

Early Years of Implementing RTE 2009: Issues and Challenges

Maple Room, India Habitat Center, New Delhi

25 September 2012, 9-30 am

The Right to Education Act (hereafter, RTE), 2009 certainly fostered a new spirit of hope that millions of children in India would benefit from its legally binding compulsion on the state to deliver elementary education (classes 1-8) to all children in the 6-14 age group. (This was despite major shortcomings like the omission of children in the 0-5 age group) Moreover, the RTE has defined standards of quality for all schools in terms of infrastructure of classrooms, facilities and teacher qualifications, as well as inclusiveness. It is now the teacher's responsibility to ensure learning outcomes in an atmosphere free of the fear of failure. These quality norms apply to all providers of education, government or private so all private schools have to be recognized as suitably equipped or close down by 2013. The private sector has also been roped in to share the responsibility of educating the poor with 25% of their seats reserved for children socioeconomically less privileged – a clause which meets the aspiration of the disadvantaged for private, particularly elite private schooling.

No doubt there has been a flurry of activity: there has been some enhancement in budget allocation for education, there are reports of new schools being opened, of large numbers of teachers being recruited and teacher training needs being assessed. School management committees are being set up, and local body members are also being involved in RTE implementation. Rules for implementation of RTE have been notified in most states. Most contentious has been the 25% reservation clause in private schools, fought in court by associations of private schools and finally upheld by the Supreme Court in April 2012. But amidst the controversy there is also news of implementation of the 25% reservation in different states. We are now at a critical juncture -- two years after the Act has come into force in 2010 and a year before it becomes fully justiciable. We need to assess the progress made, the discernible trends in implementation, the gaps between the vision of the RTE and the way in which it is being implemented. This sharing and debate is important also because of the prevalent discourse of state failure and the tendency to see the private sector as a major solution which is discernible for example in recent Plan documents (Srivastava 2010). Nambissan and Ball 2010 suggest that international propaganda influences this discourse.

Srivastava, Prachi (2010) 'Public-private partnerships or privatisation? Questioning the state's role in education in India', *Development in Practice*, 20: 4, 540 — 553

Nambissan, Geetha B and Stephen J. Ball (2010), *Advocacy networks, choice and private schooling in India* *Global Networks* 10: 3 324–343.

The workshop is envisaged as a small event at which important areas of concern in RTE implementation are articulated and discussed. These include:

1. Quality Schooling and Outcomes for the Disadvantaged: Challenges before RTE
2. Monitoring and Accountability Mechanisms for RTE (including the Regulatory Framework for Private Schools)
3. Access issues
4. Private Schooling and Poor Communities: How have schooling experiences changed (includes recognition and 25% reservation issue.

Depending on the trend of discussions, we intend to formulate a note for dissemination, emerging from the workshop proceedings, outlining the main concerns and issues identified.

NOTES ON THE PRESENTATIONS

SESSION 1: School Access and Quality

Identifying Out of School Children: Process Hiccups

Anuradha De

Anuradha De, Tanuka Endow and Rajeev Kumar have been engaged in a field-based study (supported by UNICEF) on identification of out of school children in Orissa and Rajasthan. Based on their experience of identifying out of school children in one village in each of the two states, the presentation focuses on the difficulties in the process and the need to build capacity among the members of the community. The study also examines the existing identification process in both these states and highlights their strengths and weaknesses.

Anuradha De is an Economist by training and has research experience of over fifteen years as part of CORD, of which she is one of the founder directors.

Decentralisation, Devolution and the Right to Education

NaliniJuneja

The state now guarantees the provision of education between the ages of six and fourteen years. But what about situations in which the provision of education is decentralised to another level of the state, or even devolved to private management? Do the children in state / aided secondary schools hail from primary schools run by local bodies? This presentation based on findings from an empirical

study in Mumbai and Delhi, raises issues related not only to the right to education, but also to larger issues of structure and governance of public education.

Nalini Juneja is Professor at the National University of Educational Planning and Administration (NUEPA). She is working on the right to education, and is currently on sabbatical.

Educational Entitlement and Teachers: the Policy-Practice Interface

Poonam Batra (Central Institute of Education)

Not received

SESSION 2: Private Schools – In their New Role

Possibilities of Change through Private Schooling – Findings from a Study in an Urban Slum

Claire Noronha and Prachi Srivastava

Prachi Srivastava and Claire Noronha have recently completed a small study on the Role of the Private Sector in the Early Years of RTE Implementation. The study involved semi structured interviews with 11 policy makers and implementers as well as interviews with principals of government and private schools being patronized by 40 households from a sample population drawn from a jhuggijhompdi cluster and a resettlement colony block in Delhi through a preliminary quantitative survey. Parents of children in households accessing only government schools, households with at least one child accessing private schools of a lower and higher fee slab, and those with at least one child in a private school under the EWS quota were also interviewed. The study thus offers a range of perspectives on the meanings and experience of private schooling for different strata of the community and raises questions on how the EWS quota is being implemented.

Prachi Srivastava is Associate Professor at the School for International Development and Global Studies, University of Ottawa, Canada in the area of education and International Development, and Senior Visiting Research Fellow, Centre for International Education, University of Sussex.

Claire Noronha trained as a teacher and has teaching experience of over twenty years. She is one of the founder directors of CORD and has been involved in research for over fifteen years.

Issues arising from Regulation of Private Schools

Shailaja Fennell

Research conducted on the educational outcomes of the poor in Alwar, Rajasthan (under the PPP project of the RECOUP consortium) indicates that the introduction of private providers does not automatically spur competition forces in the local educational sphere. Our research findings are that

the new private providers are often inadequately registered and recognised by local educational authorities. Furthermore, the educational services provided by the new private schools are not congruent with the educational services that they are registered and there is a grey space, where murky collaboration between local administration and private providers is evident. There is also far less evidence of improvements in educational quality or of sustainable educational provision by these new providers than expected from the academic literature on private schools and competition.

This paper will examine these current practices to identify the very poor and incomplete level of educational regulation that is presently in operation with regard to the new private schools. There will also be concerns raised about the inability of new private provision to improve the employment opportunities for the children of better-off socio-economic households within poor communities, who successfully complete secondary schooling under the auspices of these new providers.

Shailaja Fennell is Lecturer in Development Studies at the Centre of Development Studies, and Fellow of Jesus College, Cambridge.

SESSION 3: Monitoring Mechanisms

Role of SMCs in RTE: Vision and Implementation

Daya Ram (Independent Consultant)

Not received

Monitoring Mechanisms and Accountability Measures for RTE

KiranBhatty

This presentation focuses on issues of monitoring and accountability as experienced at NCPCR. Her presentation will highlight the need for institutionalized mechanisms of community monitoring as well as fixing of an accountability framework for RTE.

KiranBhatty is Fellow at the Center for Policy Research. She was formerly, Head-RTE Division, NCPCR.

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PROGRAMME

- 9.30 – 9.45 **REGISTRATION & MINGLING**
- SESSION 1: School Access and Quality**
- 9.45 – 10.05 *Identifying Out of School Children and Mainstreaming: Process Hiccups*
Anuradha De(CORD) and RamachandraRaoBegur (UNICEF)
- 10.10 – 10.30 *Decentralisation, Devolution and the Right to Education*
NaliniJuneja (NUEPA)
- 10.35 – 10.55 *Educational Entitlement and Teachers: the Policy-Practice Interface*
PoonamBatra (Central Institute of Education)
- 11.00 -11.15 **TEA**
- 11.20 – 11.50 Discussion on Session 1 Presentations
- SESSION 2: Private Schools – In their New Role**
- 11.55 – 12.25 *Possibilities of Change through Private Schooling – Findings from a Study in an Urban Slum*
Claire Noronha (CORD) and PrachiSrivastava (University of Ottawa)
- 12.30 – 13.00 *Issues arising from Regulation of Private Schools*
Shailaja Fennell
(Centre for Development Studies, Cambridge)
- 13.00 – 13.30 Discussion on Session 2 Presentations
- 13.30 – 14.15 **LUNCH**
- SESSION 3: Monitoring Mechanisms**
- 14.20 – 14.40 *Role of SMCs in RTE: Vision and Implementation*
Daya Ram (Independent Consultant)
- 14.45 – 15.05 *Monitoring Mechanisms and Accountability Measures for RTE*
KiranBhatty (Center for Policy Research)
- 15.10 – 15.30 Discussion on Session 3 Presentations
- CONCLUDING SESSION**
- 15.35 – 16.05 Summing up Discussion and Finalizing a Note for Dissemination