

THE CATHOLIC DIOCESE OF HONG KONG

天主教教育事務處

香港跑馬地樂活道2號A
聖瑪加利大堂區中心五一三室
電話:2881 6163 圖文傳真:2881 5960
電郵: ceo@netvigator.com
網址: www.ceo.org.hk

**CATHOLIC EDUCATION
OFFICE**

Room 513, St. Margaret's Parish Centre
2A Broadwood Road, Happy Valley, H.K.
Tel : 2881 6163 Fax : 2881 5960
Email : ceo@netvigator.com
Website : www.ceo.org.hk

5 February 2004

Hon Cyd HO Sau-lan
The Chairman
Bills Committee on Education (Amendment) Bill 2002
Legislative Council
HKSA Region of the People's Republic of China

Dear Ms. Ho,

Education (Amendment) Bill 2002
Views of the Catholic Diocese of Hong Kong


All along we are given to understand that the premise of introducing a school-based management (SBM) governance framework is to provide schools with enhanced flexibility and autonomy in managing their own operations. In view of this, at this stage I would only restate that **we are all for SBM and our primary and only concern is that individual schools should be allowed to choose from more than one management model which would suit their needs best.** Even at present, before the legislation of the governance structure, a number of our Catholic schools already have parents, teachers and alumni serving on the School Management Committee. This strongly testifies to the fact that we are not against the idea of having the key stakeholders involved in school management. Rather, we believe that this mode of management will benefit some schools more than the others. This explains why, as a School Sponsoring body (SSB), the Catholic Diocese of Hong Kong is against enacting a Bill to impose a one-size-fits-all type of governance structure on all aided schools.

The response of the Education and Manpower Bureau (EMB) to the request for justifying the need to legislate for implementing SBM ('.....we should implement the SBM governance framework by going through the legislative route and to require all aided schools to establish an IMC and implement SBM fully') gives the impression

that the key to its success lies in the establishment of the Incorporated Management Committee (IMC). This is in fact an over-simplified view of SBM. The provision of 60% SSB members and 40% non-SSB members in the IMC is instrumental in creating two camps. It is shameful to see the members having to resort to voting to pass resolutions instead of working harmoniously for the actualization of a shared vision and mission. In our opinion, a harmonious relationship among all key stakeholders is crucial to the smooth and effective operation of a school.

I believe that our requirements and views concerning the Education (Amendment) Bill 2002 have been fully and clearly expressed in our submission of 13 October 2003. I do not attempt to repeat them again. However, as even the EMB has acknowledged that ‘.....SSBs have a strong sense of providing quality education in serving the public’, we earnestly hope that the Bills Committee and other parties concerned will seriously consider our views before making any final decision.

Yours sincerely,

A handwritten signature in cursive script, appearing to read 'Alice Woo'.

Woo Lo Ming Alice
Episcopal Delegate for Education,
the Catholic Diocese of Hong Kong

Attachment to LC Paper No. CB(2)1259/03-04(03)

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13 October 2003

Hon Cyd HO Sau-lan
The Chairman
Bills Committee on Education (Amendment) Bill 2002
Legislative Council
HKSA Region of the People's Republic of China

Dear Ms. Ho,

Education (Amendment) Bill 2002 **Additional Views of the Catholic Diocese of Hong Kong**

Thank you for sending us the Administration's written response to the views and concerns of the deputations as expressed at the meetings and/or in their submissions. We do appreciate the effort of the Administration in trying to set the mind of the School Sponsoring Bodies (SSBs) at ease on a number of issues by elaborating the implications of the provisions concerned and suggesting ways to achieve their targets.

After going over the documents concerned, we are given to understand that the premise of introducing a school-based management (SBM) governance framework is to provide schools with enhanced flexibility and autonomy in managing their own operations. The main reason for legislating the SBM framework is to give it a higher and creditable status, demonstrating the Government's commitment to implement the requirements and ensure compliance on the part of SSBs.

We are all for SBM. It invites on-the-ground educators to participate as partners in the planning and the promoting of education. It gives opportunities to teachers, parents, alumni and the general public to make contributions. What puzzles us is that why does the Government think that a rigid and unitary approach such as the one stipulated in the Bill is the only way to achieve the above-mentioned targets. The Catholic Diocese of Hong Kong is of the opinion that **individual schools should be allowed to decide on the school management structures that best suit their needs**. Schools may opt for the "two-tier structure" proposed by the

Education Commission Report No. 7 or the "Incorporated Management Committees" (IMC) as stipulated by the Bill with some modifications. Details of these two alternatives are as follows:

1. The **two-tier structure** with parents and teachers joining the second tier which is advisory in function.

Education Commission Report No. 7 recommended the establishment of a School Executive Committee (SEC) under the School Management Committee (SMC), to decide on school matters and answerable to the SMC. Furthermore, it stated that the composition of the SEC should be decided by the schools themselves, in accordance with the SBM concept.

The merits of this structure are multiple:

- (a) It facilitates efficient school management. Whilst the School SMC under the two-tier structure may only hold meetings several times a year to give guidelines in policy-making and to see that the vision and mission of the SSB are carried out, the SEC can meet more frequently to attend to the actual day-to-day operation of the school.
- (b) More importantly, it upholds the supervisory nature of the management committee and its intermediary function between the Government and the school, leaving ample room for SBM at the functioning level. This, we believe, is a healthy and time-tested philosophy of management.
- (c) It is true that under this structure, the more important issues have to be endorsed by the SSB but the interaction between the two is a guarantee for more comprehensive discussions, leading to better considered conclusions. This is also in line with the spirit of SBM which advocates that all stakeholders participate in important decisions of the school management to enhance the transparency and accountability of school governance. We believe that the SEC gives ample scope for all stakeholders to make decisions on the affairs of the school. To further ensure that the concept of SBM be observed, we suggest a mandatory consultative procedure to be followed on a range of important decisions.

The implementation of a participatory governance framework involving the principal, teachers, parents, alumni and independent community members, all of whom are supposed to be managers of the IMC, is almost impracticable as it is very difficult to have all of them come together frequently for decision-making as stated in the Bill. Moreover, the mode

of electing representatives and the vested interest of some managers might pose difficulties for the successful and smooth operation of the IMC.

2. The **Incorporated Management Committee** as stipulated by the Bill with the following points made statutory provisions to guard against the change of policy with the change of personnel in the Administration:

- (a) **SSB shall appoint a Supervisor** from amongst the SSB managers, if deemed necessary, entrusting him/her with the following authority and duties:
- (i) to serve as a link between the SSB and the IMC, ensuring the actualization of the vision and mission of the SSB;
 - (ii) to serve as the IMC chairperson;
 - (iii) to assist the IMC to exercise its powers and perform its duties;
 - (iv) to ensure the implementation of agreed actions; and
 - (v) to supervise and assist the principal in the operation of the school.

This, besides making the post regular and properly recognized, will guarantee that the fundamental principles of the SSB be upheld. As we perceive, the recognition of this post in no way compromises the principle that all managers should be collectively responsible for the affairs of the school.

- (b) The SSBs should have the right to appoint their own Principals.

The larger SSBs (those sponsoring not fewer than 30 schools) need to resort to the formation of a centralized selection committee composed of SSB representatives, School supervisor(s) concerned and relevant professionals from tertiary institutions to cater for promotions and internal deployment purposes. The Administration can rest assured that the selection will be conducted properly as even at present, the bigger SSBs have a very thorough selection procedure.

Section 57A stipulates that the IMC establish a selection committee including SSB and IMC representatives. Such composition, aside from causing conflict of interests would also pose difficulties for the big SSBs to transfer principals for operational needs.

- (c) The **teacher and parent representatives should be nominated and subject to the approval of the SSB**. The detailed procedure of nomination and approval should be specified in the IMC constitution.

This is a means to ensure that the teacher and parent managers will share the vision and mission of the SSB, a prerequisite for the smooth and successful operation of the IMC and above all, the school.

- (d) At the IMC meetings, when the regular managers are present, the **alternate managers** should only sit in attendance as observers.

With the presence of both regular and alternate managers at the meetings, non-SSB managers will comprise a percentage higher than 40 even though the alternate members have no voting power. As a matter of fact, the real influence of a member is not limited to the right to vote.

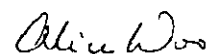
- (e) An **appeal mechanism** should be set up to arbitrate between the SSB and the Permanent Secretary for Education and Manpower when a dispute concerning the IMC Constitution arises.

We understand that the Constitution will have to be approved by the PSEM. Hence, we request that it should be handled by a system of arbitration acceptable to both sides.

It is hoped that at your forthcoming meeting, serious consideration will be given our views.

Please be informed that aside from forwarding this written submission, the Catholic Diocese of Hong Kong would also like to make an oral presentation to the Bills Committee. Grateful if you would let us know the date to receive deputations in due course.

Yours sincerely,



Woo Lo Ming Alice
Episcopal Delegate for Education