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## **PRIVATE TUTORING IN MALAYSIA: THE NEXUS BETWEEN POLICY, PEOPLE AND PLACE**

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### **ABSTRACT**

Private tutoring is becoming a common phenomenon in Malaysia. Unlike other countries in the world where private tutoring is banned, in Malaysia the government has legally allowed the teachers to tutor. Indeed, it has enforced various regulations to monitor the implementation of private tutoring. This research deployed qualitative methodology to investigate the existing policies and regulations governing private tutoring in Malaysia. The research involved documentary analyses; semi-structured interviews and observations. Semi structured interviews were conducted with 10 respondents including district education officers, principals, teachers and parents in Selangor and Kuala Lumpur. Additionally observations were also conducted in two private tuition centers in urban areas. The findings indicate that many regulations can be used to monitor the implementation of private tutoring policy. However, there needs to be a balance between regulatory control, self-regulation, consumer protection and education. This depends on the capacities and priorities of the government and the extent of collaboration between partners. In the Malaysian case, regulations exist for teachers as well as private tutoring centers; however, continuous monitoring is needed both at the school and district level. Partnerships with media, Teachers Associations and other educational departments are quite limited.

**Keywords:** *Private tutoring, regulations, policy, education, Malaysia*



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## INTRODUCTION

Private tutoring is becoming a common phenomenon in Malaysia. It is defined as a supplementary instruction outside the formal schooling system where a tutor teaches academic subjects for a fee (Bray, 1999). Private tutoring can be beneficial since it helps slow learners to catch up with their peers and boosts the performance of fast learners. It tends to focus on skills needed for answering examination questions (Arshad, 2004). Private tutoring also provides supplementary income for tutors (Bray, 2009). On the other hand, private tutoring can be costly for lower income students and it can result in a negative backlash on education systems. Teachers might prioritize their private tutoring classes and neglect their regular duties in mainstream schooling. Some private tutoring centres employ marketing strategies that undermine trust in the public schooling system (Bray & Lykins, 2012). For instance, these centers disseminate messages deliberating their superiority. In addition, private tutoring also exacerbates social inequalities. Those higher income households have better opportunities than their counterparts with lower incomes and in rural locations (Dang, 2007; Tansel & Bircan, 2006).

Private tutoring exists in various forms in Malaysia. Tutoring can be conducted in private tuition centers, individualized or small group tutoring in a teacher's home or a student's home (Kenayathulla, 2013). Increasingly, there have been online tutoring programs such as the Score A program recognized by the Malaysian Ministry of Education. According to the Ministry of Education, in 2013 there were 3,107 registered private tutoring centers in Malaysia, with 3.2 percent of the total number of (primary and secondary) students enrolled and 11 967 teachers (MOE, 2013). However, official statistics are not available on those involved in tutoring services outside registered premises.

The Malaysian government is very particular with the usage of the term "tuition centres". Licence for tuition centers are only given to institutions that provide tutoring on academic subjects based on the Malaysian curriculum. This means, centers such as Kumon are not considered as tuition centers in Malaysia. The tuition centers function by providing extra coaching to the students so that they are prepared for centralized examinations. In this case, tuition centers mimic the public schools. Thus, at the primary education level, the key subjects are Malay, English, Mathematics, Science and others. At the secondary education level, tuition is offered for various subjects based on the national education curriculum.

Unlike other countries in the world where private tutoring is banned, Malaysia has legally allowed the teachers to tutor. Private tutoring has become a commonly rooted practice in Malaysia. Parents often view private tutoring as an avenue for enabling their children to excel in examinations (Kenayathulla, 2013). This has enforced various regulations to monitor the implementation of private tutoring. However, it is important to note that policy is a process as well as a product. Thus, the policy process does not stop only with policy formulation; however, this process continues. When the policy is being implemented, various challenges will be encountered by local actors in appropriating a policy. These are not problems that need to be avoided but they are part and parcel of the policy process (Honig, 2006). Such challenges need to be addressed by proper monitoring techniques and school-based policies to augment the federal policy. The objective of this research is to examine the policy on private tutoring in Malaysia and to analyze the implementation issues from diverse perspectives.

### ***Factors That Drive Shadow Education System in Malaysia***

One of the most commonly cited reasons for private tutoring is to ensure that students are performing well in centralized examinations. The excellent performance in centralized examinations especially at the secondary level serves as a ticket for entry into the best higher education institutions. In addition, parents often view private tutoring as an additional investment to boost the performance of their children (Bray, 1999, 2009).



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In the Malaysian context, private tutoring is not considered as a national concern and even in the latest Malaysia Education Blueprint (2013), the policy document did not mention anything about private tutoring. Private tutoring is regarded as complementary to mainstream education. In addition, tutoring classes like Perfection Tuition Centre in Malaysia are designed in such a way that it acts more as a place for relaxing their minds. The setting looks like Starbucks and is a relaxing place for the children while waiting for their tuition classes to start. It becomes a place for child-minding activities. Furthermore, in certain cultures especially Chinese who inherit the Confucian culture, there is a great emphasis on learning (Agadjanian & Peng Liew, 2005).

### ***Policy and Government Responses for Private Tutoring***

It is the responsibility of each government to ensure that good quality education is provided for students either through the public or private education system. For public sector schools, the government should ensure that the best quality resources such as teaching staff, facilities, equipment and materials can be provided with available funds. For the private sector, the same principles apply, meaning the government should monitor and control to ensure the provision of both public and private sectors are of the highest quality possible. In this case, a regulatory framework that supports and assures the quality of private education such as private tuition is needed for consumer protection (Bray & Kwo, 2014).

Based on an international review of research on private tutoring, Bray (2003) identifies four types of government responses to private tutoring: banning private tutoring, ignoring it, monitoring and regulating it and actively encouraging it. Silova and Bray (2006) offer helpful details on these policy responses. The most extreme response is the prohibition of all private tutoring based on the recognition that private tutoring fosters social inequalities. Bans in Cambodia and Myanmar failed because those countries' institutions were not strong enough to implement such policies. On the other hand, bans in South Korea resulted in tremendous popular opposition, which eventually forced the government to lift the bans in 2000. Since then, the Korean government has strategically focused on regulatory efforts on the operation of *Hagwons* (private cram schools) (Choi & Cho, 2014; Kim, 2009).

In the second category, governments (including Nigeria and Sri Lanka) have ignored private tutoring due to weak government institutions and a lack of capacity to monitor this sector. In contrast, there are also relatively stronger governments, such as those of Canada and the United Kingdom, which decided not to intervene because the private tutoring sector is small or because they prefer market forces to govern the sector (Bray, 2003; Dang & Rogers, 2008a; Silova & Bray, 2006).

In the third category, governments (such as Mauritius, Vietnam, Hong Kong and China) recognize the importance of private tutoring. For instance, in Mauritius, tuition often starts at the primary school. The desire to give tuition among teachers in Mauritius is because they want to earn additional income. The teachers are already earning reasonable pay. Mauritius has become a capitalist and consumer society where earning overtime or working for additional pay is much preferred. Though private tutoring is recognized, these countries seek to regulate the market to limit the negative implications of private tutoring. These regulations might range from non-educational factors (such as the availability of fire escapes and adequate ventilation) to extensive regulations of fees, class sizes, and syllabi, which are then backed up by inspections and sanctions (Bray, 2003; Dang & Rogers, 2008b; Silova & Bray, 2006).

The fourth type of governmental response is to encourage private tutoring actively. A few governments, such as in Singapore and South Africa, believe that private tutoring provides instruction that caters to students' needs and that contributes to human capital development. The Singapore Government sees some merit in private tutoring, especially for students who need help to keep up with their peers (Bray, 2003). In these systems, the encouragement includes dissemination of information to link potential tutors and clients, provision of training courses for tutors, and taxation incentives (Dang & Rogers, 2008a; Silova & Bray, 2006). In some situations national



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governments directly provide vouchers to assist low-income and low-achieving students in attending private tutoring. For example, in May 2007, the Australian federal government announced funding of \$457.4 million over four years to provide personalized tutorial support to students who did not meet national benchmarks in literacy or numeracy in Years 3, 5, 7 and 9. However, this policy has now been abandoned (Bray, 2010; Watson, 2008).

As private tutoring is emerging as a global phenomenon, it is becoming more difficult for policymakers to ignore. Instead, governments are under increasing pressure to devise responses. Prior to taking any action, the costs and benefits of these decisions should be considered; this is especially true in settings where the costs of monitoring and controlling the industry might outweigh the benefits. It is also important to take note that any policy-driven action should be context-specific and needs to be developed by involving major education stakeholders in each country (Silova, 2010; Silova & Bray, 2006).

Bray and Kwo (2014) identify different types of regulations for diverse actors in the tutoring industry. The regulations for private tuition centers either small or 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.

### **THEORETICAL FRAMEWORK FOR POLICY IMPLEMENTATION**

Implementation analysis is an important part of the policy process. McLaughlin (1991) contends that implementation researchers should move away from mainly trying to understand which policies get implemented to elaborating the various conditions that matter to enabling effective practice. Contemporary implementation research aims at uncovering how and why interactions among the three dimensions shape implementation in particular ways (Honig, 2006).

Policy has certain goals that are more or less attainable depending on the implementer's starting capacity. Policy instruments are tools used by governments to pursue a desired outcome. Tools also exert their own influence on implementations. In certain settings, policy implementation may be reinforced by central mandates or by inducements such as tax incentives. In terms of people, both policy makers and implementers are consequential sets of people who shape how a policy is designed and implemented. Thus, researchers should focus on how those targets formally named in a policy design respond to the policy demand. Then, they should also focus on individuals who are not formally named as targets in policy design. Additionally, the frontline and middle-level administrators who face different challenges in implementation should be considered in the research. Researchers also reveal that people's involvement in different communities and their relationship is also an important aspect of implementation. Finally, in terms of place, contemporary studies probe the differences in how formal organizational systems operate in the implementation process. For instance, urban districts might have specific political and institutional resources for implementation that mark them as a distinct subset of districts (Honig, 2006). In this context, the analysis will focus on how the interactions between policy, people and places determine the effective practice of the private tutoring policy in Malaysia.

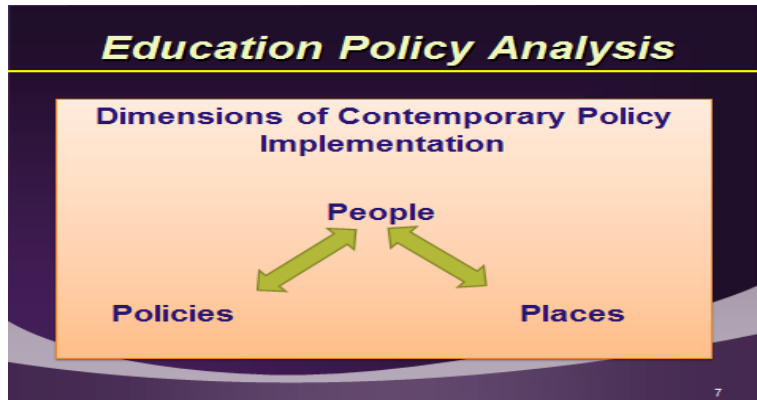


Figure 1. Dimensions of contemporary education policy implementation in practice and research  
(Source: Honig, 2006, p. 14)

## METHODOLOGY

This research deployed qualitative methodology to investigate the available policy and regulations of private tutoring in Malaysia. The research involved documentary analyses and semi-structured interviews. Documentary analyses include government laws, regulations on private tutoring, government researches, theses, and newspaper articles. In addition, two state education officers, two private tuition operators, two principals, two teachers and four parents were interviewed to understand the implementation process of the private tutoring policy. The interview was conducted with key stakeholders from the state of Selangor and Kuala Lumpur. Participants were selected from each sphere through both criterion and purposive sampling. Two state education officers, one from each state of Selangor and Kuala Lumpur, were selected for interview. Principals, teachers and parents were selected from high and low performing urban and rural schools so that diverse perspectives could be obtained. Private tuition center operators were chosen from the center of individual ownership so that policy compliance would be easier to track. Use of a semi-structured interview was justified by the complexity of the topic and the variety of professional backgrounds of the participants. The interviews were conducted in the Malay language and then translated into English. Thematic analysis was used to trace key themes from the documents and interviews (Braun & Clarke, 2006). Additionally observations were also conducted in two private tuition centers located in Kuala Lumpur and Selangor. By using both the semi-structured interview and observations, this research was able to triangulate the interview data with the observations. The first observation was conducted for an hour in a classroom of seventy students taught by a BM tuition teacher for Form Three students. The second observation was conducted for fifty minutes in a classroom of thirty students taught by a Mathematics teacher for Form Five students.

## FINDINGS

### *Current Policy and Regulations on Private Tutoring in Malaysia*

Private tutoring policy has both short term and long term goals. The short term goal is to enable teachers to earn a supplementary income. The long term goal is to help weak and high performing students to perform better in examinations. The Malaysian Education system is highly centralized and the Malaysian government has a lot of autonomy in educational issues.



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In the private division, the Ministry of Education is responsible for any issues related to private tutoring. The state and district education office has its own private division unit that is responsible for private tutoring policy.

### ***Regulations for Teachers Who Provide Tutoring Services***

Before 2006, the policy on private tutoring only states that teachers are allowed to tutor but there were no specific guidelines provided. However, from 2006, stricter regulations have been enforced on teachers. Even though teachers are allowed to tutor to supplement their income, they still need to prioritize their teaching in mainstream schooling. A Ministry of Education circular (MOE, 2006) indicated that teachers may provide tutoring outside school hours for up to 4 hours per week if granted a renewable permit valid for 1 year. Application should be made at least 2 months in advance, and applicants should be confirmed in their jobs and have scored at least 80% in the previous year's performance appraisal. Teachers are not permitted to use school premises or equipment for tutoring, or to promote their tutoring services to students in school either orally or through pamphlets and other means. Teachers who have been granted the permit must offer their services through tuition centers registered with the state department of education and not owned by their family members or relatives.

### ***Regulations for Tutoring Centers***

The Malaysian government has formulated detailed regulations for private tuition centers (MOE, 2013). In order to establish a tuition center in Malaysia, first it is important to check with the Companies Commission of Malaysia to see whether the name chosen for that tuition center is available and has not been used by other premises. Once the commission has approved the name and issued a certificate, that tuition center can now be registered under the Private Division, Ministry of Education. In order to establish a private tuition center, the minimum paid capital required is RM10,000. In addition, all institutions are required to comply to the requirement that the entity is owned by 30 percent Bumiputera ownership, 30 percent native's equity and foreign equity 20 percent to 51 percent depending on countries. This requirement applies to all private institutions regardless whether it is a tuition center, a private kindergarten or a private school. Tuition centers should have at least 3 board members. The chairman of the Board of Directors (BOD) must be a Malaysian. The principal/headmaster acts as a secretary to the BOD, thus he/she cannot be appointed as a member of the BOD.

- **Premises**  
In addition, there are special regulations for the premises. First, the premises must be located at a safe place and must be equipped with infrastructural facilities. For instance, they cannot be located near a cyber-café, because there have been cases where students have ended up in the cyber-café instead of their tutoring classes. The premises need to have emergency exits. In case, the premises do not have this facility, it is important to seek the fire department's advice first.
- **Teachers**  
Teachers must have at least Malaysian Certificate of Education (SPM) qualifications. For principals, in addition to having SPM qualification, they are required to have at least 3 years working experience or at least 6 months experience in the related field. All teachers are required to have a teaching permit. In terms of regulation on students, tuition centers are not allowed to enrol any students below 7 years old. In other words, tuition centers will only cater to students who are already registered in schools. Additionally, all of the staff, both academic and support staff including the board of directors must be free of any criminal offense.





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- Registration Process

The registration form requires the applicant to include information such as the whether the curriculum is the Standard Curriculum for Primary School (KSSR) or Integrated Curriculum for Secondary School (KBSM). The subjects offered in the tuition centers and the time, level of studies (whether primary or secondary or all), the class: pupil ratio, medium of instruction. In addition, the applicant is also required to fill in information on fees such as the amount charged for registration, deposit, fees and other charges. The applicant is also required to submit a copy of the sales and purchase agreement (if the premise is self-ownership). If it is rental, a copy of the rental or lease agreement is needed.

After the applicant has submitted the application form together with the location map to the district education department, the district officer will schedule a visit to the premises to ensure that the applicant has complied with certain requirements listed in the form. Some of the criteria to be assessed prior to the issuance of certificate:

1. The premise is located in a clean environment.
2. It is not situated in a heavily traffic congested area.
3. It is situated in a safe environment.
4. Other nearest tuition center from the premise.
5. The details of the building including all the rooms (such as classroom, rest room and others) and its measurement.
6. Fire safety equipment.
7. Availability of fire exit or escape.

After the evaluation, the district officer will issue the permanent registration certificate provided the applicant has already obtained the approval letter from the fire department, health department and local authorities.

### ***The Malaysia Tutor Association (MTA)***

MTA is the only Association in Malaysia that represents tutoring organizations and educational tutors throughout Malaysia. The MTA has been established to unify the tutoring industry nationally. It aims to represent tutors and tutoring organizations, act as a lobby group and raise the standard of tutoring in Malaysia. Members are given the privilege to use the MTA logo in advertising to promote the fact that they are members and uphold the high aspirations of the Association. Currently, MTA have 175 tuition centers and 700 teachers. They reached about 21,000 students in 2011. Membership means strict adherence to the MTA Code of Conduct. The Code serves both as a guide to members, as well as protecting them. Upholding the Code of Conduct should ensure consistency and predictability for the practitioners and their clients. In order to become a member, the tutors or organization must fill up a membership form. The registration fees vary according to the type of membership (fees are RM 50 for Standard, RM 100 for Advanced, RM 150 for Professional and MR 200 for Instructor). Participant must fulfill the following requirements: for a standard level membership, participant must have at least 4 years work experience in education field and has a diploma education; Advanced Level: At least 6 years working experience in education field and Bachelor degree; Professional Level: At least 7 years working experience in education field and Master holder from a local University or a Bachelor Holder from a foreign university or above; Instructor Level: At least 8 years working experience in the education field, Master holder from a local university or a Bachelor holder from a foreign University or above and had cultivated at least a 100As (students) in the specific subject. Additionally, various requirements need to be fulfilled in terms of teaching assessment, homework assessment and counter assessment (MTA, 2015).



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Table 1  
*MTA Requirements for Teaching, Homework and Counter Assessment*

Level Assessment	Standard	Advanced	Professional	Instructor
<b>Teaching Assessment</b>	<ul style="list-style-type: none"> <li>. Video recording of your lesson in class</li> </ul>	<ul style="list-style-type: none"> <li>Essence content examination</li> <li>Questionnaire assessment</li> </ul>	<ul style="list-style-type: none"> <li>Essence content examination</li> <li>Questionnaire assessment</li> <li>Video recording of seminar talk</li> </ul>	<ul style="list-style-type: none"> <li>. Essence content examination</li> <li>. Questionnaire assessment</li> <li>. Research Paper Present your research paper</li> </ul>
<b>Homework Assessment</b>	<ul style="list-style-type: none"> <li>. The flow of taking care of children assessment (whole day's flow).</li> <li>. The flow of guiding homework assessment</li> </ul>	<ul style="list-style-type: none"> <li>Communication with children and parents assessment</li> <li>Questionnaire assessment</li> <li>Appreciation education assessment</li> </ul>	<ul style="list-style-type: none"> <li>Questionnaire assessment</li> <li>Assistant training assessment.</li> <li>Settlement in complaints assessment</li> </ul>	<ul style="list-style-type: none"> <li>. Video recording in conducting an activity.</li> <li>. Research Paper</li> <li>. Present your research paper</li> </ul>
<b>Counter Assessment</b>	<ul style="list-style-type: none"> <li>. Consultation given to parents assessment (tuition fees)</li> <li>. Video recording in call back</li> <li>. Calculation of churn rate assessment</li> <li>. Communication with parents assessment</li> </ul>	<ul style="list-style-type: none"> <li>1. Communication with students assessment</li> <li>2. Settlement in complaints assessment</li> <li>3. Questionnaire assessment</li> </ul>	<ul style="list-style-type: none"> <li>1. Questionnaire assessment</li> <li>2. Settlement in driver's complaints assessment</li> <li>3. Training assistant assessment</li> <li>4. Settlement in stop course problems assessment</li> </ul>	<ul style="list-style-type: none"> <li>1. Research Paper (sensitiveness about your rival and your market)</li> <li>2. Present your research paper</li> <li>3. Questionnaire assessment</li> <li>4. Customer Comment card</li> </ul>

(Source: MTA, 2015)

### Teaching Video Evaluation

The following are the assessment criteria set by MTA for teaching using video recording.

1. Preparation:
  - i) Appearance professionalism (dress code)
  - ii) Outlook of classroom (clean and tidy class)
  - iii) Appropriate resources in the class (light, fan, microphone....)
  - iv) Sufficiency of teaching materials





2. Fundamentals of teaching:
  - i) Clarity of explanation
  - ii) Intonation
  - iii) Pace of speaking
  - iv) Interest throughout the lesson
  - v) Response of students (Interaction)
  - vi) Others .... (Varied with panels)
  
3. Overall:
  - i) Discipline and culture
  - ii) Lesson Plan
  - iii) Motivation and Inculcation
  - iv) Timing (punctuality)

***People as the Main Stakeholders in the Implementation of Private Tutoring Policy***

- Target

Private tutoring policy targets the teachers. Teachers are basically allowed to tutor as long as they comply with the regulations determined by the Ministry's 2006 circular. The policies require teachers not to misuse their position. At the same time, this policy targets students as private tutoring provides them with an avenue to improve their performance. Other stakeholders such as the teachers union, private tutoring associations, and parents are also directly and indirectly affected by this policy.

- Diversity of view points

Stakeholders vary in their view of private tutoring. Teachers might be supportive of private tutoring since it generates supplementary income for them. Similarly, parents view private tutoring as an additional investment for their children. However, poor parents might not be able to afford to send their children to the best tutor or personalized tutoring due to the high cost. But, they still try their best to send their children to the best tutor that they can afford. In addition, non-profit organizations such as the Parents Teachers Associations also co-sponsor private tutoring classes (Kenayathulla, 2013). For providers of private tutoring, this is the opportunity to earn additional income. Since there is a high demand for private tutoring, providers are trying their best to maintain the quality of tutoring and facilities to remain competitive. When there are many students achieving A's from those private tuition centers, this indirectly creates more demand for those tuition centers. In addition, these types of providers try to attract clients by having a good partnership with schools. Through strategic partnerships, schools often invite famous private tutors (PT) or employees from a popular tuition center to share tips for exam preparation with the school children and to hold workshops for SPM. For instance, Perfection Academy often conducts free seminars for SPM students for one or two days (PT1, 15th August, 2013). Usually, this type of activity will receive a high response from students and parents. For tuition providers, this is a marketing strategy to attract their clients. This creates a win-win situation for both parties involved. The regulation states that teachers are not allowed to promote tutoring services in the school compound. Thus, many banners containing information about tutoring are available outside the school compound. There is no restriction on advertisement in media.



***Places as the Main Component of Private Tutoring Policy Implementation***

Comparative analysis does not just focus on comparisons between two countries. However, comparisons within the country might reveal meaningful lessons which complement and complete the picture captured in upper level analyses (Manzon, 2014). Even though the same policy is being used in the whole of Malaysia, there might be similarities and differences in the policy implementation or adherence across the states, districts or urban and rural dichotomy. Access to tutoring centers is limited in rural areas. Private tutoring is less common among rural communities (Kenayathulla, 2013). In rural areas, informal tutoring classes are commonly arranged by school authorities or parent teacher associations. The tuition fees are also much cheaper in rural areas compared to urban areas. In this study, interview has been conducted between tuition providers, teachers and parents in both urban and rural areas to address the variation that might arise.

***Nexus between Policy, People and Place***

- **Officers in Charge**

In an interview with the officers in charge at 2 of the state's education departments, the officers mentioned that the inspector only visits the premise upon complaint. The state education department lacks staff since the same staff members have to inspect private schools and kindergartens. Currently, there are only three inspectorates in one of the states. Since the NKRA (National Key Result Area) emphasizes preschool education, the inspection on tuition centers is only conducted based on complaints. In other words, priority is given to the inspection of preschools (Officer A, 17th February, 2013). However, it is important to note that timely inspection is essential to ensure that private tutoring providers are constantly complying with the regulations even after the initial authorization. This is to ensure that quality tutoring with good environment is provided to the students. In this case, there needs to be more inspectors hired.

The officers in charge also mentioned that even though the registration form does not have a section on the operating hours, usually the tuition operators are asked to disclose the class size and operating hours in the additional notes. This is to ensure that children are not exhausted at school the next morning (Officer B, 23rd July, 2013).

- **Teachers' Perspective**

Based on the 2006 policy, teachers are required to obtain permission from their principal before they can provide private tutoring services. Unfortunately, this requirement does not entail post-authorization monitoring. Though regulations require teachers to renew their tutoring permit yearly, in most cases this is not done, and principals typically do not work to curtail this problem. In addition, there have been cases where teachers are involved in more than 4 hours of tutoring per week. There have been cases where teachers are given authorization even prior to confirmation in their jobs (Teacher 1, 5th April 2013). Thus, the school-based accountability systems need to be enhanced. The first step is to identify the weakness in the current reporting and accountability system. This can be done through discussions with principals.

One of the teachers from a rural school mentioned that she has been involved in private tutoring for more than 10 years. The demand to provide tutoring classes comes from parents who will arrange the place and all the material needed for the extra coaching. She said at first, she did apply for permit, however due to peer influence; the practice of renewing private tutoring is not being carried out. She did not impose specific fees and it depends on the ability of the parents to pay the fees. (Teacher 1, 5th April 2013).



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Another teacher also mentioned that she had been in private tutoring services for more than twenty years. She only conducted tutoring classes during weekends. In these tutoring classes, she focuses on the techniques for answering exam questions. Since she is an excellent teacher, her performance is great in school and outside of school. She applied for permit but did not renew it every year. The tuition fees that she charged were MR 50 for 4 weeks (Teacher 2, 13th July, 2013).

- Principals' perspective

Principals perceive that school teachers can be involved in private tutoring as long as it does not clash with their routine work as school teachers. The permission to conduct tutoring will be given to teachers upon request and following the prescribed criteria by the ministry. One of the principals mentioned that no extra monitoring is done for these teachers. Special monitoring is only done if there is a complaint from parents or students regarding teachers' teaching. Consistent monitoring is conducted twice in a year. Such monitoring includes class observation, checking exercise books and discussion with students. Both principals contended that teachers' involvement in private tutoring did not disrupt their work as mainstream teachers since most of these activities are conducted during weekends or after school hours.

- Private Tuition Providers' perspective

Interviews were conducted with two tuition providers (PT1 and PT2) in Selangor. The owners have been in business for almost 5 years. From the perspective of tuition providers, the main idea of having a tuition center is to equip students with the necessary knowledge and skills needed to excel in examinations. They believe that smaller class size will help students to understand better. Average class size is 1:15. Profit has been the secondary motive. The businesses are mostly small business. The respondents contended that even though their business is of small scale, they can still earn profit but not that much since they have to pay operating costs such as utility, teacher's salary, facilities and others.

They mentioned that they have their own strategy to promote tutoring.

*"Strength of our tuition center is to provide good communication between teacher and students. We would like to provide a better knowledge transfer through supplementary tuition classes" (PT1, 150913).*

*"Our strength is to provide two way communications between tuition teachers and students. Besides, our teachers also are very strictly chosen by us because we want to have good quality teachers" (PT2, 220913).*

According to the respondents, the Ministry did not impose any ceiling for tuition fees. However, both respondents agree that tuition fees are higher in urban compared to rural areas. Tuition providers are aware that they need to renew their licence every year and need to comply with the rules and regulations.

*"We need to comply with several rules and regulation especially from the private education department, the Fire Brigade for safety and the local authorities (MBPJ) for business property" (PT1, 150813).*

The respondents contended that they have to pay tax since their center is registered as a business entity. Both principals contended that their tuition centers are registered as individual ownership. Thus, they have to pay 6 percent tax. But, they are exempted from paying GST.

In addition to tuition classes being provided, tuition centres also organize one or two day seminars.



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*"Usually we conduct seminars for PMR and SPM. Many of our parents support our seminar as it is good for their children. Well, for seminar, we do collect additional income from extra fees from students. It is not much only RM30. And this money we use for hiring a facilitator from outside as they have more experience in PMR and SPM examinations" (PT1, 150813).*

*"Usually we organize this event before the exam especially during public school holiday. We do invite private agencies to join as to give them a good exposure in knowledge and skills. Basically, most of the costs are borne by our own tuition centers. Most of the activities are being held in the tuition center to cut cost" (PT2, 220913).*

Collaborations are also being conducted between tutoring centers and other institutions:

*"We are collaborating with Zakat Selangor where we are giving 50% discount for students from poor families. Even [though] it is a large amount of discount, we can still make a profit due to a large number of students registering at this tuition center" (PT1, 150813).*

In terms of being a member of MTA, both tuition center providers mentioned that they are not members since their demand is not affected by the membership. Additionally, many parents and students are not aware of MTA and the purpose of the existence of MTA.

*"Not many parents know about MTA. What matters is whether the tuition center or provider helps to produce many "A" students" (PT1, 150813).*

*"Parents do not look for the MTA logo and many of them are not aware of the existence of such tutoring associations" (PT2, 220913).*

- Parents' Perspectives

Most often, parents decide whether their children need private tutoring and they also pay for the service. It is interesting to understand the interplay between parents, policy and tutoring institutions.

In terms of choosing tuition classes for their children, both respondents agreed that they depend on the information provided by their children and priority is given to teachers who are involved in marking examination papers. All the four parents (P1, P2, P3, and P4) interviewed agreed that they have never heard about the Malaysian Tutoring Associations or their functions.

*"My daughter informed me that her friends are attending physics tuition conducted by an expert teacher from another school. I asked my daughter to get the tuition teacher's contact number" (P1, 241013).*

*"Since I live in a rural area, there are no tuition centers near my home. My son complained that he was having difficulty in the English language. I requested his school teacher to conduct extra coaching for my son and she agreed for a fee of MR50 per month" (P2, 251013).*



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*"I heard advertisements about tuition centers in the media through the radio, television and newspaper. But, I am not sure whether the students really scored because of the tuition or due to other factors" (P3, 251013).*

*"I only send my kids to popular tuition teachers who are involved in marking examination papers. This is because they can teach my kids the answering techniques in examinations" (P4, 251013).*

### DISCUSSION

The contemporary understanding of policy implementations should focus on the interplay between policy, people and place (Honig, 2006). In terms of policy for private tutoring providers, Malaysian government policy focuses more on the commercial regulations such as registration, infrastructure and student safety. Though there are some policies on the curriculum and quality of tutors, the quality assessment is lacking. There are no criteria set to assess the tutoring services provided by the tuition centers. Indeed, the tuition centers also do not have any self-regulation to assess their performance. Most of these centers use the students' performance in centralized examinations as their performance indicator.

Tutoring centers in Malaysia are regarded as business entities. Hence, once registered, they have to pay taxes based on their profit. The tax rates vary based on the ownership. Individual ownership will be taxed 6 percent whereas for corporate ownership, the tax is 25 percent. The tutoring industry in Thailand has developed lobbying power on the grounds that imposing taxes would either increase the fees for students or lower the income for tutors. But, such lobbying might not be sustained since many of the private tutoring companies gained substantial profits (Bray & Kwo, 2014; Lao, 2014).

Thus far, the Malaysian government did not have any regulations for monitoring informal tutoring services. It is important to note that there have been cases of sexual abuse when tutoring is conducted on a one-to-one basis (Macao Daily Times, 2009; South China Morning Post, 2012; Times of India, 2013). In the Hong Kong website for recruiting tutors, there is a note that an adult should be present at the first lesson when tutoring for a student under the age of 18 takes place. However, Bray and Kwo (2014) contended that the adult presence just for the first lesson is not enough. Indeed, it is the parents' responsibility to ensure that there is an adult present when the tutoring is being conducted for under-age students.

Additionally, there should be regulations on the operation hours. There is no written regulation on the closing times for private tuition centers. However, tuition operators in Malaysia are often required to include the class size and operational hours in the registration form. Chou and Ching (2012) pointed out that students in Taiwan typically attend cram schools on weekdays up to 9.00 pm or even later. This results in tiredness and little time for leisure and family. In October 2009, the regulations that all *Hagwons* would be required to close by 10 pm became constitutional and by 2012, 13 education bureaus around Korea had amended their regulations to comply with the policy (Choi, 2013, p. 22). Choi and Cho (2015) found out that the Hagwon curfew had little effect on reducing the consumption on private tutoring but it was found to increase the overall amount of daily sleep among high school students. It is important to organize a public awareness program (through media) that emphasizes that too many hours of tutoring might not be good for the children's health. In fact, students need time to rest, do school homework and study on their own.



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In terms of policy for mainstream teachers who are providing tutoring, proper monitoring after the authorization is needed to ensure that teachers obey the rules and regulations. Principals should monitor the performance of school teachers involved in tutoring services. If the mainstream teachers fail to maintain their performance at school, authorization should not be provided to renew the permit. Consistent monitoring is needed to avoid any issues such as withholding some of the curriculum. In order to further monitor abuses of school teachers involved in tutoring, a feedback box should be set up in the school. Students, parents, and teachers will be free to comment anonymously. This is an important bottom-up approach wherein students, teachers and parents are free to express their opinions. Alternatively, Malaysia could adopt the hotline system that has been established at the Taipei Education Bureau and Consumer Protection Committee to receive complaints from the public relating to private tutoring issues and also to provide consultancy services to the public (Zhan, 2014).

When the Federal Government issues a new policy that affects a specific group such as teachers, information is disseminated through the education department to principals and school teachers. In most cases, the public is unaware of these details. Thus, it is important to finance and organize public campaigns through various channels (such as media, newspapers, professional associations) explaining each new policy. The information can be disseminated by television with the cooperation of the Department of Information, and the Ministry of Information, Communication and Culture. A public announcement of the “4 hours limit” to the number of hours that teachers can devote per week to private tutoring may prevent teachers from indulging in tutoring services for long hours.

In addition to school based accountability system, regulations are needed on advertising. This is because parents and students are easily influenced by strategies used by tutoring centers. Thus, it is essential for government to monitor advertisement practices. For instance, the Australian Code of Conduct for members of the Australian Tutoring Association (2011) provides a useful indicator of acceptable and unacceptable advertising practices. Tutoring companies or agencies should avoid misleading advertisements such as providing false representations on the price of tutoring services or the benefits to be gained from tutoring. Tutoring centers should not use unverified data or statistics to mislead clients. They should not promote materials that encourage unrealistic expectations on the increment in performance as a result of tutoring. Tutoring companies should avoid misleading comparisons with tutoring services offered by competitors.

On the other hand, it is important to note that the government is unable to regulate all types of tutoring services. There are informal tutoring services provided by university students or others which are difficult for the government to monitor. Online tutoring via internet is also beyond the control of the government. Thus, most governments emphasize educating the public on choosing the right private tuition centers for their children. For instance, the Hong Kong Government provides a pamphlet titled “Notes on Choosing Private Schools Offering Non-formal Curriculum (Hong Kong Education Bureau, 2013). Some of the recommendations to parents include: selecting a tutoring center that has been registered with the Education Bureau, reading and understanding the information contained in the pamphlet provided by tuition centers, paying attention to the information on fees, paying fees on a monthly basis and retaining the official receipt. It also alerts the parents to choose a tuition center with a safe learning environment. However, Bray and Kwo (2014) contend that this note does not disclose information on whether there is a need for private tutoring. Nothing is also being mentioned on the curriculum or teaching style in private tuition centers. There is no guidance on how parents can evaluate the work of university students who offer tutoring on an informal basis. Bray and Kwo (2014) provided a checklist of questions for parents who are considering private tutoring for their children. There are four main dimensions that will be covered. The first addresses the children’s needs: the reasons for considering private tutoring. The second dimension questions the attitudes of teachers toward private tutoring. Evaluation of the content and quality of tutoring is a part of the third dimension. The last dimension is related to the terms of the formal contract between the parents and tutor regarding the payment.



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Some entrepreneurs in the tutoring industry have their own self-regulation to enhance consumer confidence. In some countries, professional associations can help to self-regulate their members. For instance, in Australia, the members of the Australian Tutoring Association (ATA) are expected to adhere to the ATA code of conduct. One of the requirements is members who make false advertisements need to make corrective advertisements or withdraw programs that do not meet the standard. Though Malaysia has the Malaysian Tutor Association, the findings show that not many parents and tuition providers are aware of its existence.

Additionally, partnership with various stakeholders will help to regulate and monitor the implementation of private tutoring policies. For instance, the Professional Teachers' Association (PTA) in Mumbai, India, has collaborated with the government to take appropriate actions against teachers in government schools and aided college students who have worked as tutors in coaching centers (Chhopia, 2013). In a different context, partnerships can be made with community bodies such as NGOs, schools, media or other agencies. Partnerships with media such as newspapers and television will help to disseminate information on the government's viewpoint and for explaining both the need for regulations and how to enforce them. Partnerships are also needed among various educational divisions such as the district education office and state education office to ensure effective policy implementation.

### CONCLUSION

Overall, many regulations can be used to monitor private tutoring policy implementation. However, there needs to be a balance between regulatory control, self-regulation, consumer protection and education. This depends on the capacities and priorities of the government and the extent of inter-partner collaboration. In comparative perspective, similar to Singapore and the Philippines, the Malaysian teachers are permitted to provide private tutoring for a fee. In certain countries such as Thailand and Macao, the government has no regulation on whether the school teachers are allowed to provide private tutoring. However, in countries such as Taiwan and Korea, mainstream teachers are prohibited from providing private tutoring (Bray & Kwo, 2014). In the Malaysian case, there have been regulations for teachers as well as private tutoring centers; however there needs to be continuous monitoring both at the school and district level. The findings indicate that proper monitoring after the authorization to tutor is needed to ensure that teachers are performing the best at school. Private tutoring, if unchecked or uncontrolled can be detrimental to learning outcomes especially to the poorest students who are unable to afford it (UNESCO, 2014). Consistent inspection on tuition centers will ensure their compliance to the rules and regulations.

In terms of self-regulation, the Malaysian Tutoring Association needs to play an important role to ensure that members follow a certain code of ethics in serving the students. The results indicate that many parents and private tuition centers are unaware of the MTA. Thus, information needs to be disseminated on the roles of the MTA. Partnerships with media, Teachers Associations and other educational departments are quite limited. Regulations are needed on advertising since parents and students might be influenced by tutoring center advertising strategies. Malaysian policy makers need to work on this partnership to better monitor private tutoring policies and practices. Implementation and monitoring of private tutoring policies requires input from and partnerships with various stakeholders taking into consideration local conditions and the government administrative capacity.





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