

For discussion

Bills Committee on Race Discrimination Bill

Education for the Ethnic Minorities

Purpose

At the meeting held on 16 January 2007, Members asked the Administration –

- (a) to consider taking affirmative action to ensure that children of ethnic minorities who are disadvantaged by their language proficiency in Chinese would have equal opportunities to receive education (university education in particular) and vocational training; and
- (b) to explain actions taken by the Administration to ensure equal opportunities for ethnic minorities to gain admission to universities if a legal obligation for affirmative action is not imposed.

This paper presents for Members' information our views and explanation.

Objective of the Race Discrimination Bill

2. The objective of the Race Discrimination Bill is to protect all individuals, regardless of their race, colour, descent or national or ethnic origin, from being discriminated on the ground of race, whether by private individuals, groups, organisations or public bodies in certain specified fields including education. While the Administration encourages assistance and support to those in need, the Bill does not make it mandatory for affirmative actions to be taken. While special measures that are reasonably intended to address the special needs of ethnic minorities are legitimate under the Bill

(see Clause 49¹), it should be noted that if an act which favours ethnic minorities has the effect of disfavouring those who are equally situated but are not members of the preferred ethnic groups, that might constitute direct discrimination and would be unlawful under the Bill.

Education for Ethnic Minority Students in Schools

3. The Government firmly upholds the right of children in education, irrespective of their race or ethnic origin. Thus all eligible children in Hong Kong have the right to receive nine years of free and universal basic education. In addition, the Education and Manpower Bureau (EMB) has been putting in place special support measures to cater for the specific needs of non-Chinese speaking (NCS) students, notably the ethnic minority students, in schools –

- EMB is providing centralized support to ten primary and five secondary schools designated for such support in the 2006/07 school year. Intensive on-site support is being provided to these schools to help them further enhance the learning and teaching, particularly in the Chinese Language subject, of the NCS students. Such support takes the form of regular visits by professional officers to conduct collaborative lesson planning with teachers and to help the schools develop school-based Chinese Language curricula, learning and teaching strategies, school-based teaching resources / materials, learning activities and assessment designs, etc.

- A supplementary curriculum guide on the teaching of Chinese to NCS students will be developed under the umbrella of the central

¹ Clause 49 provides that –

“Nothing in Part 3, 4 or 5 renders unlawful an act that is reasonably intended to –

- (a) ensure that persons of a particular racial group have equal opportunities with other persons in circumstances in relation to which a provision is made by this Ordinance;
- (b) afford persons of a particular racial group goods or access to services, facilities or opportunities to meet their special needs in relation to –
 - (i) employment, education, welfare or clubs; or
 - (ii) the provision of premises, goods, services or facilities; or
- (c) afford persons of a particular racial group grants, benefits or programmes, whether direct or indirect, to meet their special needs in relation to –
 - (i) employment, education, welfare or clubs; or
 - (ii) the provision of premises, goods, services or facilities.”

Chinese Language curriculum framework. This supplementary guide will advise on the selection of key learning targets and objectives related to different strands (e.g. reading, writing, speaking, listening, culture and literature, etc.), and principles of selecting relevant materials and contexts for the different needs of students. It will also be supported by examples based on the experiences of learning and teaching of Chinese Language to NCS students in local schools.

- Action is in hand to commission tertiary institution(s) to run a Chinese Learning Support Centre, which will support NCS students who are less proficient in Chinese (in particular the late starters) by offering remedial programmes after school hours or during holidays, borrowing premises of relevant designated schools. The Centre will also participate in the development of related teaching resources and provide professional advice. Subject to smooth completion of the tendering process, we expect the Centre to start operation in mid-2007.
- We have commissioned a tertiary institution to run training programmes for Chinese Language teachers in the designated schools. The programmes are expected to commence around May 2007.
- Starting from summer 2007, the 4-week Summer Bridging Programme currently confined to incoming ethnic minority Primary 1 entrants will be extended to cover also NCS students proceeding to Primary 2, Primary 3 and Primary 4.
- Knowing that individual NCS students would like to be provided with the avenue to attain alternative qualifications in Chinese, necessary arrangements are being made for interested NCS students in public sector schools to participate in the General Certificate of Secondary Education (GCSE) (Chinese) examination in Hong Kong starting from 2007.
- In recent years, we have provided information notes and conducted briefings on school places allocation systems in the major ethnic

minority languages (e.g. Nepali, Urdu and Hindi). An NCS parent information package introducing the local education system and educational support services for NCS students will be produced in the major ethnic minority languages for distribution later in 2007.

Vocational Training

4. On vocational education and training, the Hong Kong Institute of Vocational Education (IVE) of the Vocational Training Council (VTC) mainly uses English as the medium of instruction for its post-secondary 5 level courses, and NCS students who meet the basic entry requirements may apply for admission on a competitive basis. Post-secondary 5 level courses offered by IVE do not normally have Chinese Language proficiency as a minimum entry requirement. As regards courses offered by the Training and Development Centres and Youth Colleges, they are mainly conducted in Chinese taking into account the background of the students, course requirements and/or future job requirements of related industries. VTC is prepared to exercise suitable flexibility in implementing the Chinese Language requirement, if any, when considering NCS students' applications. To meet the demand of NCS students, VTC plans to organize 13 dedicated programmes for NCS youths and adults offering about 300 places in the current academic year. Six such programmes offering 100 places have already commenced. These dedicated programmes are conducted in English, covering courses ranging from part-time trade licensing test preparatory course for in-service personnel to full-time Foundation Diploma courses for secondary 5 leavers in the areas of hospitality, electrical and welding industries, etc.

5. As regards vocational training courses provided by the Construction Industry Training Authority and the Clothing Industry Training Authority, they do not normally set a specific Chinese Language proficiency as a minimum entry requirement. That said, most of the courses are conducted in Chinese taking into account the background of the tutors, course requirements and/or requirements on the job. If there is a demand from prospective NCS applicants for individual programmes, the institutions are prepared to arrange courses conducted in English or make available supplementary English reading materials where practicable.

6. Separately, the Employees Retraining Board (ERB) is planning to offer courses on security and property management and domestic help in English for NCS adults on a pilot basis. Two such courses each offering about 20 places may commence before mid-2007 depending on the enrolment. ERB will closely monitor the progress and outcome of the pilot courses and consider offering more courses for the NCS community.

Tertiary Education

7. While admission to tertiary education institutions is merit-based, we note that institutions are already exercising suitable flexibility for NCS students when applying the Chinese Language requirement. Under the Joint University Programmes Admissions System (JUPAS), students, including ethnic minority students, may use the Hong Kong Certificate of Education Examination (HKCEE) result in a language other than English in place of the Chinese Language result in order to apply for admission to undergraduate programmes. The University Grants Committee (UGC)-funded institutions may also consider the students' applications according to their outstanding performance in other academic subjects. Besides, students may apply for admission with the UGC-funded institutions direct by using results other than those in the Hong Kong Advanced Level Examination (HKALE) under the “non-JUPAS route”.

8. The Bureau, through the UGC, has conveyed to the UGC-funded institutions views of the Legislative Council Panel on Education regarding application of the Chinese Language requirement for admission of NCS students in Hong Kong, and obtained initial feedback from the institutions. On the basis of the initial feedback, we are following up with the institutions. Specifically, we have invited the institutions to further consider the feasibility of accepting alternative qualifications in Chinese, such as those under GCSE, General Certificate in Education (GCE) and International General Certificate of Secondary Education (IGCSE), and to consider elaborating their key considerations for the information of the NCS community. In early January 2007, the Legislative Council Panel on Education had discussed the Chinese Language curriculum and the subject of university admissions in respect of NCS students. On the former,

Members generally welcomed the Bureau's plan to develop a supplementary curriculum guide. On the latter, we have undertaken to report to the Panel the outcome of our discussions with the institutions in due course.

Presentation

9. This paper has been prepared in response to items (e) and (f) on the "List of issues raised by members" and is presented for consideration at the Bills Committee meeting to be held on 5 February 2007.

Education and Manpower Bureau
January 2007