

JCPTA statement to Bills Committee on the English School Foundation (Amendment) Bill 2007

The JCPTA would like to support the ESF Ordinance bill. The draft ordinance went through an extensive period of consultation led by the Governance Task Force and as such the resulting document takes into account parent views from across the Foundation.

The revised Ordinance has adequate parent representation at each level of governance and management with appropriate communication links between each level:

- 7 parent representatives on the Board of Governors;
- a Committee of Parents advisory group (to replace the current JCPTA) ;
- One person elected from the PTA and at least one directly elected parent representative on each School Council.
- A requirement that each school has a Parent Teachers Association and that every parent shall be a member.

JCPTA response to possible Committee Stage Amendments

Removal of Legco Members from the Composition of the Board of Governors

The balance of the composition of the Board of Governors was debated at length. Parents would be concerned about how the balance would be redressed if the Legco members were replaced. Parents valued Legco members interest and support as the ESF is a partially government funded organisation.

Proposal to have an SEN parent on each school council

Any elected parent member could already have an SEN or other special interest and there is already provision for interested parties and specialists to be invited to SC meetings when particular issues such as SEN are being discussed. When committee composition was discussed at draft ordinance stage it was felt that if any one group had special representation, others interest groups would also want representation. This would lead to an imbalance of representation. Each member should make decisions based on their view of what is best for the whole school not make a decision as a delegate of one group. SEN would become a regular agenda item to the exclusion of other important school issues.

The majority of parents would not support the amendment to have an SEN parent member on each School Council. However, the JCPTA proposes that the written responsibilities of SCs should include a regular (e.g. annual) review of SEN provision and resources at that school.

Proposal to have an SEN parent on Board of Governors

There was much discussion during the drafting of the ordinance about the composition of parent representatives including balance of primary & secondary, geographical location and special student groups. However, after much discussion it was agreed it was

impractical to achieve such representation in practice and that any group representation contradicts the requirement for parent members to make their own decisions rather than as delegates.

The majority of parents would not support the amendment to have an SEN parent on the Board of Governors. The JCPTA recommends that the functions of the BoG should include responsibility for a regular review of SEN provision & resourcing throughout the ESF as a whole.

Amendment to change the Objects of the Foundation to include “schools of the Foundation should offer education without regard to disability or SEN of students”

This statement is too broad and open-ended. It requires any child with serious needs to be accepted by any ESF school. This raises a number of concerns about the best interests of that child; whether that child can be adequately supported by the existing facilities and resources of that school. If a school needs to make major structural and resource changes to accommodate a student, major issues are raised about how this can be financed and the effects on the rest of the student body. (The Hong Kong Disability Discrimination Ordinance, which protects the rights of children with SEN, states that an institution may be relieved of its legal duty to provide for SEN if it would cause the institution unjustifiable hardship to do so.)

Instead of this change, the JCPTA recommends that the admission criteria should form part of the SEN policy and should be reviewed together with related issues such as resources, class size & dynamics.

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Chair JCPTA
29 August 2007