

# FOR REFERENCE ONLY

## Guide for Parent Manager Election

### Introduction

1. This election guide outlines the procedures in accordance with the Education Ordinance (the Ordinance) for the election of parent managers. Please refer to Annex I for the provisions of election of parent managers in the Ordinance. The Incorporated Management Committee (IMC) is requested to pass this guide to the recognised parent-teacher association (PTA) of the school for reference in working out an election mechanism for electing parent managers. PTAs may adapt this election guide to suit their own needs and provide for matters relating to parent manager election in the PTA constitutions.

2. Since the implementation of school-based management in all public sector schools in 2000, the Education Bureau has promoted the participation of key stakeholders in school management and decision-making. The Ordinance aims at introducing an open and transparent participatory school governance framework in schools by including key stakeholders like teachers and parents in the IMC. The Ordinance provides that there shall be at least one parent manager in the IMC and where the IMC constitution provides only one parent manager, an alternate parent manager shall also be provided. Both parent manager and alternate parent manager should be elected in the same manner.

3. The election of parent managers should be conducted by the PTA recognised by the IMC. For schools which have no PTA, they should establish one as early as possible. The PTA constitution should provide for the election procedures of parent manager(s) and to ensure that the mechanism is fair and transparent. Detailed arrangements of the election should be made known to all parents. **The PTA may amend its constitution where necessary in order that it fulfils the conditions for recognition by the IMC and hence is responsible for nominating parent manager(s)**<sup>Note 1</sup>. All parents should be consulted on such changes and any subsequent amendments to the election mechanism should be properly documented.

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Note 1 According to Section 40AO(3) of the Education Ordinance, the IMC may recognise one body of persons as recognised PTA, but its constitution shall specify only the following persons -

- (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" here do not include "specialist staff" of the school.)

## **The Candidature**

4. All parents of current pupils of the school are eligible to become candidates. Parents in relation to a pupil includes 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 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. Thus, no one can serve as a parent manager and an alumni manager at the same time. If there are two elections under different categories to be conducted concurrently in a school, no candidate shall participate in more than one election.

## **Number & Tenure**

7. The IMC should specify the number and tenure of office of parent manager(s) and an alternate parent manager (if applicable) in its constitution. Generally, the term of office of a parent manager is recommended to come into effect on 1 September and terminate on 31 August. Since the PTA may not be able to conduct the election of parent managers before 1 September, it is recommended that the election should be conducted within the period from September to November. The PTA should then nominate to the IMC the parent elected 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 should apply to the Permanent Secretary for further extension of the period for filling the vacancy.

## **Nomination Procedures**

### **Returning Officer**

8. The PTA may assign a Returning Officer to monitor the nominations and supervise the issue of ballot papers and counting of votes. The Returning Officer may be elected amongst the office-bearers of the PTA or a teacher appointed by the school, but he/she must not be a candidate for the parent manager election.

### **Period of Nomination**

9. The PTA should specify in its constitution the period of nomination for the parent manager election.

### **Nomination**

10. The Returning Officer may issue a letter informing all parents of the number of parent manager vacancies, the period of nomination, method of nomination, date of voting, date of counting session, date of announcement of results and other relevant information. A nomination form shall be enclosed. At the same time, the letter should outline the eligibility (paragraphs 4 to 6 above) and responsibilities of candidates. A parent may nominate oneself or another eligible candidate to stand for the election. The PTA may specify in its constitution the maximum number of nominees that each parent can nominate, and consider whether it is necessary to establish a mechanism for supporting the motion. If such a mechanism is to be established, the constitution should set out detailed arrangements, such as seconders must be parents of current pupils and the number of seconders required. All requirements must be reasonable in order to ensure that the mechanism is fair.

11. If no one is nominated, the PTA 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 based on the principles of fairness, openness and simplicity.

### **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 PTA.

13. Not less than 7 days before the election day, the Returning Officer should issue another letter to all parents listing the names of the candidates being nominated. The brief introductory statements of the candidates including their declarations should be attached. The PTA should guard against the risk of incurring any legal liability in publishing those statements. The letter 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 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. Every eligible elector has 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 simplicity sake, the PTA may give pupils two votes each for their parents to vote. On request, a ballot paper may be given to the guardian of the pupil or the person who has the actual custody of the pupil.

## **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. To ensure a fair election, the voting should 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 can specify in the election procedures which voting methods the parents may adopt. If parents are requested to vote in person in the school, the Returning Officer should inform all parents in advance of such arrangements and specify clearly the date, time and venue of the voting. If parents are allowed to ask their children to return their ballot papers to the class teachers, the ballot papers should be sealed in envelopes specifically designed for that purpose before placing them into the ballot box. Blank ballot papers should also be returned to the school. The Returning Officer may also specify in the election procedures any other means of returning the ballot papers, such as by post or in person. The school should record down those parents who have submitted the ballot papers and then arrange to put the ballot papers in the ballot box.

### **Counting of votes**

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

19. The chairperson of PTA, the Returning Officer and/or the principal of the school should participate to witness the counting. During the counting session, the Returning Officer must make sure that all ballot papers have been poured out from the ballot box before counting starts. A ballot paper will be deemed to be invalid if —

- (i) the number of candidates marked on the ballot paper exceeds the number that is allowed;
- (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, 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. An arrangement should be specified in advance in the PTA constitution to determine **(i) who shall be elected when two or more candidates obtain the same number of votes, such as conducting a second round of voting or drawing lots and (ii) whether a candidate shall be nominated uncontested if the number of candidates is less than or equal to the number of vacancies.** The principles of fairness, openness and simplicity 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 PTA. The envelope and the cast ballot papers should be kept by the PTA for at least six months. This is to facilitate investigations in case of allegations against voting irregularity.

### **Announcing Results**

22. The Returning Officer may issue a letter informing all parents of the results of the election.

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

### **Follow-up Actions after Election**

24. The PTA should nominate to the IMC the parent(s) elected as the parent

manager(s) of the school. The IMC shall then apply to the Permanent Secretary the registration of the elected parent(s) as school manager(s).

### **Filling of casual vacancies**

25. 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.

26. If a parent manager vacancy arises as a result of a parent manager resigning during his / her term of office, the PTA shall conduct a by-election in the same manner to elect another parent manager to fill the vacancy within three months. If the PTA cannot conduct the by-election accordingly, the IMC shall apply on good grounds to the Permanent Secretary for further extension of the period for filling the vacancy.

### **Points to note**

27. If the school is a bi-sessional school, it may recognise a PTA for each session separately so as to nominate not less than one parent manager for each session. On the other hand, if a bi-sessional school has only one recognised PTA representing both the AM and PM sessions, there needs to be at least one parent manager from each session. If each session nominates one parent manager only, an alternate parent manager shall be nominated for each session separately.

28. A PTA should not stipulate in its constitution that its elected PTA chairperson will automatically be an elected parent manager or vice versa as this may affect the right of candidature of those who wish to be a parent manager or the chairperson of the PTA only. Such stipulation violates the spirit of the provision of equal right of candidature.

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

30. 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.

31. 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 Education Ordinance.

Education Bureau

## Education Ordinance

### Provisions relating to Election of Parent Managers

Section	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> <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>
40AB	<ul style="list-style-type: none"> <li>• “Teacher” means a permitted teacher or registered teacher employed in a school —               <ul style="list-style-type: none"> <li>(i) to occupy a teacher post in the establishment of staff provided for in the code of aid for primary schools, code of aid for secondary schools or code of aid for special</li> </ul> </li> </ul>



Section	Content
	<p>schools; or</p> <p>(ii) for a term not less than 12 months to perform teaching duties or other duties directly related to teaching.</p>
40AL	<ul style="list-style-type: none"> <li>For an IMC school with a recognised PTA, at least one parent manager shall be provided.</li> <li>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.</li> <li>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.</li> </ul>
40AO	<ul style="list-style-type: none"> <li>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"> <li>(iii) parents of current pupils of the school; or</li> <li>(iv) serving teachers<sup>Note 2</sup> of the school may elect or become office-bearers of the body.</li> </ul> </li> <li>Parent manager election and alternate parent manager election shall be conducted by the recognised PTA.</li> <li>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.</li> <li>The system of election shall be fair and transparent.</li> <li>A candidate must be a parent of a current pupil of the school.</li> <li>A candidate must not be a teacher of the school.</li> <li>In the election, all parents have equal voting right and right of candidature.</li> <li>The voting for the election shall be conducted by secret ballot.</li> </ul>
40AS	<ul style="list-style-type: none"> <li>A parent manager and an alternate parent manager shall be elected in the same manner for nomination for registration as a manager.</li> </ul>
40AU	<ul style="list-style-type: none"> <li>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.</li> </ul>
40AV	<ul style="list-style-type: none"> <li>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.</li> </ul>

<b>Section</b>	<b>Content</b>
40AX	<ul style="list-style-type: none"><li>• 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.</li></ul>

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Note 2      The definition of “teachers” shall follow the stipulations at Section 40AB. 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.