

LCQ5: Professional conduct of teachers

Following is a question by the Hon Holden Chow and a reply by the Secretary for Education, Mr Kevin Yeung, in the Legislative Council today (July 15):

Question:

It has been reported that since the eruption of the disturbances arising from the opposition to the proposed legislative amendments, around 100 primary and secondary school teachers have been arrested for suspected participation in unlawful activities. Also, quite a number of teachers have made hostile remarks on the Internet against the Police and instilled into students the idea of achieving justice by violating the law and hatred-inciting thoughts, but so far no cancellation of teacher registration has been heard of. In this connection, will the Government inform this Council:

(1) of the number of persons whose applications for teacher registration have been refused (with a breakdown by reason) and the number of teacher registrations cancelled by invoking section 47 of the Education Ordinance (with a breakdown by the situation, as set out in that provision, into which the relevant case fell) by the Education Bureau (EDB) since Hong Kong's return to China;

(2) whether the authorities have invoked section 84(1)(m) of the Education Ordinance to make regulations on "the control of the dissemination of information, or expression of opinion, of a clearly biased political nature in schools" since Hong Kong's return to China; if so, of the details; whether they will make the relevant regulation on the control of teachers instilling into students the ideas of secession and achieving justice by violating the law as well as hatred-inciting thoughts; and

(3) given that newly appointed and in-service teachers are required to complete 30 hours of training within three years of service starting from September this year, and the content of such training covers teachers' professional roles, values and conduct, what manpower and other resources are involved in the relevant training courses, and whether post-training examinations are needed; if examinations are needed, whether EDB will stipulate that teachers may continue teaching only if they have passed such examinations?

Reply:

President,

Over the past year, the social incidents have brought unprecedented impact on and challenges to the whole society including the education sector. Among the people arrested from June 2019 to May 2020 in relation to the social incidents, about 100 of them were staff or teachers of primary and secondary schools and kindergartens. Under the established mechanism, the

Education Bureau (EDB) will consider whether a teacher under arrest has misconducted himself/herself and review his/her teacher registration status according to the information available, regardless of whether the teacher concerned is charged and convicted or not. If the teacher concerned is charged and/or convicted, we will trigger action to review his/her teacher registration status in accordance with the Education Ordinance by making reference to the information obtained by this Bureau and referring to court documents after conclusion of the case and completion of appeals.

At the same time, the EDB is handling complaints that are non-criminal but relating to the professional conduct of teachers in a serious manner. From June 2019 to June 2020, the EDB received 222 complaints about suspected professional misconduct of teachers related to social incidents. We have broadly completed the investigation of 180 cases, of which 63 were found unsubstantiated. Regarding the substantiated cases, 17 teachers were reprimanded and another nine were warned in writing as at mid-July this year. The EDB will consider cancelling these teachers' registration pursuant to the Education Ordinance if they misconduct themselves again. We also issued written advice to 19 teachers and verbal reminders to another 15, reminding them to refrain from activities that are detrimental to the image of the teaching profession and be mindful of the behavioural norms generally acceptable to society. For the remaining cases that are likely to be substantiated in our initial view, we are currently waiting for or considering the responses from the teachers concerned in accordance with the established procedures with a view to determining the appropriate follow-up actions.

Our reply to the question raised by the Hon Holden Chow is as follows:

(1) The Education Ordinance empowers the Permanent Secretary of the EDB to refuse to register an applicant as a teacher and cancel the registration of a teacher in the circumstances set out under section 46 and section 47 respectively. Regarding the number of cases, the EDB can only provide figures for the past 10 years at the moment. The EDB handled a total of 585 cases relating to the professional conduct of teachers from January 2010 to December 2019, of which the registrations of 72 teachers were cancelled. In addition, there were 26 persons whose applications for teacher registration were refused.

As each case had its uniqueness and the teachers or applicants concerned might be involved in more than one of the situations specified in section 46 or section 47 of the Education Ordinance at the same time, the EDB needed to consider all the circumstances of a case before making a decision. Therefore, we are unable to provide a breakdown by the situations set out in the ordinance. Generally speaking, the teachers or applicants concerned were mainly involved in sex-related offences, fraud-related offences or some minor but repeated offences, or had serious integrity problems.

(2) According to section 84(1)(m) of the Education Ordinance, the Chief Executive in Council may make regulations on the control of the dissemination of information, or expression of opinion, of a clearly biased political nature in schools. The Chief Executive in Council made regulation 98(2) of

the Education Regulations (Cap. 279A of the Laws of Hong Kong) and as prescribed therein, the Permanent Secretary may give directions in writing or other guidance to the management authority of any school as to the dissemination of information or expression of opinion of a political nature in that school, so as to ensure that that information or opinion is unbiased.

In the past year, the EDB has repeatedly and clearly stated to local schools and teachers through various channels (including issuing guidelines and letters) that schools are places for students to learn and grow and should not be used as the venues expressing political stance or demands. Teachers play a vital role in passing on knowledge and nurturing students' character and their every word and deed have a far-reaching impact on students' growth. We have for many times issued letters or guidelines to remind teachers of the need to display professionalism, uphold their professional ethics, and adopt suitable learning and teaching strategies in accordance with the curriculum aims and objectives set by the Curriculum Development Council. Teachers should guide students to think from multiple perspectives in an objective, rational and impartial manner and to respect different views, and should cultivate students' positive values and attitude without imparting their political views. On the whole, both school sponsoring bodies and school management are able to follow the EDB's guidelines and remind teachers to uphold their professional ethics.

Regarding the complaints against individual teachers suspected of making biased remarks in schools, if inadequacies are identified in areas such as curriculum planning and management, as well as arrangements and supervision of teaching and learning activities in schools during the investigation, the EDB will make recommendations to the schools concerned for improvement. For cases of a serious nature, warning letters will be issued to require the schools concerned to submit plans for improvement. On the whole, upon receipt of the EDB's comments or warnings, schools would generally take appropriate follow-up actions to meet the requirements of the EDB. Therefore, there is no need for the EDB to make additional regulations on top of the existing regulation 98(2) of the Education Regulations.

(3) To facilitate the implementation of the Professional Ladder for Teachers as recommended by the Task Force on Professional Development of Teachers, the EDB has prepared corresponding professional development plans for teachers at different professional development stages (including newly-joined teachers, teachers with experience and teachers aspiring for promotion to middle management), which will be introduced starting from the 2020/21 school year. The training programmes for the newly-joined teachers, in-service teachers and teachers aspiring for promotion will include 30 hours of core training covering teachers' professional roles, values and conduct, education policies and education initiatives in the local context or the Education Ordinance, as well as topics relating to national and international education development. Being the authorities for teacher registration, as well as formulation, implementation and monitoring of education policies, the EDB has the responsibility to provide the related training. Regarding the elective part of the training, newly-joined teachers and teachers aspiring for promotion may select suitable elective programmes based on their individual

professional development needs and the needs of school development. As a matter of fact, the EDB has been actively providing a variety of professional development programmes and activities for teachers. As with most education measures, the expenses to be incurred will be subsumed under the EDB's overall staff and operating costs. Besides, we plan to commission teacher education universities and external training providers to offer part of the elective training programmes, and the expenditure will be met by the \$500 million non-recurrent provision allocated by the Government in 2018 for strengthening the professional development of teachers.

The EDB provides various kinds of professional development programmes and activities with a view to promoting the continuing professional development of teachers who are registered and serving at schools. As employers, schools are in the best position to assess teachers through close observation of their teaching and related work performance. The EDB also requires schools to set up a school-based appraisal mechanism to assess the professional competencies and performance of teachers. The professional development programmes and activities provided by the EDB are developmental in nature. Since most of the skills and theories learnt in courses and activities need to be applied subsequently in teaching practices, post-course/activity assessment will not be able to effectively evaluate a teacher holistically.

Thank you, President.