

RECOMMENDATION No. 39
TO THE MINISTRIES OF EDUCATION
concerning
THE STATUS OF SECONDARY TEACHERS
(1954)

The International Conference on Public Education,

Convened in Geneva by the United Nations Educational, Scientific and Cultural Organization and the International Bureau of Education, and having assembled on the fifth day of July, nineteen hundred and fifty-four in its seventeenth session, adopts on the thirteenth day of July, nineteen hundred and fifty-four, the following recommendation:

The Conference,

Considering on the one hand that outside the classroom, and without distinction of sex, race, colour religion, opinion, or personal beliefs, secondary teachers like all educationists, should be free to exercise their civic rights, in accordance with the Universal Declaration of Human Rights; but, on the other hand, that their mission as educationists imposes on them duties towards the children, whose conscience and personality they should respect, towards the families who entrust their children to them, and towards the community in which they are called upon to serve.

Considering that the status of the teaching profession as a whole depends largely on its internal unity, its good relations with the education authorities, the extent to which teachers are consulted in matters affecting both their conditions of work and the standards and content of education, and on the freedom of teachers from direction in matters of personal convictions, it being understood that this freedom does not

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entitle teachers to impart such convictions to their pupils in spite of the rights of the children and parents,

Considering that secondary teachers, in common with others, contribute to their prestige by the quality of their spiritual and intellectual contribution to the nation's life, by bearing their share, individually, in the social demands of their local communities, and by displaying a spirit of service in the interests of their pupils which is evidenced outside as well as inside the hours of paid employment,

Considering that good conditions of service are necessary to attract to the teaching profession suitably gifted young men and women, in sufficient numbers to satisfy the increasing need and demand for secondary education,

Considering that the future general level of thought and culture is largely dependent upon the quality of secondary school teachers and that everything possible should be done to ensure the high standard of the quality of these teachers, both at the beginning of and throughout their careers,

Considering that the status of secondary teachers is closely linked with their professional training, which is the subject of Recommendation No. 38 concerning Secondary Teacher Training, adopted by the Conference in its present session,

Considering that important developments are constantly occurring in the content and methods of education, and that secondary teachers should be afforded every opportunity by employing authorities to keep abreast of such developments,

Submits to the Ministries of Education of the several countries the following recommendation:

Administrative and professional status

1) There should be statutes or regulations governing the administrative status of secondary teachers in publicly maintained schools,

2) Authorized representatives of secondary teachers should have the opportunity and the responsibility of sharing in the shaping of policies which affect their conditions of service;

3) The administrative and professional status of secondary teachers, whether public servants or not, should in no case be inferior to that of other public servants or of members of other professions and occupations with equivalent qualifications, training and responsibilities;

4) Secondary teachers should enjoy the maximum security of tenure; where it does not prove possible to make their appointment permanent, they should be given long-term appointment with the possibility of renewal;

5) Secondary teachers should freely enjoy all civic rights, including a recognized right of joining whichever professional associations they prefer, these associations being qualified to represent them;

6) The application of the regulations concerning the rights and the duties of secondary teachers should be the responsibility of suitably constituted bodies which should not be subject to extraneous pressure of any kind;

7) Each secondary teacher should be kept informed of such official evaluations as are made concerning him; these should be known only to the teacher and his appropriate superiors, and the teacher should have the right, should an evaluation be unfavourable, to an independent evaluation;

8) In the event of unsatisfactory work or conduct on the part of a secondary teacher, the penalties as defined in the relevant regulations should be applied objectively, and the teacher should have the right of appeal to the appropriate authorities if he feels that he has been treated unjustly;

9) Secondary teachers should also have the right of appeal if they feel that the administrative provisions as specified in the statutes or regulations have been unjustly applied to them;

10) As a general rule authorized representatives of secondary teachers should form part of the bodies responsible for examining appeals lodged by such teachers against decisions concerning them made by the education authorities.

Appointment and promotion

11) The procedure for the appointment of secondary teachers should be as simple as possible and should be carried out with complete objectivity; it should take account, among other things, of candidates' qualifications and ability, and the required minimum qualifications should be fixed by law;

12) In making appointments for which both men and women candidates are equally qualified and in circumstances where the appointment of either would be suitable, there should be no discrimination because of sex;

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13) In making appointments care should be taken to avoid unjustified distinction because of teachers' race, religion, colour or nationality;

14) Suitably qualified and experienced secondary teachers should be regarded as eligible for appointment to any teaching or administrative post throughout the range of the profession;

15) As regards promotion, steps should be taken to ensure that selection for appointment is made by the competent authorities in accordance with a clearly defined procedure which gives due consideration only to ability, qualifications, and seniority;

16) Periods of probation, where required, should not be unduly prolonged;

17) In those countries where there are unemployed teachers, measures should be taken to help them to obtain work corresponding to their qualifications.

Conditions of work

18) In fixing secondary teachers' hours of work, due account should be taken of the fact that they must prepare their lessons, correct the work of their pupils, maintain contact with parents, and continue their academic and professional training;

19) On completion of a certain length of service, twenty years, for example, secondary teachers should have their hours of work reduced, without prejudice to their salaries, and thus enabled to participate in the work of consultative and selection committees, examination boards, etc.;

20) The duration of holidays and their distribution over the year should take into account the need of both teachers and pupils for recreation and leisure;

21) Where compatible with the needs of the service, secondary teachers should be granted several months of paid leave on completion of a certain period of teaching;

22) Secondary teachers' salaries should be sufficient to permit them to devote all their energies to their school work; paid work additional to their ordinary duties should not be undertaken if it prejudices the fulfilment of those duties or undermines the respect for teachers of the public in general and of parents and pupils in particular;

23) Marriage should not be considered a bar to the appointment or to the continued employment of women secondary teachers.

Salaries

24) Secondary teachers' salaries should correspond to the importance of their task, and should be at least equal to those of the various categories of public servants or of members of other professions and occupations with equivalent qualifications, training and responsibilities;

25) In view of the moral value of family life, secondary teachers should enjoy salaries high enough for them to establish and support a home;

26) Salary scales should be drawn up on the simplest lines possible; they should provide a basic scale which affords the secondary teacher, both at the minimum and the maximum, a standard of living adequate to those two stages of his career; the rate of increment should enable the maximum to be reached reasonably early in his career;

27) There should as far as possible be additions to the basic salary for higher academic qualifications, further training and posts of special responsibility;

28) In view of their special responsibilities head teachers are entitled to higher grades of salaries;

29) Equally qualified men and women secondary teachers should be on the same salary scale; in countries where this principle is not yet applied, immediate steps should be taken to remove the existing differences;

30) Within any given country with a decentralized educational system, where secondary teachers have varying salary scales, appropriate means should be found to eliminate as far as possible any undue differences that may exist between rates of remuneration;

31) Wherever a secondary teacher engaged part-time is paid on an hourly basis, the rate should be proportional to the rate paid to a full-time teacher doing similar work;

32) Teachers outside the fixed establishment are entitled to salaries which, although they may be lower than those of permanently appointed teachers, ensure a reasonable standard of living;

33) In countries where it is not already the case, steps should be taken to ensure that secondary teachers' holidays and authorized leave are fully paid.

Special emoluments

34) In many countries secondary teachers receive allowance or special emoluments such as lodging facilities and total or partial exemption from tuition fees for their children; in countries where such allowance as cost-of-living, residential, transfer expenses, and family allowances are paid to teachers in common with other categories of public servants and of members of other comparable professions, they should be paid at the same rate and on the same terms.

Social insurance

35) All secondary teachers should have a social insurance scheme covering the following contingencies: retirement, compensation for survivors, disability, illness and maternity; wherever they are required to make contributions for such benefits, these contributions, other than in exceptional circumstances, should not be higher than those paid into the scheme by the public authorities;

36) On reaching a given age, or completing a given number of years of service, secondary teachers should be entitled to a retirement pension or lump sum, or both; they should be paid at a proportional level if they leave the service before the given limits, after completing a stipulated minimum length of service, with the proviso that such arrangement does not encourage them to leave the service prematurely;

37) In the event of disability or incapacity leading to enforced retirement, secondary teachers should be entitled to a pension or lump sum with a minimum high enough to ensure that the teachers concerned are not in want;

38) In the event of illness, secondary teachers should be entitled to sick leave with full pay for an adequate period, their replacement being supplied by the education authorities; it is desirable that they should receive an allowance for medical expenses and medicines, where provision is not otherwise made; in the event of illness lasting beyond the given period, the pay should be reduced only gradually, until recovery or premature retirement on disability pension;

39) Women secondary teachers should be entitled to maternity leave with full pay before and after the birth of the child, lasting in all not less than three months, leave in excess of the time granted being reckoned as sick leave;

40) In the event of a secondary teacher's death, compensation should be paid to his or her dependent survivors; in the case of a widow

such payment should continue as long as she remains a widow; in the case of dependent children such payment should continue up to a certain maximum age which is not lower than that of the end of compulsory education, and beyond such age if they are pursuing full-time education;

41) It is desirable that authorized representatives of secondary teachers should assist in formulating and applying the regulations of social insurance schemes.

Teachers from other countries and areas

42) Due account being taken of the various factors on which existing legal provisions concerning the employment of persons from other countries are based, it is desirable that such persons should be eligible, under certain conditions, for appointment to secondary teaching posts if they hold the qualifications required of teachers of the country in which they wish to teach, or the recognized equivalent;

43) In countries with a federal system, it is desirable that teachers from a given constituent state, province or canton should have every possible facility for appointment throughout the federation concerned, provided they have the required linguistic and professional competence.