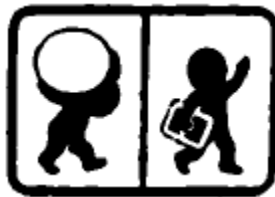


Government Readiness on the Right to Education Act

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February 2011



List of Abbreviations

AP – Andhra Pradesh

DISE – District Information System for Education

NCPCR – National Commission for the Protection of Child Rights

NGO – Non-governmental Organization

REPA – Right to Education Protection Authority

RTE – Right to Education Act

SCERT – State Council for Educational Research and Training

SCPCR – State Commission for the Protection of Child Rights

SMC – School Management Committee

SSA - Sarva Shiksha Abhiyan

Acknowledgments

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Introduction

Six decades ago, article 45 of the Indian constitution proclaimed “The State shall endeavor to provide, within a period of ten years from the commencement of this Constitution, for free and compulsory education for all children until they complete the age of fourteen years.” However, in the ensuing years, as India struggled with curbing child labor, the problems presented by migration, and the long cultural history and social norms of non-enrolment in schools, the vision of universal enrolment and retention remained unrealized. In 2002, the 86th amendment to the Indian constitution made free and compulsory primary education a fundamental right. The legislation envisaged by this amendment cleared its final hurdle seven years later as the Right of Children to Free and Compulsory Education Act of 2009, which for the first time in India’s history made providing free and compulsory primary education a legal state obligation.

The act is enormous in its scope, with various provisions that reach across a wide range of concerns, including the management of schools, their curriculum, teacher qualifications, and physical infrastructure, as well as many provisions regarding accessibility and quality, and a host of mechanisms for proper implementation. Taken as a whole, the act provides a legal framework to provide education for all children ages 6-14. This landmark piece of legislation, if implemented properly, presents a tremendous opportunity to improve India’s education system and remedy the inequities that exist within it.

In this paper, I first offer a brief overview of the act, and then assess the readiness of the government in implementing the Right to Education Act in Andhra Pradesh. The act has many sections, and it is beyond the scope of this paper to assess each provision

one by one. Instead, I will focus on the broader goals of the act, which is best understood when broken down into these four simple categories: access, quality, community management, and redressal of grievances. I will then briefly review the current efforts of mobilizing awareness and support for the act, and conclude with recommendations for the act's successful implementation.

What is essential to keep in mind when assessing the act is the interrelatedness of accessible education, quality education, and community involvement. For example, if the education received by the children is inclusive of all minorities, then they will be less likely to drop out. In this way, a matter of quality also impacts accessibility. Similarly, if school management committees function well and submit their school development plans, then the schools will receive the appropriate grants to improve their infrastructure. In this way, a matter of community involvement affects school quality. It is important to assess the act in a holistic way, and remember at each step that quality, access, and community involvement cannot be achieved without all three. Thus, as I critique the government readiness at implementing the act, I will occasionally make connections between these different concerns.

Methodology

This information was first gathered through a series of field visits to schools in three districts of Andhra Pradesh. From the months of November 2010 through January 2011, I visited two rural districts (Rangareddy and Kurnool), and one urban district (Hyderabad), visiting two mandals in each district, and one school in each of those mandals, for a total of six schools. I interviewed the teachers about their knowledge and opinion regarding the Right to Education Act, and also developed a survey to catalog

details about the schools regarding their facilities, curriculum, enrolment, admission procedures, teacher qualifications, and school management committees. This was done with the purpose of comparing the standards set by the act to the present reality in the schools of Andhra Pradesh, in order to better assess the scope of the work that needs to be done to bring the state in accordance with the act.

Additionally, I interviewed several government officials at Sarva Shiksha Abhiyan (SSA), an administrative body in charge of implementing the act, and the State Council for Educational Research and Training (SCERT), the academic authority specified by the state rules of the act, which is in charge of overseeing quality curriculum. I used these interviews to ascertain what methods were being used by the government to mobilize awareness and support for the act, as well as what techniques they were using to collect data about present conditions in Andhra Pradesh schools. Some key points to the interviews were about how the government is preparing to bring the schools up to the standards laid out by the act, which bodies are working together, how grievances would be handled, and how curriculum and quality standards would be decided. Through a series of these field visits and interviews, I gained a general but useful picture of the current state of AP schools, and the efforts of the government to bring them into conformity with the act.

Overview of the Act

The Right to Education Act was passed in September 2009, seven years after the 86th amendment to the Indian constitution made free and compulsory education a fundamental right for children ages 6-14. The legislation that would operationalize that amendment was first drafted in 2003 as the Free and Compulsory Education for children

bill. However, the NDA government in power lost the elections before this bill could be introduced. The UPA government's model of the bill was revised for the next two years, as the center and states were unable to agree on matters of funding and responsibility. The law ministry was hesitant to support the bill because it feared the bill would be challenged in court, while the state governments expressed unwillingness to provide a substantial part of the funding. The Finance Committee and Planning Commission eventually rejected the bill in 2006, both citing lack of funds. A new bill was approved by the cabinet in July 2009, and passed by the full parliament in August, receiving presidential assent on September 3, 2009. The act was set to come into effect seven months later, in April 2010. The reasons for the delay include continued financial disagreements among the Planning Commission, the Ministry of Human Resource and Development, as well as between the center and states. Additionally, the laborious process of drawing up national and state rules for the implementation of the act was a time consuming process, and in Andhra Pradesh, the state rules have been drafted but have yet to be notified.

The act specifies the duties and responsibilities of the state and local governments, as well as parents in providing free and compulsory education to all children ages 6-14. It establishes minimum standards for school infrastructure, specifying the need for an all-weather building with water, separate toilets for boys and girls, a kitchen, a boundary wall, one classroom per teacher, and a playground. The act mandates a number of measures to ensure quality of education, including laying out minimum teacher qualifications, and providing for teachers to be deployed in a manner to ensure a specified student-teacher ratio. The act also specifies that the school curriculum should

focus on comprehensive and continuous evaluation of each child, education in an anxiety-free environment, learning through activities, and building up a child's knowledge, potential, and talent.

The act similarly has many methods to increase accessibility to schools, requiring that all children classes I-V have a school within one kilometer of their habitation, and three kilometers for classes VI-VIII. The act prohibits screening procedures, entrance fees or exams, or denial of admission for lack of proof of age. The act prohibits board exams up until the end of class VIII, and declares that no child shall be expelled or held back a grade. The act makes allowances for children who are enrolled in school for the first time at a later age, guaranteeing age appropriate classes will be maintained. Importantly, the act also has provisions to protect the weaker sections, prohibiting discriminatory practices based on caste, tribe, economic class, religion, or gender.

Another key aspect of the act is the requirement for community involvement and management of the schools. The act calls for each school to constitute a school management committee, composed of teachers, parents, and elected representatives, to oversee the running of the school, ensure attendance and retention, and produce a school development plan, which would be the basis for government grants to the school.

In an attempt to promote non-discriminatory education policies, the act mandates that private schools admit students from the scheduled castes, scheduled tribes, and other disadvantaged classes to 25% of their seats. The act also requires private schools to conform to minimum infrastructure standards within a period of three years or their recognition will be withdrawn.

Mobilizing awareness about the act and movement toward its implementation are beginning in earnest. As of this date, February 2011, many of the government bodies responsible for oversight of the act have yet to be constituted, and the Andhra Pradesh state rules have yet to be issued. Furthermore, an organization of private schools has filed suit against the act, and the court has issued a stay order pending further review. Consequently, the AP government has been ordered to not implement the act until further notice. Nonetheless, the government bodies are still preparing data and readying themselves for when the rules are issued and the government order to implement the act is given. Below is an assessment of government readiness to implement the four key components of the act, accessibility, quality, community involvement, and redressal of grievances.

Accessibility

In the schools I visited, all claimed that no admission fees were levied, and only one admitted to an entrance exam, and that entrance exam was only for out of school children that were first enrolled at a later age. All the schools admitted children at any time during the year, and none of them denied entrance to children for lack of proof of age. In cases where a child lacked a birth certificate, their age was determined on the parents' word. Enrolling a child in school was an easy process; in most cases, a parent simply had to bring their child to a school to enroll him. Two schools required parents to fill out a simple form with basic information about the child and family.

The Right to Education Act guarantees a neighborhood school within one kilometer walking distance from a child's home for class I-V, and within three kilometers

walking distance for classes VI-VIII. All the schools I visited were intended for the children living in the surrounding habitation, and met the act's distance requirements.

For the sake of setting up schools within one kilometer of each habitation, SSA has undertaken an immense mapping project called Gmaps, with an accompanying website containing all their data. Every year, SSA conducts a survey of the schools, which is conducted from the habitation level by mandal, district and state planning committees. Through this survey, detailed data is collected on approximately one hundred thousand schools across seventy five thousand habitations. This data is published annually as District Information System for Education (DISE) report. The data contained in these reports, and put online via gmaps, contains spectacular amounts of information on each individual school regarding infrastructure, student enrolment, finances, and even the names and backgrounds of the teachers. Furthermore, Gmaps disaggregates this data on a state and district level, granting the user information about the number of schools in each district that have running water, functioning toilets, a working kitchen, etc. But the most useful tool of Gmaps as far as school mapping is concerned is a tool that allows the user to generate a map of a given mandal and measure the distance between the villages and surrounding schools to ensure that a neighborhood school exists within a suitable distance. This tool could prove key, as it identifies villages where no nearby school exists, and can direct SSA's efforts in establishing neighborhood schools within sufficient distance.

The main limitation of Gmaps is that the distance measured between villages and schools is done from an aerial view, which does not give us an accurate picture of how far the villages are from schools via road. If the absolute distance between a village and

school is one kilometer, but the road leading to that school is winding and poorly maintained, it may actually be more than one kilometer away by foot.

Overall, the schools I visited did not present any serious problems with physical access. However, equally important is social access. Social access means that a school is available to a child in light of that child's language, caste, ethnicity, and economic class. A child with physical access to a school may not attend, or may drop out if the education is unresponsive to his particular needs in a social context. For instance, if a Telugu medium school is within one-kilometer distance of an Urdu speaking family, that family's child would have physical access to a school, but social access would not follow. The schools I visited all kept a record of their enrolment of students from the scheduled caste, scheduled tribes, other backward classes, as well as their enrolment by gender. However, we must not only view these demographics quantitatively. If a school achieves gender parity, it must also take the concerns of girls into its curriculum to be effective. Similarly, having a large number of students from the lower caste does not make a school inclusive if the students are not educated in a context that is sensitive to their cultures.

As SSA moves forward with their mapping project, I would encourage them to join the physical school mapping with social mapping, to be conducted on a habitation level with community and NGO support. More on social mapping is written in the recommendation section toward the end of this paper.

The most alarming trend I observed as far as physical access to schools is regarding access for the disabled. None of the schools I visited had ramps on their premises, despite SSA's plans to construct ramps in all schools. According to SSA, a medical camp is conducted annually at the mandal level where all children who have

been identified by teachers as having special needs are assessed and diagnosed. Children with only moderate disabilities are mainstreamed into the regular schools, and SSA endeavors to provide appliances such as crutches, glasses, and hearing aids. Nonetheless, this is an aspect of accessibility that appears to have made little progress. The act guarantees accessible schooling for the physically disabled, and the construction of ramps should be a focus of SSA's efforts once a budget is released to them to implement the act.

To conclude this section, the current level of accessibility in schools as far as physical access is concerned seems reasonable. Out of school children are often not absent due to lack of a nearby school, but rather because of migration, a cultural norm of non attendance, or forms of discrimination. When asked about dropouts and student absenteeism, many of the teachers I interviewed said that their students were often absent for a few months during harvest season, and would be re-enrolled when the harvest was over. Similarly, many schools reported that children of migrant workers would be gone for several months during a particular season and return to school after a long absence. The problem is not physical access, but social access. Although there remain habitations in Andhra Pradesh that lack a school within walking distance, SSA appears to have a great deal of information about these habitations from their mapping project, and could presumably remedy the problem if given the finances to do so.

Quality

Quality in this section is taken to mean the quality of the infrastructure of the schools, the curriculum, and the teachers.

The infrastructure promised by the act and the reality of the schools I visited were two different worlds. Only one of the schools I visited had functioning toilets, and even

then there were no separate toilets for boys and girls. One school had a water pump for the school's use, while other schools had water pumps in the nearby habitation. In an extreme example, one school I visited had water two to three kilometers away. Furthermore, only one school had a boundary wall and only one had a working kitchen. The act also promises that learning materials, such as textbooks, uniforms, pens, pencils, notebooks, and chalk would be provided. However, of the schools I visited, three had only textbooks provided, while one school also had uniforms provided.

Similarly, there were inadequate classrooms in the schools I visited. It was quite common for several classes to be combined to compensate for lack of adequate facilities. In one school I visited, classes one and two and classes four and five were combined and taught together. In this instance, while one class was being taught for a forty-five minute period, the other class was expected to sit silently and wait for their turn. In another instance, a school in Rangareddy district which catered to Urdu as well as Telugu speakers had class three of the Telugu medium conduct class outdoors while classes one through five in the Urdu medium were educated in a single classroom.

As mentioned above, SSA already has detailed information on the infrastructure of schools in each district. As of now, the government order to implement the act has not been given and the state rules have not been issued, but once SSA is ordered to move forward, the majority of the act's budget will be dedicated to infrastructure repairs. Thus, although a massive amount of work needs to be done to improve infrastructure conditions, SSA is aware of where to direct their efforts, and can hopefully do so when given the proper finances.

The Curriculum laid down in the act is described in abstract terms rather than concrete ones. For instance, the act specifies that children should be taught in a way that brings out their full potential, knowledge, and talent, and builds up their abilities to the fullest. The act promises education in an environment that is free from anxiety and fear, and promises “continuous comprehensive evaluation.” Additionally, the act states that children should learn through activities and exploration, not merely from reading the textbooks.

To ascertain what is being done to meet these curriculum provisions, I interviewed the head of textbook development for the State Council for Educational Research and Training (SCERT), the academic authority specified by the act. He informed me that new textbooks with a greater concentration on activities are currently being drafted, and the current plan is for them to be introduced next academic year. When I inquired if these textbooks were also drafted to be culturally inclusive, he informed me that while there are too many ethnic groups and castes to include them all in stories and curriculum from the textbooks, they do try to embrace Indian culture in their materials.

As for continuous comprehensive evaluation, SCERT is currently holding consultations to decide what this term means and how to best meet it. A definition has not yet been agreed on. On a more positive note, he stated that teacher training designed by SSA was already incorporating lessons to inform incoming teachers abouts the Right to Education Act.

It also must be noted that all schools I visited are still using board exams as their primary form of evaluation, despite the provision of the act that no board exam shall be administered before the end of class VIII. As the government continues to educate

teachers on the act, the prohibition of board exams should be given extra emphasis, as most teachers seemed unaware of it.

The teachers I interviewed all had received at least Bachelors degrees, and all seemed dedicated and passionate about their students' educations. However, there is a shortfall of about thirty thousand teachers in AP, as well as many thousands of untrained teachers. The Act specifies that teachers would be redeployed as necessary in order to fit the decided student/teacher ratio within six months of notification. It appears that this redeployment is behind schedule, but with a shortfall of thousands of teachers, the ideal student/teacher ratio may not be possible to reach at this time without recruiting more teachers. As far as untrained teachers are concerned, these teachers are given five years from the notification of the act to gain the appropriate teacher training before their dismissal. The act has only been notified approximately one year, so we are not yet able to assess the success or failure of this provision.

A final piece of quality education worth looking at in this section is age appropriate schooling. I asked each of the schools I visited how age appropriate classes were maintained. For instance, if a child is enrolled in school for the first time at the age of ten years, it would be embarrassing for the child to begin in class one with children several years younger. Every one of the schools I visited maintained a policy of giving children enrolled late special attention during the course of the normal school day to catch him or her up to the other students.

While it is admirable that the teachers give extra attention to children enrolled late, this is an inadequate solution, as the teachers must deal with their entire class during the course of the normal day, and the extra attention given to the newly enrolled child for

only a few minutes per day would not be able to make up for years of lost education. The act calls for special training for these children, either on the premises of the school or a residential facility for this specific purpose. Most schools do not have residential bridge courses in place, and I recommend that as the government moves forward they expand the bridge course program as pioneered by MVF and other NGOs. I realize this is not always a practical solution, as it requires many resources. In lieu of residential bridge camps, the government could also focus on expanding special classes for children enrolled late, perhaps employing specialized teachers on a cluster level for the purpose of catching up out of school children.

Community Involvement

The school management committees (SMC) as laid down in the act are absolutely vital for its success. The committees are to be constituted mostly of parents, along with the headmaster of the school and a local elected representative. The committees are responsible for creating and submitting school development plans, which would be the basis for grants received by the school. Infrastructure repairs, requests for additional teachers, and the specific types of learning materials required would all be covered in this plan. After receiving the grant, the SMC is responsible for handling the school's finances. The SMC is also responsible for oversight of the teachers, ensuring teacher attendance and that corporal punishment is not being employed. Finally, the SMC is in charge of ensuring enrolment and retention, and identifying out of school children and enrolling them in school. These tasks are to be undertaken in coordination with the local authority.

The SMCs are vital because, if working properly, they would promote government accountability. The process of submitting a plan has the parents in a village

acting as a unit, and if the government does not follow through on its obligation, they would be answerable to an entire village, not simply to a single individual filing a complaint. Furthermore, a local government representative, who serves as a liaison between the village and the government, and carries responsibility for the development plan, convenes the SMC.

Of the schools I visited, about half had formed their school management committees according to the act. Of those, only one had submitted its development plan, and another was keenly aware of the process of creating a development plan, though it had not yet begun drafting it. However, all of the schools had at least some kind of monitoring committee. In all cases, the committees of these schools meet once monthly and discuss which children in the habitation are not attending school, as well as any problems regarding teachers, complaints, or particular children. The committee reportedly decides on a course of action, and tries to get the children not attending school to return.

The SMCs have rightfully been a major concentration of early mobilization efforts for the act. SSA is spreading information about SMCs through teacher training and local meetings, and has published a booklet for orienting SMCs according to the act. The fact that these schools already have monitoring committees of some kind in place is also an encouraging sign, as the transition to a more formalized SMC will be easier, and they are already used to working together for these purposes. Additional orientation will be required as these committees grow and take on additional roles as specified by the act, but community involvement in the act appears off to a good start.

It is worth stressing that community involvement is key for both accessibility and quality. The committee plays a key role in identifying out of school children and enrolling them in the school. Therefore, the community involvement is vital for expanding accessibility in the form of enrolment. Similarly, the committee has oversight of the teachers, and is able to assess their effectiveness and guarantee their attendance and good conduct. In this way, community involvement in the schools also improves the quality of the education. This is another illustration of how the components of the act are linked, and the act must be viewed in this holistic light in order to implement it successfully.

Redressal of Grievances

The act delineates several ways of filing grievances. The monitoring agency of the act is the National commission for the Protection of Child Rights (NCPCR). On a state-by-state basis, this responsibility falls upon the State Commission for the Protection of Child Rights (SCPCR). The commission has the authority to review the safeguards for the rights provided by the act and recommend measures for their implementation. It also has the authority to inquire into complaints filed under the act. In these inquiries, the commission would have the power of a civil court, able to summon any person, receive evidence, issue commissions for the examination of witnesses, and produce documents from any public record. After inquiry, the commission can recommend action to the concerned government, including steps toward prosecution, or granting any kind of relief to the victim or the victim's family.

However, SCPCR has not yet been constituted in Andhra Pradesh. The act specifies that in states where no state commission has been formed, a Right to Education

Protection Authority (REPA) will be constituted in its place. Unfortunately, REPA has also not been constituted in Andhra Pradesh. For the time being, complaints filed under the act would need to be filed directly to NCPCR. Setting up these local bodies for redressal of grievances is vital for the act's success. The need for these bodies to be constituted with all deliberate speed is discussed in recommendations toward the end of this paper.

To increase its effectiveness, NCPCR has set up an RTE division and assigned RTE representatives to each state to ensure proper implementation and monitoring. They have also set up a web portal to make it easier to file complaints about the act. The website also contains primers about the act, and details about the bodies responsible for carrying out the act. This is a good start, although most of the population most effected by the act lack computer access. NCPCR should also explore additional ways to expedite the process of filing grievances to make it more accessible for the poor.

Rather than file complaints with NCPCR, any individual can also file a complaint under the act directly to the local government. The local government is to issue a decision within three months after hearing all concerned parties. Any party aggrieved by the decision can appeal to SCPCR or REPA.

The fact that any person can file a complaint is also a good start for redressal of grievances under the act, as it is empowering to the individual, and makes filing complaints easy. Filing complaints is key if any kind of accountability is to be had. However, the lack of bodies meant specifically for fielding complaints under the act is an alarming trend that will need to be addressed.

This section of the act is harder to assess at this point because the act has yet to be implemented in a meaningful way. None of the schools I visited had actually filed complaints under the act at this time, so it was impossible to ascertain the efficiency of the process from my field visits, and the officer from NCPCR I attempted to interview was unavailable. Once the act has been more extensively implemented, the effectiveness of the process of filing grievances will be easier to critique.

Mobilization Efforts

Several NGOs as well as the government are already working to inform parents and teachers about RTE. Nonetheless, according to a mobilizing officer with SSA, the RTE has yet to “take off in a real sense, awareness-wise.” The main reason he cited for the shortcoming in awareness was that the state rules for the act have yet to be issued. According to this official, once the rules are in place, then SSA will take up large-scale community campaigns.

However, there is some campaign activity already going on. SSA has a three-phase plan to spread awareness about the act. The first phase would be a training program that is more general, reaching just a few members per habitation. The second phase would orient the village government and community members in more detail, as well as the school management committee. The third phase would be detail-retaining, and clarify doubts, invite discussion and be more interactive with parents and other stakeholders. SSA hopes to complete these three phases by the end of this financial year.

Another technique being used is called the “cascade method.” By this method, the district level officials would share information about the act with the mandal level officials, who would then reach the local authorities, who in turn would notify the schools

on a local level. The limitation of this method is that each official has more resources at his disposal than the official below him. For instance, a district official is better able to spread information than a mandal official, and has more funds etc. SSA is also using teleconferencing and video conferencing to orient hundreds of teachers simultaneously from a state office. This technique is used sparingly because it limits interactivity.

In November 2010, an awareness campaign was held involving posters, pamphlets, and meetings with teachers. This campaign was part of Child Right's Week, which coincided with the UN Convention of Child's Rights. Efforts are also ongoing to orient more School Management Committees according to the act, and aid them in constructing school development plans. This is being done largely during annual in-service teacher training.

To assess the current level of awareness, I asked teachers at every school I visited who told them about the act, as well as their opinions about it, and what they thought it promised. At every school I visited, the teachers were at least nominally aware of the act. They all said they had been informed either by government officials at either the district or mandal level, during teacher training sessions, or by NGOs. However, in many cases, their knowledge of the act was very limited. For example, when I asked one teacher at a Hyderabad school what the act provided, she said "Education will be free for all children." However, she seemed unaware that the government was obligated to provide uniforms under the act (an obligation that was not being met at her school), and did not seem to be aware of the kind of facilities that were listed in the act's schedule. She also did not find it out of place that the Naandi Foundation was instituting meal plan of the school, which is actually a government responsibility.

Even at schools where the teachers were better informed about the act, the parents in the village often remained very ill informed. At one school in Rangareddy district, the teachers seemed keenly aware of many of the act's provisions, but the parents who had come to meet with me had not been informed about the act, and did not understand the purpose of our visit.

With such a large number of stakeholders that must be reached, mobilization will of course be a time consuming process. Despite the fact that efforts have begun to mobilize local communities, with campaign activity starting in earnest, SSA is waiting for the issuance of the rules to get down to "brass tacks" in its campaigns.

Limitations of This Study

While I believe I have unearthed many valuable insights about the government's readiness at implementing the Right to Education Act, I must mention that this study has some significant limitations. First of all, the schools I visited were not randomly selected, nor was there a large sample size. While I believe we can draw some general conclusions from my visits, especially because they were conducted in three districts in both an urban and rural setting, they are in no way indicative of what the conditions may be like in other parts of the state. In short, this data has low predictive value.

Furthermore, this research was conducted in areas where NGO activity had already begun, as I was sent to these areas by MVF and its local contacts. These schools may have better conditions, or at least a different mindset about their problems, than other villages where there has been less NGO involvement.

My presence as a western researcher may also have kept those I interviewed from being entirely honest. For example, no school admitted to charging entrance fees or using

screening exams, but this study would be well served if a local person conducted it again to see if the same results were gained. The teachers at the schools were quite honest about many problems they had, but the possibility of an interviewing bias exists.

Lastly, this study was conducted in a brief period of time, in just three months. I was unable to contact every official I wanted, and did not get a chance to talk to representatives from NCPCR or several district level bodies. I also did not have sufficient time to gain a deep understanding of India's bureaucratic and legal system, and therefore my understanding of the act operates in a profound but limited way. A real in-depth study of such a far-reaching act could take years. The purpose of this study is, therefore, not to gain an extensive understanding about processes in the act's implementation, but a general idea of the situation on the ground, and the work that still needs to be done. I believe the tools I developed in this study are a good starting point for further research on the act, and hope that the techniques and observations made during the course of this study are of benefit to future researchers.

Recommendations

In order for any piece of legislation to be properly implemented, especially one as far reaching as RTE, the government must be held accountable for failures in implementation. Putting the large number of provisions of the act into practice will require enormous funds, effort, and oversight by officials at the national, state, and local level. With such a laborious task, the process can only run smoothly with involvement and pressure from the local communities. The act deliberately divides implementation and oversight responsibility between the government and the local communities. Ideally, if the government dragged its feet on mobilizing the act, the local community would push

it along by filing grievances under the act, and voicing their dissatisfaction through their representatives. During my visits to the schools, several common themes emerged that could impede this necessary level of community involvement. Below are several recommendations for any NGO or government official attempting to mobilize support for the act.

1) Awareness

People must know their rights in order to defend them, and awareness is necessary for accountability. At the present time, and especially after the rule are issued and SSA throws its full effort into mobilization, an attempt must be made to not only inform teachers and parents about the main provision of the act, but to spread awareness about the act in a holistic sense. Campaigns should focus on the broad goals of the act, such as accessibility and quality, as well as the finer details to give stakeholders as comprehensive an understanding as possible. Pamphlets explaining the act could be distributed to each school and be required reading during annual in-service teacher training sessions.

NGO involvement is key in spreading awareness about the act, because the people living in small villages are often distrustful of the government, which has failed to follow through on its promises on many occasions in the past. NGOs like MVF already have a good working relationship with these villages and are in a great position to spread awareness of the act in these more remote places.

2) Efficacy

A less obvious and more alarming trend that I observed was that teachers who knew more about the act had less faith in it. Teachers who knew only the broadest promise of

the act, free and compulsory education, were staunch supporters. However, when I met with teachers who were better informed on the act's many promises, they almost always expressed a lack of confidence that any change would come from the act.

“We are not in a position to have a change made for us,” explained one teacher at a Rangareddy district school. This teacher explained that the government had failed to live up to its promises many times, and he did not feel the act would change anything.

Such a lack of efficacy can easily become a self-fulfilling prophecy. If stakeholders do not believe that the act can deliver any benefits to them, they will not be surprised or disappointed if the government falls short of its promises. People who do not believe any change is possible are less likely to complain when that change does not take place. Without efficacy, community members may not file grievances under the act, and as a result, conditions would not improve. In order for the government to be held accountable for its promises under the act, efficacy must be built in the local communities.

Consequently, promoting the belief that a change is possible should be a focus of mobilization campaigns. Campaigners should offer examples of schools that have already made changes under the act to demonstrate that change is possible. Villages that have already mobilized their school management committees according to the act and submitted their school development plans can send representatives to awareness meetings to testify about their positive experience with the act. Similarly, offering concrete examples of schools that have already filed complaints under the act can demonstrate that these opportunities are available to all schools. These kinds of positive examples should supplement the informational aspects of mobilization campaigns to help stakeholders

believe the act can deliver its promises. The government will be held more accountable and the whole process will run more smoothly when people believe change is possible.

3) Redressal of grievances

Efficacy in the act cannot be promoted while the state lacks effective means of hearing complaints related to the act. Several bodies responsible for redressal of grievances have yet to be constituted. The State Commission for the Protection of Child Rights, a body provided for by a 2005 Act, has yet to be assembled in Andhra Pradesh, a full five years after the act was passed. In lieu of a state commission, the act calls for an interim body, specified by the AP state rules as the Right to Education Protection Authority (REPA) to field grievances related to the act. The draft rules offer detailed instructions for who should serve on REPA, and the procedures by which it would operate. However, REPA also has yet to be constituted. Consequently, complaints related to the act are being filed directly to the National Commission for the Protection of Child Rights. This body, based in Delhi, operates on a national level, and can most likely not grant Andhra Pradesh the kind of local attention it deserves.

When I asked one SSA officer why he thought the State Commission for Protection of Child Rights had not been constituted, he responded that not enough pressure was put on the state government to assemble that body. This serves to further illustrate that holding the government accountable is necessary to spur them to action. Campaigners, NGOs, and lobbyists working for the implementation of RTE should pressure whatever government contacts they have to promptly constitute REPA. Similarly, local communities and SMCs should apply pressure to their elected representatives to get REPA off the ground. For people to believe the changes in the act

are possible, they must feel the government is making an effort to be attentive to their needs. The constitution of REPA as soon as possible will give them an opportunity to voice their grievances to an appropriate state body.

4) Capacity Building

For a real improvement to last, the change must start from the teachers, schools, and communities themselves rather than constant oversight from an academic or administrative body. Therefore, capacity building at various levels is of the utmost importance.

The act has many sections regarding teacher quality and curriculum quality. As mentioned earlier, SCERT is still holding consultations on the new curriculum under the act, and teachers have already begun learning about the act during their annual in-service training. For the quality promised by the act to be sustainable, we have to look beyond the current year and the current teachers. An entire generation of teachers must be empowered to carry out the act on their own, so in time, the close eye of the government and NGOs can be withdrawn. A detailed knowledge of all the provisions of the act should be worked into the training modules of teacher colleges where they receive their initial training.

Similarly, the school management committees must be constituted promptly, and also educated thoroughly on the provisions of the act. For a change to be sustainable, the SMCs cannot remain indefinitely under the watchful eye of NGOs and government bodies, but must eventually be able to run the act themselves. As noted earlier, this process is already underway, and my recommendation regarding SMCs is that they remain a main focus of NGO and government mobilization efforts. These committees are

granted several powers to ensure quality and accountability, and are in a unique position in which they share both in implementing and in oversight of the act. If they are sufficiently aware of their powers, they are in an excellent position to make the process of implementation run smoothly.

5) Social mapping

As the government goes about its process of school mapping to ensure that each neighborhood has an area school within suitable walking distance, they should also pair this process with an exercise of social mapping. This means plotting not only where a school needs to exist, but also the concentration of minority populations, including scheduled caste, scheduled tribes, Urdu speaking populations, Muslim minorities, migrant populations etc. This knowledge should be paired with physical mapping to make the school both physically and socially accessible.

Merely ensuring that the student body has a roughly equal number of boys and girls and that members of the weaker sections are given a fair representation is a limited way of granting social access. Disadvantaged groups must not only be present, but also feel they are being understood. An inclusive curriculum that is considerate of a child's background is important, as students who feel their culture is being embraced and understood are more likely to remain in school. Some ways this can be done are through activities, stories told in class or textbooks, and by including references to local culture in word problems.

Additionally, on a more practical level, knowing where certain minority populations are prevalent would permit the school to accommodate more concrete minority needs. For example, teachers with knowledge of Urdu must be placed in areas

with large Urdu speaking populations, and Muslim teachers in Muslim areas to promote a more culturally sensitive environment. In a country with so much diversity, and where the main impediments keeping children from school are more social than physical, accompanying social mapping with school mapping is vital for ensuring equal access to all minority groups.

Social mapping is best undertaken with community and NGO involvement, as several NGOs already operate in villages and have knowledge of the cultural setting, and also keep their own records of demographic data. Each school management committee and local authority could also assist by gathering and submitting the local demographic information.

Conclusion

The Right to Education Act, if implemented correctly, has the potential to accomplish an astounding amount of good in reforming India's education system. At present, poor school infrastructure and lack of supplies are among the most alarming trends. Using DISE reports and the Gmaps website, SSA has access to a great deal of information about where to best direct their attention to address these infrastructure problems. Once the stay order is waived and the state rules are passed, SSA will receive a budget to implement the act, and these infrastructure problems will receive a great deal of the funding.

Physical access to schools in the form of fees, denial of admission, etc. was not a major problem at the schools I visited, but as the curriculum is reformed, social access and cultural inclusiveness must be a constant concern. The formation of school management committees is absolutely vital for the act's success, and is fortunately

underway. This should continue be a major focus of both NGO and government mobilization efforts, as it creates community responsibility and government accountability. The formation of REPA and a clear, quick process to file grievances under the act is also very important if the act is to succeed.

In short, while there are many alarming trends in the current system, there is also a sense that people in influential positions are aware of what these problems are. There is a great distance between current conditions and those imagined by the act, but there are also some promising signs. It is my hope that this report has highlighted some of the areas in which the most improvement is needed, and that the recommendations herein will be taken to heart. It will require much hard work, but with a concentrated effort by both communities and government ministries, hopefully the Right to Education Act can make an impact, and succeed in remedying some of the current ills of the education system.

The research for this project was made possible by the staff of MVF who helped to coordinate and supervise each site visit. Specifically, Arvind Kumar, Venkat Reddy, Dhananjay, Swamy, Prakash, and Narene who served as advisors and mentors. MVF volunteers also dedicated their time to facilitate visits and particularly Pavan Kumar who helped with English translations. The site visits for this research were conducted at the following villages and schools: Cheelapur Primary School, Dhurnal Primary School, AITFCR, GGPS Camp No. 1 Amberpet, Kurnool MVF School, Lingampally, Ramanaguda, Dharur, Rangareddy, Aloor, Ongole, Markapuram. Additionally, many members of SSA and SCERT spent significant time sharing their knowledge with us, including Madhusudan Vedula, Narayan Reddy, Raghava Reddy, and Upender Reddy.

Appendix: Survey Tool

School Details	
Name	
District	
Postal address	
Village/city	
Mandal	
Fax	
Email if any	
Year founded	

Enrolment	No. of sections	Children per section	Teachers per section	# of boys	# of girls
Class					
I					
II					
III					
IV					
V					
VI					
VII					
VIII					
Dropout info:					
Absenteeism Info:					

Room info		
Room	Numbers	Average size
Classrooms		
Office		
Kitchen		
Library		
Lab?		
Ramp		

Teacher particulars	
# of teachers	
Teachers per classroom	
Teachers deployed for other things	
Teachers been redistributed according to act	
Teacher training and qualifications	
Parent-teacher meetings	
Teacher absenteeism	
Teacher vacancies and their duration	

Schedule info	
# of Separate toilets	
Type and number of drinking water	
Kitchen	
Playground	
Compound wall	
Library	
Learning equipment	
Play equipment	

Instruction/Working hours	
Number of instruction days for 1-5	
Number of instruction days for 6-8	
Hours per day for 1-5	
Hours per day for 6-8	
Work hours per week for teacher	

Accessibility	
How far to children live from the school?	
What fees are collected?	
Screening exams	
Are age appropriate classes maintained?	
Holding back or expulsion	
How do they ask for proof of age? Caste certificate? Birth certificate? Ration card?	

Period of admission. Extended admission?	
Describe briefly admission procedure	
Accommodations for disabled	

Curriculum	
Subjects taught for Class I-V	
Subjects taught for class VI-VIII	
Board exam up to class 8	
# of exams	
Records kept of students?	
Completion certificate <ul style="list-style-type: none"> a. certifies that student has completed course of study b. contains cumulative record of the child 	
Describe system of pupil assessment	

Community involvement	
Is there a school management committee?	
If yes, how many members?	
How many members are parents?	
How many members are women?	
Weaker sections represented?	
How many are teachers?	
How many are elected representatives?	
Does the committee create a school development plan?	
How does the committee monitor the workings of the school?	
Other functions of the committee?	
How often does it meet?	

How were you made aware of the act?

What do you know about the act?

What are your opinions of the act?