

Hong Kong Unison's Response to the Paper Submitted by the Education Bureau to the Panel on Education of the Legislative Council

Introduction

We feel deeply regretted and disappointed with the Paper submitted by the Education Bureau (EDB) to the Panel on Education of the Legislative Council. The Paper has no new ideas, but repeating the same song, with the intention to escape from the reality. Also, it did not give any concrete feedback to the Report made by the Working Group on Education for Ethnic Minorities (Working Group) of the Equal Opportunities Commission (EOC). We have learnt from the media that although the EOC Chairman Mr Lam Woon-kwong and the Working Group's Convener and Legislative Councillor the Hon. Fung Kin-kee had issued letters and extended invitations many times, the Secretary for Education and Permanent Secretary of the EDB have so far declined to meet with the EOC to discuss the recommendations put forward by the Working Group. This reflects that **the EDB has no sincerity and willingness to resolve the educational problems and challenges faced by the ethnic minority (EM) children**. The bureaucracy of the EDB has further delayed the problems, which eventually **not only caused serious harm to EM children, but also created a high price for the Hong Kong society as a whole**.

Chinese Curriculum and Benchmark Examinations – self-contradictory

2. The EDB has reiterated that the current Chinese “*curriculum framework is lively and flexible.....teachers can adjust swiftly..... according to the needs, interests and abilities of students (including non-Chinese students)*”. This statement has no supporting evidence, and is **contradictory to the views of front-line teachers. It reflects that EDB officials have little knowledge about the circumstances**.

3. In reality, **local curriculum framework is designed for Chinese students with Chinese language as their mother tongue**. Through a series of reforms, revisions and developments, **teachers use the first language to teach**, covering the dimensions of reading, writing, listening, speaking, literature, Chinese culture, morality, thinking, and self learning of languages. For EM students, it is not easy to master classical writings and idioms. The EDB believes that “*if non-Chinese students are provided with an alternative Chinese curriculum*

and assessment test based on defaulted lower learning standard, this would limit the learning opportunities of non-Chinese students with diverse needs and aspirations; and employers would be doubtful for their qualifications” and use this excuse to refuse developing “Chinese as a Second Language” curriculum and related teaching materials and assessment tools. This shows that the EDB is totally unfamiliar with the concept of “Chinese as a Second Language”. Its officials have once used Syllabus A and B of English subject in early days as metaphor. They claimed that in those days, students taking examinations of English Syllabus A were labelled as inferior. As such, “Chinese as a Second Language” curriculum, if taken by EM students, would create labelling effect and turn them to look inferior.

4. We find that the metaphor of the EDB is ambiguous, which reflects that the officials are ignorant and unprofessional. We know that English is also the second language to the majority of students (including EM students). Hence, comparison or labelling effect is inevitable when some Chinese students were taking easier examinations while others taking more difficult ones. Nevertheless, EM students learning Chinese is completely different. **Chinese language is the mother tongue (i.e. the first language) for the majority of Chinese students, but not the mother tongue (i.e. the second language) for the EM students. They have different starting points.** Furthermore, ethnic minorities are a label themselves, thus it is natural for them to learn “Chinese as a Second Language” curriculum. For instance, some advance countries such as United Kingdom, the United States, Canada, Australia, etc. have implemented “English as a Second Language” (ESL) policy and relevant programmes, and Chinese Immersion Classes; and have developed professional training for teachers using “English as a Second Language” in order to assist new immigrants and ethnic minorities with learning English progressively and integration into the community as soon as possible.
5. Currently, the majority of EM students are placed in 30 “designated schools”, **90% of whom are studying “local curriculum” provided by these schools.** This “local curriculum” has defaulted extremely low-level Chinese standard, where EM students **can only sit for UK’s General Certificate of Secondary Education (Chinese) (GCSE, Chinese).** Its highest scores **5* is only equivalent to the Chinese standard from Primary 2 to 3.**
6. The EDB allows the majority of EM students to take “local curriculum” and sit for the overseas-based GCSE (Chinese), which is yet at too low a level equivalent to about Primary

2 to 3. **It is clear that while the EDB has admitted that the mainstream curriculum is unsuitable to the majority of EM students, and there is a need for Alternative Curriculum,** they insist to refuse developing the systematic “Chinese as a Second Language” curriculum for the EM students. Their arguments are self-contradictory, with a lack of convincingly reasonable evidence.

Multiple Pathways – far from reality

7. The EDB repeatedly emphasizes that the “Supplementary Guide to the Chinese Language Curriculum for Non-Chinese Speaking Students” addresses the practical need of EM students in learning Chinese. Their claim that “multiple curriculum modes can bridge their diverse aspirations and lead to multiple progression pathways” is far from reality.
8. Firstly, the assumptions on which the Supplementary Guide sets for the curriculum modes are wrong and absurd. Among these, the **“immersion in Chinese Language lessons”** assumes that the EM students, who were born in Hong Kong or came to Hong Kong in their childhood, who wish to live here permanently, continue their studies or get a job, are supposed to have integrated fully in the Chinese lessons (Chinese version, pp.19). **“Bridging /transition”** is designed for newly arrived EM students. The EDB thinks that after EM students have taken a Summer Bridging Programme for four weeks, three hours each time (i.e. around 60 hours in total), “their Chinese standard would improve significantly, helping them to integrate into Chinese lessons in general (pp. 24 and Appendix 14). For the **“specific learning purposes”**, it assumes that EM students would “only stay in Hong Kong temporarily” or “intend to move to the Mainland for development” (pp. 30-31, Chinese version), thus it is good enough for them to learn some simple Chinese.
9. In real-life academic environment, there are only two learning modes: One is mixed classes of the mainstream school, where a small number of EM students join mainstream classes to study with local Chinese students. However, the majority of them do not understand what they have learnt in class. At the end, not only is their Chinese standard at too low a level, other subjects are also far from satisfactory as a result. They have eventually turned to be Band 3 students, with little hope for furthering higher education in the university. Another one is taking “local curriculum” developed by “designated schools” on their own, where students aim to sit for the UK-based GCSE (Chinese). **In view of the current situation, whichever the learning mode, over 90% of EM students of mainstream schools or**

designated schools would sit for GCSE (Chinese), most of whom were born in Hong Kong, with some even at their third or fourth generations taking Hong Kong as their home. The majority have planned to make Hong Kong their permanent residence.

10. The Paper of the EDB pointed out that *“some of the non-Chinese speaking students would sit for the HKCEE”*. We have learnt that this is only a small number, and those who get a pass are even less. The Paper also mentioned that *“employers would be doubtful for alternative qualifications”*. We would like to point out that employers would be even more doubtful for the high scores 5* obtained in GCSE (Chinese), which is somehow equivalent to the Chinese standard of Primary 2 and 3.

11. In the Paper, the EDB claimed that the current support measures *“have achieved encouraging effectiveness..... and have proven that EM students are capable enough to take Chinese programmes”*. We certainly agree that EM students have ability to learn Chinese, but the focus is on what level of Chinese they are learning, and eventually they would not be deferred from educational or employment advancement due to a lack of Chinese proficiency, so that they can stand on their own and adapt to social integration. However, from what we see, **the support measures provided by the EDB to facilitate EM students’ Chinese language learning are far from adequate to cope with practical needs.** Take the “Chinese Language Learning Support Centres” operated by The University of Hong Kong as an example. The programme can only cater 600 students and Chinese teachers from 20 schools, and the majority of students only aim for GCSE (Chinese). Moreover, currently 12,000 EM students are studying in over 500 government-subsidised primary and secondary schools, of whom 3,000 are kindergarten children receiving pre-school education. **The so-called support measures are just piecemeal, and the EDB have yet to review the effectiveness of the current support measures.**

Designated Schools – Racial Segregation affects long-term social integration

12. We appreciate the historical background and function of “designated schools”. However, we want to reiterate that placing over 90% EM students to one school will inevitably give rise to racial segregation. “Designated schools” have a poor learning environment for Chinese. No matter it is a choice of the EDB or EM parents, in view of the outcome, **allowing EM students in “designated schools” to be segregated from the mainstream education may have constituted direct discrimination under the Race Discrimination Ordinance.** The

EDB should understand that **the spirit of Equal Opportunities Ordinance is not based on the motive, but its actual impact.**

Encourage early integration – only lip-service

13. The EDB claimed to have encouraged EM students to integrate into the local education system as soon as possible, but this is only empty talks; **no practical support of pre-school education is provided to EM students.** We have issued a questionnaire on “Pre-School Education of Ethnic Minority Students in Hong Kong 2011” to kindergartens earlier. The preliminary results show that **kindergarten teachers have great difficulties in teaching EM students.** They think that schools are seriously lacking resources to provide additional support to EM students in learning Chinese, not to mention appropriate teaching materials and equipment. Neither has the EDB provided any professional training for teachers on how to teach EM students.

14. In paragraph 12 of the Paper, the EDB has mixed up the support services for ethnic minorities provided by various governmental departments, and deliberately mistook them as their own. This is absolutely misleading. As far as we know, **these services have their specific purposes, nothing related to “ethnic minority students learning Chinese effectively in the school system”.** In fact, the non-governmental **“regional support service centres”** aim to provide adaptable services and cultural activities to the ethnic minorities in the community. The best they can do is to provide a small number of tutorial classes after their lessons. These NGO **do not have the ability or responsibility to offer comprehensive and systematic Chinese education to EM students.** Furthermore, as far as we know, the usage rate of these service centres is extremely low, with as many as only a few hundred EM students taking the tutorial classes. Hence, the majority of EM students have never received any support from the government for learning Chinese effectively. The EDB lets them “live and survive” on their own.

15. We are of the view that **pre-school education is fundamental to the success of EM students in integrating into local mainstream schools.** In reality, parents of the majority of EM students are willing to send their children to mainstream kindergartens. Unfortunately, after the 3-year pre-school education, parents arrange for their children to go to “designated schools”. The EDB explained this phenomenon as “Parents’ Choice”, but the parents do not

have their own choices: Seeing that their children could not learn Chinese properly even in the kindergarten, **they are worried to have their children in a wholly Chinese learning environment, where support is inadequate, and as such they have to learn Chinese in pain and despair, seriously affecting their self-esteem and confidence.** Therefore, to avoid the painstaking process, parents have to send their children to “designated school” reluctantly. They know that children have to learn Chinese at a lower level, and this would limit their choices for educational advancement and employment. But they cannot do anything but to accept it because unlike the Chinese parents they do not have the Chinese capability to support their children in learning Chinese. The so-called “Parents’ Choice” does not exist.

16. Many EM parents, school principals and teachers feel annoyed and disappointed with the explanations of the EDB. They are just repeating what the EDB has been doing – these are irresponsible, lacking theoretical framework and concrete evidence. From our experience working with the EDB over the years and our observations of the communication between the government and various concerned parties such as EM parents, school principals/teachers, legislative councillors and NGOs, **the most critical problem is that the EDB has no sincerity and political sensitivity to resolve the educational problems faced by ethnic minorities, and it is in lack of experts who are accountable and familiar with the educational problems for ethnic minorities.**

17. Effective Chinese language learning is fundamental to the access to equal opportunities for education or employment and to integration into society. We would like to propose the following recommendations with regard to Chinese language education, and we hope our Legislative Councillors would urge the EDB and EOC to implement appropriate actions accordingly.

- i. **The EDB should respond to and formulate a timetable** on the various recommendations proposed by the Working Group on Education for Ethnic Minorities of the EOC **as soon as possible.**
- ii. Implement **supplementary measures for Chinese language learning for EM kindergarten children** (please refer to the appendix – we will present the Report to the EDB).

- iii. To ensure that EM students achieve similar academic outcomes in mainstream schools, the EDB should **arrange for them to attend Chinese Immersion Classes** to enhance their Chinese proficiency in understanding the subjects taught in classes. After they have attained a certain level of competency in the Chinese language, they should join mainstream classes where Chinese is the medium of instruction and study together with local Chinese students.
- iv. **Provide adequate and appropriate resources to assist mainstream schools** which admit a small number of non-Chinese speaking students. **A long-term plan should be made to replace “designated schools” gradually to avoid the adverse effect of racial segregation** and allow EM students to fully integrate into society.
- v. Currently, some schools designated for the intake of EM students **have a poor learning atmosphere. Students in general are lacking personal drive to learn; they have no aspiration**, nor do they have the cognitive awareness of the mainstream society. This has seriously affected their career planning and their work attitude in the future. The EDB should **develop a Career Counselling Scheme for EM youngsters** to strengthen their zeal for learning and aspiration.
- vi. At present, the Chinese language standard of the majority of EM secondary students is inadequate to cope with the local diploma programmes and examinations (HKDSE). However, for some of these students, their Chinese language standard is well above the level of UK-based GCSE (Chinese). We think it is necessary to develop an alternative programme **“Advanced Level Chinese” (AL Chinese)** to allow EM students to continue their studies and keep up their learning spirits, and **provide examination fees subsidy**.
- vii. Some of the EM students have attained a higher Chinese standard than the GCSE (Chinese) (i.e. Primary 3 level) when they graduate at Primary 6. The secondary schools will encourage them to sit for examinations of higher level such as GCE (AS) and GCE (AL) Chinese in order to enhance their Chinese language standard. However, **the examination fees are very high** (please refer to the table below), **and the EDB and Hong Kong Examinations Authority have refused to provide subsidy**. Most of the students come from the grass root families, and

have to give up due to their inability to afford the high examination fees. Earlier we have reflected our concern and asked for assistance from the Community Care Fund but, unfortunately, they rejected our request because they only subsidise non-full time students.

Name of Chinese Language Examinations	Compared to the Local Chinese Language Standard	Examination Fees	Government Funding	Student Financial Assistance Agency
GCSE	Primary 2-3	HK\$540	√	√
GCE (AS Level)	Primary 5	HK\$2,720	X	X
GCE (Advanced Level)	Secondary 1	HK\$4,080	X	X

- viii. In the long term, there is a need for Hong Kong to **design and develop a new curriculum “Chinese as a Second Language” (CSL), coupled with standardised and quality teaching materials and assessment tools, for the implementation of a professional “Chinese Proficiency Test System”**, with which everyone can assess their own Chinese language standard. Reference can be made to the “Assessment for Learning”, a learning assessment tool developed by Professor Tse Shek Kam of the Faculty of Education in The University of Hong Kong, for further developing a localised Chinese proficiency test system. Reference can also be made to the globally recognised “International English Language Testing System” (國際英語測驗系統) or “Hanyu Shuiping Kaoshi” (漢語水平考試) of the Mainland.
- ix. For the newly arrived EM youngsters who need to learn Chinese as quickly as possible, the **“Chinese as a Second Language” (CSL) curriculum** would be an advantage to facilitate social integration.
- x. The EDB should offer **adequate and professional training for teachers** which includes: **raising their sensitivity towards racial and cultural backgrounds** and their awareness of the challenges facing EM students; **enhancing the**

knowledge and skills involved in teaching EM students with the use of Chinese as a second language; providing attractive incentives (e.g., school fee subsidy, job promotion and salary increment, programme sponsorship, etc.) to encourage the academic sector to nurture teaching professionals using “Chinese as a second language”.

- xi. Implement a **systematic Civic Education Scheme** which includes: **promoting the importance of racial equality and acceptance to local Chinese-speaking parents and children**; formulating guidelines and taking effective measures in creating an inclusive and racially harmonious learning environment. (We have observed a trend that when a designated school starts admitting EM children, it will become an entirely or 90% EM school in a few years after “the flee” of local Chinese parents and students. The common phenomenon is that even though some designated schools still have a certain percentage of local Chinese students, normally they are concentrated in higher levels and there are a disproportionate number of EM students in junior levels.)
- xii. Develop systematic education programmes for parents and the community to **promote the importance of pre-school education and Chinese language learning to EM parents.**
- xiii. **The EOC should develop a series of studies as soon as possible including these topics:**
1. **Has the current “integration policy” of the EDB, which targets at non-Chinese speaking students, constituted indirect discrimination under the “Race Discrimination Ordinance”?**
 2. **Has the “Secondary School Places Allocation (SSPA)” constituted direct or indirect discrimination against non-Chinese speaking students under the “Race Discrimination Ordinance”?**
 3. **Has the policy of “designated schools” created an adverse effect of racial segregation on non-Chinese speaking students, i.e. direct discrimination?**

- xiv. **Explore the possibility of setting a timetable for the Code of Practice in the education sphere** and examine under what circumstances the EOC can **initiate formal investigation**. When necessary, efforts can be made to exercise the power of the Ordinance to conduct a formal investigation with the EDB to eliminate the current alarming institutional discrimination against EM students, so as to bring hopes to the new EM generations and uphold the principle of justice.

Conclusion

18. Some advanced countries such as the United States, United Kingdom, Canada and Australia share similar educational problems faced by EM children, particularly their incompetence in learning and understanding mainstream language for integration into society. These countries have a high respect for the rights of ethnic minorities. Apart from the provision of appropriate legislation to ensure equal opportunities, they also provide various supportive measures for new immigrants. They have placed special emphasis on helping the ethnic minority and newly arrived students adapt to and succeed in the local education system. **Quite a number of Hong Kong people have also migrated to these countries. Their children have not suffered segregation from the small number of “designated schools” or “special schools” whilst adjusting themselves to the local education system.** On the contrary, these countries provide adequate supportive services to Hong Kong children, giving them equal access to quality education, who in return would integrate into the new environment and make contributions to society. For the situation in Hong Kong 惘惘 an advanced and prosperous metropolis 惘惘 there is a lack of concern for the educational problems faced by EM students.

19. The unfair education system has shattered the dreams of many EM youngsters from generation to generation due to their lack of Chinese language skills. Following the efforts made by Hong Kong Unison and various concerned parties to campaign for the rights of ethnic minorities over the years, the EDB has truly deplored more resources to provide supportive measures for EM students. However, we find that the current supportive measures are piecemeal and far from adequate. They cannot fulfill the needs of the children and resolve their problems effectively due to a lack of comprehensive and long-term planning. We hope that **based on the law the EOC would try its best to work out a comprehensive and long-term policy with the EDB to resolve the educational problems.**

20. We reiterate that **the current policy of allowing “designated schools” for EM students has an adverse effect of racial segregation.** It is not conducive to integration and learning of Chinese with a lack of effective local language environment. It seriously affects not only the students’ choices of secondary schools and universities and their opportunities in employment, but also their life chances and social integration in the long run. This mode of school may have constituted **direct discrimination under the “Race Discrimination Ordinance”.** Moreover, under the so-called **“integration policy”** of the EDB, the EM students are scattered in different mainstream schools **without adequate and appropriate support in the learning of Chinese,** resulting in their inability to participate meaningfully in class where Chinese is the principal medium of instruction. This would adversely affect their academic performance, subsequently limiting their educational advancement and life chances. We believe **this has most probably constituted indirect discrimination** under the **“Race Discrimination Ordinance”.**

21. We hope that based on the law the EOC would try its best to work out a comprehensive and long-term policy with the EDB to resolve the educational problems. Moreover, we are looking up the cases and working with legal practitioners to **explore the possibility of filing legal challenge against the EDB (including judicial review)** with regard to the current education policy for EM students. Nevertheless, we are in the hope that **administrative measures through further discussions and direct dialogue with the EDB would improve the situation and avoid any court action** which would otherwise create a controversy and a waste of resources in the community.

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