



本函檔號 Our Ref. : EOC/EMT/99

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By email

30 May 2025

Dear Principal,

Equal Opportunity in School Admission

The Equal Opportunities Commission (EOC) has been striving to ensure equal opportunities for students of different races to access education, and has always been concerned about the language and cultural barriers faced by non-Chinese speaking (NCS) students and their parents in school enrollment. The EOC calls for all schools in Hong Kong to adhere to the principles of equality and inclusiveness in their admission criteria and procedures.

When setting selection criteria of students, schools need to ensure that such criteria do not screen out any applicant based on race, such that it may constitute direct discrimination in violation of the Race Discrimination Ordinance (RDO). What the schools need to do is to adopt consistent selection criteria backed by reasonable justifications, and inform all parents or guardians of the applicants about these criteria so that they understand the reasons and rationale if an interview is not granted or an application is not accepted.

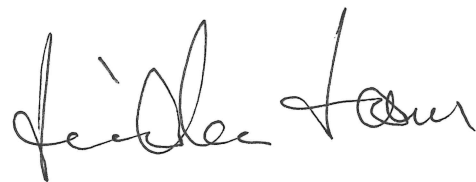
The RDO also makes it unlawful to practise indirect discrimination. Indirect discrimination occurs when the same requirement (rule, policy, practice, criterion or procedure) or condition is applied equally to people of different races, which cannot be justified, but has an adverse impact on a particular racial group because (i) only a considerably smaller proportion of people from that racial group can meet that requirement compared to the proportion of people of other racial groups; and (ii) the condition is to the detriment of persons of that particular group because they cannot meet it. In this connection, schools may face indirect discrimination complaints and litigation if they, without justifiable reason, refuse to interview NCS applicants because they cannot speak Cantonese or reject applications from Chinese applicants because they cannot speak English.

In admission interviews, schools are therefore advised to conduct screening by using education-centred assessment methods, such as observation of an applicant's learning attitude, interaction with others, etc. If applicants have difficulty in understanding instructions due to a language barrier, schools are encouraged to provide accommodation in appropriate circumstances, such as shifting the interview language, arranging interpreters or allowing family members to interpret for the applicants, etc. This is particularly relevant to kindergarten admission as it is the first stage of systematic education for children, and the best time to nurture their language skills. Children should be given equal opportunities to learn Chinese and English in Hong Kong, irrespective of their mother tongue. Their language skills prior to entering the education system should not be a factor to exclude them from gaining admission into kindergartens.

Schools can refer to the **Promotion of Racial Integration and Prevention of Racial Discrimination in Schools** and **Easy Guide on Promoting Racial Equality in Schools: Kindergarten Admission** issued by the EOC to gain further insights into the development and implementation of admission criteria and procedures.

This letter is issued as a soft reminder. It does not have the force of law and is not meant to be legal advice on any specific situation. For inquiries, please contact the EOC at 2511 8211.

Yours sincerely,



Linda LAM
Chairperson
Equal Opportunities Commission

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Promotion of Racial Integration and Prevention of
Racial Discrimination in Schools



Easy Guide on Promoting Racial Equality in Schools:
Kindergarten Admission