

Education (Amendment) Bill 1999 (Third Submission by the Administration)

Purpose

This paper responds to the outstanding issues raised by Members of the Bills Committee.

Detailed document on core attributes

2. The Administration has provided, at the Annex of its second submission, an outline of the core attributes a selection panel should consider in assessing an applicant's suitability for appointment as a principal/teacher. Members have asked for a more detailed document elaborating on the core attributes. At Annex A for Members' reference is a draft working paper which, subject to further refinement, will form part of a future circular from the Education Department (ED) to schools.

Draft Committee stage amendments

3. The Administration intends to move Committee stage amendments to allow an aided school to employ a person aged 60 years or more as a teacher :-

- (a) on a temporary basis; or
- (b) where the person fills a post that falls outside the teaching staff establishment of the school approved by the Director of Education from time to time.

These amendments are substantially in the form set out in clause 7 of Annex B (the other amendments in Annex B are textual and drafting improvements).

Observer from ED during selection process

4. Members queried why, in the proposed recommended procedures on the selection of new principals and teachers, there is a provision that "if required, Education Department representative will join the selection panel as an observer".

5. The Administration is of the view that since the discretion to approve an application for extension of services is vested in the Director of Education, she needs to be able to collate information which she considers necessary to enable her to make a decision. The Director therefore needs to have the flexibility to send her officers to observe the selection process as necessary. In practice, we envisage that the cases ED will concentrate on are those where :-

- (a) ED has been invited by the SMC concerned to observe the selection process;
- (b) ED has received reports that the selection process is not conducted in an open, fair and/or transparent manner; or
- (c) the school concerned has been the subject of previous complaints of not selecting staff in an open, fair and/or transparent manner.

6. When ED issues the circular to schools to explain the selection procedures, it will encourage schools to seek early assistance from the Department if they need advice on how to conduct the selection process in an open, fair and transparent manner. The role of the ED observer is purely to observe. He will not be a member of the selection panel constituted by the SMC, and he will not take part in the selection panel's deliberation process.

Direct Subsidy Scheme (DSS) Schools

7. The Administration does not agree that the application of the Bill should be extended to DSS schools. DSS schools were recommended by the Education Commission in its Report No.3 published in June 1988. The concept of DSS is of a scheme under which the Government can subsidise and encourage the growth of a strong private school sector, while allowing schools the maximum freedom with regard to curricula, fees and entrance requirements that is consistent with basic educational standards.

8. DSS schools are subsidised on the basis of the average unit cost of an aided school place. DSSs are given greater flexibility, as compared with aided schools, in the deployment of resources,

curricula, medium of instruction, etc. On employment and personnel matters, DSS schools have autonomy to decide on terms of appointment, salaries, promotion, retirement, etc. It is also worth noting that while DSS schools receive subsidy from Government and are given more flexibility in their operation, they have to compete with other schools for students.

9. The rationale behind DSS schools, and hence their regulatory regime, are intended to be different from those of aided schools, to encourage the development of a broader diversity of schools. It will be inappropriate to pick and compare an individual difference between DSS schools and aided schools. The Administration is of the view that the overall package of regulations on DSS schools is appropriate. The Administration does not see a case to extend the application of the Bill to DSS schools.

Education and Manpower Bureau
February 2000

DRAFT

**Core attributes a selection panel should consider in
assessing an applicant's suitability for appointment as a
principal/teacher**

This list is by no means exhaustive and is for reference only. SMC should set its own criteria for the selection of candidate to fill the post. The selection panel should aim at identifying candidates who possess as many of the core attributes listed below as possible. The panel may assign different weightings to the attributes taking into account the circumstances of the school and the post being applied for.

- A Beliefs and Outlook: the selection panel should have a frank and open discussion with the applicant on the educational beliefs and outlook of the school. The panel should detect at an early stage if the applicant's beliefs and outlook are in line with those held by the school, since ironing out differences after employment is not always possible.
- B. Health: the selection panel should satisfy themselves that the applicant is physically fit for the post, especially for senior posts which can be demanding.
- C. Personality, including attributes such as trust, generosity, assertiveness, fairness, honesty, openness, empathy, diligence, patience, etc.
- D. Knowledge and Skills in student learning, curriculum, technologies, quality assurance, staff management, general management, leadership, rules and regulations, communications, crisis management, personal organisation, living with others, visionary thinking, strategic thinking, organisation culture, etc.
- E. Experience: the applicant may not have had the opportunity to work for the post being applied for. The selection panel should therefore not only look for records of past

performance, but also the potential of the applicant in discharging the duties of the post being applied for.

- F. Professionalism including self-motivation in continuing professional education, networking with peers to share professional growth and career planning.