

**Address part 1**

The Association of Professional Teachers in English Schools Foundation Schools represents approximately half of the teachers within the ESF. APTESFS acts to facilitate good relationships between its members and the ESF, to protect members' interests in a variety of situations and to work to improve conditions and terms of service for the membership.

The Association would like to confirm that the process by which the proposed new ordinance was constructed was a fair and transparent one which did not seem to deviate from the guidelines set down. The Association had no official position on the drafting of the new ordinance at the time, the majority of members feeling that it was rather a concern for the academic groups of the ESF, particularly the Staff Council and the various School Councils; having said that there were several APTESFS Representatives significantly involved in the process through their membership of those groups referenced above.

The only dissenting point that APTESFS would raise with this Committee is that while the process was correct a significant number of the membership did express concerns based around the fear that the consultative part of the process was rather perfunctory when it came to the opinions and concerns of teachers.

One example of this would be the decision not to include an APTESFS seat on the new Board of Governors. Teachers felt quite strongly at the time, and feel perhaps more so now given the poor morale, that there should be a member of the new board to represent the opinions of the professional teachers employed by the ESF. The constitution of the Board is a serious and significant matter, and APTESFS feels it very important that there be as many independent, but informed members on the Board as possible. Under the suggested Board structure there would be two teachers and one school Principal. These members would not be fairly classified as independent members of that Board as they will be acting always as employees of the ESF with a specific brief from within the ESF.

With that in mind APTESFS would ask that the Committee consider that, should the Legco members' seat be removed from the Board, as proposed by Mr. Tommy Cheung, then that seat be replaced, not with another Chair of School Governors as the ESF has suggested, but with a member to be selected from APTESFS. By doing this the Board would gain the double benefit of having another professional educator amongst its members AND another *independent member* who would be willing and able to act in a rigorous and challenging manner.

The Association thanks you for your time and consideration.

to insert within Section 4(1)(a) of the Ordinance, Objects and Powers of Foundation, the words 'without regard to disability or special educational need' (proposed by Mr Fernando Cheung).

## **Address Part 2**

The Association of Professional Teachers in English Schools Foundation Schools would like to express opinions on two further items; those being the possible Committee Stage Amendments (CSAs) proposed by Mr. Fernando Cheung.

The first of these CSAs suggests that there should be a change to the composition of the Board of Governors and School Councils so that these should both include representatives of parents of children with Special Educational Needs.

APTESFS cannot see that such a group should be afforded the guarantee of a seat on the new Board or on School Councils. Both bodies already have a significant existing parental representation allowed for, any individual members of which may or may not be the parents of children with Special Educational Needs.

If parents of children with Special Educational Needs were guaranteed such positions on either the Board of Governors or School Councils how would this be able to be described as fair? Should the Ordinance also have to state that as *this* group is guaranteed such membership that other parent-members should be selected only from those parents who do NOT have children with special educational needs? And would such a decision not open the way to other "special interest groups" to stake a claim to a guaranteed seat? Perhaps parents of children whose only language is English might be concerned that their children require constant and guaranteed representation.

The present arrangement guarantees parents seven seats on the Board of Governors. Any number of those could be parents of children with special educational needs, but that is not the point. The point is that those parent-members are on the Board to speak for the needs of all the parents of the ESF, not just small groups. To decide that one small group requires special access to a place on the Board would seem to presuppose that the parent-members who might otherwise be there are not able to represent the breadth of their constituency. If that is the case then we would seem to have cause for concern.

APTESFS does not believe it to be the case and suggests that the current structure of the Board, with-regards-to parent membership, be upheld.

Mr. Fernando Cheung's second proposal is to insert within Section 4(1)(a) of the Ordinance, Objects and Powers of Foundation, the words 'without regard to disability or special educational need'.

APTESFS cannot support this proposal and agrees entirely with the case as stated by the ESF in LC Paper No. CB(2)2780/06-07(01).

APTESFS is concerned that all of the practical and financial issues that would arise as a consequence of the proposed amendment to Section 4(1)(a) would become the burden of the teaching staff of the ESF. We believe that it would be left

primarily to the teachers to solve any such problems (those of lack of space, access to areas of the school and resources for all pupils, the time required to teach effectively to such a broad spectrum of pupils) and that that would significantly affect the teachers' terms and conditions of service. We believe that, rather than improving access for pupils with Special Educational Needs to the excellent standard of education offered by the ESF schools, this could in fact ultimately reduce the standard of education for all children in the ESF by placing an unfair, unnecessary and unmanageable burden on the teachers.

We ask that this suggested amendment not be acted upon, and that our teachers be allowed to continue to offer the high standard of education that they currently supply to ALL students, be they those with Special Educational Needs or those without.

The Association thanks you for your time and consideration.