



ATA call for Nominations for Company Directors

The Australian Tutoring Association (ATA) Ltd is a public company limited by guarantee. It is not-for-profit and Directorships are not remunerated. The company has a growing membership.

The Australian Tutoring Association (ATA) Ltd. Board wishes to call for nominations from persons wishing to be considered for a role on the ATA Board. At present the Board meets by teleconference for 1-hour once per month and face-to-face twice per year. Prior to the AGM one of the 2 face-to-face meetings is held. In order to be considered, prospective applicants will need to detail:

- What they believe they can offer to the ATA in the context of its goals and aspirations
- How much time they can allocate to the Board for the carrying out of ATA work.
- What experiences are relevant to the position of Director and Board member of a public company limited by guarantee (not-for-profit)

All applicants must be ATA members and their membership dues must be fully paid up.

The Board will interview short-listed applicants. Three referees must be included in applications sent to the Board. Applications close on 31st October 2012

Please address all correspondence to office@ata.edu.au or post applications to:

Australian Tutoring Association (ATA) Ltd.
PO Box 256
Croydon, NSW 2132

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Notice of Australian Tutoring Association (ATA) Ltd. Annual General Meeting (AGM)

to be held on

Wednesday 28th November 2012

10.30am – 11.30am

at the ATA Head Office,
6 College Street,
Croydon NSW 2132



AGENDA

- 1 Welcome and Apologies
- 2 Correspondence
 - 2.1 Correspondence Received
 - 2.2 Business Arising from Correspondence
- 3 Reports
 - 3.1 Secretary's Report
 - 3.2 Treasurer's Report
 - 3.3 Business Arising from the Reports
- 4 General Business

Morning Tea

The Miscellaneous Award

Does it apply to tutors?

The ATA Office has received a number of phone calls about whether the Miscellaneous Award 2010 (Cth) applies to tutors. If not, the related issue is whether any implications arise that affect ATA businesses and their operations. The relevant parts of the Award are extracted here:

4. Coverage

4.1 Subject to clauses 4.2, 4.3, 4.4, 4.5 and 4.6 this award covers employers throughout Australia and their employees in the classifications listed in clause 14 - Minimum wages who are not covered by any other modern award.

4.2 The award does not cover those classes of employees who, because of the nature or seniority of their role, have not traditionally been covered by awards including managerial employees and professional employees such as accountants and finance, marketing, legal, human resources, public relations and information technology specialists.

4.3 The award does not cover employees:

(a) in an industry covered by a modern award who are not within a classification in that modern award; or

(b) in a class exempted by a modern award from its operation, or employers in relation to those employees.

4.4 The award does not cover employees excluded from award coverage by the Act.

4.5 The award does not cover employees who are covered by a modern enterprise award, or an enterprise instrument (within the meaning of the Fair Work (Transitional Provisions and Consequential Amendments) Act 2009 (Cth)), or employers in relation to those employees.

4.6 The award does not cover employees who are covered by a State reference public sector modern award, or a State reference public sector transitional award (within the meaning of the Fair Work (Transitional Provisions and Consequential Amendments) Act 2009 (Cth)), or employers in relation to those employees.

4.7 This award covers any employer which supplies on-hire employees in classifications set out in Schedule B and those on-hire employees, if the employer is not covered by another modern award containing a classification which is more appropriate to the work performed by the employee. This subclause operates subject to the exclusions from coverage in this award.

4.8 This award covers employers which provide group training services for apprentices and trainees under this award and those apprentices and trainees engaged by a group training service hosted by a company to perform work at a location where the activities described herein are being performed. This subclause operates subject to the exclusions from coverage in this award.

Schedule B - Classification Structure and Definitions

Level 1

An employee at this level has been employed for a period of less than three months and is not carrying out the duties of a level 3 or level 4 employee.

Level 2

An employee at this level has been employed for more than three months and is not carrying out the duties of a level 3 or level 4 employee.

Level 3

An employee at this level has a trade qualification or equivalent and is carrying out duties requiring such qualifications.

Level 4

An employee at this level has advanced trade qualifications and is carrying out duties requiring such qualifications or is a sub-professional employee.

14. Minimum wages

14.1 Adult minimum wages

Classification	Minimum wage per week	Minimum wage per hour
Level 1	\$606.40	\$15.96
Level 2	\$648.00	\$17.05
Level 3	\$706.10	\$18.58
Level 4	\$770.50	\$20.28

14.2 Apprentice minimum wages

An apprentice must be paid a minimum of the following percentage of the standard rate:

Year	%
First	55
Second	65
Third	80
Fourth	95

14.3 Junior minimum wages

The minimum wages for juniors are:

Age	% of relevant adult minimum wage
Under 16 years of age	36.8
At 16 years of age	47.3
At 17 years of age	57.8
At 18 years of age	68.3
At 19 years of age	82.5
At 20 years of age	97.7

14.4 Higher duties

An employee engaged for more than four hours on any one day or shift on the duties of a higher classification must be paid the minimum wage for that classification for the whole day or shift.

Sources: http://www.fwa.gov.au/documents/modern_awards/award/MA000104/default.htm and http://www.fwa.gov.au/documents/modern_awards/30Jun10/MA000104_30Jun10.pdf

Miscellaneous Award (Cth) and Implications for ATA businesses and the tutors they employ

Fair Work Australia (FWA) have to date been unable to give a very clear, succinct answer as to whether the Award directly, or indirectly, covers ATA members or their employees. However, a precautionary approach may be wise. Consider this: many businesses employ university-aged tutors. The Fair Work Ombudsman notes “Australia’s minimum wage is \$15.96 per hour or \$606.40 per week”. It is highly likely that a university-aged tutor will have had some part time or casual work in their work history and thus would not be totally unskilled. The expectation is that university tutors will receive some level of training and thus the starting rate could be equivalent to that of a Level 2 employee (\$17.05 minimum).

Business can always opt to pay more than the minimum wage and thus ensure that they comply with the law. Several ATA member businesses start paying their tutors at \$21 per hour. In this way they ensure that they are doing everything that they can to abide by any relevant legislation whilst also rewarding their staff.

Disclaimer: the detail expressed in this article does NOT constitute legal advice and is of a general nature only. It is intended to encourage ATA members to think about their obligations and to take a proactive precautionary stance.

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Early identification

and when is psychometric testing required?

When tutoring very young children issues can arise that raise questions about the role of tuition and, further, about when the tutoring is not necessary or when the need for another intervention has arisen. A question about what to do when a student being tutored has not improved over a period of time. Indeed, in two separate instances ATA members have been faced with the following scenarios:

Scenario 1

A primary school trained tutor has been working with a 5-year-old boy for 7 months. Initially the boy made rapid improvement in early literacy and numeracy, but in the past 3 months he has made no progress and may even have regressed. The tutor was anxious to address the issue with the parent but was concerned that she had somehow let the family down.

The Issues

There are several issues arising in this scenario.

- When should a tutor first indicate that a student may have a learning difficulty?
- How should a tutor know when to report that tuition is not making a difference to a student?
- What range of options exist to advise parents that an alternative intervention needs to be made?

Clear, regular and open reporting must be a feature of the tuition relationship. In this context when a tutor recognises that the tuition is not creating any improvements or making a difference they have a duty to disclose this to the parents. Thus the ‘truth-in-reporting’ maxim applies. This means that at the first opportunity

or in the first instance a tutor should alert the parents to a possible issue. An exception to this rule is that the tutor may opt to attempt to remediate particular academic concerns and thus may 'experiment' with different pedagogical strategies (for example visual, auditory, kinaesthetic) prior to raising any concerns with the parents.

Secondly, there is an issue of disclosure. If a child is struggling then it is the professional duty of tutor to disclose specific observations to parents/guardians. In this way, the parents can make informed decisions about any further or future interventions for their child. The duty to disclose to parents carries with a responsibility to disclose as soon as possible or as early as possible.

There are several options in regards to advising parents as to the need for an alternative intervention. An intervention can take the form of suggestions in regards to:

- Speech therapy
- Occupational therapy (OT)
- Psychometric testing
- Hearing tests and sound therapy
- Medical intervention
- Vocational testing and assessment

Whilst a tutor is not expected to know every single alternative type of therapy or intervention, over time a tutor should gather contacts for people in a range of educationally complementary jobs.

Scenario 2

Here a Year 3 Primary School boy was having great difficulty focusing both in regular school classes and at home when the parents were organising the homework time. This particular boy had an older sister who was doing academically very well at school and who displayed independence and a capacity for self-assessment and review.

A review of recent 2012 ICAS tests revealed that the boy had performed quite badly, but when the tutor went over the test with the student in a non-testing situation he was able to solve most of the problems he had not been able to solve under test conditions. Apart from this disparity there was great concern expressed about the boy's capacity to focus. The recommendation given was that the boy do a psychometric test called the WISC (Wechsler Intelligence Scales for Children). The parents were reluctant to take up this option. Nevertheless, they went ahead and the boy was tested. Much to the parent's surprise their son tested with a very high IQ. His cognitive pattern included a very high visual strength.

The Issues

The situation as described uncovered a number of issues for the family. Included in these were the pressure arising from the parents in regards to their son, the comparisons the parents were making between the older high achieving sister and her younger brother and what sort of tuition, if any, was appropriate. This led to several decisions being undertaken by the parents:

- They decided to continue the tuition and to source a tutor who was experienced with both visual methods of presentation and stress management techniques
- They decided to no longer compare the achievements of the children or to over-praise the sister's academic prowess, preferring to become more balanced in their focus on purley academic goals
- They helped their son to take more ownership of his homework and other aspects of planning and preparing for school

Homeschooling and tuition

Occasionally tutors are faced with an opportunity to tutor homeschooled children. Under such circumstances there can be particular factors that must be considered. There are many reasons as to why parents opt to homeschool:

- A child may be extremely bright and the parents may feel that the school system will not be able to accommodate their child's ability.
- Some feel as though schools socialise for 'normality', ordinariness or to meet a bureaucratic imperative and thus opt to stand outside of that mainstreaming schooling model.
- There are religious reasons as to why parents may opt for homeschooling. This option is normally premised on notions of wanting to protect a child from particular influences thought to be negative or confronting.
- There may be health reasons as to why a child may be homeschooled.
- A family may travel a lot on account of diplomatic posting or other work-related reason, thus encouraging a family to homeschool. This is often accompanied by the use of personal tutors
- A child may have an unusual talent in the area of the sports, dramatic arts, performing arts or other area of endeavour that requires a lot of training and travel and thus hampers the capacity for regular mainstream schooling.

Factors to consider when homeschooling

A tutor needs to exercise particular care when tutoring a child who is homeschooled. A tutor should be very aware of the age/stage that a child should be at in comparison with school equivalent peers. If required a student can be guided to sit an independent form of assessment prior to the tutor planning the period of study. In this way the parents can be informed of the child's abilities, strengths and weaknesses prior to the tuition commencing. Of course, if a parent declines and stops their child from taking such a test then it can be an indication of serious academic issues that are being hidden from accountability.

Accountability, regular reporting and disclosure are central to successfully tutoring a homeschooled child. If there are learning difficulties that are uncovered through tutoring a homeschool child then they must be disclosed to the parents early. A tutor should not hide the truth even if it means the tutoring will halt another possible intervention attempted in its place.

Assessing tutors

All ATA member business are required by the Code of Conduct to assess their tutors once annually. The is can be done through downloading the Tutor Assesment Form from the ATA website. Prior to assessing any tutor they must be given notice and they must also be given a copy of any assessment form so that they know the criteria on which they are being assessed. This allows the tutor to appropriately prepare and helps the tutor to manage any nervousness that can accompany being assessed.

The form can be found at: http://www.ata.edu.au/component/option,com_docman/task,cat_view/gid,26/Itemid,5/

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The vexed issue of accreditation

A very common inquiry received by the ATA office relates to the issue of entry requirements for the industry. Of course, at present there are no industry-specific requirements, save for the usual commercial requirements that businesses must abide by the relevant local State and federal laws.

A mature industry is characterised by a representative peak body (such as the ATA), adherence to a Code of Conduct or Code of Practice and the creation of an industry-wide set of applicable training standards. At present in Australia the training undertaken by private tuition bodies is performed on an ad hoc (as needed) basis and is in-house in nature.

Accreditation would standardise training procedures and create an industry-wide benchmark. However the issue is vexed on account of a number of factors:

- What skills and content would be in an accreditation certificate?
- How would subject-specific training be undertaken?
- How long should the training be for?
- What mode(s) of delivery would work best?
- What would the cost of training be?
- Would there be a practical component to any certification?

These issues need to be resolved in order for the accreditation to be relevant and targeted for the specific needs of tutors.

World news

Drawing from Prof Mark Bray's excellent academic study on the global trends and issues in private tutoring ('shadow education') the following article comes from AFP and was first published in Malaysia.

Asian parents are spending billions of dollars on private tutors for their children, and the practice is growing despite doubts over its effectiveness, according to a recent study. "Shadow education" is an expanding business not only in wealthy countries but also in some of the region's poorer nations as parents try to give their children the best start in life, according to the Asian Development Bank based in Manila, The Philippines. Nearly nine out of 10 South Korean elementary pupils have private tutoring, while the figure for primary school children in India's West Bengal state is six out of 10.

"Proportions are lower in other countries, but throughout the region using the services of private tutors is spreading and intensifying," the study said, calling for a review of education systems to make such extra teaching less attractive.

Extra academic work is aimed at helping slow learners and supporting high achievers, and is seen by many Asian parents as a constructive way for adolescents to spend their spare time. However, it can also reduce time for sports and other activities important for well-rounded development, as well as cause social tensions since richer families are able to pay



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for better-quality tutoring, the study said. It estimated that the cost of private tutoring in South Korea was equivalent to 80% of government spending on public education.

Japan spent billions on extra teaching in 2010, while the figure for Singapore was US\$680 mil (RM2.16 mil) in 2008. In Hong Kong, where 85% of senior secondary students receive tutoring, companies advertise the services of “star” tutors, on television, newspapers and the back of buses, the study said.

“Expenses are lower in other countries, but they are headed in the same direction,” it added.

But despite its popularity, particularly in East Asia, tutoring has had mixed results, said the study, conducted with the University of Hong Kong’s Comparative Education Research Centre.

“Much depends not only on the motivation and abilities of the students but also of the tutors,” it said. “In many countries, individuals can become tutors without training, and the effectiveness of some forms of tutoring is doubtful.”

The study called for state supervision and regulation of the industry, as well as a review of Asia’s educational systems.

“They should ask why it (tutoring) exists in the first place, and what can be done in the mainstream to make supplementary tutoring less desirable and necessary.”

Source: “Asia’s big business in private tutoring” - AFP
<http://thestar.com.my/education/story.asp?file=/2012/7/15/education/11620257&s>

News from Turkey and Europe

European Network for Educational Support (ENES) President George Hagitegas reports about the alarming news from Turkey. In Turkey private tuition centres are called ‘Dershane’ and the government has stated that it plans to outlaw these businesses and close them down. This decision is quite extreme and is consistent with the emerging trend globally for governments to respond to the private tuition sector with excessive regulation. Prohibition has been shown to fail, hence a much more enlightened approach needs to be brought to the issue, rather than simply imposing a blanket ban.

ENES President, George Hagitegas said, “The European Network for Educational Support (European ENES), whose founding member is the Turkish Association TODER, protests strongly about the planned event. Educational Support (‘private tuition’) is a global educational process that helps children of economically weaker classes to study. Those days, when the afternoon private education is an alternative and modern way to achieve better results for the benefit of the weaker classes, these decisions violate equal opportunities in education. Such opportunities are a basic human right as recognised globally.

Some European countries such as Germany have implemented steps of support to low-income families with a voucher system for the provision of private tuition. The necessity of supporting education is fully recognized by the European Union. The European Network of Educational Support will report to all international organizations the planned closing of every dershane in Turkey.

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We will, for example, lobby the Education Committee of the European Union, UNESCO and all the associations that make up our (ENES) network. The supplementary education sector is old and universal phenomenon and this proves its necessity. If we remember, from the past, some prohibitions like that, these extreme decisions are not going to last for a long time and are counter productive.

The phenomenons of supplementary education to assist students to prepare for the exams for university entrance are very important not only in all European countries but also throughout the world. The European Union (EU) on recent research in all European countries noted the large size of the parallel afternoon education market. The research, that was summarised in the report "The challenge of shadow education" can be easily found on internet. It shows that supplementary forms of education, which have different names in each country, contribute to the elevation of education indicators, such as literacy and numeracy outcomes. Great analysts point to the necessity of non-formal education as a modern reality that supplements the mainstream educational sector. In many countries educational reforms in the past tried to mitigate the phenomenon of private tuition without any result. Parents continue to spend their money on private tuition even when nations attempt to ban it.

Some governments take the view that improving public education will eliminate forms of supportive private tuition assistance for school and the entrance exams. However, research in many European countries show that students who are very high achieving and go to very expensive private schools also have after hours supplementary support to ensure their entry into the best universities and entry into the most sought-after schools. The afternoon or after-hours support is a fact which historically occurred in the first organized school, school of the Sumerians, 4000 years ago. The need of ongoing assistance for school and exams disturbs fans of state education because removes the State's monopoly over education. The argument that parents pay is not influential in reducing the size or scale of the non-formal education sector. The State has to turn to implementing voucher system for economically weak people just like the USA demonstrated with the program "No Child Left Behind" where private tuition vouchers were a feature. The politics of creative cooperation of State and private education will give the best results. The answer does not lie in the removal of examinations. If we remove the exams then we will not make champions but illiterates.

Within Tuition Editor

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Contacting Us

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News from India

A recent report released by the Asian Development Bank (ADB) and the Comparative Education Research Centre (CERC) of the University of Hong Kong turns the spotlight on an important aspect of education that is rarely addressed in public policy. The report "Shadow Education" delves into the domain of private tutoring in Asia and its implications for policy makers. It aptly points out that shadow education is rampant across Asian cities including India, Pakistan, Bangladesh and even more 'developed' Japan and South Korea and "can no longer be ignored".

"Policy makers have long recognized the importance of education for economic and social development in Asia. However, they have focused mostly on mainstream institutions, i.e. kindergartens, schools, and universities and neglected the role of private supplementary tutoring," it states.

India's coaching class culture might come with its pluses and pitfalls. Private tutoring is often seen as an essential backbone for illiterate families which can't guide their children, as an aid for slow learners and a boon for students who receive below par education in schools. On the flip side, private tutoring as the report point out, could however, also come to "dominate the lives of young people and their families reducing the time for sports and other activities," a trend that is growing more evident in India.

But the biggest concern as highlighted in the report is that such shadow education aggravates social inequalities. It creates a hierarchy of sorts even within the parallel education system. Leading economist Amartya Sen fears tutoring "makes teachers less responsible and diminishes their central role in education; it makes improvements in schooling arrangements more difficult since the more influential and better placed families have less at stake in the quality of what is done in the schools".

There are many important take home messages for policy makers. For starters there is need for more data and reporting from this sector. Sporadic surveys offer only a limited insight. A survey by Amartya Sen's trust, Pratichi trust showed that private tutoring among primary kids in West Bengal went up from 57% in 2001-02 to 64%, seven years later. Another research in four states of Andhra Pradesh, Kerala, Maharashtra and Uttar Pradesh in 2011 showed that more than half (58.8%) of tenth graders were receiving tuitions.

Estimates in other Asian countries stand higher with 90% of elementary students in the Republic of Korea receiving some form of shadow education and 85% of secondary students in China receiving such. "Shadow education should be brought much more actively into the policy-making arena, with stronger elements of research-based evidence," points out the report.

Regulation of the sector is another pertinent point raised as it remains a largely unsupervised area. It might perhaps be a good idea to ensure minimum qualifications or training for tuition teachers. A clampdown on random advertising is also wanting given the unsubstantiated claims being shamelessly propagated. There have been sporadic attempts at addressing regulation of private tutoring, but are poorly implemented. The RTE bans teachers in schools from giving private tuitions, but awaits implementation. The report concludes on a rather pertinent note saying policy makers should ask why shadow education exists in the first place and look into measures to better mainstream education such that the dependence on private tutoring is reduced.

Source: http://articles.timesofindia.indiatimes.com/2012-07-05news/32550882_1_tuitions-pratichi-trust-shadow-education

News from Canada

Canada's largest private tuition chain, tutordocor, is having its Annual conference in New Orleans in early December. Tutordocor has centres throughout Canada, the USA, Ireland and the UK, Mexico and Nigeria.