

S.K.H. Ka Fuk Wing Chun Primary School

Rules for the Election of the Parent Manager

1. Introduction

- 1.1. These Rules outline the procedures for the election of the Parent Manager and the Alternate Parent Manager of the School (“the Election”) in accordance with the Education Ordinance (the “Ordinance”) and the Constitution (“the IMC Constitution”) of the Incorporated Management Committee of the School (“the IMC”).
- 1.2. 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.
- 1.3. Paragraph 18 of the IMC Constitution sets out the role of the IMC and the Managers including the Parent Manager and the Alternate Parent Manager.

2. The Candidature

- 2.1. All parents of current pupils of the School are eligible to become candidates and a parent in relation to a pupil includes:-
 - (a) a guardian of the pupil; and
 - (b) a person who is not the parent or guardian of the pupil but has the actual custody of the pupil
(hereinafter “Parent” or “Parents”).
- 2.2. Pursuant to Section 40AO(5) of the Ordinance, a candidate however shall not be a serving teacher of the School.
- 2.3. Pursuant to the Ordinance, if an election for the Alumni Manager is conducted concurrently in the School, a candidate for the Election shall not stand as a candidate in the election for the Alumni Manager concurrently.

3. Number & Tenure

- 3.1. Pursuant to the IMC Constitution, a parent-teacher association that is recognized by the IMC under the Ordinance, or the Recognized Parent-Teacher Association (“the RPTA”), may at any time nominate one person for registration as the Parent Manager and one person for

registration as the Alternate Parent Manager in accordance with the Ordinance. Thus, one Parent Manager and/or one Alternate Parent Manager may be elected in an Election.

3.2. The term of office of both the Parent Manager and the Alternate Parent Manager is one school year and shall come into effect on the date of their registration as a manager, whereby a “school year” means a year beginning on 1st September and ending on 31st August of the following year and any period of less than 12 calendar months shall be deemed to be a complete school year should the registration date fall on a date after 1st September.

3.3. Pursuant to Paragraph 17.1 of the IMC Constitution, the Parent Manager and the Alternate Parent Manager shall not serve for more than two consecutive terms.

3.4. It is recommended that the Election be conducted between September and November of each school year.

4. Nomination Procedures

4.1. Returning Officer

4.1.1. The RPTA may assign a Returning Officer (“the Returning Officer”) to conduct the Election including the monitor of the nominations and the supervision of the issue of ballot papers and the counting of votes.

4.1.2. The Returning Officer may be elected amongst the office-bearers of the RPTA or be a teacher appointed by the School, but he/she must not be a candidate for the Election.

4.1.3. The Returning Officer may invite members of the executive committee of the RPTA (whether a parent or a teacher) to assist in the Election but they shall not stand as candidates in the Election.

4.2. Nomination

4.2.1. The Returning Officer shall issue a notice in writing to all Parents, a sample of which is shown at Annex I herein (“the Election Notice”), not less than 21 days before the date on which the Election is to be conducted (“the Election Day”). The Election Notice shall:-

- (a) specify the Election Day (including the time and venue for conducting the Election where applicable); and
- (b) specify the vacancies for the Parent Manager and/or the Alternate Parent Manager; and
- (c) specify that all Parents have a right of candidature and equal voting rights; and
- (d) specify that each Parent (including such parent who is a teacher of the School) shall

have one vote, irrespective of the number of children such parent has as current pupils of the School; and

- (e) specify the manner in which any interested Parent may declare his/her candidature using the specified declaration form; and
- (f) specify the manner in which any Parent may nominate other Parent of a current pupil to stand for the Election, provided that the nominee is required to sign the nomination consenting to his/her candidature on the specified nomination form; and
- (g) specify that voting for the Election shall be conducted by secret ballot; and
- (h) be accompanied by a copy of the text of this paragraph.

4.2.2. A candidate may be nominated by other Parents and a nomination form shall be distributed to every Parent.

4.2.3. There is no limit to the number of persons that each Parent may nominate.

4.3. Period of Nomination

4.3.1. The period of nomination is suggested to be between 7 and 14 days (starting from the date of notice).

4.4. Nomination Procedures

4.4.1. Any interested Parent may declare his/her candidature using the specified declaration form (“the Declaration Form”), a sample of which is shown at Annex II.

4.4.2. Each Parent may nominate other Parent(s) to stand as candidates in the Election, provided that the nominee is required to sign the nomination consenting to his/her candidature and provide a brief self-introductory statement within the number of words as required on the specified nomination form (“the Nomination Form”), a sample of which is shown at Annex III.

4.4.3. The nominees shall submit their respective Declaration Forms and Nomination Forms to the Returning Officer by the deadline for nomination.

4.4.4. The Returning Officer shall examine the Declaration Forms and Nomination Forms submitted by the nominees after the deadline for nomination and finalize a list of validly nominated candidates.

4.4.5. If no one is nominated, the RPTA may consider extending the deadline for nomination or conducting the Election again after a lapse of not more than [*] weeks.

- 4.4.6. Not less than 7 days before the Election Day, the Returning Officer shall issue a further notice in writing to all Parents, a sample of which is shown at Annex IV herein (“the Further Notice”). The Further Notice shall:-
- (a) include a list of the names of all validly nominated candidates (together with their respective self-introductory statements); and
 - (b) specify the procedures of the Election (including the arrangements for voting, the counting of votes and the declaration of the Election results).
- 4.4.7. If necessary, the Returning Officer may arrange a meeting for the candidates to introduce themselves to all Parents and answer any questions from them.

4.5. Electors’ Eligibility and Voting Rights

- 4.5.1. All Parents are eligible to vote.
- 4.5.2. A teacher of the School who is a Parent also has the right to vote.
- 4.5.3. Every eligible elector has an equal voting right, shall vote individually and shall have only one vote irrespective of the number of children he/she has at the School.
- 4.5.4. For simplicity’s sake, the RPTA may give pupils two votes each for their Parents to vote.
- 4.5.5. Upon request, a ballot paper may be given to the guardian of a pupil or the person who has the actual custody of a pupil.

4.6. Election Procedures

4.6.1. Date of Voting

The period between the date of voting and the deadline for nomination shall be at least 7 days.

4.6.2. Voting Method

- 4.6.2.1. To ensure a fair election, 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 their ballot papers, a sample of which is shown at Annex V, and shall not let the other electors see whom they have voted for.
- 4.6.2.2. A ballot box shall be made available for the Election and shall be locked and the key kept by the Returning Officer.

- 4.6.2.3. The Returning Officer shall specify in the Election procedures the voting method(s) the electors shall adopt.
- 4.6.2.4. If electors are requested to vote in person at the School, the Returning Officer shall inform all electors in advance of such arrangements and specify clearly the date, time and venue of the voting.
- 4.6.2.5. If electors are allowed to ask their children to return their ballot papers to their class teachers, the ballot papers shall be sealed by electors in envelopes specifically designed and provided to electors for that purpose before they are submitted to the class teachers who shall then place the sealed envelopes into the ballot box. Blank ballot papers shall also be returned to the School.
- 4.6.2.6. If electors are allowed to return their ballot papers by other means such as by post or in person, the School shall record the names of those electors who have submitted the ballot papers and arrange to place the ballot papers in the ballot box.

4.6.3. Counting of votes

- 4.6.3.1. The Returning Officer shall arrange for a counting session and invite all Parents, all candidates, and/or the principal of the School to attend and witness the counting of votes.
- 4.6.3.2. The Returning Officer may appoint other office-bearers of the RPTA who were not candidates or teachers of the School to assist in the counting of votes.
- 4.6.3.3. The chairperson of the RPTA, the Returning Officer and/or the principal of the School shall attend the counting session and witness the counting of votes.
- 4.6.3.4. 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.
- 4.6.3.5. A ballot paper will be deemed to be invalid if:-
 - (a) the number of candidates marked on the ballot paper exceeds the number that is allowed; or
 - (b) the ballot paper has not been marked properly; or
 - (c) the ballot paper is marked in such a way that the identity of the elector can be traced.
- 4.6.3.6. Where there is only one vacancy for the Parent Manager **or** the Alternate Parent Manager and only one candidate is validly nominated, such candidate shall be deemed elected ipso facto for nomination by the RPTA for registration as the Parent Manager or the Alternate

Parent Manager (as the case may be). Where more than one candidate is validly nominated, the candidate who obtains the highest number of votes shall be nominated by the RPTA for registration as the Parent Manager or the Alternate Parent Manager (as the case may be).

- 4.6.3.7. Where there is one vacancy for the Parent Manager vacancy **and** one vacancy for the Alternate Parent Manager and only one candidate is validly nominated, such candidate shall be deemed elected ipso facto for nomination by the RPTA for registration as the Parent Manager.
- 4.6.3.8. Where there is one vacancy for the Parent Manager vacancy **and** one vacancy for the Alternate Parent Manager and more than one candidate is validly nominated, the candidate who obtains the highest number of votes shall be nominated by the RPTA for registration as the Parent Manager, and the candidate who obtains the second highest number of votes shall be nominated by the RPTA for registration as the Alternate Parent Manager.
- 4.6.3.9. Where there is one vacancy for the Parent Manager vacancy **and** one vacancy for the Alternate Parent Manager and the voting results in an equality of votes so that no successful candidate for nomination as the Parent Manager or the Alternate Parent Manager (as the case may be) can be decided, there shall be a second round of voting for those candidates who obtain the same number of votes after the first round of voting are announced, and the candidate who obtains the highest number of votes in the second round of voting shall be nominated for registration as the Parent Manager (or the Alternate Manager as the case may be) and the candidate who obtains the second highest number of votes shall be nominated for registration as the Alternate Parent Manager.
- 4.6.3.10. Where there is one vacancy for the Parent Manager vacancy **and** one vacancy for the Alternate Parent Manager and there is still an equality of votes in the second round of voting so that no successful candidate for nomination as the Parent Manager (or the Alternate Parent Manager as the case may be) can be decided, the results shall be determined by drawing lots by the Returning Officer and shall be nominated for registration, and the candidate on which the lot falls shall be deemed to have obtained more votes and shall be nominated for registration.
- 4.6.3.11. A candidate may withdraw his/her candidature before the second round of voting and if only one candidate remains in the Election for nomination as the Parent Manager due to any withdrawal of candidature, the remaining candidate shall be nominated for registration as the Parent Manager (or Alternate Parent Manager as the case may be), and the second round of voting is not required to be conducted.

4.6.3.12. After the Election, the Returning Officer shall put all the cast ballot papers in an envelope which will then be signed and sealed by him/her and the chairperson of RPTA.

4.6.3.13. The sealed envelope containing the cast ballot papers shall be kept by the RPTA for at least six months so as to facilitate investigations in case of any allegations of voting irregularity.

4.6.3.14. The principles of fairness, openness and simplicity shall be observed in the Election.

5. Announcing of Results

The Returning Officer may issue a letter informing all Parents of the results of the Election.

6. Appeal Mechanism

6.1. Unsuccessful candidates may, within one week of the announcement of the results of the Election, appeal to the RPTA in writing with their reasons.

6.2. The RPTA shall invite the Principal and not less than 2 other registered Managers of the IMC [or 2 members of its Executive Committee who were not the Returning Officer and the candidates in the Election] to form the appeals committee and look into any appeals against the results of the Election.

6.3. Should the appeals committee find in favour of an appeal, the RPTA shall after a reasonable period of time conduct another Election.

6.4. The decision of the appeals committee is final.

6.5. The handling of all appeals shall be based on the principles of fairness, openness and simplicity.

7. Follow-up Actions after Election

7.1. The RPTA shall nominate to the IMC the Parent(s) elected as the Parent Manager and/or the Alternate Manager (as the case may be) of the School.

7.2. The IMC shall then apply to the Permanent Secretary for Education for the registration of the elected Parent(s) as Manager(s) of the School.

8. Filling of Casual Vacancies

- 8.1. If a Parent Manager or Alternate 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 Parent Manager until the term of office expires or the end of the school year, whichever is the earlier.
- 8.2. If a vacancy for the Parent Manager arises as a result of a Parent Manager resigning during his/her term of office, the RPTA shall conduct a by-election in the same manner to elect another parent to fill the vacancy within three months.
- 8.3. If the RPTA cannot conduct the above by-election accordingly, the IMC shall apply on good grounds to the Permanent Secretary for Education for an extension of the period for filling the vacancy.
- 8.4. The term of the new Parent Manager (or Alternate Parent Manager as the case may be) elected in a by-election shall be the remaining term of the Parent Manager (or the Alternate Parent Manager as the case may be) whom he/she is elected to replace.

9. Points to note

- 9.1. The Election and the election of the office-bearer(s) of the RPTA may be conducted concurrently but the RPTA shall pay heed to the electors' eligibility in the two elections and make appropriate arrangement in the voting procedures to prevent electors from being confused with the candidates for the two elections.
- 9.2. Parents, being candidates and voters in the Election, shall note the ethical conduct required of them as stipulated in Annex VI to ensure fairness in the Election process.
- 9.3. On receiving an application for registration as a manager of the School, the Permanent Secretary for Education shall make such inquiry as he considers necessary and he may refuse to register an applicant as a manager on grounds stipulated in Section 30 of the Ordinance.

10. Amendments

- 10.1. These Rules were prepared with the due endorsement of the sponsoring body of the School, [Anglican (Hong Kong) Primary Schools Council Limited / Anglican (Hong Kong) Secondary Schools Council Limited] (“the Sponsoring Body”).
- 10.2. Any amendments to these Rules shall take effect only upon the due endorsement of the Sponsoring Body.