

Implementing Right to Education Act in India

Major Issues and Challenges

R.Govinda

National Institute of Educational Planning and Administration

India

Right of Children

- # To free and compulsory admission, attendance and completion of EE in a neighbourhood school
 - **Free:** removal by the state of any financial barrier that prevents a child from completing eight years of schooling
 - **Compulsion: on the state;** parental duty to send children to school

- # Not enrolled/dropout children be admitted to age appropriate class after a period of Special Training

- # No child shall be failed or expelled from school upto class 8 (– corresponds to the age group 6-14)

Schools

- # Norms and standards specified – applicable to all schools
 - Minimum Infrastructure
 - Teacher-Pupil Ratio of 1:30
 - School days (200 to 220 days) and total instructional hours (800 to 1000 hours)
 - Working days for teachers – weekly hours of work

- # To be applied in every school

Teachers

- # Qualification for appointment of teachers laid down at national level
 - # Academic responsibility of the teachers specified
 - # No private tuition by fulltime school teachers
-

Bringing Community and Schools closer

- # Community participation ensured through School Management Committee comprising parents, teachers and elected representatives
 - $\frac{3}{4}$ members from among parents of children in the school
 - Proportionate representation to weaker and deprived sections
- # Allocates major responsibility to the Local Authority – Panchayati Raj system
 - To proactively monitor the delivery of rights and entitlements of children

Involvement of Private Schools

- # No school without recognition
 - Conform to the minimum standards prescribed

- # All unaided schools to provide free education to at least 25% children from the weaker sections in the neighbourhood
 - Costs to be reimbursed - @ per child expenditure incurred by the State

Protection of the Right

- # Independent Monitoring of the implementation of the Act is assigned to the National Council of Protection of Child Rights (NCPCHR) the main responsibility of
 - Examine and review safeguards for rights under this Act, recommend measures for effective implementation
 - Inquire into complaints relating to child's right to free and compulsory education
 - Conduct Periodic social Audit of the status of implementation
-

RTE Implementation Road Map

Derived from time frames mandated by RTE Act

Establishment of neighbourhood schools	3 years
Provision of school infrastructure –All weather school buildings –One-classroom-one-teacher –Head Teacher cum Office room, library –Toilets, drinking water, kitchen sheds –Barrier free access –Playground, fencing, boundary walls	3 years
Provision of teachers as per prescribed PTR	3 years
Training of untrained teachers	5 years
Quality interventions and other provisions	With immediate effect

Issues and Challenges

Central Legislation through State Governments

- # State Government ownership is critical
- # They are gauging the implications
- # First Central Act in Education – unchartered territory for every one

Infrastructure Provision

- # Every school be equipped with certain minimum infrastructure
- # Despite recent investments, huge gaps exist
- # Government faces a huge challenge of ensuring quality of infrastructure and its maintenance
- # Equally a problem for NGO initiatives
- # Small private schools would also face difficulty
- # Recognition of NGO and Private Schools depend on upgrading the infrastructure to meet the RTE norms
- # Can we afford to push them out altogether? What would happen to children attending these schools? Should the government provide supplementary resources?

Provision of Qualified Teachers

- # Ensuring teacher supply at 1:30 is a huge task
- # Teacher Pupil ratio to be monitored in every school
- # More than a million teachers have to be appointed
- # Inadequacy of Institutions for teacher training
- # Issue of Redeployment and transfer of teachers
 - Some states have begun to appoint teachers to schools
 - Some are appointing to a Block Cadre with limited scope for transfer

Protecting the Right of the Child in the School and the Classrooms

- # The onus is on the Teachers and School Heads
- # Preparing them to embrace a new culture through appropriate programmes is huge challenge
- # Banning corporal punishment, no detention policy, continuous and comprehensive evaluation, making schools and classrooms truly inclusive and so on
- # Above all, protect the right of the children to learn as per the curriculum through quality education
- # The issues are many and the task is stupendous with around 1.3 million schools and 6 million teachers - NGO's could contribute – yet may not suffice

Protecting the Right of the Child in the School and the Classrooms

- # Reforming the internal monitoring system – Redefining the roles and responsibilities of inspection and supervision
- # Strengthening teacher support systems – Block Resource Centres and Cluster Resource Centres
- # Provision of facilities – including open distance learning – for professional development of teachers
- # Revamp Teacher Education – invest more in teachers
- # Better scrutiny at the recruitment stage – Teacher Eligibility Test has become mandatory

Management Decentralization – focus on Schools and Panchayats

- # Every School to have School Management Committee
- # Issues of freedom for private managements with Government aid – also for minority managed institutions
- # Awareness and Capacity Building at school level
- # Monitoring the implementation – panchayati raj bodies are given the first responsibility
 - Monitor school functioning as well as participation of children in schooling
 - Are they prepared and willing to take up the task? How will they actually ensure?

Involving Private Self-Financing Schools

- # Ensuring compliance externally is difficult and may become messy – onus is placed on the school
 - Disclosure of lists of children taken in this category
 - Periodic Social audits that report on the level of conformity
- # Contentious issue – but blown out of proportion – only the top 5-10% private schools are likely to contest - currently Supreme Court is hearing the case
- # Private school participation may not significantly influence achieving the goal of universal elementary education – but it is very important for making schools inclusive spaces

Redefining the Role of NGOs

- # Government alone without civil society involvement cannot fully implement the RTE
- # But the engagement of NGOs and the Government requires to be redrawn afresh.
- # There is need to mobilise parents as well as school and local authorities in favour of the Act; State Governments also have to accept a sense of urgency – Possibly NGOs and Governments have to work together to make this happen and make the Right of Education of every child a reality

Meeting Financial Requirements

- # Is this an issue? Yes it could be as we go ahead – but not immediately
 - Innovative strategies – surcharge on taxes has helped significantly
- # Bigger challenge is to create capacity for effective utilisation funds at the local level –
 - if all schools prepare good school development plans, begin improving their quality of work, and become effective in utilising resources - one is likely to face a challenge of resources – but that will be a welcome challenge!!