



Regulating Private Tutoring For Public Good

• Policy Options for Supplementary Education in Asia

by Dr. W. Ariyadasa de Silva



The term 'private tutoring' used in this book denotes 'private tuition' in local parlance, and signifies extra lessons in academic subjects that are taught in regular schools in exchange for a fee. These lessons may be provided on a one-to-one basis, in small groups or in large classes, by specialist tutoring companies, teachers working on a part time basis to earn an extra income, university students undertaking informal tutoring and others. This phenomenon is known by a number of English-language names including 'private tuition', 'private supplementary tutoring', and 'coaching'. Analysts who have studied this type of education have termed it 'shadow education' because the curriculum mimics that in regular schooling. The book also focuses on 'public good'. Education is a major instrument for personal development, and governments have a responsibility for the quality and impact of education not only in government institutions but also in the private sector including tutoring centres. The government has a duty to ensure that education promotes sound economic and social development, while ensuring protection for consumers and other stakeholders. The responsibility of governments to adopt an overview position on all forms of education was affirmed by UNESCO in the EFA Global Monitoring Report 2014 in a section entitled 'Private tutoring versus classroom teaching: protecting the poorest', as follows:

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 tuition does not displace classroom teaching. (p.63)

This action will help governments attain the public good in the tutoring sector.

The senior author of this publication, Professor Mark Bray, has written several books on private tutoring. The first cross-national study ever on private tutoring was written by him in 1999, and each subsequent book has added new insights. Scholars hold Professor Bray in the highest esteem as the world's foremost authority on the subject. Ora Kwo is also an experienced researcher.

The authors commence with an introduction, and then describe the private supplementary tutoring sector in Asia with statistics from 32 countries. This section provides information on the scale and spread of private supplementary tutoring, subjects tutored, modes of tutoring, and diversity of providers. The context leads to a discussion on why private tutoring should be regulated. The authors have built a strong case based on:

- **Social inequalities:** Private supplementary tutoring may perpetuate and deepen socio-economic, gender, racial/ethnic, and rural/urban inequalities. Government regulation may help to limit these inequalities.
- **Backwash on regular schooling:** Private tutoring can have an unwholesome backwash on schooling. Teachers may put less effort into their regular lessons in the belief that most students receive private tutoring. Students may come to respect their tutors more than their teachers at school; and excessive time spent by students on private tutoring leaves little time for sports, relaxation and social contacts, damaging their physical, mental and emotional health.
- **Corruption:** In some settings, teachers resort to corrupt practices in order to increase the demand for private tutoring. Corruption is especially corrosive in education because it shapes the values of children and youth in their formative years.
- **Protection of consumers:** Parents may require protection from unprofessional sales techniques, deceptive advertisements and disadvantageous contracts adopted by tutors or tutoring companies. One-to-one tutoring when other adults are not present provides opportunities for sexual abuse.
- **Taxation:** In the Republic of Korea, the tutoring industry contributed 3% of the GDP in 2010 (p.33). The scale is smaller in other countries, but governments may consider making tutors pay taxes like workers in other sectors.

Having built the case for regulation, the authors examine the types of regulation in Asian countries. They identify several types of tutoring providers in order to present the regulations operating in each case. These include companies providing tutoring, teachers in regular schools who also provide tutoring; and students and other individuals who operate informally.

1. Companies providing tutoring

Tutoring companies must meet requirements for registration and monitoring. Registration requirements vary, but commonly include focus on:

- minimum qualifications for tutors;
- qualifications and experience of managers;
- fees;
- buildings and facilities; and
- curriculum

Monitoring requirements, once a tutoring business is registered, may include:

- information on revenue and expenditure, for taxation purposes;
- operational aspects such as the appointment of new managers and tutors;
- advertising procedures, and
- hours of operation.

2. Teachers providing tutoring

The book summarizes policies (or lack of policies) in 21 countries, grouping them into four categories:

- (a) Laissez Faire: Schools and education authorities have no policies on this matter.
- (b) Conditional approval: Teachers may provide tutoring subject to a number of conditions.
- (c) Discouragement: Teachers are discouraged from practices that would infringe codes of ethics.
- (d) Prohibition: Teachers may be totally prohibited from providing any private tutoring, or from tutoring their existing students in school.

3. Students and self-employed persons providing tutoring

Few governments have tried to regulate informally-provided tutoring. Although governments may be concerned about the quality of tutoring, the safety of students and the possible loss of revenue from taxation, informal tutoring is difficult to regulate.

Even the most carefully drafted regulations will not serve their purpose if they are not properly implemented. The authors have indicated four requirements for efficient and successful implementation.

- Deploying the necessary personnel. Appropriately qualified and experienced officers are needed not only in the Ministry/Department of Education but also in related Ministries/Departments.
- Educating consumers to make informed choices. Governments acting alone cannot regulate all sections of the tutoring industry. Many governments raise consumer awareness through websites, flyers, and TV announcements.
- Encouraging self-regulation. Realising that self-regulation offers benefits like preserving their autonomy and enhancing consumer confidence, some providers strongly advocate self-regulation. Professional associations formed for the tutoring industry can assist.
- Building partnerships. Ministries of Education may form partnerships for implementation of regulations. These parties include schools, teachers' unions, other branches of government, community bodies and the media.

The authors conclude that the private tutoring sector, particularly in comparison with schools and other social institutions, is under-regulated and needs greater attention. They suggest that Asian policy-makers can learn from successes and failures around the region.

An appendix contains the code of conduct of the Australian Tutoring Association (ATA) which could be of great help to policy makers and others. The code is a good example of how organizers of tutoring providers could come together to strengthen the tutoring sector by offering a clean and efficient service while being proactive in self-regulation.

The earlier books by Professor Mark Bray have concentrated on the scale and nature of private supplementary tutoring, while the present volume has embarked on a discussion on the desirability and possibility of regulating this phenomenon. The authors deserve congratulations for undertaking a major scholarly undertaking. This eminently readable book will interest educationists and policy makers in Sri Lanka, among other countries. It is a comprehensive resource on an under-discussed but far-reaching phenomenon, and shows how comparative analysis of education can assist national, local and even school-level personnel.

(Paper authored by Mark Bray and Ora Kwo and published in 2014 by UNESCO and the Comparative Education Research Centre of the University of Hong Kong. Free download from <http://cerc.edu.hku.hk>)

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