

For discussion
on 7 May 2021

**Legislative Council Panel on Education
Teachers' Professional Conduct**

Purpose

Since the 'anti-extradition amendment bill' incidents in 2019, the Education Bureau (EDB) has received considerable number of complaints about suspected professional misconduct of teachers. This paper aims to brief Members of the progress of handling these by the EDB and the recommendations on further upholding the professionalism of teachers.

Background

2. Pursuant to the Education Ordinance, the EDB is the authority for registration of teachers. The EDB plays a gatekeeping role in the quality of teachers and is responsible for ensuring that all teachers allowed to teach in schools are fit and proper persons. Although the majority of our teachers are professional and responsible, we must not allow a few black sheep to affect students' learning and growth. We handle cases of suspected professional misconduct in a serious and prudent manner to safeguard students' well-being, uphold the professionalism of teachers and maintain the society's confidence in the teaching profession. It also does justice to all the teachers who are professional and responsible.

3. Under the Education Ordinance, the EDB may cancel the registration of a teacher if he/she is convicted of an offence punishable with imprisonment. In other words, if a teacher has committed an offence punishable with imprisonment (for example, tax evasion, theft, deception and bribery), we have to consider whether he/she should continue be allowed to teach, and whether we should cancel his/her teacher registration in accordance with the Education Ordinance, although the offence may not be directly related to his or her teaching. Being a role model for students, teachers' words and deeds have profound influence on students. Their words and deeds may not be directly related to their teaching, but they are a reflection of their moral standards and values and

may influence students. The EDB takes a serious view on teachers whose behaviour fails to meet the moral standards generally acceptable to society even though it does not necessarily involve criminal offence.

4. The EDB has been prudent in fulfilling its obligation in exercising its powers conferred by the legislation. The EDB handles all teacher misconduct cases from the perspective of education professionalism and in accordance with the Education Ordinance. The EDB considers follow-up actions, including issuing advisory, warning, reprimand letters or cancelling teaching registration, in light of the nature and gravity of the matters. Since 2003, an internal Task Force¹, comprising the Bureau's directorate officers, has been set up in the EDB to review all the cases which involve teacher registration. The EDB handles each and every complaint against teachers prudently in a fair, just, impartial and objective manner and in accordance with the established mechanism and procedures. Please see Appendix 1 for details.

Cases of professional misconduct

5. Since June 2019, the social turmoil has brought unprecedented impact on and challenges to the whole society including the education sector. The words and deeds of some teachers have aroused grave concerns and worries among people from all walks of life. From mid-June 2019 to end of December 2020, the EDB received a total of 269 related complaints about professional misconduct of teachers. We have broadly completed the investigation of 259 cases, of which 99 are unsubstantiated. Regarding the substantiated cases, as at end of April 2021, we have cancelled three teachers' registration according to the Education Ordinance and issued reprimand and warning letters to 42 and 43 teachers respectively, warning them that cancellation of teacher registration would be considered should they misconduct again. We have also issued advisory letters to 35 teachers and verbal reminders to 31 teachers, reminding them to refrain from activities that are detrimental to the image of the teaching profession, and to show respect to the behavioural norms acceptable to society. Also, among the cases that are initially substantiated, we are currently waiting for or considering the responses from the teachers of 17 cases. We will determine the appropriate follow-up actions in due course. There are 10 cases

¹ The Task Force is made up of four directorate officers of education grade. It is chaired by the Principal Education Officer (Professional Development and Training) who is responsible for teachers' professional development and registration and the other members include three Principal Education Officers from the School Development Division.

under investigation, including 8 cases which involve legal proceedings. Upon completion of the relevant procedures, we will consider their teacher registrations.

6. On the other hand, as at end of April 2021, three teachers were convicted for participation in unlawful activities relating to the social turmoil. Among these cases, we have cancelled the registration of one teacher in April this year and the other two teachers were summarily dismissed by their schools. We are studying the court documents and will consider their teacher registration when all legal proceedings are completed. Also, six teachers are being prosecuted for suspected serious offence. They have already been suspended from normal duties by their schools. We will continue to keep in view information from the court and actively follow up on these cases. In addition, four persons who claimed to be teachers are convicted. However, they are not registered teachers according to the EDB's record. As for other cases that the teachers have not been charged (or not yet been charged for the time being), we will continue to take note of the information from the court.

7. Apart from cases as mentioned above, the EDB also handles cases of teachers' violation of the law and professional misconduct, such as improper physical contact with students, inappropriate teacher-student relationship, corporal punishment, shop theft, dangerous driving, etc. Over the past two years (from January 2019 to April 2021), apart from the cases relating to the social turmoil as mentioned in paragraphs 5 and 6 above, there were 12 teachers whose registrations were cancelled or applications for teacher registration were refused. We have also issued reprimand letters to six teachers, warning letters to 41 teachers and advisory letters to 16 teachers. The numbers of follow-up actions taken by the EDB (including those related to the social turmoil) over the past two years are detailed at Appendix 2.

8. Besides, the Council on Professional Conduct in Education (Council) also accepts and handles complaints on professional misconduct of teachers and then gives advice (including recommendations on the punishment) to the EDB. Over the past two years (from January 2019 to April 2021), it received 62 complaints. Out of these cases, one is being investigated, one case is filed, seven cases are being scheduled for inquiry and four cases are put on hold. The remaining 49 cases were not filed, not accepted, not followed up or have been withdrawn.

Factors in considering the penalties

9. When considering whether the complaints are substantiated, we fully consider all the information collected, including the schools' reports. For considering the appropriate follow-up actions or penalty, we take into account the following basic principles and the severity of the cases: whether the words and deeds of the teachers concerned fail to meet the moral standards generally acceptable to society, whether they risk the safety of students and harm the healthy development of students, and also whether the values so demonstrated will have an adverse impact on the teaching profession or students' learning and undermine public's confidence in our teachers.

10. For cases involving legal proceedings, we would like to stress that the judgement made by the court is crucial but not the only reference. Since teacher registration concerns students' well-being, the EDB and the public have high expectations of teachers. Even if some of the acts are not illegal or are not convicted because of various reasons, they may still not be accepted from the perspective of the education professional or students' well-being. Therefore, we prudently consider all relevant information of each case, including the information provided by the teacher to the court and the judgement of the court, and consider from the perspective of education professionalism regarding the appropriate actions to be taken in respect of teacher registration, including consideration of cancelling their teacher registration.

11. Besides, as mentioned in paragraph 3 above, even if the words and deeds of teachers outside school may not be directly related to teaching, the EDB will still actively follow up because we cannot accept people with disorderly conduct, low moral standards and those who spread distorted values to serve as teachers. For serious cases (for example, disseminating the message of "Hong Kong independence", being imprisoned for breaking the law, etc.), even if they involve one single incident, we may still consider cancelling the teacher registration. For cases that do not warrant cancellation of teacher registration, we will issue reprimand, warning, advisory letters or verbal reminders according to the circumstances (for example, whether it is a single incident, the representation or explanation is reasonable and whether s/he has shown sincere remorse, etc.).

Case analysis

12. The teacher professional misconduct cases handled over the past two years are broadly related to the circumstances as described in the ensuing paragraphs. Some of the cases involve multiple allegations and the circumstances in each case are different.

Inappropriate teaching materials

13. The EDB attaches great importance to the quality of learning and teaching resources. We have put in place a rigorous textbook review mechanism and have been elucidating to schools, through guidelines, circular memoranda and professional development programmes for teachers, etc., the requirements and criteria for selecting learning and teaching resources, emphasising that teachers should be prudent in the choice of school-based teaching materials to ensure that they are in line with the curriculum aims and objectives set by the Curriculum Development Council and meet the ability and learning needs of students. The contents and information provided in the materials should be correct, objective and impartial. The school management has the responsibility to monitor the content and quality of the school-based teaching materials selected and/or developed by teachers so as to safeguard students' well-being. The school management is also responsible for reminding teachers to guide students in an objective, rational and impartial manner and refrain from promoting their political views to students. In view of the social turmoil, we provided relevant guidelines in a letter issued to all schools in August 2019, stating clearly that teachers should express their views in a peaceful and rational manner and in compliance with the regulations of their schools, and should respect diverse views, in class teaching as well as beyond the classroom. When selecting topics and guiding students in discussions, teachers should consider whether such topics and discussions are suitable for students' learning and development stages. Furthermore, they should adopt diversified materials and analyse from different perspectives to help students develop rational and objective analytical and inductive skills, and to express views in a peaceful, rational and respectful manner.

14. However, quite a number of the complaints still involve inappropriate teaching materials. Among these cases, there were problematic teaching materials being used due to negligence or insufficient sensitivity of the teachers. There were also use of a large quantity of teaching materials that were biased,

one-sided and negative, misleading and even incorrect, trying to impart biased or twisted concepts to students, arouse students' hostility towards our nation, the Hong Kong Special Administrative Region Government or certain groups of people. Some teachers added their personal and subjective views when marking students' assignments, or even challenged students' viewpoints. Some teachers distributed articles or footages to students for extended learning at home while the teachers had not viewed the materials beforehand. When reading or browsing these biased materials without guidance, some of the students might be easily influenced. Some teachers provided links of media news reports or footages on related issues to help students better understand the current affairs and encourage them to care about the community, but such news reports or footages were one-sided, failing to help students understand the current affairs and care about the community. On the contrary, these materials made students anxious and get to hate certain groups of people and issues.

Posting inappropriate messages on the social media

15. During the social turmoil, complaints were made against many teachers for posting messages that contained extreme views and strong hatred on the social media platform. These messages included of vulgar, foul and abusive languages, insulted and cursed against other people, showed support or even encourage students to participate in activities like political assemblies and forming human chains. Some teachers argued in their representations that these messages were merely posted in their social media accounts for expressing personal views or feelings only. Besides, the accounts were set for "friends only", and so they saw nothing wrong with this. Some teachers claimed that they did not write these messages as simply forwarded them. Others said that they shared their accounts with their family members and had no knowledge about the posts.

16. We do not accept these explanations. First of all, teachers should display proper conduct and high moral standards. They should show respect to others inside and outside schools regardless of whether students are present or not. We trust that the general public will not accept teachers to behave well only in front of students, but misconduct themselves when students are not there. In fact, the EDB and the community all along do not accept teachers using vulgar and abusive languages outside work, not to mention about disseminating messages that are discriminatory, defamatory, illegal, insulting, cursing or

inciting hatred. Moreover, when the messages on social media can often be forwarded outside their circles (including students and parents), they have gone beyond the so-called “private” or “friends only” area. In the cases we have handled, the comments made by many teachers on the social media were widely circulated or even reported by the media. The words of teachers reflect their deeds and values, which influence not only on the development of students, but also the reputation of the teaching profession. In practice, the action of forwarding posts is disseminating the messages to other people. So, forwarding posts which contain illegal, insulting, cursing and hate messages is in fact spreading such messages to more recipients. As such, teachers who forward inappropriate posts should be responsible for the dissemination of the related posts. Besides, teachers have the responsibility to handle their social media accounts properly and be responsible for whatever posts uploaded onto their accounts.

Disorderly conduct

17. There are also other cases that involve a wide range of matters such as use of insulting nicknames to call their students, exercising corporal punishment, having improper physical contact with students and developing inappropriate teacher-student relationship after school. As a role model for students, teachers should be mindful of their words and deeds and also should properly manage their emotions. If students have learning or behavioural problems, teachers should handle and guide them with patience and in an appropriate manner. They should not treat students coarsely and should never resort to corporal punishment. Outside classroom, teachers should never take advantage of students’ trust on them and engage them in inappropriate or even unethical matters. There are also teachers who behaved disorderly outside schools, and some even violated the law, such as convicted of theft and dangerous driving.

18. In order to give the public a general idea about the cases that we handled, we have selected some examples to illustrate the professional misconduct of teachers, the actions we have taken and the considerations behind these actions (please see [Appendix 3](#) for details). We stress that given the different circumstances, levels of severity, impacts on students and the teaching profession as well as the representations and reflections of teachers involved in each case, and that some of the cases may involve multiple allegations, it is not appropriate to make simple and direct comparison among these cases. The

purposes of giving an overview of these cases are to enable the public to better understand the issue of teachers' conduct, the actions taken by the Bureau and to provide some reference for the teaching profession to reflect about their words and deeds.

Role of schools

19. Schools are places to provide education. Schools should be responsible for providing students with quality educational services, guiding and coaching them to grow healthily. Schools must appoint qualified teachers and be responsible for the teaching they provide. Schools should supervise their teachers, reminding them of the behaviour and conduct required and ensure the appropriateness of the contents and quality of the teaching materials they select and/or develop for students. Teachers should be reminded to guide students in an objective, rational and impartial manner without imparting their political views to their students. Schools should pro-actively follow up on the misconduct of their teaching and non-teaching staff and take disciplinary actions as appropriate for safeguarding the well-being of students. If teachers are involved in criminal proceedings (including offence committed outside school, irrespective of whether the offence is related to their duties or not), they have the responsibility to report to their employers, that is, the schools. If schools learn that their teachers are suspected of involving in serious offences or acts of misconduct, they are required to report to the EDB. The relevant guidelines are provided in the *School Administration Guide* (paragraph 7.8.1, Chapter 7) . School leadership and supervision of teachers are important indicators of school performance. The EDB will seriously follow up on any mishandling by schools.

20. If a teacher is found to have committed an act of professional misconduct or have misbehaved, the school should take disciplinary action while complying with the relevant provisions in the Employment Ordinance and the terms of the employment contract signed with the teacher concerned. In the case of aided schools, they should also make reference to the Codes of Aid. As the school sponsoring body of government schools, the EDB has stringent requirements on the professional conduct of their teachers. The Civil Service Regulations and the Public Service (Administration) Order also provide clear and definite mechanisms on disciplinary action. If a government school teacher is found to have committed an act of misconduct, we will impose punishment in accordance with the related mechanisms, including verbal or written warning,

reprimand, severe reprimand, imposing a fine, reduction in rank, reduction in salary, compulsory retirement and dismissal, etc. In staff management, aided schools, subject to the relevant provisions in the Employment Ordinance and the Codes of Aid, should take appropriate disciplinary action as the circumstances may require, including verbal or written warning, withholding annual increment, suspending the teacher from normal duties, reduction in rank, dismissal and summary dismissal. For the cases completed by the EDB, some schools have already imposed different levels of punishment on the teachers concerned having regard to the nature and gravity of the incidents.

21. To support schools in appointing fit and proper persons as teachers, the EDB issued a circular to the schools on 22 May 2020 to provide an updated checklist in the appointment of teaching and non-teaching staff in schools, including the requirement for schools to apply to the EDB for providing information on the teachers' registration status before appointment. The information provided by the EDB will include whether the registration of the potential appointees is still valid, whether the registration/application has been cancelled/refused, and whether reprimand/warning/advisory letter in connection with the teacher registration has been issued. From 22 May 2020 to end of April 2021, we received a total of about 5 100 enquiries, representing a substantial increase over the previous years when about 130 enquiries were received per year. This shows that schools have made good use of the channels provided by the EDB to ensure that the appointees are fit and proper persons for employment. Furthermore, we have also required the applicants to declare to the schools whether they are involved in any on-going criminal proceedings or investigations to the best of their knowledge, including arrest or apprehension by the police, or whether they are being investigated by schools or the EDB over any allegations.

Proposed measures

Speeding up the process

22. In the past (before June 2019), most complaints were about teachers involved in criminal offences. There were few complaints about teachers posting hate messages on the social media platforms, inciting students to participate in political activities, disseminating personal political views to students, or teaching distorted and biased content. Both the EDB and schools

needed more time to handle the complaints and discuss the matters when handling the above-mentioned 269 cases. During the process, the EDB had maintained close communication with schools to help them determine the scope of investigation. Schools will be required to clarify and provide supplementary information to the investigation reports, or even conduct further investigation if necessary. In addition, owing to the COVID-19 epidemic, the progress of investigations for many cases were affected. The suspension of face-to-face lesson or the adjustment of school hours had affected the procedures like schools' interviews with the related teachers and/or students, thereby affecting the investigation progress. Some schools reported that the teachers concerned refused to respond to the complaints or requested extension of deadline for submission of responses with various excuses. As a result, they were unable to submit the investigation reports to the EDB in a timely manner. Upon receipt of schools' reports, the EDB would examine the reports carefully and invite the teachers concerned to submit representations. This often involved multiple rounds of discussions and requests for supplementary information from schools. Some teachers also asked for extension of deadline for submitting their representations for different reasons. The number of cases the EDB handled is three to four times more than that in previous years. The nature of the cases are more complicated and controversial. Therefore, for some cases, it took quite a long time to complete investigation and take follow-up actions.

23. Drawing reference from the experience of handling 269 cases, the EDB will refine the procedures and provide more support to schools in carrying out the investigations. First of all, we will consolidate the good practices adopted by some schools to provide reference for other schools, with a view to facilitating future investigations. We will compile an investigation checklist (detailing the principles and procedures of investigation, time limit for report submission and follow-up items) and a template of school investigation report (including examples of case reports) for schools, with a view to improving the efficiency of investigation. Meanwhile, the EDB will review its internal processes and strengthen its internal communication and co-ordination. Also, decisive actions will be taken towards uncooperative teachers. We will endeavour to speed up the process on handling suspected professional misconduct cases, while maintaining the principles that the teachers have the chance for representations and that full consideration will be given to all relevant information.

Enhancement of transparency

24. To enhance the transparency in the handling of misconduct cases, the EDB plans to release the numbers of completed cases and cases being followed up on a regular basis. We will also provide examples of cases to illustrate the penalties on misconducted teachers and the considerations involved for general information of the public and reference of schools. This can help schools strengthen the management of teachers, enhance the sensitivity of teachers on their words and deeds, and enhance their sensitivities in law-abiding.

Strengthening the management of teachers in schools

25. For the cases that we have completed, we found that schools, as employers, normally take disciplinary actions against the misconducted teachers according to the school-based mechanism. These actions include issuing verbal or written warning, removing the teachers from the post of panel head or vice-principal, withholding salary increment, suspending the teachers from normal duties without pay, extending the acting period and non-renewal of contracts, etc. In addition, schools would strengthen the supervision of the teachers in question (for example, carrying out class observation and reviewing the teaching materials used by the teachers concerned) and review the school-based mechanism on the development and usage of teaching materials, etc. Nevertheless, we notice some differences among schools in handling professional misconduct cases and taking follow-up actions. Besides, schools can have difficulties on sharing the details and the experience in handling the cases because of the need of confidentiality. To help schools adopt a more consistent approach in the penalties for misconducted teachers, we will consolidate the arrangements in different schools. We will also enhance the liaison with school sponsoring bodies and schools for case sharing and exchange of experience in disciplinary actions, so as to facilitate school sponsoring bodies in drawing up their own guidelines on the matters. After completion of investigation, we continue to maintain communication with the schools concerned and provide advice on the follow-up work when necessary. We will also issue a checklist (see paragraph 23) to remind schools of the needs to seriously consider the appropriate punishment/follow-up actions (including supervision, improvement proposals, issuing verbal or written warning, withholding annual increment, suspension from normal duties or dismissal, etc.).

Conducting criminal record check on registered teachers on a regular basis

26. In tandem, the EDB will strengthen its role as a gate-keeper to prevent appointment of persons who are not fit and proper to teach. Apart from the requirement of teachers or applicants to report to the schools if they are involved in criminal proceedings as mentioned in paragraph 19, the EDB plans to introduce a mechanism to conduct criminal record check on registered teachers on a regular basis. Starting from the 2021/22 school year, we will conduct comprehensive criminal record check on all registered teachers every three years. The purposes are to identify any unreported information during the period when the registered teachers are not in active service, and to prevent intentional and unintentional omissions to further safeguard the well-being of students.

Requirements for re-registration

27. Pursuant to the Education Ordinance, once the teacher registration is cancelled, the teacher concerned shall not teach in or enter a school. While the Education Ordinance does not provide for barring any person whose teacher registration has been cancelled from making fresh application to become a registered or permitted teacher again in the future, as a general rule, we normally will not approve applications from such persons. In other words, cancellation of registration is considered as equivalent to “disqualification for life”. Some commented that as far as the actual impact on teachers is concerned, there is a wide difference between reprimand and cancellation of registration. Some people suggested that the EDB should explore other forms of punishment such as introducing a specified period in the cancellation of teacher registration. We agree that in some relatively serious cases which do not warrant “disqualification for life”, we can only issue reprimand at the moment. In order to narrow the gap between reprimand and “disqualification for life”, when cancelling a teacher’s registration, we will stipulate that the application for registration of the teacher will not be considered within a specified period of time (say, three years). We stress that the EDB has the responsibility to ensure that all the teachers permitted to teach in a school are fit and proper persons to be teachers for safeguarding students’ well-being. Any person whose registration has been cancelled is required to provide strong justifications when making a fresh application for registration to prove that he/she is “a fit and proper person” to be a teacher. On the premise of protecting the safety and interests of students, we will prudently consider the suitability of allowing certain individuals to return to schools. Generally speaking, if the application concerned is refused again, we will not consider the application again within a certain period of time (say,

three years). For teachers with serious misconduct, we will firmly adhere to our practice of “disqualification for life” and re-registration is definitely not allowed for cases involving the safety of students.

Strengthening teacher training

28. The EDB is committed to raising the professional quality of teachers so as to maintain a teaching profession with high professional conduct. First of all, we will enhance communication with teacher education institutions for putting more emphasis on values education, strengthening the content on teachers’ professional conduct in pre-service training and contents on the Constitution, the Basic Law and national security education. Moreover, the EDB will further promote continuing professional development of teachers through various kinds of professional development programmes and activities. On in-service training, the EDB has rolled out designated professional development programmes for newly-joined teachers, in-service teachers and teachers aspiring for promotion to middle management starting from the 2020/21 school year. The training programmes include 30 hours of core training covering teachers’ professional roles, values and conduct, local education policies and initiatives or the Education Ordinance, as well as topics relating to national and international education development. Launched in November 2020, the programmes were well received by teachers and similar programmes have also been provided for school principals and managers. We will review the modes and contents of these programmes on an on-going basis to address the needs of teachers, school principals and school managers in a more comprehensive manner.

Advice sought

29. Members are invited to note and comment on the contents of this paper.

Education Bureau
April 2021

Mechanism for Handling Professional Misconduct of Teachers

Upon receiving a complaint against a teacher, the EDB will request the school to conduct an investigation and submit a report. Having regard to the nature and severity of the complaint, the school will assign designated staff as appropriate or set up a task force (if applicable) to handle the complaint according to the school-based mechanism. In the process of investigation, the school will inform the teacher concerned about the details of the complaint so as to let him/her give explanations on the case. The school will also meet with other people concerned (such as other teachers and students) as necessary, and scrutinise other relevant information (such as teaching materials). Upon receipt of the school's report, the EDB will examine its content carefully and request the school to submit supplementary information as appropriate. The EDB will fully consider all the information collected and all the relevant factors, including the school's report, the teacher's representations, the existing legislations, EDB guidelines, visions, goals and aims of the curriculum, etc, and review whether the education of the students is promoted in a proper manner by the teacher concerned. The teacher concerned has full and fair opportunities for making representations and self-defence, including the submission of representations with knowledge of possible cancellation of his/her registration. Should the teacher be not satisfied with the decision of cancellation of his/her registration, he/she may appeal to the Appeal Boards Panel within 21 days. The above mechanism ensures that the teacher concerned is treated fairly and impartially.

2. The Education Commission set up the Working Group on Promoting and Upholding Teachers' Professional Conduct¹ in 2013 to conduct a review on the relevant mechanism. In its review report issued in 2015, the working group affirmed that the prevailing mechanism has been working effectively and was satisfied with the mechanism under which the EDB is playing the monitoring role. Since members of the internal Task Force are experienced education professionals and have listened to the views of frontline principals and teachers through different channels on a day-to-day basis, the internal Task Force has sufficient understanding of the work of frontline teachers and the teaching

¹ The Working Group on Promoting and Upholding Teachers' Professional Conduct comprises both industry members and lay members including university professors, representatives of school sponsoring bodies, representatives of teachers' associations, frontline teachers and independent persons from different professional sectors.

environment, and can make proper recommendations to the Permanent Secretary for Education. The working group was satisfied with the mechanism. In addition, the Appeal Board which considers the decisions of the Permanent Secretary for Education also has the participation of experienced registered teachers. The working group did not recommend to involve outside teachers in the investigation work of the internal Task Force regarding complaints on misconduct.

Numbers of cases of violation of the law and professional misconduct involving teachers against which disciplinary/follow-up actions were taken by the Education Bureau

The numbers of cases of violation of the law and professional misconduct involving teachers handled by the Education Bureau against which disciplinary/follow-up actions were taken around the past two years (January 2019 to April 2021) are as follows:

Year	Type of cases	Disciplinary/follow-up actions taken				
		Cancellation/ refusal of the registration of teachers	Reprimand letters	Warning letters	Advisory letters	Verbal reminders issued and recorded
2021*	Related to social turmoil	2 [#]	17	28	12	9
	Other cases	1	2	6	3	1
2020	Related to social turmoil	2	20	14	16	22
	Other cases	5	4	15	4	6
2019	Related to social turmoil	0	5	1	7	0
	Other cases	6	0	20	9	14

* Figures refer to the position as at end-April 2021

Including a teacher who was convicted by the court

Examples of Professional Misconduct of Teachers and Follow-up Actions Taken by the Education Bureau

We have consolidated some cases involving professional misconduct of teachers from January 2019 to April 2021 for illustration and reference purposes. In this connection, we stress that the circumstances, levels of severity, impacts on students and the teaching profession as well as the representations and reflections of teachers in individual cases are different, and some of them may even involve multiple allegations, we should not make a simple and direct comparison among cases. The purposes of consolidating these cases are to let the public better understand teachers' conduct and the actions taken by the Education Bureau (EDB) to serve as reference for the teaching profession on reflecting on their words and deeds.

(1) Cases involving teaching contents

Teachers must ensure that their teaching is in line with the curriculum guides, including the learning goals, values and attitudes. They should conduct lesson preparation and teaching work seriously, deliver proper contents and mark students' assignments conscientiously. Appropriate feedback should also be given to students. Teachers should never instil unlawful, defamatory, insulting, obscene or factually incorrect information; impart incorrect and distorted concepts to students; arouse their hatred to certain countries, nations, people or issues; support or encourage students to participate in unlawful and violent activities; bring politics to campus; and undermine students' sense of national identity, etc. It is also the responsibility of school heads/principals and panel chairpersons to perform gatekeeping duties. Examples of the misconduct cases include:

- (i) A teacher intentionally disseminated the message of "Hong Kong independence". Some biased and distorted contents were also found. Such act has seriously breached professional conduct of teachers.

Disseminating the message of “Hong Kong independence” does not align with the constitutional and legal status of the Hong Kong Special Administrative Region (HKSAR) under the Basic Law. In fact, the EDB has repeatedly stressed since 2016, via various channels such as issuing letters to schools, that the HKSAR is an inalienable part of the People's Republic of China according to the Basic Law and that “Hong Kong independence” does not align with the constitutional and legal status of the HKSAR under the Basic Law. Any proposals or activities advocating "Hong Kong independence" must not exist in school campuses. We cancelled the teacher’s registration and reprimand letters were issued to the head and deputy head of the school concerned for failing to perform the gatekeeping duties. Other teachers who taught the same topic but failed to raise any question or concern on the issue were also held responsible and warning letters were issued to them as well.

- (ii) A teacher taught completely wrong contents and confused right and wrong when teaching historical events. The teacher concerned not only lacked basic subject knowledge and common sense, but was also unable to understand the textbook or teaching materials. The teacher even seriously neglected the basic duty of preparing for lessons. The teacher’s teaching was based on personal wild guesses, or even casual thoughts, resulting in wrong and weird narration in the self-learning materials produced for students. From the perspective of professional teaching, this case involved serious mistakes which reflected that the teacher not only lacked basic competence in teaching but also lacked the proper attitude expected of teachers. The teacher only taught with his wild guesses, which would cause serious harm to the learning and development of students. The EDB cannot put the well-being of students in the hands of such a teacher and we trust that parents and the society would share the same view. We cancelled the teacher’s registration and a reprimand letter was issued to the panel chairperson for failing to perform the gatekeeping duties.

- (iii) A teacher continuously used a large amount of one-sided and biased teaching materials. The contents included political issues that were still developing, contents without support by evidence or even distorted facts; showed disrespect to others; messages that spread hatred, biased views; imparted distorted values to students; one-sided in defaming the nation and arousing students' hostility towards the nation and Chinese people and undermining students' sense of national identity. The above values and behavior in teaching are against the professional conduct expected of teachers. Such acts fell short of the society's expectations and brought negative impacts to students' learning. We cancelled the teacher's registration.
- (iv) A teacher played a song with strong political messages in class. Although the teacher expressed that the focus of teaching was on the melody rather than the lyrics, we considered that the song concerned was not the only material that could illustrate the related topic. Another teacher allowed students to play the song in class. As teachers should not bring politics into their teaching, they should not use songs expressing political demands (or even with anti-government or "Hong Kong independence" messages) as teaching materials, or allow students to play that song in class. It was also the teacher's responsibility to correct students' thinking and acts. They should not simply follow students' choices. Reprimand or warning letters were issued depending on the actual circumstances of the cases.
- (v) A teacher included hateful or indecent contents or groundless allegations in their teaching materials, and imparted his/her personal views on political incident to students in the teaching process. We issued a reprimand letter to the teacher concerned.
- (vi) A teacher of a tutorial school provided students with teaching materials containing vulgar languages and allowed students to use vulgar languages in class. We issued a reprimand letter to the teacher concerned.

(vii) A teacher selected teaching materials that satirised certain individuals and affairs based on his/her political inclinations. We issued a warning letter to the teacher concerned.

(viii) A teacher express his/her discontent towards certain individuals and affairs when marking students' assignments. We issued a warning letter to the teacher concerned.

(2) Cases involving foul language

Among the professional misconduct cases handled by the EDB, many are related to teachers posting messages with indecent and foul language on their social media. Taking into account various factors such as the number of posts, whether students and the professional image of teachers were affected and the background of the incidents, etc., warning letters or advisory letters were issued to the teachers concerned. If other improper messages (e.g. hatred, insult, obscenity, etc.) were also included, reprimand letters were issued to the teachers concerned. Examples include the following:

(i) A teacher posted on the social media messages containing vulgar language and indecent expressions (related to sex). We issued a reprimand letter to the teacher concerned.

(ii) A teacher posted on the social media messages containing a lot of vulgar language, as well as comments which insulted other people and the national flag. We issued a reprimand letter to the teacher concerned.

(iii) A teacher made extreme comments and used vulgar languages on the social media. We issued a warning letter to the teacher concerned.

(3) Cases involving hate and insulting remarks

Regarding the cases handled by the EDB that involved teachers making hate or cursing messages on their social media platforms, follow up action was taken as appropriate after considering factors such as the gravity of the case, impact on students and the professional image of teachers, etc. For most of the cases, reprimand letters were issued to the teachers concerned. Examples include the following:

- (i) A teacher uploaded some cursing messages onto the social media, arousing grave concern in the society and causing serious detriment impact to the professional image of teachers. We issued a reprimand letter to the teacher concerned.
- (ii) A teacher uploaded some cursing messages onto the social media. Though the messages were not widely circulated, they contained vulgar language. We issued a reprimand letter to the teacher concerned.
- (iii) There were cases which hurled groundless allegations in social media posts, some even contained insulting remarks or the photos and personal data of certain individuals. We issued warning letters to the teachers concerned.
- (iv) There were cases which referred people as animals, and some even used vulgar or discriminatory languages against individual groups or persons. We issued warning letters or advisory letters to the teachers concerned.

(4) Inappropriate words and deeds which encourage students to participate in political activities

- (i) There were cases that teachers posted on the social media messages about political activities to show support for or encourage students to participate in the activities. We issued reprimand letters to the teachers concerned.
- (ii) There were cases in which the teachers concerned made inappropriate hand gestures that carried strong political messages when taking photos with students. Warning letters were issued to the teachers concerned.

(5) Inappropriate words and deeds and contact with students

- (i) A male teacher was found to have seriously inappropriate conversations with a junior secondary female student in a social messaging application, among which many involved sex-related topics and contained sexually suggestive and seductive messages, which was in serious breach of teachers' professional conduct. We cancelled the teacher's registration.

- (ii) Some teachers imposed corporal punishment on students. We issued reprimand letters or warning letters to the teachers concerned having regard to the level of severity.
- (iii) A teacher used inappropriate language and physical contact in class, embarrassing individual students. We issued an advisory letter to the teacher concerned.

(6) Other unlawful or inappropriate acts

- (i) A teacher was sentenced to imprisonment for possession of offensive weapon. We cancelled the teacher's registration.
- (ii) A teacher was sentenced to a community service order by the court for under-skirt clandestine photo-taking. To prevent the possibility of the retired teacher acting as a supply teacher in future and for the sake of protecting students, we cancelled the teacher's registration.
- (iii) A teacher was sentenced to imprisonment for repeated tax evasion. We cancelled the teacher's registration.
- (iv) A teacher altered students' examination papers so that the students in his/her class had higher marks. We issued a reprimand letter to the teacher concerned.
- (v) A teacher was fined by the court for shop theft. We issued a warning letter to the teacher concerned.