

Po Leung Kuk Tong Nai Kan Junior Secondary College
Incorporated Management Committee (IMC)
Parent Manager Election Guide

The parent manager election is conducted by the Recognized Parent-Teacher Association (RPTA).

The Candidature:

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.

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 Education Ordinance(hereinafter referred to as the Ordinance)(Annex I).

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.

Elected RPTA chairperson does not automatically become an elected parent manager or vice versa.

Number of Parent Managers :

The constitution of the IMC specifies that there shall be one parent manager and one alternate parent manager.

Tenure:

According to the constitution of the IMC of the school, the term of office for managers is as follows:

- (i) For parent managers registered on April 1, their term of office shall be two years, starting from April 1 and ending on March 31 of the second year.
- (ii) If the parent manager cannot be registered by April 1, their term of office shall begin on the date of registration and end on March 31 of the second year.

Nomination Procedures:

Returning Officer

The RPTA should assign 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

14 calendar days (including Saturdays, Sundays, and public holidays)

Nomination

The Returning Officer should inform all parents in writing (e.g. parent notice) 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 and responsibilities of a school manager.

After the Returning Officer informed all parents in writing, each parent may nominate oneself or another eligible candidate to stand for the election. A valid nomination requires the endorsement of three seconders, the seconders must be existing parents of current students or teachers.

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:

Each nominated candidate should supply a brief statement of his / her personal information to the Returning Officer within 80-120 words (including punctuation).

Not less than seven days before the election day, the Returning Officer should issue written notice to all parents that lists the names of the nominated candidates and their introductory statements within the word limit (without the risk of incurring any legal liability in publishing these statements) (if any) and election arrangements, including procedures and the timetable. 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:

All parents of current pupils of the school (include the guardian of the pupil or the actual custody of the pupil) 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

The period between the date of voting for parent manager election and the deadline of nomination should at least be two weeks. The Returning Officer should inform all parents about the dates of voting (two school days) and counting of votes.

Voting Method

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.

Parents are allowed to return their ballot papers in person to the school or to the class teachers through their children within a certain voting period, and the ballot papers should be sealed in envelopes specifically designed for that purpose before placing them into the ballot box. All ballot papers distributed (including blank ballot paper) should be returned.

The school should keep record of the parents who have returned ballots before putting the ballot papers into the ballot box. A locked ballot box shall be provided for the election by RPTA and the key should be kept by the Returning Officer.

Counting of Votes

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

The chairperson of RPTA, the Returning Officer and the principal (if available to attend) 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.

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. When two or more candidates obtain the same number of votes, a drawing lots shall be conducted. If there is only one candidate, he/she shall be automatically elected as the parent manager. The alternate parent manager shall be selected through a bi-election. If there is only one candidate in the bi-election, he/she shall be automatically elected as the alternate parent manager.

After the election, the Returning Officer should put all the cast ballot papers in an envelope, which will then be sealed and signed by the Returning Officer and the chairperson of the RPTA. The envelope should be kept by the RPTA for at least six months.

Announcing Results

The Returning Officer should inform all parents of the results of the election in the next working day.

Unsuccessful candidate may, within one week of the announcement of results, appeal to the RPTA in writing together with the reasons. Appeals will be reviewed by a committee consisting of the school principal and at least two registered IMC managers.

Enquiry

To facilitate smooth conducting of the election, the Returning Officer will 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:

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. The elected parent(s) shall apply to the Permanent Secretary for registration as manager of the school in a specified form. All related information of the election should be properly documented.

Filling of Vacancies:

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.

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.

Checklist:

In order to ensure compliance with the requirements of the parent manager election process, RPTA should complete the checklist provided before submitting the application for parent manager registration to ensure that all necessary requirements and procedures are followed.

Points to Note:

1. Parents, being candidates and voters in the parent manager election, should note the ethical conduct listed at Annex II to ensure fairness and impartiality in the election process.
2. On receiving an application for registration as a manager of a school, the Permanent Secretary shall make such inquiry as he / she 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.
3. This document is published in both English and Chinese. In the event of discrepancies, the Chinese version shall prevail.

Education Ordinance

Provisions relating to Election of Parent Managers

The “Content” as listed 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 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 recognized PTA, at least one parent manager shall be provided. • If the school is a bi-sessional school, and a PTA is recognized 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 recognize one body of persons as recognized 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 recognized PT • A recognized 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.

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 recognized 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.

Note2: 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.

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.