

Subcommittee on Rights of Ethnic Minorities
Education for Children of Ethnic Minorities
23 November 2016

Submission from the Equal Opportunities Commission

Purpose of the Paper

The vision of the Equal Opportunities Commission (EOC) is to create a pluralistic and inclusive society free of discrimination and where there is no barrier to equal opportunities. However, ethnic minorities (EMs) in Hong Kong continue to face systemic barriers in pursuing equal education, which, in turn, limit their employment opportunities over their lifetime. This paper sets out to provide the EOC's views for the Subcommittee on Rights of Ethnic Minorities regarding education for EM children.

Protection under the Race Discrimination Ordinance

2. To promote upward mobility, it is important that EMs have equal access to schooling and are given fair treatment during education. Under the Race Discrimination Ordinance (RDO), it is unlawful for educational establishments to discriminate against anyone because of his/her race. Given that language used by people is often associated with their race, unfair treatment based on language may constitute indirect discrimination against EMs. While using language as an admission criterion in an educational establishment where it cannot be justified might be indirect race discrimination, the EOC is also concerned whether EM

children get fair access to educational support for learning Chinese language in kindergartens, primary and secondary schools so as to allow them equal opportunities for quality and higher education.

EOC's Work on Promoting Equal Education Opportunities

3. Since 2015, the EOC has set up the Ethnic Minorities Unit (the "Unit") to enhance the work on promoting racial integration and advancing equal educational opportunities for ethnic minority students, as well as equal employment opportunities for ethnic minorities through policy recommendation, training and outreach to the EM community. To monitor the implementation of the Learning Framework by the Education Bureau (EDB) with enhanced support to schools for NCS students, the Unit has met different stakeholder groups, including school principals, teachers, students, parents, scholars and NGOs to collect feedback about the progress of the measures. The EOC has met with senior officials of the EDB from time to time to reflect feedback from the EM community and urged them to follow up on the issues related to their support measures including strengthening professional training of teachers and publicity of its services to EMs.

4. In view of the difficulties encountered by EM student applicants in school admission, the EOC has embarked on a series of publicity measures to urge schools to step up efforts to support EM students and remind schools that it may be a contravention of the anti-discrimination legislation to deny admissions to students on the basis of their race, including setting unjustifiable language or other admission requirements which may put EM students at a disadvantage. To further provide guidelines for schools and parents, the Unit has published a guidance booklet titled "Promotion of Racial Integration and Prevention of Racial Discrimination in Schools" to promulgate the application of the RDO in school setting, with particular emphasis on the language policy and inclusive learning

environment. To promote its use, briefing sessions have been conducted to school administrators and teachers with positive feedback while those for parents are under planning.

Chinese Language Curriculum Second Language Learning Framework

5. Given that the Chinese Language Curriculum Second Language Learning Framework (“Learning Framework”) was implemented in 2014, it is urged that the EDB make clear its performance targets for evaluating the effectiveness of the Framework. Considering the objective of the Framework is to help non-Chinese speaking (NCS) students bridge to mainstream learning of Chinese language, a key success indicator would be the number of students who have successfully bridged over. A clear target figure for this should be provided, so as to rate progress against it and subsequently work out remedial measures to improve.

6. The Framework currently has provided some resources such as assessment tools and teaching reference materials. Feedback from schools and teachers suggests that they still face multiple difficulties in developing teaching materials for their NCS students:

- a. Teachers are made responsible for creating teaching materials. Not all teachers are trained or skilled in doing so. Most importantly, it creates additional burden for already overworked teachers who claim there aren’t sufficient models and reference materials for them to use.
- b. Different levels of attainment and proficiency among students are very common in classed with NCS students. This is particularly marked when students from different primary schools come together in S1.

Without sufficient guidance and training for the teachers, they have a difficult time catering to the individual needs of this diverse classroom.

- c. Leaving textbook development to private publishers, as is the situation in the mainstream curriculum, leads to a situation where the materials produced are neither enough nor are they the most appropriate for NCS learners. The relatively small number of users renders it unattractive for publishers. The EOC urges the EDB to undertake the development and publishing of appropriate teaching materials for NCS learners so that quality, quantity and adherence to the needs of the syllabus and curriculum can be ensured.

Teacher Training

7. While the EDB reports show that all schools concerned had arranged for their teachers to participate in training programs related to the implementation of the Framework and 98% of the participating teachers were satisfied with the professional development programs, we urge that that training requirements for teachers of second language learners be more along the lines of the three-tier training courses developed for teachers of students with special educational needs (SEN). The EDB has clear targets on making sure that schools have a certain percentage of their teachers equipped with the formal training to cater to SEN students' needs. So far, there is no such training structure or requirement for schools regarding teachers teaching NCS students. It is evident that teaching second language learners requires a different set of skills and teachers need to be equipped with it to be effective.

8. The EDB is also urged to provide figures on how many teachers have availed of the “Professional Enhancement Grant Scheme for Chinese Teachers (Teaching Chinese as a Second Language)” funded by the Language Fund and/or attended the five-week “Certificate in Professional Development Programme on the Teaching of Chinese Language for NCS Students” run by the Education University of Hong Kong.

Data Collection

9. In order to address the prevalence of high concentration of EM students in a few schools, we urge the EDB to collect and release data on the number of EM students in individual schools both in absolute terms as well as a percentage of the total number of students in that school. We are aware that despite “designated schools” being abolished, the system continues to exist in that many of the previously “designated” schools still have up to 90% of their student population coming from EM communities. Data is required in order to be able to firstly, recognise the extent of the issue, secondly to understand the reasons behind and lastly to address it effectively.

10. It has also been brought to our notice that there may be a reverse migration taking place of some EM students who are allocated to mainstream schools, but due to their inability to cope, within a year or so move back to certain previous “designated” school. Data to confirm and thereafter address this trend is essential.

Equal Opportunities Commission

November 2016