

Committee on The Rights of Persons with Disabilities, United Nations

Rights to education for persons with disabilities – implementation of integrated education in Hong Kong

Submission from the Equal Opportunities Commission, Hong Kong

Introduction

This paper aims to present the views of the Equal Opportunities Commission (“EOC”) on the implementation of integrated education in Hong Kong Special Administrative Region (“HKSAR”).

Equal Opportunities Commission

2. EOC is a statutory body funded by the HKSAR Government. The main functions of the EOC are to promote equal opportunities and eliminate discrimination. EOC is responsible to administer the Disability Discrimination Ordinance (“DDO”), a legislation that prohibits disability discrimination, harassment and vilification, as well as the other three anti-discrimination ordinances, namely the Sex Discrimination Ordinance, Family Status Discrimination Ordinance and Race Discrimination Ordinance.

3. Like other local non-governmental organizations (“NGOs”), EOC does not have any special authority in the HKSAR Government (“the Government”) decision-making process regarding disability issues, though it is empowered to keep under review the working of the DDO and to submit to the Government proposals for amending the legislation when it considers necessary. Generally speaking, EOC mainly influences disability related decision-making by submitting alternative reports to relevant United Nations Committees, presenting submissions to the Legislative Council (“LegCo”) of Hong Kong, responding to relevant public consultations, conducting formal investigations as well as research to effect policy change.

4. In response to the invitation of the Committee on The Rights of Persons with Disabilities of the United Nations, the following are the views of the EOC on the rights of persons with disabilities (“PWDs”) in relation to their education opportunities in Hong Kong.

Integrated Education in Hong Kong

5. Hong Kong has implemented integrated education (“IE”) since late 1990's. Students with special educational needs (“SEN students”), such as students with visual impairment, hearing impairment, specific learning difficulties, hyperactive and autism, etc., can either go to special education schools or mainstream schools. It is widely recognized that SEN students study in the mainstream schools can be helpful for them to integrate into society.

6. In the last few decades, many countries around the world have actively developed and promoted integrated education (or inclusive education). According to overseas experiences, IE not only helps to develop children's empathy and understanding of the other people, but also improves their communication skills. In general, children with disabilities study in mainstream schools usually have better self-esteem and academic performance. On the other hand, students without disabilities (“ordinary students”) can also benefit from their schoolmates with disabilities through interaction, mutual help and support as well as collaborative learning in schools.

7. Although Hong Kong has implemented IE for over a decade, the effectiveness of the IE system is doubtful. Some key stakeholders, including educators, concern groups of SEN students, parents of SEN students and ordinary students, generally comment that IE system in Hong Kong cannot properly cater for the needs of the SEN students.

8. In October 2013, the Committee on the Rights of the Child of the United Nations, in its Concluding Observations on the Report of China, including Hong Kong, urged HKSAR Government to promptly identify and remove all barriers that prevent students with disabilities from entering and staying in the mainstream system. It also recommended the HKSAR Government to reallocate more resources to promote inclusive education in the mainstream schools.

9. As education is a basic human right, EOC has been persistently advocating IE in order to ensure that students with different abilities should enjoy the right to equal education opportunities, and every student is able to fully develop his/her potential in a fair and non-discriminatory environment. We believe that IE can enhance SEN students to live independently, adapt to the society and contribute themselves in the community.

10. In 2001, EOC has issued the “Disability Discrimination Ordinance Code of Practice on Education” (“CoP”) to assist local educational establishments to develop their own policies and procedures on the prevention and elimination of disability discrimination, which includes an accessible learning environment, discrimination-free admission procedures, curriculum and assessment systems, etc., and to ensure that the special needs of individual students with disabilities are met.

11. To better understand the learning opportunities and difficulties that Hong Kong students face under the IE system, EOC has commissioned the Hong Kong Institute of Education to conduct a study namely “Study on Equal Learning Opportunities for Students with Disabilities under the Integrated Education System” (“the IE Study”) in 2010. The study showed that, among the respondents, 20% of the school principals and 50% of the teachers said that they were not familiar with IE.

12. The IE Study also found that SEN students generally dissatisfied with the inadequate supports provided by the schools to cater for their needs. Moreover, 14% of the SEN students reported that they were not treated fairly in the schools and 9% said that their teachers were not friendly to them.

13. Meanwhile, the findings of the IE Study showed that ordinary students generally considered that they did not know how to get along with SEN students. 31% and 26% of the respondents said that SEN students were often teased and bullied in schools respectively. 16% of the respondents said that SEN students did not have good peer relationship in the schools. Furthermore, parents of ordinary students generally expressed concern about SEN students would disrupt classroom orders which would have negative effect on the learning of other students.

14. In another study “Baseline Survey on Public Attitudes towards Persons with a Disability 2010” conducted by the EOC, it was found that

members of the public generally held negative views towards PWDs. Over 40% of the respondents did not agree with the statement that it was desirable for students with disabilities to study in ordinary schools instead of special schools. They also did not agree that SEN students were entitled to study in ordinary public schools.

15. To further enhance the equal learning opportunities for SEN students, EOC has the following recommendations:

Early identification, assessment and support to SEN students

16. Early identification and assessment is important to SEN students. However, current IE system in Hong Kong has repeatedly been criticized for having the following problems: (a) ambiguous division of labour among various Government departments; (b) lack of comprehensive and detailed assessment for pre-school children, (c) long waiting list for assessment for children with learning difficulties, and (d) lack of comprehensive and full assessment reports for parents' reference.

17. Currently, the Education Bureau ("EDB") of the Government is responsible for providing support and guidance for SEN students only after the special needs of these children were identified by the teachers in the first year of their primary school education. In respect of the children from new-born to 6 years old, parents can only arrange their children to be assessed in private or public service, however, there is a long queue in the latter. Under such circumstances, children with special needs may miss the critical intervention period from aged 1 to 6 and their future learning abilities might be adversely affected.

18. EOC considers that early identification and comprehensive assessment should be conducted in the stage of pre-school education by the Government. Appropriate treatment and learning arrangement should be provided for the SEN students. In addition, a clearer delineation of responsibilities should be established among the EDB, Health Department, Hospital Authority and Social Welfare Department on the identification and assessment of SEN students. Meanwhile, a performance pledge on identification and assessment should be worked out by the Government for shortening the waiting time of SEN students.

19. Furthermore, parents can only give appropriate care and support to their children with special needs when they fully understand the condition of their children. Therefore, parents should be provided with a comprehensive and detailed assessment report in simple language so that they can have a better understanding of the special educational needs of their children. SEN students will then be provided seamless learning support with the assistance offered by their parents in family, together with the treatment plan drawn up by the relevant experts. In fact, if the special needs of SEN students are identified and supported in pre-school stage, their adjustment and learning difficulties will be significantly lessened when they enter primary schools.

20. At present, when an identified SEN student reaches the age of schooling, the EDB will, with the consent of the parent, refer the relevant information of the SEN student to the primary school or special education school selected by his/her parent. To facilitate better communication between parents, schools and service providers, the Government should consider setting up a Central Data Bank (“CDB”) maintaining the data/information of the SEN students and their service needs. Then, parents of the SEN students, schools and service providers can share and use the information in the proposed CDB to devise and provide relevant support to the students concerned.

Insufficient training for teachers

21. Teachers should be adequately equipped with the knowledge and skill to take care of the SEN students. The abovementioned IE Study¹ showed that almost half of the teachers had not received any training related to IE. Some interviewed teachers said that they were not able to attend IE related training courses due to the administrative constraint of schools. In fact, many teachers have to take up several duties including teaching, counseling as well as administrative tasks. In view of their heavy workload, it would be difficult for them to spare the time to attend IE related trainings.

¹ Study on Equal Learning Opportunities for Students with Disabilities under the Integrated Education System in 2010, Equal Opportunities Commission

22. To encourage serving teachers to receive IE related trainings, apart from alleviating their workload, the Government can consider providing more incentives to the teachers, for instance, granting scholarship or offering promotion opportunity to teachers who have completed IE training courses.

23. In respect of the training of prospective teachers, "supporting SEN students" has already been a compulsory module for teachers' training in some local tertiary institutions. However, to strengthen the training of prospective teachers, the Government can consider encouraging all local tertiary institutions to include IE related courses in the core module in all teachers' training programmes. In addition, the Government should consider providing professional IE support training services to all pre-school educators so that they are better equipped to identify SEN student as early as possible and provide appropriate follow-up service to the SEN students.

Provision of resources and supports to schools

24. In the abovementioned IE Study, over 60% of the interviewed school principals said that the Government had not provided adequate resources to the schools to implement IE.

25. According to Government information, the estimated expenditure for IE for 2014/15 is HK\$1,235 million which is only about 1.6% of the overall estimated expenditure for education. Some stakeholders think that the Government spending in special education is not sufficient. In view of it, the Government should consider allocating more resource to the implementation of IE to an extent that is sufficient for sustainable development in enhancing the provision of appropriate manpower and service.

26. Educational psychologists play a very important role in the assessment of SEN students. According to existing arrangements, the ratio between school-based educational psychologists and schools is 1:7.5, which means one school-based educational psychologist serves SEN students in seven schools. The number of school-based educational psychologists is far fewer than the needs of SEN students. As a result, the waiting list for assessment for SEN students is very long. Moreover, only students in primary schools or above are eligible for school-based educational psychologists' service, and pre-school SEN students are not covered. The

Government should consider adopting the recommendations proposed in the report of the Subcommittee on Integrated Education to the LegCo's Panel on Education into account by lowering the ratio between school-based educational psychologists and schools from 1:7.5 to 1:4. Furthermore, the Government should consider extending the school-based educational psychologists' service to pre-school education.

Ways Forward – Central Coordinating Mechanism

27. From the above parts, it appears that the coordination between different Government departments to provide early identification and support services to the SEN students is not adequate. For better coordination to implement IE in Hong Kong, the Government can consider setting up a central coordinating mechanism at senior level to coordinate inter-departmental (including EDB, Health Department, Hospital Authority, Social Welfare Department and Labour Department) collaboration. The mechanism can be headed by the EDB to coordinate and allocate resources, formulate short-term and long-term policies, strategies and action plans (e.g., research and study, collation of statistics, teachers and professionals training, public education, etc.) related to the implementation of IE in Hong Kong. In addition, the central coordinating mechanism should also monitor the appropriate use of resources and effective implementation of relevant action plans.

Conclusion

28. Education does not start after a child enters a primary school. Pre-school education is very important to the children. The core value of IE is to provide equal learning opportunities, to ensure the basic rights and to realize social justice and fairness. IE not only puts students with disabilities and without disabilities together in the same campus and same classroom to learn, but it also provides the students an environment to learn meaningfully, to nurture friendship, to develop mutual help and true whole-person education.

29. From the perspective of the whole society, an effective utilization of limited resources on pre-school education and kindergartens can prepare more children to get start in the mainstream schools. It will greatly reduce the demand for service and public resource to cater for the needs of SEN

students in the future. The schools can also experience the realization of inclusiveness.

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February 2015