

# **Taiwan Foreign English Teacher Program (TFETP) Guidelines and Procedures for Handling Special Events Involving Foreign English Teachers in Elementary and Junior High Schools**

## **I. Guidelines**

In response to the Blueprint for Developing Taiwan into a Bilingual Nation by 2030, the Ministry of Education's K-12 Education Administration (K12EA) is promoting the “Taiwan Foreign English Teacher Program (TFETP) to assist elementary and junior high schools in bringing in foreign English teachers to teach English together with local counterparts, to enhance the competence of local teachers in instructing students in English, to create an English-speaking environment, and to furnish students with a variety of English learning contexts to improve their overall bilingual skills.

To protect the rights of these foreign English teachers and to assist schools in offering guidance and support to them, schools should assign a supervisor and a co-teacher to render support to them before they enter the school, such as assisting in the application for documents, adapting to life, designing the English version of the school calendar, etc. However, in view of the differences in the capacity of counselling and support of schools and the handling mechanism of local governments, to deepen the cooperation and mutual trust between these foreign English teachers and schools, the Administration aims to give professional advice on the handling of special incidents involving foreign English teachers, design a comprehensive special incident handling process, supervise the establishment of a task force by the relevant units and develop a series of forms to clarify the division of responsibilities among the various units, so as to assist schools in dealing with special events, enhance the competence of the staff concerned and foster friendly exchanges between these foreign English teachers and the schools. As a result, the Administration formulates the "Guidelines and Procedures for Handling Special Events Involving Foreign English Teachers in Elementary and Junior High Schools" (the “Guidelines and Procedures”) to boost the effectiveness of the overall program. The Guidelines and Procedures are described below:

1. These Guidelines and Procedures are designed to assist schools under the jurisdiction of the local governments and the foreign English teachers employed by them in dealing with specific cases of support, disputes, incompetence, gender equity, school bullying, etc.
2. Where these Guidelines and Procedures concern the relevant authorities, a dedicated unit shall be set up for the purpose of carrying out work on special incidents involving foreign English teachers in the following manner:
  - 1) Given that foreign English teachers are employed outside the school's staffing complement and are not subject to the Teachers' Act, and that their recruitment does not involve the procedures of the teacher evaluation committee, regulations governing the foreign English teacher task force have been separately laid down to take the place of the teacher evaluation committee in handling

matters pertaining to special events for foreign English teachers.

- 2) For the purpose of investigating the foreign English teacher special incident, the school shall establish a "school task force on special events for foreign English teachers" (school's foreign English teacher task force): chaired by the school principal and composed of representatives from the administration, English teacher representatives, and teachers (including homeroom teachers) who do not hold a part-time administrative post, etc.; the number of teachers (including homeroom teachers) who do not hold a part-time administrative post shall not be less than 1/2 of the total number of members; the number of single-gender members shall not be less than 1/3 of the total number of members, and outside experts and academics and community members shall be recruited by the school as necessary.
  - 3) The local government shall set up a "local government task force on special events for foreign English teachers" (local government's foreign English teacher task force): the competent authority shall appoint an executive secretary and invite experts and academics in the relevant fields and administrative staff to be members according to the nature of the event. The list of the task force shall be submitted in writing to the education department of the local government for reference.
  - 4) Schools shall notify the northern or southern resource centers commissioned by the K12EA (K12EA-mandated team) when filing a special incident form in writing with the local government. The K12EA-mandated team may be invited to assist the local government's foreign English teacher task force in its investigations, and the team or K12EA representative may be brought in to provide input when the local government offers administrative guidance.
3. The special events for foreign English teachers are divided into three major handling procedures depending on their content nature and are described below:

**1) Support:**

- (1) If a foreign English teacher finds it difficult to adjust to the new environment, such as communication, work or life and the school has failed to work out a solution, the foreign English teacher may make a request for support, or the foreign English teacher's supervisor, co-teacher or other teachers in the school may assist in making the request upon obtaining the foreign English teacher's consent under this procedure.
- (2) If, after an investigation by the Local government's foreign English teacher task force and the preparation of a special incident report, the school fails to assist with and remedy the situation as stated in the foregoing report, the local government's education department shall intervene to give administrative guidance.
- (3) If the School's foreign English teacher task force is not active in addressing a foreign English

teacher's request, the foreign English teacher may apply for the local government to form a task force to investigate; if the local government is not active in handling the foreign English teacher's request, the foreign English teacher may request the assistance of the K12EA-mandated team.

## **2) Dispute and incompetency:**

### **(1) Dispute:**

- a. If a dispute arises between the school and the foreign English teacher, such as a discrepancy in the perception of the job, the failure to perform the duties of the job, or misconduct, etc., it may be raised by the school and handled under this process. After investigation and decision by the local government's foreign English teacher task force, a warning letter shall be issued by the school based on the decision; if the dispute is not resolved, the local government's education department shall carry out administrative guidance or enter into the incompetency handling procedure.
- b. To safeguard the physical and psychological development of children and youths, schools are required to report and deal with incidents involving children and youths, improper discipline and unlawful punishment by foreign English teachers in accordance with this handling procedure and the relevant provisions of the "Protection of Children and Youths Welfare and Rights Act," the "Educational Fundamental Act" and the "Notices for Schools to Enable the Guidelines for Teachers' Guidance and Discipline of Students."

### **(2) Incompetency:**

- a. Before initiating the incompetency procedure, unless there is a specific breach of the employment contract, the event shall be dealt with under the dispute handling procedure. If the incident is not improved after the dispute handling process, or if there is a grave violation of the contract, it may be raised by the school and addressed under this handling procedure.
- b. Upon the investigation and decision by the foreign English teacher task force of the local government, a foreign English teacher who has committed a serious breach of the employment contract or accumulated three warning letters will be dismissed by giving an "Employment Termination Notice" by the school according to the relevant provisions of the decision or contract.

## **3) Gender equity and school bullying:**

- (1) Gender equity: When a foreign English teacher is a party to an incident of sexual assault, sexual harassment or sexual bullying on campus, the school shall notify and process the incident in accordance with the "Gender Equity Education Act" and this handling procedure.

- (2) School bullying: When a foreign English teacher is involved in an incident of school bullying, the school should follow the “School Bullying Prevention Guidelines” and this handling procedure for reporting and handling the incident.
4. Where necessary for the investigation of the facts and for the protection of the rights of the parties in question, the investigation unit shall notify the parties to make statements in a manner sufficient for inspection and verification, and the notice shall specify the subject matter, time, place, interpreter, whether another person may be appointed to appear and the effect of failure to appear.
  5. The investigation process shall be concluded within one month to protect the working rights of foreign English teachers and the right to education of students.
  6. If a foreign English teacher is involved in an incident of incompetence or gender equity and bullying, and the school considers it necessary to suspend his/her employment first for investigation, the school’s foreign English teacher task force shall deliberate and approve the suspension and issue a Notice of Mandatory Suspension of Duties.
  7. During the school's assistance and counselling period, if a foreign English teacher consistently fails to make improvements based on the decision, the school may issue a warning letter and, after the dispute and incompetence incident handling procedure, the foreign English teacher shall be deemed to be in breach of contract after accumulating three warning letters and the school shall issue an Employment Termination Notice according to the relevant provisions of the decision or contract.
  8. When a special incident is investigated by the school’s foreign English teacher task force, the school must submit a special incident handling form in writing to the local authorities and notify the K12EA-mandated team.
  9. The foreign English teacher task force shall prepare a Special Incident Report for Foreign English Teachers based on the results of its investigation and, upon conclusion of the case, file the report with the local government for reference and notify the K12EA-mandated team. If an appeal and dismissal process is instituted, the details of the appeal and dismissal and the decision adopted shall be set out in the report. The report shall be kept by the school in a separate file for at least three years for subsequent inspection purposes.
  10. All other matters not specified herein shall be governed by the relevant laws and regulations of Taiwan.
  11. Refer to Figs. 1 to 3, related documents such as Table 1 and Annexes 1 to 7 for the special events handling procedures.

## II. Support Handling Procedure

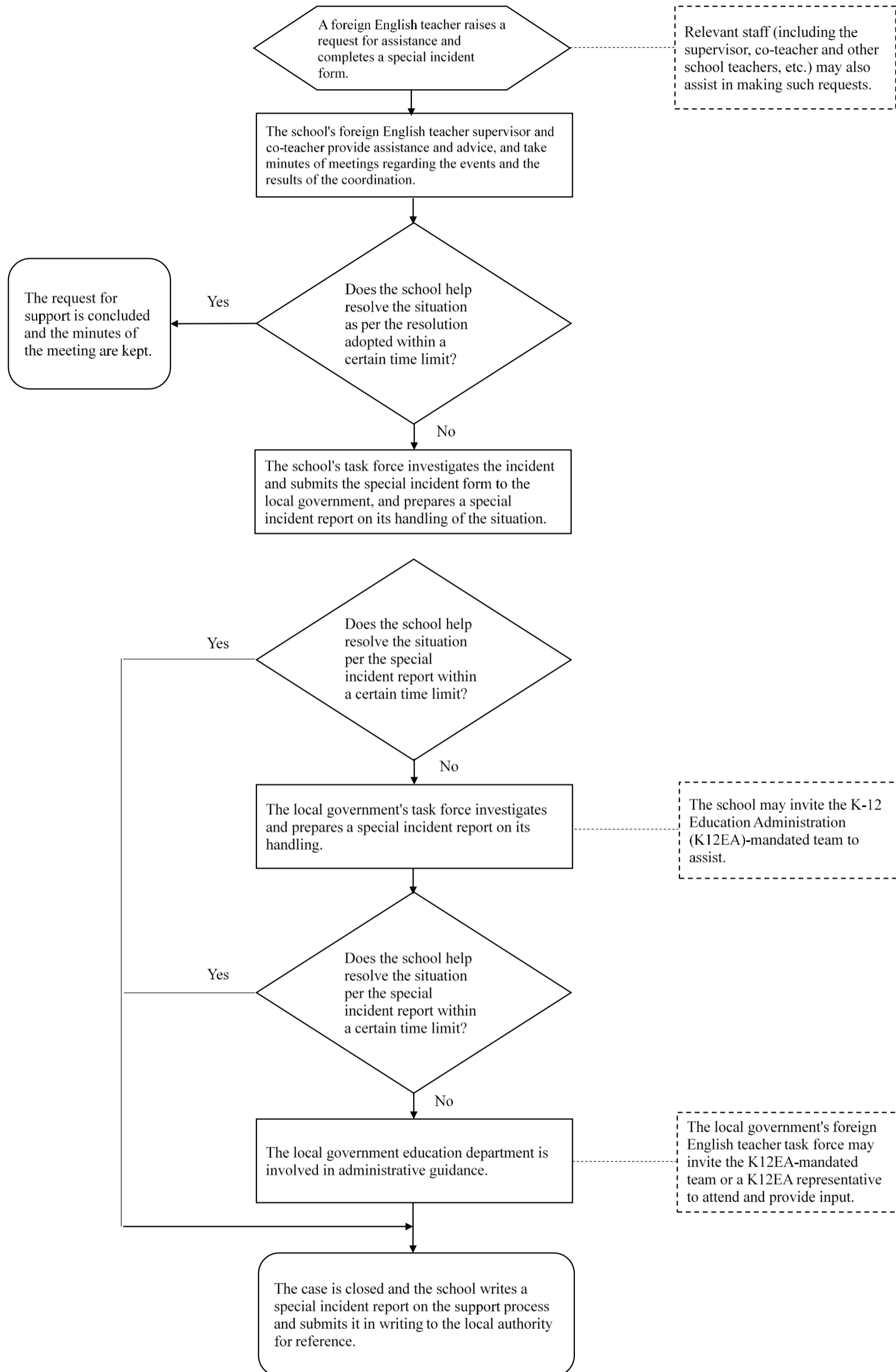


Figure 1. Support Handling Procedure

### III. Dispute and Incompetency Handling Procedure

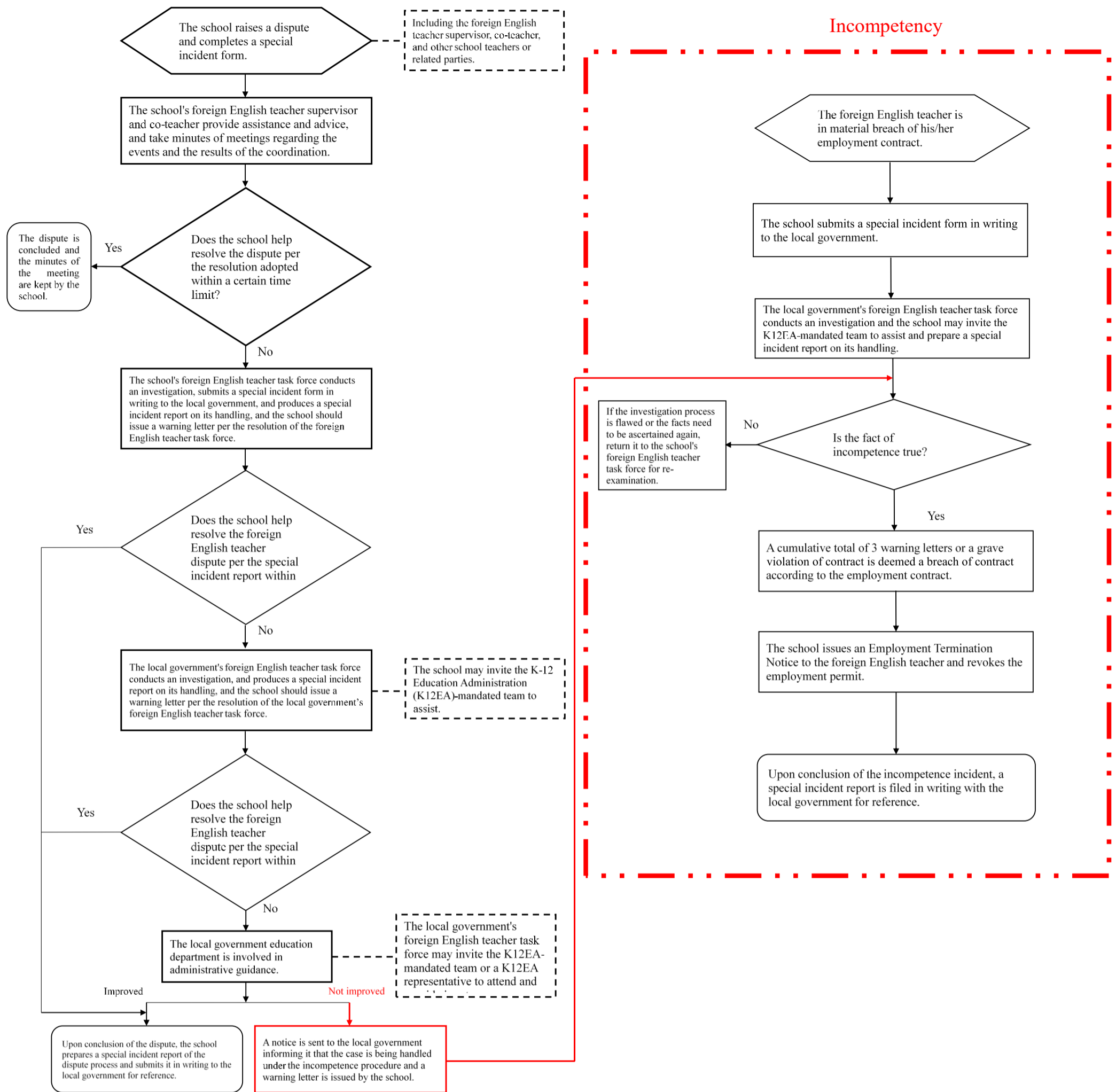


Figure 2. Dispute and Incompetency Handling

Notes:

1. When a foreign English teacher is involved in an "incident concerning a child or youth," the school shall report and deal with the incident within 24 hours in accordance with the provisions of the "Protection of Children and Youths Welfare and Rights Act."
2. The school shall notify the Ministry of Education or the Ministry of Labor in writing to revoke the employment permit within 7 days of the issuance of an Employment Termination Notice.

## IV. Gender Equity and School Bullying Handling Procedure

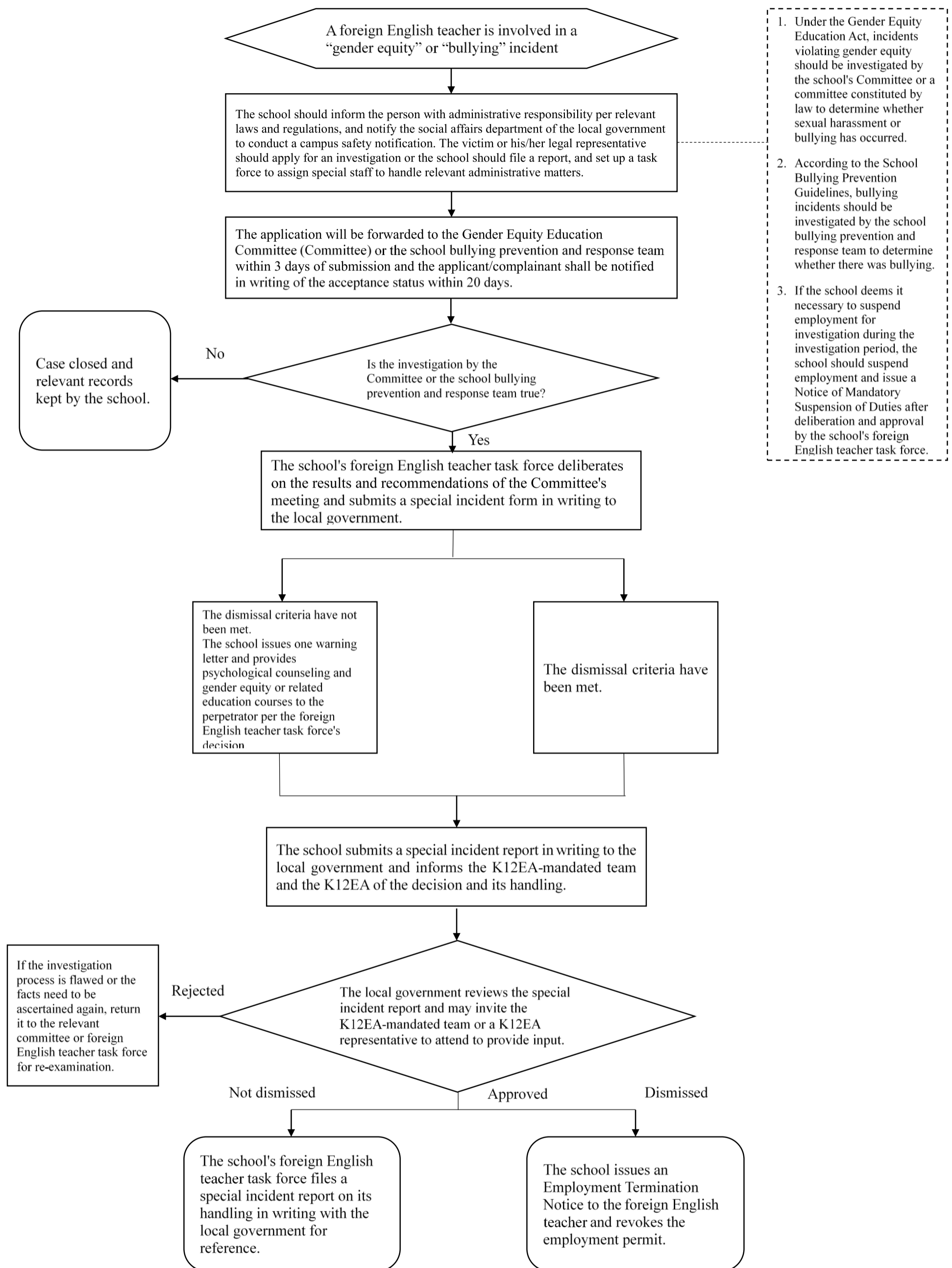


Figure 3. Gender Equity and School Bullying Handling

Notes:

1. The gender equity and school bullying incidents shall be reported and handled within 24 hours in accordance with the provisions of the "Gender Equity Education Act" and the "School Bullying Prevention Guidelines." During the investigation, the committee may approach the school's foreign English teacher task force, the local government's foreign English teacher task force or the K12EA-mandated team for assistance
2. When a foreign English teacher is involved in the above-mentioned "gender equity incident" or "bullying incident," the school shall suspend the employment of the foreign English teacher within one month from the date of knowledge of the incident, after deliberation and approval by the school's foreign English teacher task force and without the need to notify the competent authority for approval, pending further investigation.
3. When the decision to discipline the foreign English teacher in question is made, the foreign English teacher shall be notified that he/she has 20 days to file an appeal when the decision is submitted to the local government for approval.
4. The school shall notify the Ministry of Education or the Ministry of Labor in writing to revoke the employment permit within 7 days of the issuance of an Employment Termination Notice.



## V. Forms for Special Incidents Involving Foreign English Teachers

Please find attached the relevant forms and documents for reference by local authorities, foreign English teachers and schools, as shown in Table 1 and Annexes 1 to 7.

Table 1 List of forms regarding the handling of special events involving foreign English teachers

No.	Form	Annex	Completed by	Recipient	Context	Incident Types		
						Support	Dispute/ Incompetency	Gender Equity / School Bullying
1	Special Incident Form for Foreign English Teachers	Annex 1	Foreign English teachers, school (including foreign English teacher supervisor, foreign English teacher co-teacher, other schoolteachers, or related parties).	School (foreign English teacher supervisor office)	When a request for support or a dispute arises, the person concerned shall complete a Special Incident Form for Foreign English Teachers and when the incident is under investigation, the school shall file the form in writing to the local government and inform the K12EA-mandated team.	V	V	V
2	Special Incident Report for Foreign English Teachers	Annex 2	School's foreign English teacher task force	Local government's education department	When a special incident is under investigation, the school's and the local government's foreign English teacher task forces shall produce a Special Incident Report for Foreign English Teachers based on the results of the investigation. Upon conclusion of the case, the report shall be submitted in writing to the local government for reference and notified to the K12EA-mandated team. If an appeal process is instituted, the details of the appeal and the decision adopted shall be set out in the report. The report shall be kept by the school in a separate file for at least three years for subsequent inspection purposes.	V	V	V
			Local government's foreign English teacher task force	Local government's education department				
3	Warning Letter	Annex 3	School (foreign English teacher supervisor office)	Foreign English teachers, school	During the school's assistance and counselling period, if a foreign English teacher consistently fails to make improvements based on the decision, the school may issue a warning letter. After the School's foreign English teacher task force or the Local Government's foreign English teacher task force has investigated and made a decision, the school will issue a warning letter based on the decision; a cumulative total of three warning letters will be considered a breach of contract.		V	V
4	Employment Termination Notice	Annex 4	School (foreign English teacher supervisor office)	Foreign English teachers, school	For termination of employment.		V	V

5	Notice of Mandatory Suspension of Duties	Annex 5	School (foreign English teacher supervisor office)	School, foreign English teachers	Suspension of employment will be imposed if the school's foreign English teacher task force considers it necessary to suspend employment for investigation.		V	V7
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附件一

## 外籍英語教學人員特殊事件通報表

### Special Incident Form for Foreign English Teachers

填表人姓名 Name (Person who fills in the form) :	填表人與當事人之關係 Relation between person who fills in the form and person involved :
學校 School :	事件發生日期 Date of incident :
當事人姓名 Name (Person Involved) :	當事人職稱 Job position :
在台地址 (居留證/身份證記載地址) Address in Taiwan :	
連絡電話 Telephone No. :	
電子信箱 E-mail :	
描述事件經過 Details of your incident :	
其他補充說明 (請自行填列, 若無可免填) Remark :	
填表人簽名 Signature (Person who fills in the form) :	填表日期 Date :
承辦人 Case Officer :	單位主管 Head of the Department :

※請將此表送至所屬學校, 副本由當事人自行留存。

## 外籍英語教學人員特殊事件報告書

### Special Incident Report for Foreign English Teachers

壹、事件基本資料 Incident Information			
一、事件所發生之學校 School where the incident occurred :			
二、事件聯絡人 Incident Contacts :			
關係人 Related People	姓名 Name	聯絡方式 Contact	
		電話 Phone Number	電子信箱 E-mail
外籍英語教學人員 Foreign English Teacher			
外師專案聯絡人 Supervisor of the Foreign English Teacher			
外籍英語教學人員之輔導人員 Co-Teacher of the Foreign English Teacher			
其他校內教師 Other Teachers from the School			
其他事件關係人 Other related parties			
三、事件類型 Incident Types :			
<input type="checkbox"/> 求助事件 Support			
<input type="checkbox"/> 爭議與不適任事件 Dispute Resolution / Incompetency			
<input type="checkbox"/> 性平與霸凌事件 Gender Equity / School Bullying			

<b>貳、事件描述 Incident Description</b>		
一、事實陳述 Statement of Fact :		
二、調查與認定 Investigation and Identification :		
三、調查結果與違反聘僱契約處 Contradictions between the Results of the Investigation and the Content of the Employment Contract :		
四、其他說明 Other Information :		
<b>參、相關輔導措施 Related Counseling Measures</b>		
一、聘僱學校需調整事項 Matters that need to be adjusted by the Employing School :		
二、外籍英語教學人員需改進事項 Improvements that need to be made by the Foreign English Teacher :		
三、外籍英語教學人員輔導規劃（專案小組建議含期限與檢核方式） Foreign English Teacher Counselling Plan : ( <input type="checkbox"/> 警告信開立 Warning)		
<b>肆、後續追蹤 Follow-up</b>		
當事人 Person Involved :	承辦人 Case Officer :	單位主管 Head of the Department :

※外籍英語教學人員相關事件由服務學校做成報告書，並專人、專卷保管3年，俾利後續查核使用。若需函報地方政府終止聘約，請併附本報告。

附件三

## 警告信

### Warning Letter

警告信類別 Type of Warning : 第 1 次警告 First Warning 第 2 次警告 Second Warning

致\_\_\_\_\_君

Dear \_\_\_\_\_

需要改進之處

Situation needing improvement :

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實際發生情形之描述

Facts of the situation :

---

先前曾與外師討論過的內容或指示

Previous discussions, and instructions with the teacher, if any, on this situation :

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要求外師應採取之行動

Actions to be taken :

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改進之觀察期 Reasonable period of time, if appropriate, to correct the behavior :

2 週 two weeks 1 個月 one month

時程 Date (YYYY) / (MM) / (DD)~(YYYY) / (MM) / (DD) :

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無法於觀察期改進之後果

Consequences for failure to correct the behavior :

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將會提供之協助與支持措施

Assistance and Support Measures :

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說明外師提供書面辯護與說明之權利

Statement advising the teacher of the right to attach a written explanation :

此份警告信正本將由您收執，副本則交由聘僱學校保管。您有權在\_\_\_\_年\_\_\_\_月\_\_\_\_日前向聘僱學校以書面方式提出異議。如在\_\_\_\_年\_\_\_\_月\_\_\_\_日前未以書面方式提出異議或仍未簽屬此警告信，此警告信將視為成立。

此警告信主要是希望能有機會讓您改進您的行為，並以符合期待的方式履行你的教學職責和責任。

You have the right to review this warning. A copy of this letter may be placed in your personnel file at the sole discretion of the principal. If the letter is to be placed in your file, you have the right to review and sign the filed copy (acknowledging receipt) and attach a written explanation of your behavior on or before \_\_\_\_\_(YYYY) / (MM) / (DD). If you refuse or fail to sign the copy of the letter by \_\_\_\_\_(YYYY) / (MM) / (DD), the letter will still be placed in your personnel file with an indication that you refused or failed to sign the letter.

With this letter, I am giving you an opportunity to correct your behavior and perform your teaching duties and responsibilities in an acceptable manner.

Sincerely,

Acknowledge receipt by,

校長 Principal :

教師 Teacher :

\_\_\_\_\_

\_\_\_\_\_

學校 Elementary/Junior High School :

\_\_\_\_\_

日期 Date (YYYY) / (MM) / (DD) :

\_\_\_\_\_

## 警告信

### Warning Letter

警告信類別 Type of Warning : 第 3 次/最終警告信 Third/Final Warning

致\_\_\_\_\_君

Dear \_\_\_\_\_

實際發生情形之描述

Facts of the situation :

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先前曾與外師討論過的內容或指示

Previous discussions, and instructions with the teacher, if any, on this situation :

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無法於改進之後果

Consequences for failure to correct the behavior :

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本校將會併同先前所開立之警告單，循合約 12.1.7 點：「累積 3 張警告信視為違約」與您中止聘僱關係。

The school shall be entitled to terminate your employment in accordance with Clause 12.1.7 of this agreement based on the 3 warning letters previously issued by the school to you.

說明外師提供書面辯護與說明之權利

Statement advising the teacher of the right to attach a written explanation :

此份警告信正本將由您收執，副本則交由聘僱學校保管。您有權在\_\_\_\_\_年\_\_\_\_\_月\_\_\_\_\_日前向聘僱學校以書面方式提出異議。如在\_\_\_\_\_年\_\_\_\_\_月\_\_\_\_\_日前未以書面方式提出異議或



仍未簽屬此警告信，此警告信將視為成立。

You have the right to review this warning. A copy of this letter may be placed in your personnel file at the sole discretion of the principal. If the letter is to be placed in your file, you have the right to review and sign the filed copy (acknowledging receipt) and attach a written explanation of your behavior on or before \_\_\_\_\_(YYYY) / (MM) / (DD). If you refuse or fail to sign the copy of the letter by \_\_\_\_\_(YYYY) / (MM) / (DD), the letter will still be placed in your personnel file with an indication that you refused or failed to sign the letter.

Sincerely,

Acknowledge receipt by,

校長 Principal :

教師 Teacher :

\_\_\_\_\_

\_\_\_\_\_

學校 Elementary/Junior High School :

\_\_\_\_\_

日期 Date (YYYY) / (MM) / (DD) :

\_\_\_\_\_

## 解聘通知書

### Employment Termination Notice

很遺憾通知台端於本校聘僱期間，表現無法符合本校外籍英語教學人員工作之要求與期待，我們已盡一切可能協助您改善教學品質，經過輔導與3次之書面警告，您仍未改善，因此本校不得不做出解聘之決定。台端最後的聘僱日為\_\_\_\_\_年\_\_\_\_月\_\_\_\_日，特此通知。

Dear,

Attached, please find copies all of documentation regarding your performance during (the probation period; or during your employment) at the school. We regret to inform you that after **3** written warning letters about your poor teaching quality, there has not been an acceptable improvement evidenced in your work. As we discussed on (date), you had to improve your teaching quality by (date) to justify continued employment with this school. The school has tried to work with you in every way possible to develop your teaching skills and to meet our needs. However, it has become evident that your teaching quality is not up to the standards required of our English teachers in the position you were hired to perform. This leaves us with no choice but to tell you that your employment is terminated (**effective date**). Please return all school property to (location) before you leave the school. The last day of your employment is \_\_\_\_\_(YYYY) / (MM) / (DD).

Sincerely,

Acknowledge receipt by,

校長 Principal :

教師 Teacher :

\_\_\_\_\_

\_\_\_\_\_

學校 Elementary/Junior High School :

\_\_\_\_\_

日期 Date (YYYY) / (MM) / (DD) :

\_\_\_\_\_

## 暫時停聘通知書

### Notice of Mandatory Suspension of Duties

台端於本校聘僱期間，因涉及\_\_\_\_\_事件，經本校外籍英語教學人員特殊事件專案小組決議，暫時與您停止聘僱關係，靜待後續調查結果，停聘自\_\_\_\_\_年\_\_\_\_\_月\_\_\_\_\_日起生效，將於\_\_\_\_\_年\_\_\_\_\_月\_\_\_\_\_日前完成事件調查。停聘期間本校將會暫停您的薪資給付，但並不會註銷您的聘僱許可，因此您尚可合法於臺灣居住。

This is a notification to inform you that you have an open employment related investigation. Your work duties and salary are suspended for the duration of the investigation. Your employment permit is not affected during the investigation; therefore, you may legally remain in Taiwan. The suspension will take effect from \_\_\_\_\_(YYYY) / (MM) / (DD) and the incident investigation is scheduled to be completed before \_\_\_\_\_(YYYY) / (MM) / (DD). The school's Foreign English Teacher task force will notify you of the result and next steps. Thank you for your understanding.

Sincerely,

Acknowledge receipt by,

校長 Principal :

教師 Teacher :

\_\_\_\_\_

\_\_\_\_\_

學校 Elementary/Junior High School :

\_\_\_\_\_

日期 Date (YYYY) / (MM) / (DD) :

\_\_\_\_\_

## 解約同意書

### Cancellation of Contract Agreement

\_\_\_\_\_ (下稱學校)、\_\_\_\_\_ (下稱教師)，雙方同意  
自西元\_\_\_\_\_年\_\_\_\_\_月\_\_\_\_\_日(最後在職日之翌日)起，終止聘僱關係。

This Termination of Contract Agreement (the agreement) is entered into as of this  
\_\_\_\_\_(YYYY) / (MM) / (DD) by and between\_\_\_\_\_(Employer)  
and \_\_\_\_\_ (Employee) .

Sincerely,

Acknowledge receipt by,

校長 Principal :

教師 Teacher :

\_\_\_\_\_

\_\_\_\_\_

學校 Elementary/Junior High School :

\_\_\_\_\_

日期 Date (YYYY) / (MM) / (DD) :

\_\_\_\_\_

## 續聘通知書

### Employment Contract Renewal

本校很榮幸通知台端，自\_\_\_\_\_學年度起，續聘您繼續擔任本校英語教師，且自\_\_\_\_\_年\_\_\_\_月\_\_\_\_日起生效。特此通知。

Hereby we would like to inform you, after consideration of your past performance, we have decided to renew your contract to continue serve as our school's English teacher, and it will take effect from \_\_\_\_\_(YYYY) / (MM) / (DD).

Sincerely,

Acknowledge receipt by,

校長 Principal :

教師 Teacher :

\_\_\_\_\_

\_\_\_\_\_

學校 Elementary/Junior High School :

\_\_\_\_\_

日期 Date (YYYY) / (MM) / (DD) :

\_\_\_\_\_