

EDUCATION BUREAU
CIRCULAR MEMORANDUM NO. 65/2010

From: Permanent Secretary for Education

To: Supervisors and Principals of all
Primary and Secondary Schools

Ref.: EDB(PDT)/ADM/135/8/4

Date: 28 May 2010

Measures for Strengthening the Protection of Students:
Appointment Matters of Schools

Summary

This circular memorandum aims to announce the details of the measures for strengthening the protection of students in respect of the appointment matters of schools. Schools are advised to implement them as soon as possible so as to safeguard students' well-being.

Details

2. The Education Bureau (EDB) and the schools have all along cooperated closely to create a safe learning environment for students so as to safeguard their well-being. In respect of teacher registration, EDB attaches great importance to the professional conduct of teachers (including principals). We will refuse to register an applicant as a teacher or cancel the teacher registration if he/she has committed a serious offence. On the other hand, schools, as employers, will effectively guard against improper persons serving as teachers if they can be more stringent in the selection and strengthen their administrative measures on appointment and related matters. As such, schools are advised to review their appointment arrangements and adopt the following enhanced measures as soon as possible, in order to better protect our students:

Appointment of Teachers

- Candidates should be required to declare their previous conviction records in Hong Kong or elsewhere, or cancellation/refusal of teacher registration, if any, and provide the details accordingly. The consequences of providing false information or withholding material information should be clearly stated in the application form/employment contract.
- The school should carefully check the candidates' documentary evidence of qualifications, including their teacher registration documents and the certificates of service issued by their previous employers.
- With the consent of the candidates, the school should consult their previous employers about their performance.
- In case of doubt about a potential appointee's teacher registration status, the school may seek his/her consent to apply to EDB for the release of teacher registration information to the school. The application form can be downloaded from EDB's

website (EDB Homepage → Teachers' Development → Training and Qualifications → Teacher Registration).

- In accordance with the enhanced measures introduced by EDB since the 2009 school year, schools recruiting their own Native-speaking English Teachers (NET) should require the new appointees to produce a Certificate of No Criminal Conviction or other legitimate documentary proof issued by their countries of residence.
- Schools should ensure that all their unregistered teachers have submitted the applications for teacher registration before assumption of duty.

During Employment

- The school should convey to all staff its expectations regarding teacher conduct and performance on a regular basis through a variety of channels, such as staff meetings and the teachers' handbook.
- Teachers should be required to report to the school if criminal proceedings are instituted against them.
- A teacher may be suspended from his/her duties in case where criminal proceedings of a serious nature are instituted against him/her.
- The school should report to EDB serious offence or act of misconduct allegedly committed by a teacher when such comes to its notice.

Teacher Leaving the Employment

- The school should set out the reason for which a teacher has left the employment, e.g. resignation, retirement, expiration of employment contract, dismissal or summary dismissal in the certificate of service, for the reference of other schools as prospective employers of the leaving teacher.

3. Following the announcement of the above enhancement measures at the briefing session on 20 May 2010, we will upload the detailed information to our website later this month. Schools can make reference to Chapter 7 of the *School Administration Guide* (EDB Homepage → School Administration → Regulations → School Administration Guide), as well as the "Points to Note in Handling Appointment Matters" for aided and private schools and the samples of relevant documents, which are accessible from EDB's website (EDB Homepage → Teachers' Development → Employment Related Information → Appointment Matters).

4. Meanwhile, we will step up other supporting measures such as vetting and monitoring of the registration status of teachers and reviewing the teacher registration mechanism. Also, we will prepare relevant reference materials for schools to facilitate the handling of teachers' conduct and disciplinary matters in line with the school-based management principle. More details in these areas will be announced separately later.

5. We believe that the continued close cooperation between schools and EDB will be conducive to providing our students with a safer learning environment.

Enquiries

6. For enquiries, please contact the respective Senior School Development Officer.

Sheridan LEE
for Permanent Secretary for Education