

Jornal da República

Wednesday, January 26, 2011

Decreto-Lei no. 4/2011]

of January 26

**Approves the Statute of the National Institute for
Training of Teachers and School Workers**

The Decree-Law 22/2010 of December 9 created the new Organic Law of the Ministry of Education instituting deep reforms in the organizational structure of said Ministry in order to adapt it to the new legal framework of Educational System and to comply with the provisions of the Strategic Plan for Education.

Article 8 of the new Organic Law of the Ministry of Education provides for the National Institute for Training of Teachers and School Workers as a public entity with administrative and scientific autonomy under the tutelage and supervision of the Ministry of Education, with the mission of promoting training for faculty and non-faculty employees of the educational system.

As such, it is the responsibility of the government to regulate the creation, organization and operations of said Institute, in coordination with the other entities or services of the Ministry of Education and the educational system, namely specific services included in development and implementation of curricula, management of human resources, administration and management of schools and the National Agency for Academic Evaluation and Accreditation.

The IV Constitutional Government intends to equip the National Institute for Training of Teachers and School Workers with all the mechanisms necessary to face the enormous challenge of retraining teachers as foreseen in the Statute of Teaching Careers, to develop the research necessary for the creation of best practices in teacher training, to develop the curricula of all academic modalities and to ensure optimum capability and efficiency in the delivery of all its services to the entire country, thus providing the qualification of the educational and teaching systems as a condition for the academic success of students.

Therefore,

The Government hereby decrees, under the terms of no. 3 of article 115 of the Constitution, in conjunction with the provisions of number 1 of article 6 and article 8 of Decree-Law no. 22/2010 of December 9, to be valid as law, the following:

**CHAPTER I
GENERAL PROVISIONS**

Article 1
Creation

The National Institute for Training of Teachers and School Workers is hereby created.

Article 2
Nature

1. The National Institute for Training of Teachers and School Workers, hereinafter designated “Institute” in its abbreviated form, is a legal entity governed by public law in the form of a public institute integrated into the indirect administration of the State and endowed with administrative and scientific autonomy.
2. The Institute fulfills its mission as granted by this law and other applicable legislation under the tutelage and supervision of the Minister of Education.
3. In order to fulfill its mission and according to the rules of supervisory authority and supervision, the Institute may sign agreements, protocols, contracts and other covenants with public or private, national or international institutions.

Article 3
Headquarters

The Institute will have jurisdiction over the entire national territory and head offices in Dili.

Article 4
Object

The Institute is an academic institute for training and research activities with the mission of providing academic and professional training for teachers and staff employed by the educational system under the terms of this Law and other applicable legislation and in coordination with the other relevant services of the Ministry of Education.

Article 5
Powers

1. The following are powers of the Institute:
 - a) Without detriment to the specific powers of the other entities, the Institute must develop and approve curricula to be used in teaching degrees by drafting curricula exclusively applicable to academics or supplementing pre-existing academic programs for candidates seeking entry into the teaching career;

- b) Teach the subjects or curricular components of the programs foreseen in the previous number, as well as graduate programs, namely master's and doctoral programs in the areas of Science of Education, Teacher Training, School Management and Administration, and School Inspection;
- c) Ensure the development and implementation of curricula for continuing and specialized education;
- d) Ensure the development and implementation of the Intensive Program for the Special Transitory Regime of the Statute of Teaching Careers, under the provisions of mandatory competencies for teachers;
- e) Ensure the development and implementation of programs to train advising faculty under the terms of the legislation on administration and management of the educational and teaching systems;
- f) Research and develop best practices for the development of mandatory competencies for teachers;
- g) Promote innovation and development in teaching curricula;
- h) Conduct an assessment of needs for school workers and teacher training programs in order to assist in the creation of training plans;
- i) Provide monitoring and evaluation of the various programs and courses for teacher training;
- j) Assist in the creation and implementation of undergraduate and graduate programs for non-faculty staff, namely the inspection service staff of the Ministry of Education, its management team, representatives of school administration and management and the technical and administrative staff.

2. The Institute is authorized to do the following in order to fulfill its duties:

- a) Grant scholarships for study and research created for Timorese citizens in the areas foreseen in this statute, individually or in articulation with other relevant entities;
- b) Establish or collaborate in academic projects or activities created for Timorese citizens in the areas stated in the previous item;
- c) Enter contracts and sign agreements and protocols with domestic or foreign entities, public or private;
- d) Collaborate with other relevant entities to organize domestic and international events in its fields of activity;

- e) Collaborate with other entities or institutions with similar or complementary objectives, under the terms of this law;
- f) Create mobile teams for activities related to academics, research, monitoring and evaluation of the training to be provided to teachers and to schools all over the country.

Article 6
Supervisory Authority and Superintendence

1. As supervisory authority, the Minister of Education is responsible for the following:
 - a) Superintend all the activities of the Institute;
 - b) Appoint and remove the President and Vice-Presidents proposed by the Institute without detriment to the powers inherent to other government entities;
 - c) Approve the regulations of the organization and the operations of all services that integrate the Institute;
 - d) Approve all the training programs which are part of the curriculum, following proposals by the Institute's Coordination Board;
 - e) Monitor the performance of all Institute activities;
 - f) Delegate the duties of all services or agencies as foreseen in this statute;
 - g) Approve the annual and multi-annual plans for Institute activities, under proposal of the President;
 - h) Coordinate and guide the Institute in drafting the annual budget proposals;
 - i) Approve all activity reports and accounts reports of the Institute.

CHAPTER II
ORGANIC FRAMEWORK

SECTION I
AGENCIES

Article 7
Modalities

The following are organs of the Institute:

- a) The President;
- b) The Coordination Board.

SECTION II PRESIDENT AND VICE-PRESIDENTS

Article 8 Nature

The President is the highest level managing agency of the Institute and its representative at all levels, in court or out of court, as well as the party responsible for managing all its other agencies, offices and services, either centralized or decentralized.

Article 9 Appointment

1. The President of the Institute is appointed and removed by the Minister of Education, without detriment to the legal powers of other government entities.
2. The President is assisted by Vice-Presidents, with one Vice-President for each one of the fields of activity of the Institute.
3. Without detriment of the legal powers of the other government entities, the Minister of Education appoints and removes the Vice-Presidents following proposals submitted by the President and Vice-Presidents of the Institute.
4. The Vice-Presidents assist the President in the following sectors of activities:
 - a) Academic training;
 - b) Professional and continuing education;
 - c) Research, development, assessment and monitoring.
5. There will be one implementation office for each sector of activity of the Institute.

Article 10 Powers

The following are duties of the President:

- a) Ensure representation for the Institute;
- b) Coordinate the implementation of the strategic plan of the Institute;

- c) Direct and supervise the activities of all Vice-Presidents, coordinators, regional training directors and other agencies and services of the Institute;
- d) Together with the Minister of Education, provide coordination of the quantitative and qualitative needs for the training and qualification of faculty and the organization of training programs in accordance with those needs;
- e) Provide international cooperation programs for the Institute, in coordination with the Ministry;
- f) Promote the development of research and investigation programs to ensure the application of the best possible practices in teacher and staff training;
- g) Promote the development of research and investigation programs to ensure the application of the best possible practices in teaching methodologies;
- h) Enforce all applicable legal and regulatory provisions;
- i) Call Board of Directors meetings and preside at them;
- j) Ensure harmonious relationships between the Institute and the Government and other public or private entities;
- k) Represent the Institute in and out of court.

Article 11

Eligibility Requirements

1. The President of the Institute is appointed and must be a Timorese citizen with the following attributes:

- a) Proven moral character, personal integrity, independence and professional competence;
- b) Minimum academic qualification of Master, preferably in the fields of Education Sciences, School Administration and Management, Teacher Training, Public Management and Public Administration or Human Resources Management;
- c) Significant professional experience, preferably in the fields of Public Administration, education and teaching systems, vocational training, management or human resources;
- d) Proficiency in the two official languages of Timor-Leste;

- e) Ability to communicate in the English language and/or Bahasa Indonesian language;
 - f) No criminal records of any kind;
 - g) No prior sanctions with penalties of suspension of activities or more serious penalties applied by the government.
2. The legal criteria to be followed for choosing and appointing the Vice-Presidents of the Institute are the ones foreseen in the previous item, with exception of the provisions of item (b), with the latter being a preferential factor.
3. The positions of President and Vice-President are incompatible with the duties of political party leaders.

Article 12

Terms

The President and the Vice-Presidents are appointed for terms not to exceed four years, renewable for equal periods of time.

Article 13

Statute

1. The President and Vice-Presidents fulfill their roles in a regime of exclusivity and cannot engage in any other paid activity except part-time positions in teaching, research in the areas of science of education, or training for teachers and school staff.
2. The compensation of the President of the Institute is the equivalent to the compensation of Director General plus 25% of its gross amount.
3. The compensation of the Vice-President of the Institute is the equivalent of the compensation of Director General.
4. The professional rights and duties of President and Vice-President are the equivalent of those of Director General, under the terms of the legislation applicable to the positions of directors and department heads in government service.

Article 14

End of Term

1. The President and Vice-Presidents will end their duties in the following instances:
 - a) At the end of their respective terms;

- b) Due to death, permanent disability or supervening incompatibility of the incumbent;
 - c) Removal ordered by the appropriate Minister.
2. In the event of resignation, a new member is appointed with the duty of serving the remainder of the term.
3. The President can propose the removal of any Vice-President to the appropriate Minister.

SECTION III COORDINATION BOARD

Article 15 Nature

The Coordination Board is the executive agency of the President for the coordination and efficiency of the performance of all planning competencies of the Institute, both scientific and pedagogic.

Article 16 Composition

1. The Coordination Board is composed of the President and the Vice-Presidents of the Institute.
2. If necessary, the Coordination Board can also include the coordinators of the offices, regional training directors, the director of administrative and financial services and other entities deemed relevant by the President as a result of the issues and subject matters at hand.

Article 17 Duties

1. Without detriment of the duties granted or delegated by law, the Coordination Board will be responsible for the following:
- a) Advise the President;
 - b) Approve the proposal for annual and multi-annual activity plans to be submitted to the supervisory authority;
 - c) Approve the proposal for annual budget to be submitted to the supervisory authority;

- d) Submit curricula for training programs for approval by the supervisory authority;
 - e) Establish the terms for regulating orientation procedures for teachers at exams and student assessment activities;
 - f) Propose the drafting and the content for internal regulations to be approved by the supervisory authority;
 - g) Approve the necessary procedures for implementation of training programs in the entire country;
2. The following are further obligations of the Coordination Board:

- a) Issue non-binding opinions to the Minister of Education about legislative or other measures within the scope of its duties;
- b) Formulate and propose projects within the scope of the duties of the Institute;
- c) Make decisions about periodic external audits and organize them;
- d) Ensure optimum coordination between all its agencies, services and public and private entities, both domestic and international, and the parties to which the Institute is bound or with which it has cooperation agreements;
- e) Ensure good general governance of the Institute;
- f) Practice all the other acts deemed necessary for the performance of any duties which are not the responsibility of other agencies.

Article 18 Operation

1. The Board of Directors will meet at regular meetings twice a month and at special meetings whenever called by the president, on his own initiative or upon request from one of its members.
2. The Coordination Board can approve resolutions without voting and it will be enough for the president to issue the final qualitative statement about the meaning of the resolutions.
3. The Coordination Board may be supported by a secretariat office to assist with its duties.

Article 19 Replacement

In the event of absence or impediment, the president of the Coordination Board will be replaced by the member appointed for that effect.

CHAPTER III TECHNICAL AND ADMINISTRATIVE SERVICES

SECTION I IMPLEMENTATION OFFICES

Article 20 Nature

1. The implementation offices are the technical and administrative services for implementing and executing the policies established on the higher level by the Institute's agencies in reference to all plans and programs involving training, research, investigation and development and assessment and monitoring of faculty and education staff.
2. The implementation offices are coordinated at a higher level by the President of the Institute or the Vice-President appointed for that effect and directed by coordinators under the terms of the powers foreseen in this statute.
3. The Institute has the following Implementation Offices:
 - a) Academic Office;
 - b) Vocational and Continuing Education Office;
 - c) Office for Research, Development, Monitoring and Assessment.

Article 21 Bylaws and Appointment

1. The coordinators of the implementation offices are selected and appointed under the terms of the provisions and as applicable to the positions of directors and heads of departments within the government.
2. All implementation office coordinators will have the rights and duties inherent to the position of National Director regarding both wages and professional performance.
3. The number and powers of the Coordinators of each Implementation Office, as well as the composition of the staff of the Institute, are established in a joint Ministerial Statute issued by the party in charge of education and finances.

SECTION II

ACADEMIC OFFICE

Article 22 Nature

The academic office is the service responsible for the policies regarding academic training for faculty.

Article 23 Powers

The following are the specific duties of the academic office:

- a) Establish the criteria for admission and acceptance to undergraduate and graduate level courses in order to ensure high standards of academic quality for all training programs;
- b) Ensure the development and implementation of qualitative criteria for undergraduate studies by using strict systems for student evaluation;
- c) Ensure the creation and implementation of Bachelor and Licenciature degrees in the fields of education and teaching, in coordination with the other relevant entities;
- d) Create and implement a Bachelor's Degree specialized in School Management and Administration;
- e) Develop and implement the intensive teacher training program under the terms of the Statute for Teaching Careers;
- f) Develop and implement the creation of relevant graduate programs and provide continuing assessment and monitoring of its contents and results;
- g) Ensure the development and implementation of curricula, teaching manuals and specific teaching materials for intensive training of faculty, under the terms of the Mandatory Framework of Competencies for Teaching Careers;
- h) Ensure coordination with schools in order to provide practical training for teachers.

SECTION III OFFICE FOR PROFESSIONAL AND CONTINUING EDUCATION

Article 24 Nature

The office for professional and continuing education is the service responsible for the execution of the policies for training teachers and school staff.

Article 25 **Powers**

The following are the specific duties of the office for professional and continuing education:

- a) In coordination with the other services of the Ministry of Education, provide the implementation of curricular, pedagogic or programmatic contents for teachers and school staff;
- b) Ensure the drafting and implementation of all continuing education programs for teachers under the terms of *Lei de Bases da Educação* (Education Law);
- c) Draft and implement the specialized training courses foreseen in the *Lei de Bases da Educação*;
- d) Implement the continuing education plans for professionals in Inspection services and Ministry of Education leaders;
- e) Implement, when requested, professional training programs for the technical and administrative staffs of the Ministry;
- f) Develop the curricula and other instruments for training and assessment in the areas of school administration and management;
- g) Create and implement training programs for *Professores Orientadores* [Advising Teachers] under the terms of the legislation related to the administration and management of the education and teaching systems.

SECTION IV **OFFICE FOR RESEARCH, DEVELOPMENT, MONITORING AND ASSESSMENT**

Article 26 **Nature**

The office for research, development, monitoring and assessment is the office responsible for executing the policies governing research, development and monitoring of the system for training teachers and school staff with the objective of promoting quality and excellence of the education and teaching systems.

Article 27

Powers

The following are duties of the office for research, development, monitoring and assessment:

- a) Develop and monitor the mechanisms necessary for ensuring good practices in all training programs, in accordance with the provisions of the mandatory framework in the Statute of Teaching Careers.
- b) Promote and assess the development of new technologies and teaching and training methodologies for all sectors of activity, namely in the areas of new technologies and distance learning;
- c) Coordinate and supervise applied research and investigation activities for the improvement of quality in teaching and consequent improvement of student performance;
- d) Develop and implement methods for reviewing the needs for academic and professional training of teachers and school staff;
- e) Promote research and investigation into best practices applied to curriculum development of the remaining sectors of activity at the Institute;
- f) Ensure training quality by developing and maintaining mechanisms to promote excellence in the performance and assessment of all training programs, with specific procedures for the following:
 - I. assessment of satisfaction and ability to learn in graduates;
 - II. mechanisms for assessing performance of graduates in training programs;
 - III. procedures for training and classroom monitoring;
 - IV. procedures for reviewing the impact of training in the learning process.
- g) Develop the research and investigation mechanisms necessary for maximizing efficiency, usefulness and results of the use of languages in training and the teaching and learning processes under the terms of the legislation in effect.

SECTION V OFFICE OF ADMINISTRATION AND FINANCE

Article 28 Role

The office of administration and finance of the Institute is responsible for the execution of all administrative and financial measures to support compliance with the policies of the Institute as executed by the decentralized agencies, offices and services.

Article 29 Powers

The following are duties of the office of administration and finance:

- a) Execute the procurement and financial activities of the Institute under the direction and supervision of the central offices for procurement and financial services of the Ministry of Education;
- b) Develop the necessary measures related to administration and management of human resources for the Institute, under the direction of the central human resources services of the Ministry of Education;
- c) Administer the logistics, equipment and school supplies services of the Institute in the entire country in order to support all Institute activities;
- d) Support the implementation of training programs as drafted and developed by the Institute.

Article 30 Statute and Appointment

The Office of Administration and Finance is managed by a Director recruited and appointed under the terms of the applicable legislation governing directors and heads of departments in the Timorese government and equivalent to National Director for all legal and professional purposes.

Article 31 Composition

1. The Office of Administration and Finance is composed of one Director, under the terms of the provisions of the previous item, and three Department Heads responsible for each of the following Departments:

- a) Department of Finance and Supplies;
- b) Department of Administration, Technical Services and Human Resources;
- c) Department of Logistics, Equipment, Teaching Materials and Distribution.

2. The Department Heads of the office of Administration and Finance are recruited and appointed under the terms of the applicable legislation governing directors and heads of departments in the government.

3. The Office of Administration and Finance includes decentralized services at the regional level under the direction of the regional director for training and is also responsible for fulfilling its duties in all the local training centers.

CHAPTER IV DECENTRALIZED SERVICES

SINGLE SECTION REGIONAL TRAINING CENTERS

Article 32 Nature

The Regional Training Centers are decentralized administrative services of the Institute reporting directly to the appropriate President or Vice-Presidents and responsible for the regional and local implementation of the policies and powers of the Institute.

Article 33 Statute and Organization

1. The regional training centers are directed by a Regional Director with powers equivalent for all purposes to a National Director, under the terms of the legislation applicable to the positions of administrators and heads of departments in the government and reporting directly to the Coordination Council, depending on the subject matter, and to the President and/or Vice-Presidents responsible for each specific sector of activity.

2. The matters under the responsibility of the department of administration and finances are directly supervised by the President of the Institute or delegated to the Director of Administration and Finance for specific duties.

3. The regional training centers are organized into the following 4 departments:

- a) Academic department, in charge of the Academic Office;
- b) Continuing education department, in charge of the Professional and Continuing Education office;
- c) Department of training for education professionals, in charge of the Professional and Continuing Education office in the field of training for education professionals;

- d) Regional department for administrative services, in charge of the activities related to administration and finance of the Institute.
4. The departments of the regional training center are directed by Department Heads who are recruited and appointed under the terms of the provisions for the positions of administration and heads of departments in the government, including all the rights and duties inherent to the performance of Department Chief positions.
5. The department heads report to the regional director of each training center.

Article 34
Local Training Centers

1. The regional training centers are non-administrative bodies for teacher training under the direction of the Regional Training Centers headquartered in each one of the Sub-District capital cities of Timor-Leste.
2. The local training centers execute and help the schools to execute the training programs developed by the Institute.
3. The local training centers may be composed of trainers and/or teachers who perform all the tasks emanated from the Regional Training Centers.
4. The local training centers may operate in public schools or the appropriate sectors of the Regional Training Department.
5. The regional training director can propose to the President of the Institute the opening of the procedures of recruitment and appointment for the positions of section heads of local training centers whenever advised, in accordance with the tasks to be fulfilled by the local training center.
6. Section chiefs, when applicable, report directly to the appropriate Regional Training Director.

Article 35
Territorial Distribution

The Regional Training Centers of Baucau, Same, Maliana and Oe-Cusse are hereby created.

CHAPTER V
FINAL AND TRANSITORY DISPOSITIONS

Article 36
Staff

1. The staffing for the Institute is hereby approved by a joint Ministerial Statute issued by the appropriate heads of Education and Finances, following approval by the other competent government entities in charge of human resources.

2. The specific powers of the Institute, as well as its academic and scientific nature, foresee annual financing for the hiring of the necessary number of technical staff under a system of individual labor contracts or service agreements.

Article 37 **Binding**

The Institute is bound by the signature of its President or one Vice-President, under the terms of the powers explicitly delegated for that purpose.

Article 38 **Internal Regulations for Procedures and Organization**

The internal regulations for procedures and organization are sent to the members of the supervisory authority for prior approval.

Article 39 **Intensive Training Program**

The power for the development and implementation of the intensive training program under the terms of the mandatory set of competencies of the special transitory regime of the Statute of Teaching Careers will cease when the objectives established in said statute are fulfilled, with all due legal implications and under the provisions of the mandatory powers of the special transitory system of the Statute of Teaching Careers.

Article 41 **Effective Date**

This law will be in effect on the day following its publication.

Reviewed and approved at a Council of Ministers meeting on December 16, 2010.

The Prime-Minister,

Kay-Rala Xanana Gusmão

The Minister of Education,

João Câncio Freitas, PhD

Proclaimed on 1/ 12/ 11

Ready for publication.

The President of Timor-Leste:

José Ramos-Horta