

Kingdom of Cambodia
Nation Religion King

The Royal Government of Cambodia
No: 309 ANKr.BK

Sub-Decree
on
The Administration and Management of Teaching Services in Public Primary Education
Institutions

The Royal Government of Cambodia

- Having seen the Constitution of the Kingdom of Cambodia;
- Having seen Royal Decree No. NS/RKT/0931/903 dated Sep 24, 2013 on the Appointment of the Royal Government of Cambodia;
- Having seen Royal Kram No. 02/NS/94 dated July 20, 1994 promulgating the Law on the Organization and Functioning of the Council of Ministers;
- Having seen Royal Kram No. NS/RKM/0196/01 dated Jan 24, 1996 promulgating the Law on the Establishment of Ministry of Education, Youth and Sport;
- Having seen Royal Kram No. NS/RKM/1207/032 dated Dec 08, 2007 promulgating the Education Law;
- Having seen Royal Decree No. NS/RKT/1014/1175 dated Oct 02, 2014 on the Common Principles of the State's Public Functions;
- Referring to the requests of the Minister of Education, Youth and Sport, Minister of Economy and Finance and also Chair of the Public Financial Management Reform Steering Committee and Minister of Public Functions and also Chair of the Public Administrative Reform Committee.

Hereby Decides
Chapter 1
General Provision

Article 1:

This Sub-decree is aimed at administrating teaching services to ensure sustainability and efficiency in public primary education institutions.

Article 2:

The goal of this Sub-decree is to identify:

- Assigned duties of civil servants in areas of administration and teaching at public primary education institutions;
- Formalities and procedures for the use of contract teachers to compliment teaching services in public primary education institutions, where there is a shortage of civil servants;

- Additional duties and duties on multi-grade classes for civil servants who have already fulfilled their duties completely;
- Pays for contract teachers and civil servants who have undertaken additional duties and multi-grade class duties;
- Management, monitoring and evaluation of teaching tasks based on contract and the undertaking of assigned duties, additional duties and multi-grade class duties.

Article 3:

This Sub-decree is applicable to civil servants who are carrying out administrative work, civil servants who work as teacher, contract teachers and administration of teaching services in public primary education institutions of the Ministry of Education, Youth and Sport.

Article 4:

Terms used in this Sub-decree are defined as follow:

- Assigned duties: refer to duties assigned to civil servants as teacher or administrative staff based on the functions and timeframe provided by this Sub-decree;
- Additional duties: refer to areas of work additionally provided to a civil servant already with assigned duties to take full responsibilities in teaching students in a class at a different time in the daily calendar of the public primary education institution;
- Multi-grade class duties: refer to tasks assigned to a teacher to take full responsibilities in teaching two or three groups of different grades in the same classroom and same session following flexible timetable developed by the teacher himself/herself with endorsement from school management;
- Civil servants refer to administrative staff and teaching staff of public primary education institutions;
- School management refers to management of public primary education institution led by a school principal assisted by deputy principal(s).

Chapter 2

Assigned Duties of Civil Servants in Areas of Administration and Teaching

Article 5:

Civil servants working in public primary education institutions are required to work 8 (eight) hours per day and five days a week or 40 (forty) hours per week based on the arrangement of the school management in line with the direction of the Ministry of Education, Youth and Sport by ensuring continuity and efficiency of both administrative and teaching work.

Article 6:

Civil servants assigned as teacher in charge of teaching have the following assigned duties:

- Provide actual and real teaching to students in class and by grade;
- Complete all relevant works for the class he/she is responsible.

Article 7:

Duration for the undertaking of assigned duties by civil servants assigned as teacher in charge of teaching is determined as follow:

- For grade 1, 2 and 3:
 - A teacher is responsible for teaching a class of students for a period of time in the daily timetable of the education institution: 5 (five) hours per day and 5 (five) days per week or 25 (twenty five) hours per week in the morning or afternoon.
 - Aside from teaching, teacher is required to do work related to the class he/she is in charge for a timeframe listed in Article 5 and 6 in this Sub-decree.
- For grade 4, 5 and 6:
 - A teacher is responsible for teaching a class of students for a period of time in the daily timetable of the education institution: 5 (five) hours and a half per day and 5 (five) days per week or 27 (twenty seven) hours and a half per week in the morning or afternoon.
 - Aside from teaching, teacher is required to do work related to the class he/she is in charge for a timeframe listed in Article 5 and 6 in this Sub-decree.

Article 8:

Civil servants in charge of administrative work are required to work for the duration stated in Article 5 of this Sub-decree.

The Ministry of Education, Youth and Sport shall develop guidelines on types of work and procedures for administrative work to ensure continuity and efficiency of administration in public primary education institution.

Chapter 3
Formalities and Procedures for Using Contract Teachers

Article 9:

Use of contract teachers applies when a public primary education institution lacks civil servants assigned as teacher to do teaching job following the norm determined by the Ministry of Education, Youth and Sport.

Use of contract teachers is prioritized for teaching job, rather than replacing teaching with additional duties and multi-grade class duties.

Article 10:

Contract teachers are required to complete duties as primary level teachers with civil service status with assigned duties and fees stated in Article 22 of this Sub-decree but do not enjoy the same privilege as teacher with civil service status.

Article 11:

School management is required to develop an annual plan on the use of civil servants and contract teachers of their public primary education institution through consultation with commune/sangkat council within their jurisdiction and submit this plan to the Ministry of Education, Youth and Sport, through District Office of Education, Youth and Sport and Provincial Office of Education, Youth and

Sport. Provincial Office of Education, Youth and Sport shall consult with Provincial Department of Public Functions before submitting this plan to the Ministry of Education, Youth and Sport.

Annual plan on the use of civil servants and contract teachers will be reviewed and adopted in the Royal Government's annual budget.

The Ministry of Education, Youth and Sport is required to develop guidelines on formalities and procedures for formulating the plan on the use of civil servants and contract teachers in public primary education institutions.

Article 12:

Contract teachers shall be recruited from among:

- Students with upper secondary education certificate or higher or who have completed grade 12 and are between 18 (eighteen) and 35 (thirty-five) years of age.
- Teachers of all types of civil services who are placed in retirement.

In recruiting contract teachers, priority is given to:

- Candidates residing in locality where there is a shortage of teachers.
- People with disability and women.

Newly recruited contract teachers will receive short training courses from the Ministry of Education, Youth and Sport on pedagogy and administration.

If The Ministry of Education, Youth and Sport needs to recruit civil servants to serve as primary level teachers, the Ministry is required to organize examination with priority given to contract teachers who have fulfilled the following requirements:

- Students who are selected from and are teaching in a public primary education institution for at least 3 (three) years in a row after this Sub-decree enters into force.
- Is teaching in a public primary education institution, where there is a shortage of teachers.

Article 13:

Recruitment of contract teachers shall be done by a committee led by Provincial Office of Education, Youth and Sport with participation from representative of Provincial Department of Public Functions.

Contract teachers will be recognized by Decision of the Director of Provincial Office of Education, Youth and Sport upon receiving endorsement from the Provincial Department of Public Functions.

The Ministry of Education, Youth and Sport shall develop formalities and procedures for recruiting and managing contract teachers.

Chapter 4 Additional Duties and Multi-Grade Class Duties for Civil Servants

Article 14:

Additional duties are permitted for and applied to public primary education institutions where the number of civil servants working as teachers does not address the student-class ratio for public primary education institution determined by Ministry of Education, Youth and Sport.

Article 15:

Additional duties are given to civil servant serving as teacher under the following conditions:

- He/she completely fulfills his/her assigned duties in terms of the number of hours in class by each grade as stated in Article 7 of this Sub-decree.
- There is a need to ensure continuity of teaching services.
- The use of contract teachers cannot be done.

Article 16:

Additional duties are given to civil servant serving as administrative staff under the following conditions:

- The civil servant serving as administrative staff completely fulfills his/her assigned duties in terms of the number of hours as stated in Articles 5 and 8 of this Sub-decree.
- There is a need to ensure continuity of teaching services.
- The use of contract teachers and civil servants serving as teachers cannot be applied.

Article 17:

Civil servants with additional duties shall complete:

- Their assigned duties completely.
- Their additional duties and all administrative duties for the class and use more hours to teach students following timetable more than civil servants serving as teacher completing their general assigned duties to teach a single class or civil servants serving as administrative staff completing their general assigned duties.

Article 18:

Multi-grade class duties are applied under the following conditions:

- There is a shortage of classroom to ensure teaching services for students at a particular grade;
- There is a shortage of teachers to teach students at a particular grade and the use of contract teachers cannot be applied;
- There is a shortage of classrooms and the number of students does not reach the norm set by the Ministry of Education, Youth and Sport to establish a class;
- There is a shortage of teachers and the number of students does not reach the norm set by the Ministry of Education, Youth and Sport; or
- The public primary education institution is an incomplete school.

Article 19:

Multi-grade class duties are given to a civil servant serving as teacher under the following conditions:

- He/she completely fulfills his/her assigned duties in terms of the number of hours in class by each grade as stated in Article 7 of this Sub-decree.
- There is a need to ensure continuity of teaching services.
- The use of contract teachers and civil servants serving as teachers cannot be applied.

Article 20:

Multi-grade class duties are given to a civil servant serving as administrative staff under the following conditions:

- He/she completely fulfills his/her assigned duties in terms of the number of hours in Articles 5 and 8 of this Sub-decree.
- There is a need to ensure continuity of teaching services.
- The use of contract teachers and civil servants serving as teachers cannot be applied.

Article 21:

Civil servants given multi-grade class duties shall complete:

- Their assigned duties completely.
- Multi-grade class duties and all administrative duties for the class and use more hours to teach students following timetable more than civil servants serving as teacher completing their general assigned duties to teach a single class or civil servants serving as administrative staff completing their general assigned duties.

Chapter 5

Fees for Contract Teachers and Civil Servants Given Additional Duties and Multi-Grade Class Duties

Article 22:

Contract teachers recruited to teach at public primary education institution based on provisions of this Sub-decree shall be given monthly fees from the starting date until when they finish their duties as follow:

- 80% (eighty percent) of monthly salary, which is consisted of basic salary and educational functional allowances, of civil servants serving as primary level teachers who are newly recruited for contract teachers recruited from among students;
- 90% (ninety percent) of monthly salary, which is consisted of basic salary and educational functional allowances, of civil servants serving as primary level teachers who are newly recruited for contract teachers recruited from among retired teachers of any type of civil service status.

Article 23:

Civil servants serving as teacher or administrative staff from all types of civil service status assigned to fulfill additional duties in public primary education institution are given fees for the additional duties in addition to their monthly salary equivalent to the total amount of salary, which is consisted of basic salary plus educational allowance of civil servants serving as primary level teachers who are newly recruited from the starting date until when they finish their duties.

Article 24:

Civil servants serving as teacher or administrative staff from all types of civil service status assigned to fulfill multi-grade class duties in public primary education institution are given monthly fees for their multi-grade class duties from the starting date until when they finish their duties as follow:

- 60% (sixty percent) of monthly salary, which is consisted of basic salary and educational functional allowances, of civil servants serving as primary level teachers who are newly recruited for those who teach multi-grade class of two grades together;
- 80% (eighty percent) of monthly salary, which is consisted of basic salary and educational functional allowances, of civil servants serving as primary level teachers who are newly recruited for those who teach multi-grade class of three grades together.

Article 25:

Fees provided to contract teachers, civil servants given additional duties and civil servants given multi-grade class duties shall follow the ICT-based payroll system managed by Ministry of Public Functions.

Chapter 6

Management, Monitoring and Evaluation of Contract Teaching and Undertaking of Assigned Duties, Additional Duties and Multi-Grade Class Duties

Article 26:

School management is required to oversee, manage and arrange teaching services effectively in their public primary education institution in areas of assigned duties, additional duties, multi-grade class duties and use of contract teachers in conformity with norms set in this Sub-decree and education staffing norms determined by Ministry of Education, Youth and Sport.

Proposals on recruitment and deployment of contract teachers and civil servants to carry out additional duties or multi-grade class duties shall be revised and developed by school management.

On behalf of school management, school director shall submit the proposals on the use of contract teacher or on the provision of additional duties or multi-grade class duties to civil servants to Provincial Office of Education, Youth and Sport to review and approve through District Office of Education, Youth and Sport based on the annual plan adopted in as part of the annual budget.

Article 27:

School management shall manage and arrange work and take direct accountability and responsibility to ensure effective undertaking of assigned duties, additional duties, multi-grade class duties, use of contract teachers and payment of fees in the public primary education institution under their supervision.

Chief of District Office of Education, Youth and Sport and Director of Provincial Office of Education, Youth and Sport shall have accountability and responsibility in overseeing and supervising the performance of school management in their jurisdiction.

Article 28:

The Ministry of Education, Youth and Sport shall monitor and evaluate the status of the administration of teaching services in public primary education institution at the end of each academic year or based on the need to enhance effective and efficient use of human resources to support teaching services.

**Chapter 7
Final Provision**

Article 29:

Sub-decree No. 69 ANKr.BK dated Oct 24, 1997 on the Determination of Assigned Duties, Additional Duties, Multi-Grade Class Duties and Teaching Fees in Public Primary Education Institution and any provision contradicting this Sub-decree are null and void.

Article 30:

Minister in charge of the Office of Councils of Minister, Minister of Economy and Finance, Minister of Education, Youth and Sport, Minister of Public Functions and ministers of all ministries and heads of relevant institutions are charged to implement this Sub-decree in their respective duties from the date of the signature.

Phnom Penh, Dec 03, 2014
Prime Minister

Samdech Aka Moha Sena Padei Techo Hun Sen

Attention to:

Samdech Aka Moha Sena Padei Techo Prime Minister to please kindly sign

Minister of Education, Youth and Sport Minister of Economy and Finance Minister of Public Functions

Hang Chuon Naron

Oun Porn Monirath

Pich Bunthin

Receiving Places:

- Ministry of Royal Palace
- General Secretariat of the Constitution Council
- General Secretariat of the Senate
- General Secretariat of the General Assembly
- General Secretariat of the Royal Government
- Cabinet Office of Samdech Aka Moha Sena Padei Techo Prime Minister
- Cabinet Offices of Deputy Prime Ministers
- As in Article 30
- Royal Gazette
- Documentation - Archival

