

關於城大法律學院有教師未獲續約事件的一些誤解及其事實

誤解	事實
城大大規模“解僱”教師，無理“炒人”。	傳媒常有報導城大法學院大規模“解僱”教師，事實上是次事件涉及的所有教師均為合約教師。與其他院校一樣所有合約教師於合約屆滿時，均要經過校內審評機制，方可決定是否獲得續約。正確的說法是約滿後未獲續約，並非“解僱”。
歧視法律雙語人才，不重視發展中國法及比較法。	城大法律學院一貫重視普通法及中國法的教研工作，其中又特別注重比較法。外界報導因有個別教授中國法的同事在評審中未能獲得續約，因而指控城大將逐步淡化中國法的教學。這種報導及忖測並非事實，城大法律院仍會聘請中國法的優秀學者，加強中國法的教研工作。
整件事其實是要騰出位置予外籍訪問教授	有指控認為校方不予原來六位同事續約是要騰出位置讓某些外籍訪問教授轉為正式合約僱員，事實上訪問教授透過法定評審程序可申請轉為合約僱員，這種情況在本地院校中是慣常之事，與原來同事是否獲得續約完全沒有關係。事實上近期裡，法學院並未有任何外籍訪問教授獲聘任為合約僱員。
城大存在種族歧視；歧視亞裔學者，違反平等機會政策。	城大一向重視學術發展，努力提高本校教學及研究水平，務求成為一所優秀的國際性學府。本校教師來自超過二十個國家，校內評審教師的表現一向以教研水平及工作表現為依歸，與教師的種族及國籍絕無關係，校方亦不會容許種族歧視的存在。
不尊重與教職員、學生和其他團體的溝通。	<p>外界有指控認為城大校方對學生、教師及有關的團體的來信未有回應一事，實屬誤導。</p> <p>(一)香港高等院校教職員會聯會主席岑嘉評先生於二月五日致校長張信剛教授來函，已於二月二十五日由校長室函覆(見附件)。</p> <p>(二)城大學生會幹事會於召開記者會前一晚(即二月二十日)致函校長及各副校長，邀請出席記者會，由於時間倉卒，加上校長及副校長早有會議安排，故已分別於當日致函學生會表示未能出席，其中校長室的覆函還完整地回答了學生會來信中所提的問題(覆函見附件)。</p> <p>(三)至於二月二十八日“城大法律學院事件關注組”致全校各校董成員、校長、各副校長的一封“公開信”，由於內容全部有關是次事件的具體細節內容，而獨立上訴委員會又在運作之中，基於上述理由，校方不便予以回應。</p>

25 February 2002



香港城市大學
City University
of Hong Kong

Professor K P Shum
Chairman
Federation of Hong Kong Higher Education Staff Associations
c/o Department of Mathematics
The Chinese University of Hong Kong
Shatin, N.T.

王佩蓉 啟
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Dear Professor Shum,

I refer to your letter of 5 February 2001 (sic) to our President. In your letter, you listed a number of complaints 'filed by several staffs (sic) of the School of Law' and sought the University's explanation on a number of issues. Professor H K Chang, our President, has asked me to thank you for your concern and to reply to your letter.

As I see it, the various issues put forward in your letter can be grouped into two broad categories --- those related to the contract renewal of staff in the School of Law whose employment with the University are due to expire at the end of the 2001-02 academic year, and those related to the offer of regular appointments to visiting staff. I would therefore attempt to respond to the various issues according to these two topics. Also, I note that the identity of the staff members who filed the complaints were not disclosed in your letter, whereas some other staff names were mentioned. In order to comply with the requirements of the Personal Data (Privacy) Ordinance, I am only able to provide a response in general terms without infringing upon the privacy of any colleagues.

Firstly, the University has in place a set of stringent criteria to assess staff for contract renewal purposes. These criteria include staff performance and contribution in Education, Research, Professional Activities, and Campus and Community Citizenship. According to the University's staffing procedures, the School Staffing Committee is charged with the responsibility to assess the suitability of the staff concerned according to these established criteria, and make respective recommendations to the Approving Committee. Race and ethnic origin of staff are certainly not matters of consideration.

With respect to the 2001-02 staff contract renewal exercise in the School of Law, seven of the staff members concerned have lodged appeals with the University against the decisions made by the Approving Committee on their respective cases. In accordance with the staffing procedures of the University, an independent Appeal Committee has been set up to consider their appeals.

The Appeal Committee is currently considering the appeals. The questions you raised in connection with the 2001-02 contract renewal of staff in the School of Law are matters being dealt with by the Committee. It is therefore not advisable for the University to make any comments on these aspects at this stage.

Secondly, with respect to the offer of regular appointments to visiting staff, it is not an uncommon practice among universities as visiting staff often form a potential pool of candidates for regular appointment considerations. At CityU, appointments of more than one year duration have to undergo rigorous selection by a formally constituted Appointment Committee. As of today, no offer of regular appointment has been made to any of the visiting staff currently serving in the School of Law.

The above information will hopefully provide you with an understanding of the staffing operations at CityU, and help to put the issues you raised in perspective.

I take this opportunity to wish you a happy Year of the Horse.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Peggy Wong', is written over a printed name and title. The signature is fluid and cursive, with a large loop at the beginning.

Peggy Wong (Mrs)
Executive Assistant to the President

Date: Wed, 20 Feb 2002 15:25:09 +0800 (CST)
From: Students' Union <su@plink.cityu.edu.hk>
Subject: [EBS] =?UNKNOWN?B?sE+qzKnbq923fKFHprPD9qprvsewfKSnpeioxsXcsMo=?=
To: Email Broadcast System Message 0000010474 <hidden-list@cityu.edu.hk>
Reply-to: Students' Union <su@plink.cityu.edu.hk>
X-CityUEBS: CityU Email Broadcast System Message id #0000010474

致校長、各副校長及全體教職員：

有關法學院近期的風波，同學及老師均作出了很多提問，而傳媒亦作出了廣泛的報導。作為學生會，為求讓公眾了解整件事的經過，謹此希望校方能就同學及老師的提問作出回應，故將舉行一個記者招待會，並邀請專上教職員聯會、學生關注小組、校方及法律界的代表出席是次記者招待會。記者招待如下：

日期：2月21日（星期四）
時間：下午1時正
地點：圓形廣場（康樂樓）

是次記者招待會，希望校方能就同學的提問作出回應：

1. 城市大學作為一個公營機構，法學院在決定一次過不與大批老師續約時，程序有否如外界所言有欠公平和公正？
2. 一次過不與大批現任教師續約，是否已充份考慮學生利益？
3. 超過十名老師同時不獲續約，法律學院對現時課程的延續性是否已作出充分考慮？課程重組是否已充份諮詢學生及教師的意見？

謹此希望 閣下能出席是次記者招待會。

學生會幹事會常務幹事
鄭麗文
二月二十日



手送及傳真(2788 8066)

香港城市大學
學生會幹事會常務幹事
鄭麗文同學

校長室
Office of the President

鄭同學：

二月二十日黃昏收到鄭同學來信邀請校長及各副校長出席 貴會於二月二十一日中午舉行之記者招待會。由於張校長正於海外公幹，各位副校長亦因 貴會通知倉卒，各人皆因有其他事務關係未能出席 貴會記者招待會，請予見諒。鄭同學在來信中向校方提出之有關問題，以下將逐一回應。

1. 城市大學作為一個公營機構，法學院在決定一次過不與大批老師續約時，程序有否如外界所言有欠公平和公正？

答：城市大學法律學院一向致力於為香港培養法律人材，因此極度注意學院的課程及教師素質。在聘任教師方面，大學有一系列完善、公平及公正的聘任程序，所有聘任及續約個案必須符合這些既定程序。關於近期法律學院有教師未獲續約一事，所有個案均經過學院人事聘任委員會及大學聘任批准委員會的評審。我們了解有教師對大學聘任批准委員會的結論感到不滿，並且向大學當局提出上訴。大學亦已委任上訴委員會處理此事。由於上訴過程仍在進行中，因此校方不便予以評論。

2. 一次過不與大批現任教師續約，是否已充份考慮學生利益？

答：法律學院的首要任務是培養法律專業的學生，我們的主要考慮都是以學生的利益為依歸。事實上，近年來大學致力於提升課程的水平，對師資的素質尤其重視，教師倘在教研方面未具應有的表現者，將會不獲續約，這項舉措最終也是為了學生們的利益。

3. 超過十名老師同時不獲續約，法律學院對現時課程的延續性是否已作出充份考慮？課程重組是否已充份諮詢學生及教師的意見？

答：未獲續約的合約教師，大學會在合約正式完結前數月通知他們。而大學每年亦會積極在世界各地物色及招聘優秀學者擔任教席，藉以保證課程的延續性，務使同學們的學習不受影響。據校方了解，法律學院在課程的安排上，一貫有徵詢學生及教師的意見。

希望以上的回應能解答鄭同學在信上所提出的問題。

香港城市大學校長室



校長行政助理王威碧華代行
二零零二年二月二十一日