

## Second School Allocation Exercise (“SAE”) 2018

### Guidance Notes on

- **Application for Allocation of New Special School Premises – Site A for Operating a Special School for Children with Mild Intellectual Disability (“MiID”) at Renfrew Road, Kowloon Tong**
- **Application for Allocation of New Special School Premises – Site B for Operating a Special School for Children with MiID and Moderate Intellectual Disability (“MoID”) with Boarding Facilities for Children with MoID at Renfrew Road, Kowloon Tong**

### Eligibility Requirements

1. The applicant body is required to meet the following eligibility requirements :
  - (a) (i) incorporated under the Companies Ordinance, and its articles of association (“A&A”) contain all the standard articles required for allocation of a school premises (See Homepage of Education Bureau (“EDB”):  
<http://www.edb.gov.hk/en/sch-admin/sch-premises-info/allocation-of-sch/eligibility.html>),  
or
  - (ii) incorporated under other ordinances and the Permanent Secretary for Education is satisfied, having regard to its constitution, that it is fit to be considered for allocation of a school premises; and
- (b) exempt from tax under Section 88 of the Inland Revenue Ordinance.

Applicant bodies not possessing the incorporation status and non-profit-making status under Section 88 of the Inland Revenue Ordinance are NOT eligible for application and their applications would NOT be processed. On the other hand, for an applicant body which meets the incorporation and non-profit-making status requirement stipulated above but does not have all of the standard clauses and articles required for allocation being included in its A&A, the application will still be processed subject to the applicant body’s written confirmation to complete to revise its A&A and seek approval from the Registrar of Companies for the revision to be made should the application be successful. The formal allocation of any premises would be subject to the completion of all eligibility requirements for allocation of school premises.

### Basic Principle of Allocation

2. Allocation is on a competitive basis. The basic principle for allocation of school premises is to select applicant bodies to provide quality education and boarding services, if any, for children. Thus, the applicant body:
  - (a) must have good organisation structure, proper management and sound financial footing;
  - (b) must demonstrate commitment to implementing education policies and initiatives by EDB;
  - (c) should preferably have experience in running special schools, especially schools for children with intellectual disability, or other relevant experiences; and
  - (d) in respect of Site B, applications proposing either to operate a MiID school or MoID school only, or has omitted the 5-day and/or 7-day boarding services for MoID students, would not be considered.
3. Quality of education is the prime consideration in assessing the applications. Factors to be considered include the operation track record of the applicant bodies and the quality of the proposed school plan in running the new special school (*for applications for allocation of new school premises with boarding facilities (Site B), the plan for boarding services will also be considered*). In the event that the overall assessments of more than one applicant are comparable, preference would be given to the applicant(s) with proven track record in running special schools in Hong Kong, especially schools for children with intellectual disability.

4. Warnings issued to the applicant body or school(s) under its operation within the past two years by the Permanent Secretary for Education for malpractice will be taken into consideration in the allocation of the premises.

**(Paragraphs 5 – 8 below are only applicable for  
the application for Allocation of New Special School Premises at Site A for  
Operating a Special School for Children with MiID)**

**Furniture and Equipment Cost**

5. Under the existing policies on special education, the Government will bear the cost of furniture and equipment of the proposed new special school. The exact amount to be provided by the Government for furniture and equipment will be subject to detailed vetting by the Government on the requirements. The applicant body will have to submit information/ documents for vetting in relation to the provision of exact amount of furniture and equipment cost borne by the Government.

**Proposed School Plan**

6. Applicant bodies are required to submit a proposal for the special school for children with MiID, setting out the vision and mission; management and organisation; learning and teaching; school ethos and support for students; students' performance targets; self-evaluation indicators, etc. Applicant bodies may make reference to the school(s) that they are operating and their respective performance to substantiate their case. Format of a proposed school plan is at the **Annex** to this Guidance Notes.

**Submission of Application Forms, Proposed School Plans and Supporting Documents**

7. The following documents should be submitted<sup>^</sup> –
- (a) Duly completed and signed original copy of the application form (**Application Form A**);
  - (b) If the applicant body is incorporated under the Companies Ordinance, please provide its incorporation document and Articles of Association and complete and return **Annex** to Application Form A;
  - (c) If the applicant body is incorporated under its own Ordinance, please provide the content of the relevant Ordinance, and its Constitution, if any;
  - (d) Applicant body's certificate of exemption from tax; and
  - (e) 22 copies each of (i) the proposed school plan (NOT MORE THAN 10 pages<sup>#</sup> including all annexes), (ii) the executive summary (NOT MORE THAN two pages\*) and (iii) list of operating schools (with or without boarding services) run by the applicant body (if any) with names, addresses and types; together with two CD-ROMs containing information on (i), (ii) and (iii).
- <sup>#</sup> *Content in pages exceeding the page limits would not be considered.*
- <sup>^</sup> *Documents listed in item (e) should NOT be stapled together with all other documents (i.e. documents of items (a) – (d)).*
8. All required documents as detailed in paragraph 7 above should reach EDB at the following address **no later than 5 pm on 15 October, 2018:**

Infrastructure and Research Support Division Education Bureau 6 <sup>th</sup> Floor, East Wing, Central Government Offices 2 Tim Mei Avenue, Tamar, Hong Kong
--

Late or incomplete applications, as well as applications via email, will not be accepted.

**(Paragraphs 9 – 12 below are only applicable for  
the application for Allocation of New Special School Premises at Site B for  
Operating a Special School for Children with MiID and MoID and with boarding facilities for  
Children with MoID)**

**Furniture and Equipment Cost**

9. Under the existing policies on special education, the Government will bear the cost of furniture and equipment of the proposed new special school with boarding facilities. The exact amount to be provided by the Government for furniture and equipment will be subject to detailed vetting by the Government on the requirements. The applicant body will have to submit information/ documents for vetting in relation to the provision of exact amount of furniture and equipment cost borne by the Government.

**Proposed School Plan**

10. Applicant bodies are required to submit a proposal for the special school for children with MiID and MoID with boarding facilities for children with MoID, setting out the vision and mission; management and organisation; learning and teaching; school ethos and support for students; students' performance targets; self-evaluation indicators, etc. Applicant bodies may make reference to the school(s) that they are operating and their respective performance to substantiate their case. Format of a proposed school plan is at the **Annex** to this Guidance Notes.

**Submission of Application Forms, Proposed School Plans and Supporting Documents**

11. The following documents should be submitted<sup>^</sup> –
- (a) Duly completed and signed original copy of the application form (**Application Form B**);
  - (b) If the applicant body is incorporated under the Companies Ordinance, please provide its incorporation document and Articles of Association and complete and return **Annex** to Application Form B;
  - (c) If the applicant body is incorporated under its own Ordinance, please provide the content of the relevant Ordinance, and its Constitution, if any;
  - (d) Applicant body's certificate of exemption from tax; and
  - (e) 22 copies each of (i) the proposed school plan (covering the school and boarding services) (NOT MORE THAN 15 pages\* including all annexes), (ii) the executive summary (NOT more than two pages\*) and (iii) list of operating schools (with or without boarding services) run by the applicant body (if any) with names, addresses and types; together with two CD-ROMs containing information on (i), (ii) and (iii).
- \* *Content in pages exceeding the page limits would not be considered.*
- <sup>^</sup> *Documents listed in item (e) should NOT be stapled together with all other documents (i.e. documents of items (a) – (d)).*
12. All required documents as detailed in paragraph 11 above should reach EDB at the following address **no later than 5 pm on 15 October, 2018:**

Infrastructure and Research Support Division Education Bureau 6 <sup>th</sup> Floor, East Wing, Central Government Offices 2 Tim Mei Avenue, Tamar, Hong Kong
--

Late or incomplete applications, as well as applications via email, will not be accepted.

### **Shared Facilities in the Interlock Area of School Premises**

13. Shared facilities may be incorporated in the design of the Interlock Area of the two schools. If yes, the two neighbouring schools will share these facilities as well as their management and maintenance responsibilities with each other. Detailed arrangement will be subject to the finalisation of the school design.

### **School Allocation Committee (SAC)**

14. All applications will be considered by SAC which comprises official and non-official members.

### **Agreement between the Government and the Selected Applicant Body**

15. Upon allocation of a school premises, the applicant body shall be required to enter into a School Sponsoring Body Service Agreement (SSB SA) with the Government prior to the funding submission to the Public Works Subcommittee of the Legislative Council. The SSB SA sets out the obligations and conditions by which both parties (i.e. the selected applicant body and the Government) undertake to abide. These include the selected applicant body's undertaking (a) to operate and manage the school and the boarding facilities, if any, in accordance with the proposed school plan accepted by the Government with amendments, if any; (b) to establish an Incorporated Management Committee (IMC) in respect of the school under the Education Ordinance to manage the school, and ensure that the IMC shall be a charitable institution that has obtained tax-exemption from the Inland Revenue Department under Section 88 of the Inland Revenue Ordinance; (c) to ensure the execution of a School Sponsoring Body Tenancy Agreement (SSB TA) covering the school premises and boarding facilities, if any, in accordance with the required timeframes set by the Government; (d) to ensure the execution of an IMC Service Agreement (IMC SA) and an IMC TA with the Government after the establishment of the IMC in accordance with the required timeframes set by the Government; (e) to ensure that the IMC shall operate and manage the school and boarding facilities, if any, to the agreed standard as set out in the school development plan as embodied in the IMC SA; and (f) to make available the school's buildings and facilities to the Government and any other organisations as may be approved by the Government for use. Charges may be levied in accordance with the schedule of charges as announced in the latest circular issued by the Education Bureau.
16. Under normal circumstances, if any one of the SSB/ IMC SA or SSB/ IMC TA is terminated or expires without renewal, the rest of the agreements will also be terminated.
17. The Government may terminate the SSB SA in the event of any failure from the applicant body to achieve the agreed performance standard for the school and/ or boarding facilities, if any, or giving up of the operator's right to operate the school and/ or boarding facilities, if any. The Government may also terminate the IMC SA if the school fails to achieve the agreed operating standard in accordance with the School Development Plan as embodied in the IMC SA upon adequate prior notice being served and a reasonable time allowing for remedial action to be taken having expired. In either case, the Government shall repossess the whole premises (including the boarding facilities, if any).

### **Personal Information Collection Statement for Collecting Personal Data of Applicant Bodies**

18. The personal data provided in this application will be used for application for allocation of school premises under the School Allocation Exercise. It may be disclosed to officers/ persons responsible for the Exercise.
19. The provision of personal data by means of this application is obligatory. Failure to provide these data may affect the processing and outcome of your application.

20. The personal data collected in this application may be disclosed to other government departments/ bureaux for the purpose mentioned above.
21. You have a right to request access to and correction of your personal data as provided for in Sections 18 and 22 and Principle 6 of Schedule 1 of the Personal Data (Privacy) Ordinance. Your right of access includes the right to obtain a copy of your personal data provided in this application. This is however subject to payment of a fee.
22. Enquiries concerning the personal data collected by means of this application, including making of access and corrections, should be addressed to :

Access to Information Officer Education Bureau 16th floor, Wu Chung House 213 Queen's Road East Wanchai, Hong Kong
--

### **Disclosure of information**

23. All the information provided to the Government in connection with your application under this School Allocation Exercise will be used for processing this School Allocation Exercise only. The information may be disclosed to any other Government bureaux/ departments / officers or any other third party responsible for this allocation exercise as the Government shall consider appropriate.

### **Enquiries**

24. For enquiries, please call 3509 8413 or 3509 8411. For more information, please visit EDB's homepage at:  
<http://www.edb.gov.hk/en/sch-admin/sch-premises-info/allocation-of-sch/index.html>.