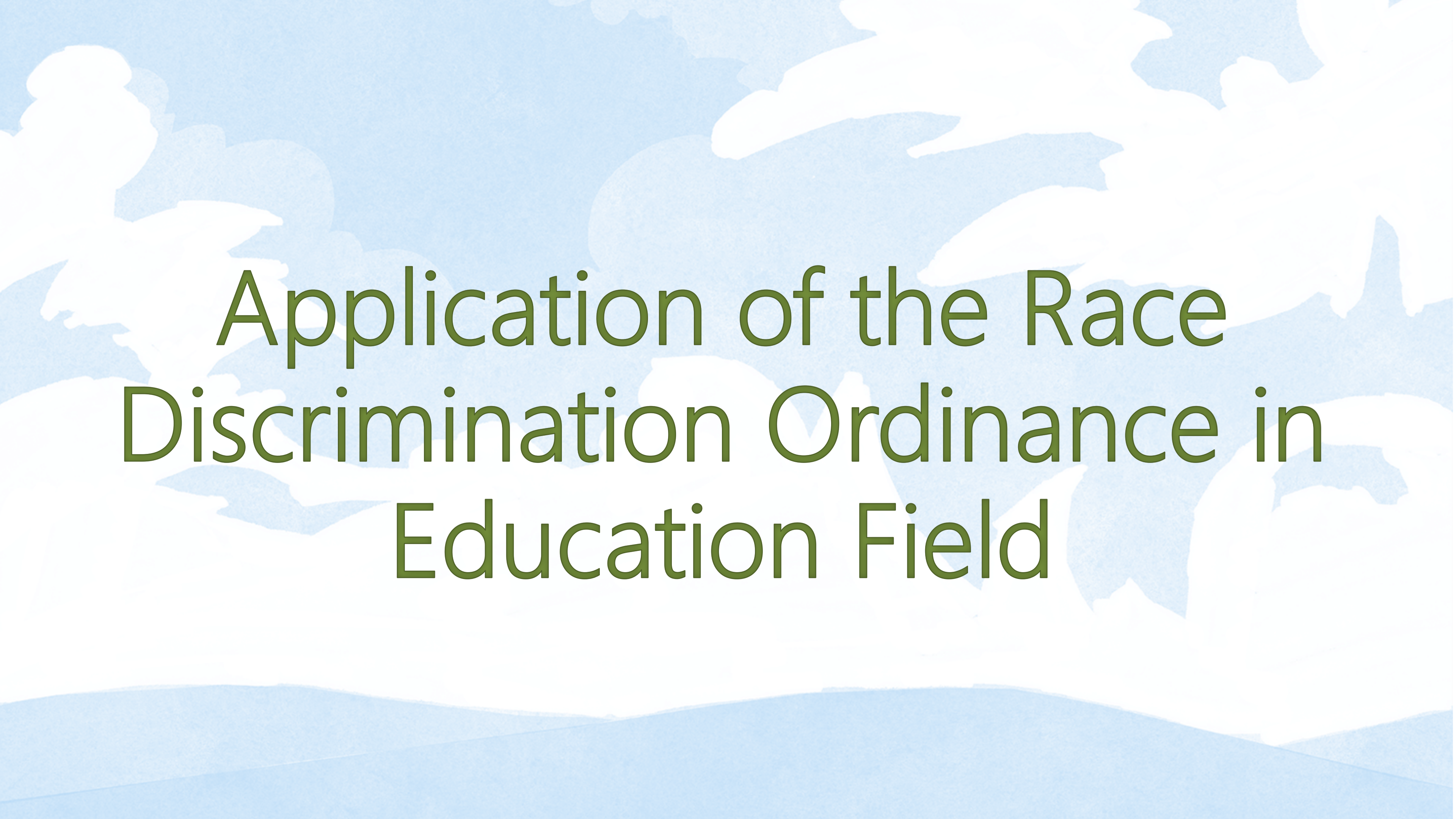


Online Training on Racially Friendly & Inclusive Schools Policy





Application of the Race Discrimination Ordinance in Education Field

The Race Discrimination Ordinance

- Objectives:
 - ▶ To render **discrimination, harassment and vilification**, on the ground of race, unlawful
 - ▶ To prohibit **serious vilification** of persons on that ground (a criminal offence)
- Came into effect in **2009**
- Section 26 of the RDO states that it is unlawful for the responsible body of an education establishment to discriminate against a person based on race:
 - ▶ In the terms on which it offers to admit that person to the establishment as a student;
 - ▶ By refusing, or deliberately omitting to accept, an application for that person's admission to the establishment as a student;
 - ▶ Where the person is a student of the establishment:
 - In the way it affords the person access to any benefits, facilities or services, or by refusing or deliberately omitting to afford the person access to them; or
 - By expelling the person from the establishment or subjecting him or her to any other detriment

Definition of Race

- According to the RDO, race means:
 - ▶ Race
 - ▶ Colour
 - ▶ Descent
 - ▶ National origin
 - ▶ Ethnic origin (e.g., Sikhs, Jews)
- Religion in itself is **NOT** race. However, requirements or conditions having an impact on people's religious practices may indirectly discriminate against certain racial groups, and when this is so the RDO applies
- It is **NOT** required for an education establishment to modify for or make different arrangements regarding holidays or medium of instruction for persons of any racial group. However, language requirement (in particular, Chinese) may have disproportionate negative impact on some racial groups. If the requirement is not justified, it may amount to indirect racial discrimination

Direct Racial Discrimination

- Based on race
- In comparable circumstances
- Less favourable treatment*

* Segregating a person from other persons on the ground of the race of that person is treating that person less favourably than the other persons are treated

Examples:

- ▶ **Access to facilities:** A teacher always allows Chinese students to use an activity room, but when non-Chinese students wants to use the same room, the teacher refuses their request
- ▶ **Disciplinary matters:** A Chinese student and a non-Chinese student are respectively caught cheating during an examination. However, without proper investigation, the non-Chinese student is punished with detention, while the Chinese student is only given a verbal warning
- ▶ **School activities:** A school believes that students of certain racial group are at a disadvantage. When the school organises school picnic, students of that particular racial group are required to pay half of the fee
- ▶ **Extracurricular activities:** The school has a cricket team. In order to maintain the strength and team spirit, the school only allows Indian and South Asian students to take part in. Applications from Chinese students will not be considered

Indirect Racial Discrimination

- Impose same requirement / condition on everyone
- Some racial groups are less able to comply with the requirement /condition & suffer a detriment as a result
- Requirement / condition cannot be justified, i.e. not fair & reasonable

Examples:

- ▶ **School notice:** It is difficult for non-Chinese speaking parents to understand the school notice in Chinese , and the school does not provide any support (for example, teachers are assigned to explain the notice in English)
- ▶ **Access to facilities:** A Muslim woman originally from Pakistan, went to use a swimming pool managed by the company. She wore a T-shirt and long pants on top of her swimming suit. She was not allowed to swim by the pool's staff due to her clothing, but she alleged seeing other Chinese women in a very similar type of outfit using the facility

Racial Harassment – Unwelcome Conduct

- **A** engages in unwelcome conduct against **B** on the ground of **B**'s race / imputed race
- A reasonable person, having regard to all circumstances, would have anticipated **B** to be offended, humiliated or intimidated

Examples:

- ▶ Name-calling (Example: acha, haak-gwai)
- ▶ Making racial jokes and/or making fun of someone's accent, appearance or traditional food
- ▶ Using offensive language when communicating with students from certain racial groups

Racial Harassment - Hostile environment

- **A**, alone or together with other persons, engages in conduct (which may include an oral or a written statement) on the ground of **B**'s race / imputed race that creates a hostile or intimidating environment
- The behavior does **NOT** need to be directly or consciously targeted at **B**

Examples:

- ▶ On the ground of race, a group of students paints some racially derogatory graffiti or threatening messages on a wall in the school playground
- ▶ In the middle of the class, a teacher says that students of a certain race are extremely lazy



Good Practices for Establishing an Inclusive Campus

Admission Policy

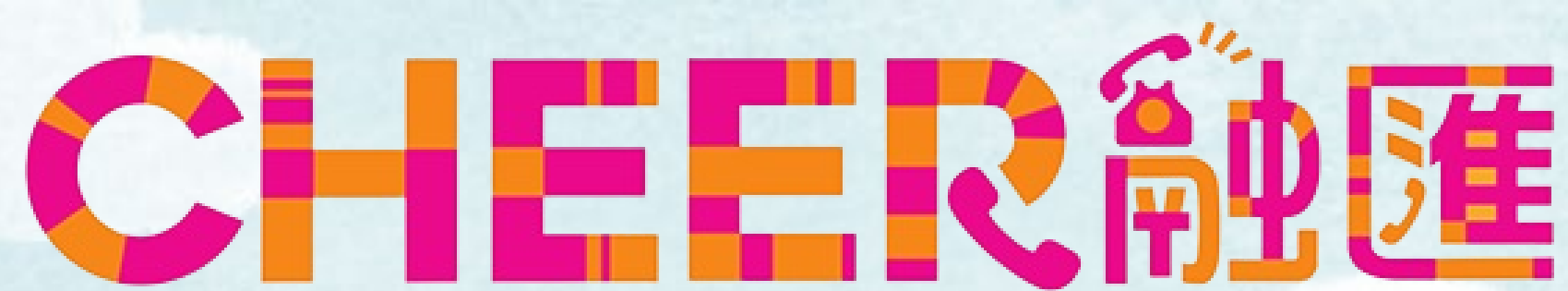
- **Admission information:** Use various channels and provide bilingual information (Chinese and English)
- **Interview criteria:** Applicants' abilities should be evaluated taking into account their special circumstances if any. Schools may assess for overall merit and skills other than language abilities, especially if the school offers support for the learning of language.
- **Kindergarten admissions:** Given that this is the first stage of education, if a school refuses to arrange interviews for non-Chinese applicants due to their lack of understanding of Cantonese or for Chinese applicants due to their lack of understanding of English, without reasonable justification, they may face complaints of indirect racial discrimination.

School Notices and Communication with non-Chinese Speaking Parents

Schools have the responsibility to ensure that parents have access to important information and should make efforts to arrange the following:

- ▶ Bilingual announcements
- ▶ English support (arranging dedicated staff to explain the content to non-Chinese-speaking parents)
- ▶ Assistance channels (phone, email, WhatsApp, etc.)
- ▶ Other arrangements based on available resources to seek help

If necessary, provide translation services during parent-teacher meetings or conduct such meetings in bilingual format on Parent's Day









Telephone interpretation services (Free)

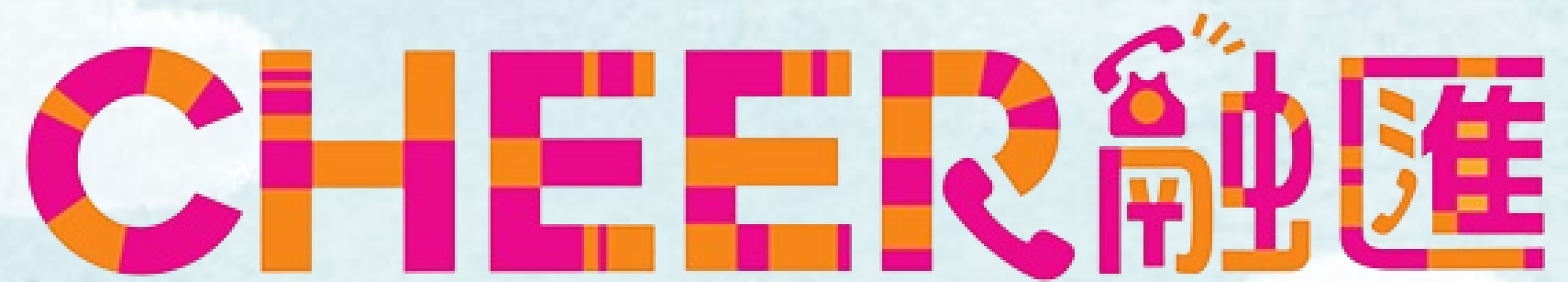
Provided by the Centre for Harmony and Enhancement of Ethnic Minority Residents (“CHEER”)

Monday to Sunday 8:00am – 10:00pm

English and eight other ethnic minority languages

(No fees charged for non-profit kindergartens, primary and secondary schools, and tertiary institutions under the jurisdiction of the Education Bureau)

			
Bahasa Indonesia 印尼語  3755 6811	Nepali 尼泊爾語  3755 6822	Urdu 烏爾都語  3755 6833	Punjabi 旁遮普語  3755 6844
			
Tagalog 他加祿語  3755 6855	Thai 泰語  3755 6866	Hindi 印度語  3755 6877	Vietnamese 越南語  3755 6888
Public service providers (Direct line) 公共服務提供者(直線)			 3755 6800



On- sight Interpretation Services (Free)



WhatsApp

5634 4587

**Interpretation short English notice /
document into 8 languages**

Requested by Non-ethnic Chinese service user

Tel : 3106 3104 Fax : 3106 0454

Email : cheer@hkcs.org Website : <https://hkcscheer.net/>

School Uniform Policy

- School uniforms are intended to maintain the school's image, identity and discipline
- Some **ethnic groups** may have certain dress and grooming codes (sometimes age/gender specific). For example, head coverings or bracelets, or avoiding cutting of hair.
- If schools prohibit these practices without sufficient and reasonable justification and enforce disciplinary actions against students who violate the rules, it could potentially constitute **indirect racial discrimination**.
- Schools should maintain **flexibility** for cultural and religious customs and make adjustments to accommodate individual needs
- To help schools make **informed decisions**, maintain close communication with students and parents and consult relevant religious leaders and members of the community

Classroom Participation and Inclusion

- Ensure that non-Chinese-speaking students can participate in school activities such as exhibitions and visits
- When describing different cultural and ethnic communities:
 - ▶ Respect their customs, beliefs, and culture
 - ▶ Ensure their representation as members of Hong Kong society
 - ▶ Avoid racial stereotypes when describing their professions and positions
 - ▶ Acknowledge their contributions to Hong Kong
 - ▶ Avoid associating individual misconduct with race/culture

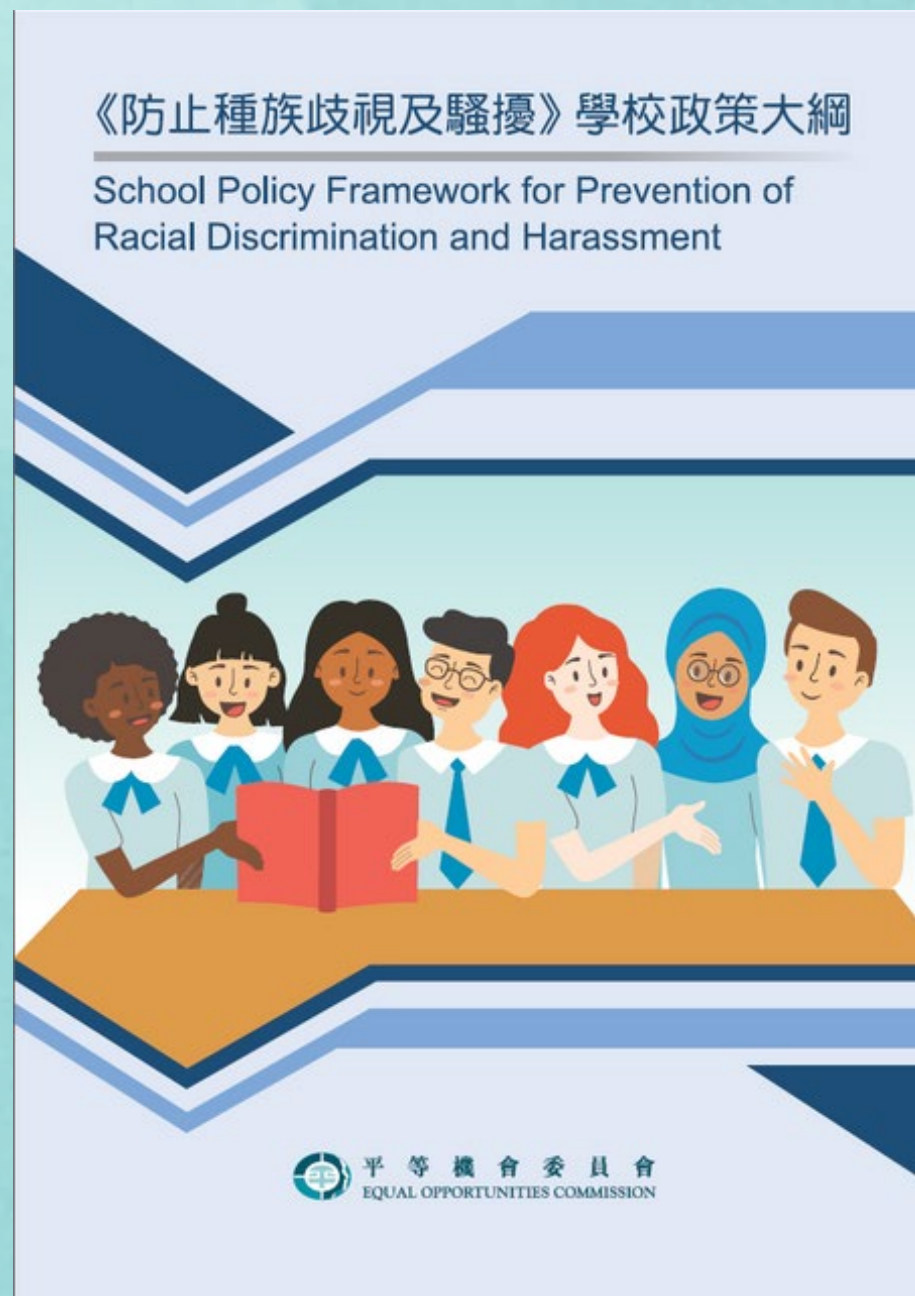
Racially Friendly Campus

- Organise activities promoting **mutual understanding and respect** for each other's culture
- Create environment/opportunities for **formal and informal exchanges** between students from different ethnic backgrounds
- Establish **integrated classrooms** to facilitate interactions between Chinese and non-Chinese students
- Actively encourage mixed classes, sports teams and events. This can help **break down biases, build bonds, increase multi-cultural sensitivity and broaden social circles** for all groups
- Develop **curiosity about other cultures** by having a library with books and materials representing diverse authors

The background is a light blue gradient with several white, fluffy clouds scattered across it. The clouds are stylized and have soft, rounded edges. The text is centered in the middle of the image.

Resources to Support Schools

Resources to Support Schools



School Policy Framework for Prevention of Racial Discrimination and Harassment



“All Races as One” Learning Kit on Eliminating Racial Discrimination



School Policy Framework for Prevention of Racial Discrimination and Harassment

- 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
 - ✓ Prevent any act of racial discrimination and harassment in admissions and the schooling process
 - ✓ Prevent vicarious liability on account of employee's unlawful act of discrimination or harassment
 - ✓ Ensure students have adequate awareness about discrimination



平等機會委員會
EQUAL OPPORTUNITIES COMMISSION

www.eoc.org.hk

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**Racial Equality &
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Anti-Sexual
Harassment



Information in Other Languages

Videos about Complaint and Conciliation
in Other Languages

Existing and Planned Measures on the
Promotion of Racial Equality

The Racial Diversity and Inclusion
Charter for Employers

Racial Inclusion in Schools

EMBRACE Campaign

Racial Equality in Tenancy

Protection against Child Sexual
Harassment and Sexual Abuse for Racial
Communities

Learning Kit on Promoting Cultural
Sensitivity and Racial Equality in Public
Service Provision

**All Races as One: Learning Kit on
Eliminating Racial Discrimination**

Understanding Sexual Harassment Series: Sexual Harassment on Campus

Learn More



Welcome to the EOC website. How can we help you?

Corpora

rs to an Inclusive V

2023/24 Racially Friendly Campus Recognition Scheme

Points to Note

- ▶ In addition to fostering mutual respect and acceptance among people of different racial backgrounds, 2023/24 Racially Friendly Campus Recognition Scheme expands its scope cover people from different regional cultures and places of origin, such as new immigrants to Hong Kong
- ▶ Schools will be recognised as 2024 Racially Friendly Campus Champions after undertaking the following activities **before 31 March 2024**:
 - ✓ Organise at least one activity to promote racial inclusion among students
 - ✓ Echo the EOC on marking the IDERD 2024 by displaying the EOC poster in the school campus AND publicity messages on the school webpage or social media platforms
 - ✓ Organise at least one staff training activity on promoting racial inclusion OR nominate at least one teaching staff to attend related training session organised by the EOC or Education Bureau



平等機會委員會
EQUAL OPPORTUNITIES COMMISSION

Hotline: 2511 8211

Website: www.eoc.org.hk

Address: 16/F, 41 Heung Yip Road, Wong Chuk Hang, Hong Kong

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