

# FOR REFERENCE ONLY

## Guide for Alumni 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). There shall be at least one alumni manager in an IMC. The IMC or sponsoring body (as may be provided for in the constitution of the IMC) may recognise one body of persons as recognised alumni association (RAA) which is responsible for conducting the election of alumni manager(s) and, in accordance with section 40AP(4) of the Education Ordinance (the Ordinance), nominating such number of persons for registration as alumni manager of the school as may be provided for in the constitution of the IMC of the school.

2. This election guide, premised on the principle of ‘fairness and transparency’ as provided for in section 40AP of the Ordinance on ‘Nomination of Alumni Manager’, outlines the procedures for the election of alumni managers. Please refer to Annex I for the relevant provisions of election of alumni managers in the Ordinance. The IMC shall pass this guide to the RAA of the school for reference in working out an election system for electing alumni managers. The RAA may adapt this election guide to suit its own needs and provide in its constitution the alumni manager election system.

3. The election of alumni managers shall be conducted by the RAA under whose constitution the system of election held for the purpose of making nomination of alumni manager is fair and transparent. Detailed arrangements of the election should be made known to all alumni/members of the RAA (members). **An alumni association may amend its constitution where necessary in order that it fulfils the conditions for recognition and hence be the RAA responsible for**

**nominating alumni manager(s).** All alumni/members should be consulted before formulating the alumni manager election system and any subsequent amendments to the election system shall be properly documented.

## **The Candidature**

4. The RAA shall specify in its constitution the eligibility of candidates, for example, whether all alumni of the school are eligible to become candidates or only members can stand for the election.

5. In accordance with section 40AP(6)(b) of the Ordinance, an alumnus shall not be nominated 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 an alumni manager and a parent 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 & Tenure**

7. The number and tenure of office of alumni manager(s) has been specified in the IMC constitution. Generally, the term of office of an alumni manager is recommended to come into effect on 1 September and terminate on 31 August.

## **Nomination Procedures**

### **Returning Officer**

8. The RAA may assign the chairperson or an office-bearer as Returning Officer to oversee the different aspects of work including making of nominations, issuance of ballot papers and counting of votes. The Returning Officer must not be a candidate for the alumni manager election.

### **Period of Nomination**

9. The RAA should specify in its constitution the period of nomination for the alumni manager election.

### **Nomination**

10. The Returning Officer should inform all alumni/members of the number of alumni manager vacancies, the period of nomination, method of nomination, date of voting, counting of votes and announcement of results and other relevant information. At the same time, the Returning Officer shall inform all alumni/members of the eligibility of candidature (paragraphs 4 to 6 above) and responsibilities of a school manager. An alumnus/member may nominate oneself or another eligible candidate to stand for the election. The RAA may specify in its constitution the maximum number of nominees that each alumnus/ member can nominate, and consider whether it is necessary to establish a mechanism of seconding a nomination. If such a mechanism is to be established, the RAA shall set out in its constitution detailed arrangements, for example, seconders must be members of the RAA; 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 RAA 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 required by the RAA.

13. Not less than seven days before the election day, the Returning Officer should notify all alumni/members the names of the candidates being nominated and the brief introductory statements of the candidates including their declarations may also be provided. The RAA 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 alumni and answer questions from them.

## **Electors' Eligibility**

14. The RAA shall specify in its constitution the eligibility of electors, for example, whether all alumni of the school are eligible to vote or only members can vote.

## **Election Procedures**

### **Date of Voting**

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

### **Voting method**

16. To ensure a fair election, it is advisable for the voting to 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 should 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 alumni/members of the voting arrangements in advance: if alumni/members are required to vote in person in the school, details of the date, time and venue of the voting should be clearly specified; if alumni/members are allowed to return the ballot papers within a voting period by other means (such as by post or in person), 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). The RAA should decide whether all ballot papers distributed

(including blank ballot paper) should be returned, and the related arrangements should be made known to all alumni/members in advance.

### Counting of votes

18. The Returning Officer may arrange to conduct voting and counting of votes on the same day. All alumni/members, candidates, and the principal may be invited to witness the counting of votes.

19. The chairperson of the RAA and the Returning Officer should 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 RAA should specify in advance the circumstances under which votes will be declared invalid, for example –

- (i) the number of candidates marked with ‘✓’ 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 are more than one vacancy, 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 arrangement should be specified in advance in the constitution of the RAA to determine who shall be elected, such as conducting a second round of voting or drawing lots. The RAA should also decide whether the mechanism of ‘uncontested nomination’ will be adopted and inform alumni/members 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 RAA. The envelope and the cast ballot papers should be kept by the RAA 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 alumni/members of the results of the election.

23. Unsuccessful candidate may, within one week of the announcement of results, appeal to the RAA in writing together with the reasons. The RAA should stipulate in its constitution the appeal mechanism for the election of alumni 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 alumni/members with practicable means of communication, such as contact email or telephone, so that all enquiries related to election can be timely handled.

### **Follow-up Action after Election**

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

### **Filling of vacancies**

26. If an alumni manager vacancy arises out of either the expiry of term of office or resignation tendered by the manager during the term of office, the RAA shall conduct an election and make nomination of alumni manager(s) to fill the vacancy within three months. If the RAA does not have any nomination for alumni manager(s), the IMC should notify EDB in writing of the situation. Separately, the IMC may, upon consulting the alumni/the RAA, nominate such number of persons for registration as alumni manager of the school as may be provided for in its constitution in accordance with section 40AP(5) of the Ordinance.

## **Points to note**

27. If the school is a bi-sessional school, the IMC or sponsoring body (as may be provided for in the constitution of the IMC) may, according to the situation of the school, recognise one body of persons as RAA for each session separately, or recognise a body of persons as RAA representing both the AM and PM sessions for the purpose of making nomination of alumni manager.

28. Alumni/members, being candidates and voters in the alumni manager election, shall note the ethical conduct listed at Annex III to ensure fairness in the election process.

29. On receiving an application for registration as a manager of a school, the Permanent Secretary shall make such inquiry as he considers necessary. Also, 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 Alumni 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"> <li>• the applicant is not resident in Hong Kong for at least 9 months in each year;</li> <li>• the applicant is not a fit and proper person to be a manager;</li> <li>• the applicant is a person in respect of whom a permit to teach has previously been cancelled;</li> <li>• the applicant is under the age of 18 years;</li> <li>• 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;</li> <li>• 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;</li> <li>• in making or in connection with any application — <ul style="list-style-type: none"> <li>(i) for registration of a school;</li> <li>(ii) for registration as a manager or a teacher; or</li> <li>(iii) to employ a person as a permitted teacher in a school,</li> </ul> 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;</li> <li>• the applicant is a bankrupt within the meaning of the Bankruptcy Ordinance (Cap. 6) or has entered into a voluntary arrangement under that Ordinance;</li> </ul> |

| <b>Education Ordinance</b> | <b>Content</b>  |
|----------------------------|---|
|                            | <ul style="list-style-type: none"> <li>• the applicant has previously been convicted in Hong Kong or elsewhere of a criminal offence punishable with imprisonment; or</li> <li>• the applicant has been registered as a manager of 5 or more schools.</li> </ul>  |
| 40AL                       | <ul style="list-style-type: none"> <li>• For an IMC school, at least one alumni manager shall be provided.</li> </ul>   |
| 40AP                       | <ul style="list-style-type: none"> <li>• If the school is a bi-sessional school, the IMC or sponsoring body (as may be provided for in the constitution of the IMC) may recognise a body of persons as recognised alumni association for each session separately.</li> <li>• The IMC or sponsoring body may recognise one body of persons as recognised alumni association. The body of persons shall be recognised only when its constitution specifies the following items — <ul style="list-style-type: none"> <li>(i) its membership is open to all alumni of the school;</li> <li>(ii) only the alumni of the school may elect or become office-bearers of the body; and</li> <li>(iii) the system of alumni manager election is fair and transparent.</li> </ul> </li> <li>• A recognised alumni association shall be responsible for conducting the alumni manager election and nominating such number of persons for registration as alumni manager of the school as may be provided for in the constitution of the IMC of the school.</li> <li>• If the recognised alumni association does not have any nomination for alumni manager(s), the IMC may nominate such number of persons for registration as alumni manager as may be provided for in its constitution.</li> <li>• A candidate must be an alumnus of the school.</li> <li>• A candidate must not be a teacher of the school.</li> </ul> |
| 40AU                       | <ul style="list-style-type: none"> <li>• The person who fills the vacancy of alumni manager shall be nominated for registration as a manager in the same manner stipulated in section 40AP of the Education Ordinance.</li> </ul>   |
| 40AX                       | <ul style="list-style-type: none"> <li>• On the ground that a manager is not suitable to continue to hold office, the recognised alumni association of a</li> </ul>   |

| <b>Education Ordinance</b> | <b>Content</b>   |
|----------------------------|--|
|                            | <p>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 alumni manager.</p> |

**XXX School Alumni Association**

**XXX 學校校友會**

**Election of Alumni Manager 校友校董選舉**

**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 Alumni Association**

### **XXX 學校校友會**

#### **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 Alumni 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.