

# Promoting Equal Opportunities in Kindergarten Admissions

1



平等機會委員會  
EQUAL OPPORTUNITIES COMMISSION

# The Law

2

- **Discrimination on the ground of a person's race or his/her imputed race is unlawful under the Race Discrimination Ordinance (RDO)**
- **Educational establishments, including kindergartens, are covered under the RDO**



# Direct Discrimination

3



It is unlawful for schools to discriminate a person on the ground of race or imputed race:

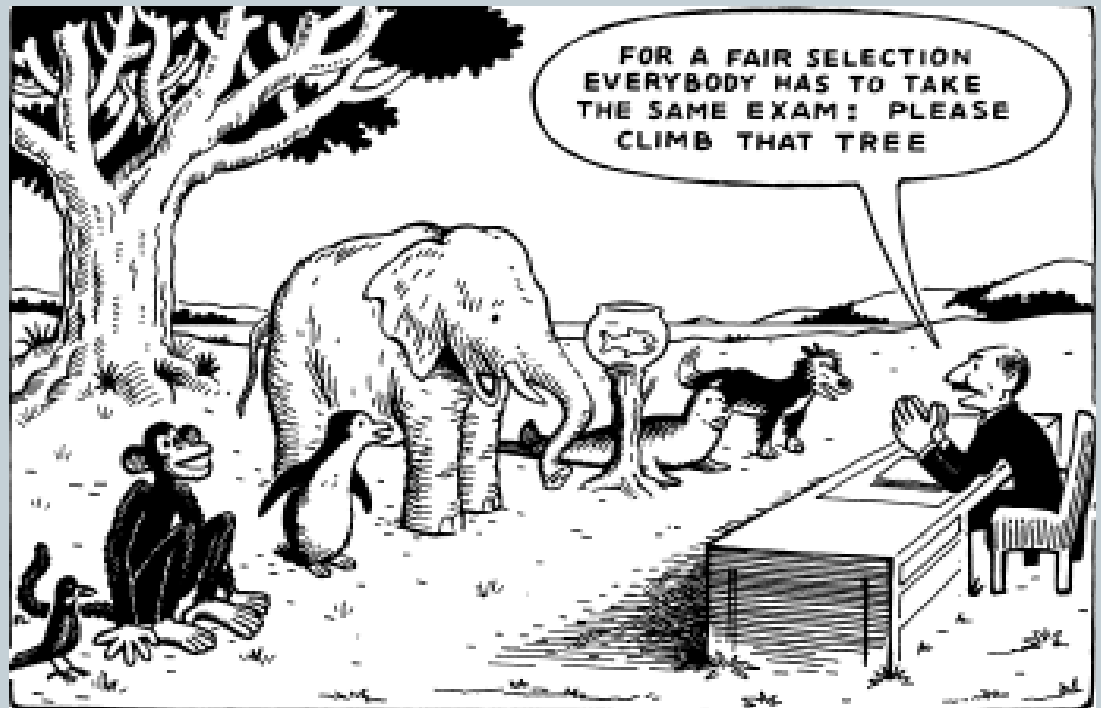
- **In the terms** of admission
- **By refusing** to accept an application;
- **By limiting access** to any benefits, facilities or services,
- **By expelling** a student or **subjecting** him or her to any other disadvantage.

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

# Indirect Discrimination

4

- Uniform requirement or condition to all; but
  - Considerably smaller proportion of people from a racial group can meet it
  - The requirement cannot be justified on non-racial grounds
  - People from the racial group are disadvantaged





# Indirect Discrimination

6

- A non-Chinese couple approaching school to get school application form
- The school receptionist asked whether the couple know any Cantonese.
- When the couple said they do not know any Cantonese, the receptionist did not give them the application form.

Same treatment

Unfair result to people of a particular racial group

Requirement or condition not justifiable

# Racial Harassment

7

- **Name calling** (racially derogatory terms)
- **Bullying** (on the basis of other person's race or imputed race)
- **Making racial joke and/or making fun of someone's accent, appearance or traditional food**
- **Using racially offensive language when communicating with people from different group**



# 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

9

- Kindergarten conducted the interview for my child in Cantonese.
  - We have advised KGs to use other means to assess applicants. Conducting interview **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 interpreter when necessary:  
(HK Christian Service - CHEER Centre 3106 3104)**



# Religious Practices and Uniform

10

- Parents should take part in consultations with the school to help them formulate culturally sensitive policies with regard to
  - Uniform
  - Observance of religious practices that may require accommodation



# Lodging a Complaint to the EOC

11

- Must be made in writing by filling out the online complaint form or by fax, mail or in person
- Must be made by 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 need assistance, our Complaint Services Officer can help you put your complaint in writing. We can also provide language assistance.**

# Contact

12

- Address: 16/F, 41 Heung Yip Road, Wong Chuk Hang, HK
- Tel: (852) 2511 8211
- Fax: (852) 2511 8142
- Website: [www.eoc.org.hk](http://www.eoc.org.hk)



## Disclaimer

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