

# Promoting Rights in Schools: a participatory framework for citizen engagement in quality, inclusive public education

Tools and Guidance

Version 2.0



**Note:**

This second version of the Promoting Rights in Schools replaces version 1 which was produced in 2011.

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# Acronyms

<b>CBO</b>	Community Based Organisation
<b>CER</b>	Citizens' Education Report
<b>CESCR</b>	Committee on Economic, Social and Cultural Rights
<b>IDP</b>	Internally Displaced Person
<b>GBV</b>	Gender-Based Violence
<b>SRGBV</b>	School Related Gender Based Violence
<b>NCER</b>	National Citizens' Education Report
<b>PRS</b>	Promoting Rights in Schools
<b>PTA</b>	Parent-Teacher Associations
<b>PTR</b>	Pupil-Teacher Ratio
<b>SIP</b>	School Improvement Plan
<b>SMC</b>	School Management Committee
<b>SRGBV</b>	School-related Gender Based Violence
<b>UDHR</b>	Universal Declaration of Human Rights

# PRS Framework: Providing the tools and guidance to support you to promote rights in schools

The 'Promoting Rights in Schools' (PRS) framework, which [ActionAid](#) developed in collaboration with the [Right to Education Initiative](#) synthesizes complex human rights treaties into a practical resource for collecting school-level evidence that can drive policy reform. It provides a coherent framework for participatory action research and evidence-based policy engagement at school, district, national and international levels.

The ten rights defined in this PRS framework describe what should be included in the approach of an 'ideal' school that offers quality inclusive public education and supports our work to secure and strengthen free, compulsory inclusive quality public education for all.

In accordance with international law, the state is the principal duty-bearer of the right to education and therefore, has legal obligations to respect, protect and fulfil education rights. The key institutions of the state are the Ministry of Education, Local and District Education Authorities and of course, the schools themselves. This includes their governance structures, such as School Management Committees (SMC) and Parent-Teacher Associations (PTA). All of these can be held accountable for failures to comply with their legal obligations.

However, there are many other institutions and decision-makers who influence the quality of public education. Resources for schools, for example, are also determined by Finance Ministries, donors and international financial institutions, such as the World Bank and International Monetary Fund. To some extent, private providers and even households have increasing levels of influence.

Our approach, therefore, supports linking programme work at the school and community level with advocacy and policy efforts in national and international forums. Above all, we aim to build the capacity of communities and local civil society organisations to not only advocate for quality education, but to articulate these needs through a longer-term process of promoting critical consciousness that leads to social change.

Our PRS approach is inspired both by education and human rights frameworks and by initiatives such as UNICEF's global Child-Friendly Schools and their UK-focused Rights Respecting Schools Awards. The ten rights we define are clearly derived from international human rights treaties or conventions and are all situated within, and build upon the 4As framework developed by the late Katarina Tomaševski, the first United Nations Special Rapporteur on the right to education of the United Nations Commission on Human Rights.

Her framework states that education should be:

- **Available:** education should be free, and government funded with adequate infrastructure and teachers
- **Accessible:** systems should not discriminate, and positive steps should be taken to reach the most marginalised
- **Acceptable:** the content of education should be relevant, culturally appropriate and of quality
- **Adaptable:** education should respond to changing needs of society and to different context

These 4As are very powerful. They are not, however, always easy to understand or easy to use. The ten rights defined in this PRS framework have been designed to speak more directly and more clearly to citizens; encouraging clearer, better and stronger engagement at local, national and international levels.

While the framework can be used to support work on any singular right, the ten rights are at the same time mutually reinforcing and interconnected. Therefore, working on the ten rights as a set is wholly recommended. We hope that PRS and this resource book delivers a uniting, rights-based approach towards quality education, that is both transformative and easy to use.

The ten rights are presented in a practical tool: **the School Charter**. We also provide a series of indicators for each of the ten rights in the charter in order to gain a full picture of the right to education. Against each indicator, it is important to collect data which reveals issues, highlights gaps in implementation and shows what needs to change. These indicators are organised in a questionnaire format which will enable users to capture information in a systematic manner.

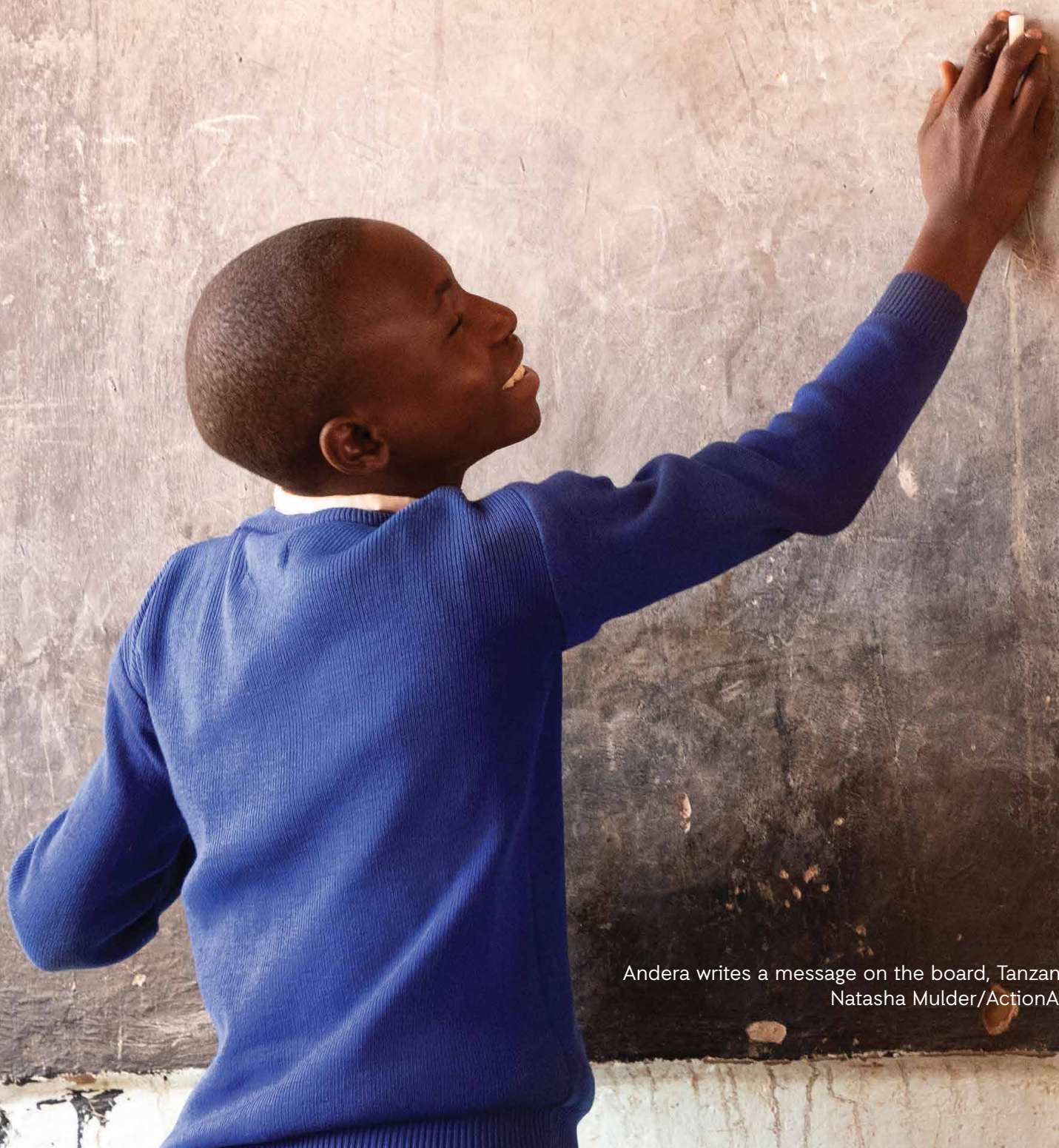
Our work in education and human rights has shown that the process is as important as the outcome. We can promote greater awareness of what needs to change, and how, only through engaging stakeholders, including children, parents, community leaders, NGOs and teachers' unions (in the entire process of collecting and analysing data and debating the findings), drafting school improvement plans, lobbying government officials for the implementation of these school improvement plans.

The proposed monitoring and evaluation process is community-led and reflects community concerns, community solutions, and importantly, community data. Data gathered through the PRS approach and framework can, therefore, offer a credible alternative to government data, which does not always take human rights concerns or community perspectives into account. Together with a specific actionable school improvement plan for each school, this data can be consolidated into local, district and national level Citizens' Education Reports which can then be used as a basis for future action, including mobilisation, advocacy and campaigning.



## Section 1

### The School Charter



Andera writes a message on the board, Tanzania  
Natasha Mulder/ActionAid



# The 10 rights for quality inclusive public education

## Charter on Promoting Rights in School

All schools must respect, reflect and encourage the following fundamental rights:

- 1 Right to free and compulsory education:** there should be no charges, direct or indirect, for primary and secondary education. Education must gradually be made free at all levels.
- 2 Right to non-discrimination:** schools must not make any distinction in provision based on sex, race, colour, language, disability, religion, political opinion, nationality, ethnicity, ability, or any other status.
- 3 Right to adequate infrastructure:** there should be an appropriate number of classrooms, accessible to all, with adequate and separate sanitation facilities for girls and boys. Schools should be built with suitable local materials, be resilient to natural risks and disasters and adapted to the needs of children and teachers with disabilities.
- 4 Right to quality trained teachers:** schools should have a sufficient number of well-trained teachers to meet national and international Pupil Teacher Ratio (PTR) standards of whom a good proportion are female. Teachers should be qualified and receive good quality pre-service as well as in-service training. This training should have built-in components on gender sensitivity, non-discrimination, inclusive education and human rights. All teachers should be paid domestically competitive salaries.
- 5 Right to a safe, protective and non-violent environment:** children should be safe on the way to, from, and in school. Clear anti-bullying policies and confidential systems for reporting and addressing any form of abuse or violence including Gender-based violence should be in place.
- 6 Right to relevant education:** the curriculum should not discriminate and should be relevant to the social, cultural, environmental, economic, technological and linguistic context of learners.
- 7 Right to know your rights:** schools should teach human rights education and children's rights in particular. Learning should include age-appropriate and accurate information on sexual and reproductive rights.
- 8 Right to participate:** all girls and boys have the right to participate in decision-making processes in school. Appropriate mechanisms should be in place to enable the full, genuine and active participation of children including minority children and children with disabilities.
- 9 Right to transparent and accountable schools:** schools and their systems (governance, financing) need to be subject to transparent and effective monitoring and review. Communities and children should be able to participate in accountable governing bodies, management committees and parents' groups.
- 10 Right to quality learning:** All girls and boys including those from minority groups or with disabilities, have a right to a quality learning environment and to effective teaching processes so that they can develop their personality, talents and physical and mental abilities to their fullest potential.



## Section 2

Outline of the PRS methodology,  
process and guidance for using  
the framework



## Purpose

Promoting Rights in Schools (PRS) is a human rights-based approach to ensuring the right to education is fulfilled. This approach aims to engage citizens in improving the quality of public education. The guidance in this framework will help you to secure relevant engagement from all stakeholders. The key tools – the School Charter and the Indicators are the building blocks citizens need to deliver full, accurate, critical and incisive reports on the state of education rights at local, district and national level. The PRS follows ActionAid's participatory action-research methodology which promotes evidence-based advocacy and campaigning, which we hope will lead to sustainable change.

## Objectives

- To develop a participatory and empowering process with parents, children, teachers and others that will generate rigorous data on one or more of the ten core education rights.
- To produce school-level and citizen education reports that catalyse future action on education rights.
- To consolidate citizens' reports at district and national level as a basis for people-centred advocacy.
- To identify both the positive progress that has been made on education and the challenges that remain.
- To share knowledge of the ten core education rights and their basis in international conventions, treaties and in the national constitution or legislation.
- To engage with human rights mechanisms, such as regional and UN human rights bodies.

## Methodology and Process

### 1. Setting the Scene and Preparation

This is a political process of consciousness-raising, through a participatory action-research methodology which, enables research subjects to become agents of change.

The data collection in any one school catchment area will take at least two days (pilot contexts may take longer), and the relationship and engagement work already carried out prior to data collection will be crucial to the success of the data collection.

The first step is to identify the key stakeholders including: children, Reflection-Action Circles, Mothers' Groups, teachers and community leaders. It is also important to build a wider alliance with other actors (e.g. human rights activists, teachers' unions, women's rights and youth organisations), as well as any other NGOs who may be keen to use the methodology or draw on the results.



At the same time, it is important to work with any partners to locate and review the international, national and regional legal frameworks (constitution, legislation, key policy documents) to ensure there is a basis to back claims around each of the ten rights. This framework also provides international reference points to do this. This will help the practitioner and the communities to identify areas they wish to monitor, and questions to ask in order to make assessments; for example, to understand the state's legal commitments and where are they failing, the biggest education issues faced in the community, whether some elements of education have worsened. These issues could be identified by interviewing key stakeholders.

#### The PRS: Sustainable Change - success through process

Kafanabo Primary is one of 20 schools supported by ActionAid Tanzania and community-level implementing partner, Mtinko Education Development Organisation (MEDO) in Singida district. Working with School Management Committees has been a crucial step in the process of raising citizens' awareness about their rights, the connection between fair tax and financing of education and mobilising them to take action. Much of this work has been done using the basic principles and concepts inherent in the Promoting Rights in Schools framework.

Thanks to capacity building provided by MEDO and ActionAid Tanzania, School Management Committee members now have a better understanding of their roles and responsibilities, as well as how to use that role to hold the Government of Tanzania accountable for commitments to delivering on quality education for all children.

Armed with new information and confidence, and under the leadership of Chairperson Marceline Abubakari, Kafanabo School Management Committee worked with the Girls' Club and community members to identify their priorities. These included: more teachers, 2 new classrooms, additional latrines and changing room, which they outlined in their School Improvement Plan.

In December 2016, when Chairperson Mme Marceline was invited to a joint meeting that involved the District Executive Director, the District Education Officer (DEO), department heads and SMC she was able to use this opportunity, not only to directly lobby for improved education delivery, but also to challenge the DEO himself on the fact that not a single district official had visited the school since its inception.

Shortly afterwards in February 2017 the DEO visited the school and committed to providing 2 classrooms with roofing materials, constructing 1 six-stand latrine for girls and allocating 2 female teachers to the school. As is often the way, the funding was not quite 100% of what was requested, but the motivation of the community ensured that the classrooms were completed by October 2017 and in August 2018, 2 new female teachers were also posted to the school.

Thanks to the practical implementation of the PRS framework through awareness raising, training and mobilisation, the School Management Committee has taken a leading role in improving the quality of education provided at Kafanabo school. In so doing, they are helping fulfil the right to education for over 440 girls and boys.

With this information, it is possible to raise community awareness of the ten rights and to encourage stakeholder engagement. This could mean, for example, working with local stakeholders, developing relevant posters, leaflets or other awareness-raising messages, including technological and social media where relevant or practical. It is important to think about what type or style of messages will best encourage engagement from traditional authorities and governing institutions.

Routine school club activity, Tanzania  
Aisha Idd/ActionAid





## 2. Collaboration and Stakeholders

ActionAid's Research Signature aims to achieve *'People-led evidence, combined with external knowledge, influences change at local, national and international levels.'* Given ActionAid's participatory, people-led approach to action research described in the research signature, the process, particularly for primary data collection, is highly participatory and prioritises key stakeholder involvement. Therefore, whilst consultants may be required to lead on and provide overall technical guidance and quality assurance, as well as providing desk research and policy analysis, the primary data collection and analysis actively involves education authorities, traditional leaders, teachers, parents and children.

It is important to build ownership of this process from the outset. This can be done through engaging with strategic partners such as the National Education Coalition and involving NGOs working on education in areas that are not covered by ActionAid, with a view to ensuring a good sample of different geographical regions.

At a **national level**, it is useful to reach out to other actors who can also play a role. For example:

- A prominent national university, to advise on methodology and standardisation of processes, help design formats for consolidation of data, advise on sampling techniques, support training of facilitators/researchers, accompany and supervise a selection of field processes (spot checks to verify data credibility and ensure quality control), and lead the compilation and writing of the national report.
- A network of participatory practitioners, to advise and support participatory methods, including design of participatory tools and training of facilitators and researchers.
- Teachers' unions, whose participation will be important for credibility and for ensuring that teachers are actively involved.
- The National Education Coalition, whose involvement will help to ensure that the report is used for broad advocacy and campaigning and that the process is connected to regional and international work through the Africa Network Campaign on Education for All (ANCEFA) and the Global Campaign for Education (GCE).
- The Media, education journalists and women's rights organisations that can accompany the process locally and raise awareness of the process and products for advocacy at a national level.

At a **community level**, ActionAid and partners should work closely with schools, parents and children to research these rights, rather than engaging an 'expert consultant' to gather information. Our experience has shown that engaging teachers, parents, children and human-rights activists in monitoring their school's fulfilment of one, or several, of the rights is a powerful means of raising awareness, tracking change and addressing challenges in a sustainable and meaningful way.

There are many different ways of working with the community and with children; for example, a useful starting point is to work with well-established groups, such as mothers' groups or Reflection-Action circles. It is important to adapt materials so that they are accessible to children. In general, it is important to form a group of multiple stakeholders, including children, parents, teachers, education coalitions, teachers' unions and possibly the Ministry of Education, to jointly monitor these rights (see the Improving Learning Outcomes Project).

**Children** are the primary rights-holders and have a right to be heard and have meaningful participation in decision-making processes. Any participation of children *must* be done in line with our [Child Safeguarding Policy](#).

It is important to provide an inclusive, accessible environment for children to feel safe and comfortable to engage. This space can help empower them to improve their school and their learning, and can be created by:

- Engaging children both at community and school level to design and illustrate a version of the School Charter that is accessible to children and available in their own language.
- Producing practical version of accompanying materials and tools that are accessible to children.
- Helping adults to recognise that children should be part of the ‘teams’ collecting data and identifying areas and actions for change.
- Promoting children’s participatory surveys, data collection and mapping exercises inside or outside the school, including the use of photos and videos (which need informed consent).
- Organizing children’s parliaments, clubs or other relevant groups to engage with government authorities at all levels.
- Promoting Girls’ Clubs and engaging with them to work with the School Charter.

### 3. Defining the Data

When defining the data, we need to be sure that we understand: why each element we collect is important, what quality public education looks like and what is needed to achieve the ten rights. *Free, quality public education* means education that is:

**1. Gender-responsive** — all learners are appreciated, respected and treated equally with appropriate policies or programmes in place and measures taken to actively reduce the harmful effects of gender norms, roles and relations—including gender inequality.

**2. Inclusive** of people with disabilities, minorities and other marginalised groups.

These should not be viewed as separate initiatives, but rather, as part of an interlocking system. Through implementing the rights-based approach to education outlined in the PRS framework, this system aims to fulfil the right to free, quality, public education for all.

The concepts of gender-responsiveness and inclusion should be applied across the 10 rights outlined in the PRS; this guidance has been designed to support this.

### 3. Adequately and appropriately financed

Education financing and tax justice can sound quite daunting to the uninitiated. However, the 10 rights and 4As of quality public education cannot be achieved without applying the 4Ss of education financing, which help us identify the core elements to consider as we apply the PRS framework to ensure the right to education is fulfilled. The 4S approach comprises:

1. The **SIZE** of the overall government revenue
2. The **SHARE** of the national budget allocated to be spent on education
3. The **SENSITIVITY** of allocations within the education budget
4. The **SCRUTINY** of spending to ensure it arrives when and where it is needed most

Often, official data on these issues can be unavailable, missing or restricted and it is worth reflecting at this stage which tools will garner the fullest results.



Taking into account the 4Ss, together with the legal references that have been reviewed (international, national, local) and the indicators associated with each right, it is possible to start to identify the key questions to be answered and develop easy-to-use formats for data collection and consolidation. The tools provided in this framework will help facilitators and data collectors to capture key information in a systematic and comparable way. When defining a plan, it is possible to take advice from specialists such as universities, research institutes or consultants. It is important to have collected as much information as possible from reliable secondary sources to avoid asking questions to which the answers are already well documented or in the public domain.

As the PRS uses a participatory action-research methodology, it is important to support and work with a range of local and national actors, including children. It is imperative to ensure that there is informed consent and an understanding of the importance of ethical, safe, meaningful and informed child participation. Please use the [Consent form](#).

### **Informed Participation**

Informed participation means ethical, safe, meaningful and informed child participation

We need to take all possible steps to ensure that research is conducted in a way that does not cause direct or indirect harm to those involved and that their rights are respected. This is especially important when working with children and adolescents, due to both the difference in power between these groups and adults, and due to children's relative vulnerability.

**There are 7 key standards of practice for children's participation that should be guaranteed:**

1. There is an **ethical approach**: transparency, honesty and accountability.
2. **Children's participation** is relevant and voluntary.
3. There is a **child-friendly, enabling environment**.
4. There is **equality of opportunity**.
5. **Staff are effective and confident**.
6. Participation promotes the **safety and protection of children**.
7. **Follow up and evaluation** is ensured.

Links to supporting resources are included in **Annexe 6**.

## **4. Collecting the Data: what to collect & how to collect it**

When collecting data from schools, it is helpful to start with the school records. It is key to focus on where there are gaps, and also, to document good practice already found in schools. The next stage in determining the data collection too is to develop surveys, using the question formats outlined in Section 3. These should be translated into the language of the stakeholders you are working with; this could be done during the training. A number of participatory visualisation and survey tools are also outlined in Section 3 and should be used to generate a broad process of empowerment and analysis in each school and area of research.

Information on how the data was collected should be included in the report, including the number of people who participated in the different moments of the process. Photos or examples of visualisation tools used to collect the information or of the process



of developing them should also be included. It is important to remember to ensure informed consent.

It is also vital to collect powerful examples, stories or pieces of information that might not immediately fit the formats mentioned above. This is important because they will be a rich source of *qualitative* data, capturing unexpected information and illustrating and contextualising quantitative data. Furthermore, testimony and audio-visual information empowers the rights-holder and helps to show the impact on individuals, rather than reducing people to statistics

Once question formats, surveys and other tools have been developed, the process can be piloted in two or three locations and draw learning from these experiences to revise and strengthen both format and process. This should include all steps of the process through to data consolidation. Once reviewed, the process should be finalised, and a core cadre of trainers should be trained. The training for local facilitators, research assistants or field data collectors should last for 3 - 5 days, which should be adequate to cover the different aspects of the PRS, methodology, tools pre-test, logistics planning, and so on, and to involve local partners, taking care to support them to adapt the process to their specific contexts.

### **Suggested Survey Tools**

#### **School catchment area mapping**

Documenting information on each household (household surveys) including about children in or out of school, information on key categories of discrimination (e.g. gender, disability, socio-economic class, ethnicity, immigration status, religion, caste, nationality) distances and travel times to school, child labour etc.

#### **School timelines**

Capturing key developments in the school over a period of time (5-10 years) showing, for example, trends in enrolment, teacher numbers and profiles, classrooms, School Management Committees (SMC), etc

#### **School transect walks**

Reviewing the infrastructure of the school and making observations about the surrounding area. This can be done with the help of 1-2 students from the schools.

#### **Focus group discussions and individual interviews with key stakeholders**

Discussion and facilitated groups with SMC, Parent Teacher Associations (PTA), teachers, children from different year groups, discriminated parents and children who are not enrolled at school.

#### **Review of school records**

Review of records at admission time, half-way through the school year and at the end of terms.

#### **Open public meeting (advertised in advance)**

Open meetings in the schools involving teachers, parents, children, community members and local organisations etc.

For further tools refer to [networkedtoolbox.com](http://networkedtoolbox.com) for useful resources.

## 5. Consolidating, Reviewing and Validating the Data

Discussion and validation of the data should begin during the data collection process; not only after it has all been collected. It is useful to hold 'dialogue sessions' with SMCs and PTAs to discuss the findings as you go along as well as after collection. These can be used to discuss the findings with all groups involved, including the children. The important issue is that people at local, district and national level can **analyse** and **use** the data collected, in order to come up with actionable solutions to the problems identified, rather than simply collecting it for others to use. While the goal is to produce a national level citizens' education report, this data is rich for use at the local and district level, where it could and should be used to instigate change before it even reaches the national level. Schools should be encouraged to display the materials as well as use them for further analysis and developing school improvement plans (see **6. Moving to Action** below).

*A **School-level report** is really the consolidation of all your findings. It can be used to begin discussion and debate in the local area, but also will form the basis of the School Improvement Plan and lead to your National Citizens' Education Report. It should begin with the background information on the school such as name and location, as well as some of the 'process' information including the methodology, who was involved in the data collection, the number of participants etc. The surveys of each right would be included in this report as well as any useful background materials such as case studies, photos, stories etc. A template is included in Annexe 3.*

## 6. Moving to Action – Local & District

At each level, once the data has been compiled and reviewed, action plans should be developed to design and frame interventions on education rights. Specifically, this should include a **School Improvement Plan** developed by each SMC which should be discussed and validated with the teachers, school students, and their families. You can support the production of this plan by arranging follow-ups with the SMCs or other stakeholders.

In our experience, a good School Improvement Plan (SIP) is an essential tool to address and change any bad practices found, or gaps highlighted. It is very important that any proposed changes or suggestions within the school improvement plan are gender and



Cambodia, Chantha Kuch/ActionAid

disability inclusive, actionable, fully costed and linked to a timeline which includes roles and responsibilities for both actioning and monitoring the plan. A template for the SIP is included in Annexe 4. The schools and communities can also share the gathered materials with other local groups, such as Reflection-Action groups. This would also be the time to work with other community or advocacy groups, the Media and local politicians to raise awareness and highlight violations.

After working with five or more schools in one district, it is important to encourage SMCs and PTAs (and their leaders) to share their experiences and discuss the similarities and differences in challenges with neighbouring schools. This will help frame a wider dialogue, increase solidarity and empowerment, and can also accelerate the horizontal spread of the PRS approach. Therefore, it could mean that a full PRS process is not needed in each new school.

Once the data has been validated, discussed, disseminated and utilised (to develop the SIPs) it is time to collect everything together to create a **Citizens' Education Report (CER)** and use this at district level and to engage with district education authorities.

Please note that it is not necessary to produce a CER every time you collect data using the PRS; as you may want to collect data to monitor progress on one particular issue identified in the school.

#### **Citizens' Education Report (CER)**

This report aims to make change happen at national and governmental level. A CER identifies the extent to which a country's children, especially girls, are able to access good quality, well-funded primary education. It describes and presents evidence collected at district level and makes recommendations for improvement at all levels, including, notably, for government policy. An example of a national CER for Nepal can be found [here](#) and can also be found in **Annexe 5**.

**Before moving on to national level policy, it is important to make sure that you, and communities, are making the most of the data:**

Working with multiple schools in many districts, we can collect a wealth of data which can be used in various ways. For this to be useful, it is important to ensure that survey tools capture the same information across different schools. There are plenty of places to put this data to good use, before it reaches a Citizens' Education Report. For example, once PRS work has been carried out in 10, 20 or even 30 schools in a district, then it is possible to:

- Bring together key school leaders/ Heads/ SMCs from those schools to discuss and analyse common threads and differences in order to identify potential future actions at district level to improve things.
- Review the district education budget against the priorities identified during the research and analysis process.
- Start a dialogue with District Education Offices based on the identified priorities and analysis.
- Hold a dialogue with other relevant local government structures with a stake in education, with the aim of reaching agreement on changes that are within their power to make, or adding their voices to the calls/advocacy for changes that require action from other levels of government.

- Where there are blocks/obstacles identified, ask higher level district political and administrative representatives (MPs/senior officials who have wider responsibilities beyond education) to engage in dialogue, to visit schools or join key meetings.
- Work with local media (local newspapers or radio stations) to cover the key issues, and create further pressure, where needed. Support them to create a whole series of articles or broadcasts on the issues (rather than just a one-off). Also, invite key journalists to meetings.
- Link up school groups (such as Girls' Clubs, SMCs or Mother Groups) across districts to strengthen their voice.
- Support the creation of cross-district community support or specialist groups to work on particular issues – such as an inclusive education group to engage on issues for children with disabilities, or an education financing group to focus on funding to the education sector.
- Organise education rallies at district level to mobilise children, parents and teachers to carry key messages together.
- Provide continuous feedback at school-level, bringing updates on all these developments into the schools where the PRS process was implemented.

## 7. Moving to Action – National & International

If you have worked across multiple districts, it is necessary to collate all the evidence into a **National Citizens' Education Report** (NCER). Send the NCER to every SMC and encourage them to hold meetings to review it, in order to situate their local experiences in the national context. It is important to encourage all involved stakeholders to track the performance of schools through an annual process to monitor progress and change. While it should not be necessary to undertake the PRS process again, it may be helpful to do some focused work to collect fresh or missing data or conduct further analysis on a particular issue.

Using the collected data and the written plans, it is time to formulate a **National Advocacy Strategy** around any identified patterns from the CERs. This could include: production of shadow reports or launching challenges around government reports submitted to the monitoring bodies of international treaties, such as the Convention on the Rights of the Child (CRC), the Convention on Elimination of Discrimination Against Women (CEDAW), the Committee on Economic, Social and Cultural Rights (CESCR) and the Universal Periodic Review Process. At the international level, there are human rights mechanisms that monitor the implementation of the right to education. Some mechanisms provide the opportunity to lodge complaints about violations of the right to education.

The PRS is a human-rights based approach to education that requires embedding through recurrence; this means that several visits to each school will be necessary. These visits are for monitoring and also, to support the process, ensure understanding of rights, meaningful participation, create actionable school improvement plans and to develop advocacy plans. It is important to establish a 'feedback' exercise to see if any changes are taking place from the beginning. The first application of this effort can be seen as a 'baseline', whereas subsequent data collected can be viewed against these findings to determine what has and what has not changed.

These visits and activities provide excellent opportunities to collect case studies, stories, quotes, photos and videos, always following the guidelines on informed consent. This material can then be used for the CER, as well as evaluation of the process.



## **Section 3**

# Compiling Evidence for Improving the Quality of Education: PRS Indicators, Data, and References

# 1

## Right to Free and Compulsory Education

There should be no charges, direct or indirect, for primary and secondary education. Education must gradually be made free at all levels.

**“Free is key!”** This Right states that education should be free at primary and secondary levels and made progressively free at higher levels. When fees are charged, some children are left out, such as girls and children with disabilities who are amongst the most excluded children worldwide. Compulsory education is also crucial in communities that may not value the education of girls as much as boys or in contexts where pregnant girls are barred from returning to school after giving birth. The indicators can help you determine to what extent primary education is provided free of charge, or its financial implications for the child or family.

### 1.1 Ideas for consideration: key questions on the right to free and compulsory education

1. **What does national legislation say about:**
  - compulsory education (definition)
  - school starting age
  - school leaving age
  - minimum age of employment
  - minimum age of criminal responsibility
  - minimum age for marriageAre these ages harmonised?
2. **What types of direct and indirect costs exist?** Direct costs could include user fees, such as payment for exams, PTA levy, development fees, amongst others. Indirect costs could include school lunches.
3. **What compulsory charges are required from parents, such as exam fees, uniforms, school meals, materials and equipment costs?**
4. **What school and community-level mechanisms exist for reaching out to any child not in school?**
5. **What are the expectations/perceptions of child labour?** For example, does the quote, “School is the best place to work” apply in this context? (See the work of [MV Foundation](#) in India for some creative ideas).
6. **What are the major barriers that keep children out of school?**

## 1.2 Suggested Actions

1. **Initiate or support local or national campaigns** for free education. **Free** means without financial implications for the child or family. Direct and indirect costs should be removed, including user fees and other compulsory charges, such as exam fees, PTA fees, uniforms, school meals, materials and equipment costs. There should be **no charges** in primary education and education should be made progressively free at secondary and higher levels.
2. **Classify and document the costs** charged to/incurred by parents (compulsory/voluntary/direct and indirect) and analyse how this affects access and equity locally.
3. **Promote locally procured free school meals.** This can also help to reduce costs: if children are in school all day, they must be fed!
4. **Review existing national legislation** related to compulsory education. Different countries have different definitions on the minimum number of years of schooling and on start and end ages, but there are many useful reference points. For example, in terms of the length of schooling, it is important to consider [Strategic Development Goal 4.1](#) which specifies a period of 12 years, of which, at least 9 years should be compulsory. For information on the starting age, look at national laws and policies. For school-leaving age, compare with the minimum age of employment and marriage, with reference to the UNESCO report [At what Age?](#)
5. **Look at official disaggregated data for indicators such as:** gross and net enrolment rates, completion rates, out-of-school children rate, and other indicators of free and compulsory education. This will give monitors an overall picture of how the country/region/district are progressing, as well as outcomes for particular groups. This will help shape the questions asked and give the monitor an idea of whether the information they gather is in line with Human Rights law.
6. **Clearly promote the definition of compulsory education:** Parents should ensure that their children attend school and the State should ensure that there are adequate places in schools for children to attend.
7. **Ensure that all schools actively reach out** to *any* child who is not in school, including through home visits.
7. **Support campaigns to eliminate all child labour** (“school is the best place to work”). For example, see CESCR (General Comment 13, para 55): “States parties have an obligation to ensure that communities and families are not dependent on child labour”. The [MV Foundation](#) in India also have some creative ideas that could be considered.
9. Where basic education is provided, **promote the need for a clear, financed investment plan for free secondary education.**
10. **Review national legislation on school re-entry for girls** to ensure that there are policies that support girls to stay in school during pregnancy and return after giving birth, they are adequately financed, with robust, monitoring mechanisms, and do not include measures that discriminate against girls in any way.

### 1.3 Legal Reference Points

**Origin of the Right: “Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory.” (UDHR, Art. 26.1)**

International References	Regional References	National References
<p><b>Legally binding:</b></p> <ul style="list-style-type: none"> <li>ICESCR, Art. 13.2(a), (b) and (c)</li> <li>CRC, Art. 28.1(a) and (b)</li> <li>CRPD, Art. 24.2</li> <li>UNESCO Convention against Discrimination in Education Art. 4 (a) (c)</li> </ul> <p><b>Non-binding:</b></p> <ul style="list-style-type: none"> <li>CESCR, General Comment 11, para 6 [compulsory] and para 7 [free of charge] and General Comment 13, para 6(b) [economic accessibility], and para 14 [progressively free secondary education]</li> <li>CRC, General Comment 7/Rev.1, para 28 [primary education compulsory and free; early childhood education as beginning at birth]</li> </ul>	<p>Find out what exists in your region</p> <p>Article 11 (3) (a), African Charter on the Rights and Welfare of the Child; Article 13 (4) (a), African Youth Charter; Article 41 (2), Arab Charter on Human Rights; Article 31 (2), ASEAN Human Rights Declaration;</p>	<p>Read your national constitution.</p> <p>Review your national and state education legislation and policies.</p> <p>See: <a href="https://www.right-to-education.org/issue-page/free-education">https://www.right-to-education.org/issue-page/free-education</a></p>
<p><i>How does this right link to the 4As?</i>    <b>Accessible + Available</b></p>		



## 1.4 Indicators and Data Collection Templates

Possible indicator	Ways to collect data.
<ul style="list-style-type: none"> <li>• Direct and indirect costs of education</li> <li>• Number of children out of school</li> <li>• School map of available geographic coverage</li> </ul>	<ul style="list-style-type: none"> <li>• School records review</li> <li>• Community meetings</li> <li>• Focus group discussions</li> <li>• School catchment mapping</li> </ul>

**Possible Indicator:** Direct and indirect costs of education

**Q1 Are there direct or indirect costs charged to parents? Are they compulsory or voluntary? X or ✓ response**

Costs	Compulsory	Voluntary	How much per year?
1. User fees			
2. Admission fees			
3. PTA fees			
4. SMC fees			
5. Textbook fees			
6. Examination fees			
7. School maintenance fees			
8. Library fees			
9. Teacher supplement fees			
10. Festival/feast day fees			
11. Special education fees			
12. Other fees (specify)			
13. What happens if parents cannot pay any fee?			
14. If parents cannot pay the costs for all of their children to go to school, how do they decide which ones to send?			
Note: If there are any compulsory costs or voluntary costs that are coercively collected, action should be taken by the whole school or community to challenge the district authorities or Ministry of Education.			

**Q2. Are there other costs for children to go to school that may limit attendance?**

Costs			Average cost per year	
1. Are uniforms compulsory?	Yes	No		
2. Travel costs				
3. Basic equipment/books			Grade 1	Grade 6
4. Sanitary pads				
5. School meals				
6. Other costs				

**Possible Indicator:** Number of children out of school

**Q3. How many children are estimated/known to be out of school locally?**

(Out of school = present less than one day a week. Locally = the school catchment area. The school catchment area map will be key here. Age clusters may vary according to the law or policy in different countries).

Ages	Total Number	Girls	Boys	children with disabilities
5-9-year olds				
10-12-year olds				
13-16-year olds				

**Q4. Which vulnerable or marginalised groups are the main ones not included in school? (e.g. lower caste, disabled minorities (please specify), low income, landless, pregnant girls, teen mothers, married girls). Are there estimates of how many of these children are out of school?**

1.	
2.	
3.	
4.	

**Q5. Are active steps taken to track and encourage children who do not enrol, attend irregularly or drop out? (circle answer).**

NO

YES

If yes, who takes these steps, and what are they?

**Q5a. Are there special measures directed to encourage girls to stay in school?**

NO

YES

If yes, what are they?

**Q5b. Are girls allowed to return to school after they give birth?**

NO

YES

If no, why not?

# 2

## Right to Non-discrimination

Schools must not make any distinction in provision based on sex, race, colour, language, disability, religion, political opinion, nationality, ethnicity, ability, or any other status.

There are different categories of groups who could be discriminated against at a local level, such as lower-caste children, minority groups, girls, orphans, children from children-headed households, poor families, HIV-affected children, refugees or asylum seekers, IDPs, and children with disabilities. Girls face discrimination arising from child marriage and/or child pregnancy, harmful gender stereotypes, or simply due to the burden of domestic and care duties. Girls also face discrimination inside classrooms, for example, being obliged to sit at the back, or on the floor, whilst boys sit at the front or on chairs. Girls with disabilities face multiple or intersectional discrimination. Teachers may have different expectations of girls and how they *should* behave. School textbooks often reproduce stereotypes and exacerbate discrimination. The indicators below will help to identify the relevant groups in a given area and also, whether schools reinforce or contest the different forms of discrimination practiced.

They should also help to determine whether parents of children who suffer discrimination are adequately supported.



Classroom, Malawi, Elias Tamaona/ActionAid



## 2.1 Suggested Actions

1. **Collect disaggregated data on discrimination**, looking at key axes or categories of discrimination at a local level, and whether schools reinforce or contest these (e.g. discrimination against minority groups, girls, orphans, HIV-affected, refugees/asylum seekers, IDPs, children with disabilities, LGBTIQ, rural/urban and regional differences, etc.)
2. **Review school textbooks** to determine whether they reinforce stereotypes or challenge them.
3. **Work with groups who are discriminated against to carry out a comprehensive analysis** of the problems with the provision of local education and to identify potential solutions.
4. **Promote human rights education** at community and school levels (girls clubs, boys clubs, human rights education club, etc.).
5. **Promote inclusive education so that children with disabilities** are able to learn in mainstream schools.
6. **Work with and strengthen CBOs and people's organisations, social movements, platforms** and others that articulate the concerns of discriminated groups, to design campaigns around these issues (locally and nationally).
7. **Work with teachers' unions**, for example, to lobby for teachers' training to include modules on discrimination and how best to respond, including the application of human rights and inclusive education methodologies and approach
8. **Review national legislation and policies on non-discrimination and equality, and check which groups are protected and how. Also, look at relevant laws and policies on inclusive education, particularly** for children with disabilities. For example, can children with disabilities learn in an inclusive setting and are they legally entitled to reasonable accommodation? How are these laws and policies implemented and enforced?
9. **Mobilise local media and politicians** around evidence of discrimination in schools.
10. **Initiate administrative complaints or legal cases** where there is a clear violation/blatant discrimination in provision.

## 2.2 Legal Reference Points

### Origin of the Right:

*“States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child’s or his or her parent’s or legal guardian’s race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.” (CRC, Art. 2.1)*

**Non-discrimination is universally applicable – binding even where there are no resources**

International References	Regional References	National References
<p><b>Legally binding:</b></p> <ul style="list-style-type: none"> <li>UDHR, Art. 2</li> <li>ICESCR, Art. 2.2, 3 and 13</li> <li>CRC, Art. 2, 30</li> <li>CRPD, Art. 2, 3, and 5, CRPD general comment 4</li> <li>CEDAW, Art.10 [girls]</li> <li>UNESCO Convention against Discrimination in Education; Articles 2 (2) &amp; 13,</li> </ul> <p><b>Non-binding:</b></p> <ul style="list-style-type: none"> <li>CESCR, General Comment 11, para 6 and 10; General Comment 13, para 6(b), 31-37, 43; General Comment 20</li> <li>CRC, General Comment 1, para 10 and 11; General Comment 9, para 8 and 62</li> </ul>	<p>Find out what exists in your region</p> <p>For example:</p> <p>Articles 2 &amp; 17, African (Banjul) Charter on Human and People’s Rights; Articles 3 &amp; 11, African Charter on the Rights and Welfare of the Child; Articles 2 &amp; 12 (1) (a), Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa; Articles 2 &amp; 13, African Youth Charter; Articles 3 &amp; 41 (2), Arab Charter on Human Rights; Articles 2 &amp; 31, ASEAN Human Rights Declaration.</p>	<p>Read your national constitution.</p> <p>Review your national and state education and equality legislation and policies.</p> <p>See <a href="https://www.right-to-education.org/marginalised-groups">https://www.right-to-education.org/marginalised-groups</a></p>
<p><i>How does this right link to the 4As?</i>    <b>Elements in all 4As but particularly, Accessible</b></p>		

## 2.3 Indicators and Data Collection Templates

Possible indicators	Ways to collect data
<ul style="list-style-type: none"> <li>Enrolment, attendance, completion rates (disaggregated by gender, disability and any other relevant category of vulnerability)</li> <li>Reported incidents of discrimination</li> <li>Extent to which school textbooks challenge or reinforce stereotypes (e.g. gender, ability, ethnicity or other relevant category)</li> </ul>	<ul style="list-style-type: none"> <li>School catchment mapping</li> <li>Participatory research which includes discussions in and across focus groups of teachers, school boys and school girls, parents and teachers association.</li> <li>School rules and regulations, code of conduct.</li> <li>Review of school textbooks.</li> </ul>

The template below is used to collect data on children from minority groups. It is possible to amend this template to work with children with disabilities, for example, or as appropriate to fit the other discriminated groups that you may be working with. This could include: poor children, lower caste, girls, HIV affected children, refugees/asylum seekers, IDPs, tribes, low-income groups, orphans, LGBTIQ (lesbian, gay, bisexual, transgender, intersex or queer), etc.

**Possible Indicator:** Enrolment, Attendance, Completion Rates (disaggregated analysis by gender, disability and any other relevant category of vulnerability).

**Q1. Attendance** (collect the numbers and then calculate the percentage).

Discriminated Group: Minority children/children with disabilities												
Attendance	Regular 80-100%			Irregular 50-80%			Rare 25-50%			None		
	total	girls	boys	total	girls	boys	total	girls	boys	total	girls	boys
Grade 1												
Grade 3												
Grade 5												
Grade 8												

**Q2a. What percentage of children from minority groups who enrol in grade 1 complete grade 8?**

**Q2b. What percentage of children with disabilities who enrol in grade 1 complete grade 8?**

<b>Visually impaired</b>		<b>Hearing impaired</b>		<b>Physical disability</b>		<b>Mental disability</b>		<b>Multiple disabilities</b>	
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(Add other disabilities not included in the table if applicable)

**Possible Indicator:** Reported incidents of discrimination.

**Q3. Do children from minority groups/children with disabilities in school suffer discrimination from any of the following: X or √ response**

**A. Children from minority groups (specify)**

<b>Suffer discrimination from...</b>	<b>No</b>	<b>Yes</b>	<b>If yes, how?</b>
1. Other children			
2. Teachers			
3. School authorities			
4. Others			

**B. Children with disabilities**

<b>Suffer discrimination from...</b>	<b>No</b>	<b>Yes</b>	<b>If yes, how?</b>
1. Other children			
2. Teachers			
3. School authorities			
4. Others			

**Q4. Are there any positive discrimination measures taken for children from any minority groups/children with disabilities?**

NO

YES

If YES, what?



**Q5a. Are there teachers from the minority group community and do they suffer from discrimination?**

	Yes	No	If so, how?
Teachers from minority groups?			
Do they suffer discrimination?			

**Q5b. Are there teachers with disabilities and do they suffer from discrimination?**

	Yes	No	If so, how? / if yes, what?
Are there teachers with a disability?			
Do they suffer discrimination?			
Are there teachers in the school with special needs/disability education skills?			
Does the school have adequate teaching and learning materials to address the learning needs of children with disabilities?			
Are reasonable accommodation measures available to students?			
Are students with disabilities excluded from the school?			
Do children with disabilities learn in separate classes?			

# 3

## Right to Adequate Infrastructure

There should be an appropriate number of classrooms, accessible to all, with adequate and separate sanitation facilities for girls and boys. Schools should be built with suitable, local materials, be resilient to natural risks and disasters and adapted to the needs of children and teachers with disabilities.

When school infrastructure is inadequate, girls are often the first to suffer. For example, in the case of sanitation facilities, unless there are safe, decent and separate facilities for girls and boys, the impact can be to push girls out of school either permanently or on a temporary basis (for example, during menstruation). Where national minimum standards for the provision of sanitation exist, these should be applied. All sanitation facilities, should at least reach the globally-established minimum standards for school sanitation and WASH, e.g. SPHERE minimum standards (see Annexe 6).



Inclusive classroom, Tanzania, Makmende Media/ActionAid

### 3.1 Ideas for consideration

1. The **number of children per classroom**. Do different grades have to share classrooms?
2. The **state of school infrastructure**. Does it respond to minimum standards and the needs of students, particularly marginalised groups?
3. The extent to which **schools are accessible to children with disabilities**. Not only physical access, but all relevant support measures (methods, tools and languages).
4. The **availability and quality of sanitation facilities** (for both girls and boys and children with disabilities) and safe water supply to ensure basic hygiene. Having separate toilets for girls and boys can have a significant impact on enrolment, attendance and retention. The girls' toilets should be at a reasonable distance from those of the boys and they should be visible to the teachers.
5. The extent to which **schools use local resources and materials and local labour**. **For example, whether they** generate employment in the process, rather than using external contractors during construction processes.
6. **How well schools respond to the local environment**, particularly in the context of any common local emergencies.
7. The regulatory role of local and national government in ensuring **school infrastructure adheres to minimum standards**.
8. **Who pays for infrastructure?**

### 3.2 Suggested Actions

1. **Document the present state of school infrastructure** to show which schools meet minimum standards of decent and safe infrastructure.
2. **Undertake participatory mapping of school catchment areas** to ensure that any new school locations and facilities respond to the needs of discriminated groups.
3. **Improve school infrastructure in a rights-based way**. *How* this is done is key: the process of developing or improving school infrastructure must be used as a basis for building awareness around rights, mobilising demand and leveraging government action.
4. **Use any infrastructure development to build or strengthen links** between local people and the relevant parts of local authority, district authority and national government.
5. **Prioritise the use of local resources/materials and local labour**. For example, generating employment in the process, rather than using external contractors.
6. **Focus on ensuring provision of suitable sanitation facilities** (for both girls and boys) and water supply to ensure basic hygiene. Having sanitation facilities accessible to children with disabilities is also important.

7. **Ensure that schools are safe environments** in the context of any common local disasters. For example, if the area is prone to floods, the school should be built in a raised construction, or if it is in an earthquake zone, minimum safety measures should be in place. This may include retro-fitting schools for safety, introducing safety drills or lobbying for changes to school-building guidelines.
8. **Ensure that all schools are fully accessible to disabled students** – addressing not only physical access but all relevant support measures (teaching methods, materials and languages). There is a useful UNICEF resource [Making Schools Accessible to Children with Disabilities](#) which includes a checklist.

### 3.3 Legal Reference Points

#### Origin of the Right:

*“Functioning educational institutions and programmes have to be available in sufficient quantity within the jurisdiction of the State party. What they require to function depends upon numerous factors, including the developmental context within which they operate; for example, all institutions and programmes are likely to require buildings or other protection from the elements, sanitation facilities for both sexes, safe drinking water, trained teachers receiving domestically competitive salaries, teaching materials, and so on; while some will also require facilities such as a library, computer facilities and information technology.” (CESCR, General Comment 13, para 6(a))*

International References	Regional References	National References
<p><b>Legally binding:</b> ICESCR, Art. 13.2(e) CRC, Art. 28.1 CRPD, Art. 24.2(c), (d), (e) and 24.3</p> <p><b>Non-binding:</b> CESCR, General Comment 13, para 6(b) [on physical accessibility]</p>	<p>Find out what exists in your region</p> <p>In Africa, for example, there is the African Charter on the Rights and Welfare of the Child (ACRWC)</p>	<p>Read your national constitution.</p> <p>Review your national and state education and equality legislation and policies.</p> <p>See <a href="https://www.right-to-education.org/issue-page/quality-education">https://www.right-to-education.org/issue-page/quality-education</a></p>
<p>How does this right link to the 4As? <b>Available + Accessible</b></p>		



### 3.4 Indicators and Data Collection Templates

Possible indicators	Ways to collect data
<ul style="list-style-type: none"> <li>• Availability and condition of classrooms</li> <li>• Availability of basic facilities and materials</li> <li>• Availability of sanitation facilities for boys and girls and ratio of facilities to pupils</li> <li>• Access to clean and safe drinking water</li> <li>• Access for children with disabilities</li> <li>• Distances and times to school</li> </ul>	<ul style="list-style-type: none"> <li>• School transect walk</li> <li>• Participatory action research including interviews with key stakeholders through focus groups</li> <li>• School catchment area mapping</li> </ul>

**Possible Indicator:** Number/proportion of available classrooms.

#### Q1. Availability of classrooms:

Number of Classrooms		
Number of grades		
Number of children per classroom	Boys	Girls
Grade 1		
Grade 2		
Grade 3		
Grade 4		
Grade 5		
Grade 6		
Grade 7		
Grade 8		

#### Are there different grades in one classroom?

NO

YES

How many?

#### Is there a double-shift system in the school?

NO

YES

How does it work?

**On average, for how many hours do children learn in the classroom?**

Grade	Per week	Per year
Grade 1		
Grade 2		
Grade 3		
Grade 4		
Grade 5		
Grade 6		
Grade 7		
Grade 8		

**Q2. What is the condition of the school?**

Situation	Good	Adequate	Poor	Explanation
Is there a decent roof in the classrooms (e.g. is it safe, does it leak?)				
Is there a decent floor in the classroom?				
Is there adequate ventilation in the classroom?				
Is there electricity?				
Is there a boundary wall or hedge?				
Is there a playground?				
	Too hot	Too cold		
Are there extremes of temperature in the classroom?				
	Yes	No		
Do children have access to clean and safe drinking water?				
Is it safe in terms of the context of common disasters at a local level?				

**Possible Indicator:** Availability of basic facilities and materials.

**Q3. Are there adequate facilities in the classrooms?**

	Number		Percentage
How many classrooms have an adequate blackboard?			
How many classrooms are welcoming (stimulating posters/décor)?			
How many students have access to a textbook for every class?			
How many children receive a textbook in a timely manner? (i.e. at the beginning of the school year)			
	Girls	Boys	Total
How many children sit on the floor per class?			

**Possible Indicator:** Access for children with disabilities.

**Q4. Is the school accessible for children with disabilities?**

NO YES, What kind of infrastructure? (ramps, toilets...)

**Q5. Are there any other facilities or equipment for children with special needs (teaching-learning materials, teaching methods, extra time for exams)?**

NO YES What are they?

**Possible Indicator:** Distances and time to school.

**Q6.A. What percentage of students take the following time to travel to school?**

Time	Number
Under 30 minutes	
30-60 minutes	
Over one hour	

B. Is free school transport provided for students living in rural areas? YES NO  
Explain

C. By what means do students travel to school? (eg: walking, bus, motorcycle taxi, car, etc.)

# 4

## Right to Quality Trained Teachers

Schools should have a sufficient number of well-trained teachers of whom a good proportion are female. Teachers should be qualified and receive good quality pre-service as well as in-service training. This training should have built-in components on gender sensitivity, non-discrimination, inclusive education and human rights. All teachers should be paid domestically competitive salaries.

The teaching profession is often highly gendered. The lack of female teachers at different levels can mean girls lack positive role models and patriarchal attitudes are more likely to be perpetuated. The content of teacher training also plays a crucial role; gender-sensitivity in training needs to be much more integrated than it often is. Schools often lack teachers who are trained to support and include children with different abilities and learning needs.



Kuria Kenya, Hellen Meteti/ActionAid



## 4.1 Ideas for consideration

### 1. **Teachers' qualifications and training:**

- What training or qualification levels do the teachers have? What impact does this have on learning outcomes?
- In-service teacher training, including for unqualified or under-qualified teachers. Possibly negotiating with all actors around transition courses/professional development paths, where these are unclear.
- The capacity of under-trained teachers in the classroom
- The impact of teacher training on the quality of learning and outcomes.

### 2. **Teachers' terms and conditions of service and codes of conduct.**

### 3. **The extent to which teachers' rights to unionise are respected and supported.** Refer to International Covenant on Civil and Political Rights, Art.22

### 4. **Teachers' unions' responsibility to ensure untrained or under-trained teachers have access to training** (pre and in-service) through distance courses etc.

## 4.2 Suggested Actions

1. **Document who is teaching in schools** and what education or qualification levels they have, as well as the impact this has on learning outcomes.
2. **Strengthen partnerships with teachers' unions** both locally and nationally. For example, refer to the *Partnership Framework for Education: A collaboration between Education International and ActionAid International to promote free quality public education for all*, with particular reference to section 3.
3. **Support in-service teacher training**, including for unqualified or under-qualified teachers, looking at the possibility of negotiating with all actors around transition courses or professional development paths where these are unclear.
4. **Campaign to ensure that all children are taught by a properly trained teacher** who can impart quality education. This requires advocating for more investment in teachers to ensure they are able to adequately include and support children with different abilities and learning needs
5. Work with the teachers' unions and Ministries on **nationally agreed minimum standards for the teaching profession**, with reference to international recommendations from ILO/UNESCO, 1966) and ensure that teachers are recruited through transparent, professional processes.
6. **Ensure the rights of untrained teachers to unionise** (ICCPR, Art. 22).
7. Work with teachers' unions to **ensure untrained or under-trained teachers have access to training** (pre and in-service) through distance-learning courses, etc.

8. **Review existing teacher training programmes** and ensure they are of sufficient scale to meet demand, are of good quality, and that training covers key issues such as gender, HIV prevention, human rights, inclusive education, participatory methods, etc. Support efforts to address any gaps.
9. **Document and share information on pupil-teacher ratios** (PTR) and pupil to trained teacher ratios (PTTR). Gather data on overall shortages in teacher numbers at national level and identify what the gap is and how many teachers would need to be recruited to reduce teacher to pupil ratios.
10. **Assess the proportion of the education budget currently allocated to teacher-related costs** (pay, salary, training, etc) and how much this would need to increase by to ensure enough teachers are recruited, trained, deployed and supported.

## 4.3 Legal Reference Points

### Origin of the Right:

***“The material conditions of teaching staff shall be continuously improved.” (ICESCR, Art. 13.2(e))***

***“Functioning educational institutions and programmes have to be available in sufficient quantity within the jurisdiction of the State party. What they require to function depends upon numerous factors, including ... trained teachers receiving domestically competitive salaries.” (CESCR, General Comment 13, para 6(a))***

***“Pre-service and in-service training schemes which promote the principles reflected in Article 29 (1) are thus essential for teachers, educational administrators and others involved in child education.” (CRC, General Comment 1, para 18)***

International References	Regional References	National References
<p><b>Legally binding:</b></p> <ul style="list-style-type: none"> <li>ICESCR, Art. 2.2, 3 and 6-8,</li> <li>CRPD, Art. 24.4</li> </ul> <p><b>Non-binding:</b> CESCR, General Comment 13, para 27</p>	<p>Find out what exists in your region- for example:</p> <p>Article 11, African Charter on the Rights and Welfare of the Child; Article 13, African Youth Charter; Article 41 (2), Arab Charter on Human Rights; Article 31, ASEAN Human Rights Declaration;</p>	<p>Read your national constitution.</p> <p>Review your national and state education and equality legislation and policies.</p> <p>See <a href="https://www.right-to-education.org/issue-page/quality-education">https://www.right-to-education.org/issue-page/quality-education</a></p>
<p><i>How does this right link to the 4As?</i>      <b>Available + Accessible + Adaptable</b></p>		

## 4.4 Indicators and Data Collection Templates

Possible indicators	Ways to collect data
<ul style="list-style-type: none"> <li>Pupil-teacher ratios (PTR)</li> <li>Teacher qualification levels/types</li> <li>Teacher contract types</li> <li>Teacher salary</li> <li>Membership of teacher unions</li> </ul>	<ul style="list-style-type: none"> <li>School records</li> <li>Structured observation</li> <li>Participatory research and focus group discussions</li> <li>Meetings with union leaders at local and national level</li> </ul>

**Possible Indicator:** Pupil-teacher ratio (PTR).

### Q1 What is the pupil teacher ratio (PTR)

Grade	# Pupils	# Teachers	Average PTR
Grade 1			
Grade 2			
Grade 3			
Grade 4			
Grade 5			
Grade 6			
Grade 7			
Grade 8			
Overall			

**Possible Indicator:** Teacher qualification levels/types/teacher contract types

**Q2. Category of teachers**

Category	Total number	Female	Male	Percentage of time typically spent on non-teaching duties (i.e. not in the classroom)?
Total number of teachers				
Professional teachers				
Para-teachers (temporary, relief quota, under-trained, unqualified, voluntary, community or private)				

**Q3. How many of these teachers are contracted or paid for by:**

	Total	Female	Male
National Government			
Local Government			
The community			
Other...			

**Q4. Are teachers hired through a transparent and professional process?**

NO

YES



**Q5. How many of these teachers have the following qualifications?**

Grade	Number			Percentage		
	Total	Female	Male	Total	Female	Male
Qualified status or Master's in Education						
Completed university: undergraduate level						
Have a teaching qualification from a teacher training college						
Completed to A-level or equivalent						
Only completed secondary education						
Other (please specify)						

**Q6. What type of contracts do teachers have?**

	Total	Female	Male
Permanent contract			
1-5 year contract			
Contract for 1 year or less			

**Q7. How much training have teachers received?**

Training	Number			Percentage		
	Total	Female	Male	Total	Female	Male
Over 3 years of training						
1-3 years of training						
6-12 months of training						
Under 6 months of training						
Under 1 month of training						
No training						

**Q8. How many teachers actively access in-service training or professional development?**

Female	Male	Total

List the types of training received (gender, disability, inclusion, positive discipline, human rights, etc.)

**Q9. How many teachers have skills to support and include children with disabilities or special learning needs?**

Female	Male	Total

**Q10 Does the school have accommodation for teachers? If yes, how many spaces are occupied by female teachers and how many by male teachers?**

NO YES

Female	Male	Total

**Q11. Is there a need for more qualified and trained teachers in the school?**

NO YES If yes, how many?

**Possible Indicator:** Membership of teacher unions.

**Q12. What percentage of total teachers are members of a teachers' union?**

Female	Male	Total

**Are non-professional teachers (based on your definition above) part of a union?**

NO

YES

**Possible Indicator:** Teacher Salary

**Q13. What percentage of teachers earn the agreed minimum salary set by the Government?**

	%
Female	
Male	
Total	

**What other ranges of salary exist?**

**Why?**

# 5

## Right to a Safe, Protective and Non-violent Environment

Children should be safe on the way to and in school. Clear anti-bullying policies and *confidential* systems for reporting and addressing any form of abuse or violence including Gender Based Violence (GBV) and corporal punishment should be in place. These should be accessible, identifiable, acted upon and effective.

Children, in particular girls often face physical, psychological and sexual violence in school, in the school area, and on the way to school. Therefore, fulfilling the right to a safe and non-violent environment is particularly crucial for girls. Children with disabilities are also particularly vulnerable to violence and abuse. Creating safe spaces for girls and other vulnerable and marginalised groups to meet and discuss problems and solutions, for example in Girls' Clubs, is a crucial step.





## 5.1 Ideas for consideration

Violence or abuse and bullying can occur in and around school. In order to combat this, it is important to:

1. **Understand the environment and school area** to identify places where violence could occur.
2. Ensure **accessible and adequate school infrastructure and separate sanitation facilities** for girls and boys.
3. Implement **school-level structures for protection against and prevention of violence**.
4. **Create confidential processes for children (especially girls) to report abuse or violence**. The test of these is whether children have confidence in them. Where abuse is proven, there should be clear policies to enforce sanctions, with no impunity.
5. **Create links between confidential reporting systems and community structures**, local police or courts, medical and counselling services as needed.
6. **Implement spaces in schools for girls and boys** (separately and, at times, together) where they can discuss sensitive issues and come up with their own recommendations.

## 5.2 Suggested Actions

1. **Document incidents of violence or abuse** in school and in the school area.
2. **Assess laws and policies on SRGBV and GBV** more generally, with an emphasis on criminal law. Are rape, sexual exploitation, incest, etc. criminal offences?
3. **Help schools develop and implement clear policies** on anti-bullying and non-violence, with school rules and regulations that are child-friendly and developed in a participatory manner. These should be accompanied by action plans for establishing a positive and safe school culture.
4. **Help schools to conduct comprehensive sexuality education**.
5. **Help schools to develop and implement a comprehensive code of conduct** that clearly outlines ethical norms and standards of acceptable behaviour for education staff, teachers, students, and parents. A comprehensive code of conduct should also include a set of school policies and procedures on SRGBV and positive discipline. A useful resource is the UNESCO [Guidelines for the design and effective use of teacher codes of conduct](#).
6. **Help schools put in place confidential processes for children (especially girls) to report abuse or violence**. The test of these is whether children have confidence in them. Where abuse is proven, there should be clear policies to ensure punishment, with no impunity.
7. **Establish links between confidential reporting systems and community structures**, local police or courts, as needed.
8. **Support school clubs for girls and boys** (separately and, at times, together) where they can discuss sensitive issues and come up with their own recommendations.

9. **Map schools and the environment** around the school to identify potential risks (e.g. toilets, bars, nightclubs, markets, unsafe areas, etc.)
10. **Support in-service training for teachers** and training for PTAs, SMCs and other community members on issues around violence and abuse.
11. **Work closely with teachers' unions**, encouraging them to enforce their codes of professional conduct and take a stand against any teacher who abuses their position.
12. **Undertake media surveys** on the coverage of violence and abuse in schools.
13. **Promote positive discipline**, training teachers in positive discipline methods to help them manage classroom discipline without resorting to physical or humiliating punishment.
14. **Assess the extent to which national services aimed at responding to incidents of SRGBV are funded and staffed.** Compare this with the scale of the problem/need, in order to get a sense of what is needed to ensure adequate financing of education that is truly gender responsive and sensitive.



School girls, Nigeria, ActionAid/Nigeria

## 5.3 Legal Reference Points

### Origin of the Right:

*“States Parties shall take all appropriate measures to ensure that school discipline is administered in a manner consistent with the child’s human dignity.” (CRC, Art. 28.2) “States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.” (CRC, Art 19.1)*

*“The school environment itself must thus reflect the freedom and the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin called for in article 29 (1) (b) and (d). A school which allows bullying or other violent and exclusionary practices to occur is not one which meets the requirements of Article 29 (1).” (CRC, General Comment 1, para 19)*

International References	Regional References	National References
<p><b>Legally binding:</b></p> <ul style="list-style-type: none"> <li>UDHR, Art. 26.2</li> <li>ICESCR, Art. 13.1 and 13.2</li> <li>CRC, Art. 29 and 19</li> <li>CRPD, Art. 24.1</li> </ul> <p><b>Non-binding:</b></p> <ul style="list-style-type: none"> <li>CESCR, General Comment 13, para 6(b) &amp; 41</li> <li>CRC, General Comment 1, para 8</li> </ul>	<p>Find out what exists in your region</p> <p>In Africa, for example, there is the African Charter on the Rights and Welfare of the Child (ACRWC)</p>	<p>Read your national constitution.</p> <p>Review your national and state education and equality legislation and policies.</p> <p>See: <a href="https://www.right-to-education.org/girlswomen">https://www.right-to-education.org/girlswomen</a></p>
How does this right link to the 4As?		<b>Accessible + Acceptable</b>

## 5.4 Indicators and Data Collection Templates

Possible indicators	Ways to collect data
<ul style="list-style-type: none"> <li>• Number of reported incidents of gender-based violence (disaggregated by type of incident, gender of survivor and gender/type of perpetrator)</li> <li>• Existence and use of sustainable measures or enforcement mechanisms</li> <li>• Safe access to school (including route to school)</li> <li>• Existence and implementation (at difference levels ) of policies addressing violence in schools and child protection</li> <li>• Existence of community mechanisms to support child protection</li> </ul>	<ul style="list-style-type: none"> <li>• Open meetings</li> <li>• Focus groups with children, SMCs, teachers and girls clubs</li> <li>• Mothers' clubs</li> <li>• One to one interviews/ key informant interviews</li> </ul>

### What's an enforcement mechanism?

- Risks encountered en route to school (by type)
- Existence of policies aimed at addressing violence and ensuring child protection
- Implementation of policies aimed at addressing violence and ensuring child protection
- Existence of confidential reporting and referral mechanisms for incidents of violence
- Existence of community child protection support mechanisms
- Awareness of a) policies b) reporting and referral mechanisms c) community support mechanisms

**Possible Indicator:** Number of reported incidents of gender-based violence (disaggregated by type of incident, gender of survivor and gender/type of perpetrator)

**Q1 How common are incidents of violence or abuse? (refer to Annexe 2 for terms)**

Complete the grid with the words: common, occasional, rare, never								
	Physical violence	Sexual abuse	Harassment	Bullying	Corporal punishment	Public humiliation	Online bullying	Other
Survivors								
Girls								
Boys								
Children with disabilities								
Male Teachers								
Female Teachers								

Perpetrators								
Male Teachers								
Female Teachers								
Parents								
Girls								
Boys								
Other School Staff								
Motorcycle and taxi drivers								
Others								



**Q2. Where do most incidents of violence take place?**

Place	X or ✓
In the classroom	
In the playground	
Outside school	
On the way to school	
Other (please specify)	

**Possible Indicator:** Existence and use of suitable measures or enforcement mechanisms.  
**Possible Indicator:** Existence and implementation (at different levels) of policies addressing violence in schools and child protection.

**Q4. How many teachers are trained to respect children's rights and to support children in reporting abuse and violence?**

Total	
-------	--

**Please specify the types of training received and who conducted the training:**

**Q5. What kind of monitoring and reporting mechanisms exist at school- level for children who suffer from violence or abuse?**

Is it an independent, safe and anonymous mechanism?	Yes	No	Please explain:
Do children, especially girls have safe spaces in the school to discuss and report cases of violence and abuse?			Please explain:

**Q6. How many cases of significant action on reported abuse/violence have taken place over the past year?**

Total	
-------	--

**Provide an example of a violation and the action taken:**

**Q7. Does the school have a code of conduct?** (This publication: [Guidelines for the design and effective use of Teacher codes of conduct](#) can provide useful reference information)

NO YES

If Yes, what does it say about SRGBV?

**Is it displayed in the school?**

NO YES

**Possible Indicator:** Existence of community mechanisms to support child protection.

**Q8. Responses to violence and abuse:**

**Q8a; Are there campaigns to combat bullying, violence and abuses against children?**

NO YES

Please explain:

**Q8b; Are community leaders, SMCs or PTAs taking any actions to protect children against violence and abuse?**

NO YES

Please describe:

**Q8c; Are teachers or school counsellors trained to support survivors of GBV?**

NO

YES

If YES by whom and when?

**Q8d; Is relevant support available to survivors?**

NO

YES

Please explain

**Q9. Are teachers in the school trained in positive discipline?**

NO

YES

If YES how many? When? and by whom?

Female	Male	Total

**Q10. Does the teachers' union actively promote a policy to prevent violence and abuse by teachers (e.g. a Teachers' Code of Conduct)?**

NO

YES

If yes, has any action been taken against a teacher as a result of this policy?

# 6

## Right to Relevant Education.

The curriculum should not discriminate and should be relevant to the social, cultural, environmental, economic, technological and linguistic context of learners.

For education to be **acceptable** and **adaptable** it needs to be **relevant**. This means that it needs to be taught in the mother tongue and linked to local realities, but this does not mean it needs to employ “localism”. There is universal relevance to ensuring girls and boys are taught about their sexual and reproductive health rights, are supported to make positive choices through life-skills training, and that they are prepared for active citizenship and critical thinking.



A classroom in Tanzania, Makmende Media/ActionAid

## 6.1 Ideas for consideration

### Make the direct link from this right to the overall aims of education

- Do the teachers have the relevant knowledge and capacity to teach skills relevant to future jobs and life, wider than academic education? Is the methodology relevant for these skills?
- Education should be in mother tongue for at least the early grades of primary school. Are there trained teachers from local language groups?
- Children should be taught skills to survive in their environment. Are there local people who impart these skills?
- Do the schools have the ability to respond to common disasters at a local level?

## 6.2 Suggested Actions

1. **Work with the teachers and schools to ensure the relevance** of teaching methods with a focus on learning for future jobs and for life in general.
2. **Promote mother tongue education** in the early grades of primary school and ensure there are trained teachers from local language groups. Look at what laws and policies say about mother tongue education.
3. **Develop new teaching-learning materials to make education more relevant**, by involving local people in developing these, or adapting existing materials in local languages.
4. **Support in-service teacher training** based around local issues and support teachers to develop and share local materials and resources, building up a local library of relevant materials.
5. **Design campaigns around key local issues** that need to be addressed in local schools.
6. **Ensure schools respond to common disasters at a local level and learn from ActionAid's wider experience of disaster risk reduction through schools**, including promotion of disaster risk reduction in appropriate places in the curriculum and sharing of potential life-saving information, skills and drills.
7. **Support schools to track indicators of climate change**, to promote discussion on adaptation and to relate climate change to agriculture and food production.
8. **Support schools and communities to lobby decision-makers** to adequately finance measures that will mitigate the impacts of climate change and promote a more sustainable future.
9. **Support local parents and community groups to run classes on local livelihoods, culture, history or the environment.**



## 6.3 Legal Reference Points

### Origin of the Right:

*"The education offered must be adequate in quality, relevant to the child and must promote the realization of the child's other rights."* (CESCR, General Comment 11, para 6)

International References	Regional References	National References
<p><b>Legally binding:</b></p> <ul style="list-style-type: none"> <li>ICESCR, Art. 13.1 and 13.3</li> <li>CRC, Art. 29</li> <li>CRPD, Art. 24</li> <li>CEDAW, Art. 10</li> </ul> <p><b>Non-binding:</b></p> <ul style="list-style-type: none"> <li>CESCR, General Comment 13, para 6(c) (d)</li> <li>CRC, General Comment 1, para 9</li> </ul>	<p>Find out what exists in your region</p> <p>For example: Article 25, African (Banjul) Charter on Human and Peoples' Rights; Article 11 (2), African Charter on the Rights and Welfare of the Child; Article 13 (3), African Youth Charter; Article 41 (4), Arab Charter on Human Rights; Article 31 (3), ASEAN Human Rights Declaration;</p>	<p>Read your national constitution.</p> <p>Review your national and state education and equality legislation and policies.</p> <p>See <a href="https://www.right-to-education.org/issue-page/quality-education">https://www.right-to-education.org/issue-page/quality-education</a></p>
<p>How does this right link to the 4As? <b>Acceptable + Adaptable</b></p>		

## 6.4 Indicators and Data Collection Templates

Possible indicators	Ways to collect data
<ul style="list-style-type: none"> <li>• % of children at entry point who speak the language of instruction in the local primary school</li> <li>• % of teachers who are recruited from the local area, or who speak the local language</li> <li>• Availability of locally produced and adapted learning materials.</li> <li>• Types of skills and values the education aims to improve</li> </ul>	<ul style="list-style-type: none"> <li>• Focus group discussions with teachers and students</li> <li>• Review of records</li> <li>• Open meetings</li> </ul>

**Possible Indicator:** Percentage of children at entry who speak the language of instruction in the local primary school.

**Q1. What percentage of children at entry in grade 1 speak the language of instruction?**

As mother tongue	Only partially, as second language	Cannot speak it

**Possible Indicator:** Percentage of teachers who are recruited from the local area or who speak the local language.

**Q2. What percentage of teachers know the local language or mother tongue/s of the students?**

Female	Male	Total

**Possible Indicator:** Availability of locally produced and adapted learning materials.

**Q3. Are locally relevant, locally produced, or locally adapted learning materials and plans available?**

Available		Not available	
Available but not adequate			

**Possible Indicator:** Types of skills and values education aims to improve.

**Q4. Does the education process in this school promote the following?**

Skills and values	Yes	Somewhat	No
1. Respect for other cultures or nationalities			
2. Tolerance/respect for other racial, ethnic, caste or religious groups			
3. Awareness of climate change and its impact on the community, the country, and the world			
4. Skills that are relevant for local livelihoods			
5. Awareness of key health issues			
6. Awareness of sexual and reproductive health rights			
7. Awareness of HIV and AIDS			
8. Critical thinking			
9. Problem solving			
10. Awareness of human rights and children's rights			
11. Creative expression of opinions by children			
12. Gender equality			
13. Life skills and healthy choices			

**Q5. Do parents, children and community leaders contribute to defining school curricula?**

Yes	
Somewhat	
No	

Explain the answer.

# 7

## Right to know your Rights

Schools should teach human rights education and children's rights in particular. Learning should include age-appropriate and accurate information on sexual and reproductive rights.

Respect for human rights, tolerance and equality of the sexes are all part of the aims of education, as articulated by human rights law. Teacher training programmes should include human rights education and awareness on gender issues.



## 7.1 Ideas for consideration

1. **Review present teaching practices** to ensure that children are able to learn about tolerance and democracy in a friendly, tolerant and democratic environment.
2. **How relevant is the existing curriculum?**
3. **Are life skills and human rights education included** in the school curriculum?
4. **Are human rights incorporated in the school curriculum and taught in a child-friendly way?**
5. **To what extent are children aware of and able to claim their rights?**

## 7.2 Suggested Actions

1. **Encourage and support child participation.** Organize a workshop to design a child friendly version of the charter or other age-appropriate practical resources for children about child rights and human rights (including the rights of people with disabilities) in local languages.
2. **Train teachers and parents on child rights** and wider human rights so that these are recognised as a fundamental part of the responsibility of the school.
3. **Support local debates and public dialogue** about the values taught in school, including the importance of the values of tolerance, non-violence and mutual respect.
4. **Review present teaching practices** to ensure that children are able to learn about tolerance and democracy in a tolerant and democratic environment.
5. **Review the existing curriculum** to ensure that there is adequate coverage of child rights and human rights and that these are being taught in practice.
6. **Ensure that children receive age-appropriate and accurate sexual health and reproductive rights information.** Remember and stress that this could be life-saving knowledge, especially information about effective HIV prevention.
7. **Organise human rights education sessions for community members, using existing participatory approaches**



## 7.3 Legal Reference Points

### Origin of the Right:

*"States Parties undertake to make the principles and provisions of the Convention widely known, by appropriate and active means, to adults and children alike."* (CRC, Art. 42)

International References	Regional References	National References
<p><b>Legally binding:</b></p> <ul style="list-style-type: none"> <li>UDHR Art. 26.2</li> <li>ICESCR, Art. 13.1</li> <li>CRC, Art. 17 and 29</li> <li>CRPD, Art. 8</li> </ul> <p><b>Non-binding:</b></p> <ul style="list-style-type: none"> <li>CRC, General Comment 1, para 2-4 &amp; 15</li> <li>UN Declaration on Human Rights Education and Training</li> </ul>	<p>Find out what exists in your region</p> <p>Article 25, African (Banjul) Charter on Human and People's Rights; Article 11 (2), African Charter on the Rights and Welfare of the Child; Article 13 (3), African Youth Charter; Article 41 (4), Arab Charter on Human Rights; Article 31 (3), ASEAN Human Rights Declaration;</p>	<p>Read your national constitution.</p> <p>Review your national and state education and equality legislation and policies.</p> <p>Section on human rights education in the RTE handbook: <a href="https://www.right-to-education.org/sites/right-to-education.org/files/resource-attachments/RTE-UNESCO_Right%20to%20education%20handbook_2019_En.pdf">https://www.right-to-education.org/sites/right-to-education.org/files/resource-attachments/RTE-UNESCO_Right%20to%20education%20handbook_2019_En.pdf</a></p>
<p><i>How does this right link to the 4As?</i>      <b>Acceptable + Adaptable</b></p>		

## 7.4 Indicators and Data Collection Templates

Possible indicators	Ways to collect data
<ul style="list-style-type: none"> <li>Children's awareness of their rights</li> <li>Human rights standards are taught in a child-friendly way</li> <li>Sexual and reproductive rights are taught in an age-appropriate way</li> </ul>	<ul style="list-style-type: none"> <li>Focus groups with children, parents and teachers to undertake surveys and share findings, as a group, with head teachers, SMC and PTA</li> <li>Meeting with education department officials responsible for the curriculum</li> </ul>

**Possible Indicator:** Children's awareness of their rights.

### Q1. Are human rights/children's rights taught in the school?

YES	
NO	
How often are these taught in the school?	
If, so from which grade?	

**Possible Indicator:** Human rights standards are taught in a child-friendly way.

### Q2. By the end of the school year, what percentage of children can name at least three human rights?

100%	
70%	
50%	
<50%	

### Q3. By the end of the school year, what percentage of children understand the term 'discrimination' and can give three relevant examples?

100%	
70%	
50%	
<50%	

**Q4. Are children taught that they are all equal?**

NO

YES

**Q5. Does the curriculum include discussions about the following?**

Right	Yes	No	Comments
Gender equality			
Respect for others			
Conflict resolution			
Democracy			
The environment/climate change			
Sexual and reproductive health			If yes, is it age-appropriate? <b>Yes / No</b>
Equality			
Human rights			
Children's rights			
Disability rights			

# 8

## Right to Participate:

Girls and boys have the right to participate in decision-making processes in school. Appropriate mechanisms should be in place to enable the full, genuine and active participation of children.

Girls and boys have an equal right to participate meaningfully in decision-making in schools. Tracking who speaks in key forums and whose voice is given weight can help to ensure that biases are diminished. The participation of children, especially girls or children from marginalised groups, in a democratic space in their schools can be a foundation for meaningful participation and leadership in wider society.



Reading club, Ian Mutuna/ActionAid Zambia

## 8.1 Ideas for consideration

1. **Are there participatory approaches to learning in schools?** Are teachers or peer educators trained in these tools and processes so that children become accustomed to sharing their voices and being active agents of change?
2. **Are there safe spaces** (forums, school councils, girls' and boys' clubs) for lunchtime and after-school activities where children are encouraged to think critically and engage actively?
3. **Is there adequate space for children to participate in all aspects of school life?** This includes the right to participate actively in the classroom (rather than being purely passive recipients), and to be involved in the decision-making structures of the school. For example, this could be through school councils or clubs or through having roles for children on the PTA and SMC.
4. **Is there opportunity for peer education?**
5. **Is there opportunity for peer counselling?**
6. **To what extent are children listened to in decisions** that affect the school or their learning?

## 8.2 Suggested Actions

1. **Support participatory approaches to learning in schools**, drawing on *Reflect* and other approaches. Train teachers or peer educators in these tools and processes so that children become accustomed to sharing their voice and being active agents of change.
2. **Organize workshops on child participation for teachers, SMCs and PTAs.**
3. **Support school groups:** councils, girls' and boys' clubs, lunchtime and after-school activities, where children are encouraged to think critically and engage actively.
4. **Advocate for more space for children to participate** in all aspects of school life. This includes the right to participate actively in the classroom (rather than being purely passive recipients), and to be involved in the decision-making structures of the school, for example through school councils or clubs or through having roles for children on the PTA and SMC.
5. **Integrate children in school plans and budget processes.**
6. **Support child-led reviews of the curriculum and of disciplinary procedures.**
7. **Promote peer education and peer counselling** (mentoring, coaching).



## 8.3 Legal Reference Points

### Origin of the Right:

***“Education shall enable all persons to participate effectively in a free society.” (ICESCR, Art.13.1)***

International References	Regional References	National References
<p><b>Legally binding:</b></p> <ul style="list-style-type: none"> <li>CRC, Art. 12.1</li> <li>CRPD, art 24.1(c)</li> </ul> <p><b>Non-binding:</b></p> <ul style="list-style-type: none"> <li>CRC, General Comment 1, para 8 &amp; 22</li> <li>CRC, General Comment 12</li> </ul>	<p>Find out what exists in your region</p> <p>In Africa, for example, there is the African Charter on the Rights and Welfare of the Child (ACRWC)</p>	<p>Read your national constitution.</p> <p>Review your national and state education and equality legislation and policies.</p> <p>See the Right to Education Monitoring Guide section on participation: <a href="https://www.right-to-education.org/monitoring/guide/53-participation">https://www.right-to-education.org/monitoring/guide/53-participation</a></p>
How does this right link to the 4As?		<b>Acceptable + Adaptable</b>

## 8.4 Indicators and Data Collection Template

Indicators	Ways to collect data.
<ul style="list-style-type: none"> <li>Type and frequency of children’s participation in: a) classroom b) school clubs c) school council d) other (disaggregate by M/F, disability, other relevant category of vulnerability).</li> <li>Number of children’s recommendations included in/acted upon in School Improvement Plans.</li> <li>Teachers trained on child participation (M/F, disability, other relevant category)</li> </ul>	<ul style="list-style-type: none"> <li>Focus group discussions with children of different grades, gender and disability.</li> <li>Focus group discussions with teachers</li> </ul>

**Possible Indicator:** Participation of children in classroom and in school clubs, councils, forums, etc. (disaggregated by gender and disability).

**Q1. Are there opportunities for children to express themselves and participate regularly and meaningfully, in spaces such as:**

Expression	Yes	No	Sometimes
1. Class			
2. Their own clubs/council			
3. Separate clubs for girls			
4. School governance/decisions			
5. Decisions on the curriculum			

**Q2a. Are these opportunities for participation taken up equally by all children?**

YES	
NO	
Dominated by some children	

Participation	Yes	No
Q2.b. Do children from discriminated/marginalised groups participate?		
Q2.c. Do girls participate?		
Q2.d. Do children with disabilities participate?		

**Q3. Do parents, SMCs and PTAs get involved in:**

Involvement	Yes	No	Sometimes
1. Ensuring or monitoring children's participation?			
2. Tracking or monitoring learning outcomes?			

**Q4. How frequently do parents and teachers meet?**

Once, at the beginning of the academic year?	
Once, at the end of the academic year?	
Twice, at the beginning and end of the academic year?	
More, explain:	

**Q5. Are teachers trained to encourage all children to participate in the learning process?**

YES	
NO	

Explain the response.

**Q6. Please give one example where children's participation or voice has led to positive change:**

# 9

## Right to Transparent and Accountable Schools

Schools need to have transparent and effective monitoring systems. Both community and children should be able to participate in accountable governing bodies, management committees and parents' groups.

Gender imbalance is not just a problem within classrooms but also, in school governing bodies and other community spaces that link with schools. Because many children return home to non-literate households, there is a strong case for women's programmes that seek to increase household literacy and representation of women on relevant accountability bodies.



Ghana, Yeri Nancy, NORSAAC/ActionAid

## 9.1 Ideas for consideration

1. **Availability of resources with information on legal or statutory powers.**
2. **Whether the school budget is publicly available and independently monitored.**
3. **The capacity of the school governance structures for:**
  - The full spectrum of 10 rights that their school should respect.
  - Analysis and monitoring of education budgets. Is the budget sensitive or responsive to the specific needs of girls, children with disabilities or other marginalised groups?
  - Wider performance tracking of schools.
4. **Representation of discriminated groups in school governance structures**, including ensuring strong and equal participation of women and children.
5. **National policies on school governance body, with clear roles.**
6. **Need for a federation of school governance structures** (SMCs and PTAs) to strengthen their voices so that they have a presence at all levels from local to district, provincial to national.
7. **Links between SMCs, PTAs and elected representatives** (local, district or national level).
8. **Degree to which PTAs and SMCs are representative of local parents** (especially from discriminated groups).
9. **Impact of parental literacy** (especially women's literacy) on participation in school governance and support to children's learning.



## 9.2 Suggested Actions

1. **Review national policies to ensure that all schools have an effective school governance body**, with clear roles and responsibilities, and that they are required to listen to local people.
2. **Ensure that government inspection programmes** - which guarantee and enforce minimum standards in schools - are functioning.
3. **Support SMCs in the full cycle of planning**, monitoring and auditing of outcomes and expenditures.
4. **Train PTAs, SMCs and school head teachers on the School Charter.**
5. **Develop community-level, user-friendly, budget tracking tools.**
6. **Organize a training workshop on education budget tracking for:**
  - a. SMCs, PTAs and head teachers.
  - b. District education officers
  - c. Children's clubs
7. **Publish resources on the legal or statutory powers of different groups** and map the extent to which they can enact these powers.
8. **Support wider performance tracking of schools**, helping local people define indicators and build their capacity to take on this role.
9. **Review the present status and increase the representation of discriminated groups** in school governance structures, including ensuring strong and equal participation of women.
10. **Federate SMCs so that they have a presence at all levels from local to district, provincial to national.**
11. **Build links between SMCs, PTAs and elected representatives (local, district or national level).**

## 9.3 Legal Reference Points

### Origin of the Right:

***“Education shall enable all persons to participate effectively in a free society.” (ICESCR, Art.13.1)***

International References	Regional References	National References
<p><b>Legally binding:</b></p> <ul style="list-style-type: none"> <li>ICESCR, art 13.3 and 13.4</li> <li>CRC, Art. 29.2</li> </ul> <p><b>Non-binding:</b></p> <ul style="list-style-type: none"> <li>CRC, General Comment 13, para 49</li> <li>CRC, General Comment 1, para 22 &amp; 25</li> </ul>	<p>Find out what exists in your region</p> <p>In Africa, for example, there is the African Charter on the Rights and Welfare of the Child (ACRWC)</p>	<p>Read your national constitution.</p> <p>Review your national and state education and equality legislation and policies.</p> <p>See: <a href="https://education-profiles.org/">https://education-profiles.org/</a></p>
How does this right link to the 4As?		<b>Acceptable</b>

## 9.4 Indicators and Data Collection Templates

Possible Indicators	Ways to collect data
<ul style="list-style-type: none"> <li>Degree to which PTAs and SMCs are representative of local parents (especially discriminated groups)</li> <li>Extent to which SMC is able to work effectively (e.g against statutory requirements)</li> <li>Public availability of the School Budget.</li> <li>Independent monitoring of School Budget.</li> <li>Literacy levels of parents (M/F) engaged in a) school governance b) children's learning.</li> </ul>	<ul style="list-style-type: none"> <li>Focus group discussions with SMCs and PTAs</li> <li>Open meetings</li> </ul>

**Possible Indicator:** Degree to which PTAs and SMCs are representative of local parents (especially discriminated groups).

**The following tool can be used for an SMC or a PTA. Amend as relevant.**

### Q1. Is the PTA/SMC

Active & fully functioning	
In existence and occasionally active	
In existences but never active	
Non-existent	

### Q2. Is the PTA/SMC

Fully inclusive of all main groups in the community	
Fairly broad and diverse	
Small and dominated by one group	
Dominated by just one or two people	

### Q3. What number of PTA/SMC members come from the main local marginalised groups?

**Q4. What number of PTA members are women?**

**Possible Indicator:** SMC is able to work effectively (e.g., Extent to which it works according to statutory requirements).

**Q5. Is the SMC chairperson a parent or guardian, in line with policy?**

NO YES

**Q6. Are parent members of the PTA or SMC able to *meaningfully* participate in changing the policies or practices of the school to make it more responsive to rights holders?**

NO YES SOMEWHAT

**Q6b. How many decisions made by the SMC are being implemented?**

**Q6c. Do the students contribute to the decisions being made by SMCs?**

NO YES, If yes how?

**Possible Indicator:** School budgets are publicly available and independently monitored.

**Q7. Is the school budget:**

Understood by most people and transparently available publicly (e.g. posted on a wall at the school)?	
Available to those who want to see it?	
Available, but not explained to or understood by most people?	
Known only to one or two people and controlled by them?	

**Q8. Does the allocated budget arrive at the school?**

NO YES If NO, explain

**Does it arrive in a timely manner?**

NO

YES

If NO, explain

**Q9. Is there a general inspection or supervision system?**

NO

YES

**Q9.b. Which body is responsible for monitoring education?**

**Q10. Is there an annual social audit or other type of local review of the school?**

NO

YES

**Q11. Do you know how your school is performing compared to other schools in the same district?**

NO

YES

If yes is it	Above average		Average		Below Average	
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**Possible Indicator:** Parental literacy, especially women's literacy and participation of those who are in school governance and support to children's learning.

**Q12. What percentage of local parents are able to read and write?**

Read & Write	%F	%M
Not at all		
With difficulty		

What support is available to ensure that these parents can participate in holding the school accountable?



# 10 Right to Quality Learning

Girls and boys have a right to a quality learning environment and to effective teaching processes so that they can develop their personality, talents and physical and mental abilities to their fullest potential.

Available education does not automatically mean **quality** education. The skills of the teachers, motivations of the leadership, and space to learn all impact on the quality of the education provided. There should also be no reason for any marked gendered difference in learning outcomes in *any* subject. The myth that boys are better at science or *more suited to maths and science* needs to be challenged. The *genderisation* of subjects can have a lasting impact, disadvantaging girls at higher levels of education and affecting career opportunities. It is important to collect credible disaggregated data on both the breadth of learning (ensuring all children learn across a broad curriculum) and the depth of learning (ensuring girls and boys are learning enough and can use what they learn in practice) and ensuring children with different learning needs and abilities are supported and included in mainstream education.



Learners, Nepal, Khagendra Sapkota/ActionAid

## 10.1 Ideas for consideration

1. **There is a strong consensus that a ratio of 40:1**, or less, is necessary to achieve quality learning. See for example, the 2009 EFA Global Monitoring Report (p. 117) and the EFA Fast Track Initiative Framework document [here](#).
2. **The quality of learning in local schools and how this is measured.**
3. **Participatory approaches to developing indicators on the quality of learning at local level.**
4. **Analysis of evidence on learning outcomes.**
5. **Teachers' skills, especially in relation to child-centred, child-friendly, gender responsive inclusive teaching methods.**
6. **Promotion of creativity and new forms of learning in addition to the core-curriculum.**
7. **Contact hours for children with teachers.**
8. **Satisfaction of parents and children with learning outcomes.**

## 10.2 Suggested Actions

1. **Support efforts to review the quality of learning** in local schools and publish results. These reviews should draw on test and exam results but not be limited only to these.
2. **Help parents and communities to develop indicators on the quality of learning**, including broader issues, such as the values the school inculcates in students, practical knowledge, social skills, critical thinking and problem solving.
3. **Promote analysis of evidence on learning outcomes** in relation to key indicators such as class size, the level of accountability of the school and the quality of the teachers.
4. **Develop interventions to improve learning in a sustainable way**, which builds or reinforces the capacity of the wider government system.
5. **Support training programmes to strengthen teacher skills**, especially in relation to child-centred, child-friendly and empowering learning processes.
6. **Support co-curricular exercises that promote creativity** and new forms of learning in addition to the core-curriculum.
7. **Organize a school forum on learning outcomes with parents and teachers.**
8. **Raise awareness among parents around the necessity of allocating time for children to do their homework** and for parents to show interest in their children's learning outcomes.

## 10.3 Legal Reference Points

### Origin of the Right:

***“Education shall enable all persons to participate effectively in a free society.” (ICESCR, Art.13.1)***

International References	Regional References	National References
<p><b>Legally binding:</b></p> <p>UDHR Art. 26.2</p> <p>ICESCR, Art. 13.2</p> <p>CRC, Art. 28.1 and 29</p> <p>CRPD, Art. 24.1 and 24.2</p> <p><b>Non-binding:</b></p> <p>CESCR, General Comment 11, para 6 and General Comment 13 para 6(c) and 50</p> <p>CRC, General Comment 1, para 8, 9, and 12</p>	<p>Find out what exists in your region</p> <p>For example:</p> <p>Article 11, African Charter on the Rights and Welfare of the Child; Article 13, African Youth Charter; Article 41 (2), Arab Charter on Human Rights</p>	<p>Read your national constitution.</p> <p>Review your national and state education and equality legislation and policies.</p> <p>See <a href="http://www.right-to-education.org">www.right-to-education.org</a> for a list of each country's constitutional obligations to education.</p>
<p><i>How does this right link to the 4As?</i>      <b>Available + Acceptable + Adaptable</b></p>		

## 10.4 Indicators and data collection templates

Possible indicators	Ways to collect data.
<ul style="list-style-type: none"> <li>• % of students who pass exams or standardised tests of basic skills (disaggregated by axes of local discrimination)</li> <li>• Satisfaction with learning outcomes for parents and children</li> <li>• Contact hours for children with teachers'</li> </ul>	<ul style="list-style-type: none"> <li>• School records</li> <li>• Focus groups with teachers, parents and children</li> </ul>

**Possible Indicator:** Percentage of students who pass exams or standardised tests on basic skills (disaggregated by axes of local discrimination).

**Q1. Of the children who enrol in grade one, what percentage pass their primary school leaving exam?**

Total	
Girls	
Boys	
Children with disability	
Discriminated group1 (specify)	
Discriminated group 2 (specify)	
Discriminated group 3(specify)	

**Q2. Percentage of children who take the exam and pass the primary leaving exams.**

Total	
Girls	
Boys	
Children with disability	
Discriminated group1 (specify)	
Discriminated group 2(specify)	
Discriminated group 3(specify)	

**Q3. What percentage of children pass the end of grade exams?**

#	Passing Grade Exam			Children with disabilities			Groups discriminated against		
Grade	Total	Girls	Boys	Total	Girls	Boys	1	2	3
1									
2									
3									
4									
5									
6									
7									
8									

**Q4. What is the transition rate from primary to secondary school?**

Total		Discriminated group 1	
Girls		Discriminated group 2	
Boys		Discriminated group 3	
Children with disability			

**Possible Indicator:** Satisfaction of parents and children with learning outcomes.

**Q5. What percentage of parents are aware of children's learning outcomes?**

What percentage of households have a safe or quiet space for their children to do homework?

What percentage of parents actively set aside equal time for girls and boys to do homework?

What percentage of parents monitor or support children's learning at home?

**Q6. Are the majority of parents satisfied with what is taught in school? (Tick the appropriate)**

Subjects	Not satisfied	Satisfied	Very satisfied
Academic Subjects			
Non-academic Subjects			

Explain the rating:



**Q6.b Are there other subjects that parents would like the children to learn?**

**Q7. Are the majority of children satisfied with what is taught in school?**  
(Tick the appropriate)

Subjects	Not satisfied	Satisfied	Very satisfied
Academic subjects			
Non-academic subjects			

**Q7.b. Are there other subjects they would like to learn?**

**Q7.c. Are the subjects being taught in the school the same for boys and girls?**

**Q7.d. Are the non- academic subjects the same for boys and girls?**

**Possible Indicator:** Contact hours of children with teachers.

**Q8. How many hours are children actively learning in school?**

Each Day	
Each Week	
Over a School Year	

**Q.9. How much time do children have for breaks each day?**

**Q.10. How much time do children have for play each day?**

**Do both girls and boys play?**

NO YES

**Are boys and girls free to choose the games they want to play?**

NO YES If NO, explain

**Are there games in the school that boys and girls play together?**

NO YES If NO, explain

# Annexes



Cambodia/ActionAid

## Annexe 1: COMPILATION OF HUMAN RIGHTS REFERENCES

### United Nations Conventions and Treaties

#### Article 2, Universal Declaration of Human Rights (UDHR)

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status...

#### Article 26, Universal Declaration of Human Rights (UDHR)

1. Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.
2. Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.
3. Parents have a prior right to choose the kind of education that shall be given to their children.

#### Article 2, International Covenant on Civil and Political Rights (ICCPR)

Each State Party to the present Covenant undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

### The International Covenant on Economic, Social and Cultural Rights (ICESCR)

#### Article 2, International Covenant on Economic, Social and Cultural Rights (ICESCR)

1. Each State Party to the present Covenant undertakes to take steps, individually and through international assistance and co-operation, especially economic and technical, to the maximum of its available resources, with a view to achieving progressively the full realization of the rights recognized in the present Covenant by all appropriate means, including particularly the adoption of legislative measures.
2. The States Parties to the present Covenant undertake to guarantee that the rights enunciated in the present Covenant will be exercised without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

### **Article 3, International Covenant on Economic, Social and Cultural Rights (ICESCR)**

The States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all economic, social and cultural rights set forth in the present Covenant.

### **Article 6, International Covenant on Economic, Social and Cultural Rights (ICESCR)**

1. States Parties recognize that every child has the inherent right to life.
2. States Parties shall ensure to the maximum extent possible the survival and development of the child.

### **Article 7, International Covenant on Economic, Social and Cultural Rights (ICESCR)**

The States Parties to the present Covenant recognize the right of everyone to the enjoyment of just and favourable conditions of work which ensure, in particular:

- a) Remuneration which provides all workers, as a minimum, with:
  - i. Fair wages and equal remuneration for work of equal value without distinction of any kind, in particular women being guaranteed conditions of work not inferior to those enjoyed by men, with equal pay for equal work;
  - ii. A decent living for themselves and their families in accordance with the provisions of the present Covenant;
- b) Safe and healthy working conditions;
- c) Equal opportunity for everyone to be promoted in his employment to an appropriate higher level, subject to no considerations other than those of seniority and competence;
- d) Rest, leisure and reasonable limitation of working hours and periodic holidays with pay, as well as remuneration for public holidays

### **Article 8, International Covenant on Economic, Social and Cultural Rights (ICESCR)**

1. The States Parties to the present Covenant undertake to ensure:
  - a. The right of everyone to form trade unions and join the trade union of his choice, subject only to the rules of the organization concerned, for the promotion and protection of his economic and social interests. No restrictions may be placed on the exercise of this right other than those prescribed by law and which are necessary in a democratic society in the interests of national security or public order or for the protection of the rights and freedoms of others;
  - b. The right of trade unions to establish national federations or confederations and the right of the latter to form or join international trade-union organizations;
  - c. The right of trade unions to function freely subject to no limitations other than those prescribed by law and which are necessary in a democratic society in the interests of national security or public order or for the protection of the rights and freedoms of others;
  - d. The right to strike, provided that it is exercised in conformity with the laws of the particular country.

2. This article shall not prevent the imposition of lawful restrictions on the exercise of these rights by members of the armed forces or of the police or of the administration of the State.
3. Nothing in this article shall authorize States Parties to the International Labour Organisation Convention of 1948 concerning Freedom of Association and Protection of the Right to Organize to take legislative measures which would prejudice or apply the law in such a manner as would prejudice, the guarantees provided for in that Convention.

### **Article 13, International Covenant on Economic, Social and Cultural Rights (ICESCR)**

1. The States Parties to the present Covenant recognize the right of everyone to education. They agree that education shall be directed to the full development of the human personality and the sense of its dignity and shall strengthen the respect for human rights and fundamental freedoms. They further agree that education shall enable all persons to participate effectively in a free society, promote understanding, tolerance and friendship among all nations and all racial, ethnic or religious groups, and further the activities of the United Nations for the maintenance of peace.
2. The States Parties to the present Covenant recognize that, with a view to achieving the full realization of this right:
  - a) Primary education shall be compulsory and available free to all;
  - b) Secondary education in its different forms, including technical and vocational secondary education, shall be made generally available and accessible to all by every appropriate means, and in particular by the progressive introduction of free education;
  - c) Higher education shall be made equally accessible to all, on the basis of capacity, by every appropriate means, and in particular by the progressive introduction of free education;
  - d) Fundamental education shall be encouraged or intensified as far as possible for those persons who have not received or completed the whole period of their primary education;
  - e) The development of a system of schools at all levels shall be actively pursued, an adequate fellowship system shall be established, and the material conditions of teaching staff shall be continuously improved.
3. The States Parties to the present Covenant undertake to have respect for the liberty of parents and, when applicable, legal guardians to choose for their children schools, other than those established by the public authorities, which conform to such minimum educational standards as may be laid down or approved by the State and to ensure the religious and moral education of their children in conformity with their own convictions.
4. No part of this article shall be construed so as to interfere with the liberty of individuals and bodies to establish and direct educational institutions, subject always to the observance of the principles set forth in paragraph 1 of this article and to the requirement that the education given in such institutions shall conform to such minimum standards as may be laid down by the State.



## Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)

### Article 10, Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)

States Parties shall take all appropriate measures to eliminate discrimination against women in order to ensure to them equal rights with men in the field of education and in particular to ensure, on a basis of equality of men and women:

- a. The same conditions for career and vocational guidance, for access to studies and for the achievement of diplomas in educational establishments of all categories in rural as well as in urban areas; this equality shall be ensured in pre-school, general, technical, professional and higher technical education, as well as in all types of vocational training;
- b. Access to the same curricula, the same examinations, teaching staff with qualifications of the same standard and school premises and equipment of the same quality;
- c. The elimination of any stereotyped concept of the roles of men and women at all levels and in all forms of education by encouraging coeducation and other types of education which will help to achieve this aim and, in particular by the revision of textbooks and school programmes and the adaptation of teaching methods;
- d. The same opportunities to benefit from scholarships and other study grants;
- e. The same opportunities for access to programmes of continuing education, including adult and functional literacy programmes, particularly those aimed at reducing, at the earliest possible time, any gap in education existing between men and women;
- f. The reduction of female student drop-out rates and the organization of programmes for girls and women who have left school prematurely;
- g. The same Opportunities to participate actively in sports and physical education;
- h. Access to specific educational information to help to ensure the health and well-being of families, including information and advice on family planning.

## Convention on the Rights of the Child (CRC)

### Article 2, Convention on the Rights of the Child (CRC)

1. States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.
2. States Parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members.

### **Article 12, Convention on the Rights of the Child (CRC)**

1. States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.
2. For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.

### **Article 17, Convention on the Rights of the Child (CRC)**

States Parties recognize the important function performed by the mass media and shall ensure that the child has access to information and material from a diversity of national and international sources, especially those aimed at the promotion of his or her social, spiritual and moral well-being and physical and mental health.

To this end, States Parties shall:

- a. Encourage the mass media to disseminate information and material of social and cultural benefit to the child and in accordance with the spirit of article 29;
- b. Encourage international co-operation in the production, exchange and dissemination of such information and material from a diversity of cultural, national and international sources;
- c. Encourage the production and dissemination of children's books;
- d. Encourage the mass media to have particular regard to the linguistic needs of the child who belongs to a minority group or who is indigenous;
- e. Encourage the development of appropriate guidelines for the protection of the child from information and material injurious to his or her well-being, bearing in mind the provisions of articles 13 and 18.

### **Article 19, Convention on the Rights of the Child (CRC)**

1. States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.
2. Such protective measures should, as appropriate, include effective procedures for the establishment of social programmes to provide necessary support for the child and for those who have the care of the child, as well as for other forms of prevention and for identification, reporting, referral, investigation, treatment and follow-up of instances of child maltreatment described heretofore, and, as appropriate, for judicial involvement.

### **Article 28, Convention on the Rights of the Child (CRC)**

1. States Parties recognize the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity, they shall, in particular:
  - a. Make primary education compulsory and available free to all;
  - b. Encourage the development of different forms of secondary education, including general and vocational education, make them available and accessible to every child, and take appropriate measures such as the introduction of free education and offering financial assistance in case of need;

- c. Make higher education accessible to all on the basis of capacity by every appropriate means;
  - d. Make educational and vocational information and guidance available and accessible to all children;
  - e. Take measures to encourage regular attendance at schools and the reduction of drop-out rates.
2. States Parties shall take all appropriate measures to ensure that school discipline is administered in a manner consistent with the child's human dignity and in conformity with the present Convention.
  3. States Parties shall promote and encourage international cooperation in matters relating to education, in particular with a view to contributing to the elimination of ignorance and illiteracy throughout the world and facilitating access to scientific and technical knowledge and modern teaching methods. In this regard, particular account shall be taken of the needs of developing countries.

#### **Article 29, Convention on the Rights of the Child (CRC)**

1. States Parties agree that the education of the child shall be directed to:
  - a. The development of the child's personality, talents and mental and physical abilities to their fullest potential;
  - b. The development of respect for human rights and fundamental freedoms, and for the principles enshrined in the Charter of the United Nations;
  - c. The development of respect for the child's parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living, the country from which he or she may originate, and for civilizations different from his or her own;
  - d. The preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin;
  - e. The development of respect for the natural environment.
2. No part of the present article or article 28 shall be construed so as to interfere with the liberty of individuals and bodies to establish and direct educational institutions, subject always to the observance of the principle set forth in paragraph 1 of the present article and to the requirements that the education given in such institutions shall conform to such minimum standards as may be laid down by the State.

#### **Article 30, Convention on the Rights of the Child (CRC)**

In those States in which ethnic, religious or linguistic minorities or persons of indigenous origin exist, a child belonging to such a minority or who is indigenous shall not be denied the right, in community with other members of his or her group, to enjoy his or her own culture, to profess and practise his or her own religion, or to use his or her own language.

#### **Article 42, Convention on the Rights of the Child (CRC)**

States Parties undertake to make the principles and provisions of the Convention widely known, by appropriate and active means, to adults and children alike.

## Convention on the Rights of Persons with Disabilities (CRPD)

### Article 2, Convention on the Rights of Persons with Disabilities (CRPD)

“... Discrimination on the basis of disability” means any distinction, exclusion or restriction on the basis of disability which has the purpose or effect of impairing or nullifying the recognition, enjoyment or exercise, on an equal basis with others, of all human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field. It includes all forms of discrimination, including denial of reasonable accommodation...”

### Article 3, Convention on the Rights of Persons with Disabilities (CRPD)

The principles of the present Convention shall be: ... (b) Non-discrimination;

### Article 5, Convention on the Rights of Persons with Disabilities (CRPD)

1. States Parties recognize that all persons are equal before and under the law and are entitled without any discrimination to the equal protection and equal benefit of the law.
2. States Parties shall prohibit all discrimination on the basis of disability and guarantee to persons with disabilities equal and effective legal protection against discrimination on all grounds.
3. In order to promote equality and eliminate discrimination, States Parties shall take all appropriate steps to ensure that reasonable accommodation is provided.
4. Specific measures which are necessary to accelerate or achieve de facto equality of persons with disabilities shall not be considered discrimination under the terms of the present Convention.

### Article 8, Convention on the Rights of Persons with Disabilities (CRPD)

1. States Parties undertake to adopt immediate, effective and appropriate measures:
  - a. To raise awareness throughout society, including at the family level, regarding persons with disabilities, and to foster respect for the rights and dignity of persons with disabilities;
  - b. To combat stereotypes, prejudices and harmful practices relating to persons with disabilities, including those based on sex and age, in all areas of life;
  - c. To promote awareness of the capabilities and contributions of persons with disabilities.
2. Measures to this end include:
  - a) Initiating and maintaining effective public awareness campaigns designed:
    - i. To nurture receptiveness to the rights of persons with disabilities;
    - ii. To promote positive perceptions and greater social awareness towards persons with disabilities;
    - iii. To promote recognition of the skills, merits and abilities of persons with disabilities, and of their contributions to the workplace and the labour market;
  - b) Fostering at all levels of the education system, including in all children from an early age, an attitude of respect for the rights of persons with disabilities;
  - c) Encouraging all organs of the media to portray persons with disabilities in a manner consistent with the purpose of the present Convention;
  - d) Promoting awareness-training programmes regarding persons with disabilities and the rights of persons with disabilities.

## Article 24, Convention on the Rights of Persons with Disabilities (CRPD)

1. States Parties recognize the right of persons with disabilities to education. With a view to realizing this right without discrimination and on the basis of equal opportunity, States Parties shall ensure an inclusive education system at all levels and lifelong learning directed to:
  - a. The full development of human potential and sense of dignity and self-worth, and the strengthening of respect for human rights, fundamental freedoms and human diversity;
  - b. The development by persons with disabilities of their personality, talents and creativity, as well as their mental and physical abilities, to their fullest potential;
  - c. Enabling persons with disabilities to participate effectively in a free society.
2. In realizing this right, States Parties shall ensure that:
  - a. Persons with disabilities are not excluded from the general education system on the basis of disability, and that children with disabilities are not excluded from free and compulsory primary education, or from secondary education, on the basis of disability;
  - b. Persons with disabilities can access an inclusive, quality and free primary education and secondary education on an equal basis with others in the communities in which they live;
  - c. Reasonable accommodation of the individual's requirements is provided;
  - d. Persons with disabilities receive the support required, within the general education system, to facilitate their effective education;
  - e. Effective individualized support measures are provided in environments that maximize academic and social development, consistent with the goal of full inclusion.
3. States Parties shall enable persons with disabilities to learn life and social development skills to facilitate their full and equal participation in education and as members of the community. To this end, States Parties shall take appropriate measures, including:
  - a. Facilitating the learning of Braille, alternative script, augmentative and alternative modes, means and formats of communication and orientation and mobility skills, and facilitating peer support and mentoring;
  - b. Facilitating the learning of sign language and the promotion of the linguistic identity of the deaf community;
  - c. Ensuring that the education of persons, and in particular children, who are blind, deaf or deafblind, is delivered in the most appropriate languages and modes and means of communication for the individual, and in environments which maximize academic and social development.
4. In order to help ensure the realization of this right, States Parties shall take appropriate measures to employ teachers, including teachers with disabilities, who are qualified in sign language and/or Braille, and to train professionals and staff who work at all levels of education. Such training shall incorporate disability awareness and the use of appropriate augmentative and alternative modes, means and formats of communication, educational techniques and materials to support persons with disabilities.
5. States Parties shall ensure that persons with disabilities are able to access general tertiary education, vocational training, adult education and lifelong learning without discrimination and on an equal basis with others. To this end, States Parties shall ensure that reasonable accommodation is provided to persons with disabilities.

## United Nations General Comments

### The International Covenant on Economic, Social and Cultural Rights (ICESCR) General Comments

#### CESCR, General comment N. 11

6. Compulsory. The element of compulsion serves to highlight the fact that neither parents, nor guardians, nor the State are entitled to treat as optional the decision as to whether the child should have access to primary education. Similarly, the prohibition of gender discrimination in access to education, required also by articles 2 and 3 of the Covenant, is further underlined by this requirement. It should be emphasized, however, that the education offered must be adequate in quality, relevant to the child and must promote the realization of the child's other rights.
7. Free of charge. The nature of this requirement is unequivocal. The right is expressly formulated so as to ensure the availability of primary education without charge to the child, parents or guardians. Fees imposed by the Government, the local authorities or the school, and other direct costs, constitute disincentives to the enjoyment of the right and may jeopardize its realization. They are also often highly regressive in effect. Their elimination is a matter which must be addressed by the required plan of action. Indirect costs, such as compulsory levies on parents (sometimes portrayed as being voluntary, when in fact they are not), or the obligation to wear a relatively expensive school uniform, can also fall into the same category. Other indirect costs may be permissible, subject to the Committee's examination on a case-by-case basis. This provision of compulsory primary education in no way conflicts with the right recognized in article 13.3 of the Covenant for parents and guardians "to choose for their children schools other than those established by the public authorities".
10. Progressive implementation. The plan of action must be aimed at securing the progressive implementation of the right to compulsory primary education, free of charge, under article 14. Unlike the provision in article 2.1, however, article 14 specifies that the target date must be "within a reasonable number of years" and moreover, that the timeframe must "be fixed in the plan". In other words, the plan must specifically set out a series of targeted implementation dates for each stage of the progressive implementation of the plan. This underscores both the importance and the relative inflexibility of the obligation in question. Moreover, it needs to be stressed in this regard that the State party's other obligations, such as non-discrimination, are required to be implemented fully and immediately.

#### CESCR, General Comment N. 13

6. While the precise and appropriate application of the terms will depend upon the conditions prevailing in a particular State party, education in all its forms and at all levels shall exhibit the following interrelated and essential features:
  - a. Availability - functioning educational institutions and programmes have to be available in sufficient quantity within the jurisdiction of the State party. What they require to function depends upon numerous factors, including the developmental context within which they operate; for example, all institutions and programmes are likely to require buildings or other protection from the elements, sanitation facilities for both sexes, safe drinking water, trained teachers receiving domestically competitive salaries, teaching materials, and so on; while some will also require facilities such as a library, computer facilities and information technology;



- b. Accessibility - educational institutions and programmes have to be accessible to everyone, without discrimination, within the jurisdiction of the State party. Accessibility has three overlapping dimensions:
  - b. Non-discrimination - education must be accessible to all, especially the most vulnerable groups, in law and fact, without discrimination on any of the prohibited grounds (see paras. 31-37 on non-discrimination);
  - c. Physical accessibility - education has to be within safe physical reach, either by attendance at some reasonably convenient geographic location (e.g. a neighbourhood school) or via modern technology (e.g. access to a “distance learning” programme);
  - d. Economic accessibility - education has to be affordable to all. This dimension of accessibility is subject to the differential wording of article 13 (2) in relation to primary, secondary and higher education: whereas primary education shall be available “free to all”, States parties are required to progressively introduce free secondary and higher education;
  - a. Acceptability - the form and substance of education, including curricula and teaching methods, have to be acceptable (e.g. relevant, culturally appropriate and of good quality) to students and, in appropriate cases, parents; this is subject to the educational objectives required by article 13 (1) and such minimum educational standards as may be approved by the State (see Art. 13 (3) and (4));
  - b. Adaptability - education has to be flexible so it can adapt to the needs of changing societies and communities and respond to the needs of students within their diverse social and cultural settings.
14. “Progressive introduction of free education” means that while States must prioritize the provision of free primary education, they also have an obligation to take concrete steps towards achieving free secondary and higher education. For the Committee’s general observations on the meaning of the word “free”, see paragraph 7 of General Comment 11 on article 14.
27. While the Covenant requires that “the material conditions of teaching staff shall be continuously improved”, in practice the general working conditions of teachers have deteriorated, and reached unacceptably low levels, in many States parties in recent years. Not only is this inconsistent with article 13 (2) (e), but it is also a major obstacle to the full realization of students’ right to education. The Committee also notes the relationship between articles 13 (2) (e), 2 (2), 3 and 6-8 of the Covenant, including the right of teachers to organize and bargain collectively; draws the attention of States parties to the joint UNESCO-ILO Recommendation Concerning the Status of Teachers (1966) and the UNESCO Recommendation Concerning the Status of Higher-Education Teaching Personnel (1997); and urges States parties to report on measures they are taking to ensure that all teaching staff enjoy the conditions and status commensurate with their role.
31. The prohibition against discrimination enshrined in article 2 (2) of the Covenant is subject to neither progressive realization nor the availability of resources; it applies fully and immediately to all aspects of education and encompasses all internationally prohibited grounds of discrimination. The Committee interprets articles 2 (2) and 3 in the light of the UNESCO Convention against Discrimination in Education, the relevant provisions of the Convention on the Elimination of All Forms of Discrimination against Women, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Rights of the Child and the ILO Indigenous and Tribal Peoples Convention, 1989 (Convention No. 169), and wishes to draw particular attention to the following issues.

32. The adoption of temporary special measures intended to bring about de facto equality for men and women and for disadvantaged groups is not a violation of the right to non-discrimination with regard to education, so long as such measures do not lead to the maintenance of unequal or separate standards for different groups, and provided they are not continued after the objectives for which they were taken have been achieved.
33. In some circumstances, separate educational systems or institutions for groups defined by the categories in article 2 (2) shall be deemed not to constitute a breach of the Covenant. In this regard, the Committee affirms article 2 of the UNESCO Convention against Discrimination in Education (1960).
34. The Committee takes note of article 2 of the Convention on the Rights of the Child and article 3 (e) of the UNESCO Convention against Discrimination in Education and confirms that the principle of non-discrimination extends to all persons of school age residing in the territory of a State party, including non-nationals, and irrespective of their legal status.
35. Sharp disparities in spending policies that result in differing qualities of education for persons residing in different geographic locations may constitute discrimination under the Covenant.
36. The Committee affirms paragraph 35 of its General Comment 5, which addresses the issue of persons with disabilities in the context of the right to education, and paragraphs 36-42 of its General Comment 6, which address the issue of older persons in relation to articles 13-15 of the Covenant.
37. States parties must closely monitor education - including all relevant policies, institutions, programmes, spending patterns and other practices - so as to identify and take measures to redress any de facto discrimination. Educational data should be disaggregated by the prohibited grounds of discrimination.
41. In the Committee's view, corporal punishment is inconsistent with the fundamental guiding principle of international human rights law enshrined in the Preambles to the Universal Declaration of Human Rights and both Covenants: the dignity of the individual. Other aspects of school discipline may also be inconsistent with human dignity, such as public humiliation. Nor should any form of discipline breach other rights under the Covenant, such as the right to food. A State party is required to take measures to ensure that discipline which is inconsistent with the Covenant does not occur in any public or private educational institution within its jurisdiction. The Committee welcomes initiatives taken by some States parties which actively encourage schools to introduce "positive", non-violent approaches to school discipline.
43. While the Covenant provides for progressive realization and acknowledges the constraints due to the limits of available resources, it also imposes on States parties various obligations which are of immediate effect.
23. States parties have immediate obligations in relation to the right to education, such as the "guarantee" that the right "will be exercised without discrimination of any kind" (Art. 2 (2)) and the obligation "to take steps" (Art. 2 (1)) towards the full realization of article 13.
25. Such steps must be "deliberate, concrete and targeted" towards the full realization of the right to education.

49. States parties are required to ensure that curricula, for all levels of the educational system, are directed to the objectives identified in article 13 (1). They are also obliged to establish and maintain a transparent and effective system which monitors whether or not education is, in fact, directed to the educational objectives set out in article 13 (1).
50. In relation to article 13 (2), States have obligations to respect, protect and fulfil each of the “essential features” (availability, accessibility, acceptability, adaptability) of the right to education. By way of illustration, a State must respect the availability of education by not closing private schools; protect the accessibility of education by ensuring that third parties, including parents and employers, do not stop girls from going to school; fulfil (facilitate) the acceptability of education by taking positive measures to ensure that education is culturally appropriate for minorities and indigenous peoples, and of good quality for all; fulfil (provide) the adaptability of education by designing and providing resources for curricula which reflect the contemporary needs of students in a changing world; and fulfil (provide) the availability of education by actively developing a system of schools, including building classrooms, delivering programmes, providing teaching materials, training teachers and paying them domestically competitive salaries.
54. States parties are obliged to establish “minimum educational standards” to which all educational institutions established in accordance with article 13 (3) and (4) are required to conform. They must also maintain a transparent and effective system to monitor such standards. A State party has no obligation to fund institutions established in accordance with article 13 (3) and (4); however, if a State elects to make a financial contribution to private educational institutions, it must do so without discrimination on any of the prohibited grounds.

## Convention on the Rights of the Child (CRC) General Comments

### CRC, General Comment N. 1

2. Article 29 (1) not only adds to the right to education recognized in article 28 a qualitative dimension which reflects the rights and inherent dignity of the child; it also insists upon the need for education to be child-centred, child-friendly and empowering, and it highlights the need for educational processes to be based upon the very principles it enunciates. The education to which every child has a right is one designed to provide the child with life skills, to strengthen the child’s capacity to enjoy the full range of human rights and to promote a culture which is infused by appropriate human rights values. The goal is to empower the child by developing his or her skills, learning and other capacities, human dignity, self-esteem and self-confidence. “Education” in this context goes far beyond formal schooling to embrace the broad range of life experiences and learning processes which enable children, individually and collectively, to develop their personalities, talents and abilities and to live a full and satisfying life within society.
3. The child’s right to education is not only a matter of access (Art. 28) but also of content. An education with its contents firmly rooted in the values of article 29 (1) is for every child an indispensable tool for her or his efforts to achieve in the course of her or his life a balanced, human rights-friendly response to the challenges that accompany a period of fundamental change driven by globalization, new technologies and related phenomena. Such challenges include the tensions between, inter alia, the global and the local; the individual and the collective; tradition and modernity; long- and short-term considerations; competition and equality of opportunity; the expansion of knowledge and the capacity to assimilate it; and the spiritual and the material. And

yet, in the national and international programmes and policies on education that really count the elements embodied in article 29 (1) seem all too often to be either largely missing or present only as a cosmetic afterthought.

4. Article 29 (1) states that the States parties agree that education should be directed to a wide range of values. This agreement overcomes the boundaries of religion, nation and culture built across many parts of the world. At first sight, some of the diverse values expressed in article 29 (1) might be thought to be in conflict with one another in certain situations. Thus, efforts to promote understanding, tolerance and friendship among all peoples, to which paragraph (1) (d) refers, might not always be automatically compatible with policies designed, in accordance with paragraph (1) (c), to develop respect for the child's own cultural identity, language and values, for the national values of the country in which the child is living, the country from which he or she may originate, and for civilizations different from his or her own. But in fact, part of the importance of this provision lies precisely in its recognition of the need for a balanced approach to education and one which succeeds in reconciling diverse values through dialogue and respect for difference. Moreover, children are capable of playing a unique role in bridging many of the differences that have historically separated groups of people from one another.
  
8. Second, the article attaches importance to the process by which the right to education is to be promoted. Thus, efforts to promote the enjoyment of other rights must not be undermined, and should be reinforced, by the values imparted in the educational process. This includes not only the content of the curriculum but also the educational processes, the pedagogical methods and the environment within which education takes place, whether it be the home, school, or elsewhere. Children do not lose their human rights by virtue of passing through the school gates. Thus, for example, education must be provided in a way that respects the inherent dignity of the child and enables the child to express his or her views freely in accordance with article 12 (1) and to participate in school life. Education must also be provided in a way that respects the strict limits on discipline reflected in article 28 (2) and promotes non-violence in school. The Committee has repeatedly made clear in its concluding observations that the use of corporal punishment does not respect the inherent dignity of the child nor the strict limits on school discipline. Compliance with the values recognized in article 29 (1) clearly requires that schools be child-friendly in the fullest sense of the term and that they be consistent in all respects with the dignity of the child. The participation of children in school life, the creation of school communities and student councils, peer education and peer counselling, and the involvement of children in school disciplinary proceedings should be promoted as part of the process of learning and experiencing the realization of rights.
  
9. Third, while article 28 focuses upon the obligations of State parties in relation to the establishment of educational systems and in ensuring access thereto, article 29 (1) underlines the individual and subjective right to a specific quality of education. Consistent with the Convention's emphasis on the importance of acting in the best interests of the child, this article emphasizes the message of child-centred education: that the key goal of education is the development of the individual child's personality, talents and abilities, in recognition of the fact that every child has unique characteristics, interests, abilities, and learning needs. Thus, the curriculum must be of direct relevance to the child's social, cultural, environmental and economic context and to his or her present and future needs and take full account of the child's evolving capacities; teaching methods should be tailored to the different needs of different children. Education must also be aimed at ensuring that essential life skills are learnt by every child and that no child leaves school without being equipped to face the challenges that he or she can expect to be confronted with in life. Basic skills include not only literacy and numeracy but also life skills such as the ability to make well-balanced decisions; to resolve conflicts in a

non-violent manner; and to develop a healthy lifestyle, good social relationships and responsibility, critical thinking, creative talents, and other abilities which give children the tools needed to pursue their options in life.

10. Discrimination on the basis of any of the grounds listed in article 2 of the Convention, whether it is overt or hidden, offends the human dignity of the child and is capable of undermining or even destroying the capacity of the child to benefit from educational opportunities. While denying a child's access to educational opportunities is primarily a matter which relates to article 28 of the Convention, there are many ways in which failure to comply with the principles contained in article 29 (1) can have a similar effect. To take an extreme example, gender discrimination can be reinforced by practices such as a curriculum which is inconsistent with the principles of gender equality, by arrangements which limit the benefits girls can obtain from the educational opportunities offered, and by unsafe or unfriendly environments which discourage girls' participation. Discrimination against children with disabilities is also pervasive in many formal educational systems and in a great many informal educational settings, including in the home. Children with HIV/AIDS are also heavily discriminated against in both settings. All such discriminatory practices are in direct contradiction with the requirements in article 29 (1) (a) that education be directed to the development of the child's personality, talents and mental and physical abilities to their fullest potential.
11. The Committee also wishes to highlight the links between article 29 (1) and the struggle against racism, racial discrimination, xenophobia and related intolerance. Racism and related phenomena thrive where there is ignorance, unfounded fears of racial, ethnic, religious, cultural and linguistic or other forms of difference, the exploitation of prejudices, or the teaching or dissemination of distorted values. A reliable and enduring antidote to all of these failings is the provision of education which promotes an understanding and appreciation of the values reflected in article 29 (1), including respect for differences, and challenges all aspects of discrimination and prejudice. Education should thus be accorded one of the highest priorities in all campaigns against the evils of racism and related phenomena. Emphasis must also be placed upon the importance of teaching about racism as it has been practised historically, and particularly as it manifests or has manifested itself within particular communities. Racist behaviour is not something engaged in only by "others". It is therefore important to focus on the child's own community when teaching human and children's rights and the principle of non-discrimination. Such teaching can effectively contribute to the prevention and elimination of racism, ethnic discrimination, xenophobia and related intolerance.
12. Fourth, article 29 (1) insists upon a holistic approach to education which ensures that the educational opportunities made available reflect an appropriate balance between promoting the physical, mental, spiritual and emotional aspects of education, the intellectual, social and practical dimensions, and the childhood and lifelong aspects. The overall objective of education is to maximize the child's ability and opportunity to participate fully and responsibly in a free society. It should be emphasized that the type of teaching that is focused primarily on accumulation of knowledge, prompting competition and leading to an excessive burden of work on children, may seriously hamper the harmonious development of the child to the fullest potential of his or her abilities and talents. Education should be child-friendly, inspiring and motivating the individual child. Schools should foster a humane atmosphere and allow children to develop according to their evolving capacities.
15. Article 29 (1) can also be seen as a foundation stone for the various programmes of human rights education called for by the World Conference on Human Rights, held in Vienna in 1993, and promoted by international agencies. Nevertheless, the rights

of the child have not always been given the prominence they require in the context of such activities. Human rights education should provide information on the content of human rights treaties. But children should also learn about human rights by seeing human rights standards implemented in practice, whether at home, in school, or within the community. Human rights education should be a comprehensive, life-long process and start with the reflection of human rights values in the daily life and experiences of children.

18. The effective promotion of article 29 (1) requires the fundamental reworking of curricula to include the various aims of education and the systematic revision of textbooks and other teaching materials and technologies, as well as school policies. Approaches which do no more than seek to superimpose the aims and values of the article on the existing system without encouraging any deeper changes are clearly inadequate. The relevant values cannot be effectively integrated into, and thus be rendered consistent with, a broader curriculum unless those who are expected to transmit, promote, teach and, as far as possible, exemplify the values have themselves been convinced of their importance. Pre-service and in-service training schemes which promote the principles reflected in article 29 (1) are thus essential for teachers, educational administrators and others involved in child education. It is also important that the teaching methods used in schools reflect the spirit and educational philosophy of the Convention on the Rights of the Child and the aims of education laid down in article 29 (1).
19. In addition, the school environment itself must thus reflect the freedom and the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin called for in article 29 (1) (b) and (d). A school which allows bullying or other violent and exclusionary practices to occur is not one which meets the requirements of article 29 (1). The term “human rights education” is too often used in a way which greatly oversimplifies its connotations. What is needed, in addition to formal human rights education, is the promotion of values and policies conducive to human rights not only within schools and universities but also within the broader community.
22. The Committee calls upon States parties to devote more attention to education as a dynamic process and to devising means by which to measure changes over time in relation to article 29 (1). Every child has the right to receive an education of good quality which in turn requires a focus on the quality of the learning environment, of teaching and learning processes and materials, and of learning outputs. The Committee notes the importance of surveys that may provide an opportunity to assess the progress made, based upon consideration of the views of all actors involved in the process, including children currently in or out of school, teachers and youth leaders, parents, and educational administrators and supervisors. In this respect, the Committee emphasizes the role of national-level monitoring which seeks to ensure that children, parents and teachers can have an input in decisions relevant to education.
25. States parties should also consider establishing a review procedure which responds to complaints that existing policies or practices are not consistent with article 29 (1). Such review procedures need not necessarily entail the creation of new legal, administrative, or educational bodies. They might also be entrusted to national human rights institutions or to existing administrative bodies. The Committee requests each State party when reporting on this article to identify the genuine possibilities that exist at the national or local level to obtain a review of existing approaches which are claimed to be incompatible with the Convention. Information should be provided as to how such reviews can be initiated and how many such review procedures have been undertaken within the reporting period.



## CRC, General Comment N. 7

28. Early childhood education. The Convention recognizes the right of the child to education, and primary education should be made compulsory and available free to all (Art. 28). The Committee recognizes with appreciation that some States parties are planning to make one year of preschool education available and free of cost for all children. The Committee interprets the right to education during early childhood as beginning at birth and closely linked to young children's right to maximum development (Art. 6.2). Linking education to development is elaborated in article 29.1: "States parties agree that the education of the child shall be directed to: (a) the development of the child's personality, talents and mental and physical abilities to their fullest potential". General comment No. 1 on the aims of education explains that the goal is to "empower the child by developing his or her skills, learning and other capacities, human dignity, self-esteem and self-confidence" and that this must be achieved in ways that are child-centred, child-friendly and reflect the rights and inherent dignity of the child (para. 2). States parties are reminded that children's right to education include all children, and that girls should be enabled to participate in education, without discrimination of any kind (Art. 2).

## CRC, General Comment N. 9

8. Article 2 requires States parties to ensure that all children within their jurisdiction enjoy all the rights enshrined in the Convention without discrimination of any kind. This obligation requires States parties to take appropriate measures to prevent all forms of discrimination, including on the ground of disability. This explicit mention of disability as a prohibited ground for discrimination in article 2 is unique and can be explained by the fact that children with disabilities belong to one of the most vulnerable groups of children. In many cases forms of multiple discrimination - based on a combination of factors, i.e. indigenous girls with disabilities, children with disabilities living in rural areas and so on - increase the vulnerability of certain groups. It has been therefore felt necessary to mention disability explicitly in the non-discrimination article. Discrimination takes place - often de facto - in various aspects of the life and development of children with disabilities. As an example, social discrimination and stigmatization leads to their marginalization and exclusion and may even threaten their survival and development if it goes as far as physical or mental violence against children with disabilities. Discrimination in service provision excludes them from education and denies them access to quality health and social services. The lack of appropriate education and vocational training discriminates against them by denying them job opportunities in the future. Social stigma, fears, overprotection, negative attitudes, misbeliefs and prevailing prejudices against children with disabilities remain strong in many communities and lead to the marginalization and alienation of children with disabilities. The Committee shall elaborate on these aspects in the paragraphs below.
62. Children with disabilities have the same right to education as all other children and shall enjoy this right without any discrimination and on the basis of equal opportunity as stipulated in the Convention. For this purpose, effective access of children with disabilities to education has to be ensured to promote "the development of the child's personality, talents and mental and physical abilities to their fullest potential (see articles 28 and 29 of the Convention and the Committee's general comment No. 1 (2001) on the aims of education). The Convention recognizes the need for modification to school practices and for training of regular teachers to prepare them to teach children with diverse abilities and ensure that they achieve positive educational outcomes.

## Annexe 2: School-related Gender-based Violence - Definition of Terms

**Bullying:** Behavior repeated over time that intentionally inflicts injury or discomfort through physical contact, verbal attacks, or psychological manipulation. Bullying involves an imbalance of power. (UNESCO and UN Women, 2016)

**Corporal Punishment:** any punishment in which physical force is used and intended to cause some degree of pain or discomfort, however light. Most involves hitting (“smacking”, “slapping”, “spanking”) children, with the hand or with an implement. (Committee on the Rights of the Child in the General Comment No. 8)

**Discrimination:** Any unfair treatment or arbitrary distinction based on a person’s race, sex, religion, nationality, ethnic origin, sexual orientation, disability, age, language, social origin or other status. (UNESCO and UN Women, 2016)

**Harassment:** Any improper and unwelcome conduct that might reasonably be expected or be perceived to cause offence or humiliation to another person. Harassment may take the form of words, gestures or actions that tend to annoy, alarm, abuse, demean, intimidate, belittle, humiliate or embarrass another or that create an intimidating, hostile or offensive environment. (UNESCO and UN Women, 2016)

**Physical Violence:** Physical violence includes, but is not limited to:

- Using physical force which results in pain, discomfort or injury;
- Hitting, pinching, hair-pulling, arm-twisting, strangling, burning, stabbing, punching, pushing, slapping, beating, shoving, kicking, choking, biting, force-feeding, or any other rough treatment;
- Threats or assault with a weapon or other object

(Government of Canada, Violence Prevention Initiative, 2014)

**Positive Discipline** is an approach to student discipline that focuses on strengthening positive behaviour rather than just punishing negative behaviour. (UNESCO and UN Women, 2016)

**Public Humiliation:** *the embarrassment and shame felt by someone when others make them appear stupid, or when they make a mistake in public* (adapted from: Collins English Dictionary). *To reduce (someone) to a lower position in one’s own eyes or others’ eyes: to make (someone) ashamed or embarrassed.* (Merriam Webster)

**School-related Gender-based Violence:** Acts or threats of sexual, physical or psychological violence occurring in and around schools, perpetrated as a result of gender norms and stereotypes and enforced by unequal power dynamics. (UNESCO and UN Women, 2016)

**Sexual Abuse:** the involvement of a child in sexual activity that he or she does not fully comprehend, is unable to give informed consent to, or for which the child is not developmentally prepared, or else that violates the laws or social taboos of society. Children can be sexually abused by both adults and other children who are – by virtue of their age or stage of development – in a position of responsibility, trust or power over the victim. (World Health Organisation in ActionAid’s Child Protection Policy)

**Sexual Harassment** is unwelcomed sexual advances, requests for sexual favours and other verbal or physical conduct of a sexual nature. (UN Secretary General, 2008)

**Violence:** The intentional use of physical force or power, threatened or actual, against oneself, another person, or against a group or community, that either results in or has a high likelihood of resulting in injury, death, psychological harm, maldevelopment or deprivation. (World Health Organisation)

## Annexe 3: School Level Report - Template

### PART ONE: BACKGROUND INFORMATION

Name of School		Number of students	
Location		Number of teachers	
Level (EY, Primary etc)		Affiliation (e.g. religion)	
Rural	Urban	Key groups that suffer discrimination/exclusion locally	
Private	Public		
Name, position & organisation completing the form		1. 2. 3. 4. 5.	
Date of report completion:			
First time	DD/MM/YYYY	Second time	DD/MM/YYYY
# time	DD/MM/YYYY		

### PART TWO – COMPLETED QUESTIONNAIRES FOR EACH RIGHT STUDIED

#### PART THREE – BACKGROUND MATERIALS

- Following informed consent guidelines
- Interesting testimony, stories/examples/case studies collected during the process;
- Photos illustrating the case study (e.g. of dilapidated school buildings or overcrowded classrooms);
- Anything else you think could be important!

#### APPENDIX

- Include information on how the data was collected, the number of people who participated in the different moments of the process.
- Include photos or examples of visualisation tools or of the process of developing them.

#### ADDITIONAL DATA

There is a strong case for collecting further information on a range of other education issues alongside this process. Areas that may be added are:

- information on adult literacy including provision and a spectrum of literacy levels;
- data on early childhood education provision/uptake;
- data on private schools/NGO or community schools, etc.

**Keep and store informed consent forms, which includes any photographic material collected. The consent form can be found [here](#).**

## Annexe 4: School Improvement Plan Template (From Malawi)

Ministry:

### SCHOOL IMPROVEMENT PLAN (SIP)

DISTRICT:

SCHOOL_____
EMIS ID_____
ZONE_____
PERIOD FROM _____ TO _____

### SCHOOL IMPROVEMENT PLAN

#### Section I SIP SUMMARY

**Note:** These are the themes in the National Education Strategic Plan and the 10 Rights are all in line with this.

National Education Sector Plan (NESP) GOALS AND SIP Activities		Fund Required
	<b>QUALITY AND RELEVANCE</b>	
1		
2		
3		
4		
5		
6		
	<b>SUBTOTAL</b>	
	<b>ACCESS AND EQUITY</b>	
1		
2		
3		
4		
5		
6		
	<b>SUBTOTAL</b>	

	<b>MANAGEMENT AND GOVERNANCE</b>	
<b>1</b>		
<b>2</b>		
<b>3</b>		
<b>4</b>		
<b>5</b>		
<b>6</b>		
	<b>SUBTOTAL</b>	
	<b>GRAND TOTAL</b>	

## Section: II

Introduction:

District: \_\_\_\_\_ Zone \_\_\_\_\_

Emis No: \_\_\_\_\_

School Address: \_\_\_\_\_

Contact No: \_\_\_\_\_

Name of School \_\_\_\_\_

T/A \_\_\_\_\_ GV: \_\_\_\_\_

School Vision: \_\_\_\_\_

School Mission: \_\_\_\_\_

Dates of SIP meeting(s) \_\_\_\_\_

Number attending SIP meetings(s) \_\_\_\_\_

List of all people SIP who took part in the development of the SIP: \_\_\_\_\_

Name and position of the person completing the form: \_\_\_\_\_

Arrangements for reporting SIP progress to community Stakeholders: \_\_\_\_\_

Signatories:

Headteacher: \_\_\_\_\_ Date: \_\_\_\_\_

SMC Chairperson: \_\_\_\_\_ Date: \_\_\_\_\_

PTA: \_\_\_\_\_ Date: \_\_\_\_\_

PEA: \_\_\_\_\_ Date: \_\_\_\_\_

**School Stamp**

### Section III SIP ACTION PLAN

Activity: \_\_\_\_\_

NESP Goals: \_\_\_\_\_

Issue to be addressed \_\_\_\_\_

Starting date: \_\_\_\_\_ Proposed date of completion \_\_\_\_\_

Issue to be addressed	Actions Required	Resources	Output/ Outcome	Output/ Outcome Indicators

Circle one or more which the activity is to accomplish:

1. PSLCE Pass Rate
2. Pupil to Qualified Teacher Ratio
3. Dropout Rate
4. Repetition Rate
5. Pupil to Toilet Ratio
6. Pupil to Classroom Ratio

Write below:

1. How the situation was at the beginning of the term with any number circled.
2. What you want with each issue circled to be at the end of the School session

\_\_\_\_\_  
\_\_\_\_\_

### Section IV

#### STAKEHOLDERS CONTRACT FORM

District: \_\_\_\_\_

T/A \_\_\_\_\_

School: \_\_\_\_\_

Area/Location \_\_\_\_\_

Date: \_\_\_\_\_

We, stakeholders, who our names appear below, vow to do the work honestly as it should be done

Activity	Position	Name & Signature
SIP Activity		
SIP Activity		
SIP Activity		



SIP Activity		
SIP Activity		
Second Part: We, PTA members whose names appear below, commit to monitor and supervise all SIP activities in all sections		

Name: _____	Signature: _____
Name: _____	Signature: _____
Name: _____	Signature: _____
Name: _____	Signature: _____

### SIP ASSESSMENT FORM

The form is used to check if the SIP has been well developed.  
School Improvement Plan for \_\_\_\_\_ School.

Question	Yes	No	Remarks
<b>SIP Development Completion:</b> Have all the four sections been well completed?			
<b>Community Participation and Leadership:</b> Does the plan show the community has taken part?			
<b>Information and Discussions:</b> Is the plan showing the use of information from the school Admin. Books and following NESP GOALS.			
<b>SIP Action Plan:</b> Does the action plan contain different sections, resources, amount of money required, responsible persons and explanations of how it is to be implemented?			
<b>Contract Form and Monitoring:</b> Has the contract form been well filled in and signed?			
<b>In Conclusion:</b> will the fulfillment of the SIP enable education quality at the school to improve?			
<b>Remarks:</b>			

Head Teacher's: \_\_\_\_\_ Signature Date\_\_\_\_\_

Primary Education Advisor (PEA) \_\_\_\_\_ Signature \_\_\_\_\_  
Date\_\_\_\_\_

## Annexe 5: Citizens' Education Report Template

1. Table of contents	A list at the beginning to show what is in the report and on which page.
2. Executive summary	This should not exceed 2-3 pages. It should highlight key issues and information based on the survey and provide recommendations.
3. Introduction	General information about the rights of children in school and why they must be promoted and fulfilled Presentation of the Promoting Rights in Schools (PRS) framework and methodology from the manual.
4. Context	This section should present the context in which the programme is taking place and the situation in each country on the key rights. It should also contain key statistics on education, a brief overview of the progress and remaining issues and challenges. Also, a brief presentation of the legal framework, including international obligations (for example, is the State part of the main treaties guaranteeing the right to education, constitutional provisions and laws on education?) and country- specific policies to implement the right to education.
5. Objective	State clearly the objective of the study, which is to assess the local situation of the rights in the programme (e.g. to assess the state of xx rights, in xx communities, in xxx). It should explain the reason for undertaking the survey.
6. Methodology	Describe how the information was collected, either through field studies (primary data) or desk studies (secondary data). Who was involved? Who were the members of the research team and how were they selected and trained? Who else was involved? Location: Which districts and schools were involved and how were they selected? Where else was information collected? Tools for data collection: e.g. transect walk, interview, questionnaire, FDGs. Please describe how it was done and who was involved. Include photos of key scenes to make your point.
7. Limitations of study	It is important to share what challenges were encountered which might affect the findings of the study. For example, floods or rains during the assessment periods, participants not showing up, not having enough respondents etc. This helps to give credibility to the work.
8. Findings (Presentation of data)	Present the information for each right in a separate section. Follow the questions in the PRS manual and present the findings. Use pictorial presentations to break the monotony of findings (graphs, pie chart, bar chart etc.)
9. Analysis	Analysis of the data is important as it will feed into action plans and recommendations. Use percentages where appropriate. Issues must be identified based on findings. The analysis should be made in light of the legal and policy frameworks. Are the laws and policies implemented concretely at school level? Is there an issue because of lack of laws and policies? The analysis should indicate if the State is doing well or not in implementing the right to education. After presenting the analysis on each right, draw conclusions, and compare with data from the Local Rights Programmes (LRPs) you are working in, or community x with or community y, male and female, and other variables.

## Annexe 6 Resources and materials

### ActionAid

#### Child Protection Policy:

<https://actionaid.org/publications/2007/actionaids-child-protection-policy>

#### Nepal's Citizen Education Report

[https://nepal.actionaid.org/sites/nepal/files/nepal\\_national\\_citizens\\_education\\_report.pdf](https://nepal.actionaid.org/sites/nepal/files/nepal_national_citizens_education_report.pdf)

#### Working with children see Improving Learning Outcomes Project

<https://core.ac.uk/download/pdf/19547056.pdf>

#### ActionAid's Research Signature

[https://actionaid.org/sites/default/files/publications/AAI%20Research%20signature\\_How%20to.pdf](https://actionaid.org/sites/default/files/publications/AAI%20Research%20signature_How%20to.pdf)

#### Survey Tools

[http://www.reflectionaction.org/tools\\_and\\_methods/](http://www.reflectionaction.org/tools_and_methods/)

### Global Partnership for Education

#### Gender Equality Policy and Strategy 2016 – 2020

<https://www.globalpartnership.org/content/gender-equality-policy-and-strategy-2016-2020>

### Save the Children

#### Practice Standards in Children's Participation

<https://resourcecentre.savethechildren.net/sites/default/files/documents/3017.pdf>

#### SPHERE

<https://spherestandards.org/wp-content/uploads/Sphere-Handbook-2018-EN.pdf>

#### Informed Participation

<https://resourcecentre.savethechildren.net/sites/default/files/documents/3017.pdf>

### Right to Education Initiative website

[www.right-to-education.org](http://www.right-to-education.org)

### International Laws and References

<https://www.right-to-education.org/page/international-law>

[https://www.right-to-education.org/sites/right-to-education.org/files/resource-attachments/RTE-UNESCO\\_Right%20to%20education%20handbook\\_2019\\_En.pdf](https://www.right-to-education.org/sites/right-to-education.org/files/resource-attachments/RTE-UNESCO_Right%20to%20education%20handbook_2019_En.pdf)

<https://www.right-to-education.org/monitoring/>

## Financing Matters Toolkit

[https://www.right-to-education.org/sites/right-to-education.org/files/resource-attachments/GCE\\_Financing\\_Matters\\_EN\\_WEB.pdf](https://www.right-to-education.org/sites/right-to-education.org/files/resource-attachments/GCE_Financing_Matters_EN_WEB.pdf)  
[https://www.right-to-education.org/sites/right-to-education.org/files/resource-attachments/GCE%20Financing\\_Matters\\_EN\\_WEB.pdf](https://www.right-to-education.org/sites/right-to-education.org/files/resource-attachments/GCE%20Financing_Matters_EN_WEB.pdf)

## UNESCO

### **Guidelines for the design and effective use of teacher codes of conduct**

<https://unesdoc.unesco.org/ark:/48223/pf0000185010>

### **At what age are school children employed, married and taken to court?**

<https://unesdoc.unesco.org/ark:/48223/pf0000142738>

## UNICEF

### **UNICEF Child Friendly Schools Manual**

<https://www.unicef.org/documents/child-friendly-schools-manual>

### **Water, Sanitation and Hygiene Standards for Schools in Low-cost Settings (WHO)**

[https://www.who.int/water\\_sanitation\\_health/publications/wash\\_standards\\_school.pdf](https://www.who.int/water_sanitation_health/publications/wash_standards_school.pdf)

[https://www.unicef.org/timorleste/media/506/file/WinS\\_Guidelines\\_Final\\_English\\_version.pdf](https://www.unicef.org/timorleste/media/506/file/WinS_Guidelines_Final_English_version.pdf)

### **Access to school and the learning environment: physical, information & communication**

<https://www.unicef.org/northmacedonia/reports/access-school-and-learning-environment-i-physical-information-and-communication>

<https://www.unicef.org/india/media/1191/file/Making-Schools-Accessible.pdf>

## United Nations Girls' Education Initiative (UNGEI)

The resources listed below are useful for the work on ending School Related Gender Based Violence. Other useful resources can be found at:

<https://www.ungei.org/knowledge-hub>

For:

- Ending School-Related Gender-Based Violence - a series of thematic briefs  
<https://healtheducationresources.unesco.org/library/documents/ending-school-related-gender-based-violence-series-thematic-briefs>
- Global Guidance on addressing School Related Gender Based Violence  
<https://www.unicef.org/media/66506/file/Global-Guidance-SRGBV.pdf>
- School-based Violence Prevention: A practical handbook  
<https://apps.who.int/iris/handle/10665/324930>
- A Whole School Approach to Prevent School-Related Gender-Based Violence  
<https://www.ungei.org/publication/whole-school-approach-prevent-school-related-gender-based-violence-1>

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تعليم

**EDUCATION**

Opront

**A RIGHT IN EVERY LANGUAGE**

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DONDRO	Ebgengigiriza	Pendidikan	Amasambili lo	

International Registration number: 27264198

Website: [www.actionaid.org](http://www.actionaid.org)  
Telephone: +27 11 731 4500  
Fax: +27 11 880 8082  
Email: [mailjhb@actionaid.org](mailto:mailjhb@actionaid.org)

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