

REPUBLIC OF VANUATU
OFFICE OF THE OMBUDSMAN

PUBLIC REPORT
ON THE
DISCRIMINATORY CRITERIA OF THE
VANUATU NATIONAL EXAMINATIONS
BOARD FOR ADMISSION TO YEAR 7

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DISCRIMINATORY CRITERIA OF THE VANUATU NATIONAL EXAMINATIONS
BOARD FOR ADMISSION TO YEAR 7.**

“Know ye not that they which run in a race run all, but one receiveth the prize? So run, that ye may obtain”.
Corinthians 9 v 24

In circumstances which as in Vanuatu, educational facilities do not exist in sufficient quantity to enable every one, regardless of ability to continue an extended schooling program, painful decisions have to be made as to who shall be selected to qualify. Whatever method of selection is used, there will inevitably be those who are hurt and feel ill treated.

Some children develop and mature at an earlier stage than others because of genetic and other factors in their growth patterns. In a situation of shortage of opportunity, it is obvious that the size of a pupil should not be the criterion.

The opportunity should be given first to those who are likely to benefit most – namely those whose academic performance has indicated that they are the most promising student.

Therefore, although all children may begin the “race” in the early stages, not all will find it possible to be allocated a place in the later stages. This is the inescapable fact of educational opportunity in Vanuatu today. Therefore it is absolutely essential that the process of selection must be seen to be open and free of inappropriate favouritism, and as fair as possible.

SUMMARY

Due to the limited places available for students in Year 7, the Vanuatu National Examinations Board uses a selection criteria (“criteria”) to choose which students will pass from Year 6 to Year 7. The current criteria is as follows :

- Age (up to 14)
- Number of repetitions
- Marks in the National Primary Examination
- Number of places available

Vanuatu does not presently have the financial resources to make secondary education available and accessible to all children. However, until there are places available for every capable student, the Convention on the Rights of the Child (which is binding in Vanuatu) and our Constitution require that children be given the available places on the basis of equal opportunity.

This means that every child should have the same opportunity to earn a place in Year 7, with the only distinctions being based on merit or ability. The number of repetitions and marks received in the National Primary Examinations are indicators of a student’s ability; age is not. Restrictions based on age are unjustly discriminatory, and may prevent highly capable “older” students from continuing their education simply because they started school later or missed some years of schooling when younger. The Government of Vanuatu must treat a 15 year old student (for example) the same as a 13 year old student – both can be assessed on their marks or other measure of ability to succeed in Year 7, but not on the basis of age.

The Ombudsman therefore after due enquiry concludes that: **The Vanuatu National Examinations Board criteria for the admission of students from year 6 to Year 7 discriminates on the basis of age. This is unjust, contrary to our Constitution, and contrary to the Convention on the Rights of the Child which is binding in Vanuatu.**

The Ombudsman recommends that the Minister of Education and the Vanuatu National Examinations Board ensure that the criteria for entry to Year 7 be changed so that the limited number of places are distributed based only on students' merit and ability, and not on age.

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