

Points to Note on the RDO:

- ★ The RDO prohibits discrimination on the ground of race, color, descent, national or ethnic origin. It applies, among others, in the areas of education, employment and provision of goods, facilities and services. Therefore, the RDO is legally binding on schools, tutorial centres, kindergartens and child care centres.
- ★ Direct discrimination occurs when a person is treated less favourably on the ground of his/her race. For instance, if a kindergarten refuses to admit an applicant because of his/her race, it may constitute a violation of the RDO.
- ★ Indirect discrimination occurs when the same requirement or condition, which cannot be justified on non-racial grounds, is applied equally on people of different races but which has an unfair effect on a particular racial group. For instance, a kindergarten requires that applicants should be able to speak Cantonese, which is difficult for NCS children and their parents to comply with because of their race. It may constitute indirect discrimination if information shows that such requirement imposed by the kindergarten is not justifiable.
- ★ Racial harassment occurs when a person engages in unwelcome conduct towards another person on the ground of the race of that other person; or together with other persons engages in conduct that creates an environment which intimidates another person on the ground of his/her race. Engaging in name calling which people of certain racial groups may find offensive, making racial jokes, or painting racially humiliating or intimidating graffiti or messages on walls in school may amount to racial harassment. (For details, please refer to "*Promotion of Racial Integration and Prevention of Racial Discrimination in Schools*" published by the EOC, and the related link is provided at the back of this easy guide.)

Useful Links and Contacts

1. Centre for Harmony and Enhancement of Ethnic Minority Residents (CHEER Centre)

Free Telephone Interpretation Service:

- 3755 6811 (Bahasa Indonesia, Tagalog and Thai)
- 3755 6822 (Hindi and Nepali)
- 3755 6833 (Urdu)

Link: www.hkcs.org/gcb/cheer/cheer-e.html

2. Hong Kong TransLingual Services

Tel: 2423 5101

Link: www.hk-translingual.com

3. Admission Arrangements for Nursery (K1) Classes in Kindergartens, Education Bureau

Link: www.edb.gov.hk/k1-admission_e

4. Related EOC Guidelines and Publications

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

www.eoc.org.hk/rdoinfo.html

Racial Equality and School Uniform:

www.eoc.org.hk/EOC/Upload/booklets/schoolUniform/2014_02.pdf

Disclaimer

This easy guide lists out some good practices and should not be considered as legal advice.

For more information on the rights conferred by the Hong Kong anti-discrimination ordinances and complaint handling procedure of the EOC, please contact:

Equal Opportunities Commission

Tel: 2511 8211

Fax: 2511 8142

Website: www.eoc.org.hk



平等機會委員會
EQUAL OPPORTUNITIES COMMISSION

Easy Guide on Promoting Racial Equality in Schools: Kindergarten Admission

(Applicable to kindergartens with local curriculum)

The Equal Opportunities Commission (the EOC) has always been concerned about the language and cultural barriers faced by non-Chinese speaking (NCS) parents in the enrollment of their children in local kindergartens, especially in getting school information and undergoing admission interviews. The EOC therefore urges local kindergartens to ensure that their admission policies comply with the provisions of the Race Discrimination Ordinance (RDO) and to adopt equal and inclusive admission policies so that NCS students can enjoy equal opportunities in receiving a good education.

This easy guide provides guidance on admission practices to help local kindergartens eliminate prejudice / stereotypes, prevent discriminatory behaviour and avoid unlawful discrimination, so as to promote racial harmony and inclusion. Should you have questions regarding this easy guide, please contact the EOC.



When releasing admission information, distributing application forms and receiving applications

To promote equal opportunities for NCS students, kindergartens should **consider**:

- providing bilingual (Chinese and English) version of application forms and guidelines for admission;
- providing bilingual information on websites for parents, especially the basic and important information, such as kindergarten background, timeframe and methods for distribution and submission of application forms, admission criteria, etc.;
- educating teachers and staff to maintain an open mind towards NCS applicants; ensuring all staff involved in admission procedures have a clear understanding of the measures catering for NCS students and parents; and implementing such measures properly;
- providing assistance as far as possible, such as interpretation or translation services, to NCS applicants and parents who seek help; and
- informing NCS applicants and parents of the support measures for them in the kindergartens, such as ethnic minority teaching assistant, translation service and / or other supplementary Chinese learning support.

Kindergartens should **avoid**:

- refusing admission applications from NCS students;
- providing admission information in Chinese only and requiring NCS parents to find their own ways for interpretation or translation without giving any support;
- using words that may mislead NCS parents to believe only Chinese speaking students would be admitted, such as "local people" or "non-local people"¹; and
- assuming that NCS applicants and parents do not understand Chinese and / or English because of their race, and these applicants should attend kindergartens with a high concentration of NCS students.

¹ Using the word "local people" may cause misunderstanding for non-Chinese speaking parents since many non-Chinese speaking persons are local residents.

When conducting admission interviews

To promote equal opportunities for NCS students, kindergartens should **consider**:

- providing bilingual (Chinese and English) version of notification for interview;
- adopting assessment criteria and methods that are unrelated to language proficiency;
- with the parents' consent, conducting interviews with NCS applicants and parents in English;
- allowing NCS applicants and parents to be accompanied by people who are proficient in Chinese / English, with a view to facilitating communication;
- arranging interpretation service for NCS applicants and parents who have communication difficulties with the interviewer; and
- maintaining flexibility in interview procedure and making adjustment to meet the needs of NCS applicants and parents.

Kindergartens should **avoid**:

- requiring all NCS students and parents to attend interviews only conducted in Cantonese;
- adopting NCS applicant's Chinese language proficiency as the sole or major assessment criterion;
- refusing interpretation or translation request made by NCS parents who encounter communication difficulties, without any justifiable reason; and
- taking into account the race, religion, cultural customs or language proficiency of applicants and parents as unfavourable factors to their admission.

² Please turn to the back of this easy guide for contacts of organisations providing interpretation services.

When announcing admission results

To promote equal opportunities for NCS students, kindergartens should **consider**:

In case of granting admission,

- providing bilingual or English version of *Notification for Result on Admission* to NCS parents;
- stating the name and contact number of a designated teaching staff in the notification to enable NCS parents to enquire about enrolment procedures and related arrangements; and
- in addition to sending *Notification for Result on Admission*, making phone calls, if possible, to remind NCS parents of the registration date and time, documents to be submitted and registration fee.

In case of refusing admission,

- providing bilingual or English version of written notification to NCS parents;
- stating in the notification the reason for refusing admission of the NCS applicants if possible, for instance, they fail to meet certain admission criteria, so as to make NCS parents understand that the decision is not based on race; and
- stating the contact number of a designated teaching staff in the notification to respond to NCS parents' further enquiry in English.

As educational institutions facing the general public, kindergartens should **avoid**:

- providing the Chinese version of *Notification for Result on Admission* or *Notification of Rejection in Admission* only;
- refusing admission of NCS applicants without giving any reason; and
- refusing to respond to enquiries made by NCS parents on the admission results.

