

FOR REFERENCE ONLY

Guide for Parent Manager Election

Introduction

1. Since the implementation of school-based management in public sector schools in 2000, the Education Bureau has been promoting the participation of key stakeholders in school management and decision-making. The aim is to introduce an open and transparent participatory school governance framework in schools by including key stakeholders like teachers, parents and alumni in the Incorporated Management Committee (IMC). The Education Ordinance (the Ordinance) provides that there shall be at least one parent manager in the IMC and where there is only one parent manager in an IMC, an alternate parent manager shall also be provided. Parent managers mentioned in this election guide include both parent manager and alternate parent manager (if applicable). All parent managers shall be elected in the same manner for nomination for registration as managers.

2. The IMC of a school may recognize one body of persons as recognized parent-teacher association (the RPTA) for nominating parent managers^{Note 1}. The RPTA shall conduct the election of parent managers. For schools without PTA, they should establish one as soon as possible. The newly established PTA shall ensure that its constitution fulfils the conditions for recognition as the RPTA. **For the existing PTA, it should amend its constitution where necessary in order to fulfil the conditions for recognition as the RPTA.**

3. This election guide, premised on the principle of ‘fairness and transparency’ as provided for in section 40AO of the Ordinance on ‘Nomination of Parent Manager’, outlines the procedures for the election of parent managers. Please refer to Annex I for the relevant provisions of election of parent managers in the Ordinance. The IMC shall pass this guide to its RPTA for reference in setting up a parent manager election

Note 1 According to Section 40AO(3) of the Education Ordinance, a body of persons shall not be recognised unless under its constitution only -

- (i) parents of current pupils of the school; or
- (ii) serving teachers of the school

may elect or become office-bearers of the body.

(“Teachers” herein do not include “specialist staff” of the school.)

system. The RPTA may adapt this election guide to suit its own needs and set out details of parent manager election. The RPTA may consider inclusion of this set of manager election details in its constitution. The RPTA should consult parents to ensure that the parent manager election system is fair and transparent. Detailed arrangements of the election system should be made known to all parents before conducting the election. Any subsequent amendments to the election system shall be properly documented.

The Candidature

4. All parents of current pupils of the school are eligible to become candidates. Parents in relation to a pupil include a guardian of the pupil and a person who is not the parent or guardian of the pupil but has the actual custody of the pupil.

5. According to section 40AO(5)(b), a parent should not be nominated as a parent / alternate parent manager if he / she is a serving teacher of the school. Candidates should also note the registration requirements of managers set out in section 30 of the Ordinance.

6. As stipulated in the Ordinance, no manager shall serve in an IMC in more than one capacity, for example, no one can serve as a parent manager and an alumni manager at the same time. Thus, if there are two elections under different categories to be conducted concurrently in a school, no one should stand as candidate in more than one election.

Number and Tenure

7. The number and tenure of office of parent managers have been specified in the IMC constitution. Generally, the term of office of a parent manager is recommended to come into effect on 1 September and terminate on 31 August. In case the RPTA could not conduct the parent manager election before 1 September, it is recommended that the election should be conducted as soon as possible after the commencement of the new school year in September. The RPTA should then nominate the elected parent for

registration as a parent manager. Otherwise, in accordance with section 40AU of the Ordinance, if the post of parent manager is vacant for more than three months, the IMC shall apply to the Permanent Secretary for extension of the period for filling the vacancy.

Nomination Procedures

Returning Officer

8. The RPTA should assign a person, who may be elected amongst the office-bearers of the RPTA or a teacher appointed by the school, to serve as the Returning Officer. The Returning Officer should oversee the different aspects of work including making of nominations, issuance of ballot papers and counting of votes, but he / she must not be a candidate for the parent manager election.

Period of Nomination

9. The RPTA should specify in the election details the period of nomination for the parent manager election.

Nomination

10. The Returning Officer should inform all parents in writing (e.g. notice, letter etc.) of the number of parent manager vacancies, the period of nomination, method of nomination, date of voting, counting of votes and announcement of results and other relevant information. A nomination form should be enclosed. At the same time, the Returning Officer shall inform all parents of the eligibility of candidates (paragraphs 4 to 6 above refer) and responsibilities of a school manager. A parent may nominate oneself or another eligible candidate to stand for the election. The RPTA may specify in the election details the maximum number of nominees that each parent can nominate, and consider whether it is necessary to establish a mechanism for seconding a nomination. If such a mechanism is to be established, the RPTA shall set out in the election details related arrangements, for example, seconders must be parents of current pupils and the number of seconders required etc. Nevertheless, all such requirements

must be reasonable in order to ensure that the mechanism for seconding the nomination is fair.

11. If no one stands for candidature in the election, the RPTA may consider extending the deadline of nomination or conducting the election again after a lapse of some time. The election procedures should cater for such occasions and special arrangements should be made according to the principle of fairness and transparency.

Candidates' Information

12. Each nominated candidate should supply a brief statement of his / her personal information to the Returning Officer within the number of words as specified by the RPTA.

13. Not less than seven days before the election day, the Returning Officer should notify all parents the names of the candidates being nominated and the brief introductory statements of the candidates in writing, including their declarations where applicable. The RPTA should guard against the risk of incurring any legal liability in publishing those statements. The notification issued by the Returning Officer should also explain the procedures and the time-table of the election. If possible, the Returning Officer can arrange a meeting for the candidates to introduce themselves to all parents and answer questions from them.

Electors' Eligibility

14. All parents of current pupils of the school as defined in paragraph 4 above are eligible to vote. A teacher of the school who is the parent of a current pupil of the school also has the right to vote. All eligible electors have equal voting right. Every parent should vote individually and should have only one vote irrespective of the number of children the parent has at the school. For the sake of administrative arrangements, the RPTA may give pupils two ballot papers each for their parents to vote. A ballot paper may be given to the guardian of the pupil or the person who has the actual custody of the pupil if such a request is received and school's verification is obtained.

Election Procedures

Date of Voting

15. The period between the date of voting for parent manager election and the deadline of nomination should at least be two weeks.

Voting method

16. According to the Ordinance, the voting shall be conducted by secret ballot, i.e. electors are not allowed to put down their names or any other marks of identification on the ballot paper and should not let the other electors see whom they have voted for. A sample of the ballot paper is at Annex II.

17. A ballot box shall be made available for the election. It should be locked and the key should be kept by the Returning Officer. The Returning Officer shall inform all parents of the voting arrangements in advance: if parents are required to vote in person in the school, details of the date, time and venue of the voting should be clearly specified; if parents are allowed to return their ballot papers to the class teachers through their children within a certain voting period, details of the start date and end date of the voting period should be specified and the ballot papers should be sealed in envelopes specifically designed for that purpose before placing them into the ballot box; if parents are allowed to return the ballot papers within a certain voting period by other means (such as by post), details of the start date and end date of the voting period, how the ballot papers would be issued and detailed arrangements of returning the ballot papers etc. should be provided. The Returning Officer should ensure that all means of returning ballot papers are in compliance with the principle of confidentiality (especially if ballot papers are returned by post). Besides, the RPTA should decide whether all ballot papers distributed (including blank ballot paper) should be returned, and the related arrangements should be made known to all parents in advance. If the RPTA chooses to do so, the school should keep record of the parents who have returned ballots before putting the ballot papers into the ballot box.

Counting of votes

18. The Returning Officer should invite all parents, candidates, and / or the principal to witness the counting of votes.

19. The chairperson of RPTA, the Returning Officer and / or the principal shall be present to witness the counting. During the time of counting the votes, the Returning Officer must make sure that all ballot papers have been poured out from the ballot box before counting starts. The RPTA should specify in advance the circumstances under which ballot paper will be declared invalid, for example –

- (i) the number of candidates being voted on the ballot paper exceeds the number of vacancy for that election;
- (ii) the ballot paper has not been marked properly; or
- (iii) the ballot paper is marked in such a way that the identity of the elector can be traced.

20. If there is only one parent manager vacancy and one alternate parent manager vacancy, the one who obtains the greatest number of votes will be nominated for registration as the parent manager whereas the one who obtains the next greatest number of votes will be nominated for registration as the alternate parent manager. If there are more than one vacancy of parent manager, the successful candidates are the ones who obtain the greatest number of votes, then the next greatest and so on until all vacancies are filled. When two or more candidates obtain the same number of votes, the relevant arrangement should be specified in advance in the election details to determine who shall be elected, such as conducting a second round of voting or drawing lots. The RPTA should also decide whether the mechanism of ‘uncontested nomination’ will be adopted and inform parents of the related arrangements in advance. The principle of fairness and transparency should be observed in this regard.

21. After the election, the Returning Officer should put all the cast ballot papers in an envelope, which will then be signed and sealed by him / her and the chairperson of the RPTA. The envelope and the cast ballot papers should be kept by the RPTA for at least six months as they might be needed for investigation purposes in case of allegations against voting

irregularity. However, prolonged retention period should be avoided.

Announcing Results

22. The Returning Officer should inform all parents of the results of the election.

23. Unsuccessful candidate may, within one week of the announcement of results, appeal to the RPTA in writing together with the reasons. The RPTA should stipulate in its election details the appeal mechanism for the election of parent managers and ensure that the mechanism is fair and transparent.

Enquiry

24. To facilitate smooth conducting of the election, it is advisable for the Returning Officer to provide parents with practical means of communication, such as contact email or telephone, so that all enquiries related to the election can be timely handled.

Follow-up Action after Election

25. The RPTA shall nominate the parent(s) elected as the parent manager(s) of the school in accordance with section 40AO(4) of the Ordinance, and notify the IMC of the result of the parent manager election. Meanwhile, the elected parent(s) shall apply to the Permanent Secretary for registration as manager of the school in a specified form.

Filling of Vacancies

26. If a parent manager whose child is no longer a current pupil of the school during his / her term of office, he / she shall continue to be the manager until the term of office expires or the end of the school year, whichever is the earlier.

27. If a parent manager vacancy arises out of either the expiry of term of office or resignation tendered by the manager during the term of office, the RPTA shall conduct an election and make nomination of parent

managers to fill the vacancy within three months. If the RPTA cannot make such nomination accordingly, the IMC may apply on good grounds to the Permanent Secretary for extension of the period for filling the vacancy.

Points to Note

28. If the school is a bi-sessional school, the IMC may recognise one body of persons as the RPTA for each of the AM and PM session separately, or recognise an RPTA representing both the AM and PM sessions, for the purpose of making nomination of not less than one parent manager for each session. If each session nominates one parent manager only, an alternate parent manager shall be nominated for each session separately.

29. The RPTA should not set a condition that its elected RPTA chairperson will automatically be an elected parent manager or vice versa, as this may affect the intention of those candidates who wish to be a parent manager or the chairperson of the RPTA only, thus violating the spirit of equal right of candidature for all parents of current pupils as provided in the Ordinance.

30. The election of the parent managers and office-bearer(s) of the RPTA may be conducted concurrently to elect the parent managers and office-bearer(s) of the PTA respectively. However, the RPTA shall pay heed to electors' eligibility in the two elections and make appropriate arrangements in the voting procedures to prevent electors from confusing the candidates for the two elections.

31. Parents, being candidates and voters in the parent manager election, should note the ethical conduct listed at Annex III to ensure fairness in the election process.

32. On receiving an application for registration as a manager of a school, the Permanent Secretary shall make such inquiry as he considers necessary. The Permanent Secretary may refuse to register an applicant as a manager of a school on grounds stipulated in section 30 of the Ordinance.

Education Bureau

Education Ordinance

Provisions relating to Election of Parent Managers

The “Content” as listed out in the following table is a summary of the relevant provisions of the Education Ordinance and is for reference purpose. Please refer to the Education Ordinance if a specific provision is to be quoted.

Education Ordinance	Content
30	<p>The Permanent Secretary may refuse to register an applicant as a manager of a school if it appears to the Permanent Secretary that —</p> <ul style="list-style-type: none"> • the applicant is not resident in Hong Kong for at least 9 months in each year; • the applicant is not a fit and proper person to be a manager; • the applicant is a person in respect of whom a permit to teach has previously been cancelled; • the applicant is under the age of 18 years; • the applicant has attained the age of 70 years and he fails to produce a valid medical certificate certifying that he is physically fit to perform the functions of a manager; • the applicant is under the age of 70 years and he fails to produce, upon a request by the Permanent Secretary, a valid medical certificate certifying that he is physically fit to perform the functions of a manager; • in making or in connection with any application — <ul style="list-style-type: none"> (i) for registration of a school; (ii) for registration as a manager or a teacher; or (iii) to employ a person as a permitted teacher in a school, the applicant has made any statement or furnished any information which is false in any material particular or by reason of the omission of any material particular; • the applicant is a bankrupt within the meaning of the Bankruptcy Ordinance (Cap. 6) or has entered into a voluntary arrangement under that Ordinance; • the applicant has previously been convicted in Hong Kong or elsewhere of a criminal offence punishable with imprisonment; or • the applicant has been registered as a manager of 5 or

Education Ordinance	Content
	more schools.
40AB	<ul style="list-style-type: none"> • Parent, in relation to a pupil, includes — <ul style="list-style-type: none"> (i) a guardian of the pupil; and (ii) a person who is not the parent or guardian of the pupil but has the actual custody of the pupil.
40AL	<ul style="list-style-type: none"> • For an IMC school with a recognised PTA, at least one parent manager shall be provided. • If the school is a bi-sessional school, and a PTA is recognised for each session separately, at least one parent manager shall be provided for each session. • If there is only one parent manager for a school, one alternate parent manager shall be provided. If the school is a bi-sessional school, and there is only one parent manager for each session, one alternate parent manager shall be provided for each session separately.
40AO	<ul style="list-style-type: none"> • The IMC may recognise one body of persons as recognised PTA, but its constitution shall specify only the following persons — <ul style="list-style-type: none"> (i) parents of current pupils of the school; or (ii) serving teachers ^{Note 2} of the school may elect or become office-bearers of the body. • Parent manager election and alternate parent manager election shall be conducted by the recognised PTA. • A recognised PTA may nominate such number of persons for registration as parent manager or alternate parent manager of the school as may be provided for in the constitution of the IMC of the school. • The system of election shall be fair and transparent. • A candidate must be a parent of a current pupil of the school. • A candidate must not be a teacher of the school. • In the election, all parents have equal voting right and right of candidature. • The voting for the election shall be conducted by secret ballot.
40AS	<ul style="list-style-type: none"> • A parent manager and an alternate parent manager shall be elected in the same manner for nomination for registration as a manager.
40AU	<ul style="list-style-type: none"> • The person who fills the vacancy of parent manager shall be nominated for registration as a manager in the same manner as the manager who ceased to hold the office concerned.

Education Ordinance	Content
40AV	<ul style="list-style-type: none"> If a parent manager ceases to be a parent of a current pupil of the school, his term of office as a manager shall continue until its expiry or the end of the school year, whichever is the earlier.
40AX	<ul style="list-style-type: none"> On the ground that a manager is not suitable to continue to hold office, the recognised PTA of a school may pass a resolution, in a manner which is similar to the manner in which the manager concerned is elected, and make a written request to the IMC to cancel the registration of the manager. The IMC shall, upon receiving the request, issue a notice in writing to the Permanent Secretary as regards the cancellation of the registration of the parent manager.

Note 2 The definition of “teachers” shall follow the stipulations at Section 40AB of the Education Ordinance. For special schools, the definition of “teachers” in this aspect does not include the “specialist staff” of the school.

XXX School Parent-teacher Association

XXX 學校家長教師會

Election of Parent Manager 家長校董選舉

Ballot Paper 選票

Voting Date:

投票日期：

Please read carefully the “Directions for Voting” overleaf before casting vote.

填寫選票前請細閱背頁的「投票人須知」

Please use a blue or black ball-point pen to mark a “✓” in the box against the number of the candidates you vote for. The number of “✓” you marked on the ballot paper should not be more than the number of vacancies. Otherwise, your ballot paper will be considered null and void.

請用藍色或黑色原子筆在選票上候選人編號旁邊的空格內加上「✓」號。你在選票上所填的「✓」號，不能超過空缺的數目，否則，選票便會作廢。

Candidates 候選人

<input type="checkbox"/>	1	XXX(Name in English)	XXX(中文姓名)
<input type="checkbox"/>	2	XXX	XXX
<input type="checkbox"/>	3	XXX	XXX

XXX School Parent-teacher Association

XXX 學校家長教師會

Directions for Voting

1. Put no other marks on the ballot paper other than the mark “✓” or it will be considered null and void.
2. Fold the ballot paper into two and do not let anyone see whom you vote for. The ballot is secret.
3. Put the ballot paper into the ballot box.

投票人須知

1. 除「✓」號外，請勿在選票上劃上其他記號，否則選票便會作廢。
2. 將選票對摺，切勿讓他人看見你的選擇。投票是保密的。
3. 將選票放入投票箱。

Ethical Conduct Required in the Parent Manager Election

Nomination of Candidates

1. Do not offer any advantage to get any person to stand or not to stand as a candidate.
2. Do not offer any advantage to get any person having been nominated as a candidate to withdraw his candidature.
3. Do not offer any advantage to get any candidate's not using his best endeavours to promote his candidature.
4. Do not solicit or accept any advantage for any person's standing or not standing as a candidate.
5. Do not solicit or accept any advantage for any person's withdrawal of his candidature.
6. Do not solicit or accept any advantage for any candidate's not using his best endeavours to promote his candidature.
7. Do not use or threaten to use force or duress to induce any person to stand or not to stand as a candidate, or to withdraw his candidature.
8. Do not induce by deception, any person to stand or not to stand as a candidate, or to withdraw his candidature.

Electioneering

1. Do not make any materially false or misleading statement of fact including but not limited to the character, qualifications or previous conduct of a candidate or candidates.
2. Do not take part in any activity that is likely to give rise to criticism and allegation of malpractices and should abide by the principle of fairness in election.
3. Do not state overtly or covertly the support of any person or organisation in any campaign activities, especially in the campaign literature before written consent has been obtained.

Voting

1. Do not offer any advantage to induce any person not to vote at an election.
2. Do not offer any advantage to induce any person to vote or not to vote for a particular candidate at an election.
3. Do not provide or pay for the provision of any food, drink or

entertainment as an inducement to or a reward for any person's not voting at an election.

4. Do not provide or pay for the provision of any food, drink or entertainment as an inducement to or a reward for any person's voting or not voting for a particular candidate at an election.
5. Do not use or threaten to use force or duress against any person for the purpose of influencing his or any other person's voting decision.
6. Do not induce by deception any person not to vote at an election.
7. Do not induce by deception any person to vote or not to vote for a particular candidate at an election.