

Bills Committee on Education (Amendment) Bill 2002

**Summary of the views expressed and suggestions made by organizations/individuals
prepared by the Legislative Council Secretariat
(including submissions received up to 8 December 2003)**

Organization/Individual (Paper No. of submission)	Views and suggestions
(1) Spirit and principle of School-based management (SBM)	
Hong Kong Association of Sponsoring Bodies of Schools [LC Paper No. CB(2)78/03-04(01)]	- Support the general philosophy of the Bill, namely, to enhance accountability, transparency and participation of the stakeholders in the governance of schools, particularly, the governance of aided schools.
Hong Kong Professional Teachers' Union [LC Paper No. CB(2)1495/02-03(02)]	- Support the spirit of SBM to enhance transparency and accountability in school management for provision of quality school education to students.
Yan Chai Hospital Wellington Education Organsiation [LC Paper No. CB(2)1500/02-03]	} } Support the proposals of the Bill and its early enactment to provide a legal } framework for implementation of SBM. }

Organization/Individual (Paper No. of submission)	Views and suggestions
Hong Kong Buddhist Association [LC Paper No. CB(2)1533/02-03(01)]	- Support improving implementation of SBM by introducing Incorporated Management Committee (IMC).
Subsidized Primary Schools Council	- Support the spirit of SBM and the proposals in the Bill to enhance transparency and accountability in school management.
Sisters of the Precious Blood	- Support the spirit of enhancing transparency and accountability in school management by way of collective leadership and responsibility of an IMC.
Hong Kong Taoist Association	- Support implementation of SBM to give more autonomy and enhance transparency and accountability in school management.
Committee on Home-School Cooperation [LC Paper No. CB(2)1608/02-03(02)] Hong Kong Federation of Education Workers [LC Paper No. CB(2)1570/02-03(01)]	} Support the spirit of the Bill to implement a participatory governance } framework involving the principal, teachers, parents, alumni and } independent community members to enhance the transparency and } accountability of school governance.
The Joint Council of Parent-Teacher Associations of the Shatin District	- Support the establishment of IMC to let parents participate in school management.

Organization/Individual (Paper No. of submission)	Views and suggestions
Hong Kong East Parent Teacher Association Federation [LC Paper No. CB(2)1716/02-03(02)]	- Support the spirit of SBM and the incorporation of parent managers in IMC in school education.
SKH Tin Wan Chi Nam Primary School Parent-Teacher Association	- Support the spirit and principle of the proposals in the Bill.
Federation of Parent-Teacher Associations, Tai Po District	- Support the spirit of the Bill.
Mr Patrick LAI Shu-ho, Principal of the Mission Covenant Church Holm Glad College	- The Bill is essential for facilitating implementation of SBM in schools.
Hong Kong Red Cross [LC Paper No.CB(2)2100/02-03(01)]	- Support the premise that a school should be given direct accountability to the key stakeholders including SSB, the principal, teachers, parents, alumni and members of the community.
Shun Tak Fraternal Association [LC Paper No.CB(2)597/03-04(01)]	- Support the spirit of the Bill and anticipate the enactment of the Bill.

Organization/Individual (Paper No. of submission)	Views and suggestions
(2) Need for legislation to implement SBM	
Hong Kong Association of Sponsoring Bodies of Schools [LC Paper No. CB(2)78/03-04(01)]	- The legal status of an IMC under the Bill should apply to the management committees in schools adopting other models of governance structure.
Hong Kong Professional Teachers' Union [LC Paper No. CB(2)78/03-04(02)]	- The proposals in the Bill should be restricted to those which are indispensable for implementation of SBM. The Administration should seriously consider the views of the various stakeholders in the education sector and take out the proposals in the Bill which can be implemented by administrative measures during the transitional period. - The development of a democratic culture in schools would facilitate the gradual establishment of transparent IMCs and the implementation of SBM without the need to legislate.
14 Federations of Parent-teacher Associations LC Paper No. CB(2)120/03-04(01)	- Strongly support parent's participation in IMC and school management; and enactment of legislation to protect the interests of parents.
Subsidized Primary Schools Council	- Some provisions of the Bill are strict and may bring about friction and conflicts among stakeholders in the course of implementation.

Organization/Individual (Paper No. of submission)	Views and suggestions
(3) Registration of managers of schools <i>(proposed amended sections 30 and 31)</i>	
Hong Kong Association of Heads of Secondary Schools	- Director of Education (the Director) should refuse to register any applicant as a manager of a school if the applicant has been registered as a manager of five schools three years after the commencement of the Bill.
Hong Kong Buddhist Association [LC Paper No.CB(2)1533/02-03(01)] Hong Kong Association of Heads of Secondary Schools	} Cancellation of registration of a manager who has been absent without } leave from three consecutive meetings of IMC should be made } mandatory without the need for the Director to exercise discretion at the } request of the IMC. }

Organization/Individual (Paper No. of submission)	Views and suggestions
(4) Functions and powers of sponsoring body (SSB) and IMC <i>(proposed new sections 40AD to 40AG and proposed amended section 72A)</i>	
<p>Hong Kong Association of Sponsoring Bodies of Schools [LC Paper No. CB(2)1481/02-03(01)]</p> <p>Hong Kong Sheng Kung Hui</p> <p>The Catholic Diocese of Hong Kong [LC Paper No. CB(2)1481/02-03(03)]</p> <p>Hong Kong Christian Council [LC Paper No. CB(2)1481/02-03(06)]</p> <p>Daughters of Mary Help of Christians [LC Paper No. CB(2)1481/02-03(05)]</p>	<p>} } } }</p> <p>} SSB should be empowered to veto certain resolutions or decisions of an } IMC, and dissolve and re-constitute the IMC if it has not performed in } accordance with its vision and mission; and</p> <p>} IMC should exercise its powers in accordance with the directions set by } SSB. } } }</p>

Organization/Individual (Paper No. of submission)	Views and suggestions
<p>Hong Kong Professional Teachers' Union [LC Paper No.CB(2)1495/02-03(02)]</p>	<ul style="list-style-type: none"> - Proposed section 40AE(2)(b) should be redrafted to clarify the legislative intent that an IMC of an aided primary, secondary or special school should adhere to the respective Codes of Aid in determining the terms and conditions of employment for its teaching staff under the approved establishment. - Legal status and responsibilities of IMC should be set out in detail and an appropriate mechanism should be put in place to monitor the work of IMC.
<p>Hong Kong Professional Teachers' Union [LC Paper No. CB(2)78/03-04(02)]</p>	<ul style="list-style-type: none"> - The Administration should elaborate on the legislative effects of its draft amendments to new section 40AE(2)(b) and (c) as proposed in LC Paper No. CB(2)2316/02-03(01).
<p>Hong Kong Buddhist Association [LC Paper No. CB(2)1533/02-03(01)]</p>	<ul style="list-style-type: none"> - The proposed composition of IMC and its relationship with SSB will invariably bring about conflicts of interest between IMC and SSB and such conflicts could be minimized through well-defined and unambiguous terms and clauses in the constitution and the agreement between them.
<p>The Catholic Diocese of Hong Kong [LC Paper No. CB(2)1481/02-03(03)]</p>	<ul style="list-style-type: none"> - SSB is not adequately empowered to fulfill its functions under proposed new section 40AD, particularly in overseeing the performance of IMC.

Organization/Individual (Paper No. of submission)	Views and suggestions
Tseung Kwan O Parents Association [LC Paper Nos. CB(2)1481/02-03(02) and CB(2)1570/02-03(03)]	- Duties and responsibilities of IMC should be set out in detail, particularly in respect of proposed new section 40AD(2).
Parent-Teacher Association of Carmel Holy Word Secondary School	- SSB's vision and mission in education should be respected.
Hong Kong Subsidized Secondary Schools Council	- SSB and IMC in pursuit of different educational ideals might put the principal in a difficult position in the implementation of the school policies.
Subsidized Primary Schools Council	- The views of SSBs on effective school management should be seriously considered and flexibility in implementation of the proposals in the Bill should be allowed to address their concerns.
Society of St Francis de Sales [LC Paper No. CB(2)1716/02-03(01)]	- SSBs should be empowered to veto IMC decisions and to dissolve IMC having personnel disputes or management crisis.

Organization/Individual (Paper No. of submission)	Views and suggestions
Hong Kong Christian Council [LC Paper No. CB(2)1481/02-03(06)]	<ul style="list-style-type: none">- SSBs should be empowered to decide the terms and provisions of the constitution, and be required to provide a copy of the constitution to the Director for reference.- SSB should be empowered to appoint the chairperson of an IMC, or a supervisor to perform the functions of both the chairperson and the supervisor.
The Hong Kong Council of the Church of Christ in China [LC Paper No. CB(2)1608/02-03(01)]	<ul style="list-style-type: none">- SSBs should be empowered to enforce the functions of SSB and IMC specified under proposed new sections 40AD(1)(d), (e), (f) and 40AD(2)(c) and (d).- SSBs should be allowed to set out in the constitution provisions to restrict the powers of IMC in respect of proposed new sections 40AE(2)(a), (e), (f) and (i).- Whether a SSB is still authorized to redeploy its teaching resources and arrange new postings for serving teachers who are affected by a reduction of classes after the establishment of an IMC.
Dr Albert LI Sze-bay, Member of Wong Tai Sin District Council [LC Paper No. CB(2)1627/02-03(01)]	<ul style="list-style-type: none">- SSB should be empowered to dissolve and re-constitute an IMC with the agreement of EMB.

Organization/Individual (Paper No. of submission)	Views and suggestions
Hong Kong Federation of Education Workers [LC Paper No. CB(2)1570/02-03(01)]	<ul style="list-style-type: none">- Consideration should be given for SSBs to dissolve an IMC by following a prescribed procedure.
The Evangelical Lutheran Church of Hong Kong [LC Paper No. CB(2)1570/02-03(02)]	<ul style="list-style-type: none">- The differentiation of powers and responsibilities between SSB and IMC is unclear.- SSBs should be authorized to redeploy surplus senior teachers and teachers as a result of reduction of classes.- SSBs should not only be familiar with the rules and regulations in education, but should also be conscious of the moral principles in provision of school education.
Hong Kong Taoist Association	<ul style="list-style-type: none">- The Bill should incorporate provisions on protection of teachers' employment so as to maintain an enthusiastic teaching workforce for provision of quality teaching and learning activities inside the classrooms.
Federation of Parent-Teacher Association, Kowloon City District [LC Paper No. CB(2)1658/02-03(01)]	<ul style="list-style-type: none">- Criteria for monitoring the performance of an IMC should be set out.- An IMC failing to carry out its mission in the constitution should be dissolved and reconstituted.

Organization/Individual (Paper No. of submission)	Views and suggestions
Hong Kong School Clerks and Janitors General Union [LC Paper Nos. CB(2)1658/02-03(02) and CB(2)113/03-04(01)]	- The Bill should incorporate provisions to require IMCs to make reference to the similar ranks and salary scales in the civil service in determination of the terms and conditions of employment for non-teaching staff in aided schools, or to set out other measures to ensure the consistency and stability of such terms and conditions of employment.
Hong Kong Red Cross [LC Paper No.CB(2)2100/02-03(01)]	- The Bill should empower a SSB to dissolve and re-constitute an IMC in case it operates in deviation from the vision and mission of the school. Should there be the concern that SSB may exercise power indiscriminately or unjustifiably, the power should be vested in PSEM and exercised upon the application of SSB.

Organization/Individual (Paper No. of submission)	Views and suggestions
(5) Composition of IMCs <i>(proposed new sections 40AH to 40AI and 40AP)</i>	
<p>Hong Kong Association of Sponsoring Bodies of Schools [LC Paper No. CB(2)1481/02-03(01)]</p> <p>Hong Kong Sheng Kung Hui</p>	<p>} A multi-modelled approach should be adopted for the establishment of } IMCs in schools and a dual level management for each school, } comprising an upper level committee to set the vision and mission of the } school and oversee management, financial and personnel policies, and a } lower level committee to implement the vision and mission and put the } policies into practice. Managers of the upper level committee should be } appointed by SSBs and the membership of the lower level committee } should comprise managers appointed from members of the higher } committee by the SSB and an elected/nominated manager from teachers, } parents, alumni and independent professionals.</p>
<p>Hong Kong Association of Sponsoring Bodies of Schools [LC Paper No. CB(2)1481/02-03(01)]</p>	<p>- A flexible and multi-faceted rather than a rigid and unitary approach should be taken in the implementation of SBM. Given the diversity in tradition and modes of governance in schools, more than one model should be allowed, such as the multi-tiered model in the Education Commission Report No.7 which proposed the establishment of a School Executive Committee under the School Management Committee (SMC) to decide on school matters and be answerable to SMC.</p>

Organization/Individual (Paper No. of submission)	Views and suggestions
Hong Kong Professional Teachers' Union [LC Paper No. CB(2)1495/02-03(02)]	- Composition of IMC should move towards a more open and professional development. The Professional Teachers Council should be established as soon as practicable to assess professional qualifications, enforce professional disciplines, settle professional disputes and enhance professional development of the teaching workforce.
Hong Kong Professional Teachers' Union [LC Paper No. CB(2)78/03-04(02)]	- Since the morning session and the afternoon session of a bi-sessional school may each have a parent manager, it will not be fair if teachers in the morning session and teachers in the afternoon session are not allowed to elect their own managers. Even though both sessions are managed by the same IMC, disputes might still arise when there is only one elected teacher manager to represent the views of teachers in the two sessions which may differ in size and culture.
Tseung Kwan O Parents Association [LC Paper Nos. CB(2)1481/02-03(02) and CB(2)1570/02-03(03)]	- SSB managers should comprise up to 40% instead of the proposed 60% of the IMC membership. - Parent managers should comprise at least 30% of IMC membership.
Hong Kong Buddhist Association [LC Paper No. CB(2)1533/02-03(01)]	- Incorporation of teacher, parent, alumni and independent managers will widen the perspective of IMC, but may also bring about problems such as difficulties in reaching consensus among managers, or disputes between managers.

Organization/Individual (Paper No. of submission)	Views and suggestions
Cheung Sha Wan Catholic Secondary School Parents Teachers Association Club [LC Paper No. CB(2)1608/02-03(03)]	- Support inclusion of parent managers in the composition of IMCs.
Hong Kong Private Schools Association	- An additional independent manager should be nominated in case no alumni manager is available for nomination in accordance with proposed new section 40AN(4) and (5).
Committee on Home-School Cooperation [LC Paper No. CB(2)1608/02-03(02)]	- Discretion should be given to schools in the composition of IMC as long as it comprises principal, teacher, parent, alumni and independent members.
The Catholic Diocese of Hong Kong [LC Paper No. CB(2)1481/02-03(03)]	- An alternate manager should attend an IMC meeting only when the registered manager is unable to attend. - Proposed section 40AI(4) should specify the IMC manager who shall be responsible for giving the notice of assumption of office of the first and subsequent chairpersons to the Director within 14 days after the establishment of IMC and election of the subsequent chairpersons.
Federation of Parents-Teachers Association, Wong Tai Sin	- Both the parent and alternate parent managers should be entitled to vote at IMC meetings.

Organization/Individual (Paper No. of submission)	Views and suggestions
<p>Hong Kong Christian Council [LC Paper No. CB(2)1481/02-03(06)]</p>	<ul style="list-style-type: none"> - To avoid a situation in which SSB managers represent less than 60% of the attendees, alternate teacher and parent managers should attend an IMC meeting only when the teacher and parent managers are unable to attend the meeting.
<p>Hong Kong East Parent Teacher Association Federation [LC Paper No. CB(2)1716/02-03(02)]</p>	<ul style="list-style-type: none"> - IMC should comprise two parent managers who are elected by parents on a one-person-one-vote basis. - Four member associations of the Federation are of the view that incorporation of parents into IMCs should be stipulated under the Bill, while one suggests that such incorporation should be decided by the SSB concerned.
<p>Anonymous submission from a teacher [LC Paper No.CB(2)1760/02-03(01)]</p>	<ul style="list-style-type: none"> - The employment of teacher managers should be protected.
<p>Mr Patrick LAI Shu-ho, Principal of the Mission Covenant Church Holm Glad College</p>	<ul style="list-style-type: none"> - Parent managers should reflect the views of parents to IMC for discussion. - Flexibility should be allowed for nomination of alumni managers and independent managers.

Organization/Individual (Paper No. of submission)	Views and suggestions
Parent-Staff Association, Caritas Lok Yi School [LC Paper No.CB(2)1481/02-03(08)]	<ul style="list-style-type: none"> - How an IMC without a parent manager should operate.
Society of St Francis de Sales [LC Paper No. CB(2)1716/02-03(01)]	<ul style="list-style-type: none"> - A two-tier governance structure, consisting of an upper School Management Committee and a lower School Administration and Consultation Committee, should be retained. - There should also be alternate SSB managers who are authorized to attend and vote in an IMC meeting in place of the SSB managers who are unable to attend the meeting.
Federation of Parent-Teacher Association, Kowloon City District [LC Paper No. CB(2)1658/02-03(01)]	<ul style="list-style-type: none"> - IMC composition should represent a balanced view from stakeholders including qualified personnel and professionals.
Hong Kong Federation of Education Workers [LC Paper No. CB(2)1570/02-03(01)]	<ul style="list-style-type: none"> - The minimum qualification of alumni and independent managers should be set at secondary school education. In addition, at least one-third of the members should have completed post-secondary education. - Persons aged over 70 who can produce a certificate of fitness should be allowed for registration as a manager.

Organization/Individual (Paper No. of submission)	Views and suggestions
Hong Kong Christian Service [LC Paper No.CB(2)1495/02-03(03)]	<ul style="list-style-type: none">- EMB should set out measures which will encourage alternate managers to actively participate in school management; and avoid creating an impression that an alternate manager is subordinate to a registered manager.- Support inclusion of alumni manager in an IMC but newly established primary schools might have difficulties in finding a suitable alumni manager.
Hong Kong Red Cross [LC Paper No.CB(2)2100/02-03(01)]	<ul style="list-style-type: none">- The Bill should allow flexibility for special schools to cope with specific needs. It should include provisions to exempt, where appropriate, special schools and hospital schools from the requirement of an alumni manager and a parent manager in IMC respectively.
Hong Kong School Clerks and Janitors General Union [LC Paper No. CB(2)113/03-04(01)]	<ul style="list-style-type: none">- To ensure no discrimination against non-teaching staff, an IMC should have a non-teaching staff member to represent the interests of non-teaching staff including administrative assistants, clerks, bookkeepers, janitors, security guards, etc.

Organization/Individual (Paper No. of submission)	Views and suggestions
(6) Election and nomination of managers and vacation of office <i>(proposed new sections 40AK to 40AQ and 40AV)</i>	
Tseung Kwan O Parents Association [LC Paper Nos. CB(2)1481/02-03(02) and CB(2)1570/02-03(03)]	<ul style="list-style-type: none"> - Term of office of parent managers should be two years to facilitate understanding of IMC work and school management and fulfillment of their duties and responsibilities.
Committee on Home-School Cooperation [LC Paper No. CB(2)1608/02-03(02)]	<ul style="list-style-type: none"> - An open, fair and transparent mechanism should be established for election and nomination of managers.
The Hong Kong Council of the Church of Christ in China [LC Paper No. CB(2)1608/02-03(01)]	<ul style="list-style-type: none"> - Whether the legitimacy of an IMC would be affected when it failed to maintain its full composition, and whether a SSB can set out a contingency procedure in the constitution in case a replacement parent or parent manager is not available. - Whether a SSB can specify in the constitution a procedure for issuance of a written notice to the Director for cancellation of the registration of the chairperson if he refuses to sign such a notice. - The Bill should clarify whether an alternate parent or teacher manager is authorized to attend an IMC meeting when the parent or teacher manager is in attendance of the meeting.

Organization/Individual (Paper No. of submission)	Views and suggestions
Daughters of Mary Help of Christians [LC Paper No. CB(2)1481/02-03(05)]	- An alternate manager should attend an IMC meeting only when the registered manager is unable to attend the meeting.
The Franciscan Missionaries of Mary [LC Paper No. CB(2)1481/02-03(07)]	- SSB should have the authority to change an IMC member who is not performing in accordance with the vision and mission of the school or for the benefits of the school or students.
Federation of Parent-Teacher Association, Kowloon City District [LC Paper No. CB(2)1658/02-03(01)]	- IMC managers should be fairly and openly elected and be monitored to reflect the views of their voters at IMC meetings.
Anonymous submission from a teacher [LC Paper No. CB(2)1760/02-03(01)]	- The Bill should specify a fair and open mechanism for election of managers.

Organization/Individual (Paper No. of submission)	Views and suggestions
(7) Operation and constitution of IMC and delegation of functions <i>(proposed new sections 40AW to 40BC, 40BK, 40BV, new Regulations 74A and 75A, and amended Regulation 75)</i>	
The Hong Kong Council of the Church of Christ in China [LC Paper No. CB(2)1608/02-03(01)]	- EMB should provide a sample constitution for reference as soon as possible.
Society of St Francis de Sales [LC Paper No. CB(2)1716/02-03(01)]	- SSB should be allowed to amend the constitution when there is the need to change its vision and mission in the light of changing circumstances.
Hong Kong Federation of Education Workers [LC Paper No. CB(2)1570/02-03(01)]	- The constitution should specify how the elected teacher, parent and alumni managers should represent the majority views of teachers, parents and alumni at IMC meetings, and how they should be responsible for their voters.

Organization/Individual (Paper No. of submission)	Views and suggestions
Society of St Francis de Sales [LC Paper No. CB(2)1716/02-03(01)]	- Scope of SSB's power and the mechanism for overseeing the performance of IMC should be specified in the constitution.
The Franciscan Missionaries of Mary [LC Paper No. CB(2)1481/02-03(07)] The Catholic Diocese of Hong Kong [LC Paper No. CB(2)1481/02-03(03)]	{ } } SSB should be given full autonomy in the drawing up of the } constitution and subsequent amendments. } }
Federation of Parent-Teacher Association, Kowloon City District [LC Paper No. CB(2)1658/02-03(01)]	- The mission and vision in an IMC constitution must fall within the general framework of education in Hong Kong as set out by EMB.

Organization/Individual (Paper No. of submission)	Views and suggestions
(8) Rights, liability and accountability of managers <i>(proposed amended sections 18A, 87 and Regulation 101; and proposed new sections 40BD to 40BG)</i>	
<p>Hong Kong Association of Sponsoring Bodies of Schools [LC Paper No. CB(2)1481/02-03(01)]</p> <p>Hong Kong Sheng Kung Hui</p>	<p>} SSB and IMC managers should be protected from any litigation on } civil liabilities claims in the course of performing their duties and } responsibilities; and } } Although IMC collectively may now be the target of litigation, SSB } may not be entirely immune as dissatisfied litigants who fail to seek } satisfaction from IMC may direct the action up to SSB. This is } unfair to SSB. The Bill should include express provisions to } ensure complete immunity for SSBs.</p>
<p>Hong Kong Association of Sponsoring Bodies of Schools [LC Paper No. CB(2)78/03-04(01)]</p>	<p>- If more than one model is considered for the governance structure of schools, the same treatment and protection against civil liability claims should apply to managers in schools under different models.</p>
<p>Committee on Home-School Cooperation [LC Paper No. CB(2)1608/02-03(02)]</p>	<p>- EMB should explain the provisions in relation to the protection of managers against liability claims in detail.</p>

Organization/Individual (Paper No. of submission)	Views and suggestions
Hong Kong Buddhist Association [LC Paper No. CB(2)1533/02-03(01)]	<ul style="list-style-type: none">- The Bill should provide sufficient protection to managers from civil litigation and liability claims.- An IMC as a legal entity with limited liabilities should have sufficient insurance cover to protect the interests of its managers. The Government or the school should protect the interest of rightful claimants through insurance or other schemes.
Hong Kong Subsidized Secondary Schools Council	<ul style="list-style-type: none">- Under the proposed governance structure, a principal is an ex-officio member and an employee of IMC. As an employee and a school administrator, a principal would follow the directions and instructions given by IMC in fulfillment of his duties and responsibilities. In case a principal is charged with an offence under the Education Ordinance or Education Regulations, it would be more difficult for him to prove that the offence was committed without his knowledge or consent, or he had taken all reasonable steps to prevent the contravention of the regulation.
Federation of Parents-Teachers Association, Wong Tai Sin	<ul style="list-style-type: none">- Whether an elected parent manager should be responsible to parents, the parent-teacher association or himself should be specified.

Organization/Individual (Paper No. of submission)	Views and suggestions
Society of St Francis de Sales [LC Paper No. CB(2)1716/02-03(01)]	<ul style="list-style-type: none">- EMB should clarify the scope of civil liabilities applicable to an IMC and whether the respective SSB will have to shoulder the liabilities when an IMC is unable to settle.
Yuen Long Merchants Education Promotion Limited [LC Paper No. CB(2)1481/02-03(04)]	<ul style="list-style-type: none">- EMB should place a central insurance cover for all serving IMC managers to protect them from civil liability claims.
The Evangelical Lutheran Church of Hong Kong [LC Paper No. CB(2)1570/02-03(02)]	<ul style="list-style-type: none">- Managers should learn about their rights and responsibilities in school management and should be protected against civil liability claims in the course of performing their duties.- EMB should elaborate on the criminal liabilities of IMC managers which may arise from participation in IMC work.- EMB should clarify whether a SSB would ultimately be held responsible for unsettled IMC liabilities.
Kwok Tak Seng Catholic Secondary School Parent Teacher Association [LC Paper No. CB(2)1608/02-03(03)]	<ul style="list-style-type: none">- School should arrange insurance cover to protect parent managers from civil liability claims.

Organization/Individual (Paper No. of submission)	Views and suggestions
<p>Federation of Parent-Teacher Association, Kowloon City District [LC Paper No. CB(2)1658/02-03(01)]</p>	<ul style="list-style-type: none"> - An IMC manager should report on his work in writing in response to the request of the group he represents. - Mechanisms should be set up to monitor the performance of IMC managers.
<p>Sisters of the Precious Blood</p> <p>Hong Kong Taoist Association</p> <p>The Joint Council of Parent-Teacher Associations of the Shatin District</p> <p>Federation of Parent-Teacher Associations, Tai Po District</p> <p>Shun Tak Fraternal Association [LC Paper No.CB(2)597/03-04(01)]</p>	<p>} } } } } } } }</p> <p>The Bill should provide sufficient protection to IMC managers against civil liability claims.</p>

Organization/Individual (Paper No. of submission)	Views and suggestions
(9) Powers of the Director of Education (Permanent Secretary for Education and Manpower) <i>(proposed new sections 40AW, 40BK, 40BR, 40BV, 40BW, 40CC, 57A; amended sections 41, 53(1), 56(1)d, 57(1), 58(1), 58AA(2), 58B(1) and (2), 60(1), 72A, 74(2A), 82(2)(a), 83, 84, 87; and Schedules 1 and 2)</i>	
Federation of Parent-Teacher Association, Kowloon City District [LC Paper No. CB(2)1658/02-03(01)]	- The Director should be empowered to dissolve an IMC when appropriate.
The Catholic Diocese of Hong Kong [LC Paper No. CB(2)1481/02-03(03)] Daughters of Mary Help of Christians [LC Paper No. CB(2)1481/02-03(05)]	<div data-bbox="882 746 907 949" data-label="Text"> <p>} } } } }</p> </div> <p>Draft constitution should not be subject to the approval of the Director.</p>
The Hong Kong Council of the Church of Christ in China [LC Paper No. CB(2)1608/02-03(01)]	<div data-bbox="882 1002 907 1364" data-label="List-Group"> <ul style="list-style-type: none"> - - - </div> <p>Proposed new section 40BK and 40BV should stipulate the criteria for the Director to approve or refuse to approve a draft constitution submitted by a SSB in accordance with proposed new sections 40BJ(2) or 40BU(2).</p> <p>An appeal mechanism should be provided for SSB to appeal against the decision of the Director to refuse to approve a draft constitution.</p> <p>The post of “Director of Education” appeared in the Bill should be substituted by the appropriate public officers.</p>

Organization/Individual (Paper No. of submission)	Views and suggestions
(10) Appointment of principals and functions of principal <i>(proposed new section 57A and proposed amended section 58(1))</i>	
Hong Kong Association of Sponsoring Bodies of Schools [LC Paper No. CB(2)1481/02-03(01)]	<ul style="list-style-type: none">- Principal should be appointed directly by SSB.- Formation of a principal selection committee should only be an optimal model which SSB may adopt at its discretion.
Society of St Francis de Sales [LC Paper No. CB(2)1716/02-03(01)]	<ul style="list-style-type: none">- SSB should be empowered to appoint the principal without the need to involve IMC.
The Catholic Diocese of Hong Kong [LC Paper No. CB(2)1481/02-03(03)]	<ul style="list-style-type: none">- Substituting “supervisor” with “management authority” will result in group responsibility in which nobody would really work regularly or supervise/monitor the performance of the principal who is the “responsible person” in day-to-day operation of the school.- Substituting “supervisor” with “responsible person” in various provisions of the Regulations will mean that no one is supervising or monitoring the work of the principal.

Organization/Individual (Paper No. of submission)	Views and suggestions
Mr Patrick LAI Shu-ho, Principal of the Mission Covenant Church Holm Glad College	- Professional training in personnel and financial management should be arranged for principals to acquire the necessary knowledge and skills to perform their roles and functions arising from the operation of an IMC.
The Evangelical Lutheran Church of Hong Kong [LC Paper No. CB(2)1570/02-03(02)]	- The final decision on appointment of a school principal should rest with the SSB concerned.
Caritas Lok Yi School Parent-Staff Association [LC Paper No. CB(2)1481/02-03(08)]	- There might be conflict between the role and responsibility of a principal who is both an IMC manager and a decision maker in day-to-day school administration.

Organization/Individual (Paper No. of submission)	Views and suggestions
(11) Functions of the chairperson of an IMC <i>(proposed new section 40AJ)</i>	
Dr Albert LI Sze-bay, Member of Wong Tai Sin District Council [LC Paper No. CB(2)1627/02-03(01)]	- The Chairperson should have a casting vote in case a balance of supporting and opposing votes on an IMC resolution is recorded.
The Catholic Diocese of Hong Kong [LC Paper No. CB(2)1481/02-03(03)] Daughters of Mary Help of Christians [LC Paper No. CB(2)1481/02-03(05)]	} } The Chairperson should be appointed by SSB to supervise the } principal and to ensure that the school is managed in accordance } with the IMC vision and mission. }
Hong Kong Red Cross [LC Paper No.CB(2)2100/02-03(01)]	- In the case of a tie vote, the Chairperson at an IMC meeting shall be entitled to a second or casting vote.

Organization/Individual (Paper No. of submission)	Views and suggestions
(12) The post of supervisor <i>(Clauses 55 to 57 and Schedules 1 to 3)</i>	
Hong Kong Association of Sponsoring Bodies of Schools [LC Paper No. CB(2)1481/02-03(01)] Hong Kong Sheng Kung Hui	} } The post of supervisor should be retained and made a regular and } recognized office which is entrusted with clear functions and } authorities in the Bill. }
Hong Kong Buddhist Association [LC Paper No. CB(2)1533/02-03(01)]	- The post of supervisor with the existing statutory powers and authorities should be retained and be protected by the provisions under the Bill or the Education Ordinance as IMC managers in respect of any civil liability claims or the offences under the Ordinance.
Hong Kong Association of Heads of Secondary Schools	- The post of supervisor should not be retained as it would duplicate the powers and functions of the IMC chairperson and create confusion to the principal in terms of his line of reporting.
Sisters of the Precious Blood	- The post of supervisor should be retained and the jobholder might also be made the chairperson of an IMC. The supervisor should act as a bridge between SSB and IMC and collaborate with the principal in school management.

Organization/Individual (Paper No. of submission)	Views and suggestions
Dr Albert LI Sze-bay, Member of Wong Tai Sin District Council [LC Paper No. CB(2)1627/02-03(01)]	- A supervisor should be appointed by an IMC but should not take up the role of a chairperson. He should report to the IMC and be responsible for implementing the IMC policies and balancing the powers of principal in school administration.
The Evangelical Lutheran Church of Hong Kong [LC Paper No. CB(2)1570/02-03(02)]	- The post of supervisor should be retained to supervise day-to-day school operation.
The Catholic Diocese of Hong Kong [LC Paper No. CB(2)1481/02-03(03)] Daughters of Mary Help of Christians [LC Paper No. CB(2)1481/02-03(05)] Hong Kong Christian Council [LC Paper No. CB(2)1481/02-03(06)] The Franciscan Missionaries of Mary [LC Paper No. CB(2)1481/02-03(07)]	} } } } } SSB should have the power to appoint a supervisor to oversee the day-to-day operation of the school and to serve as a link between SSB and IMC. } } } }

Organization/Individual (Paper No. of submission)	Views and suggestions
(13) Power relationship between the chairperson, supervisor (if appointed) and principal in an IMC school	
Hong Kong Taoist Association	- The Bill should set out the role and functions of a chairperson and a supervisor of an IMC.
(14) Support measures for implementation of SBM	
Hong Kong Association of Heads of Secondary Schools Federation of Parent-Teacher Association, Kowloon City District [LC Paper No.CB (2)1658/02-03(01)]	<div> <div>}</div> <div>}</div> <div>}</div> <div>}</div> <div>}</div> <div>}</div> </div> <div>Managers should be provided with quality training on school management and be required to achieve certain objectives after the completion of such training.</div>
The Association of Hong Kong Chinese Middle Schools	- The Bill should incorporate provisions to protect the interest of principals and teachers as a result of reduction of classes in schools.
Tseung Kwan O Parents Association [LC Paper Nos. CB(2)1481/02-03(02) and CB(2)1570/02-03(03)]	<div>- Sufficient supporting services and training should be provided for parent managers.</div> <div>- Two days of paid leave should be granted as a statutory requirement to parent managers for participation in IMC work or activities.</div>

Organization/Individual (Paper No. of submission)	Views and suggestions
Parent-Teacher Association of Carmel Holy Word Secondary School	- Employer's support is important for parent managers to actively participate in IMC work.
Sisters of the Precious Blood	- IMC managers should be provided with appropriate training and IMC chairperson should be an experienced professional in education.
SKH Tin Wan Chi Nam Primary School Parent-Teacher Association	- Sufficient resources should be set aside for provision of training to parents in a more consistent and systematic manner.
Yuen Long Merchants Education Promotion Limited	- EMB should work out a mechanism to monitor the attendance, participation and performance of managers in IMC training and work.
Committee on Home-School Cooperation [LC Paper No. CB(2)1608/02-03(02)]	- Parent-Teacher associations should play a proactive role in supporting parents to participate in school administration and IMC work.
Hong Kong Federation of Education Workers [LC Paper No. CB(2)1570/02-03(01)]	- EMB should provide sufficient support and treat SSBs as partners in the establishment of IMCs.
Kwok Tak Seng Catholic Secondary School Parent Teacher Association [LC Paper No. CB(2)1608/02-03(03)]	- Parent managers should be required to attend mandatory training programmes.

Organization/Individual (Paper No. of submission)	Views and suggestions
<p>Federation of Parents-Teachers Association, Wong Tai Sin District</p> <p>The Joint Council of Parent-Teacher Associations of the Shatin District</p> <p>Hong Kong East Parent Teacher Association Federation [LC Paper No. CB(2)1716/02-03(02)]</p> <p>Federation of Parent-Teacher Associations, Tai Po District</p> <p>Federation of Parent-Teacher Association, Kowloon City District [LC Paper No. CB(2)1658/02-03(01)]</p>	<p>} } } } } } } } } } } }</p> <p>Sufficient training should be provided for parents and parent managers to get familiar with IMC work.</p>

Organization/Individual (Paper No. of submission)	Views and suggestions
(15) Implementation timetable and transition period <i>(proposed new section 40B0)</i>	
Hong Kong Christian Service [LC Paper No. CB(2)1495/02-03(03)]	- EMB should provide sufficient training to front-line staff to enhance their understanding of SBM concepts and facilitate implementation of the proposals in the Bill.
Hong Kong Buddhist Association [LC Paper No. CB(2)1533/02-03(01)]	- EMB should closely and carefully monitor the implementation of the proposals in the Bill for a few years, and conduct an evaluation within the first two years and make adjustments to the proposals as appropriate.
Hong Kong Federation of Education Workers [LC Paper No. CB(2)1570/02-03(01)]	- Implementation of the proposals in the Bill should be gradual so as to allow stakeholders with sufficient time, space and channels to get accustomed to the new governance structure and accountability model.
Committee on Home-School Cooperation [LC Paper No. CB(2)1608/02-03(02)]	- Agree to extend the transition period from three to five years for SSBs to establish an IMC after commencement of the Bill. Further extension of the transition period should be allowed for individual schools which are not yet ready for the establishment of an IMC.
Hong Kong Professional Teachers' Union [LC Paper No. CB(2)78/03-04(02)]	- Support the provision of a five-year transitional period and consider that EMB should now start to plan the necessary support measures for schools to facilitate immediate implementation after enactment of the Bill.

Organization/Individual (Paper No. of submission)	Views and suggestions
(16) Others	
Hong Kong Red Cross [LC Paper No.CB(2)2100/02-03(01)]	<ul style="list-style-type: none">- Hong Kong Red Cross operates three schools for physically handicapped children and 17 hospital schools at present. To achieve economies of scale, the 17 hospital schools which are separately registered should be governed by one IMC.
Anonymous submission from a teacher [LC Paper No.CB(2)1760/02-03(01)]	<ul style="list-style-type: none">- An independent arbitration tribunal should be set up to handle disputes within the teaching profession including those arising from employment and performance related issues. The independent tribunal should be accountable to the Legislative Council.- Dismissal of teachers should follow the rules and procedures stipulated under the Education Ordinance/Codes of Aid for primary, secondary or special schools as appropriate. EMB should follow up any violation in accordance with its powers and authorities as stipulated under the Education Ordinance.