

# Limiting Choices and Denying Opportunities!

The Case of School Closures in Punjab

*Centre for Civil Society*

## Introduction

The **Right of Children to Free and Compulsory Education Act** or **Right to Education Act (RTE)** is an Act to provide for free and compulsory education to all children of the age of six to fourteen years.

The RTE Act, 2009 has been a novel first step to universalise education in India. Under the RTE Act, there are 4 categories of schools - namely government schools, government aided schools, special category schools and private un-aided schools. Among the private un-aided schools, there has been a proliferation of low cost **Budget private schools (BPS)** which are now competing with government and other private schools.

According to the National Independent Student Alliance (NISA), '**Budget private schools** are an entrepreneurial response to meet urgent education needs by expanding access to the poorest children. Catering to economically weaker sections of society these schools operate on wafer thin margins.'

Under the RTE Act, every private school has to follow certain norms and standards, especially sections 18 and 19, which focus on input-centric norms in order to attain a recognition certificate. According to the central RTE act, the deadline for all private schools to comply with the norms was March 2013. But since each state had implemented at a different time, the deadlines have also differed accordingly. For example, the Punjab government implemented the Punjab State Education Rules in October 2011. As a result, the deadline for compliance towards all norms for private schools in Punjab was April 2014.

The education department of Punjab released a list of 1170 private schools closed down for the year 2013-14. While approaching the school owners of private schools, it came into limelight that some of the schools have been shut down under the RTE before the prescribed deadline.

This prompted us to conduct an in-depth study in two districts of Punjab – Barnala and Mansa – to understand the impact of school closures on various stakeholders namely students, parents, school owners and teachers. The purpose of conducting this study has been two fold. Firstly, to understand any monetary and non-monetary implications of school closure on the various stakeholders and secondly, to explore any irregularities involved in the procedural mechanism for shutting down a school. The field study was conducted in 32 schools covering both districts in the form of Focussed group discussions (FGD) and Semi-Structured Interviews (SSI).

## Key findings

	Barnala District	Mansa District
<b>Number of Schools effected*</b>	72	42
<b>Number of students effected**</b>	5904 (72*82)	7602 (42*181)
<b>Number of Teachers effected**</b>	360 (72*5)	252 (42*6)

\*SSA website, Punjab education department.

\*\* Figures for number of students and teachers are from the sample study of 32 schools.

- According to SSA website, 72 and 42 schools were closed down in Barnala and Mansa district respectively.
- From our sample study, average number of students studying in a BPS in Barnala and Mansa district were 82 and 181 respectively.
- On an average, the number of teachers hired by a BPS in Barnala and Mansa district were 5 and 6 respectively.
- Average fee charged by the BPS across both districts was 148 Rupees.
- The above table shows the number of students and teachers that might have been affected by the closure of the schools.

The next part of this section discusses the perspective of different stakeholders who have been affected by these school closures.

## Students and Parents

### Mid-session closure:

One of the key impacts on students has been school closures in Mid-Session. As a result, the parents had to make arrangements for transfer of students in the middle of the academic year which had a possibility of affecting children's learning levels.

### *Being denied choice:*

In the FGD conducted with the parents, we found out that some of the students started travelling more distance to their new school (ranging from 2Kms to 10Kms). The BPS was normally located close to their households which saved them the additional transportation cost (200-300 rupees) per student and it was even considered safer for the girls.

BPS opened up an avenue of access to private education which was once considered too expensive for parents of low-income families. However, school closures have resulted in a scenario where some students were required to shift to a government school which was neither students nor parent's first preference. Thus, the sudden school closures have definitely taken away their right to choice which should have been one of the main essences of the RTE Act.

*I work hard day and night so that my children can have a bright future. I prefer to send them to a private school because the teaching is much better and they learn better. In government schools, the teachers come and go according to their wish. They are not bothered about the student's future.*

*-An Individual parent, Barnala district, Punjab*

### Negative views on BPS:

According to some parents, rumours were being spread within the community on how the low scale private schools will close down after the coming of RTE Act. This was further aggravated by few local media clippings. But surprisingly, these rumours didn't deter parents to send their children to private schools of which few were either unrecognised or could lose their recognition.

## Teachers and Head masters

### Dearth of qualified teachers:

The RTE Act has its main focus on students and on their education. But there is limited focus on other stakeholders like the teachers. In the FGD conducted with teachers, they mentioned that with the schools shutting down, there is provision of transferring the students to other schools but no such provision is provided for the teachers. This has left them in a tight spot especially for some who have no other source of income. This along with the constant ambiguity regarding the minimum qualifications required to teach in a private school is further constraining them to earn a livelihood.

### No provision for contractual teaching:

Government schools also have the facility to hire teachers on a contractual basis which is currently not being allowed for private schools. If government schools are allowed to hire teachers at a pay scale which is lower than that of regular teachers, private schools should also benefit from the same provision. As a result, lot of private schools which are now anticipating their closure due to the previous reason will be able to sustain themselves and their staff's livelihood.

### School owners

#### Information asymmetry:

When the Punjab state education rules, 2011 was implemented, a seminar was organised by the government authorities for all private school owners to familiarise them with the norms and standards they needed to fulfil to obtain the recognition certificate.

In Mansa district, there have been no notices of school closures issued at all. All the closures have happened either through phone or by visiting the school directly. This shows lack of procedural uniformities being followed while closing down the schools. It was shared that there were instances where decision to close down a particular school was largely dependent on the discretion of the government education officers at the district levels, based primarily on the informal relationship of the government officials with the respective school owners.

*My school consisted of around 300 children. There were 12 female teachers who were working in the school. The monthly fees paid by the parents were from the range of 160 to 200 rupees per month. After the school was inspected, I received a phone call by the block education officer to close down the school in the mid-session but without giving me any formal written notice. When I declined to close down the school, police officials visited my school and tried to force me to write a self declaration that I am closing down the school on my own.*

*-School Owner, Mansa district, Punjab*

Also in the Punjab state education rules, the procedure for recognition has been broken down into three phases. In the first year of implementation of RTE, at least 40% of compliance norms need to be met and by the third year all the norms have to be complied with. But while talking to officials of same district, there is vagueness regarding which norms should be prioritised in the first year and how many norms will come under the

bucket of 40%. This clearly indicated a lack of information from the district official's side from the point of view of implementation.

### Closure under Section 12:

In Barnala district, most of the schools we interviewed have received notice regarding the non-compliance with section 12 of the RTE Act. According to the section 12 of the Act, all private schools have to reserve 25% of their admission seats in class I for students from the economically weaker sections (EWS) and the disadvantaged groups. But the government officials made no effort to increase awareness of the parents regarding this section. We were also not able to find any case where students had taken admission under the section 12 of the RTE Act.

### Rented buildings not an option:

Another reason for school closure has been the non-ownership of the school building land. Punjab government has not been allowing schools to run on rented buildings. But there is no rule or notification both in central and state rules regarding the same.

*The school was established in 2002. After 2007, he decided to give free education to the meritorious students. He conducted an entrance exam after Vth standard and all those who cleared it, would study till Xth standard free of cost. He even took care of the transportation costs for students. The government officials closed down the school because they needed a lease on the building space for at least 10 years. He could only provide lease on a yearly basis. He said-*

*"We grow a plant, give water, nourish it and then the government comes and takes away the root"*

*-School Owner, Barnala district, Punjab*

### Lack of resources to hire teachers with higher salaries:

The school owners are in constant worry because they can't hire teachers at a wage which is at par with other high fee charging private schools or government schools. In our sample study, the average monthly income of a teacher in a BPS is 1925 rupees. The state government or the local authority is entrusted with the decision on minimum teacher salary. There is a fear that the 6<sup>th</sup> pay commission brought out by the central government might act as benchmark for deciding on minimum teacher salaries. As a result, schools are either shutting down or fear the same as they won't be able to comply with the above norms if any comes into force. So there seems to be a clear constraint in terms of hiring teachers.

## So, what were the key lessons learnt from this field study?

The study has pointed out deficiencies in the current government system, most important being the erratic mechanism followed by the government authorities for closing down the school. There is an ambiguity in laying down the detailed instructions for carrying out any kind of procedure. There are no set guidelines which are uniform across all states in the country. As a result, the evaluation procedure has become more subjective in nature.

Government should focus more on the quality of teaching and learning levels and base their judgement about the private schools on the same parameters. The preference of parents towards BPS should be taken into account rather than finding ways to close them. The school closures gave us a platform to understand parents concerns regarding the education of their child. A competitive space needs to be created between public and private schools thus providing choice to the students with respect to the kind of quality education they always deserved. By bringing out RTE Act, our aim has been in the right direction but now our priorities need to be straightened out.

### Citation

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