

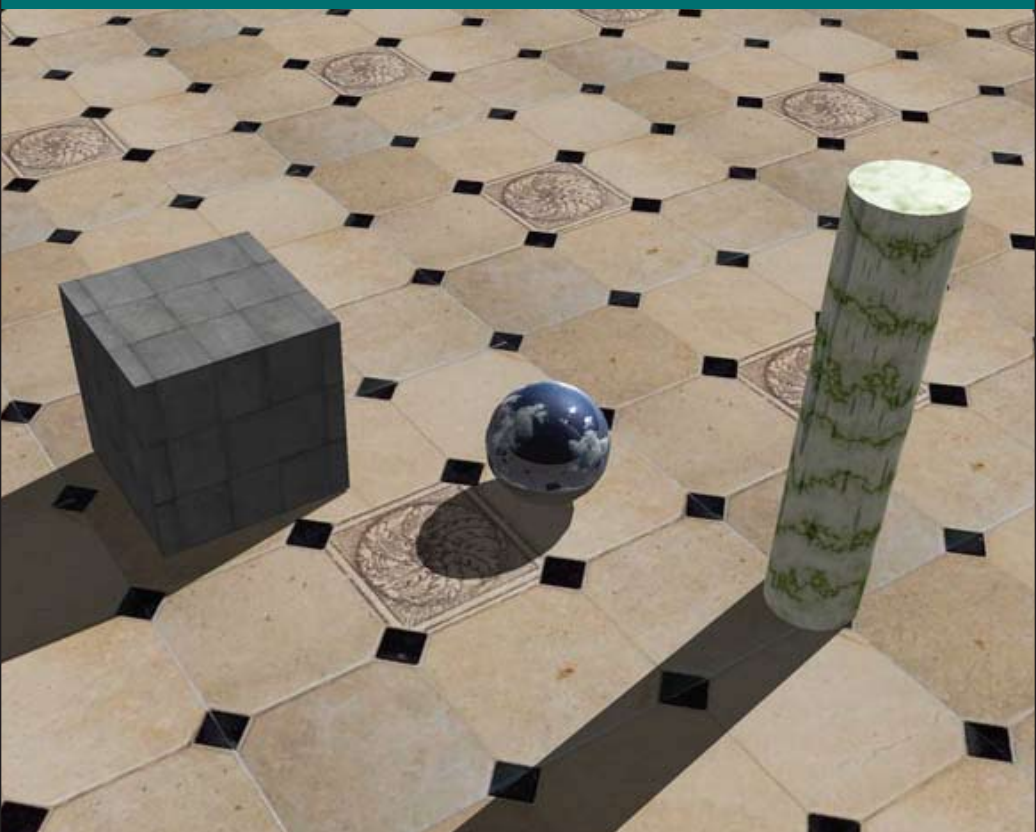
# Regulating Private Tutoring for Public Good

## *Policy Options for Supplementary Education in Asia*

Mark BRAY and Ora KWO

CERC Monograph Series in  
Comparative and International  
Education and Development

No. 10



United Nations  
Educational, Scientific and  
Cultural Organization

**Bangkok Office**  
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## Abbreviations and Acronyms

ADB	Asian Development Bank
ASER	Annual Survey of Education Report
ATA	Australian Tutoring Association
BRAC	[formerly] Bangladesh Rural Advancement Committee
CERC	Comparative Education Research Centre
CETU	China Education and Training Union
CITA	Cambodian Independent Teachers' Association
DSE	Diploma in Secondary Education
EFA	Education for All
EPPM	International Institute of Education Policy, Planning and Management
HKU	The University of Hong Kong
IIEP	International Institute for Educational Planning
JJA	Japan Juku Association
MDG	Millennium Development Goal
Mendaki	Council on Education for Malay/Muslim Children
METI	Ministry of Economy, Trade and Industry
MEXT	Ministry of Education, Culture, Sports, Science and Technology
NGO	Non-Governmental Organisation
NUTP	National Union of the Teaching Profession
PEIRA	Private Educational Institutions Regulatory Authority
PTA	Professional Teachers' Association
SINDA	Singapore Indian Development Association
UNESCO	United Nations Educational, Scientific and Cultural Organization
US	United States
USA	United States of America
WCEFA	World Conference on Education for All

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## Executive Summary

Recent years have brought global expansion of private supplementary tutoring alongside regular schooling. This tutoring is especially visible in Asia. For example:

- In *Hong Kong*, a 2011/12 survey found that 53.8% of Grade 9 students and 71.8% of Grade 12 students were receiving private supplementary tutoring.
- In *India*, a 2012 survey indicated that 73.0% of children aged 6-14 in rural West Bengal were receiving tutoring.
- In *Kazakhstan*, a 2005/06 survey of university students found that 59.9% had received tutoring during their last year of secondary schooling.
- In the *Republic of Korea*, 86.8% of elementary school students were estimated to be receiving tutoring in 2010. In middle school the proportion was 72.2%; and in general high school it was 52.8%.
- In *Vietnam*, 2006 survey data indicated that 32.0% of primary students were receiving tutoring. In lower and upper secondary, respective proportions were 46.0% and 63.0%.

This private supplementary tutoring has far-reaching implications for the nurturing of new generations, for economic and social development, and for the operation of school systems. Yet while some dimensions are positive, other dimensions are problematic; and in general the sector is under-regulated.

This book is particularly concerned with tutoring in academic subjects delivered in exchange for a fee. The formats of tutoring range from one-to-one provision to large classes. Some tutoring is provided informally by university students and others, while other tutoring is provided by teachers and by specialist companies.

The book begins by describing the tutoring sector, which explains who and what should be regulated. It then turns to the question why they should be regulated. From the perspective of the overall public good, the answer lies in sound economic and social development with protection for consumers and other stakeholders. Education can be a major instrument for personal development, but it can also be an instrument for maintaining and exacerbating social inequalities. Moreover,

not all forms of education are good investments either for individuals and families or for the wider societies. Governments have a responsibility to pay attention to the quality and impact of education not only in their own institutions but also in the private sector. Some private providers may prefer to avoid government attention, but a well-designed regulatory framework may be in the long-term interests of the private sector. Perceptions of the quality of private education can be damaged easily, and negative publicity about private providers that offer poor quality instruction can harm the reputation of the sector as a whole.

The question then is what regulations are needed for different types of actors. The book particularly focuses on specialist companies and on teachers who provide supplementary tutoring. For the companies, usually an initial government requirement is for registration, following which the regulations may focus on both educational and commercial matters. In the second category, a major question is whether teachers should be permitted to provide supplementary tutoring to their own students, to other students in their schools, and/or to students in other schools. Comparative survey shows diversity in regulations on these matters, each with rationales but also with potential pitfalls.

Once regulations have been devised, they have to be implemented. This requires adequate government machinery; but since such machinery cannot easily operate without wider support, governments might be well advised to build partnerships with schools, teachers' unions and community bodies. Tutoring providers may also choose to engage in self-regulation, perhaps under the umbrella of professional associations. In addition, governments may educate consumers so that they can make informed choices and themselves influence the tutoring providers.

The final chapter highlights the UNESCO-led agenda of equitable access to quality education for all. Low-income families cannot afford to invest in tutoring, and even middle-income families may not be able to afford good-quality tutoring. Thus, issues of equity are a major reason why governments need to monitor and perhaps intervene in the sector. Another reason arises from the fact that tutoring tends to reinforce only one dimension of education: learning to know, rather than learning to do, learning to live together, or learning to be.

Private supplementary tutoring is likely to continue to expand in many countries. While the overall message of the book is that more and better regulation is needed for the tutoring sector, governments must find balances in the scale and nature of interventions. Heavy regulations

demand costly machinery and may stifle creativity. Governments need therefore to consider their overall objectives as well as their capacities for enforcing regulations.

In the process, policy makers can learn much from comparative analysis. This book focuses on the Asian region, and thus on the lessons that can be learned by policy makers and practitioners within the region. At the same time, the book will be useful in other parts of the world. As private supplementary tutoring has become a global phenomenon, many of the lessons in the book are applicable beyond Asia as well as within it.

# Chapter 1

## Introduction

This book focuses on a phenomenon which has become very visible in Asia and is increasingly evident worldwide. It has various names, among which the most common in the English language is private supplementary tutoring. Alternative vocabulary, particularly in Bangladesh, India, and Pakistan, includes private tuition and coaching. Institutionally, Japan is famous for its *jukus*, the Republic of Korea for its *hagwons*, and Taiwan for its *buxiban*. The book focuses on extra lessons in academic subjects provided in exchange for a fee. Such tutoring may be received on a one-to-one basis, in small groups, in large classes, or over the internet. The providers include specialist companies, teachers working on a part-time basis, and university students and others undertaking informal tutoring in exchange for pocket money.

One type of private supplementary tutoring is widely known as shadow education. The content of this type of tutoring mimics that of regular schooling. The metaphor, used during the early 1990s in Malaysia (Marimuthu et al. 1991), Singapore (George 1992), and Japan (Stevenson & Baker 1992), was given wider international circulation by a 1999 book written by a co-author of the present work (Bray 1999). The book highlighted ways in which some types of private supplementary tutoring content mimic that of mainstream schooling, and presented four reasons for using the shadow metaphor (p.17):

First, private supplementary tutoring only exists because the mainstream education exists; second, as the size and shape of the mainstream system change, so do the size and shape of supplementary tutoring; third, in almost all societies much more public attention focuses on the mainstream than on its shadow; and fourth, the features of the shadow system are much less distinct than those of the mainstream system.

A second type of private supplementary tutoring elaborates on regular schooling, and thus is less easily described as shadow education. Some of this tutoring is in subjects covered by the schools but goes further in those subjects. Other tutoring focuses on subjects not taught in regular schools, such as minority languages and forms of religious

education. A further category includes art, music and sport which may be taught in regular schools but are not part of the core curriculum; and a last category includes study skills, leadership training and related curricula. Among these categories, the book is chiefly concerned with tutoring in academic subjects that are taught in regular schools, both as a shadow and as an extension of the school provision.

At the time of the 1999 book about shadow education, few policy-makers and researchers paid attention to these forms of supplementary tutoring even though in some countries they were major activities. Subsequently, awareness of the significance of private supplementary tutoring greatly increased. Resulting from this awareness has been expansion of both policy-related documentation (e.g. Japan 2008; Askew et al. 2010; Mauritius 2011; UNESCO 2012, 2014a) and research literature (e.g. Buchmann 2002; Dawson 2009; Lee et al. 2009; Aslam & Atherton 2012; Bregvadze 2012). Nevertheless the topic has still not received adequate attention, and its scale, shape and implications need much further investigation.

Some dimensions of private supplementary tutoring are very beneficial both to the recipient individuals and their families and also to the wider society. The tutoring can help slow learners to keep up with their peers, and can stretch the achievements of fast learners. It can be tailored to the needs of individuals and groups, and it can elaborate on topics and skills that cannot be covered in regular schooling. For the younger age groups, out-of-school classes may have a child-minding function in addition to their educational roles, and thus can particularly support families in which both parents have full-time employment. Private supplementary tutoring also provides incomes for the tutors. Some of the tutors are students and teachers taking on additional work on an informal basis, and others are employees of companies.

On the other side, some dimensions of private supplementary tutoring may be problematic. Students and their families may suffer from pressure with extra classes on top of schooling, and some forms of tutoring are a costly item for household budgets. More widely, supplementary tutoring can have a negative backwash on education systems. Teachers who also provide tutoring may be tempted to put more effort into their private classes and to neglect their regular duties. The pedagogical approaches of the tutors are not always harmonious with those of the schools; and some companies that provide tutoring send deliberate messages asserting their superiority, thereby undermining

trust in schools, as part of their marketing strategies. Private supplementary tutoring can also exacerbate social inequalities, since households with higher incomes and in urban locations have more favourable opportunities than their counterparts with lower incomes and rural locations.

These observations stress the desirability of government oversight of the sector to enhance the positive dimensions and reduce the negative ones. This requires not only monitoring but also regulations of various kinds. However, review of patterns in a range of countries shows wide variations in both policy and practice. Some governments have ignored private supplementary tutoring, either because of other priorities or because they have not known how to have a productive overview role. Other governments have introduced regulations, but in many cases with insufficient care in design and inadequate understanding of possible unintended consequences. Thus, around the world regulations for private supplementary tutoring need to be formulated and/or revised.

The question then becomes what regulations are needed. Precise answers must of course be determined by the governments themselves, but much can be learned from comparative analysis to identify what has worked well in what sorts of setting, what has not worked well, and what approaches would be worth experimentation. This book highlights some experiences and presents some proposals. A core message is that governments need to pay more attention to regulations in their roles as protectors and promoters of the public good. A complementary message is that improved regulation can assist the providers as well as the consumers of private tutoring. The providers will be able to operate with more confidence and stronger legitimacy in a more certain environment, and the consumers will similarly gain improved confidence and trust. Such developments will contribute to partnerships and symbioses that will serve the public good through more harmonious and effective economic and social development.

## **Policy Analysis and Professional Dialogue**

Parts of the origins of this book lie in collaboration with the United Nations Educational, Scientific and Cultural Organization (UNESCO) and with the Asian Development Bank (ADB). UNESCO, and particularly its International Institute for Educational Planning (IIEP), has

played a lead role in dissemination of analysis of shadow education. IIEP published Bray's globally-focused 1999 book and sequels in 2003 and 2009; and the original English-language books were translated into multiple languages.<sup>1</sup> Other leadership has been provided by the ADB, which published a regionally-focused book written by Bray and Lykins (2012).<sup>2</sup>

Major milestones in the preparation of the present book were a pair of Policy Forums organised by the Comparative Education Research Centre (CERC) of the University of Hong Kong (HKU). The first was held in April 2013 in partnership with UNESCO's Asia and Pacific Regional Bureau for Education (Bangkok) and the Asian Development Bank (Manila). It focused on the Asian region as a whole, and brought together 33 researchers, government personnel, practitioners and other stakeholders from 18 jurisdictions. The participants discussed the contexts in which policies had been devised, and evaluated the factors which underpin the effectiveness of regulatory and guiding systems for private supplementary tutoring.

The second event was organised by CERC in partnership with the China Education and Training Union (CETU) two months later. The CETU is a professional association of tutoring companies, headquartered in Beijing. The tutoring industry has gathered considerable strength in China, and the Policy Forum provided insights into the ways in which a professional association operates as well as into the patterns of regulations for private tutoring in different parts of China.

Following this pair of events, the authors sought further inputs from government documents, research literature and tutoring providers. These inputs brought insights from jurisdictions not represented in the pair of Policy Forums, and elaborated on some of the materials already available. The authors retained the principal focus on Asia, but where appropriate referred to other parts of the world. Historically, shadow education has been most visible in parts of East Asia and South Asia, and governments in those sub-regions have therefore had the longest

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<sup>1</sup> The 1999 book has been translated into Azeri, Chinese, Farsi, French and Japanese. The 2003 book has been translated into Azeri, Chinese and Farsi. The 2009 book has been translated into Arabic, Armenian, Azeri, Bangla, Chinese, Farsi, French, Georgian, Hindi, Kannada, Korean, Mongolian, Nepali, Polish, Portuguese, Russian, Sinhala, Spanish, Urdu and Uzbek.

<sup>2</sup> This book has been translated into Chinese and Vietnamese.

history of concern. Now, both shadow education and other forms of private supplementary tutoring have become a global phenomenon (Bray 2009; Mori & Baker 2010; Aurini et al. 2013). As such, authorities in Asia have experiences which can be of considerable value to counterparts elsewhere. At the same time, authorities in Asia can learn useful lessons from experiences in other parts of the world.

## Conceptual Framework

To set the framework for what follows, some terms must be explained and defined. A starting point is with the nature of private supplementary tutoring and the range of types of regulations. In addition, the framework must take account of the nature and roles of government in different societies, and of the economic, social and political contexts in which regulations are devised and implemented.

### *The Nature and Parameters of Private Supplementary Tutoring*

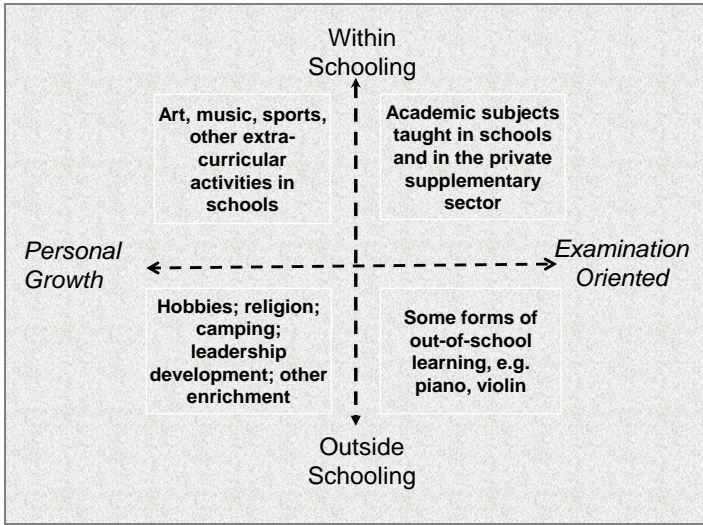
To explain further the focus of this book, it is useful to consider various types of extra lessons, and contrasts with other forms of learning. Overall, the book is concerned with extra lessons and related support in academic subjects which are taught in regular schools, i.e. mathematics, languages, sciences, etc.. As indicated, it is not primarily concerned with such activities as soccer, ballet and music except insofar as they are examinable subjects rather than extra-curricular activities designed for more rounded personal development. The book is also chiefly concerned with fee-based provision, i.e. tutoring provided by individuals, companies or other bodies demanding financial remuneration, in contrast to free-of-charge provision by families, community bodies, etc..

Much of this shadow education is driven by examinations at either the school or system level. Figure 1 presents a matrix of personal growth contrasted with examination-oriented work, and of activities in and outside schooling. The principal focus of the book is the upper right-hand quadrant. However, the boundaries of provision may not be tight, which is why the dividing lines are dashed rather than solid. Although the tutoring providers with which this book is concerned make school subjects their principal focus, they may extend beyond the strict confines of the school curriculum to wider forms of subject



content and to skills in presentation, time-management, information-retrieval, etc..

**Figure 1: Types of Learning Within and Outside Schooling**



Most private supplementary tutoring takes place outside schools. Much occurs in the homes of the students or the tutors, in tutoring centres, and in community buildings such as public libraries. However, some private supplementary tutoring is provided in schools. This is especially common when teachers provide private lessons in addition to their regular duties. Also, sometimes private tutoring enterprises rent space in schools for their commercial activities. This means that authorities considering regulations may need to think about what private tutoring happens inside schools as well as what happens outside. Alongside this private tutoring located within schools may be free-of-charge tutoring provided by the teachers. These lessons are not part of the focus of the book since they are free of charge and are generally viewed as part of the duties of the teachers concerned.

These observations lead to elaborations on the format of private supplementary provision. While much tutoring is provided one-to-one, other tutoring is provided in small groups, and yet other tutoring in full classes. Hong Kong has become famous for its ‘star tutors’ who lecture

to over 100 students at a time, often with video facilities serving overflow rooms (Kwo & Bray 2011; Kedmey 2013). These star tutors also provide recorded lessons as an alternative to live classes; and increasingly tutoring is available on the internet both with and without live tutors. Internet tutoring is particularly challenging from a regulatory perspective since it may be delivered and received in the privacy of the participants' homes, and may involve international cross-border provision.

### *Regulations, Laws, Guidelines, and Codes of Conduct*

The title of this book stresses regulations, but parts of its focus are broader. First it is useful to distinguish between laws and regulations. Laws are passed by legislative bodies, and the preparation of laws is usually accompanied by careful consideration of mechanisms for enforcement and the structures for addressing infringement through law courts. Regulations, by contrast, may be devised by specialist bodies such as Ministries of Education. Preparation of regulations is also usually accompanied by consideration of mechanisms for enforcement; but regulations are usually less powerful than laws, and the procedures for change of regulations may be less demanding.

Alongside laws and regulations are lighter forms of provision such as guidelines and codes of conduct (Box 1). These may emanate not only from governments but also from professional bodies such as teachers' unions and associations of tutoring providers. Governments may choose to achieve their objectives through partnerships of various kinds which rely on voluntary compliance rather than the full force of law and regulation. Governments may also seek ways to inform consumers so that consumers become watchdogs on matters of compliance. Thus, although this book uses the word *Regulating* in its title, the focus also encompasses other forms of guidance and voluntary action.

**Box 1: Codes of Conduct**

This book is concerned with codes of conduct as well as with regulations. Such codes of conduct may be developed by governments or by professional associations and other bodies. Adherence to codes is not usually backed up by legal provision, but codes can be supported by professional sanctions of various kinds.

A guide to codes of conduct in the teaching profession has been prepared by Poisson (2009). It commences with definition and formulation of codes of conduct, and then considers the processes of adopting, disseminating, promoting and implementing codes. Other sections focus on sanctions for misconduct and processes of evaluation and updating of codes. The contents may be relevant to private supplementary tutoring as well as to other domains of the teaching profession.

*Contexts for Regulating Private Supplementary Tutoring*

Asia is a large region, with considerable diversity in cultures, expectations of the roles of the state, and capacity to enforce whatever regulations the authorities might devise. It also has diversity in economic strength. It includes high-income economies, such as Brunei Darussalam, Hong Kong, Japan, the Republic of Korea, and Singapore; emerging middle-income economies, such as China, Malaysia, Thailand and Vietnam; and low-income economies, such as Bangladesh, Myanmar and Nepal. Legislative and regulatory structures have been shaped by colonial histories, and Asia includes countries that were allied to or part of the Soviet regime (e.g. Kazakhstan, Mongolia, Uzbekistan); ones that have inherited British traditions (e.g. India, Malaysia, Pakistan); and ones influenced by Dutch, French, Portuguese and US traditions (e.g. Indonesia, Philippines). While some countries are small (e.g. Brunei Darussalam, Maldives, Singapore) and can therefore be relatively centralised, others are large (e.g. China, India, Indonesia) and therefore need elements of decentralisation. All these contextual variations must be borne in mind during analysis.

Other contextual dimensions concern public attitudes towards private tutoring and its providers. Bhutan has a relatively short history

of formal education, and a similarly short history of private supplementary tutoring. The Bhutanese authorities are able to restrain and shape the phenomenon in a way that is not possible in Sri Lanka and the Republic of Korea, for example, where shadow education has become entrenched in society and has become a social norm (Seth 2002; Lee et al. 2010; Pallegedara 2012). In Hong Kong, the public accepts that teachers would encounter a conflict of interest if they provided private supplementary tutoring to students for whom they are already responsible in regular schools. Moreover, since teachers are well paid and the profession would frown on them undertaking additional remunerated employment, it is uncommon for teachers to provide private supplementary tutoring even to students from other schools. In most parts of Mainland China teachers are explicitly forbidden to provide tutoring to their own students, but the rules are not always enforced and teachers sometimes find themselves under pressure from parents who want extra tutoring (Zhang 2013a).

Other facets of cultural context concern the phenomenon of star tutors. As mentioned, these are well-known in Hong Kong, and counterparts are found elsewhere. Sri Lanka has Tuition Masters who attract large numbers of students, though not usually with the forms of flashy advertising on buses and elsewhere that are a feature of Hong Kong. Famous tutors focusing on particular subjects are also a feature of the market in Bangkok, Kuala Lumpur, Seoul, Taipei and other cities.

Related remarks apply to corporate structures. Some tutoring companies operate international franchises. Kumon, for example, is headquartered in Japan but operates in 48 countries including China, India, Indonesia, the Republic of Korea, Malaysia, Myanmar, Philippines, Singapore, Sri Lanka, Thailand, and Vietnam (Kumon 2014). Kip McGrath is headquartered in Australia, and in 2013 reported franchises in 20 countries including Indonesia, Pakistan and Singapore (Kip McGrath 2013). Modern Education is listed on the Hong Kong stock exchange and primarily operates in Hong Kong, but is expanding in Mainland China (Modern Education Group Limited 2013). In Bangladesh, by contrast, the sector chiefly comprises small enterprises operating as independent units on a local basis (Mahmud 2013). Thus corporate structures provide another form of variation for consideration.

## **Structure of this Book**

With such contextual matters in mind, the next chapter of this book elaborates on what and who should be regulated. It outlines the scale and spread of private supplementary tutoring, notes the dominant subjects and modes, and highlights the diversity of tutoring providers. The book then turns to the reasons for regulation in the context of the public good, with particular attention to social inequalities, the backwash on regular schooling, corruption, the need for protection of consumers and employees, and taxation.

With this background, the book identifies different types of regulations for different types of providers. The regulations for companies – both small and large – may be very different from those for teachers. Regulations for university students and others who provide tutoring on a part-time informal basis may be more difficult to devise, and governments may instead decide to focus on strengthening consumer awareness. The chapter is illustrated by examples from around the region. The regulations are issued not only by Ministries of Education but also by other government bodies including Ministries of Labour, Finance and Social Welfare.

The next question naturally concerns mechanisms to ensure compliance with the regulations. Some governments are well resourced with inspectors and monitoring officers, but others have more limited capacities. In most settings, compliance is best handled through both a top-down and a bottom-up approach. Governments can inform and empower community bodies to exert pressure on tutoring providers. They can also work with the tutoring industry and with teachers' unions in forms of self-regulation. Mechanisms for monitoring and dissemination of information are important instruments for encouraging compliance with regulations.

Finally, the book remarks on directions of change. The scale and nature of private supplementary tutoring around the region has changed dramatically in recent years, and will continue to change even without government attention to regulations. It is arguable that governments have the opportunity and responsibility to shape the sector through regulations and other means. The task is especially challenging in societies where shadow education and other forms of private supplementary tutoring have deep roots and have become widespread. Thus,

governments in societies where the problematic sides of private supplementary tutoring do not seem to be prominent would be wise to act now to avoid serious problems from emerging.

When formulating or revising regulations for private supplementary tutoring, governments should of course relate their actions to the parallel regulations for schooling (Fielden & LaRocque 2008; Sergiovanni et al. 2009). Especially since the mid-20<sup>th</sup> century, schooling has become much more regulated than used to be the case. Some participants feel that it has become over-regulated, and indeed some authorities are finding ways to increase flexibility for at least some types of schools in the public sector. However, few observers would advocate deregulation of schooling to the point at which the private supplementary sector currently stands in most countries. Thus, the trend is likely to be towards more regulation of the private supplementary sector rather than less regulation or maintenance of the status quo. The challenge is about how regulation can carry sustainable impact for the public good, preferably through joint ownership of problems and issues by all the actors.

Within that scenario, of course, is likely to be wide diversity of patterns according to the political priorities, the social and economic approaches of governments, and the resources available for preparing, revising and implementing regulations. When making their decisions about these matters, education authorities can learn a lot from comparative analysis. The fact that Asia is large and diverse in some respects creates challenges for identification of trends and appropriate strategies. However, the diversity of Asia is an asset insofar as it exposes a wide range of circumstances and models from which governments and their partners can learn together. Thus the final chapter of the book focuses on the theme of learning from each other in this international environment.

## Chapter 2

# What and who should be regulated?

This chapter elaborates on the nature of private supplementary tutoring in Asia. It begins with the scale, showing variations among and within different countries. It then discusses the types of tutoring, examining ways in which companies, teachers and informal providers operate. This leads to elaboration on the diversity of provision.

### Scale and Spread of Private Supplementary Tutoring

Table 1 shows statistics on private tutoring in different parts of Asia. Some of the statistics may need to be treated with caution, since they are based on limited samples. Also, the statistics may not be directly comparable because the levels of education covered and the methods of data collection may differ significantly. Nevertheless, the table does provide an overall picture, within which are some regional variations as follows:

- *East Asia*, including Japan, the Republic of Korea and Taiwan, has long had extensive private tutoring, and enrolment rates have remained high. The authorities in the Republic of Korea have tried since the early 1980s to dampen demand for private tutoring (Lee et al. 2010; Choi 2013), but without great success. Their counterparts in Japan, Taiwan and Hong Kong have had more laissez faire attitudes.
- Parts of *South Asia*, including Bangladesh, India and Pakistan have also long had high rates of private tutoring. In Sri Lanka, official concern about the matter was expressed as early as the 1940s even under the colonial government (Ceylon 1943). In India, enrolment rates are especially high in West Bengal and Tripura, but are lower in Chhattisgarh and Rajasthan (Pratham 2013).
- In the parts of *Central and Northern Asia* that were components of the Soviet Union, the phenomenon is more recent. Private tutoring did exist during the Soviet era prior to 1991,

but was muted. In many parts of the region it has since flourished, though has not reached the intensity of East and South Asia (Silova et al. 2006; Silova 2009b).

- Private tutoring is also expanding in *Southeast Asia*, including Brunei Darussalam, Malaysia, Philippines, Singapore, Thailand and Vietnam (Dang 2007; Bray & Lykins 2012; Brehm et al. 2012; Lao 2014).
- In *China*, private tutoring is more common in the large cities and the high-income eastern regions than in rural areas and the middle and western regions. It is nevertheless growing fast as household incomes rise (Shen 2008). The dominance of one-child families fuels demand for shadow education in China (Zhang 2013a).

**Table 1:**  
**Cross-national Indicators of Private Supplementary Tutoring**

<i>Location</i>	<i>Patterns</i>
Armenia	The United Nations Development Programme (UNDP 2007: 45) stated that 47% of secondary school students employ private tutors, often for two or more subjects and spending an average of 30-35 hours per week.
Azerbaijan	Silova and Kazimzade (2006) asked 913 first year university students about their experiences in the last year of secondary schooling. They found that 93.0% of students had received tutoring (private lessons, preparatory courses, or both).
Bangladesh	Nath (2011a) analyzed data from household surveys. He found that in 2008, 37.9% of primary students and 68.4% of secondary students were receiving tutoring. At Grade 10, over 80% received tutoring.
Brunei Darussalam	Wong et al. (2007: 455) examined the ways that Primary 6 students learned mathematics. In their sample of 209 students, 69% had received extra lessons, of which the majority was assumed to be from private tutors.
Cambodia	Dawson (2011: 18) surveyed eight primary schools in three locations, and found that about half of the students had received tutoring. Brehm et al. (2012) presented data that echoed these findings.



<p>China, People's Republic of</p>	<p>The 2004 Urban Household Education and Employment Survey of 4,772 households indicated that 73.8% of primary students were receiving supplementary lessons, including in non-academic subjects. Proportions in lower and upper secondary were 65.6% and 53.5% (Xue &amp; Ding 2009). A 2010 survey of 6,043 Grade 12 students in Jinan found that 23.1% were receiving tutoring in mathematics, and 18.2% in English (Zhang 2011: 124).</p>
<p>Georgia</p>	<p>Matiashvili and Kutateladze (2006) asked 839 first year university students about their experiences in the last year of secondary schooling. They found that 76.0% of students had received tutoring (private lessons, preparatory courses, or both). A 2011 survey of parents of 1,200 secondary school students and graduates in all regions showed that a quarter of secondary school students had received tutoring, with variations of 35% in the capital city and 19% in villages (EPPM 2011).</p>
<p>Hong Kong, China</p>	<p>A 2009 telephone survey of 521 students found that 72.5% of upper primary students had received tutoring (Ngai &amp; Cheung 2010). A survey of 1,646 students in 16 secondary schools found that 53.8% of Grade 9 students and 71.8% of Grade 12 students were receiving tutoring (Bray 2013).</p>
<p>India</p>	<p>Sujatha and Rani (2011: 113) reported on a survey of senior secondary students in four states: Andhra Pradesh, Kerala, Maharashtra, and Uttar Pradesh: in the sample, 58.8% of Grade 10 students were receiving tutoring. Sen (2010: 315) stated that at the primary level in West Bengal, 57% of students were receiving private tutoring. Data from a nationwide rural survey showed rates among children aged 6-14 ranging from 2.8% in Chhattisgarh to 73.0% in West Bengal (Pratham 2013: 55).</p>
<p>Indonesia</p>	<p>Suryadama et al. (2006) noted the widespread existence of private tutoring at the primary level, but without specific numerical estimates. Informal evidence indicates that it is also widespread at the secondary level.</p>
<p>Iran</p>	<p>A 2011 survey in Tehran of students in Grades 5, 9, 12 and 13 found that 20.0% were receiving private one-to-one or small-group tutoring, and that 26.9% attended classes in tutoring centres (Aryan 2012: 26).</p>

Japan	A 2007 survey found that <i>juku</i> served 15.9% of Primary 1 children, that this proportion rose steadily in later grades, and that it reached 65.2% in Junior Secondary 3. In addition, 6.8% of Junior Secondary 3 pupils received tutoring at home, and 15.0% followed correspondence courses (Japan 2008: 13).
Kazakhstan	Kalikova and Rakhimzhanova (2009) asked 1,004 first year university students about their experiences in the last year of secondary schooling. They found that 59.9% of students had received tutoring (private lessons, preparatory courses, or both).
Korea, Republic of	In 2012, 80.9% of elementary school pupils were estimated to be receiving private tutoring. In middle school the proportion was 70.6%; and in general high school it was 57.6% (KOSIS 2013).
Kyrgyz Republic	Bagdasarova and Ivanov (2009) asked 1,100 first year university students about their experiences in the last year of secondary schooling. They found that 52.5% of students had received tutoring (private lessons, preparatory courses, or both).
Lao People's Democratic Republic	Benveniste et al. (2008: 76, 106) indicated that 14% of lower secondary teachers provided supplementary tutoring, which earned one third of their total incomes. Another study of 2,082 primary school teachers in 449 schools indicated that 5% provided supplementary tutoring in exchange for a fee (Dang & King 2013).
Macao, China	Vong (2011, cited by Li & Choi 2013: 10) stated that around 70% of infant and primary school students were receiving some form of tutoring.
Malaysia	Kenayathulla (2013b: 634) examined data from the 2004/05 household expenditure survey, and found that 20.1% of households indicated expenditures on private tutoring. Tan (2011: 105), having surveyed 1,600 students in eight schools in Selangor and Kuala Lumpur, found that 88.0% had received tutoring during their primary schooling.
Maldives	Nazeer (2006: 159) remarked that private tutoring "is very common". All nine teachers in his qualitative research were providing additional private lessons for their own students. Mariya (2012: 175) similarly remarked that private tutoring "is a tradition and a culture in the Maldives and is practiced on a large scale".

Mongolia	Dong et al. (2006) asked 1,475 first year university students about their experiences in the last year of secondary schooling. They found that 66.0% of students had received tutoring (private lessons, preparatory courses, or both).
Myanmar	A 1992 report (Myanmar Education Research Bureau 1992: 24) described private tutoring as “virtually indispensable to complete secondary education”. Informal evidence indicated that two decades later the problem remained unabated. Much tutoring also existed at the primary level. An unpublished 2009 survey in 25 townships found that tutoring consumed 12.6% of household costs of Grade 1 schooling and 15.6% of Grade 5 schooling.
Nepal	Jayachandran (2013) examined data from 450 schools in 28 districts. She found (p.39) that 49% of students in public schools were receiving additional private tutoring from their schools, while the figure for students in private schools was 51%. Additional students presumably received tutoring from tutors outside the schools. Thapa (2011) reported on data from 22,500 students in 452 schools. He found that 68% of Grade 10 students were receiving tutoring.
Pakistan	A 2012 survey of six cities and 136 rural districts found that 34.0% of urban children and 11.3% of rural children attending school received private supplementary tutoring. In Karachi the proportion reached 60.2% (ASER-Pakistan 2013: 118, 143).
Philippines	de Castro and de Guzman (2010) surveyed 1,235 students in 23 schools. They found that 40.7% of Grade 6 students and 46.5% of Grade 10 students received tutoring.
Singapore	Tan (2009) lamented the dearth of carefully collected empirical data on tutoring, but noted that the phenomenon had been very visible for some decades, citing the work of Kwan-Terry (1991) and George (1992). A 2008 newspaper report stated that 97% of students polled at the primary, middle, and senior secondary levels were receiving tutoring (Toh 2008).
Sri Lanka	Pallegedara (2012: 380) examined 2006/07 survey data of 10,677 households with students aged 6 to 21. Among these households, 64.0% had spent money on private tutoring. This compared with just 23.3% in a comparable survey in 1995/96. Suraweera (2011: 20)

	reported that 92.4% of 2,578 students in a Grade 10 survey and 98.0% of 884 Grade 12 students were receiving tutoring.
Taiwan	The 2001 Taiwan Education Panel Survey covered 20,000 high school students and indicated that 72.9% of Grade 7 students were receiving tutoring for an average of 6.5 hours per week (Liu 2012).
Tajikistan	Kodirov and Amonov (2009) asked 999 first year university students about their experiences in the last year of secondary schooling. They found that 64.8% of students had received tutoring (private lessons, preparatory courses, or both).
Thailand	Lao (2014), citing a report of the Economic Research and Training Center (2011), stated that 65.5% of upper secondary school students were estimated to be receiving private tutoring. Among the total student population, 6.4% were estimated to be receiving tutoring, with the highest proportions in Bangkok.
Turkmenistan	Clement (2006, quoted by Silova 2009a: 59) indicated that, since the country's independence in 1991, an extensive shadow education system had emerged. It consisted of unregistered classes in teachers' homes and elsewhere, and involved the majority of teachers.
Uzbekistan	Detailed statistics are not available, but tutoring has been described as a "huge business" (Namazov 2013).
Vietnam	Dang (2013) reviewed 2006 survey data from 9,189 households. He found that 32.0% of primary students were receiving tutoring. In lower and upper secondary, respective proportions were 46.0% and 63.0%.

Source: Table adapted and updated from Bray & Lykins (2012), pp.4-7.

## Subjects and Modes

In most countries, the strongest demand for tutoring is in the core examination subjects. Typically this means mathematics, science, English and the national languages. In Georgia, for example, among the secondary students receiving tutoring surveyed in 2011 by the International Institute of Education Policy, Planning and Management (EPPM), 23% did so in Georgian, 48% in Mathematics, 78% in foreign languages and 13% in skill-related subjects (EPPM 2011: 26). In Hong

Kong, the four core subjects for the Diploma in Secondary Education (DSE) examination are Mathematics, English, Chinese and Liberal Studies, among which the first three are especially demanded for tutoring (Zhan et al. 2013).

However, variations are evident among primary and secondary students. For example, in Georgia, an average primary school student takes a maximum of three subjects, while half of senior school students commonly take four or more subjects up to a maximum of nine (EPPM 2011). In Taiwan, most primary school students take foreign language and non-academic subjects (Huang & Hung 2007), while secondary school students mostly focus on academic subjects (Lin & Chen 2006). Table 2 reports on data from a survey in Macao that showed variations by grade and level, and Table 3 reports on a survey in Thailand that showed regional variations as well as the popularity of specific subjects.

**Table 2: Private Tutoring Participation by Subjects and Educational Levels, Macao (%)**

Level of Education	All subjects*	English	Mathematics	Chinese
Primary	74.9%	53.2%	50.2%	46.3%
Junior Secondary	50.0%	48.3%	55.1%	24.6%
Senior Secondary	4.7%	27.9%	67.4%	4.7%
Level of Education	All subjects*	Arts & Commercial	Science	Other subjects
Primary	74.9%	3.9%	3.9%	3.0%
Junior Secondary	50.0%	11%	33.9%	0.8%
Senior Secondary	4.7%	18.6%	9.3%	0.0%

\* Respondents were permitted multiple responses. Some chose “all subjects”, meaning that the tutoring covered all subjects taught in the schools. Some respondents in addition indicated receipt of tutoring in specific subjects. Data were collected in 2007.

Source: Ho et al. (2008), p.39.

**Table 3: Private Tutoring Participation by Subjects and Location, Thailand (%)**

Subjects	Bangkok and Metropolitan (n = 190)	Other provinces (n = 300)	Total (n = 490)
Physics	11.1	41.0	29.4
Chemistry	17.4	5.0	9.8
Biology	1	1.7	1.6
English	16.8	10.3	12.9
Thai	2.6	0.7	1.4
Social science	1.1	-	0.4
Mathematics	45.3	26.0	33.5
Thai-Social Science	2.1	-	0.8
Science	2.1	13.3	9.0
Others	-	2.0	1.2

Note: Data apply to 2010.

Source: Thailand, Office of Education Council (2010), appendix.

As noted in the Introduction, tutoring may have various modes. These include personalized one-to-one support, small groups, large classes, and internet tutoring. The different modes have different implications for students' learning, tutors' pedagogy, costs, and government policies.

- *One-to-one*: In this mode, a single tutor works with one student at a time. This form of tutoring is more personalised and usually more expensive than others.
- *Small-group tutoring*: In this mode, students work together as a group. Groups that are considered small in some societies would be considered relatively large in others. Sometimes, group size is influenced by regulations. In Macao, for instance, groups with less than seven students are not required to register with the government (Li & Choi 2013: 12).
- *Large-classes*: In some societies tutorial classes are offered in groups at least equivalent in size to regular school classes and sometimes considerably larger. In Hong Kong and Bangkok,

for example, these classes are offered in lecture theatres both live and in video-recorded form.

- *Internet and broadcast tutoring*: Private tutoring via the internet has become increasingly popular. Students and tutors do not have to be located in the same city or even in the same country. Some internet tutoring operates with video clips and other computerised aids, but other tutoring has direct human contact using web cameras.

Beyond these basic types, tutoring may have different modes according to its functions. Roesgaard (2006: 29-54) and McLean (2009: 155) have highlighted different categories of *juku* in Japan. Some focus on entrance examinations while others focus on basic learning and on catching up with peers. Some are for high-ability students, others are for low-ability students, and yet others have mixed-ability intakes. Some closely mimic the school curriculum, while others go beyond it; and some are highly competitive while others are more relaxed and supportive. In another context, Box 2 identifies different modes of tutoring in Cambodia. The variations in modes may require variations in regulations.

#### **Box 2: Different Modes of Private Tutoring in Cambodia**

According to Brehm et al. (2012: 16), the main types of tutoring in Cambodia are as follows:

*Rean Kuo (Extra study)*: Some teachers conduct private tutoring lessons with their own students after school hours either in school buildings or in their homes. The focus is on covering the required school curriculum which has not been taught during school hours. This is the most common form of tutoring. It is also referred to as *Rean Boban Porn* (supplemental study) or *Rean Chhnuol* (study for hire).

*Rean Kuo Pel Vissmakkal (Extra study during holidays)*: When students finish school in July or August, they often have the choice of attending private tutoring lessons during the long break. These classes are either conducted by their previous grade's teacher to finish the curriculum from that grade or by the next grade's teacher to start the curriculum before the next school year. This gives teachers enough time – at either the beginning or the end of the year – to complete the national curriculum.

*(continued on next page)*

*Rean Kuo Pises (Extra special study):* Government school teachers conduct private tutoring lessons one-to-one or for small groups, typically comprising students from the teachers' classes in their government schools. These lessons are conducted after school hours at either the teachers' or the students' homes. This type of private tutoring is relatively expensive. It is either used by students for remedial lessons or for replacing government school altogether. Indeed, cases may be found of students reaching agreement with their teacher to attend one-to-one *Rien Kuo Pises* and not being required to attend government school regularly because their teachers would mark them present. This type of *Rien Kuo Pises* resembles private schooling more closely than shadow or hybrid education.

*Sala Akchoan Private (tutoring) School:* Cambodia has many types of private schools, ranging from English language-based schools to private universities and technology training centres. All these schools are considered *Sala Akchoan* (private study). One type of private study within this category is part of the shadow education system. Test preparation centres that fill classrooms each night as students 'cram' for the national examinations and university entrance examinations. For the Grade 12 examinations, many students start preparing in Grades 10 or 11.

## Diversity of Providers and Orientations

Private tutoring can be offered informally by university students, mainstream school teachers or other persons seeking such work. More formally, private tutoring can be offered by professional tutors, usually working for companies. Different types of tutors attract different types of students. Informal arrangements are commonly based on word-of-mouth recommendations. Institutional provision may also draw on recommendations, but tutors may secure clients through advertisements on the internet, on buses, in magazines and elsewhere.

In some countries, teachers who also work as tutors gain credibility for tutoring from their work in mainstream schools, particularly if those schools are prestigious. Parents and students believe that such teachers know the syllabuses particularly well, and are tuned into the demands of the education authorities. This pattern is evident for example in Bangladesh, Cambodia and China (Hamid et al. 2009; Dawson 2011; Zhang 2013a). In all countries, other categories of tutors



include university students, graduates who are unable to find other suitable employment, and retirees.

On the other end of the spectrum, some commercial companies provide large classes for private tutoring. In large cities, such classes may be in lecture theatres and be provided either live or through video recordings. Table 4 indicates the types of tutoring received by secondary school students in Hong Kong.

**Table 4: Scale and Types of Private Tutoring Received by Secondary Students in Hong Kong**

	Grade 9	Grade 12
% of students receiving private tutoring	53.8%	71.8%
Number of cases (in sample of 16 schools)	967	657
<i>Types of tutoring</i> (among students with private tutoring during the previous 12 months)		
Small group	53.5%	29.0%
Private one-to-one	44.2%	31.1%
Lecture style by tutor (live)	22.1%	54.2%
Lecture style (video recording)	7.9%	61.7%
Online tutoring	0.8%	1.7%

Note: Data refer to 2011/12.

Source: Bray et al. (2014), p.31.

Around the region, some indication of diversity is provided by the following sketches of tutoring provision:

- *Bangladesh*: A 2006/07 survey by the Bangladesh Bureau of Statistics identified 5,499 coaching centres in the country with 67,200 full-time and 44,800 part-time employees. Only 7% of the centres had government approval to operate (Nath 2011b).
- *Macao*: A 2007 survey identified 186 tutoring enterprises, among which 62.9% served children in primary school and 3.2% served children in kindergarten (Ho et al. 2008: 28). All the enterprises serving kindergarten children and half of those serving primary children combined tutoring with childcare, and included after-school pick-up and meal services. One quarter of the enterprises served junior secondary students, and only 8.6% served senior secondary students.

- *Georgia*: According to the EPPM (2011) survey, 69% of the people providing private tutoring were mainstream school teachers. Moreover, 13% of the students receiving tutoring stated that they received private supplementary tutoring from their regular classroom teachers.
- *Taiwan*: Chou and Ching (2012: 164) indicated that Taiwan had 18,300 registered ‘cram schools’, 15,248 of which focused on traditional school subjects such as Chinese, English and the sciences. Elementary and junior high school students were particularly targeted, and comprised 84% of the total enrolment. Most of these schools were “examination-oriented private institutions that focus on drills and practice” (p.165), but some had curricula which were not directly related to the regular school system. In these institutions the tutor “provides a group of students with a program designed only for a specific subject or course, such as a foreign language, essay writing, calligraphy, music, art, dancing, sports, among others” (p.166).
- *Thailand*: Government statistics indicated that 1,964 private tutoring institutions were registered in 2011, among which 77.6% were in Bangkok and the rest were in other parts of the country (Thailand, Ministry of Education 2013).
- *Uzbekistan*: In 2013 the State Testing Centre recorded 249 non-government educational institutions with licenses for educational activity. Among them, 73 were offering pre-primary education, 12 were offering primary education, five secondary education, 129 skills development training, and 26 supplementary skills for school children (Namazov 2013).
- *Vietnam*: Dang (2013) noted that supplementary is organised by students’ parents, teachers, schools and specialist centres. About 70% of students receiving tutoring do so at school, 26% receive classes at the tutors’ homes, and the remainder attend classes in their own homes or elsewhere.

In many settings, the diversity reflects the consumers’ desire for choice. Families may have some choice for enrolment in regular schools, but for most families that choice is constrained by their residential district and the systems for admission to schools. Moreover, once students have enrolled in specific schools, they cannot not easily change schools. In the private tutoring sector, by contrast, families may

have greater choice over whether or not to hire specific tutors for particular subjects. They can also choose the types, duration and intensity of tutoring.

## Chapter 3

### Why should they be regulated?

Education is a major instrument for personal, social and national development. It may also maintain and exacerbate social inequalities. For these reasons, during the 20<sup>th</sup> century governments paid increasing attention to regulations of schools, kindergartens, colleges and universities. During the 21<sup>st</sup> century, governments should arguably pay increasing attention to out-of-school provision. This is not only because of the internal operation of private supplementary tutoring, but also because of its backwash on regular schooling in addition to its wider social implications.

A further element calling for regulation concerns the vulnerability of the consumers. Small children are particularly vulnerable, and regulations may therefore be desirable for protection against child abuse in overt and more subtle forms. Parents may also need some protection, since the nature and impact of tutoring are often difficult to evaluate. As in other commercial domains, regulation may be needed in advertising and contracts for consumers. Likewise, regulations may be needed for contracts between tutoring providers and their employees.

Concerning the wider picture, Fielden and LaRocque (2008: 13) have pointed out that:

Governments have an obligation to ensure that their citizens receive a good education from whatever source it is provided. In the case of public sector schools, this means that mechanisms must be in place to ensure that teaching staff, facilities, equipment, and materials are of the best quality that can be provided with available funds. In the case of private sector provision the same principles apply, with the necessity of developing instruments of monitoring and control to ensure that provision of both public and private sectors are of the highest quality possible.

The authors had in mind private schools that operate in parallel to public schools rather than enterprises for private supplementary tutoring, but arguably the point is equally valid in the supplementary sector. Moreover, Fielden and LaRocque pertinently added (p.14) that:

A regulatory framework that supports the private sector and assures the quality of private provision is also key to ensuring the longer-term sustainability – both economic and political – of the private education sector.... Market perceptions of the quality of private education are fundamental and can be easily damaged. Bad publicity about private providers that offer poor quality instruction can harm the reputation of the sector as a whole.

Thus, arguably some forms of regulation are desirable from the perspectives of at least the good-quality providers.

With such factors in mind to elaborate on the need for regulation, this chapter commences with issues of social inequalities and with the nature of backwash on regular schooling. It then notes issues of corruption before turning to the protection of consumers and employees, and concluding with remarks considerations of taxation.

## **Social Inequalities**

Social inequalities may have many dimensions, among which the most obvious are socio-economic, gender, racial/ethnic, and rural/urban. Each of these dimensions is here addressed in turn.

### *Socio-economic Inequalities*

It is obvious that families with greater incomes can more easily invest in greater amounts and better quality tutoring than families with lower incomes. This fact has been demonstrated empirically in multiple settings. In Vietnam, for example, Dang (2013) reported that only 15% of households in the poorest quintile invested in private tutoring compared with 27% in the next quintile and about 30% for the other quintiles. The mean expenditure on supplementary education by the richest 20% of households was almost 14 times greater than that of the poorest 20%. A Chinese survey reported by Kwok (2010: 52) indicated that high income households had greater demands for supplementary education than middle and low incomes households: 62.5%, 57.9% and 47.1% respectively. In Thailand, a survey indicated that parents in the highest-income quintile spent 2.7 times more on private tutoring than parents in the lowest-income quintile. Nevertheless, parents in the first group spent only 2.0%

of their total incomes on tutoring while parents in the second group spent 7.3% (Punyasavatsvt 2001: 4-1).

Nevertheless, in some societies private tutoring is so widespread that most households feel a need to invest in tutoring if they possibly can. This observation has been made in settings as diverse and numerous as Bangladesh (Cameron 2012: 28), Cambodia (Brehm et al. 2012: 15), India (De et al. 2009: 149; Sen 2010: 315), the Republic of Korea (Kim 2010: 303-304), Sri Lanka (Pallegedara 2012: 375) and Taiwan (Liu 2012: 49). Thus government regulations of tutoring may serve the majority population, including low-income groups, rather than just a minority of relatively prosperous families.

### *Gender Inequalities*

In some countries, disparities are evident in the gender of students receiving tutoring. In many cases, males receive more tutoring than females. In Bangladesh, for example, Nath (2008: 58) indicated that in all grades boys were more likely than girls to receive tutoring. A 2005 survey of 16,400 households indicated that 33.8% of boys and 28.1% of girls received private supplementary tutoring. Elsewhere, however, girls are in the majority. This has been found, for example, in Macao (Ho et al. 2008) and Georgia (Matiashvili & Kutateladze 2006). Elsewhere, including Vietnam and Taiwan (Dang 2007; Liu 2012), no significant differences have been observed. Governments cannot easily regulate on matters of gender, but they can monitor the matter and expand awareness. Sometimes gender inequalities are caused by other government policies (Box 3).

#### **Box 3: Gender Bias and the University Entrance Examination in Uzbekistan**

In Uzbekistan, as elsewhere, a major driver of shadow education is fierce competition for enrolment in higher education. In 2012, 633 students competed for every 100 university places. University entrance examinations are conducted once a year nationwide

*(continued on next page)*

through multiple-choice tests in three subjects, so senior secondary students focus closely on these three subjects. The test questions are based on school curricula, but may go further. High-profile school teachers can earn substantial incomes by providing extra tutoring for this examination.

Patterns of tutoring are also shaped by military service. Applicants who have served one year in the military after 12 years of compulsory schooling receive points in addition to their total scores on the admission tests. Since only males can enter the military, this policy has brought a gender bias: female students may feel an even greater need than males to secure tutoring support for high scores. In some higher education specialisations, females may fail to gain admission even with 95% scores on the admission test because males with only 68% correct answers but with military service can gain higher total scores.

Source: Namazov (2013).

### *Racial/Ethnic Inequalities*

Countries with racial and ethnic minorities commonly find significant disparities in the amounts of private tutoring received by those minorities. In some cases the minorities receive more tutoring than the majority. In Malaysia, for example, more tutoring is received by minority Chinese and Indian families than by majority Malays (Jelani & Tan 2012; Kenayathulla 2013b). This pattern has a parallel among Asian migrants to the USA (Zhou & Kim 2006; Byun & Park 2012). In other cases, minorities are disadvantaged. Dang (2007: 688) reported on a Vietnamese survey indicating that 7.1% of ethnic minority children received tutoring at the primary level compared with 37.0% among ethnic majority children. At upper secondary the gap was reduced, but it was still significant at 55.9% compared with 78.0%. In Sri Lanka, 2006/07 survey data indicated that 59.4% of Tamil households spent money on tutoring compared with 64.8% of Sinhala households (Pallegedara 2012: 381). Again, governments cannot easily regulate on such matters, but do need to be aware of patterns.

## *Rural/Urban Inequalities*

Many studies have shown that students in urban areas have more opportunities to receive private supplementary tutoring compared with counterparts in rural areas. In China, for example, Zhang (2013a) investigated patterns in Chongqing and found that only 22.1% of rural students receiving tutoring compared with 65.0% of urban students, in part because of availability of tutors (p.120). In Georgia, the EPPM (2011) study reported that 35% of students in Tbilisi, the capital, had access to private tutoring compared with only 19% of students in the villages.

Contrasting with these studies are data from Sri Lanka which indicate that private tutoring has become as common in rural as in urban areas. The 2006/07 survey indicated that 64.4% of rural households had expenditures on tutoring compared with 62.9% of urban households (Pallegedara 2012: 381). However, rural students did not have equivalent access to the tutoring companies that marketed their services in urban areas; and Gunasekara's (2009) survey of students in Grades 12 and 13 found that only 41.1% of rural students received tutoring compared with 49.5% of urban ones (p.69).

## **Backwash on Regular Schooling**

Private supplementary tutoring is not a self-contained activity. It exists to enhance the students' learning of school subjects, and as such has an impact on regular schooling. However, the relationship is not simply one of enhancement of the knowledge and skills of some students. Private tutoring may also undermine regular schooling. This may occur in several ways, among which the first cluster concerns the attitudes of teachers:

- When teachers provide extra tutoring to their own students, they may be tempted to reduce the coverage of regular lessons in order to foster demand for private additional classes.
- Teachers who do not tutor their own students are less tempted deliberately to reduce the regular content in order to promote the private demand, but they may still put more effort into their private classes, in which revenue is directly linked to perfor-



mance, than into their regular work which has a standardised monthly salary.

- Even when teachers do not themselves work as supplementary tutors, they may assume that their students have access to tutors. The teachers may then put less effort into their teaching than they would in situations where tutoring is not widespread. When the teachers assume that the students have tutors, indeed the students find that they have to secure supplementary help.

A second cluster of factors in which tutoring has a backwash on schooling arises from students' attitudes. Students may respect their tutors, to whom they or their families are directly paying money, more than their teachers who seem to come free of charge. On another dimension, students may be more distant from teachers of subjects in which they are weak and instead turn to tutors for help.

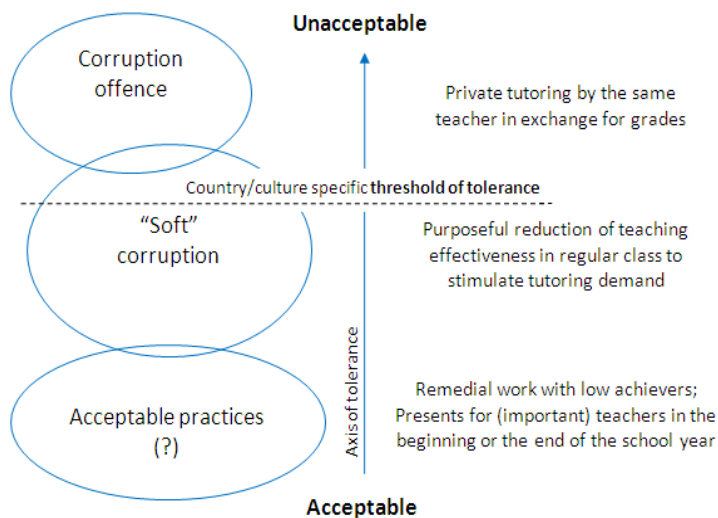
A third cluster of factors concerns time management. Gunasekara (2009: 84) indicated that senior secondary students in Sri Lanka were commonly spending 15 to 21 hours a week in extra classes, and Chou and Ching (2012: 151) pointed out that students in Taiwan typically attend cram schools on weekdays up to 9.00 pm or perhaps even later. This leads a crowded schedule dominated by academic work and with little time for sports, socialisation and relaxation. A Vietnamese survey reported by Dang (2011: 26) pointed out not only that excessive tutoring can damage children's physical and mental health, but also that it can lead to inefficiencies in regular schooling since students are tired in the daytime.

## **Corruption**

Situations in which teachers deliberately reduce the coverage of regular lessons in order to increase the demand for private classes are a form of corruption. Wider studies (e.g. Hallak & Poisson 2007; Sweeney et al. 2013) have highlighted multiple dimensions of corruption in the education sector including private supplementary tutoring. They have pointed out that the corruption is especially corrosive in education because it shapes the values of children and youth during formative periods of their lives.

Views may differ on the extent to which tutoring is a serious issue of corruption and on the extent to which teachers should be seen as culpable. Referring to Kyrgyz Republic, for example, Johnson (2011) observed that families blamed the wider context more than the teachers who provided the tutoring; and Milovanovich (2014) has distinguished between “soft” corruption and activities that would be beyond the threshold of tolerance (Figure 2). Governments must take account of their own cultural contexts when determining what is and is not acceptable, though they should also consider long-term implications and the dangers of forms of behaviour becoming more problematic over time if not curbed at an early stage.

**Figure 2: Private Tutoring and Degrees of Corruption in Education Systems**



Source: Milovanovich (2014), p.376.

## Protection of Consumers and Employees

The quality of tutoring is very difficult to evaluate – even by specialists in the domain of education, let alone by parents who work in other

fields and perhaps themselves have limited education. Tutoring companies may be expert in sales techniques, stressing the versatility of their tutors and the results achieved. However, direct links between the inputs of tutors and the learning of students cannot always be demonstrated easily. Similar remarks of course apply to schooling; but most governments have established systems for monitoring the behaviour of teachers and the functioning of schools, and parents may be justified in having more confidence in these systems.

From time to time, problematic incidents reach the public eye that have less to do with skills in teaching and learning and more to do with interpersonal relationships. Among the most alarming are cases in which tutors operating on a one-to-one basis in the homes of either the tutors or the children have been convicted of sexual abuse (e.g. Macao Daily Times 2009; South China Morning Post 2012; Times of India 2013). One Hong Kong website for recruiting tutors advises “that there should always be an adult present at the first lesson if the student is under the age of 18”,<sup>1</sup> but attendance of an adult for just the first lesson seems very inadequate protection against relationships which may form subsequently.

More subtle forms of vulnerability concern academic pressure on children and dissonance with their schools. Tutors may deliberately make their students feel inadequate in order to maintain demand for the tutoring services; and for similar reasons the tutors may deliberately criticise the schools, leaving the child confused about whom to trust for what. The tutoring syllabus may also lead to dissonance with schooling if the tutor uses one method and the teacher uses another.

More squarely within the commercial domain, arrangements for consumer protection may be needed with respect to the nature of contracts with individual tutors and companies, and the forms of advertising. In these respects, consumer protection for the tutoring industry may resemble those for other services.

A further category deserving highlight concerns protection of employees. The growth of the tutoring industry has spawned a huge range of companies, some operating with multiple branches or franchises and others operating on a small scale with a local focus.

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<sup>1</sup> <http://www.findatutor.com.hk/howitworks/4/For-Students>, accessed 26 February 2014.

Many of these companies employ tutors on a part-time basis; and university students employed as tutors may have little experience of the sorts of conditions to which they should be entitled. In some cases, indeed, tutors employ secondary school students as tutors, perhaps giving them pocket money on an informal basis and without proper contracts.

## **Taxation**

A final major reason for governments to regulate the tutoring industry is taxation. Most people would consider it reasonable to ask tutors to pay taxes alongside other categories of enterprise. In some countries the tutoring sector has become huge. In the Republic of Korea, for example, it was estimated in 2010 to comprise 3% of Gross Domestic Product (Lee 2013: 52). For reasons of both practical financing and equity across sectors, governments need tutors to pay taxes as much as workers in other sectors.

Tutors do not necessarily resist the notion of paying taxes. Thus, when the issue was raised in Vietnam, for example, some media reports on the reactions of teachers providing tutoring were positive. One teacher who was also a tutor said: “Once you pay tax, this means that you provide a ... service with the permission from the State” (Vietnamnet 2012). Thus tutors may feel that their profession gains added legitimacy and respectability when they pay taxes.

Nevertheless, governments should be prepared for arguments that education is different from other sectors. In Thailand, private tutoring is considered a category of nonformal education, and Ministry rules devised in 1962 that remain valid declare that nonformal education should be exempt from taxation but that sale of books, compact disks and other items would not be exempt. The tutoring industry in Thailand has developed lobbying power, and a 2011 report supported the industry on the grounds that imposing taxes would either raise the fees for students or lower the incomes of tutors. In the short run, the anti-taxation lobby prevailed; but this may not be sustained in the long run, especially since many private tutoring companies have gained substantial profits. The establishment of a 16-storey building in central Bangkok which provided a central space for all major tutoring com-

panies provided a focal point for heated argument in favour of taxation (Lao 2014).

In some jurisdictions, different rates of taxation are levied for different types of tutoring business. In India's Maharashtra State, for example, coaching centres are registered under the Shop Act of the State Revenue Department, while agencies that provide tutors for home tutoring, known as tuition bureaus, are registered under the Charity Commission Act. Registered coaching centres pay 1% tax to the Revenue Department, while tuition bureaus pay an 8% service charge to the Charity Commission (Sujatha & Rani 2011: 152).

## Chapter 4

### What regulations for different actors?

Different types of regulations are necessary for different types of actors in the tutoring industry. This chapter commences with tutoring companies. Even these may be diverse, operating on small, medium or large scale, in the last case perhaps with franchise operations. A second category concerns teachers in regular schools who also provide tutoring; and a third category embraces students and other individuals who operate informally. The final category covers internet tutoring.

A book of this length cannot present a complete catalogue of regulations for the region which has great diversity. Thus even medium-sized jurisdictions may have strong degrees of geographic decentralisation. In Taiwan, for example, which has a population of 23 million, approval requirements for what are called “short-term learning centres” are set by nearly 40 parallel bodies responsible for special municipalities, counties and county-level cities (Taiwan 2004, Article 9). Nevertheless, some general principles are identified and illustrated by examples in order to encourage enquiry into local solutions.

### Companies Providing Tutoring

#### *Registration requirements*

Given the range in types of tutoring providers, an initial question concerns the threshold at which operators are required to register with the authorities and obtain a license to operate. In Macao, the licensing threshold is defined as an establishment which provides lessons to seven or more people at any one time, or 21 or more people in any one day (Macao 2002, Article 5). The Hong Kong regulation is similar, but has a threshold of eight people at any one time or 20 people in any one day (Hong Kong, Legislative Council Panel on Education 2003: 1). In India’s Bihar State, the threshold is 10 students (Box 4). Other jurisdictions may have different thresholds and definitions.

**Box 4: In India, the Bihar State Government Leads the Way**

In 2010, Bihar became the first of India's 28 states to regulate coaching institutes. In the wake of violent protests by students who felt deceived by various institutes, the State Assembly adopted the Bihar Coaching Institute (Control and Regulation) Bill. Coaching institutes serving 10 or more students were required to:

- register with the authorities for renewable three-year periods;
- publish their course structures, fees, and tutors' qualifications and experience; and
- provide buildings with adequate classrooms, first-aid facilities and toilets.

Source: Bihar (2010); Mishra (2010).

The question then is what requirements are associated with the registration and operation. In Hong Kong, tutorial centres are described as Private Schools Offering Non-Formal Curriculum. The regulators commenced with the demands for regular schools and then identified exemptions (Hong Kong, Education Bureau 2007, 2012). Key features of the resulting requirements include:

- *Information to clients:* Before pupils enrol for a course, the institution should provide a leaflet indicating:
  - the institution's registration number, name, and address as specified in the certificate of registration;
  - the telephone number for enquiries on course information;
  - information on the principal and teachers;
  - course details, including name, content, fees, mode of delivery, duration, date, time and venue;
  - if the course name contains wording like 'diploma', that the course has not been accredited by the Hong Kong Council for Accreditation of Academic and Vocational Qualifications;
  - facilities, e.g. classrooms, lecture room, language laboratory and computer room; and

- refund policies and procedures (for which the government set specific requirements) if the school fails to operate the course as scheduled.

Before enrolment, pupils or their parents should acknowledge that they have received this written information, and that they understand that course fees will be collected on no longer than a monthly basis. The government insists on this maximum duration so that students can easily terminate arrangements if not satisfied.

- *Tutors.* Every tutor shall possess the minimum qualifications for a permitted teacher, i.e. passes with an aggregate of five separate subjects at Grade E or higher, including English Language and Chinese Language, in the Hong Kong Certificate of Education Examination. A person teaching Grades 10 or 11 shall possess a higher diploma or an associate degree of a specified institution; and a person teaching Grades 12 or 13 shall possess an approved degree. Supervisors should report information on new tutors to the Education Bureau within one month after the tutors commence work.
- *Class size.* Regular schools are restricted to a maximum class size of 45, and no exemption has been granted to tutorial centres.
- *Management.* Within one month of the appointment of a principal, the supervisor is required to inform the Education Bureau of the particulars of the principal. Unlike schools, tutorial centres may operate during public holidays.

Notably absent from this list are requirements on the curriculum, textbooks and modes of teaching. The government also avoided statements on the levels of fees. In this respect, the authorities had been guided by a desire to “avoid over-regulating” the sector “in view of resource constraints and the community’s aspiration for a small government” and intention to “allow the market mechanism to operate in this sphere and encourage self-regulation in the long run” (Hong Kong, Legislative Council Panel on Education 2003: 1). Previous regulations had required tutorial centres to seek approval for collection of fees and for changing the levels of those fees. This requirement was removed in order to reduce administrative work and promote flexibility.



Also notable about the above list is that it evolved from Education Law and only focused on the dimensions that concerned the Education Bureau. While the registration procedures were handled by the Education Bureau, that body referred each application to the Buildings and Fire Services Departments for action on toilets and safety. For example, fire regulations stipulated that any room with capacity exceeding 30 persons should have at least two exits. Enterprises were also required to follow regulations on advertising, taxation, insurance and employment contracts.

A further example may be taken from Chongqing, China. In this setting, local education bureaus are responsible for evaluation and approval, and report to the Municipal Government for record-keeping (Zhang 2013a: 77). Requirements for registration of tutorial centres include the following:

- *Financial framework*: For corporate bodies, total assets shall exceed 2 million Yuan (US\$300,000); net assets shall exceed 1 million Yuan; and the asset-liability ratio shall be less than 40%. For individual entrepreneurs, total assets shall exceed 1 million Yuan, of which monetary capital shall exceed 500,000 Yuan.
- *Direction and management*: Each tutorial centre shall have a Board of Directors comprising at least three people. Two thirds of members shall have over five years of teaching experience. The centre head shall be subject to approval by the government, less than 60 years old, healthy, and holding at least a Bachelor's degree and a professional qualification. The head shall not be responsible for more than one institution. Civil servants are not permitted to operate tutorial centres.
- *Staffing*: The enterprise shall employ at least three full-time tutors, who will account for over one third of the teaching staff. It will have more than two full-time administrators, more than two full-time finance personnel with accountancy qualifications, and more than one full-time security person. Tutors shall hold appropriate qualifications. The enterprise shall not recruit in-service teachers or other staff from public primary, secondary or vocational schools to provide tutoring on working days.

- *Fees*: Fees shall be charged by semester or, in the case of courses lasting less than a semester, by the training cycle.
- *Buildings and facilities*: The enterprise shall have a stable building with at least eight square metres per tutee and 500 square metres in total, of which at least 80% shall be used for teaching purposes. Enterprises that own buildings should hold documents indicating clear property rights. Enterprises that rent buildings shall do so for at least three years. Buildings must be inspected and approved by the Fire Department. Residential buildings may not be used for tutoring. Venues shall be equipped with teaching and safety facilities, as well as books and materials.

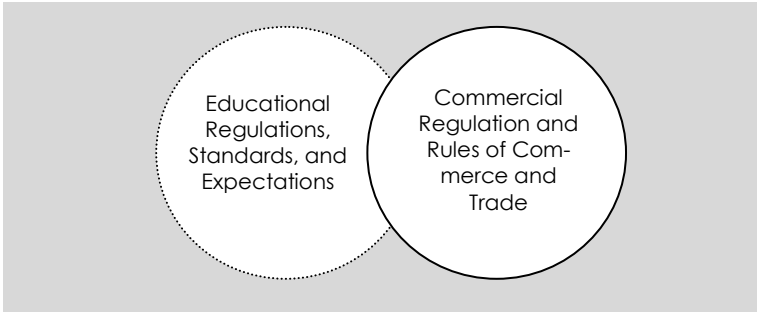
Patterns in Malaysia are different again. Key features include the following (Kenayathulla 2013a):

- The curriculum in tuition centres must strictly follow the official curriculum prescribed by the Ministry of Education. Enterprises may register with other identities such as language centre, computer centre, and mind enrichment centre; but they may only call themselves tuition centres if they follow the official curriculum.
- A tuition centre must have at least three board members. The Chairperson must be a Malaysian, and the principal/manager of the centre must act as Secretary and thus cannot be a board member.
- Premises must be safe and include appropriate infrastructure. They may not be located in areas of heavy traffic congestion. Registration will only be permitted following approval from the fire department, health department and local authorities.
- Tutors must have a teaching permit. Principals/managers must have at least three years of working experience, or at least six months in a related field.
- Tuition centres may not enrol any students below seven years of age.

These examples show an overlap of educational and commercial regulations. Dhall (2011) presented such a situation diagrammatically as in Figure 3. The diagram shows relatively little overlap, and a balance between commercial and educational law which might not fit the reality

of all jurisdictions. In Japan, for example, the *juku* are regulated by the Ministry of Economy, Trade and Industry (METI) as a service industry rather than by the Ministry of Education, Culture, Sports, Science and Technology (MEXT) as educational institutions (Dierkes 2008: 239; Yamato 2013: 2). Likewise in Philippines tutoring centres are simply required to secure licenses and pay taxes like any other business entity (Corporation Code of the Philippines, Batas Pambansa No.68, cited by de Castro & de Guzman 2013: 344). Nevertheless, the diagram is a useful conceptualisation to show the patterns.

**Figure 3: The Overlap of Educational and Commercial Law in Regulation of Private Tutoring**



Source: Dhall (2011: 1).

### *Monitoring requirements*

Once companies have been registered, they usually have to report periodically on their revenues and expenditures for taxation purposes. Most governments also require reporting on aspects of operations, such as appointment of new managers and tutors. However, few governments collect data on enrolments or the content of curricula. In general, the overall nature of the private tutoring sector is much less carefully documented than the school sector.

Some governments have requirements on prices. For example:

- *Bangladesh*. When in 2012 the government made a push to enforce regulations on coaching centres, it announced the fees

at which teachers would be permitted to undertake tutoring. They were 300 Taka (US\$3.80) for students in cities, 200 Taka for students in district-level towns, and 150 Taka for students in county-level towns (Independent 2012).

- *China*. The authorities in Chongqing, China, have declared that the prices charged by tutorial centres “shall be subject to approval of the ... authorities and shall be reported to the price control department for the record, and made public to the society” (Zhang 2013a: 78).
- *Republic of Korea*. The government has set a ceiling on fees charged by tutoring centres, and in 2008 established a Call Centre hotline through which parents could complain if they were overcharged (Kim 2013).
- *Thailand*. The authorities set a fee ceiling of 20% above the actual cost of delivering the service (Thailand, Economic Research and Training Centre 2011).

However, most governments prefer to leave the sector to market forces. Moreover concerning the above-mentioned regulations, the Bangladesh authorities did not have mechanisms to monitor and enforce the prices across the country, and the Chongqing authorities also faced challenges even though their Municipality was much smaller. The Thai authorities could not easily determine whether the reported actual cost of delivering tutoring was indeed the actual cost; and in the Republic of Korea, some tutoring centres found ways to avoid the price ceiling by charging for textbooks and ‘special consultations’.

Other regulations may focus on advertising. These are commonly generic to all goods and services, but some have specific relevance to tutoring (Box 5). The Code of Conduct for members of the Australian Tutoring Association (2011, reproduced in the Appendix), provides a useful indicator of what that organisation regards as acceptable and unacceptable advertising practices. The list might be considered by governments when preparing their own regulations:

- A Member must not use misleading or false advertising or marketing practices, which may include, but are not limited to, false or misleading representations concerning the price of tutoring services, false representations that tutoring services

have benefits that they do not have; false or misleading representations concerning the need for tutoring.

- Any claims made by Members in the course of advertising or marketing in any media are to be honest, accurate and verifiable. The compilation and use of statistics should not intend to, or be presented in such a way, as to mislead clients. Only relevant statistics compiled from verifiable data may be used.
- A Member must ensure that promotional material does not encourage unrealistic expectations about the outcomes attainable from tutoring.
- A Member must not make misleading or false comparisons with programmes offered by competitors.

#### **Box 5: What Sorts of Advertising are Acceptable?**

In 2013, the Hong Kong government tightened its laws on advertising. These laws were applicable to the tutoring industry as much as to other sectors. Seeking advice from the Consumer Council on the types of wording about private tutoring that would be acceptable, Liu and Fung (2013) were given the following examples:

*Type 1: Using exaggerated wording, for example:*

- "The most popular tutor in the city"
- "One of the highest-educated teams and the most popular tutors"
- "Strongest in exam techniques".

Likelihood of violating the law: low. Reason: People normally know that these are slogan-like messages, and will not interpret them literally.

*Type 2: Misleading or trick wording, for example:*

- "The famous tutor in English chosen by most students"
- "The tutor whose students get the most 5\*\* and 5\* grades".

*(continued on next page)*

Likelihood of violating the law: may violate because of misleading information. Reason: "Most" does not indicate which year or period. It could make the public think that the tutor has always been the most popular.

Type 3: *Qualitative or specific standards and reference*, for example:

- "The only doctoral-level Chinese tutor"
- "The only education expert who voiced concern about Liberal Education to the Chief Executive"
- "The first full-colour notes for teaching"
- "Accurately got the relevant questions for 10 consecutive years".

Likelihood of violating the law: high. Reason: If the tutoring centre could not provide sufficient data to support the claims, then the claims should not be made.

Some governments have also restricted the hours of operation of tutoring centres. For example, the authorities in the Republic of Korea have long been concerned about the pressures on young people and the tendency of children to fall asleep during the day because they have been studying late in the evening. In 2009, the Gyeonggi Provincial Office of Education required *hagwons* serving lower secondary students to close by 11.00 pm and those serving upper secondary students to close by midnight (Kang 2010). The Ministry of Education announced that all *hagwons* would in future be required to close by 10.00 pm – a regulation that had been enforced in Seoul since 1996. A group of *hagwon* operators claimed that the curfews violated the rights of parents and students; but in October 2009 the regulations were declared to be constitutional, and nationwide implementation gained momentum (Choi 2013: 4). By 2012, 13 education bureaus around the country had amended their regulations to comply with the policy. Some had earlier closing times, such as 9.00 pm for elementary school students (Choi 2013: 22). Others permitted *hagwons* to remain open until midnight for high school students, but nevertheless imposed a curfew at that time. Thus variations are likely to arise in decentralised systems.

Elsewhere, governments have restricted the hours of operation because of concern that religious observance was being neglected. For example Sri Lanka's Sabaragamuwa Provincial Council has banned private tutoring classes for children aged 5 to 16 on the Buddhist Poya festival days and on Sundays between 8.00 am and 2.00 pm (Daily Mirror 2013). Such measures have also been in long discussion elsewhere in Sri Lanka (see e.g. Kannangara 2007).

As illustrated here, therefore, monitoring requirements in some countries extend to considerable level of detail. Elsewhere, however, governments are less concerned with details. They prefer to focus on overall frameworks and to leave the details to the enterprises themselves in the context of market forces.

## Teachers Providing Tutoring

The next category of regulations concerns teachers in regular schools who wish to provide supplementary tutoring. In some jurisdictions this is prohibited, particularly in government schools, but in others it is permitted.

Table 5 summarises the regulations and guidelines of a number of jurisdictions. In some cases the variations reflect carefully-considered strategies, but in other cases they result from *ad hoc* decision-making. Four basic scenarios may be noted with reference to provision of private supplementary tutoring by teachers who are already employed in schools:

- *Prohibition.* Teachers may be prohibited from providing private tutoring to:
  - their own students,
  - other students in their schools, and/or
  - students from other schools.

Jurisdictions in this category include Bhutan, Japan, the Republic of Korea, parts of India (e.g. West Bengal), parts of China (e.g. Shandong, Tianjin, Jiangsu), and Taiwan.

- *Discouragement.* Practices may be governed by codes of ethics rather than by regulations, with strong signals that teachers

should not undertake private tutoring (e.g. Cambodia, China, Georgia).

- *Permission if approved.* Permission may be granted at the school level or by the wider education authorities, on a range of conditions (e.g. Brunei Darussalam, Malaysia, Singapore, Vietnam).
- *Laissez Faire.* The school and education authorities do not have policies on the matter, leaving decisions to the teachers themselves and to their clients (e.g. Hong Kong, Macao, Philippines, Thailand).

**Table 5: Regulations and Guidelines on Private Supplementary Tutoring by Serving Teachers**

	<i>Regulation</i>
Bangladesh	Article 9 of the 1979 rules for teachers in government-aided secondary schools (cited by Mahmud 2013) prohibited teachers from undertaking private tutoring and other employment "without prior permission of the employer authority". A 2004 Ministry of Education circular stated that "no teachers working for state-run educational institutions could involve themselves directly with private tuition in coaching centres". In 2012 much public discussion observed that these and related rules were not being followed. New Ministry guidelines prohibited teachers from tutoring students of their own schools, but allowed teachers to tutor a maximum of 10 students from other institutions per day in their own residences (Independent 2012).
Bhutan	Teachers in regular schools are prohibited from undertaking private supplementary tutoring. The regulation was issued in 2001 for teachers in public schools and extended in 2002 to teachers in private schools. In 2013 permission was granted to the business sector to open tutorial centres, but the ban on teachers undertaking private tutoring was maintained.
Brunei Darussalam	Under the Education Order 2003 and Teaching Institution Registration Regulations 2004, teachers are



	prohibited from providing private tutoring without approval from the Ministry of Education (Mahdini 2009).
Cambodia	In the mid-1990s, the Cambodian authorities tried to prohibit private supplementary tutoring but did not succeed (Dawson 2009: 56). The code on teachers' professional ethics (Cambodia 2008: Article 13) states that "Teachers shall not raise money or collect informal fees or run any business inside the class".
China	The Rules of Professional Ethics of Teachers state that teachers "should reject paid tutoring with consciousness, and should not gain personal profit from their positions as teachers" (China 2008: item 5). A 2013 follow-up document (China 2013) listed approaches for strengthening ethics. Provincial and local governments may have additional regulations. For example, regulations in Guangzhou, Xinjiang, Tianjin, Jiangsu, and Shandong prohibit teachers from providing tutoring and identify penalties (Kwok 2010; Zhang 2013b).
Georgia	The 2010 Teachers' Code of Ethics issued by the Ministry of Education & Science (Article 4.III) guides teachers "not to tutor their own students for profit-making purposes" (Kobakhidze 2013).
Hong Kong	The government has no regulations on this matter. The Code for the Education Profession (Hong Kong, Council on Professional Conduct in Education 1995, Section 2.22) states that a teacher "Shall not take advantage of his/her professional relationships with students for private gain", but has no explicit wording about private tutoring.
India	Section 28 of the Right to Education Act (India 2009) states that: "No teacher shall engage himself or herself in private tuition or private teaching activity". Various states have additional legislation and regulations. In West Bengal, for example, the Code of Service Rules for primary school teachers (West Bengal 2001: Article 5.5) state that "Every teacher shall refrain himself from accepting any remuneration

	for coaching or tutoring the students"; and in 2010 the prohibition was extended to all teachers (Basu 2011). Subsequent regulations (West Bengal 2012: Article 10.20) state that every recognised school "shall ensure that none of the teachers of the School provide private tuition to any students of the said school or of any other school and shall provide in its service conditions that breach of such restriction shall result in termination of service".
Japan	Laws and regulations emanating from the 1950 Local Public Service Act remain valid and are reiterated periodically (e.g. Japan 2006, Article 103). Teachers in public schools are prohibited from undertaking profit-making activities.
Korea, Republic of	Teachers in regular schools (both public and private) and full-time professors in colleges and universities are prohibited from providing private supplementary tutoring (Korea 2013a: Article 3).
Macao	The government has no regulations on this matter.
Malaysia	Teachers are permitted to undertake private supplementary tutoring (Malaysia 2006, Section 4) provided: <ol style="list-style-type: none"> <li>1. the applicant is a government employee confirmed in the post;</li> <li>2. an application for approval has been made at least two months in advance;</li> <li>3. the tutoring does not exceed four hours per week;</li> <li>4. the applicant has annual performance scores of 80% or more for the previous year;</li> <li>5. the tutoring is not conducted in a Centre owned by a family member;</li> <li>6. the applicant does not distribute promotional materials to his/her own students;</li> <li>7. tutoring does not interfere with duties as a teacher, and is conducted outside working hours.</li> </ol>
Maldives	Teachers are prohibited from providing tutoring in their residences. Teachers must secure permission from their schools before visiting students' homes for

	tutoring, and teachers may not tutor students in their own grade or parallel class of the same grade. Teachers may not teach more than five students at home (Ministry of Education 2002 <i>Guidelines for Teachers</i> , cited by Mariya 2012: 164).
Mongolia	A 2006 amendment to the Laws on Education and the 2007 Code of Ethics prohibit teachers from tutoring their own students in regular schools (Silova 2010: 338). The Code states that teachers "shall not force students to purchase books, educational materials, and other items ... and offer private tutoring instigated by teachers" (Section 2).
Nepal	Teachers are allowed to provide private tutoring, including to their own students. Sometimes this is organised by the schools themselves (Pant 2013).
Philippines	Tutoring is largely conducted in a hidden and unregulated way. Teachers commonly tutor their own students and/or students of colleagues (de Castro & de Guzman 2013).
Singapore	Teachers are permitted to provide tutoring if it does not detract from school duties. The Ministry of Education guideline is that such work should not exceed six hours per week. School principals have authority to manage requests from teachers to undertake outside part-time employment (Lu 2004).
Taiwan	The 1978 Rules of Normal Teaching in Elementary and Junior High Schools have remained valid and prohibit public and private school teachers from conducting supplementary tutoring (Zhan 2013).
Thailand	The government has no regulations on this matter.
Uzbekistan	Teachers are permitted to provide supplementary tutoring, even to their own students (Namazov 2013).
Vietnam	The government has prohibited teachers from tutoring students in primary schools and whole-day secondary schools (Vietnam 2012, Article 4), but permits tutoring of students in half-day schools.

	Teachers may not themselves organise private tutoring in schools, but principals may organise tutoring in schools for which teachers may be remunerated. Teachers may not tutor their own students outside schools unless their schools heads approve.
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## Students and Other Self-employed Persons Providing Tutoring

Few governments have regulations on tutoring provided by students and self-employed persons operating on a small scale. Most of this work is done informally, often without written contracts. In this respect, it resembles many other domains of informal economic activity – such as household repairs and car mechanics (see e.g. Portes & Haller 2005; Hart 2010). Governments commonly consider the informal tutoring sector too difficult to regulate. They may regret the loss of taxation revenue and have concerns about quality, safety and other issues, but the costs of trying to regulate the sector might exceed the benefits of doing so. In these cases the best approach is via consumer awareness, as noted in the next chapter.

Beyond this minimalist approach, the authorities in the Republic of Korea have a slightly stronger set of provisions. University students do not have to report their tutoring work, but other self-employed tutors are required to do so (Korea 2013a: Article 14-2). They must register with a regional office for education, and are required to pay tax.

## Internet Tutoring

As technology advances and becomes more widely available, increasing amounts of tutoring are provided over the internet. Such tutoring is difficult to regulate because much occurs in the privacy of the homes of the students and tutors. Moreover, the students and tutors do not have to be in the same city or even the same country.

Some internet tutoring is provided by large enterprises. Educomp, which describes itself as “India’s largest education company” (Educomp 2014) has an online section that claimed in 2014 to serve three million students across the country. TutorVista, another company established in India, rapidly discovered the potential not only of the

Indian market but also of Europe and North America. The company realised that typical rates for online tutoring in the USA were about US\$40 per hour but that with the lower wage rates in India TutorVista could offer tutoring for just US\$2.50 per hour (Vora & Dewan 2009: 140). In 2013, TutorVista was acquired by the global education company Pearson (TutorVista 2013). These enterprises at least have the personnel and incentive for some self-regulation as large companies in the public eye. However, smaller companies may not have the same capacity and incentive – and even large corporations may not always be beyond reproach in all dimensions of their operations.

Nevertheless, internet tutoring is very difficult to regulate by a Ministry of Education or other government body. Again, therefore, the most effective approach seems to lie in consumer education, perhaps accompanied by encouragement of self-regulation (Box 6).

#### **Box 6: The Potential and Dangers of Internet Tutoring**

Internet tutoring offers a way to overcome geographic barriers and reduce costs. Tutors and students can be connected across cities, urban and rural areas, and even internationally.

However, issues of internet abuse are as relevant in the tutoring industry as in other domains. Children can be emotionally manipulated online as well as in traditional modes (Smith et al. 2008; Kowaski et al. 2012). The internet allows users to disguise their identities, and in some cases children have been persuaded to reveal inappropriate personal, family, financial and other information.

Since online communications are so difficult to regulate, the strongest protection lies in consumer awareness. Adults should always request information on the location (country, city and suburb) of online tutors. Parents may request regular copies of text-based online interactions, might be wise to remain within hearing range of audio-based tutoring, and regularly check on the progress of the tutoring service. Reputable companies devise their own codes of practice and mechanisms for monitoring.

## Chapter 5

# How can regulations be implemented?

Regulations are of little use if they are not enforced. Indeed, a situation in which regulations are not enforced may be worse than a situation in which there are no regulations, because the role and status of the government is undermined. When devising regulations, therefore, authorities need to consider mechanisms for implementation. This requires appropriately qualified and supported personnel in the Ministry of Education and related bodies.

Governments must also realise that they cannot do everything unilaterally. Implementation of regulations will be more successful when achieved in partnership. The most obvious partners are schools, teachers' unions, other government offices, and community bodies of various kinds. Improved practices may result primarily from shared awareness and understanding of the problems through dialogues, from which solutions can be constructed for piloting before scaling up.

On another tack, education authorities can facilitate a bottom-up approach by educating and empowering the consumers. This may include dissemination of information on ways to evaluate tutors and their services. It may also include provision of advice on when tutoring might and might not be necessary.

Finally, the tutoring industry may engage in self-regulation. Such actions may be a response to government initiatives or they may emanate entirely from the industry itself. Either way, self-regulation can achieve the necessary objectives without the need for heavy government machinery, and may thus under certain circumstances be an ideal mode of operation.

### Deploying the Necessary Personnel

Some governments have established specialist units to manage the registration and supervisory tasks. For example, the Ministry of Education in the Republic of Korea has an After-School Program Division to oversee the regulations on *hagwons* and related bodies (Korea 2013b). In an alternative type of structure, Pakistan's Islamabad Capital

Territory has a free-standing Private Educational Institutions Regulatory Authority (PEIRA). It was created in 2013, and was the first such body in the country. Its mandate covers privately-managed schools, colleges and what in Pakistan are called “tuitions centres” (Pakistan 2013).

Enforcement of regulations requires personnel not only in the Ministry of Education and its decentralised units but also in counterpart Ministries such as Finance, Commerce, Infrastructure and Local Government. Tasks include:

- registration of enterprises and tutors,
- inspecting premises,
- advising entrepreneurs, parents and the general public,
- maintaining websites and other channels of information,
- maintaining records,
- responding to complaints, and
- following up on infringements.

The Hong Kong government posts on its website not only the lists of registered tutorial centres but also the successful prosecutions of unregistered centres and of registered centres that did not follow the requirements. This action helps to make the sector transparent. As of December 2013, 27 persons had been convicted during the previous three years, in most cases for managing unregistered centres and for employing tutors who did not meet the requirements of a “registered or permitted teacher” (Hong Kong, Education Bureau 2013a). In addition, 11 persons had been convicted during the previous three years for infringements including exceeding the maximum class size and publishing misleading advertisements (Hong Kong, Education Bureau 2013b). Information about infringement of regulations most commonly came from persons associated with centres that were following the regulations (Wu 2013). These people resented the existence of bodies that broke the rules not only because these bodies were competitors but also because they gave the industry a bad reputation. Government action, of course, required not only administrative personnel but also legal officers. To remove justifications for failing to follow procedures, the Hong Kong government has facilitated the process of registration, providing the necessary information online. It has also simplified the process of prosecutions. In the 1990s officers had to make two fact-finding visits and one confirmatory visit and then issue two warning

letters before they could consider legal action (Kwok 1997), but new arrangements permitted officers only to visit the tutorial centre once and issue one warning before being able to prosecute.

#### **Box 7: Making Compliance Easy**

Governments can make procedures easy both for themselves and for the providers of tutoring by organising a 'one-stop-shop'. Rather than requiring tutoring providers to make separate parallel applications to the Ministries of Education, Infrastructure, Commerce, etc., they can arrange a single point for registration and reporting. In many cases, applications and approval may be done online through the internet with a 24-hour service. The focal point can also provide advisory support for applications, and can issue reminders ahead of renewal dates.

### **Educating the Consumers for Informed Choices**

It will never be possible for governments by themselves to regulate all parts of the shadow education sector and private tutoring industry. For example, as observed in the previous chapter, much of the informal tutoring provided by university students and others is beyond the reach of governments. Internet tutoring is also very difficult to regulate. In this light, many governments place weight on consumer awareness. They do this through websites, flyers, television announcements and other means.

Again taking an example from Hong Kong, the government has placed on its website a pamphlet entitled 'Notes on Choosing Private Schools Offering Non-formal Curriculum' (Hong Kong, Education Bureau 2013c). It recommends parents to:

- choose a school [tutorial centre] which has been registered or provisionally registered with the Education Bureau;
- read carefully the information contained in the course leaflet provided by the school [tutorial centre];
- pay attention to the information on fees;
- pay fees on a monthly basis;
- retain formal receipts;



- select a tutorial centre with a safe learning environment; and
- choose the appropriate course date and time.

The pamphlet includes a 24-hour telephone number and a website address for further information.

However, the above list is bureaucratic in focus. It does not raise questions about whether children need tutoring in the first place and, if so, why. It says nothing about the curriculum of the tutorial centres, the match between the styles and content of tutoring and the styles and content of schooling, and the burden of academic work on the children. Nor does the pamphlet say anything about ways to select and monitor the work of university students who offer tutoring on an informal basis. On one level issues may concern competence in tutoring and value for money; and on another level they may concern protection against child abuse. The Hong Kong government has stated (Hong Kong, Legislative Council Panel on Education 2003: 6) that “We will appeal to parents and students to exercise their consumer right and responsibility to make informed choices”. This requires much more than dissemination of pamphlets about registration of tutorial centres and payment arrangements as consumers.

#### **Box 8: A Checklist for Parents**

Below is a checklist of questions that parents who are considering tutoring for their children might ask themselves. It was devised for a “knowledge exchange” seminar (Kwo & Bray 2013). Four dimensions deserve consideration:

##### **Your Child’s Needs**

Your child needs rest and play in addition to academic development and other forms of training. Are you getting the balances right? How do you know?

If you consider supplementary tutoring, what are the reasons?

- To keep up with classmates?
- To keep ahead of classmates?
- Because other parents seem to be investing in tutoring?
- Other reasons?

Are these reasons appropriate?

*(continued on next page)*

### **Relationships with the School**

What are the attitudes of your child's teachers towards supplementary tutoring?

In your own judgement, how would tutoring complement or disrupt regular school learning?

- Will your child be bored in school because material has already been covered?
- Will your child be more interested in school because the material is easier to understand?
- Will your child be tired in school because of too much out-of-school tutoring?
- How will the tutoring shape relationships with other children?
- How would the fact that tutoring has to be paid for while schooling is free of charge shape your child's views toward schooling?

### **Evaluating the Tutoring**

If you do decide to invest in supplementary tutoring, how will you evaluate the content and quality?

- How can you find out and evaluate what the tutor will cover with your child?
- What qualities (personal and professional) should you seek in the tutor? How will you know if the tutor has those qualities?

How would you determine the appropriate intensity and duration of tutoring?

- Should tutoring be a short-term activity for specific needs, or should it be for the long term?
- If short-term for specific needs, how will you know when those needs have been met?
- If long term, how will you avoid the danger of your child becoming dependent on tutoring instead of learning to be self-reliant?

### **Contracts and Services Delivered**

Do you have a formal contract with your tutor? Do you gain receipts for payments? Why or why not?

- If you are dissatisfied with the services of your tutor, what is the mechanism for terminating the arrangement in the best interests of your child?
- How would you decide if you are paying an appropriate price for the tutoring?

## Encouraging Self-regulation

Some entrepreneurs in the tutoring industry are strong advocates of self-regulation. Rather than waiting for the government to impose demands, they argue, actors in the tutoring industry would be wise to be proactive in self-regulation. This may be a way not only to preserve autonomy but also to enhance consumer confidence. Such efforts may be encouraged by the government.

One mechanism through which the industry can promote self-regulation is through the formation of professional associations. Bodies formed for enhancement of the industry and/or for professional negotiation with governments and other bodies include the:

- China Education and Training Union ([www.cetu.net.cn](http://www.cetu.net.cn)) in Mainland China,
- Great Taichung Supplementary Education Association ([www.tcschool.org.tw](http://www.tcschool.org.tw)) in Central Taiwan,
- Japan Juku Association ([www.jja.or.jp](http://www.jja.or.jp)),
- Korea Association of Hakwon ([www.kaoh.or.kr](http://www.kaoh.or.kr)),
- Maharashtra Coaching Classes Owners' Association (India), and
- Malaysia Tutor Association ([www.mya.org.my](http://www.mya.org.my)).

Counterparts operate in Australia, Germany, Greece, Turkey, the United Kingdom and the United States. The code of conduct of the Australian Tutoring Association (ATA) was mentioned in the previous chapter. It is available in English, Greek, Italian, Japanese, Korean, simplified Chinese, traditional Chinese, and Vietnamese (ATA 2011), and has been reproduced in the Appendix to this book. ATA members are expected to adhere to the code, which includes provision for sanctions. Members may display the ATA logo, which becomes a badge of quality assurance for potential consumers.

The Japan Juku Association (JJA) also publishes on its website a set of voluntary standards, together with guidelines on child safety, data protection, and commercial operations. Various branches of government have collaborated with the Association to improve practices. For example the Ministry of Economy, Trade and Industry (METI) invited commercial bodies to collaborate in research development, and the JJA has received grants to develop strategies for evaluating the qualities of

tutors as learning facilitators. The research led the JJA to launch a qualification test for recruitment of new tutors that included not only their subject knowledge but also their awareness of ethics and their practical skills. The JJA does not make it obligatory for members of the Association to use the checklists for examining applicants for tutor positions, but the availability of these instruments has facilitated the work of individual *jukus*. In addition, the JJA conducts its own examination on behalf of individual *jukus* when desired. In this sense, the JJA has become an Examining Board for the industry. The first open examinations for candidates throughout the country were offered in 2008.

## **Building Partnerships**

Ministries of Education can build multiple partnerships for monitoring and regulation of tutoring. The most obvious partners are the schools themselves, teachers' unions, other government bodies, community bodies, and the media. Each of these groups is considered in turn.

### *Partnerships with Schools*

Schools are the most obvious partners for the government in the implementation of regulations. Attitudes at the school level are crucial to the success of wider policies, and governments may find it desirable not just to issue circulars but also to explain policies during meetings and listen to the schools' perspectives on these policies. Such initiatives are likely to be especially important for regulations about teachers undertaking (or being prohibited from undertaking) private tutoring. In China, for example, the Mianyang Education Bureau in Sichuan Province has organised meetings which bring together teachers and parents to focus on the regulations and explain not only why teachers should not provide extra private lessons for their existing students but also why parents should not ask the teachers to do so (Zhang 2013b). Some authorities, e.g. in Hainan and Inner Mongolia, have set up hotlines for reporting teachers' malpractices.

School-level perspectives are also important in the implementation of regulations concerning tutorial centres and in consumer guidance for

informal tutoring and internet tutoring. Schools are the front line in education systems, and a major question is why families consider tutoring necessary in the first place – i.e. what they expect to get from tutors that they do not get from the schools. Some teachers feel that supplementary tutoring supports their work while others feel that it competes with and even undermines their work. Teachers can liaise with parents to discuss the circumstances in which tutoring will and will not be useful and may even destroy incentives for independent learning. Parents can be facilitated to be informed consumers with the goal of students becoming more effective learners in schools.

In addition to these general points, examples may be noted of school-level policies and regulations. In Pakistan, some elite private schools have strict approaches. As observed by Aslam and Mansoor (2012: 4), in these institutions:

Teachers found to be giving private tuitions to children from the same schools they work in are immediately sacked. This policy ensures that teachers do not shirk from their in-class responsibilities just for the sake of gaining more students for their private tuition classes.

Other schools may permit private tutoring but monitor it carefully to ensure that it is in line with both government and school-level policies. For example the Malaysian regulations, which were quoted in the previous chapter, do allow teachers to tutor students in their own schools but only under conditions monitored by the schools.

### *Partnerships with Teachers' Unions*

Teachers' unions are commonly ambivalent about private supplementary tutoring. On the one hand they wish to protect the opportunities of their members (i.e. teachers in regular schools) to earn extra incomes, but on the other hand they may desire schools to be protected from competition with tutoring centres. Governments may usefully dialogue with the teachers' unions about these matters. Again the focus could be on the need for professional standards and for systems and processes that serve children in optimal ways while protecting broader aims such as social equity.

Concerning specific experience:

- the Professional Teachers' Association (PTA) in Mumbai, India, has collaborated with the government to take action against teachers in government schools and aided colleges who have worked as tutors in coaching centres (Chhapia 2013);
- teachers' associations in West Bengal were similarly supportive both in 2001 when the government banned teachers in government and aided schools from providing private tutoring (De et al. 2009: 16) and when implementation was tightened (Times of India 2010);
- the Secretary-General of the National Union of the Teaching Profession (NUTP) in Malaysia has stated that "it is ethically and morally wrong for teachers to get students from their own classes", and has stressed the need to comply with Ministry regulations (Azizan et al. 2006); and
- the President of the Cambodian Independent Teachers' Association (CITA) has been willing to confront issues, sympathising with the desire by low-paid teachers to undertake tutoring but recognising the corrosive effects that it has on the education system, especially when those teachers provide tutoring to their own students (Rong 2012).

By contrast, Hong Kong's Professional Teachers Union (PTU) has been entirely silent on both the roles of teachers in tutoring and the roles of tutoring companies.

### *Partnerships with Other Branches of Government*

Since regulations on private supplementary tutoring concern many government bodies in addition to the Ministry of Education and its provincial and district offices, partnerships are needed across the various branches of government. In parts of China, for example, officers in Education Bureaus have felt frustrated because they know that regulations are being ignored by tutoring centres but they have lacked executive power over such practices as false advertising and recruitment of school teachers, and needed support from counterpart government offices concerned with safety in buildings and taxation of incomes (Zhang 2013b). The authorities in Chongqing Municipality and Anhui Province decided to issue joint regulations seeking cooperation between

the Education Bureaus and counterparts for taxation, commodity prices, industry and commerce, real estate, and urban administration (Zhang 2013a, 2013b). The Education Bureau officers are also aware that prosecutions require support from specialists in legal affairs. Partnerships across branches are therefore needed at multiple levels – not only in national government but also at intermediate and local levels.

### *Partnerships with Community Bodies*

Community bodies can be helpful vehicles in the interface between governments and families. Again they can help to educate consumers and raise awareness of the need for regulations. They can also be a channel for informing governments about developments at grass-roots level. The Singapore government has worked with racial and religious bodies including the Singapore Indian Development Association (SINDA) and the Council on Education for Malay/Muslim Children (Mendaki). In Bangladesh, BRAC is a non-governmental organisation (NGO) with strong concern about education and a willingness to collaborate on major themes. A counterpart NGO in India is the Pratichi Trust, based in Kolkata, which has been outspoken on private tutoring (see e.g. Pratichi 2009, 2012). Other bodies might include parents' groups of various kinds. The collaboration could focus not just on information about regulations but also channels for complaint when parents and others feel that regulations are being infringed or ignored.

### *Partnerships with the Media*

The media – newspapers, television, radio and other channels – may also be important partners for disseminating the government's viewpoint and for explaining both the need for regulations and ways in which they are enforced. Private tutoring is a major point of interest in many countries, and both national and provincial governments are able through their press releases to highlight concerns and contribute to public awareness. Sometimes, it must be admitted, the media adopt their own slants which may miss important points and even distort pictures. However, that risk is usually worth taking; and it is also important to respect press freedom.

**Box 9: Tutoring Agencies that Work as Middlemen**

The development of the tutoring industry has brought a new breed of company: agencies that link students (or their families) and tutors, and charge a fee for their role as middlemen. Most of these companies do their work through websites, and earn incomes by charging either or both the tutors and the students.

Such services can be very useful. The information provided includes location – i.e. the residential areas of both the tutors and the students – as well as the skills and reputations of the tutors.

Again, however, the regulatory framework may be weak. For example the Singapore government (2012) has recognised that since the companies only provide matching services, they are not regulated under the Education Act or the Private Education Act. “With such agencies,” the Singapore authorities observe, “parents have to exercise even more discernment”. But while this is easy to say, the extent to which governments help parents to be discerning may be another question.

Partnership to pursue the public good demands a broad outlook on education rather than a narrow focus on schooling, and involvement of all stakeholders. The objective calls for a collective exploration of goals and processes, including analysis of the forces behind the intensification of out-of-school support. When private tutoring operates well, it truly adds value to the students’ learning and abilities. In less positive circumstances, tutoring providers who focus exclusively on profit-making can foster dependencies and distortions in learning processes. The complexities in the multifaceted relationships require inputs from all stakeholders in order to reach comprehensive understanding of the total picture.



## Chapter 6

# Conclusions

This final chapter considers future directions for Asia and beyond. It begins with the overall theme of the public good before turning to balances as governments seek the best ways forward in their own circumstances. It concludes with remarks on the value of comparative analysis as an input to improved regulations and codes of practice.

### The Goal of Public Good

The book commenced by noting that government responsibilities include attention to the quality and impact of education not only in their own institutions but also in the private sector. This is part of the overall role of governments for promoting sound social and economic development within their jurisdictions.

When they set their agendas and identify their responsibilities, governments also heed international trends. The strengthened power of globalisation means that governments can no longer focus only on their own territories but are influenced by forces beyond their borders. In this connection it is appropriate to note two domains in which UNESCO has taken a lead coordinating and inspirational role. One is the Education for All (EFA) movement, and the other concerns the overall aims of education.

The EFA movement was launched in 1990 at the World Conference on Education for All (WCEFA) in Jomtien, Thailand. The Conference brought together delegations from 155 countries, 33 inter-governmental organisations, and 125 nongovernmental organisations and institutes (WCEFA 1990a). The EFA agenda was reaffirmed in 2000 at the World Education Forum (WEF) in Dakar, Senegal, which brought together delegates from 164 countries (WEF 2000). In 2013, the global community decided that government representatives would reconvene in Seoul, Republic of Korea, in 2015 to take stock of progress and chart the next steps (UNESCO 2014b). Equity was always a prominent goal of the EFA agenda, and among the added nuances was

emphasis on quality, thus stressing *equitable* access to *quality* education *for all*. These components have been clearly seen as pillars for wider social and economic development, fitting the Millennium Development Goals (MDGs) in their original form (United Nations 2000) and in new forms proposed for subsequent decades (United Nations 2014).

In line with discussion in Chapter 5 of this book, from the outset the EFA agenda has stressed the importance of partnerships. Article 7 of the Declaration emanating from the Jomtien conference (WCEFA 1990b) pointed out that while national, regional and local educational authorities have a unique obligation to provide basic education for all:

they cannot be expected to supply every human, financial or organizational requirement for this task. New and revitalized partnerships at all levels will be necessary ... [including] partnerships between government and non-governmental organizations, the private sector, local communities, religious groups, and families.

Shadow education was not a significant focus in the 1990 EFA agenda because the sector was small and a stronger need was to get all children enrolled in school. By 2000 the shadow sector and associated activities had expanded, but they were still not given attention in the World Education Forum in Dakar since again the stronger focus was on enrolments in school. However, the subsequent decade brought further expansion of shadow education to the point at which its significance was more obvious. Further, the observations about partnership were as relevant to the out-of-school sector as to the school sector. And while the 1990 Jomtien and 2000 Dakar conferences had focused chiefly on basic education, by the second decade of the 21<sup>st</sup> century the agenda had appropriately expanded to encompass all levels of education.

Some ways in which UNESCO had begun to view private supplementary tutoring were evident in issues of the annual *EFA Global Monitoring Report*. The 2014 version of the Report was especially concerned with the work of teachers, and included a section entitled “Private tutoring versus classroom teaching: protecting the poorest” (UNESCO 2014a: 271-272). Focusing on dimensions needing monitoring and regulating, the Report noted (p.271) that:

Private tuition, if unchecked or uncontrolled, can be a detriment to learning outcomes, especially for the poorest students who are

unable to afford it. Whatever perspective policy-makers may have on private tuition, management policies are required to ensure that teachers teach the assigned number of hours and cover the whole curriculum so that private tutoring does not displace classroom teaching.

The Report then gave examples of countries in which difficulties had arisen, including Cambodia, Egypt and Lithuania. Following through, the Report stated (p.272) that:

Strategies should at least be in place to prevent tutoring of pupils by teachers who are responsible for teaching them in their daily classes. This would ensure that full curriculum coverage is available to all students, even those not able to afford supplementary tutoring.

The Report did not comment on tutoring provided by companies or other bodies, but a clear message was that governments have a responsibility to take an overview position on all forms of education for the public good. It will never be possible to remove all inequalities in education systems, but governments can steer developments so that inequalities do not become extreme. Governments can also ensure that private sector activities reasonably complement and supplement the public sector rather than undermine it.

A second key domain in UNESCO's leadership concerns the overall aims of education. In 1996, UNESCO published the Report of the International Commission on Education for the Twenty-first Century chaired by Jacques Delors. The Report has become especially known for the four pillars that it proposed for education systems and processes (Delors 1996: 97), namely:

- learning to know;
- learning to do;
- learning to live together;
- learning to be.

The Commission noted (p.86) that:

formal education has traditionally focused mainly, if not exclusively, on *learning to know* and to a lesser extent on *learning to do*. The two others are to a large extent left to chance, or assumed

to be the natural product of the two former.

The Report recommended equal attention to each of these four pillars, “so that education is regarded as a total experience throughout life, dealing with both understanding and application, and focusing on both the individual and the individual’s place in society” (p.86).

Yet while these sentiments were widely applauded, contemporary evaluation of patterns does not show a shift in emphases to the extent recommended (Tawil & Cougoureux 2013; UNESCO 2013). This reflects the ongoing roles of education as an instrument of social stratification, deciding in particular who does and does not enter post-secondary education – and what types of post-secondary education, i.e. which programmes in which institutions – and thus what types of future careers can be accessed (Lee 2004; Davies & Guppy 2010; Ballantine & Hammack 2012). In many countries, high-stakes examinations remain the principal gate-keeping mechanisms, and students, families and schools therefore pay close attention to these examinations. Since the examinations chiefly demand learning to know rather than learning to do, to live together or to be, the first pillar remains dominant.

In turn, this raises questions about the roles of private supplementary tutoring. Some tutoring is broadening and promotes learning to be, learning to do, and even learning to live together. However, much other tutoring is dominated by examinations and thus is primarily oriented to learning to know. Some reformers therefore recommend changing the examinations and the related gate-keeping mechanisms for post-secondary education. These ideas certainly have merit, and have been heeded in some countries (Eckstein & Noah 1993; Berry & Adamson 2011). Elsewhere, however, examinations are appreciated because they seem to give everyone an equal chance. In reality, some people have stronger chances than others because of their family circumstances and other factors which include the ability to pay for more and better private supplementary tutoring. Thus in practice the examination systems may be less egalitarian than they appear at first sight. Nevertheless, for political and other reasons linked to the challenges of undertaking educational reforms, governments may decide to retain examination systems and other educational structures in their established formats. Children live in a competitive environment in which learning to live together and learning to be may be seen as

valuable extras but not essential for surviving and winning in the competition. Supplementary tutoring then becomes an especially strong feature immediately prior to the high-stakes examinations but also at all previous stages.

## **Achieving Balances**

Taking as context the features of the broad picture, the next question, returning to the specific focus of this book, is about regulations for private supplementary tutoring. An overall remark is that shadow education and other forms of private tutoring are under-regulated, particularly in comparison with schools and other social institutions. This observation applies to some high-income societies as well as middle-income and low-income ones. University students and other self-employed individuals who wish to earn money from tutoring can do so without training or mechanisms for consumer protection. Larger enterprises in the form of coaching centres may be required to register and adhere to building and commercial regulations, but even these enterprises are subject to little educational regulation of curriculum, class size, etc.; and in any case the regulations are not always implemented. Agencies that operate as middlemen are also generally asked only to heed commercial regulations rather than educational matters; and internet tutoring seems to be completely beyond the government reach. Few governments have reliable statistics on the numbers of students receiving tutoring, on the numbers of tutors, on the scale of financial transactions, or on the learning achieved by students in the shadow education sector.

In this respect, the state of monitoring and regulation of private supplementary tutoring resembles that of regular schooling during the initial decades of the 20<sup>th</sup> century. At that time, many governments had only rudimentary information on the numbers of schools operated by different agencies and on the activities inside those schools. As the 20<sup>th</sup> century progressed, school systems became more tightly monitored and regulated, and contemporary governments commonly have detailed information not only on enrolments but also on attendance of students and teachers together with many other topics including curriculum, finances, and learning achievements.

Some observers would argue that aspects of regular school systems became *over*-regulated during the 20<sup>th</sup> century and the initial part of the 21<sup>st</sup> century, and the pendulum has swung back in many countries (see e.g. Belfield & Levin 2002; Zajda 2006). Some tutors and tutoring companies assert that their role is necessary *because* the regular school systems are heavily regulated and in the process become bureaucratised and standardised. The tutoring sector, they claim, is attractive and necessary precisely because it can be flexible in curriculum, personnel, duration, timing and location. These advocates have a point, but represent only one part of the industry. Other parts cannot so easily be painted in a positive light. Thus the contention of this book remains that the sector is under-regulated and needs more attention.

Nevertheless, balances must be found. Enforcement of regulations may be demanding in both personnel and finance, and governments may feel that the costs of insistence on detailed regulations are greater than the benefits. The authorities in Chongqing Municipality in China found that the parts of their regulations were unrealistic in their demands. Other governments may have similar experiences. The Singaporean Ministry of Education has placed on its website, implying some degree of approval, an Editorial from the *Straits Times* newspaper (21 August 2012) stating that:

The Education Ministry, which has many pressing challenges to address in preparing students for the workplace of tomorrow – from a continued assurance of standards to boosting creativity, reinforcing values, and creating more pathways for students of varying abilities – should not be burdening itself with the minutiae of a tuition habit that is largely a personal choice.

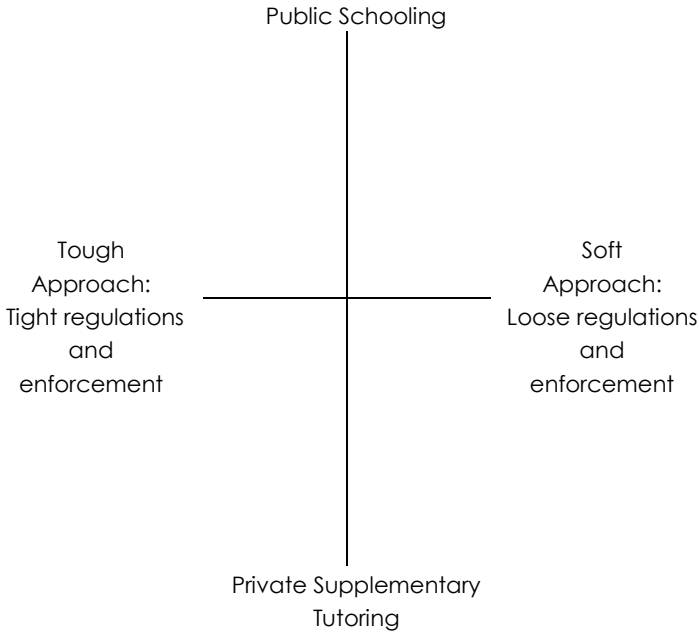
Similarly, the Hong Kong authorities have stressed the “need to strike a balance among regulatory control, self-regulation, consumer protection and education” (Hong Kong, Legislative Council Panel on Education 2003: 4).

The question then is where the balances should lie. The answer, of course, must depend on the capacities and priorities of the governments concerned, and on the extent to which they can anticipate collaboration from partners. Certainly insistence on registration of companies of a certain size seems reasonable, as does insistence on building standards

and financial reporting for the purposes of taxation. Many governments permit flexibility in the curriculum. Thus, while for example curriculum specialists in Maldives insist that all school subjects except Islam and Dhivehi language should be taught in English, they allow the shadow education sector to use the mother tongue or mixed code. Indeed this might even apply to English-language classes, which some educators insist should be taught through English but which the shadow sector in many countries permits teaching through the mother tongue or mixed code. Likewise, governments might be wise to avoid setting fee ceilings for the shadow education sector; and provided no safety issues are raised, they might refrain from setting limits on class sizes. Many governments also allow flexibility on the qualifications of tutors, leaving it to families to decide what qualities they are seeking in the marketplace.

Throughout the book, the emphasis has been on regulating private supplementary tutoring rather than trying to prohibit it. A few governments, including those of Cambodia, Myanmar and the Republic of Korea, have tried to prohibit private tutoring (Bray 1999: 77; Dawson 2009: 56; Lee et al. 2010), but their attempts have failed. Most striking has been the case of the Republic of Korea, the government of which imposed a blanket prohibition in 1980 (Lee et al. 2010: 101). This prohibition did sharply reduce the scale of private tutoring, but it did not eliminate it. Some tutoring continued underground (and with higher prices). The government faced pressures to relax its prohibition, and did so by stages. The matter was taken to the law courts by various civic groups, and in 2000 the prohibition was declared unconstitutional. Since that time the authorities have sought to regulate rather than prohibit the industry. They have also tried to make certain types of private tutoring unnecessary by improving the services of the public school system.

In devising their regulations, governments may consider the balance of soft and tough approaches not only to the private tutoring sector but also to regular schools. Figure 4 presents a generic matrix in which the balances may be mapped. Different approaches are desirable at different periods of history. For example, in the Republic of Korea it has sometimes been appropriate and possible to take authoritarian measures that tighten controls on both schools and tutoring institutions, but in other periods of history a softer approach has been necessary and more effective (Kim 2013).

**Figure 4: A Matrix of Approaches and Relationships**

Source: Adapted from Kim (2013).

## Learning from Comparing

A major theme of this book is that policy-makers can learn from each other. No single model can be recommended for all societies, but authorities can certainly gain ideas by considering the practices of other jurisdictions. It should not be assumed that richer countries always have better regulations than poorer countries: much depends on legislative traditions and on the rigour with which administrators have confronted issues.

The field of comparative education places great emphasis on context (Crossley 2009). This was well expressed by Sir Michael Sadler, writing in 1900 (reprinted 1964, p.310):

We cannot wander at pleasure among the educational systems of the world, like a child strolling through a garden, and pick off a



flower from one bush and some leaves from another, and then expect that if we stick what we have gathered into the soil at home, we shall have a living plant.

In other words, administrators need to consider carefully their own circumstances, including political histories and the precedents set by regulation of other parts of the social sector.

On a related dimension, private supplementary tutoring has become very visible throughout the region, but is stronger in some countries than others. Governments would be wise not to wait for action until the negative aspects become dominant. Experiences in Bangladesh, the Republic of Korea, Singapore and elsewhere suggest that once shadow education becomes engrained in the culture, it cannot easily be reduced. This applies not only to tutoring in the commercial sector but also to tutoring provided by teachers. If the negative features are not significant at present, then governments may be advised to act now to prevent them from becoming significant issues rather than waiting until the problems become deeply engrained.

Similar concerns apply beyond the Asian region. This book has primarily focused on Asia for an Asian audience, but could also be useful to policy-makers elsewhere. Private supplementary tutoring is growing globally; and insofar as experiences in Asia set a model of the dangers of unregulated growth, Asian experiences can again sound as warnings about lack of attention. More positively, insofar as Asian governments have found good ways to address the private tutoring sector, which includes encouragement of the positive sides, authorities in other parts of the world can learn from those experiences too.

Nevertheless, much further work remains to be done. For reasons of length and available information, this book has only provided an overview of the topic. Further detail would be desirable in all jurisdictions to identify what has worked well, what has not worked so well, and what directions are desirable for the future. The co-publishers of this book, i.e. the Comparative Education Research Centre at the University of Hong Kong and the UNESCO Regional Bureau for Education in Asia and the Pacific will be glad to learn about these further experiences around the region and beyond, and to help in sharing information across geographic and other boundaries.

# Appendix

## Australian Tutoring Association (ATA) Ltd.

### Code of Conduct

#### PART I - INTRODUCTION

##### Objectives

1. The objectives of the Australian Tutoring Association (ATA) Ltd Code of Conduct are:
  - 1.1 To ensure clients are provided with the best possible service by ethical tutoring organisations and practitioners.
  - 1.2 To create and maintain a national benchmark for educational tutoring services.
  - 1.3 To provide guidance for the implementation of best practice.

##### Application of Code

2. This Code applies to Members of the Australian Tutoring Association (ATA) Ltd, who by becoming Members, agree to be bound by the Code.

##### Interpretation

3. In this Code, unless stated otherwise:
  - “Code” means this Australian Tutoring Association (ATA) Ltd. Code of Conduct;
  - “client” means a student or student’s parent/guardian who is paying for tutoring services;
  - “dispute” means an expression of discontent from a client where the client perceives the Member has not followed the Code of Conduct;
  - “Member” means a Full Member of the Australian Tutoring Association (ATA) Ltd. and includes Associate Members.
  - “Plagiarism” means the act of appropriating the work of another and passing it off as one’s own work. It is a form of cheating that draws on the work of another (written, electronic, verbal or artistic) without giving due acknowledgement to the author/originator.
  - “Tutor” means a person who provides educational tutoring services;
  - “tutoring” may be used interchangeably with the terms “teaching” or “coaching”.
  - “Tutoring Centre” means an establishment where commercial teaching or tutoring services are provided. The term may be used interchangeably with the term “Education Centre”;

“Tutoring Organisation” means an organisation which exists to provide educational tutoring services.

## **PART II – TUTORING ORGANISATIONS’ OBLIGATIONS – THE CODE OF CONDUCT**

### **ATA Member Obligations**

4. Tutoring organisations will use their resources for the best educational outcomes for students.
5. Individual Members will use their educational skills to the best of their ability to teach students so that they improve in the subject/s in which they are being tutored.
6. Members will use their teaching and learning practices and resources to enhance students’ self-esteem and confidence to learn.
7. All ATA Members must ensure that a copy of the ATA Code of Conduct available for clients to peruse as requested.

### **Qualifications**

8. An Organisational Member must ensure that all tutors have been trained in the organisation’s curriculum and methods of teaching.
9. A Member shall ensure that staff training and staff professional development is an on-going commitment. Training may take the form of curriculum and program development, in-servicing on educational issues related to child development, assessment, child protection and so on.
10. All tutors employed by organisations are to be assessed at least once annually in order to maintain educational standards. The assessment of tutors shall be based upon criteria that has been disclosed to the tutor prior to the assessment and may include the use of the ATA Tutor Assessment Form. This form is available from the ATA website: [www.ata.edu.au](http://www.ata.edu.au).

### **Duty of Disclosure**

11. A Member must ensure that clients have sufficient information to make informed decisions about the need for tutoring services. In particular, Members must:
  - (a) Assess/determine whether students need tutoring and if so inform prospective clients of the outcome of the assessment;
  - (b) (upon request) enable prospective clients to inspect the relevant programs and curriculum;
  - (c) inform prospective clients of the qualifications and experience of the relevant tutors.
  - (d) upon request, provide accurate written reports to clients on the learning progress of students (who are under the age of 18 years).

### **Pre tests, post tests, other assessments and reporting**

12. The type and use of assessment and testing instruments must be fully disclosed prior to any assessment. The marking of assessments must be conducted in an accurate, professional and honest manner.
13. The results of any formal assessing or testing of students must be made available to clients
14. Unless restricted by law original copies of marked pre tests that are used for screening for enrolment, streaming or any other purpose must be made available for perusal by clients. Streaming or suggestions that clients undertake tutoring should be justified on the basis of appropriate interpretation and disclosure of assessment results.
15. All feedback, written or verbal, given to clients should be clear and unambiguous and should not be intended to either mislead clients or create future enrolments or business.
16. Reports may be written or verbal. Reporting must be done at least once per semester, when the length of tutoring is for at least one semester.

### **Advertising**

17. A Member must not use misleading or false advertising or marketing practices, which may include, but are not limited to, false or misleading representations concerning the price of tutoring services, false representations that tutoring services have benefits that they do not have; false or misleading representations concerning the need for tutoring. The provisions of the Competition and Consumer Act 2010 (Cth) and any State/Territory based consumer protection legislation apply, as well as the provisions of this Code.
18. Any claims made by Members in the course of advertising or marketing in any media are to be honest, accurate and verifiable. The compilation and use of statistics should not intend to, or be presented in such a way, as to mislead clients. Only relevant statistics compiled from verifiable data may be used.
19. A Member must ensure that promotional material does not encourage unrealistic expectations about the outcomes attainable from tutoring.
20. A Member must not make misleading or false comparisons with programs offered by competitors.
21. A Full Member is entitled to use the letters M.A.T.A. whereas an Associate Member may only use the letters A.A.T.A. to signify membership of the ATA.
22. A Full Member may use the ATA logo on any or all advertising media provided he/she is in compliance with this Code. An Associate Member may not use the logo.

### **Standards of Tutoring Centres and Coaching Colleges**

23. A Member must ensure that all wet areas are cleaned frequently and regularly in order to maintain a high standard of cleanliness.
24. A Member must provide an appropriately equipped first aid kit located in a prominent, easily accessible position, and ensure that all staff members know of its location. First aid kits are to be checked at least once per term to ensure they are appropriately stocked.

### **Curriculum and Programming**

25. Where relevant, and if applicable, a Member should state the relationship of programs with State-based Board of Studies curricula and syllabuses.
26. Where requested individual tutors (who are not employees of organisations) must provide a written statement outlining an intended pattern of study for the period of tuition, where the period of tuition is more than one term.
27. Any relevant curriculum or written programs must be available upon request for perusal by clients.

### **Plagiarism**

28. A Member shall not engage in any form of plagiarism or cheating. The creation of dependencies is NOT to be encouraged at ANY level. Members must apply practices consistent with the ATA Plagiarism Policy, which may be updated from time to time. This Policy is available from the ATA website at [www.ata.edu.au](http://www.ata.edu.au).

### **Business Operation**

29. A Member must manage his/her business in an ethical and professional manner, including complying with relevant local, State and Federal legislation, (e.g. child protection, trade practices, taxation, superannuation, workers compensation, occupational health and safety and anti-discrimination).
30. In States or Territories where child protection legislation exists, Members must ensure that all tutors have completed the necessary forms and that these have been submitted to the relevant agencies PRIOR to any face-to-face tutoring being conducted.
31. In States or Territories where child protection legislation does not yet exist, Members must require all tutors to sign a Statutory Declaration stating that they have no prior or pending charges or convictions from any jurisdiction relating to, or involving, children in any capacity.
32. Members must ensure that interviews with tutors are conducted face to face and may involve the prospective tutors doing practice questions and answering questions related to child protection and education.
33. Members must ensure that employees and agents act in an ethical and professional manner and do not use unreasonable sales methods to sell tutoring or educational services (e.g. threats, fear or coercion).

34. A Member must not describe a period of tuition, or part of a period of tuition, as free or discounted if the tutoring is increased in price, decreased in quality or is restricted in any manner as a result of the offer.
35. Members must ensure that all employees are conversant with this Code of Conduct.

**Written Tutoring Agreements or Contracts (where they exist)**

36. The Member shall ensure that the tutoring agreement:
  - (a) states the name and address of the parties to the agreement including Australian Company Number (ACN) for corporations and Australian Business Number (ABN);
  - (b) sets out clearly and unambiguously the rights and responsibilities of the Member and the client; and
  - (c) discloses the full price of the tutoring being offered, including (where applicable):
    - i. the joining fee, application fee or any other upfront fee applicable;
    - ii. the fee for each session of tutoring;
    - iii. the amount payable, frequency of payments and minimum term applicable to the agreement;
    - iv. the total fee for the tuition program;
    - v. any other fees payable, or that may be payable, under the tutoring agreement; and
    - vi. any cancellation fee and the circumstances under which such fees are payable.
37. A Member must give a copy of the proposed tutoring agreement to any prospective client, if requested and a copy to the client of the signed agreement upon enrolment.

**Refunds**

38. All ATA Members must have a written Refund Policy that must be available for clients.
39. The Member's Refund Policy must be consistent with all relevant Federal and State legislation.
40. Members cannot ever display a sign saying "No Refunds" as this is misleading. Consumers do have the right to a refund if there has been a breach of statutory conditions – Competition and Consumer Act 2010 (Cth). Such conditions include working with appropriate care and skill, and providing the level of service promised or advertised.

**Confidentiality**

41. A Member shall comply with the Privacy Act (1988) (Cth) by adhering to the National Privacy Principles.

42. Information in client files including that relating to assessment, attendance, behavioural observations, billing, reports and personal details shall be made available for the client's perusal upon request.

**Complaints Resolution Procedure**

43. A Member will make every reasonable effort to fairly and quickly resolve any complaint made by a client.
44. Where an oral complaint is made to a Member the person receiving the complaint will:
  - (a) identify himself/herself, listen, record details and determine what the complainant wants;
  - (b) confirm the details received;
  - (c) explain the complaints resolution procedure, and advise of alternative courses of action;
  - (d) resolve the complaint immediately if possible or make a commitment to resolve the complaint within a given time frame; and
  - (e) follow up the complaint as appropriate e.g. provide the complainant with feedback regarding the result of any action taken by the Member to resolve the complaint.
45. Where a written complaint is made the Member will:
  - (a) provide the complainant with written feedback within ten (10) days of receiving the complaint regarding the result of action taken by the Member to resolve the complaint; and
  - (b) if it is not possible to resolve the complaint within ten (10) days, provide written acknowledgement of receipt of the complaint within seven (7) days and specify the time frame within which the complainant will receive feedback regarding the result of action taken by the Member to resolve the complaint.
46. The Member will ensure that all staff are familiar with the Member's complaints resolution policies.
47. Where a complaint cannot be resolved between the Member and the client, the Member must advise the client of the client's right to refer the complaint to the ATA. Either party can refer the complaint to the ATA.
48. Where a complaint is referred to the ATA, the Board via its Code Administration Committee (CAC) will, as soon as practicable after the referral, hear the complaint and notify the parties in writing of the determination.
49. Where the ATA determines that a Member has breached the Code, the ATA will apply sanctions as per the ATA Constitution.

### **PART III – ADMINISTRATION**

50. This Code of Conduct will be administered by the ATA Ltd. The Board of the ATA will appoint a Code Administration Committee (CAC), consisting of not less than two (2) Board Members.

#### **Promotion of the Code**

51. The ATA is responsible for the promotion of the Code.  
52. The Code shall be included on the web-site of the ATA.

#### **Sanctions**

53. Where a breach of the Code has been determined, the ATA will seek corrective action to be taken by the Member concerned. Such action is not limited to but may include a requirement for:
- (a) advertising to be amended or withdrawn;
  - (b) corrective advertising to be placed;
  - (c) corrective mailing to clients concerned;
  - (d) literature or stationery to be amended or withdrawn; and
  - (e) the withdrawal of programs or materials failing to meet the standards of the Code.
54. The ATA may, at its own discretion, issue warnings or censures to non-complying Code Members.
55. If corrective action is not taken within the time allocated in accordance with ATA directions, the Member's membership to the ATA may be suspended for a specific time period, or in the event of continued non-compliance, the ATA may expel the Member.
56. Following expulsion from the ATA the expelled Member may not claim on-going membership in any advertising and must immediately desist from using any literature and stationery referring to the ATA Code.



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Recent years have brought global expansion of private supplementary tutoring alongside regular school systems. This expansion has far-reaching implications for the nurturing of new generations, for social and economic development, and for the operation of school systems. Some dimensions are positive while other dimensions are problematic.

Supplementary tutoring is especially visible in Asia. The formats of tutoring range from one-to-one provision to large classes. Some tutoring is provided by teachers and by specialist companies, while other tutoring is provided informally by university students and others.

Using a comparative lens, this book examines possible government responses to the expansion of private supplementary tutoring. In general, the book suggests, the sector should be given more attention. The work shows wide diversity in the regulations introduced by governments in the Asian region. It notes not only that these governments can learn much from each other, but also that policy makers in other parts of the world can usefully look at patterns in Asia. The book also stresses the value of partnerships between governments, tutoring providers, schools, teachers' unions, and other bodies.

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