



**Hong Kong Unison Submission to Policy Address Consultation 2019
on Equal Rights and Education of Ethnic Minorities of Hong Kong**

Introduction

1. Hong Kong Unison ('Unison') is a local non-governmental organization that serves ethnic minority residents in Hong Kong. We aim at eliminating all forms of racial discrimination in Hong Kong through policy advocacy, and we focus on fighting for equal and equitable education rights for ethnic minority children.

Equal Rights

2. In view of the high priority recommendations made by the Equal Opportunities Commission (EOC) per the Discrimination Law Review and repeated criticisms of various United Nations human rights treaty bodies¹, the Constitutional and Mainland Affairs Bureau should announce the **timetable and the plan** within the term of this Legislative Council, to bring Government's **exercise of powers and performance of functions expressly within the purview of the Race Discrimination Ordinance (RDO)**.
3. **Collection of relevant information and statistics**, consultation with relevant stakeholders should be made mandatory and specified in the Administrative Guidelines on Promotion of Racial Equality within the year, in order to assess whether policies and measures are appropriate and effective in maintaining racial equality by public authorities.
4. Since the current Administrative Guidelines do not apply to all public authorities, and enforcement by the Government is weak, a **public sector race equality duty** should be considered after the Miscellaneous Discrimination Amendment Bill 2019 is passed, to ensure people of all races enjoy the same rights, opportunities and entitlements under the law.
5. The EOC should report to the public within the year on the findings and way forward of its Process Review, and specifically, the **reform** in rendering the institution compliant with the Paris Principles, improving its effectiveness in handling cases and providing legal assistance, and discharging its statutory obligations including the use of self-initiated investigations.

Promotion of early integration

6. Under the Free Quality Kindergarten Education Policy, the Education Bureau (EDB) should require kindergartens which received additional grants to support NCS children's Chinese learning and early integration, to **make reporting transparent** to safeguard the accountability of the funding and the effectiveness of the new policy.

¹ The most recent one is 2018 Committee on the Elimination of Racial Discrimination Recommendations calling on the HKSAR Government to amend the race discrimination law to extend its coverage to all government powers, including law enforcement.



7. As urged by the Office of the Ombudsman in its Direct Investigation Report *Government's support for non-Chinese speaking students* in February 2019, the EDB should “actively inspect and check kindergartens’ implementation of the measures it promulgated. The EDB should consider **increasing manpower in kindergarten inspection**, to closely monitor kindergartens’ compliance with the Guidelines on Kindergarten Admission Arrangements, the Kindergarten Education Curriculum Guide, and the Kindergarten Administration Guide, etc. in order to ensure fair admissions and quality teaching and learning of ethnic minority children. The English version of the Administration Guide should be made available no later than December 2019.
8. **Data collection on non-Chinese speaking (NCS) kindergarten applications, interviews, admissions, and enrolments**, disaggregated by ethnicity, sex, age, home district, and spoken language at home and whether interpretation was used at interviews etc. should be made mandatory with effect from 2019/20 school year.
9. A sub-section on ‘**Catering for Racially Diverse Students**’ under ‘Teaching and Learning’ in the Kindergarten Quality Review Report should be included starting 2019/20 school year, for mandatory reporting on teaching arrangements, integration situation, Chinese language learning progress, and support measures for NCS students to ensure the level of Chinese taught to NCS children is at par with their Chinese peers.
10. The EDB should commission a **6-year longitudinal study to track the adaptation and development of NCS children from K1 to P3** commencing 2020, so as to enhance understanding of the education pathways of NCS children and their learning needs. Best practices should be captured to enable “real” early integration of ethnic minority children into mainstream education.
11. The Government should make **pre-service professional development mandatory for kindergarten teachers** to develop their skills and ability to cater to the diverse needs of NCS children. Such training should be provided in early childhood education (ECE) programmes as well.

Chinese education of ethnic minorities

12. Although the Government launched the “Chinese Language Curriculum Second Language Learning Framework” (“CSL Framework”) in September 2014 and provided a recurrent funding of more than HK\$200 million annually to support ethnic minority children learn Chinese, Unison is concerned about the **transparency and effectiveness of the support and funding**. The EDB should reveal the findings of the CSL Framework Review and the evaluation of various support measures within 2019.
13. To date, the Chinese proficiency of many locally born and raised ethnic minority students



remains at mainstream primary two level after twelve years of formal education in Hong Kong. Some ethnic minority students lament that the Chinese taught in secondary was easier than what they learnt in primary. **(key) Stage learning objectives** in Chinese learning for NCS students, especially for those locally born and raised, should be developed without delay; so teachers and students are clear on the Chinese level NCS students are expected to reach in respective grades. Chinese learning should be progressive with the goal to transition to mainstream Chinese class before secondary.

14. A **working group** on ethnic minority education, with stakeholders as committee members, should be set up **under the Steering Committee for Ethnic Minority Affairs** to oversee research and development, implementation and monitoring of a Chinese as second language policy including curriculum and teaching strategies, teachers' training, teaching materials, and benchmarking to ensure NCS students have the maximum opportunity to become proficient in Chinese and achieve the levels of Chinese literacy that are expected of all students in Hong Kong.
15. Ethnic minority students in mainstream schools will become a norm. **Systematic teacher training** should be developed by the EDB to cater the learning needs of NCS students. Training courses and ratio of trained teachers should be structured with reference to BAT courses² for SEN students.
16. In her election manifesto, the Chief Executive said she would consider “establishing a professional ladder for primary and secondary school teachers, recognising teachers with expertise in certain subjects, and encouraging teachers to acquire specialised skills in teaching Chinese as a second language and students with special educational needs (SEN), etc.” To prepare mainstream teachers work with NCS students and improve teaching effectiveness, the EDB should **determine qualifications**, develop teacher professional development framework, and establish consistent and specific guidelines on pre-service teacher education and in-service training to address the needs of non-Chinese students. The Education Bureau should consider **incremental credit for relevant qualifications**.

Racial integration in the education system

17. In the Primary One Allocation system (POA), parents who checked Box 7 “cannot use Chinese as learning medium” on the application form are directed to a list of schools in Appendix 3 which have high concentration of ethnic minority students. The EDB is indirectly reinforcing racial segregation in schools. As urged by the Office of the Ombudsman, the EDB should **revise Box 7 and Appendix 3** in the application form for admission to primary one no later than 2020/21 school year, and stop misleading NCS parents to choose schools with high

² <http://www.edb.gov.hk/en/edu-system/special/sen-training/index.html>



concentration of ethnic minority students.

18. A **comparative study on overseas policies** to draw insight on eliminating de facto racial segregation in the public education system should be conducted without delay. The research findings can help formulate a desegregation policy to improve the Chinese to ethnic minority student ratio in schools and achieve inclusivity in public sector schools.
19. The Government should formulate a **language policy** in education to help NCS students thrive in mainstream schools and master subjects that use Chinese as the medium of instruction. The EDB should make it clear that the funding under the CSL Framework can be used for supporting NCS students' learning in other subjects which are taught in Chinese.
20. For schools that adopt PMIC (using Putonghua as a medium of instruction to teach Chinese language), separate Cantonese Chinese classes should be set up for ethnic minority students to enable them to cope with future integration in the local community.

Tertiary education for NCS students

21. Alternative Chinese qualifications such as GCSE should only be a **remedial measure** for new arrival NCS students and a short-term measure for local-born NCS students. The Government should discuss with tertiary institutions to **clarify the criteria and mechanisms** for the admission of students using alternative Chinese qualifications.
22. The EDB should develop different levels of **Chinese courses in tertiary institutions** for local ethnic minority students to continue improve their Chinese to a more advanced level, so that students who were admitted to university using alternative Chinese qualifications can continue to improve their Chinese proficiency.

Facilitate social inclusion

23. The Government should set up a **dedicated unit to coordinate the various Chinese language courses for adult ethnic minorities** (e.g. those organized by the Employees Retraining Board, Vocational Training Council, Labor Department, and NGOs), to provide systematic and progressive Chinese learning for them. Courses held by different training bodies should have a coherent progression ladder for learners to smoothly transition to advanced levels.
24. **Review and improve full-day initiation class** for NCS students by providing adaptive curriculum on topics such as personal growth, social acclimatization and basic learning skills in both Cantonese and English, in order to let them integrate into local society and education system before enrolling in a suitable school. Attendance should be made compulsory for all new arrival NCS students to facilitate their early integration in local schools.
25. The Immigration Department should **collect information of ethnic minority new arrivals**



and distribute them to ethnic minorities support centres in different districts overseen by the Home Affairs Department. These centres should provide ethnic minorities with crucial information such as acclimatization courses, job-matching services, language courses, support groups and different activities. Support Service Centres for Ethnic Minorities should also provide **outreach services to ethnic minority new arrivals**, and conduct periodic surveys, to ensure their needs are being catered and can enjoy the equal rights and access to all kind of social services.

Steering Committee of Ethnic Minority Affairs

26. To ensure progress is made in a timely manner and the desired outcomes are achieved, the Steering Committee should formulate **short-term and long-term plans with concrete objectives, milestones, timetable and key performance indicators**.
27. The Steering Committee must be committed to gathering views from a wide base of ethnic minorities covering different racial, ethnic, religious, socio-economic, age, professional, education backgrounds in order to maximize the representation of ethnic minority views in the Steering Committee. The Steering Committee should actively **reach out to the ethnic minority community and concerned groups**, and arrange regular consultation to maximize community participation and to make best use of existing networks in order to create policies that truly reflect the needs of the community.

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