

# PROMOTING EQUAL OPPORTUNITIES IN KINDERGARTEN ADMISSIONS



平等機會委員會  
EQUAL OPPORTUNITIES COMMISSION

# THE ORDINANCES

**Sex  
Discrimination  
Ordinance**



**Disability  
Discrimination  
Ordinance**



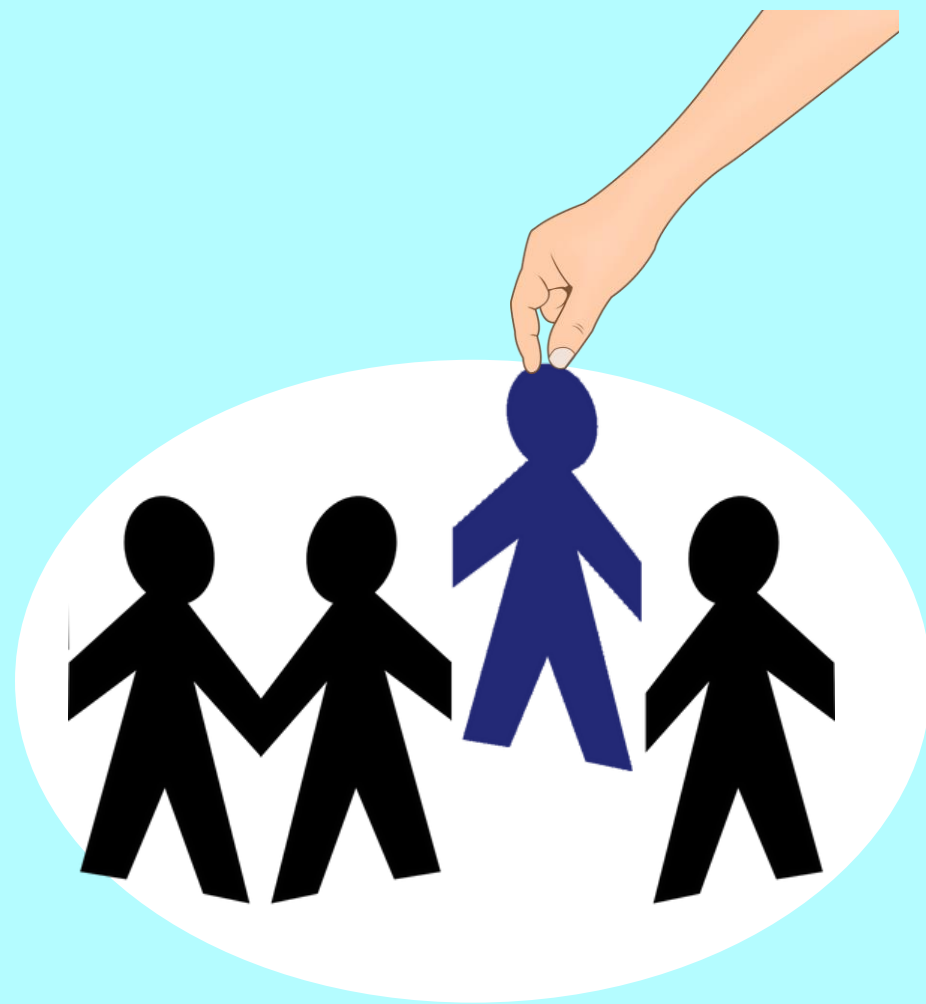
**Family Status  
Discrimination  
Ordinance**



**Race  
Discrimination  
Ordinance**



# RACE DISCRIMINATION ORDINANCE



Person's race

**UNLAWFUL**  
Under  
RDO



Imputed race

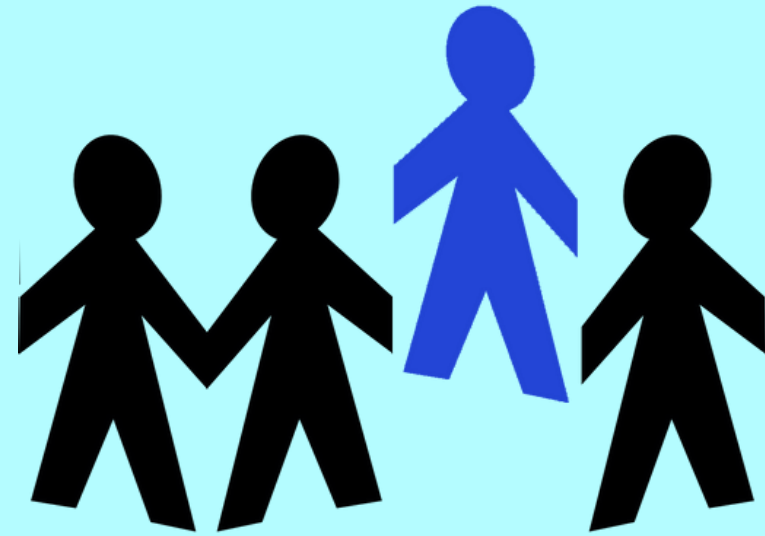


**race, colour, descent, national or ethnic origin of the person**

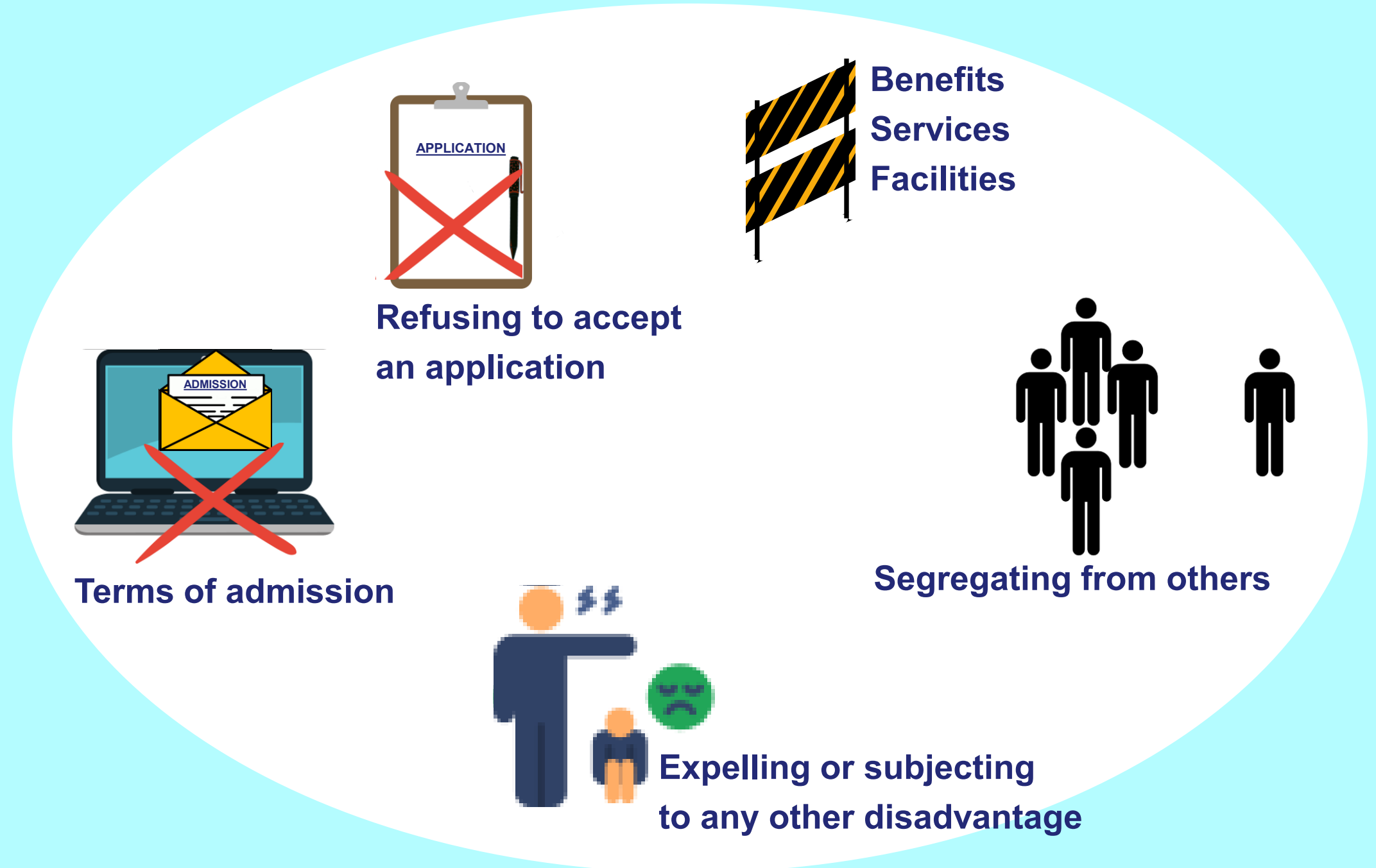


**\*Under the Race Discrimination Ordinance (RDO), religion and language are not considered a definition of race**

# DIRECT DISCRIMINATION

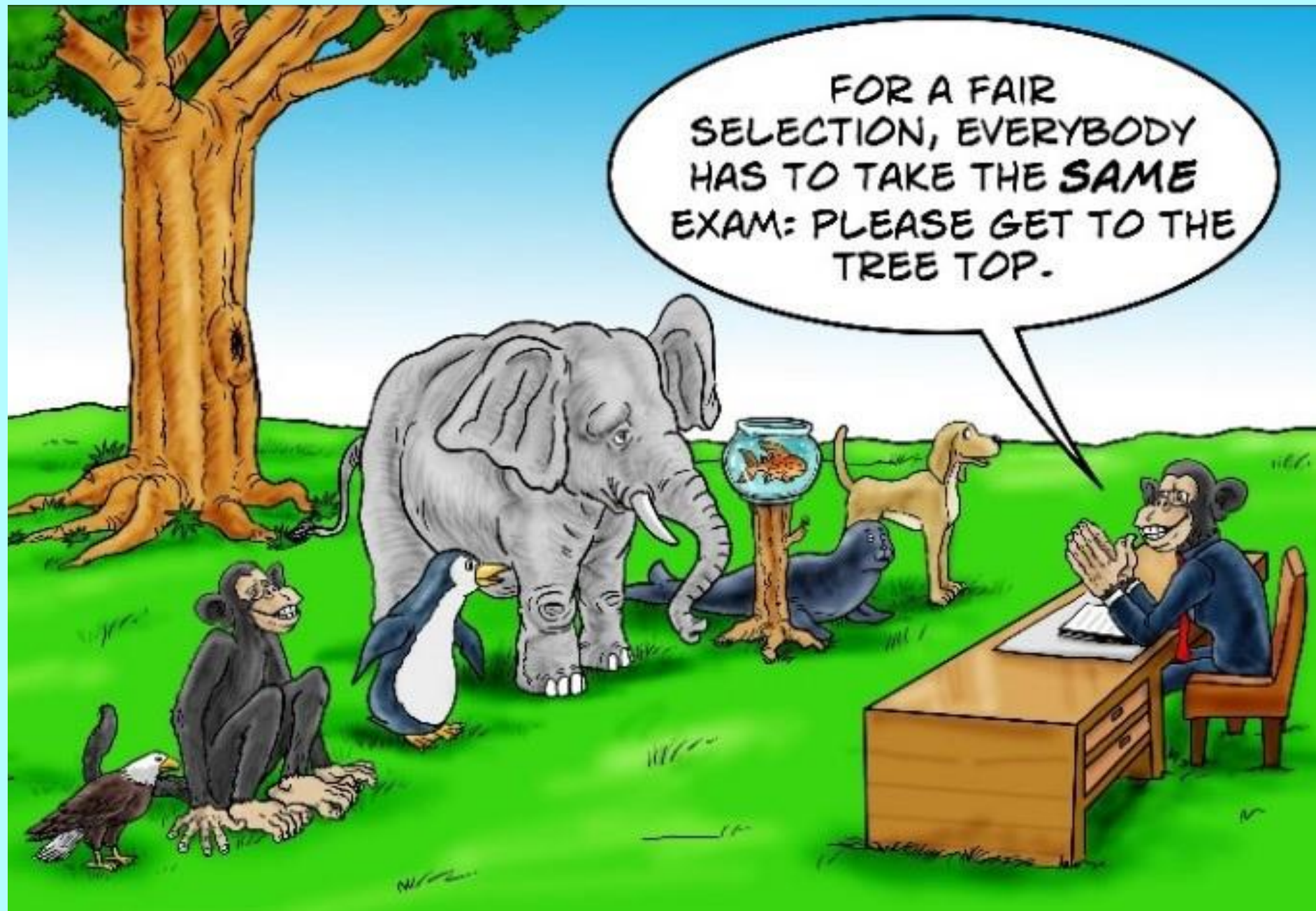


**Ground of race or imputed race**



**\*Please note that the medium of language in school and holiday arrangements are EXEMPTED under the RDO**

# INDIRECT DISCRIMINATION



Uniform requirement or condition to all – but considerably smaller proportion of people from a racial group can meet it

Requirement cannot be justified on non-racial grounds

People from a racial group may be disadvantaged

# INDIRECT DISCRIMINATION

A non-Chinese couple approaches a school to get school application form

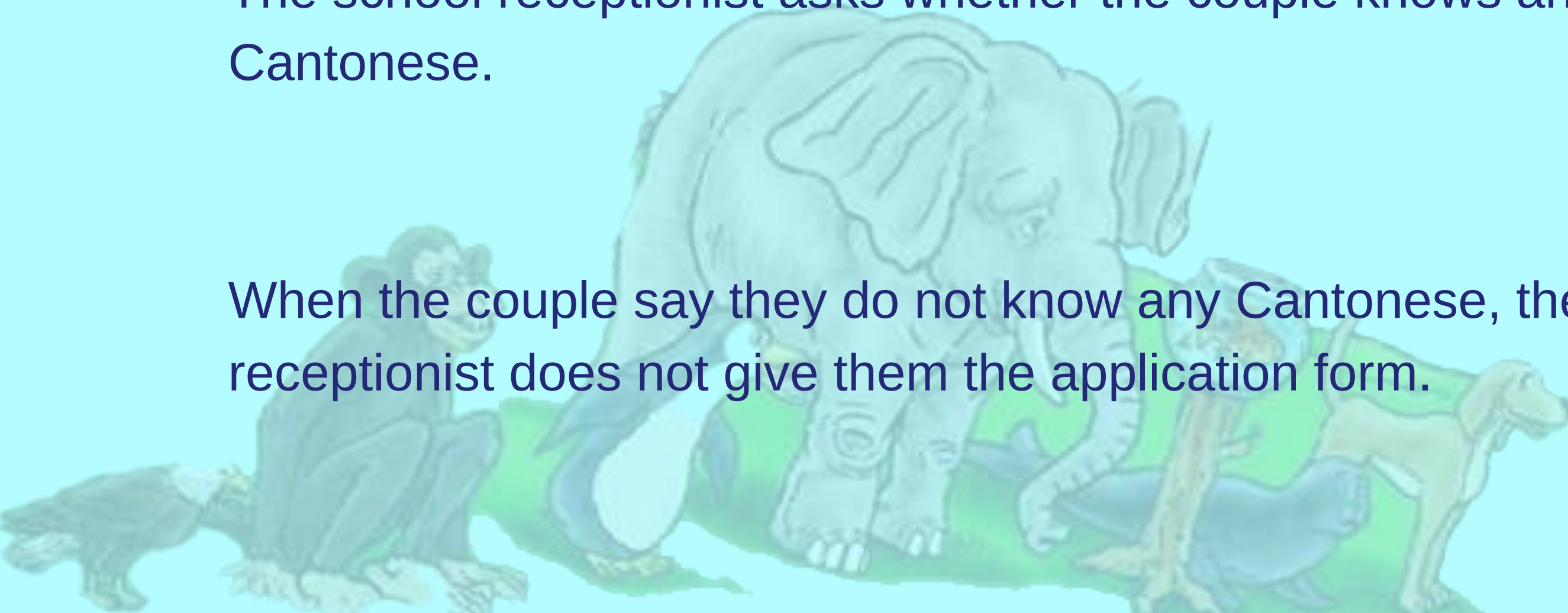
Same treatment

The school receptionist asks whether the couple knows any Cantonese.

Unfair result to people of a particular racial group

When the couple say they do not know any Cantonese, the receptionist does not give them the application form.

Requirement or condition not justifiable



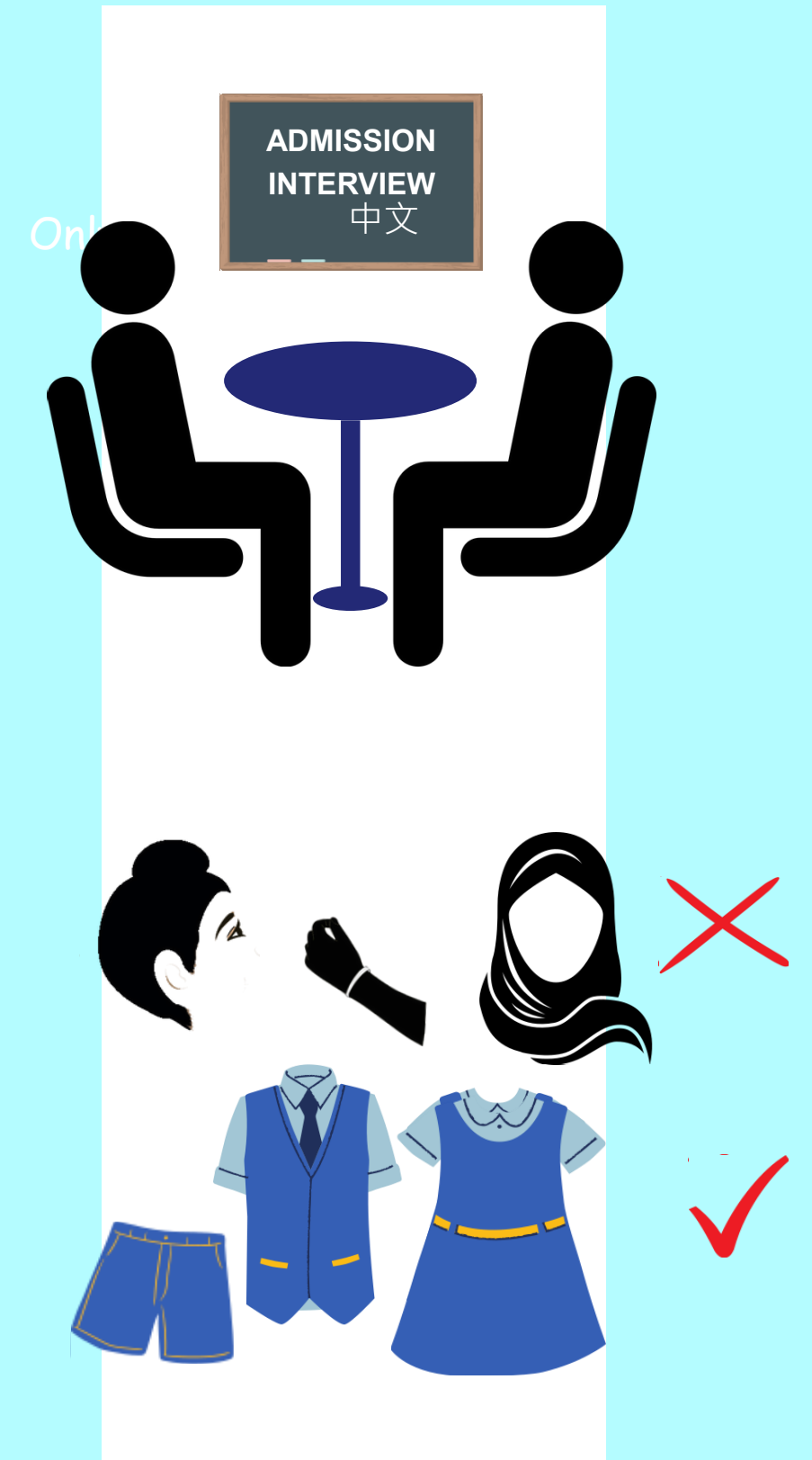
# INDIRECT DISCRIMINATION

## Language

Language requirement in admission interviews

School correspondence with parents

If Chinese is the only language medium used, it may disadvantage non-Chinese speaking students/parents more than Chinese-speaking students/parents



## Religion

Uniform

Religious practices and school rules

Applicable to certain races whose identities are closely linked to their religion (examples: Sikhs, Pakistanis, Jews, etc.)



# RACIAL HARASSMENT

## Name calling

(racially derogatory terms)

## Racially offensive languages

(communicating with people from a different group)



## Bullying

(on the basis of another person's race or imputed race)

## Making racial jokes/fun

(accent, appearance, traditional food)

*\*Racial Harassment is unwelcome, abusive, insulting, or offensive behaviour because of another person's race which makes the aggrieved person feel threatened, humiliated or embarrassed, including harassment due to near relative's race.*

# FAQ FROM PARENTS

Kindergartens (KG) turn us away saying they do not have **adequate resources** for learning support of non-Chinese speaking (NCS) students.

Clarify with the KG how they are using the additional funding from the Government for NCS students' support before deciding. Not having adequate resources is not considered a reasonable ground for refusing applications of NCS students.



Schools do not provide **bilingual information**, so we cannot keep in touch with what is going on in the school.

Talk to the teacher to see if there is a way of informing you about important notices.

The Government has increased funding for schools to support NCS students & parents.

You can also seek help from Support Service Centres for Ethnic Minorities.



# FAQ FROM PARENTS

KG conducted the **interview for my child in Cantonese**

We have advised KGs to use other means to assess applicants.

Conducting interviews ONLY in Chinese may be indirect discrimination against non-Chinese children.

You may bring a complaint to the Equal Opportunities Commission (EOC).

Request kindergarten to engage an interpreter when necessary:  
(HK Christian Service - CHEER Centre 3106 3104)

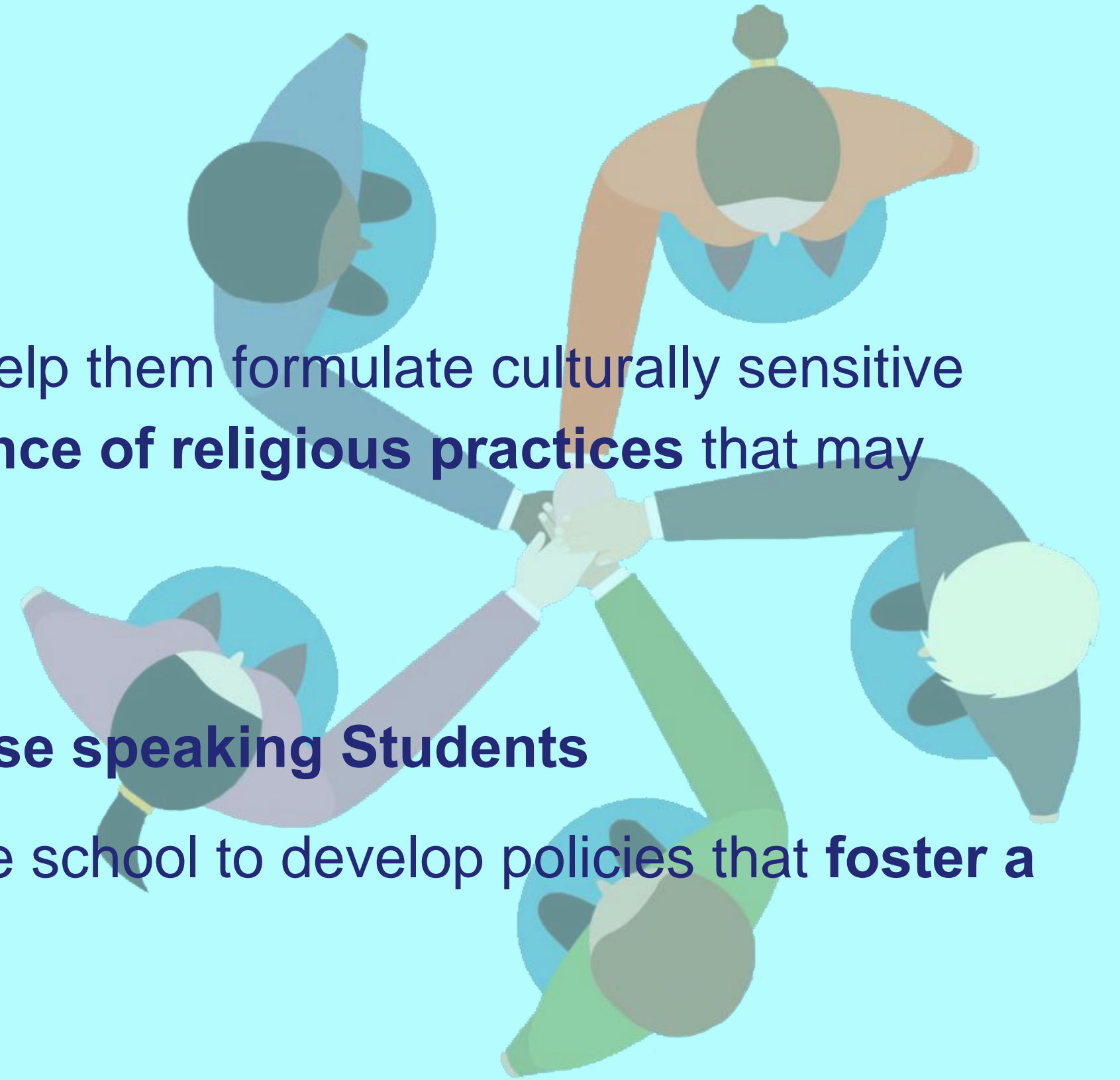
# ROLE OF PARENTS AND GUARDIANS

## Religious practices and uniform

Participate in consultations with the school to help them formulate culturally sensitive policies with regard to **Uniforms** and **Observance of religious practices** that may require accommodation.

## Equal opportunity provisions for non-Chinese speaking Students

Explore more on **RDO** and get involved with the school to develop policies that **foster a racially friendly environment**



# LODGING A COMPLAINT TO THE EOC

Must be **made in writing** by filling out the online complaint form or by fax, mail, or in person

Must be **made by the aggrieved person or his/her representative**

Must be **made within one year** of the incident

**Call us** for an enquiry at **2511 8211**

**Note:** If you prefer making a complaint in your native language, we can also provide language assistance upon request.

# EOC RESOURCES ON EM EDUCATION



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EQUAL OPPORTUNITIES COMMISSION

### Summary of School Policy Framework for Prevention of Racial Discrimination and Harassment

**Objective of the Policy Framework**  
Provide guidance for school administrators and staff to formulate policy with a view to preventing racial discrimination and harassment on campus under the Race Discrimination Ordinance.

**Benefits to the School**

- Prevent any act of racial discrimination and harassment done by the school administrators and/or incorporated Management Committee (IMC) in admissions and the schooling process.
- Prevent school administrators and/or IMC from vicarious liability by employees unlawful act of discrimination or harassment.

《防止種族歧視及騷擾》學校政策大綱  
School Policy Framework for Prevention of Racial Discrimination and Harassment

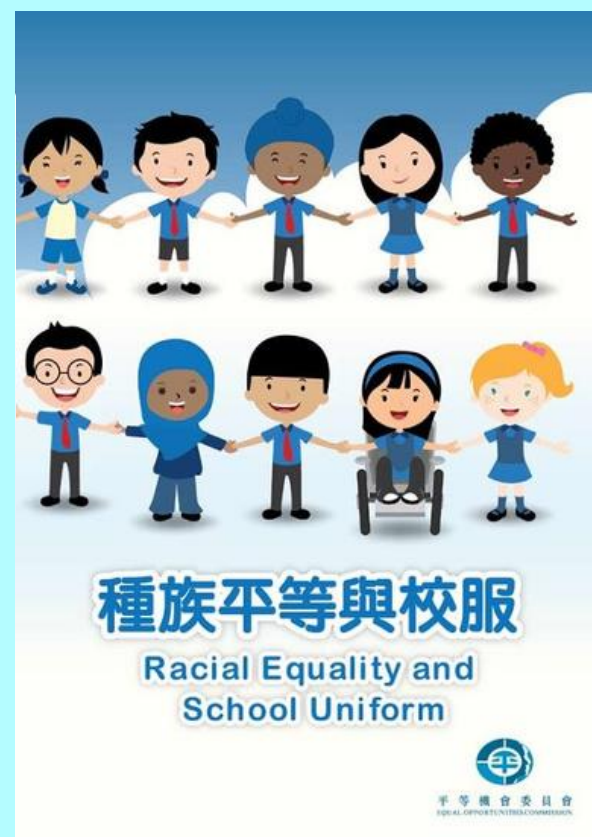
Zero tolerance for racial discrimination and harassment

Objectives and responsibilities of the school

Obligation and responsibility of all staff members and students

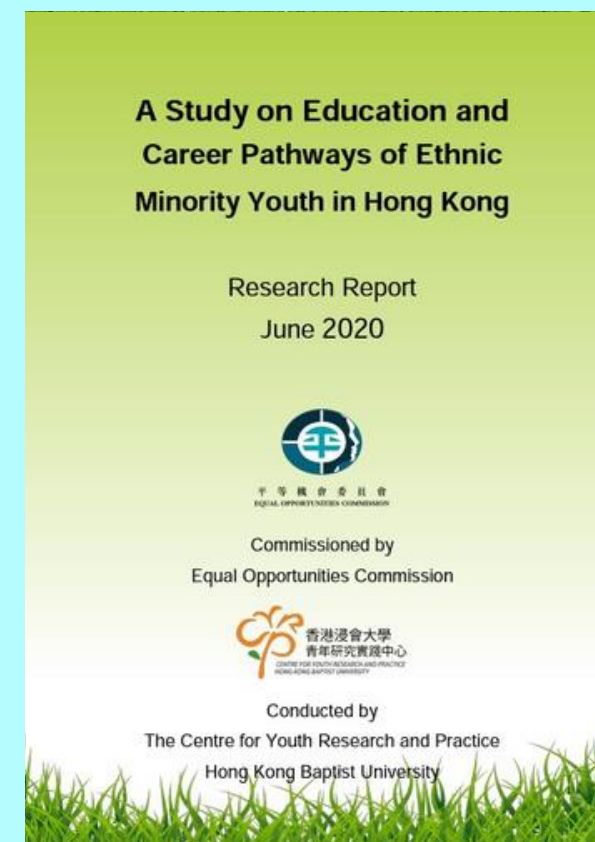
Definition of racial discrimination and harassment

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種族平等與校服  
Racial Equality and School Uniform

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A Study on Education and Career Pathways of Ethnic Minority Youth in Hong Kong

Research Report  
June 2020

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Commissioned by  
Equal Opportunities Commission

香港浸會大學  
青年研究發展中心  
HONG KONG BAPTIST UNIVERSITY  
YOUTH RESEARCH AND PRACTICE CENTRE

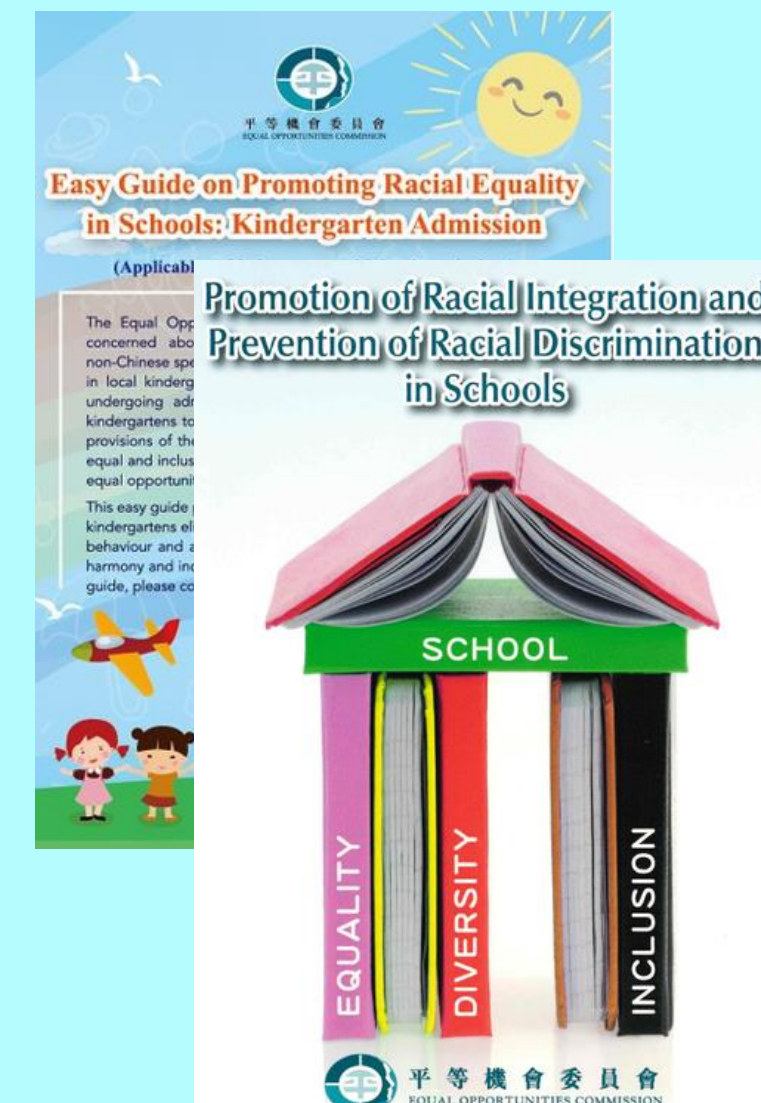
Conducted by  
The Centre for Youth Research and Practice  
Hong Kong Baptist University



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### All Races as One

Learning Kit on Eliminating Racial Discrimination Teaching Guide



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### Easy Guide on Promoting Racial Equality in Schools: Kindergarten Admission

(Applicable to non-Chinese speaking kindergartens)

The Equal Opportunities Commission is concerned about non-Chinese speaking kindergartens in local kindergartens undergoing admission. This easy guide provides information on the provisions of the Equal Opportunities Ordinance and the Equal Opportunities Commission's Code of Practice on Equal and Inclusive Education. This easy guide is intended to help kindergartens and parents understand the provisions of the Equal Opportunities Ordinance and the Equal Opportunities Commission's Code of Practice on Equal and Inclusive Education, and to promote racial equality, harmony and inclusion in kindergartens. This easy guide, please contact the Equal Opportunities Commission for more information.

### Promotion of Racial Integration and Prevention of Racial Discrimination in Schools

SCHOOL

EQUALITY  
DIVERSITY  
INCLUSION

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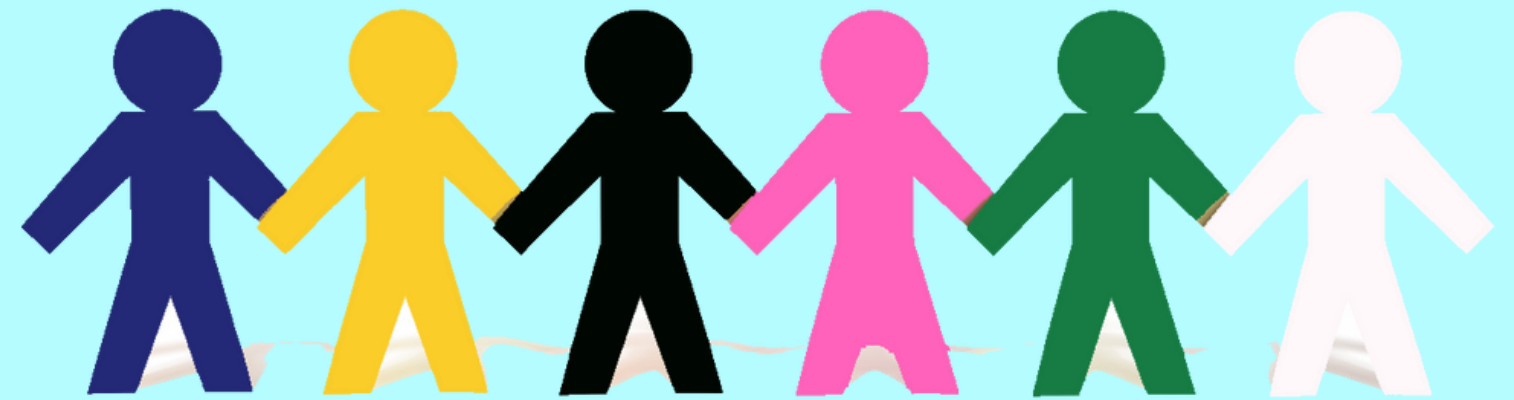
# CONTACT

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*THANK YOU*

## Disclaimer

Information in this presentation does not represent a formal interpretation of the law. Please seek professional advice for any legal action.