



PROJECT INSPIRE I

By Malayan Christian Schools' Council

# A Handbook for Governors/Managers of Boards of Christian Mission Schools

# Contents

	PAGE
Foreword	3
The Project Inspire Team	4
Introduction	5
Purpose of This Booklet	
<b>A. Understanding the Hierarchy in Mission Schools</b>	<b>6</b>
1. Membership & Constitution of the Board	7
2. Meetings	8
3. Compliance	8
3.1 Instrument of Government	
3.2 Notice of Meetings & Minutes	
<b>B. Role and Responsibilities of the Board</b>	<b>9</b>
1. Governance	
2. Administration of private funds	10
3. Legal Title of the Land	11
4. Property Maintenance	12
5. Use of Premises	
6. Student and Staff Welfare	
7. Custodian of Character and Ethos	14
8. Appointment of Head Teachers, Senior Assistants and Other teachers	
9. Religious Instruction	15
10. Exploring collaborations	
<b>C. Summary</b>	<b>15</b>
<b>D. Appendices</b>	
I. Sample Documents	
1. Sample Registration Form for Board Member	16-17
2. Cover Letter to accompany Registration Form	18
II. Resources	20
1. Education Act 1996	
2. Instrument of Government	
3. Income Tax Act 1967 Subsection 44(6)	
4. Warta Kerajaan, 1 September 1966	
5. Education Act 1961 Assisted Schools (Management) Rules 1962	

# Foreword

The earliest Christian mission schools in Malaysia were St. Thomas School in Kuching founded in 1848 and St. Xavier's Institution and Light Street Convent in Penang established in 1852. Since then more than four hundred Christian mission schools have been established throughout the length and breadth of our country. Many have grown to be respected institutions of learning with deep and enviable traditions. Over the decades many generations of Malaysians can trace their crucial formative years to the classrooms, hallowed halls, and playing fields of these Christian mission schools. In an age when many thought it was unnecessary for girls to be educated, many girls' schools were established by pioneering missionary educators to provide opportunities for girls to receive an education. Princes and the scions of the rich and powerful as well as children of the very poor and marginalized of society - children of all creed and colour - have gone through the portals of our mission schools. They received an education that equipped them with knowledge and wisdom to face the challenges of life and for leadership in a rapidly developing nation. The contribution of mission schools to our nation is immeasurable.

The golden age of Christian mission schools in Malaysia was probably from the 1950s to the early 1970s. Since then, most of our mission schools have experienced a gradual process of degradation. Some schools of excellence which parents once strived to get their children into, have sadly become schools of last resort. What were the contributory factors which have cumulatively over the last 30 years brought about this tragic decline? Needless to say, this phenomenon coupled with the increasing loss of administrative control, has caused much anguish to the mission authorities who founded and still own these schools. Alumni members who treasure fond memories of their school days as well as the Christian community at large lament the loss of character and excellence of their schools. Added to this loss and distress is a pervasive sense of helplessness.

Against this backdrop, the Malayan Christian Schools' Council decided to embark on **Project Inspire**. Project Inspire began with the question, "What is so unique or special about Christian mission schools? What do we mean when we speak fondly and proudly of the ethos and special character of mission schools?" Project Inspire

represents an ambitious attempt to re-capture this 'spirit' of mission schools - the best practices in administration and management of relationships, the best practices in the implementation of the formal and informal curriculum and the contagious culture of discipline and grace, love and sacrifice that both strengthen the human spirit and set it free to learn and grow. The primary purpose of Project Inspire is to bring together the best practices of mission schools past and present in the form of user friendly reference materials and make them available to the relevant parties who are involved in mission schools. It is hoped that these materials will, with God's help and the support of the community, help to breathe fresh life into our mission schools.

Project Inspire takes the form of three modular packages addressed to three of the key stakeholders, namely the Boards of Governors, principals or head teachers, the parents, and most important of all, the teachers who play a pivotal role with regard to the standard of excellence of a mission school. Each package consists of information, suggestions, examples of best practices in different situations, and other resource materials which will not only be helpful but inspirational to the various key stakeholders as they play their respective roles.

This major MCSC enterprise, envisaged to stretch over a period of three years, is driven by a small band of dedicated educators with input and help from many supportive contributors. MCSC wishes to thank everyone for the labour of love invested in the project. With God's help, Project Inspire will succeed in fulfilling its purpose to help all involved in the education of children in our mission schools to serve with renewed vision and greater resolve.

**YAP KOK KEONG**

*Chairman, Malayan Christian Schools' Council*

June 2011

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# Introduction

The thinking that led to the production of this handbook has many roots. One of the most important was a growing realization that in our Mission Schools today the role of the Boards of Governors has been largely forgotten or relegated to a position of unimportance. This needs to be addressed. The Board of Governors is one of the great pillars of an effectively functioning Christian mission school. It is provided for in the Education Act and required to be set up by the respective mission authorities who are the owners of the Schools. Boards of Governors have rights and responsibilities which have to be reclaimed and rejuvenated for the benefit of the Mission Schools. It is hoped that this handbook will be of some assistance in this regard. The handbook is meant to be used together with the Instrument of Government which is also included herewith.

The root behind the thinking reflected here is our collective experience with the authentic challenges and solutions being hammered out on a day-to-day basis by functioning, effective Boards of Governors in many Schools.

The primary aim of this handbook is to encourage members of the Boards of Governors; and to enable, equip and empower them to play a more meaningful and significant role through providing them with some essential resource and inspirational materials. It is hoped that God willing, through galvanizing the collective strength and influence of the Boards of Governors, the key pillars of the School – administration, staff, parents, alumni and community would be strengthened to fulfil the aspirations contained in the National Philosophy of Education.

## **Purpose of This Booklet**

This handbook serves to

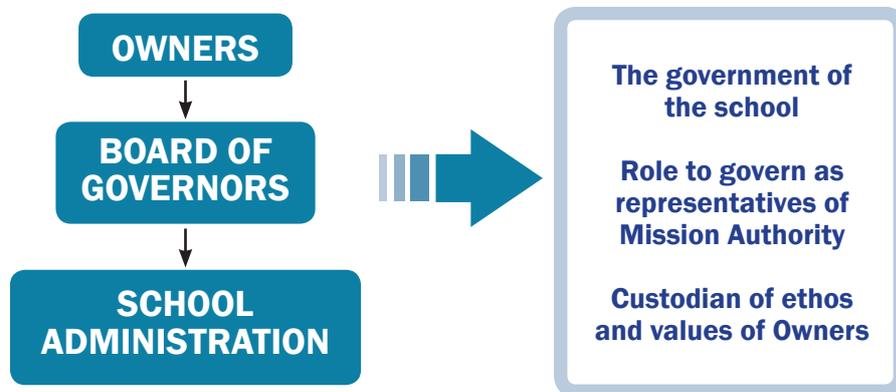
1. summarise useful information on the set-up, role and functions of the Board of Governors as provided for in the Education Act 1996 and the Rules and Regulations made thereunder.
2. present suggestions to establish and strengthen structures for better governance and stewardship of mission schools.
3. empower and inspire Board Members to work as a team in the service of the School community.

## A. UNDERSTANDING THE HIERARCHY IN MISSION SCHOOLS

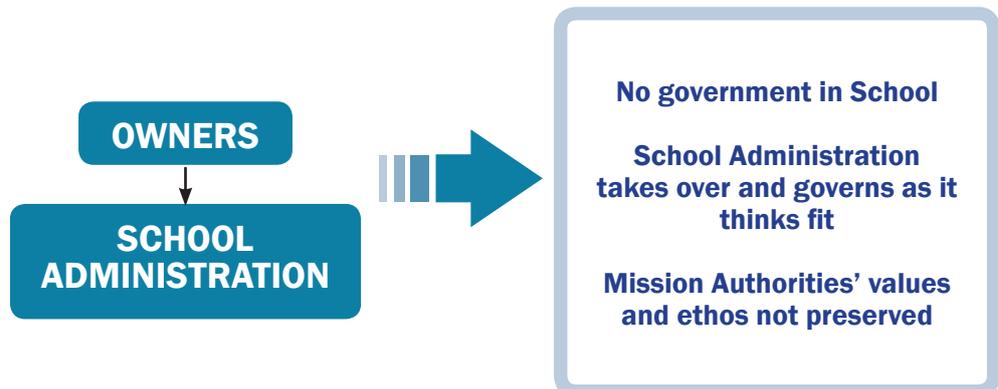
There are different levels of authority in mission schools, and each has its own role which is provided for by law. In the absence of a Board and/ or if the Board is non-functional and/or if there is lack of understanding of matters which come under the jurisdiction of the Board, a number of situations may arise:

- the role of the Board is usurped by the school administration
- the school administration by default becomes the sole voice of management in the School.
- there is an absence of checks and balances in the management of the schools and the interests of the Mission Authority are overlooked.

### The Mission School Model



### The Unacceptable Reality



## THE BOARD OF GOVERNORS – MEMBERSHIP



There are different levels of authority in mission schools, and each has its own role which is

### 1. Membership and Constitution of the Board <sup>1</sup>

- 1.1 The Mission Authority appoints:
  - the Chairman of the Board. <sup>2</sup>
  - 3-6 members representing the Mission Authority <sup>3</sup>
  - not more than 3 members representing former pupils <sup>4</sup>
  - not more than 3 members from the Parents of the Parent Teacher Association/ PIBG <sup>5</sup>
  - not more than 3 members representing the Minister of Education (where possible) <sup>6</sup>
- 1.2 The appointment must be confirmed by the issuance of letters of appointment.
- 1.3 Letters of appointment must be delivered to the persons concerned.
- 1.4 Appointed members are required to attend Board meetings.
- 1.5 The Board must ensure that the Secretary duly registers it with the Registrar of Educational Institutions. <sup>7</sup>
- 1.6 Each time there is a change in members of the BOG (i.e. after election of office bearers for PTA at AGM), names of new Board members are to be submitted for registration.
- 1.7 The Principal shall be the ex-officio member of the Board. He/She will be the Secretary of the Board. <sup>8</sup>
- 1.8 No member of the staff of the school shall be appointed as a member of the Board. <sup>9</sup>
- 1.9 The term of office of a member shall not exceed 3 years. <sup>10</sup>
- 1.10 Members of the Board may be reappointed upon expiry of term of office. <sup>11</sup>
- 1.11 Any member who is absent from 3 consecutive meetings without approval of the Board, shall cease to be a member. <sup>12</sup>

<sup>1</sup> See Part One Instrument of Government  
<sup>2</sup> Article 1.1  
<sup>3</sup> Article 1.2  
<sup>4</sup> Article 1.3  
<sup>5</sup> Article 1.4  
<sup>6</sup> Article 1.6  
<sup>7</sup> See Appendix for sample forms for registration  
<sup>8</sup> Article 3  
<sup>9</sup> Article 1.6  
<sup>10</sup> Article 2  
<sup>11</sup> Article 2.2  
<sup>12</sup> Article 6

## **2. Meetings**<sup>13</sup>

- 2.1 The Board is to meet at least three (3) times a year.<sup>14</sup>
- 2.2 Meetings are to be convened by the Secretary on the advice of the Chairman by giving not less than 14 days notice setting out the agenda for the meeting.<sup>15</sup>
- 2.3 Additional meetings may be held at the request of the Chairman or at the request in writing by any 3 members of the Board.<sup>16</sup>
- 2.4 Quorum for the meeting is not less than one-third of the total membership.<sup>17</sup>
- 2.5 At a meeting, no decision shall be taken on any matter not included in the Agenda unless allowed on grounds of urgency and such a decision shall not be binding unless confirmed at the next meeting.<sup>18</sup>
- 2.6 Every decision shall be taken by votes of the members present at the meeting (the Chairman shall have a second or casting vote in the case of equal split of votes).<sup>19</sup>
- 2.7 A secret ballot may be taken at meetings if requested for by any member.<sup>20</sup>
- 2.8 Non-Board members may be invited to attend and participate in meetings but have no voting rights.<sup>21</sup>
- 2.9 The Chairman shall preside at all meetings and in his/her absence he/she shall appoint a member to chair the meeting on his behalf.<sup>22</sup>
- 2.10 The Secretary shall provide a progress report of the school.

## **3. Compliance**

### **3.1 Instrument of Government**<sup>23</sup>

- 3.1.1 Every educational institution must have an instrument of government and must be managed in accordance with its instrument of government.<sup>24</sup> As such it is vital that the Chairman and members of the Board be familiar with the provisions of the instrument and to each have a copy of the validated Instrument of Government
- 3.1.2 The Instrument of Government provided in this handbook is a common instrument for use by all Mission School Boards. The Board of Governors may adopt the common instrument in its entirety or consider amending the Instrument of Government according to the needs of the respective school.
- 3.1.3 The Chairman of the Board must ensure that the Instrument of Government carries the name of the school and is signed by both the Chairman and the Mission Authority.
- 3.1.4 The Chairman shall submit the Instrument of Government to the Registrar of Educational Institutions.<sup>25</sup>
- 3.1.5 To amend the Instrument of Government the Board needs to:<sup>26</sup>
  - (a) convene a special meeting by giving not less than 3 months notice specifying the proposed amendments
  - (b) ensure the proposed amendments are supported by votes of not less than two-thirds of the total membership of Board
  - (c) submit the amended Instrument of Government to the Registrar.

<sup>13</sup> See Part Two Instrument of Government

<sup>14</sup> Article 9

<sup>15</sup> Article 10

<sup>16</sup> Article 9.1

<sup>17</sup> Article 5

<sup>18</sup> Article 11

<sup>19</sup> Article 8

<sup>20</sup> Article 12

<sup>21</sup> Article 17 & 18

<sup>22</sup> Article 14

<sup>23</sup> Refer to Instrument of Government provided in this kit and Schedule of Education (Grants Amendment) Regulations 1966 for provisions to be included in the Instrument of Government

<sup>24</sup> Section 53(1) and Section 55 Education Act 1996

<sup>25</sup> Rule 3(1) Education Act 1961 Educational Institutions (Instruments of Management or Government) Rules 1963

<sup>26</sup> Article 36 and Education Act 1961 (Grants) Amendments Regulation 1966 Rule 3

### 3.2 Notice of meetings and minutes

- 3.2.1 A copy of every notice convening a Board meeting and two copies of the minutes of the proceedings thereof shall be sent to the Mission Authority and to the Registrar of Educational Institutions respectively.<sup>27</sup>
- 3.2.2 Minutes of meetings of the Board and of any committee or subcommittee shall be properly documented and filed.
- 3.2.3 Minutes of every meeting are to be distributed to members of the Board not later than 30 days after the meeting.<sup>28</sup>

## B. ROLE AND RESPONSIBILITIES OF THE BOARD

The role and responsibilities of Board members as set out in the Instrument of Government are listed below :

### 1. Governance. The Board shall be collectively responsible for the proper government /management of the Institution.<sup>29</sup>

- 1.1 Board members need to be clear about the purpose of the Board and equipped with some knowledge and skills. This is because when it functions to its full capacity a Board is able to ensure the following:
- Clear strategic direction for the Board
  - The establishment, protection and promotion of the school's traditions, ethos, character and values
  - High standards of education through a team of committed teachers
  - Well-being of all students and staff
  - Accountability and value for public money
  - Proper maintenance of the land and property by the school operators
  - Sound management of the school as provided for under the Instrument of Government

The Board of Governors is the government of the school. For effective government, it is necessary to have clearly defined portfolios and members who have the necessary knowledge and competence to serve in the respective portfolios

- 1.2 For better governance, the Board should consider setting up subcommittees to look into various areas of governance, for example:
- (i) Finance and Administration
- To observe conditions imposed for grant-in-aid and capital grants
  - To administer private funds from the use of school property
  - To look into the budget and raising funds including tax exemption for building fund, fund-raising dinners etc

<sup>27</sup> Article 16  
<sup>28</sup> Article 13  
<sup>29</sup> Article 4

- (ii) Building Maintenance and Development
  - To regularly inspect premises and advise on necessary repairs, extensions, modifications and new building projects
- (iii) Student and Staff Welfare
  - To build a rapport with the teaching and non-teaching staff
  - To develop relationships, the Board needs to participate in school activities, e.g. Teachers' Day, Sports Day, Speech Day, etc.
  - To look into assistance for needy students and those with special needs

The Board can consider working with the alumni to set up trust fund, scholarships/bursaries for poor students, etc.

- (iv) Co-curricular enhancement, Living Skills, enrichment, etc.
  - To provide support to school in co-curricular activities through the collaboration with churches, youth bodies, sports associations
  - To complement efforts of the school towards holistic education by promoting arts, drama and culture, imparting living skills etc

The Board can consider setting up a reading programme, English proficiency programme, literacy programme and /or centre for slow learners etc within the school to complement efforts of the school

- (v) Spiritual development
  - To provide religious instruction as envisaged under the Education Act
  - To look into providing a character development curriculum

## **2. Administration of private funds derived from the canteen, bookshop and all other sources owned by the Mission Authority**<sup>30</sup>

- 2.1 These funds and any grants given to the Board should be placed in a bank account under the name of the Board to be operated by the Chairman, Secretary (i.e. Principal) and one other Board Member who shall represent the Mission Authority.
- 2.2 Funds are to be used to help meet costs of maintenance & improvement of school, and well-being of staff and students.
- 2.3 The Board should offer its help and expertise to the Principal and staff in areas where there are needs in the school:
  - In maintaining school buildings and extensions or renovation
  - In facilities directly managed by the School Board
  - In ensuring that the school is covered by insurance and cash-in-transit and other funds are covered and secure

<sup>30</sup> Article 4.2

- In the appropriate management of sources of income from the use of the premises or school buildings, e.g. rental of school canteen, bookshop

- 2.4 The Chairman of Board is to work closely with the Principal on the administration of all funds.
- 2.5 A financial report of the standing of the funds is to be tabled at every meeting of the Board.
- 2.6 All accounts should be properly audited.

### **3. Legal Title of the Land** <sup>31</sup>

- 3.1 The Mission Authority has the right to refuse consent for any modifications, major repairs or extensions if it is deemed incompatible to character, ideals, traditions & essential identity. <sup>32</sup>New Board members should be briefed on the sanctity of ownership and as representatives of Mission Authority, the Board should ensure that the School principal understands this and always seeks the consent of the Mission Authority for any changes so that no modification is carried out without the consent of the Mission Authority.
- 3.2 The School Board Chairman is the Custodian of the property on behalf of the Mission Authority and should be accorded due respect.
- 3.3 School principals/head teachers should respect the sanctity of ownership and always seek the consent of Mission Authority for any changes to be made.
- 3.4 They must ensure that titles are in place, quit rent and assessment paid, leases renewed and all relevant correspondence attended to

#### **3.5 The Chairman of the Board/School should:**

- 3.5.1 Be informed that payments for quit rent and assessments are up to date
  - 3.5.2 Be informed of expiry date of leases
  - 3.5.3 Keep the Mission Authority informed of any issues concerning land, ownership, lease, Quit Rent, etc.
- 3.6 All matters pertaining to the property (land and buildings) should be addressed to the Chairman of the Board and the Mission Authority who are the rightful owners.
  - 3.7 Heads of Schools receiving correspondence pertaining to the above must immediately refer such matters to the Mission Authority and Chairman of the Board
  - 3.8 Permission must be sought from the Mission Authority for any construction on Mission School land or modifications to school buildings. Proper procedure must be followed.
  - 3.9 New Board members and principals should be duly briefed about all the above so that there is continuity and consistency in the policies and decisions regarding the land and buildings.

<sup>31</sup> Article 31.  
<sup>32</sup> Article 33.1

#### **4. Property Maintenance, Repairs etc.**

4.1 The Board shall see to the proper maintenance of the school and ensure that necessary repairs are carried out<sup>33</sup>

#### **5. Use of premises**

5.1 The Board shall, with the Agreement of the Mission Authority, determine the use to which the premises may be put to outside designated school hours<sup>34</sup> for activities compatible with the ethos and traditions of the Institution.

5.2 The Mission Authority has the right to the continued use of non-educational buildings.<sup>35</sup> The Board can play a role in ensuring that the school does not encroach into non-educational buildings.

5.3 New Board members and principals should be briefed on sections that are non-educational and should draw up a schedule that defines the premises and property that has been made available for use of the School.

5.4 The Board has the right to refuse the use of premises for any purpose deemed incompatible with character, ideals, traditions & essential identity<sup>36</sup>

5.5 The Board should be kept informed of any intention to use the school's premises after school hours for purposes other than what is indicated in the school calendar.

5.6 Should the use of such buildings by the school be deemed necessary, permission has to be sought from the Mission Authority

#### **6. Student and Staff Welfare**

6.1 The Board is responsible for the welfare and general progress of the school, the students and the teaching and non-teaching staff<sup>37</sup> but shall not interfere in internal discipline and running of the school.

6.2 The interests of the school may be looked into by:

6.2.1 Providing a forum for and servicing the welfare and general progress of the school<sup>38</sup>

6.2.2 Assisting and complementing efforts of the school in meeting the material needs of pupils<sup>39</sup>

6.2.3 Providing support and assistance to families of students who have suffered some form of tragedy or trauma.

6.2.4 Caring and providing for the marginalized in the school population.

6.3 The Board can consider working with the alumni to set up a trust fund, scholarships/bursaries for poor students, etc.

6.4 Promotion of welfare of teaching and non-teaching staff<sup>40</sup>

6.4.1 The Board must recognise that good relationships, trust and gestures of appreciation contribute to a positive and effective school environment.

<sup>33</sup> Article 32

<sup>34</sup> Article 35

Article 34.1

<sup>35</sup> Article 33.1

<sup>36</sup> Article 35.2

<sup>37</sup> Article 4.3, 4.4 and 4.5

<sup>38</sup> Article 4.3

<sup>39</sup> Article 4.4

<sup>40</sup> Article 4.5

- 6.5 The Members of the Board need to:
- 6.5.1 Participate in school activities for example, Teachers' Day, Sports Day, Speech Day, and any other important school functions including retirement and memorial occasions with invitations extended to the Mission Authority to develop good relationships with teaching and non-teaching staff
  - 6.5.2 When given the opportunity, be present to inspire teachers, and show appreciation to the staff.
  - 6.5.3 Support the efforts of teaching staff to improve the standard of education <sup>41</sup>
  - 6.5.4 Be aware of extraneous factors that are detrimental to the standard of education and which may require the Board's intervention.
  - 6.5.5 Ensure infrastructure and facilities are adequate for curriculum delivery and an effective co-curricular programme.
  - 6.5.6 Consider working with the Alumni and/or PTA to set up remedial programmes for under-achieving students to complement the efforts of the teachers.
  - 6.5.7 Encourage young people to enter the teaching profession.
- 6.6 Creation of optimum school environment <sup>42</sup>  
The Board may do this by:
- 6.6.1 Ensuring a safe school environment through the proper maintenance of buildings and providing pleasant and comfortable facilities including state of the art equipment for learning to take place effectively.
  - 6.6.2 Creating a physical school landscape that instills love of nature and is conducive to learning.
  - 6.6.3 Determining the standards of cleanliness, safety and security that the school should aspire to.
- 6.7 Promotion of total development of pupils in spiritual, intellectual, emotional, social and physical dimensions <sup>43</sup>

The Board can achieve this by:

- 6.7.1 Cultivating a love for learning and belief in God among the pupils through the school culture and ethos.
- 6.7.2 Providing for the School Chaplain to play an active role.
- 6.7.3 The Board should also consider how it can introduce programmes to enhance character development of pupils.
- 6.7.4 As a Mission School, some form of Christian co-curricular activity should be encouraged, e.g. Christian Fellowships, Boys' Brigade, Girls' Brigade, etc.

<sup>41</sup> Article 4.6

<sup>42</sup> Article 4.7

<sup>43</sup> Article 4.7

## 7. Custodian of Character and Ethos

- 7.1 The Board must be guardians of the school for continuity and the preservation of tradition: prayers, teaching of Bible Knowledge, Chapel services, Christian Fellowship/Clubs and Societies, Boys' Brigade and Girls' Brigade, etc. Change that is good and progressive must be allowed while maintaining the character of the school.
- 7.2 The Board must strive to preserve existing Christian motifs, icons and nomenclature in the institution and endure to retain the School Crest, School Motto, School Song, School Magazine, School Colours, School Houses and all references to heritage and historical values.
- 7.3 The Mission Authority have a right to refuse the use of premises for any purpose deemed incompatible with character, ideals, traditions & essential identity<sup>44</sup> and the Board has a crucial role to play to ensure that these rights are respected.
- 7.4 The Board should ensure that a Heritage Club (or equivalent) is set up to instill love and respect for Missionary involvement in education. These clubs should hold annual school heritage activities, participate in significant celebrations such as School Anniversaries, Founder's Day, etc., develop archives on school history.
- 7.5 The School Alumni has often proved to be an effective source of support in preservation of identity, ethos and essential character of the school and the Board needs to work closely with the alumni in this regard.

## 8. Appointment of Head Teachers, Senior Assistants and Other teachers<sup>45</sup>

- 8.1 Preservation of essential identity exercised through appointment of Principal and Senior Assistant through the "Principle of Maximum Consultation".<sup>46</sup> The Board shall recommend the appointment of persons who by word and example will at all times actively preserve the essential identity of the school and will not without written approval of the Mission Authority alter the existing name, type, or essential character of the school. Where the Board is of the opinion that the Head Teacher should be transferred out, the Board shall make a report in writing to the Minister upon the circumstances of the case and with the approval of the Minister transfer him.<sup>47</sup>
- 8.2 For Catholic schools, the procedure for appointment of head teachers and senior assistants is as follows:
  - 8.2.1 The Board may propose a nominee to the Mission Authority or leave it to the Mission Authority to recommend a candidate of its choice to the Minister<sup>48</sup>
  - 8.2.2 If the nominee of the Mission Authority is deemed not suitable by the Minister, a new list shall be drawn up and presented again to the Minister<sup>49</sup>
  - 8.2.3 If the Mission Authority is unable to furnish names, only then is the Minister approached for his nominees but the nominee finally selected must be acceptable to the Mission Authority.<sup>50</sup>

<sup>44</sup> Article 35.2

<sup>45</sup> Different mechanism for Catholic schools. The Board has a bigger role in Catholic schools which includes appointment and transfer of teachers. See Education Act 1961 Assisted Schools (Management) Rules 1962

<sup>46</sup> Article 20 & 21

<sup>47</sup> Rule 19 Education Act 1961 Assisted Schools (Management) Rules 1962

<sup>48</sup> Article 25.1.1

<sup>49</sup> Article 25.2

<sup>50</sup> Article 25.3

- 8.3 The Board in Catholic schools also have a role to play in appointment and transfer of teachers <sup>51</sup>
- 8.4 The Board has to be proactive in this regard and be informed well in advance of any pending retirements or transfers of the Principal and Senior Assistants.
- 8.5 Suitable nominees must be identified and proposed to the relevant authorities.
- 8.6 The Board should work closely with the Mission Authority to implement the Principle of Maximum Consultation

## 9. Religious Instruction

- 9.1 The Board of governors may want to consider providing religious teaching to the pupils as part of promoting holistic development of pupils and producing individuals who are intellectually, spiritually, emotionally and physically balanced and harmonious based on a firm belief and devotion to God in accordance with the National Philosophy of Education. <sup>52</sup> However the Board will need the written consent of parents for pupils who profess a different religion.

## 10. Exploring collaborations

To bring about effective changes the governors of the school need to work closely with the school administration and Mission Authority and explore collaborations with parents, teachers, school alumni, youth organisations, sports associations, Corporations, Education Foundations and all other key players to complement efforts of the schools and fulfil responsibility to promote holistic education and development of the pupils

## SUMMARY

- 1. The BOG is set up to manage and govern the school in accordance to the vision of the founding missionaries
- 2. The BOG has a crucial role to play in taking the mission schools forward.
- 3. The BOG needs to meet regularly (at least once every 4 months), to have a presence and to continue to be an influence in the school through collaboration with the school administration.
- 4. The BOG must ensure its Instrument of Government is in place and send notice of meeting and minutes of meetings to the Mission Authority and to the Registrar of Schools.
- 5. The BOG needs the support of the alumni to ensure the ethos and traditions are kept alive.
- 6. The BOG needs to open a bank account to operate private funds from use of school premises. The funds are to be operated by the Secretary (i.e. Principal) with approval of the Board. The Chairman and either the Secretary or one other representative of the Mission Authority shall be the signatories of the account.

<sup>52</sup>Section 51 Education Act 1996

<sup>51</sup>Article 30. See also Rules 9,10 and 11 Education Act 1961 Assisted Schools (Management) Rules 1962 on establishment of a Selection Committee to advise Board on appointment of teachers

## 1. Sample Form for Registration of Board Member

**BORANG**  
**PERMOHONAN UNTUK PENDAFTARAN**  
**SEBAGAI AHLI LEMBAGA PENGELOLA INSTITUSI PENDIDIKAN**  
**AKTA PENDIDIKAN 1996**

Pendaftar

Jabatan Pendidikan \_\_\_\_\_

\_\_\_\_\_

**GAMBAR**

**A. BUTIRAN INSTITUSI PENDIDIKAN**

Nama Sekolah : \_\_\_\_\_

Kod Sekolah : \_\_\_\_\_

Alamat Berdaftar Sekolah : \_\_\_\_\_

**B. BUTIRAN PEMOHON**

Nama Penuh : \_\_\_\_\_

Tarikh dan Tempat Lahir : \_\_\_\_\_

No. KPT : \_\_\_\_\_

Alamat : \_\_\_\_\_

\_\_\_\_\_

No. Telefon : \_\_\_\_\_

Pekerjaan : \_\_\_\_\_

Kelayakan Akademik : \_\_\_\_\_

Pengalaman atau Kemahiran : \_\_\_\_\_

Dalam Bidang Pendidikan \_\_\_\_\_

Namakan Jika ada, Institusi Pendidikan lain yang mana anda menjadi lembaga  
 pengelola \_\_\_\_\_

\_\_\_\_\_

CT/JADUAL.DOC/(P&P 052)

Pengakuan

**Saya dengan ini mengaku bahawa:**

- a) Saya adalah seorang Warganegara Malaysia dan tidak pernah melupakan hak kerakyataan saya;
- b) Saya tidak pernah disabitkan dengan sebarang kesalahan yang boleh dihukum penjara tanpa diganti dengan denda;
- c) Tidak ada tindakan mufis yang sedang berkuatkuasa keatas diri saya.
- d) Saya tidak pernah ditolak pendaftaran sebagai pengelola mana-mana sekolah
- e) Saya berkebolehan dan berupaya menjalankan tugas-tugas sebagai pengeola bagi Institusi Pendidikan \_\_\_\_\_ dan saya faham dengan peraturan-peraturan yang terdapat dalam Akta pendidikan 1996, dan peraturan-peraturan serta undang-undang kecil yang dibuat atau dilaksanakan di bawah akta ini.
- f) Maklumat yang terkandung dalam borang permohonan ini adalah benar mengikut pengetahuan dan keyakinan saya.

.....  
( Tanda Tangan Pemohon)

Tarikh:

## 2. Cover Letter to accompany Registration Forms to Education Authorities, JPN, by Secretary, c.c. to Mission Authority and Board Chairman

Kepada  
Pengarah Pelajaran Negeri Perak  
Jabatan Pelajaran Perak Darul Ridzuan  
Jalan Tun Abdul Razak  
30604 Ipoh  
Perak Darul Ridzuan  
(u.p.: Unit Perhubungan dan Pendaftaran)

Tuan,

### **PERMOHONAN PENDAFTARAN SEBAGAI SEORANG PENGELOLA / PEKERJA INSTITUSI PENDIDIKAN**

Dengan segala hormatnya saya merujuk kepada perkara tersebut di atas.

2. Bersama-sama ini disampaikan dokumen-dokumen berikut untuk rujukan dan tindakan tuan selanjutnya:-

2.1 Dua salinan – Borang

Sekian. Terima kasih.

“BERKHIDMAT UNTUK NEGARA”

Saya yang menurut perintah

.....  
Pengetua  
SMK Methodist Tanjong Malim  
Perak Darul Ridzuan

s.k.     Methodist Council of Education  
          Pengerusi Lembaga Pengelola Sekolah

Pendaftar Institusi Pendidikan  
Negeri

**KEDUDUKAN AHLI-AHLI LEMBAGA PENGELOLA/PENGURUS SEKOLAH  
SEPERTI PADA \_\_\_\_\_ (TARIKH)**

Nama Sekolah:

Wakil	Nama Penuh	No.Kad Pengenalan	Pekerjaan	Tarikh Lahir	Tempoh mula	Tempoh tamat	No. Sijil*
<b>Pengerusi</b>							
<b>Pemegang Amanah</b>							
<b>Gereja Tempatan</b>							
<b>Bekas Murid</b>							
<b>Ibu Bapa</b>							
<b>Menteri Pelajaran</b>							

Nama Penandatanganan Cek

- 1.
- 2.
- 3.

Nama Bank:

Nombor Akaun Bank:

.....

Tandatangan Pengetua/Guru Besar

Tarikh:

## II RESOURCES

Below are some provisions of the law and regulations which the Board will need to be familiar with:

1. Education Act 1996
  - 1.1 Every educational institution shall have an instrument of government: Section 53(1)
  - 1.2 Every educational institution shall be managed in accordance with its instrument of government: Section 55
  - 1.3 Every instrument of government shall provide for the constitution of a board of governors with a chairman for the management of the educational institution: Section 53(2)
  - 1.4 The Minister may make regulations for the establishment of the board of governors and for the management of the educational institution by a board of governors and prescribe the duties of the governors: Section 54(1)

### Act 550 EDUCATION ACT 1996

Extract

#### *Chapter 11 - Management of Educational Institutions*

53. (1) Subject to the provisions of this Act, every educational institution shall have an instrument of government.
  - (2) Every instrument of government shall provide for the constitution of a board of governors, with a chairman, for the management of the educational institution by the governors in a manner not inconsistent with this Act and any regulations made under this Act.
  - (3) Subsection (1) shall not apply to government educational institutions except a national-type school and schools to be determined by the Minister.
  - (4) Every instrument of government shall be made, amended or revoked in such manner as may be prescribed.
54. (1) The Minister may make regulations for the establishment of a board of governors and for the management of an educational institution by a board of governors and, without prejudice to the generality of such power, the Minister may, in the regulations, prescribe the duties of the governors and other persons responsible for the management of educational institutions.
  - (2) Any regulations made under subsection (1) may prescribe different duties for governors or other persons responsible for the management of different categories of educational institutions.
55. Subject to the other provisions of this Act and in particular the provisions as to exemption, every educational institution shall be managed in accordance with its instrument of government.

## **2. Instrument of Government**

### **Education Act 1961 Educational Institutions (Instruments of Management or Government)**

#### **Rules 1963**

- 2.1 The Chairman shall submit a draft Instrument to the Registrar General of Schools :  
Rule 3(1)
- 2.2 The draft instrument shall be in a form approved by the Minister and shall be prepared in consultation with the Registrar who shall give the necessary advice as to the provisions which need to be included: Rule 3(2)
- 2.3 If the Registrar is satisfied with the draft, he shall return it to the Chairman with a certificate and the instrument shall take effect and any previous instrument shall thereby be cancelled: Rule 3(4)(5)

### **Education Act 1961 (Grants) (Amendment) Regulations 1966 Rule 3**

To amend the Instrument of Government the Board needs to:

- (a) Convene a meeting with not less than 3 months notice specifying the proposed amendments
- (b) Be supported by a vote of not less than 2/3 majority of the total number of members
- (c) Follow through the subsequent approval of the amendments by the Registrar

## **3. Income Tax Act 1967 Subsection 44(6)**

### **Inland Revenue Board Guidelines for tax exemption application**

Besides Grant-in-aid and capital grant from the government the Board may set up a school building fund committee and apply for tax exemption for their school building fund.

The tax exemption procedure is as follows:

- obtain application form (Appendix A) from State Education Department
- complete and submit form to State Education Department together with
- income and expenditure account for school
- school building fund committee's names, address, NRIC, occupation and designation in the committee;
- approved building plan;
- estimated cost of construction for building together with certification of construction cost from registered architect;

n.b. All donations in cash to the school library are exempt from tax up to a limit of RM5000.00

## **4. Warta Kerajaan, 1 September 1966**

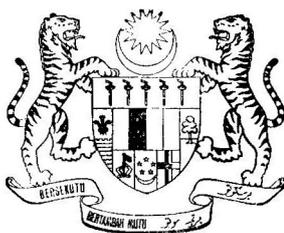
### **5. Education Act 1961 Assisted Schools (Management) Rules 1962**

Rule 9 Teaching Vacancies

Rule 10 Selection Committee

Rule 11 Appointment of Lay Teacher

Rule 19 Report to Minister



MALAYSIA

# Warta Kerajaan

## SERI PADUKA BAGINDA

DI-TERBITKAN DENGAN KUASA

*HIS MAJESTY'S GOVERNMENT GAZETTE*

*PUBLISHED BY AUTHORITY*

Jil. 10  
Bil. 19

**1hb September, 1966**

*TAMBAHAN No. 44  
PERUNDANGAN*

**P.U. 334.**

### EDUCATION ACT, 1961

#### EDUCATION (GRANTS) (AMENDMENT) REGULATIONS, 1966

IN exercise of the powers conferred by sections 104 and 118 of the Education Act, 1961, the Yang di-Pertuan Agong hereby makes the following regulations: *43 of 1961.*

1. These regulations may be cited as **Education (Grants) (Amendment) Regulations, 1966**, and shall be deemed to have come into force on 11th July, 1963. Citation and commencement.
2. Regulation 2 of the Education (Grants) Regulations, 1962 (hereinafter referred to as "the principal Regulations") is hereby amended— Amendment of Regulation. L.N. 299/62. L.N. 170/63.
  - (a) by substituting for sub-paragraph (g) of paragraph (1) thereof the following new sub-paragraph:

“(g) that the provisions of the instrument of management or the instrument of government as the case may be include the provisions required by the Schedule and Regulations or provisions substantially to the same effect and have been approved by the Registrar; that for the purpose of ensuring that the provisions of this paragraph have been complied with, the Registrar may require such instrument to be amended.”
3. The Schedule to the principal Regulations is hereby repealed and the following new Schedule substituted therefor: Amendment of Schedule.

#### SCHEDULE

#### PROVISIONS TO BE INCLUDED IN THE INSTRUMENT OF MANAGEMENT OR INSTRUMENT OF GOVERNMENT

An Instrument of Management or Instrument of Government shall provide—

1. In respect of membership, etc. of Board of Managers or Governors:
  - (A) that a member of the Board shall be designated, appointed or elected as the Chairman of such Board;

- (B) that the headteacher shall be the Secretary of the Board, but he shall not be a member thereof;
- (C) that the membership of the Board shall include—
- (a) not less than three members to be nominated by the Minister of Education;
  - (b) not more than three elected representatives from each of the following categories—
    - (i) former pupils of the educational institution who are of full age;
    - (ii) parents of pupils who are in the educational institution;
  - (c) subject to the approval of the Registrar, not more than three representatives from one or more of the following categories—
    - (i) to be elected by trustees of the educational institution,
    - (ii) to be elected by supporters of the educational institution,
    - (iii) of any religious body in whom is vested the title to the land on which the educational institution is situated,
    - (iv) in the case of an educational institution formerly maintained in whole or in part by a Government of the State, of the Government of that State;
- (D) Unless the composition of the Board is such as to make express provision unnecessary, that none of the following shall be a member of the Board—
- (a) any member of the approved staff (*teachers and non-teachers*) of the educational institution;
  - (b) except with the approval of the Registrar in special circumstances, any other teacher;
  - (c) any officer of the Ministry of Education;
  - (d) any person carrying on or having a substantial interest in any business in the course of which food, materials, or equipment or books are supplied to the educational institution;
- (E) that the term of office of a member of the Board shall not exceed three years;
- (F) that a member of the Board whether elected or appointed shall cease to be a member if he absents from three consecutive meetings of the Board without the approval of the Board;
- (G) that the proceedings of the Board shall not be invalidated by reason of any vacancy in the Board or by any defect in the election or appointment of a member.
2. In respect of meetings of the Board—
- (A) that ordinary meetings of the Board shall be held at least once in every school term;
  - (B) that additional meetings of the Board shall be held at such time or times as required by the Chairman or at the request in writing by any three members of the Board;
  - (C) that any special meeting shall be convened if the Registrar so require;

- (D) that the meetings of the Board shall be convened by the Secretary by giving to each member of the Board not less than fourteen days' written notice of the meeting setting out the agenda for the meeting, but may include provision as to the manner in which such notice is to be given;
  - (E) that at a meeting of the Board no decision shall be taken on any matter not included in the agenda, unless the member presiding allows it to be taken on grounds of urgency, and that such a decision shall not be binding until and unless confirmed at the next succeeding meeting of the Board;
  - (F) that at a meeting of the Board no business other than the adjournment of the meeting shall be transacted in the absence of a quorum specified in the instrument, and shall fix the quorum at a number not less than half the total number of members of the Board;
  - (G) that at a meeting of the Board every decision shall be taken by the votes of the members present at the meeting and, except in the case of a decision to amend the instrument, by a majority of those present and voting (the Chairman having a second or casting vote in the case of an equality of votes);
  - (H) that a secret ballot shall be taken at a meeting of the Board if the members present so request;
  - (I) that minutes of all proceedings of the Board and of any committee or sub-committee thereof shall be entered in a minute-book;
  - (J) that the Chairman shall preside at all meetings of the Board and in his absence a member elected from amongst those present at a meeting;
  - (K) that the notices convening meetings of the Board and the minutes to be maintained in accordance with (I) above shall be in the language medium of the educational institution and in the National or English Language;
  - (L) that there shall be sent to the Registrar a copy of every notice convening a meeting of the Board and two copies of the minutes of the proceedings of the Board or of any committee or sub-committee thereof either in the National or English Language;
  - (M) that the Registrar or his representative may attend and participate at any meeting of the Board without the power of voting.
3. In respect of a decision to amend the Instrument of Management or Government—
- (a) that it is taken at a meeting specially convened for the purpose by not less than three months' notice specifying the proposed amendment;
  - (b) that it is supported by the votes of not less than two-thirds of the total number of members of the Board; and
  - (c) that it is subsequently approved by the Registrar.
4. The Instrument shall also include provision declaring that the educational institution is to be managed in accordance with the Education Act, 1961, and the rules and regulations made and directions given thereunder.

Made this 17th day of August, 1966.  
[AG. 2689/3; KP. 0204/14/A.]

By Command,

MOHD. KHIR JOHARI,  
*Minister of Education*

# 1962 年资助学校 ( 管理 ) 条例

L.N 326

## EDUCATION ACT, 1961 ASSISTED SCHOOLS (MANAGEMENT) RULES, 1962

In exercise of the powers conferred by section 116 of the Education Act, 1961, the Minister of Education hereby makes the following Rules:

### Citation

1. These Rules may be cited as the **Assisted Schools (Management) Rules, 1962.**

### Interpretation

2. In these Rules –  
"Board" means a Board of Managers in the case of a primary school or a Board of Governors in the case of an educational institution other than a primary school.  
"instrument" means an instrument of management in the case of a primary school or an instrument of government in the case of an educational institution other than a primary school.

### Application. L.N.299/62

3. These Rules shall apply to all schools in receipt of full grant-in-aid under the Education (Grants) Regulations, 1962, and to special schools.

### Responsibility for management

4. The Board shall be responsible for the proper management of the school in accordance with the Act, and the Rules and Regulations made and directions given thereunder, and the provisions of any other written law applicable thereto and the instrument of the school; and shall observe all conditions and limitations imposed in connection with the payment of grant-in-aid or any capital grant made pursuant to section 104 of the Act.

### Type and character of school not to be altered without approval.

5. The Board shall not, without the approval of the Minister in writing, alter the type or educational character of the school.

### Control by head teacher

6. Subject to any lawful direction given by the Board in the discharge of its duty under these Rules, the head teacher shall have control of the organization of the school and shall ensure discipline; and for these purposes shall have authority over teachers, pupils and employees of the school.

### Attendance at Board meetings by head teacher

7. The head teacher shall attend the meetings for the Board for the purpose of advising it upon matters under his control.

### Occasional holidays

8. The head teacher may with the consent of the Board grant occasional holidays not exceeding four days in any one year, provided that such holidays shall not be granted immediately before or after any school vacation nor shall they, except with the consent of the Chief Education Officer, be granted on any two successive days.

### **Teaching vacancies**

9. Whenever any vacancy occurs in any teaching post, including the post of head teacher, in the lay teaching staff of the school, the Board shall inform the Minister and –
- (i) if the Minister has a person to nominate to the vacancy, the Board shall appoint that person; or
  - (ii) if the Minister has no person to nominate to the vacancy, the Board shall cause the vacancy to be advertised in accordance with such directions as the Minister may issue from time to time:
- Provided that the Board may, with the consent of the Minister, appoint a teacher on a temporary basis pending the making of an appointment under these Rules.

### **Selection committee**

10. (1) For the purpose of advising the Board upon the appointment of a lay teacher, there shall be established a selection committee of the Board which shall consist of –
- (a) the Chairman of the Board;
  - (b) two managers or governors nominated by the Board;
  - (c) the head teacher.
- (2) The head teacher shall not attend any meeting of the Selection Committee at which his own appointment is under consideration.
- (3) The Chairman of the Board shall inform the Chief Education Officer, at least seven days before and of the date on which any meeting of the Selection Committee is to be held and the Chief Education Officer or his representative or a person nominated by him, may attend any meeting of the Selection Committee in an advisory capacity.

### **Appointment of lay teacher**

11. (1) The Board may, after considering a list of all applicants together with a report and recommendations submitted to it by Selection Committee, appoint any teacher to a vacancy.
- (2) If the vacancy is for a head teacher or the holder of any other post designated by the Minister as a post of special responsibility to which this paragraph applies, the appointment shall not be made except with the Minister's approval, and if the Board is unable to designate for the appointment a person approved by the Minister, the Minister may nominate a person for it to appoint.

### **Appointment of teachers who are members of religious teaching order or mission**

12. Whenever a vacancy occurs in the teaching staff, other than the lay teaching staff of a school, the head of the religious teaching order or mission may with the approval of the Minister in each case appoint a member of the religious teaching order or a missionary teacher to the vacancy.

### **Appointment or dismissal of non-teaching staff**

13. The Board may, after consultation with the head teacher, appoint or dismiss staff other than teachers.

### **Suspension of teacher**

14. (1) The head teacher may after consultation with the Chairman of the Board suspend a teacher who, in his opinion, is guilty of misconduct or who fails to perform his duties in a satisfactory manner; and in such event the head teacher shall forthwith make a report in writing to the Board setting out his reasons for the suspension.

### **Suspension of head teacher**

- (2) The Board may after consultation with the Chief Education Officer suspend the head teacher if, in its opinion, is guilty of misconduct or who fails to perform his duties in a satisfactory manner; and in such event the head teacher shall forthwith make a report in writing to the Board setting out his reasons for the suspension.

### **Salary, etc. during suspension**

15. Where the head teacher or any teacher is suspended from duty his salary and allowances shall continue until the procedure for this dismissal under these Rules has been concluded.

### **Teacher may be required to show cause**

16. Whenever it appears to the Board that the head teacher or any teacher is guilty of misconduct or is performing his duties in an unsatisfactory manner, the Board may, in the manner hereinafter provided, require the head teacher or teacher to show cause why he should not be dismissed.

### **Service of notice**

17. When the Board considers it necessary to require the head teacher or any teacher to show cause why he should not be dismissed it shall issue and cause to be served upon him a notice containing a statement of the reasons why the notice was issued and such notice shall specify a date, not earlier than twenty-one days after the service of the notice, on which the Board intends to consider the matter.

### **Manner of showing cause**

18. (1) The head teacher or any teacher served with a notice under these Rules may, for the purpose of showing cause why he should not be dismissed –
  - (a) deliver to the Board, within fourteen days of the date of the service of the notice, a statement in writing; and
  - (b) attend and be given a hearing at the meeting of the Board on the date specified in the notice.

The Board shall consider any statement made by the head teacher or teacher under this Rule and may make such enquiry as it thinks fit.

- (2) The head teacher or teacher may if he so desires be accompanied by a serving teacher selected by him, and in such case the Board shall permit that serving teacher to be heard in defence of the head teacher or teacher.
- (3) The Chairman of the Board shall inform the Chief Education Officer, at least seven days beforehand, of the date of the meeting and the Chief Education Officer or his representative or a person nominated by him may attend the meeting as an observer.

### **Report to Minister**

19. Where the board is of the opinion that the head teacher or teacher should be dismissed the Board shall make a report in writing to the Minister upon the circumstances of the case, and, with the approval of the Minister, dismiss him.

### **Additional employment**

20. The head teacher or any teacher may, with the written consent of the Board, and subject to any directions on the matter issued by the Minister from time to time, undertake for consideration any employment in addition to his duties at school:

Provided that in no case shall the Board consent to the private tuition for consideration of a pupil by the head teacher or any teacher when such pupils is receiving instruction from him at the school.

**Teacher who is a Government servant**

21. Rules 14 to 20 inclusive shall not apply to any teacher who is a Government servant

**No discrimination**

22. Subject to the instrument of the school there shall be no discrimination, on the grounds of sex, marital status, race or religion, in the appointment of any lay teacher or of any member of the non-teaching staff of the school.

**Revocation**

23 The following Rules are hereby revoked:

The Assisted Schools (Management) Rules, 1958	L.N.33/58
The Assisted Schools (Management) (Amendment) Rules, 1958	L.N.291/58
The Assisted Schools (Management) (Amendment) Rules, 1961	L.N.208/61
The Assisted Schools (Management) (Amendment) (No.2) Rules, 1961	L.N.371/61

Made this 22nd day of November, 1962  
(M.E.24G/57/AG.250/54 SFLV/B)

ABDUL RAHMAN BIN HAJI TALIB  
Minister of Education