

Education Bureau Circular No. 21/2024 Upholding Students' Right to Education

[Note: This circular should be read by –

- (a) Supervisors and Heads of Primary and Secondary Schools (including special schools) – for action; and
- (b) Heads of Sections – for information.]

SUMMARY

This circular reminds schools of the significance of continuously upholding students' right to education. Schools have to reinforce and step up measures for ensuring students' regular attendance. All primary and secondary schools (including public sector schools¹, schools under the Direct Subsidy Scheme (DSS schools) and private schools offering formal curriculum) are required to strictly comply with the principle of "Early Notification" to report student non-attendance cases² to the Education Bureau (EDB) on the 7th school day of students' continuous absence, regardless of the reasons. Public sector schools, DSS schools and private primary schools participating in the Secondary School Places Allocation (SSPA) System are also required to report student dropout and departure cases³. This circular supersedes EDB Circular No. 1/2009 dated 6 January 2009 on "Upholding Students' Right to Education".

BACKGROUND

2. Students admitted to primary or secondary schools should normally be allowed to complete their education in the same school. Schools have a fundamental responsibility to uphold students' right to education.

3. Currently, the Government provides 12 years of free primary and secondary education

¹ Public sector schools include government schools, aided schools and caput schools.

² Non-attendance refers to students not attending classes in accordance with the prescribed school hours. In the event of non-attendance, parents of the students concerned are required to provide the school with a reasonable explanation.

³ Dropout refers to students not attending classes and not continuing their studies at any school in Hong Kong. Departure refers to students withdrawing from school (for reasons such as transferring to another school, studying abroad, emigrating or leaving Hong Kong, etc.).

to children through public sector schools. As stipulated in the Education Ordinance (Cap. 279)⁴, parents have the legal responsibility to ensure that their children aged between 6 and 15 attend schools regularly. Besides, schools share the responsibility of laying down a clear policy on school attendance, which should be clearly communicated to students, parents, teachers and the Student Guidance Personnel (SGP)⁵ and effectively implemented.

4. In order to encourage students to attend schools regularly and engage in learning, schools should deliver multifarious teaching strategies and counselling services to accommodate students' different abilities and needs, with a view to addressing students' learning, emotional, behavioural and other developmental needs. Besides, schools should provide appropriate life planning education as well as guidance and counselling services to prepare students for further studies and employment.

5. Schools should not force their students to leave school or advise them to leave of their own accord by various means or reasons, as such practices are educationally undesirable. For public sector schools that violate this education principle, we will take follow-up measures, including issuing warning letters to the School Management Committees / Incorporated Management Committees (IMCs) and making known to the public the names of the schools in order to safeguard students' right to education.

DETAILS

Reinforcing and Stepping up Measures to Foster Students' Regular Attendance

(a) Formulation of school policy on student attendance

6. It is important for schools to develop an appropriate school policy relating to student attendance. The school policy should aim at developing students' habits of regular attendance, inculcating a positive attitude and values towards schooling, and ensuring students' completion of primary and secondary education. Schools should formulate clear procedures, guidelines and mechanisms for school personnel to follow, review their effectiveness from time to time, and make timely revisions and enhancements.

(b) Strategies to be adopted under the school policy on student attendance

7. We recommend that schools incorporate the following strategies in formulating the

⁴ Section 74 of the Education Ordinance (Cap 279) empowers the Permanent Secretary for Education to issue attendance orders to parents who fail to send their children to school without reasonable excuses. According to Section 78 of the Ordinance, any parent, who without reasonable excuses, fails to comply with an attendance order shall be guilty of an offence and shall be liable on conviction to a fine at Level 3 (HK\$10,000) and to imprisonment for 3 months.

⁵ Student Guidance Personnel refer to school staff responsible for handling student non-attendance cases, such as student guidance teachers, school social workers and other student guidance personnel.

school policy on student attendance⁶:

- (i) An early prevention, early intervention and school-based approach should be in place. Schools should involve relevant school staff (e.g. class teachers and guidance and discipline personnel) to devise and implement various measures to develop students' positive values and attitudes towards schooling. In the event of truancy, unexplained absence or irregular attendance, schools should make early intervention through the concerted efforts of staff members and parents;
- (ii) Since unsatisfactory academic performance is one of the predominant causes of truancy and dropouts, it is important for schools to have a balanced curriculum and well-designed learning and teaching strategies to cater for students with different abilities and needs;
- (iii) Cross-disciplinary collaboration is important. Schools should integrate guidance and discipline to promote students' whole-person development and foster proper values and positive attitudes. Teachers should collaborate with SGP and relevant social service organisations in the community to help at-risk students / marginal dropouts;
- (iv) Schools should make good use of the community resources by referring students with behavioural / emotional difficulties or needs to support services outside school. Currently, non-governmental organisations (NGOs) offer support services by running short-term learning / social development programmes for non-attendance / dropout students, with a view to helping them rekindle motivation and interest in learning or vocational training; and
- (v) Close home-school partnership would yield positive results in raising students' commitment to learning and sense of belonging to the school. Schools should strengthen parent education and home-school co-operation to enable parents to understand the school policies on student attendance and support their children in meeting the requirements. Early intervention and collaboration with parents will help non-attendance / dropout students resume schooling at the earliest possible time. At the senior secondary level, schools should also provide parents with up-to-date information on support services and articulation pathways for further studies and employment, enabling parents to guide their children in choosing suitable pathways for learning and career pursuits.

“Further Suggestions on Developing a School Policy on Student Attendance” are at Appendix I for schools' reference.

⁶ Private schools offering a formal curriculum may, in light of their actual circumstances and students' backgrounds, flexibly adopt strategies to devise their school policies on student attendance.

Strict Compliance with the Requirements of Reporting Non-attendance / Dropout and Departure Cases to EDB

(a) Reporting Procedures

8. All schools (including public sector schools, DSS schools and private schools offering formal curriculum) must comply strictly with the requirements of reporting student non-attendance cases to EDB, regardless of the students' age and class level. Public sector schools, DSS schools and private primary schools participating in the SSPA System are also required to report dropout and departure cases. For relevant reporting procedures, schools participating in the Student Information Management System (STIMS schools) should refer to Appendix II, and non-STIMS schools should refer to Appendix III and the relevant "Operation Manual"⁷.

9. Schools are required to comply with the "Early Notification" principle to report student non-attendance cases without delay to EDB on the 7th school day of the students' continuous absence, regardless of the reasons for absence. If the students or their families are found to have problems or needs other than non-attendance, the cases should be referred to the Social Welfare Department, relevant social service organisations or the Hong Kong Police Force for follow-up as appropriate.

10. Since submission of students' and parents' personal data is required for case reporting, schools should state clearly in the Personal Information Collection Statement provided to students and parents the purpose of personal data collection, which covers the transfer of the relevant personal data to EDB for investigating and following up on non-attendance / dropout and departure cases.

11. STIMS schools should report non-attendance / dropout and departure cases via CloudSAMS or by using the eForm. Moreover, they should make good use of CloudSAMS to receive automatic alerts on students' absence and analyse their students' attendance. Concurrently, schools are required to prepare Form B in the Student Module of CloudSAMS (for CloudSAMS schools) or complete eForm B (for non-CloudSAMS schools) and submit the relevant information to EDB within 10 school days from the first day of class resumption of the non-attendance students. Non-STIMS schools can submit the information on students' class resumption using eForm A for non-STIMS Schools.

12. We emphasise that it is the school's obligation to comply with the requirements on timely reporting of student information. Schools must ensure that the attendance records and

⁷ STIMS schools (including public sector schools, DSS schools and certain private schools offering formal curriculum) can report non-attendance cases via the CloudSAMS and/or by using the eForm. For those non-STIMS private schools offering a formal curriculum, they can report non-attendance cases using eForm A for non-STIMS Schools.

relevant information are kept accurately and properly, and make good use of the records and information for early identification of students with irregular attendance pattern or absence without reasonable reasons. A teacher or staff member should be appointed to be in charge of student attendance matters and liaison with the staff of the Non-attendance Cases (NAC) Team of EDB as and when required.

13. The longer students are absent from / out of school, the more difficult it will be for them to re-integrate into school life, and the higher the risk of hindering their personal growth and becoming a burden to society in the long term. To ensure early support and intervention, schools should comply strictly with the reporting requirements. In case of default, schools will be required to explain with justifications and take remedial actions.

14. In case of delay or failure to report non-attendance cases, EDB will initiate an investigation into the school's situation. Where necessary, EDB will use various means, including visiting the school and issuing advisory letters and reminders, to demand the school to fulfil its reporting obligation.

(b) Handling of Non-attendance / Dropout Cases

15. To uphold students' right to education, schools should adopt an early intervention approach to handle non-attendance / dropout cases at the earliest opportunity, providing follow-up services and counselling to students as appropriate. For primary schools, non-attendance / dropout cases are primarily investigated by SGP, who also provide counselling and necessary support, while the NAC Team of EDB monitors case progress and provides necessary supervision and intervention. As for special schools and secondary schools, the NAC Team will take charge of the investigation and handle the cases in close collaboration with the schools. Where necessary, parents of the non-attendance / dropout students will also be provided with support services. For persistent non-attendance without reasonable excuses by the parents, EDB will, considering the situation and case progress, issue verbal or written advice to the parents. If the situation remains unresolved, EDB will consider giving the parents a written warning, followed by a reminder if deemed appropriate should the non-attendance / dropout persist. In the event that the parents remain reluctant to co-operate with the NAC Team, EDB will consider serving upon them an attendance order under Section 74 of the Education Ordinance (Cap. 279). For details, please refer to Appendix IV "Flow Chart: Handling of Non-attendance / Dropout Students Aged Below 15".

16. For non-attendance / dropout students aged 15 or above in public sector schools, EDB will try to place them back to the school last attended or other public sector schools, depending on such circumstances as parental choice, students' learning abilities and availability of school places. With the consent of the parents concerned, EDB may also refer these non-attendance / dropout students to short-term programmes / social development programmes run by NGOs.

When the students are ready to resume normal schooling, EDB will offer them placement service, and the respective NGOs will provide post-placement service to both the receiving schools and the students. The receiving schools must work in collaboration with the NGOs concerned to put in place a support programme for these students with a view to helping them adapt to the school environment. For details, please refer to Appendix V “Flow Chart: Handling of Non-attendance / Dropout Students Aged 15 or Above”.

Admitting and Re-admitting Student Dropouts

17. It is incumbent upon suitable public sector schools with vacant places to accept school dropouts who are ready for schooling again and students who are referred by EDB. Schools also have the obligation to re-admit their own dropouts. Please refer to Appendix VI for the guidelines on placement of student dropouts returning to their original schools. DSS schools should likewise re-admit their own dropouts, following the practice of public sector schools.

18. Public sector and DSS schools admitting and re-admitting dropouts should allow these students to attend class immediately rather than defer the placement to the next school term or exclude these students from attending lessons upon admission. Past experience reveals that remedial and support services for these student dropouts are more effective when taken forward within the school context.

19. EDB advises private schools offering formal curriculum to adopt the aforementioned practices to admit or re-admit their own dropouts.

Expulsion and Suspension of Students

(a) Expulsion of Students

20. As a general principle, students admitted to an aided school should normally be allowed to complete the full programme of that school. Students should not be expelled on the grounds of poor academic performance. For those students who are academically weak, schools should deploy resources as far as practicable and proactively assist them in resolving the difficulties in their learning and adaptation to school life. Teachers should also be made aware of the pastoral care system in the school and should participate fully in developing a positive and caring learning environment. We reiterate that under all circumstances, these schools must strictly comply with the relevant provisions⁸ as set out in the Codes of Aid.

⁸ For details, please refer to Section 15.2 of the Code of Aid for Aided IMC Schools, Section 45 and Appendix 1 of the Code of Aid for Primary Schools, Section 44 and Appendix 1 of the Code of Aid for Secondary Schools, or Section 49 and Appendix 1 of the Code of Aid for Special Schools.

(b) Suspension of Students from Class or School

21. We consider suspension from class or school not a generally appropriate way to treat a misbehaving student, as such an arrangement may have an adverse effect on the development of the students. If necessary, the student should be referred for professional counselling. Schools are therefore advised not to suspend students from class or school except under very special circumstances.

22. When suspending students from class or school, schools should comply with the procedures provided in the Codes of Aid and refer to the key points under Section 3.6 “Discipline” of the School Administration Guide, so as to uphold students’ right to education. Moreover, schools should keep a record of all suspension cases for future enquiries.

23. Private schools offering formal curriculum should not, in principle, expel students or suspend them from class or school, and may refer to the aforementioned requirements if the need arises.

ENQUIRIES

24. You are welcome to contact your respective Senior School Development Officers for any enquiries. For enquires on handling non-attendance cases, please contact the NAC Team at 3698 4411.

Ms Rio CHEUNG
for Secretary for Education

Further Suggestions on Developing a School Policy on Student Attendance

I. What constitutes a good school policy on student attendance? What are the essential elements to be included?

A good attendance policy should:

- Put in place clear and concise systems and records - to clearly articulate the circumstances in which schools will or will not authorise absence, with an early warning system that enables early identification of signs of truancy and support for at-risk students / marginal dropouts to prevent non-attendance / dropping out. Schools should identify effective channels to acquaint school personnel with their roles and responsibilities, such as the follow-up and reporting procedures to be adopted by class teachers, the liaison channels and mechanisms between schools and parents, and the intervention measures and roles to be taken by SGP when a student is absent / drops out from school. Parents and students should be adequately briefed so that they fully understand the implications of non-attendance / dropping out as well as the schools' attendance policies and systems.
- Set up support systems - under which timely and appropriate remedial / supportive actions can be taken for students who exhibit irregular attendance, and assistance can be provided to enable dropouts to resume school smoothly and newly admitted dropouts to adapt to the school's requirements. This includes devising pastoral support programmes / learning support plans for students with persistent irregular attendance and at-risk students / marginal dropouts, and assisting students in transferring to other schools / programmes when necessary (see Appendix VI for relevant guidelines).
- Enhance communication with parents - by devising record forms and a record system used in connection with school attendance, keeping parents informed of their children's attendance and its implications, and offering specific advice and support to parents to help their children attend school regularly. If parents request a school transfer of the students, schools should assist as far as possible and take appropriate follow-up actions to ensure that the students are attending classes in their new schools.
- Make preparations for returning students - by formulating support strategies to enable returning students to gradually adjust their learning progress and re-integrate into the school; providing access to external support for parents and students according to their needs; providing alternative / flexible curriculum arrangements for students with learning difficulties and training for staff working with at-risk students / marginal

dropouts.

- Arrange careers guidance for students - by devising and regularly reviewing a school-based mode of careers guidance and deployment of human resources to provide students with appropriate support.

II. Examples of Good Practices

- Review school learning environment regularly and strengthen protective factors to eliminate practices that discourage attendance;
- Collect and analyse attendance data regularly (e.g. weekly or bi-weekly) for the purpose of identifying the causes and patterns of student non-attendance, and use the data to devise intervention measures and evaluate their effectiveness;
- Enable parents to understand the school policies through various channels (e.g. Parent-Teacher Associations, meetings with parents, newsletters, parent-child activities) and convey to parents the importance of schooling to the healthy development of their children;
- Provide training to all staff to equip them with the essential skills and knowledge of working with at-risk students / marginal dropouts and their parents;
- Create a positive and caring learning environment, and adopt effective strategies to cater for students' learning diversity, thereby enhancing their motivation to learn;
- Reinforce and celebrate good and improved student attendance through a reward system;
- Organise any school activity that builds a trusting relationship between teachers and students, value students' individuality, recognise their contribution and address their needs, thereby strengthening their sense of belonging or ownership to the school;
- Provide bridging and support programmes for newly admitted students to help them adapt to the new learning environment;
- Implement timely and proper interventions for at-risk students / marginal dropouts, and closely follow up on relevant progress; and
- Set up a mentor and mentee system to provide students with personalised support and help them cultivate a sense of belonging to the school.

III. Things Not to be Done

- Do not administer discipline measures that hurt the self-esteem of students, or resort to practices that discourage attendance such as keeping students out of the classroom as a form of punishment which, in effect, reduce students' motivation to go to school; please refer to Chapter 3.6 "Discipline" of the School Administration Guide for details;
- Do not punish truant / non-attendance students by depriving them of the opportunities in taking part in learning and extra-curricular activities; and
- Do not ever give up hope in helping truant, non-attendance students or marginal dropouts. Their frequent or infrequent absence means they are facing some kind of difficulties in adapting to school. Teachers, guidance personnel / school social workers and parents should help by trying to understand the students' problems or concerns, and lining up concerted efforts in offering appropriate support to the students concerned.

Procedures for Reporting Student Non-attendance / Dropouts and Departures Cases

**Applicable to schools participating in the Student Information Management System
(STIMS schools)**

(including public sector schools, Direct Subsidy Scheme schools and private primary schools participating in the Secondary School Places Allocation System)

I. Reporting method

1. STIMS schools can report student non-attendance / dropout and departure cases via CloudSAMS or by using the eForm.

II. Students absent for 1 or 2 school days

2. On the first day of a student's absence, the school should, on the same day, ascertain his / her reason for absence by phoning the parents, or using any other means as appropriate.

3. If the student's absence is assessed to be related to truancy, school refusal, difficulties in academics / behaviour / emotion, etc., he / she must be referred immediately to the SGP for follow-up actions. Parents should be reminded to arrange for the student's attendance on the following day.

4. The school should keep a clear record of these students being referred to the SGP as well as the follow-ups.

5. The SGP should work in collaboration with the school (e.g. the discipline / guidance team) as well as the parents to assist the student to resume school as quickly as possible through encouragement, counselling and / or casework service.

III. Students absent for 7 consecutive school days or more

6. The school head should report without delay to EDB on the 7th school day of the student's continuous absence. The reporting procedures are as follows:

- Schools using CloudSAMS should prepare Form A in the Attendance Module to report the case and then select an appropriate reason for departure / absence from school. They should submit the data to EDB through the Communication and Delivery System (CDS).

- Schools using eForm should complete eForm A in the Common Log-On System and submit the data regarding the student and the reason for departure / absence from school to EDB through the system.

[For enquiries on using CloudSAMS, please contact the School Liaison Officers of the Systems and Information Management Section. Information is available from <https://cdrcloudsams.edb.gov.hk>. For enquiries on using eForm, please contact the eForm helpdesk at 3464 0575.]

IV. Student departures

7. Schools should submit data regarding student departure on grounds such as school transfer, studying abroad, emigration, departure from Hong Kong in a timely manner. The procedures are as follows:

- Schools using CloudSAMS are required to set the student's "Status" as "Departed" in the Student Module, select an appropriate reason for departure, and forward Form A to EDB through the CDS.
- Schools using eForm are required to complete eForm A, select an appropriate reason for departure and submit the student departure data to EDB.

V. Dropout re-admission or new dropout intakes

8. Schools should submit data regarding dropout re-admission or new dropout intakes in a timely manner. The procedures are as follows:

- Schools using CloudSAMS are to report dropout re-admission or new dropout intakes by preparing Form B (for students with a Student Reference Number (STRN)) or Form C (for those without a STRN) in the Student Module as well as submit the relevant data to EDB through the CDS within 10 days from the official starting date of attendance.
- Schools using eForm are to complete eForm B or C and submit the student data to EDB.

[Submission of Form B through the CDS or a separate eForm B is not necessary if the students concerned have an STRN and their official attendance status has already been reported (in Form E) during the Enrolment Survey conducted in mid September each year. For details, please refer to the "Guidelines for the Student Information Management System" uploaded on the EDB website <https://www.edb.gov.hk/en> (path: Education System and Policy >Primary and

Secondary Education >School Places Allocation Systems >Student Information Management System). For enquiries on the Guidelines, please contact the School Liaison Officers of the School Places Allocation Section.]

Procedures for Reporting Student Non-attendance Cases

Applicable to non-STIMS schools

(including private schools offering formal curriculum)

I. Reporting method

1. Schools are required to report non-attendance cases to EDB via the Common Log-On System using eForm A (i.e. eForm A for non-STIMS Schools). They should complete eForm A and submit the data regarding the students concerned to EDB via the Common Log-On System in strict adherence to the principle of early notification. For details, please refer to the relevant [Operation Manual](#).



II. Students absent for 1 or 2 school days (The following procedures are provided for schools' reference. Schools may take follow-up actions based on their school-based policies.)

2. On the first day of a student's absence, the school should, on the same day, ascertain his / her reason for absence by phoning the parents, or using any other means as appropriate.

3. If the student's absence is assessed to be related to truancy, school refusal, difficulties in academics / behaviour / emotion, etc., he / she must be referred immediately to the SGP for follow-up actions. Parents should be reminded to arrange for the student's attendance on the following day.

4. The school should keep a clear record of these students being referred to the SGP as well as the follow-ups.

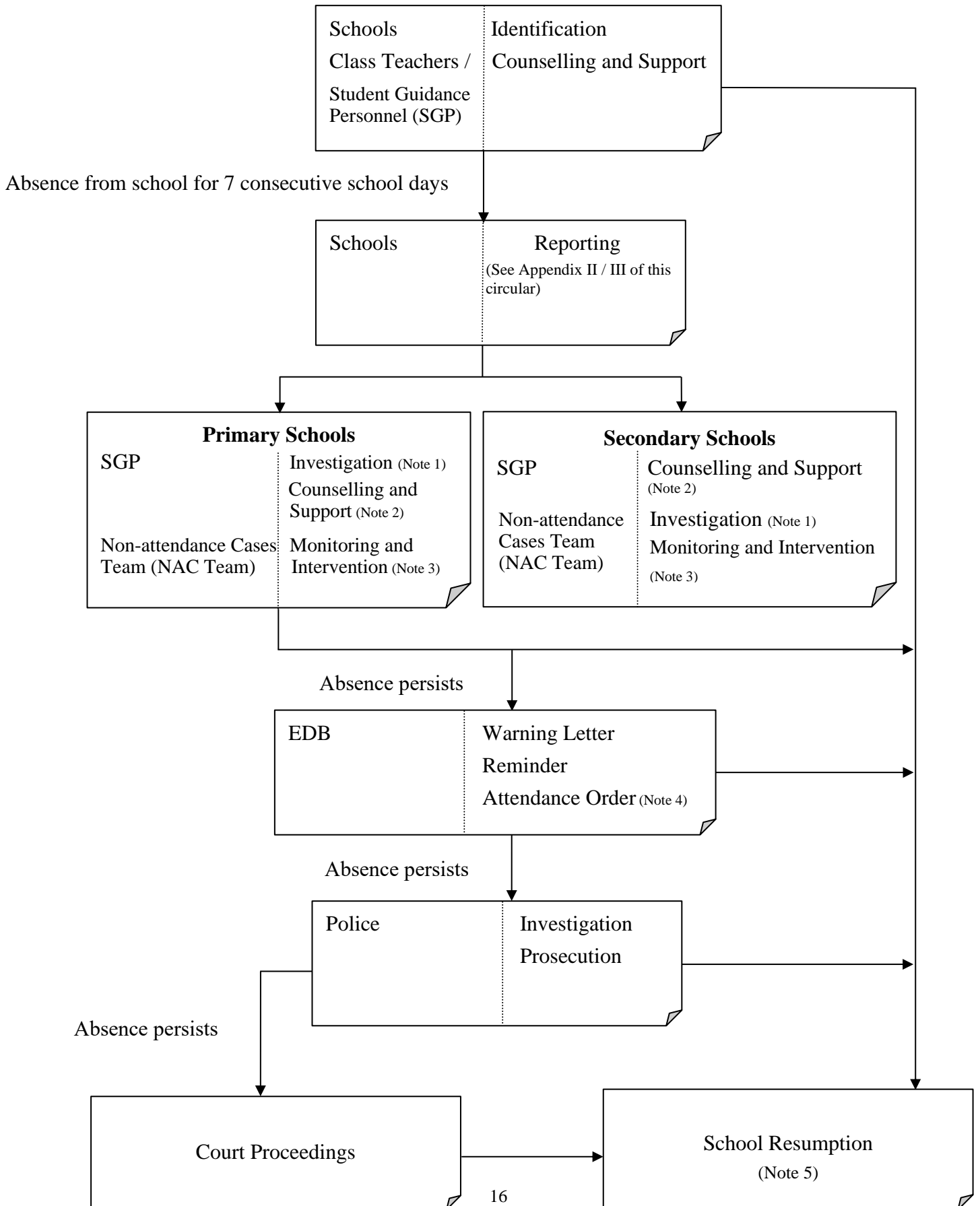
5. The SGP should work in collaboration with the school (e.g. the discipline / guidance team) as well as the parents to assist the student to resume school as quickly as possible through encouragement, counselling and / or casework service.

III. Students absent for 7 consecutive school days or more (Schools must strictly follow the procedures below when reporting student non-attendance cases)

6. The school head should report without delay to EDB on the 7th school day of the student's continuous absence.

[For enquiries on using eForm A (i.e. eForm A for non-STIMS Schools), please contact the eForm helpdesk at 3464 0594. For enquiries on the Common Log-On System accounts, please contact the system helpdesk at 3464 0592.]

Flow Chart: Handling of Non-attendance / Dropout Students Aged Below 15



Note 1: Investigation

- Investigate student non-attendance cases and the reasons behind it, as well as the difficulties and the needs of each case, through various means, including telephone contact, interviews, home visits, correspondence and professional exchanges. The NAC Team will also make enquiries with schools about case details, support services that have been provided and case progress.
- Primary school SGP (including student guidance teachers / school social workers / other SGP) are reminded to:
 - submit an investigation report for monthly reporting on student non-attendance / dropout case progress to the NAC Team until the case is closed; and
 - complete a report on case review when necessary, and bring up the case concerned to the Internal Review Board of the EDB.
- The NAC Team will carry out investigations into student non-attendance / dropout cases at the junior secondary level, and prepare an investigation report on a monthly basis. Secondary school SGP (including school social workers / other SGP) should work in partnership with the NAC Team and provide assistance.

Note 2: Counselling and Support

- In handling a student non-attendance / dropout case, the primary concern is to safeguard the student's right to education and assist the student in resuming schooling. The SGP should work with different professionals (such as family social workers and educational psychologists) to adopt effective case management strategies in order to bring the student back to school as quickly as possible.
- Counselling and support include a speedy assessment (identification of focal issues, goal clarification, case analysis, etc.), collaboration (establishing rapport with the non-attendance / dropout student and family members, soliciting professional support such as educational psychological assessments and family counselling services, etc.), co-development of an action plan and closely monitored schedule of work (tasks to be accomplished as agreed in meetings, interim arrangements made with school staff, etc.) and follow-up actions (provision of support services and monitoring of progress upon the student's resumption of schooling).
- If counselling and support fail to achieve the intended outcome, the SGP should consult the supervisory staff of the school and organisations concerned or the NAC Team, and consider convening a multi-disciplinary case conference with a view to bringing the student back to school. The need to step up intervention should also be considered.
- During the course of counselling and support, the SGP should take note of the following points:
 - Early intervention will stand a better chance of the non-attendance / dropout student resuming schooling;
 - Effective counselling and support can be rendered only if the student is in school;
 - In the first or second contact, make it clear to the parents that it is their responsibility to ensure regular school attendance of their children, and inform them of the potential harmful effects of non-attendance / dropout on the children's development and the legal consequences;
 - To enable the student to resume schooling and maintain regular attendance, school staff should have a deeper understanding of the case concerned and engage in discussion with empathy and sincerity;

- The student and the original school should be made aware that attending class is necessary while waiting for alternative school placement; and
- If necessary, the SGP should consult the supervisory staff of the school or organisations concerned or the NAC Team and discuss the case together. Regarding the use of the Whole School Approach to Guidance and Discipline in support of prolonged non-attendance students, school personnel may seek advice from the Guidance and Discipline Section of EDB.

Note 3: Monitoring and Intervention

- The NAC Team will continuously monitor the progress of each student non-attendance / dropout case, and collaborate with the SGP for necessary and timely intervention to assist in handling the cases.
- Should there be any impropriety or deficiency in primary schools' handling of student non-attendance / dropout cases, the NAC Team will exercise timely supervision and call for schools' improvement. For complicated cases, the NAC Team will offer intervention and assistance in case handling.
- The NAC Team, in collaboration with secondary school SGP, will intervene in the handling of cases involving non-attendance / dropout student at the junior secondary level. Assessments of student non-attendance and the reasons behind it will be conducted through various means, including telephone contact, interviews, home visits and correspondence, followed by appropriate support for the students concerned and their families. During discussions between the NAC Team and parents regarding non-attendance student, parents will be reminded of their legal responsibility to ensure regular school attendance of school-age children, as well as their need to co-operate with the NAC Team in its follow-up work, with a view to assisting the non-attendance / dropout student to resume school as quickly as possible.
- If necessary, the NAC Team will transfer the cases to relevant government departments or organisations (e.g. the Social Welfare Department and relevant social service organisations, etc.) based on the needs of the non-attendance / dropout students or their families to provide them with professional services or programmes as appropriate, thereby assisting in addressing the root causes of non-attendance student.

Note 4: Issue of Warning Letters / Attendance Orders

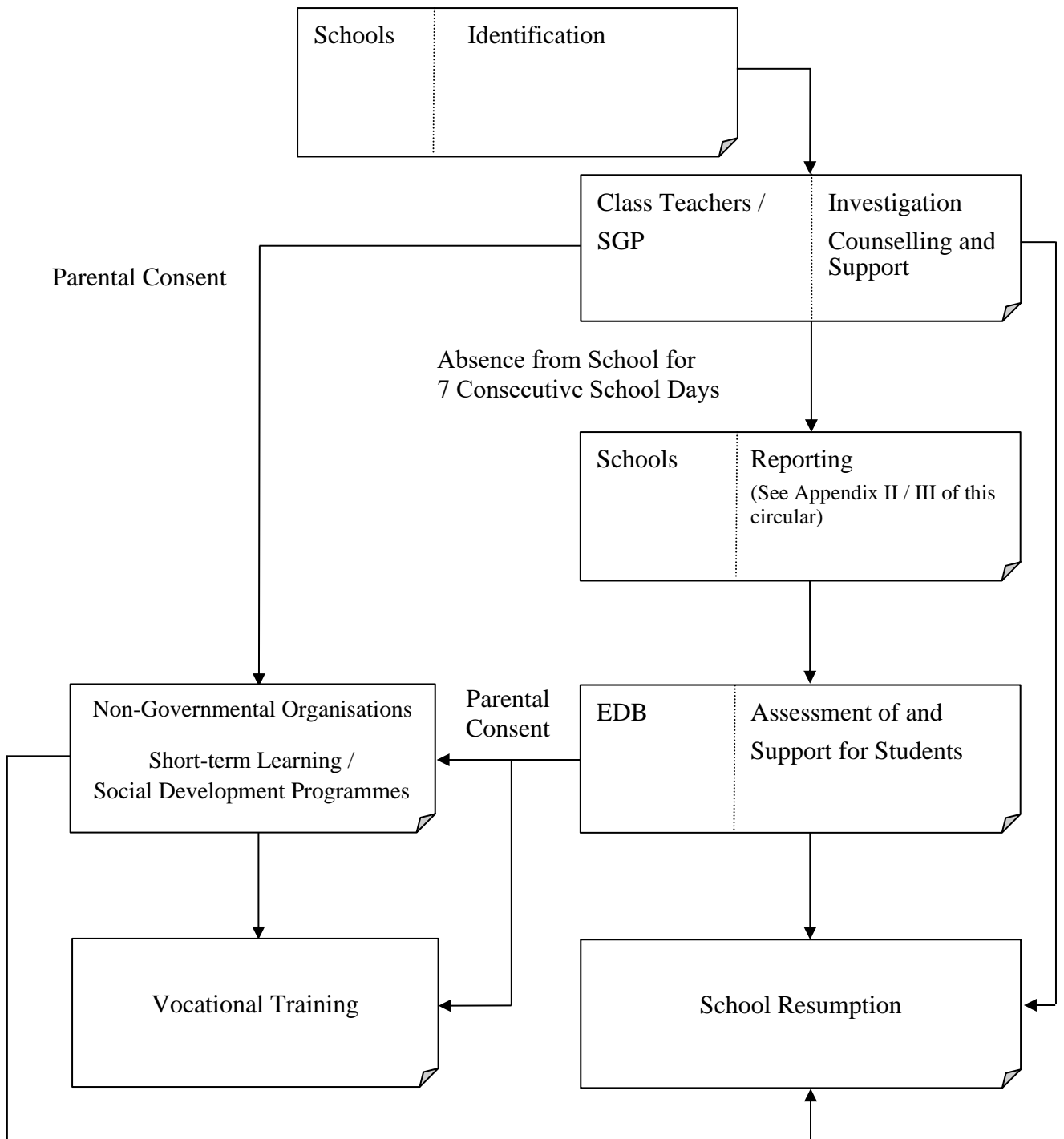
- The NAC Team will consider issuing a warning letter to the parents concerned if the non-attendance / dropout student fails to resume schooling without any reasonable excuses from the parents after counselling and support. Subject to individual case circumstances and progress, the NAC Team will issue a reminder should absence still persist.
- The warning letter and reminder(s) are issued to require the parents to bring the student back to the original school or a specified school suitable for the student.
- The NAC Team must ensure that the parents understand the consequence of non-compliance with the requirements of the warning letter and the reminder(s), which is the issuance of an attendance order under Section 74, Education Ordinance (Cap. 279). The penalty, on conviction, for failing to comply with an attendance order is a fine at Level 3 (HK\$10,000) and three-month imprisonment. This should be conveyed to the parents clearly.
- If there is no sign of improvement in the persistent non-attendance of the student without reasonable excuses from the parents to justify non-compliance with the requirements of the warning letter and the reminder(s), an attendance order will be served by EDB subject to case circumstances and progress.

- The attendance orders are to be served to the parents in a home visit by the Inspector of the NAC Team and a School Development Officer of the Regional Education Office, who serves as a witness and provides parents with information on school placement as necessary.
- During the home visit, the Inspector of the NAC Team has to explain to the parents that they must bring the student to the specified school on the specified date for school resumption, that they have the right to make an appeal to the Administrative Appeals Board (AAB) within 28 days should they dispute the attendance order, and inform them of the possible legal consequences for non-compliance.
- During the period when the warning letters / reminder(s) / attendance orders are issued, the SGP should work in partnership with the NAC Team to continue following up on the case.

Note 5: School Resumption

- Whenever a non-attendance / dropout student resumes schooling, appropriate measures must be taken to ensure that the student can adapt to school life. This includes the follow-up service on the case by the SGP, the arrangement of a short-term adjustment programme, etc.

Flow Chart: Handling of Non-attendance / Dropout Students Aged 15 or Above



Guidelines on Placement of Dropout

Guidelines on placement of dropouts are set out as follows:

- (a) The original school from which the student dropped out is obliged to re-admit the student to facilitate their adjustment to the learning environment. If, however, re-admitting the student to the original school would affect the student's motivation to learn or cause other problems, a transfer to a more suitable school will be considered by EDB.
- (b) The proximity of the school to the student's residential address should be considered.
- (c) Under the principle of optimising government resources, schools with more vacant places will be given first consideration for the placement of dropouts.
- (d) In general, the ability level of dropouts should be comparable to that of the students in the schools concerned.