse to a webcasting session with teachers last year to explain the rationale behind the introduction of the Enhancement Programme and the new policy direction and reforms.

Press Communiqués were also issued and in December 2010 last, during a Press Conference, I had announced new policy orientations which covered as well the issue of additional tuition. I would wish to stress that Mark Bray himself in his second report makes reference to my policy announcement in 2009 to the effect that private tutoring would be prohibited for pupils up to and including Std IV.

Moreover, a number of innovative and groundbreaking measures have also been introduced for the benefit of the pupils and to ensure the sustainability of educational reforms. I will just mention a few which are -

• Diagnostic Assessment
• Continuous Assessment
• Remedial Education
• Enhancement Programme
• Zone of Inclusive and Integrated Strategy (ZIIS) under ZEP Programme
I wish to point out that the introduction of the Enhancement Programme for core subjects and Asian Languages/Arabic has been instrumental, especially in the context of the strategy to curb the practice of additional tuition. This Programme has been successfully implemented at Standards III and IV and it has gained widespread parental support and acceptance, promoting as it does, personality development of the child, helping in character building and developing leadership qualities.

All these measures, Mr Speaker, Sir, which I have highlighted, constitute a strong foundation upon which my Ministry can build upon to reduce overreliance on additional tuition.

Mr Speaker, Sir, let me now highlight the specific amendments under this Bill -

(i) Currently, under Section 2 of the Act, there is no definition of the words “private tuition”.

The Act refers to private tuition without definition. “Additional tuition” is now being defined in the legislation as “tuition provided to a pupil who is attending a school, in a subject which is being taught at the school”.

(ii) Under Section 3 thereof, the Powers and Duties of the Minister are being extended to include a new subsection (fa), for the conduct of the Enhancement Programme or any other programme in schools to enhance innovative teaching and learning experiences, and to promote the integral development of pupils. This will give due recognition to this initiative and ensure its continuity. The Enhancement Programme has been introduced at the second stage (Std III/IV) of the Primary cycle and will remain so. The Enhancement Programme Techniques will also be used in Std V and Std VI during normal classes.

Other programmes may be introduced for the secondary sector.

(iii) Section 37A subsection 1(a) as it now stands already provides that private tuition should not be allowed for pupils of Standards I, II and III. This Bill makes provision for the replacement of subsection 1(a) of Section 37A by a new provision to extend the existing ban to pupils in Standard IV. Hence, additional tuition will not be allowed in the school premises - this has already stopped, in fact - and outside premises for school pupils of Stds I to IV.

(iv) Under Section 37A, a new subsection 1(b) is being added for the control of provision of additional tuition to pupils when this tuition is legally permissible in Standards V and VI or students attending a secondary school, by providing for the registration of the teachers wishing to provide such additional tuition. This is meant to regulate the control of additional tuition by defining the parameters, terms and conditions of the provision of such tuition under appropriate regulations.
Section 38 of the Education Act, Mr Speaker, Sir, which relates to Regulations is also being amended consequently by incorporating a new paragraph dealing specifically with registration of teachers and conditions governing same. Teachers wishing to provide additional tuition at Std V and VI in primary schools and other classes at secondary level and who qualify for same will have to register themselves.
(v) We are also seizing the opportunity to adjust the nominal fine of Rs2,000 to be imposed for breach of section 37A to Rs 10,000 and an amendment is being accordingly made to subsection 3 of section 37A of the Act. This will undoubtedly serve as a deterrent.
(vi) Section 39 is also being amended to replace the words “private” by “additional”.

Mr Speaker, Sir, I wish to inform the House that I had received a memorandum from stakeholders already in 2010, proposing a number of parameters which need to be taken into consideration in the context of the formulation of the regulations namely, pupil/teacher ratio, registration of teachers, setting up of an enforcement mechanism and physical and other conditions of premises. I wish here to thank them for their constructive proposals which will help in moving the agenda forward. These will be taken on board under the Regulations to be made.

After this Bill is enacted and proclaimed, appropriate regulations will be made with regard to registration of educators wishing to provide additional tuition and the regulations will also cover the following -
(a) qualifications/profile of teachers applying for registration and subjects to be taught;
(b) the number of students per group – (Pupil/Teacher ratio);
(c) the timing and frequency of the tuition;
(d) the specific periods and time during which additional tuition will not be allowed;
(e) the requirements for physical, health and safety conditions to be in force;
(f) the inspections that may be carried out by an authorised officer and enforcement aspects, and
(g) any other criteria as may be determined by the Minister.

I propose, Mr Speaker, Sir, to engage into further discussions with stakeholders before finalizing the regulations.

The implementation of the new provisions of the legislation will require, Mr Speaker, Sir, the setting up of an appropriate mechanism for driving this change in policy and will involve -
(i) the conduct of further sensitisation programmes on details of the regulations which will be above all child friendly.
(ii) registration of teachers wishing to provide additional tuition, and
(iii) monitoring, control and enforcement of the new provisions of the Act and regulations to be made.
A Registration and Enforcement Unit would be set up at the Zonal Directorates level and the PSSA for the purpose.

Mr Speaker, Sir, the review of the policy on additional tuition should not be viewed in isolation but in conjunction with other reforms which are underway or in the pipeline. As the House may be aware, a number of innovative and far-reaching reform measures are being initiated to transform the education sector. Inextricably….

Mr Speaker: No, no.

Dr. Bunwaree: I am finishing….

Mr Speaker: Hon. Obeegadoo will speak after you; he will open the debate.

Dr. Bunwaree: Half open...

Mr Speaker: This is an amendment; we cannot speak of reform generally.

Dr. Bunwaree: I am saying that…

Mr Speaker: I have to apply the rules of the House.

Dr. Bunwaree: Yes. I am saying that it should not be viewed in isolation, but in the context of all the other reforms.

We are also proposing, Mr Speaker, Sir, to regulate subsequently under the Education Regulations on a minimum level of attendance – we are coming with that in the near future – for a student to sit for examinations.

Mr Speaker: That is not part of the Bill.

Dr. Bunwaree: Let us not forget, Mr Speaker, Sir, that Quality Assurance and Inspectorate body will be consolidated so as to effectively quality assure the types of curriculum delivery in schools, especially after this Bill is passed and hence lead to performance improvement.

Mr Speaker, Sir, in conclusion, it is high time that parents, educators, students and all stakeholders share a common vision to transform our set-up into an education-friendly and enabling system which will promote development of wholesome individuals having not only academic achievement at heart but also other interests such as the need to live their young life fully and becoming well cultured, disciplined and responsible citizens imbued with innovative skills and abilities; in short, a model of national pride.
With these words, Mr Speaker, Sir, I commend the Bill to the House.

Mr Bachoo rose and seconded.