

13 May 2003

Chairman,
Bills Committee on Education (Amendment) Bill 2003
Legislative Council
Hong Kong Special Administrative Region of the
People's Republic of China
Legislative Council Building
8 Jackson Road,
Central
Hong Kong

Dear Chairman,

Re: Education (Amendment) Bill 2002

On behalf of the Hong Kong Red Cross (HKRC), I write to respond to the consultation on the Education (Amendment) Bill 2002. HKRC is the school sponsoring body (SSB) of three schools for physically handicapped children as well as 17 hospital schools.

HKRC fully supports the premise that a school should be given direct accountability to the key stakeholders including the SSB, the principal, teachers, parents, alumni and members of the community. It is through this collaboration that the educational needs can be effectively addressed, and outcomes for students be acquired.

Having studied the Bill in detail, HKRC raises the following concern :-

1. The Chairman of the Incorporated Management Committee (IMC) shall be granted a casting vote

It is not clear in the Bill how an even vote situation leading to a deadlock can be resolved. HKRC suggests that in the case of a tie of votes in any meeting, the Chairman of the IMC shall be entitled to a second or casting vote. Without the casting vote, the voting may have to be repeated or the issue left unresolved.

2. Power of Dissolution and Reconstitution

SSB provides the essential ethos and values for sponsored schools. It also oversees the performance of the schools to ensure that the students are receiving quality education with the embedded SSB vision and mission. The IMC is entrusted with the responsibility as set out in Section 40AD(2) of the Bill. Our crucial concern is : in the event the IMC fails to carry out its responsibilities, what can the SSB do? One possible argument is that the SSB has the right to nominate up to 60% of the

mangers under Section 40AH(3) of the Bill. However, this does not obviate the possibility that the IMC might, for example, do something which runs contrary to the vision and mission of the school. HKRC suggests that the SSB be given power to dissolve and re-constitute an IMC. Should there be concern that the SSB may exercise its power indiscriminately or unjustifiably, HKRC would suggest that the power to dissolve and re-constitute an IMC be vested in the Secretary for Education and Manpower to be exercised upon the application of the SSB.

3. Exemption to Recruit Alumni Manager in Special Schools

HKRC operates three schools for physically handicapped and 17 hospital schools. The students' intelligence range from average to moderately mentally handicapped. The number of multiply handicapped cases is increasing and will also be the situation in the years ahead. The alumni of special schools may have limitations both in physical and mental faculties to contribute to the school. In this light, the Bill should include a possible exemption to recruit alumni managers for special schools.

4. 17 Hospital Schools (HS) to be Considered as a Single Entity with one IMC

At present, 17 HS units are separately registered. To achieve economies of scale, they are now operated as one unit and are administered by one Principal. It is proposed that all 17 HS shall be considered as a single entity and be governed by one IMC.

5. Exemption of Parent Manager in HS

The students of HS are patients from the paediatric and psychiatric wards. The rapid turnover of the paediatric students results in unconnected parent groups. Though the prolonged stay in psychiatric wards is sufficient to link up with the parents, they only represent minority groups and the representation may be biased. HKRC believes that there should be a possible exemption of parent managers in HS.

Conclusion

The SBM model does facilitate drawing expertise from various groups of stakeholders. This collective effort contributes to the well being of the students and to the future of the community at large. However, the control of SSB should be extended to ascertain that the schools will work hand in hand towards the same goals with SSB. Last but not least, flexibility should be allowed for special schools to cope with specific needs.

Yours sincerely,

Dr. Albert Li, MBE FCP Hon JP
Chairman

File : SBM Letter/RC Letter to Bills Comm