

Right to education is meaningless without accountability in the public education sector

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Right to education is a key feature of education legislation anywhere. In Sri Lanka, the right to education has been a feature of our education system since colonial days. A right to education then meant that an education in the local languages was available free to all but a quality education in the English medium was available only to the children of the elite and a handful of talented poor.

Unfortunately, sixty years after independence we seem to be no better off. Today, there are over 9000 schools providing on average a school within 1.5 Km from home for each child, but no body wants to send their child to the neighborhood school unless it is one of few coveted popular schools. Meanwhile 16% of the schools have less than 50 children and are closing or about to close. The Grade-five-scholarship examination offers the hope of admission to a super school to many but only a handful of talented children will succeed. The reason being that most of these popular schools admit children from Grade 1 based on non-merit criteria making the places available to scholarship holders at Grade 6 are limited.

Sri Lanka is proud to claim an 85% completion rate of compulsory education at grade 9 but there are no provisions in the law to ensure that the children who complete Grade 9 have the requisite knowledge and skills. Based on limited results available from assessments at Grade 5 in 2003 and the results of the GCE (O/L) examinations in the past few years we estimate that 50% of our children may complete Grade 9 without the required math and language skills and the majority of those are from poor families.

Why does Sri Lanka's education system remain inequitable even after sixty of more years of free-of-charge education? In this paper we argue that inefficiency and ineffectiveness of a public education delivered is the biggest culprit of inequalities in education, and propose that a only a true decentralization of education administration brought about by agitation from the grass-roots will lead to true equity in education opportunities for all children..

1. Despite 60+ years of free-of-charge education, the system remains inequitable

Kannagara reforms of 1943 attempted to make education truly free by establishing at least one English medium central school in each electorate for the secondary education of gifted children who have completed their primary education in a school close to home.

Today in Sri Lanka we have come back full circle to a situation where a substandard education in Sinhala or Tamil medium is available free to all, but, access to better learning opportunities with exposure to English is limited to a few who are privileged with access to 100+ 'Top Schools' concentrated in major metropolitan areas.

- Top schools are concentrated in just 33 out of 93 education zones

If the Grade V cut-off marking scheme published by the Ministry of education for 2007 is any indicator, there are 106 schools that are coveted by those successful at the scholarship examination. These 'top' schools are located in only 33 out of 93 education zones in the country. Further, seven zones including Colombo, Kandy, Galle, Matara, Kurunegala, Bandarawela, and Matara account for 59 of the super schools, Twenty six other zones for the other 47.

1948 All 50 out of 50 electorates in the country had at least one Central School as a quality school in each

2008 Only 33 of the 93 education zones in the country have at least one 'Top School'

The Grade V scholarship examinations offers a mirage of hope for all, but, since most of these top schools admit children from Grade 1 based on non-merit criteria, the places available to scholarship holders at Grade 6 are limited. Furthermore, the issue of admission to Grade-1 at Top Schools has led to some disturbing social phenomena.

Parents forge bundles of documents to "prove" that they live within the stipulated distance from the schools of their choice and children are trained to memorize and utter blatant lies to cover up that crime at the interviews, where they are debriefed by teachers and principals to check whether their parents are lying! (Newspaper editorial quoted in S.C.(FR) 10/07, 11/07, 12/07, 13/07)

- Basic needs of most schools are not met, with poorer schools hit hardest

There are provisions in the current law allowing school authorities to raise additional funds through various welfare programmes. The provision is fine but the problem is that most schools including those serving poor neighborhoods are forced to use the monies for essentials. For example, the typical allocation of funds for electricity or telephones does not cover the minimum needs of a school.

Percent expenditure borne by parents at Kotahena Kanishta Vidyalaya in 2007.

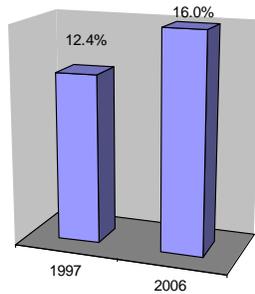
Electricity 20% of Rs: 91,884

Telephone 65% of Rs: 41,589

- An adequate primary education is not available at a reasonable distance from many homes
Making a five year-old child travel several hours each day to and from school would be considered child abuse under normal conditions, but some parents in Sri Lanka do just that, obviously because they don't

consider the neighborhood schools as adequate. When some parents opt out of an inadequate school it leads to further deterioration of that school. The phenomenon is reflected in the diminishing enrollments at rural schools. In 2007, 1,549 schools (16.0 percent) had less than 51 students compared to 1,253 (12.4 percent) schools in 1997.

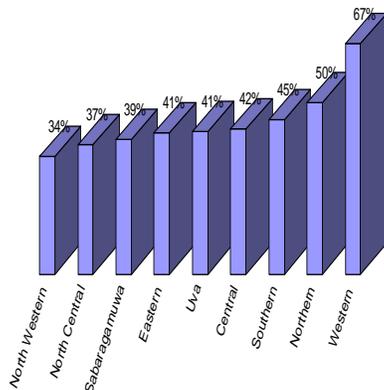
Percent of Schools with less than 51 Students



- Availability Science and Commerce streams are limited, with rural schools affected more

Only some of the schools in the country offer facilities for studying Science or Commerce in Grades 12 and 13 with the percentages varying from 67% in the Western province to a low of 34% in the northwestern province. The latest data we have are for 1997.

Student Studying Science or Commerce in Grades 12-13

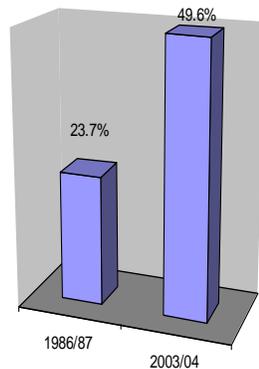


- Need for private tuition for exam-success makes free education meaningless

Calculations based on the consumer and household finance survey conducted by the Central Bank reveals that the private household education spending in 2005 would be about 30% of the total education expenditure in the country. Of this private expenditure 45% is spent on private tuition. The rate of students attending

private tuition classes has increased over time from 23.7 % in 1986/87 to 49.6% by 2003/04 (Central Bank of Sri Lanka 2003/04).

Percent Students Attending Tuition Classes



Though private education is denounced in public by many, in private, parents send their children to various tuition classes to learn subject matters which have been well-explained in textbooks provided by government. Double expenditure by government and parents for public textbook based education is particularly puzzling as public examinations are also based on subject matters well-explained in these textbooks.

Even the poor spend money on private tuition. Household spending on private tuition increased with level of income from 29% in the lowest quintile to 72% in the highest quintile in Sri Lanka.

2. Additional influx of funds to the public sector may not make a difference

Sri Lanka devotes a lower share of public expenditure on education especially when compared with higher performing East Asian countries, such as Singapore and South Korea, and our neighboring South Asian nations. For example, while Sri Lanka allocates 2.9% of GDP to education, Malaysia spends 6.2%, South Korea 3.8%, and Singapore 3.7%. The south Asian average is 3.2%. Due to tight budget controls, capital investments in education have declined sharply restricting expansion of services, physical investments as well as quality improvements. One may propose that public education expenditure has to be increased if one is to emulate miraculous growth stories of East Asian nations. However we have sufficient evidence to show that **inefficiency of government is the root cause of inequity in education** and further infusion of money into the present system is futile.

- The average student to teacher ratio is one of the lowest in Asia at 19 but rural schools do not have sufficient teachers

The evidence is largely anecdotal. For example, teachers are said to prefer schools near cities where their own children can attend top schools. Those assigned to remote areas will buy political influence to avoid transfers. Teacher absenteeism is high in rural areas with a country wide an average of 18% absenteeism in an academic year.

- Curricula, text books and examination materials are delivered late or delivered under sub standard conditions

2008 perhaps was the worst year in terms of delivery of text books by the ministry of education. Previous years there were stories of gross errors in content and some delays in delivery, but in 2008, the text books did not reach the school well into the middle of the school year. In their submission of proposals for a new education act, The Vilutuhu Center for Human Resource Development notes:

“We hark back to the period when there were numerous text books churned out by gifted teachers who sometimes even became celebrities. State monopoly has stifled this. It is imperative that there should be choice and multiple options in text books. The market forces would determine the required quality. Furthermore this would lead to a flourishing publishing industry and bookshops. The economics of publishing is such that in a relatively small markets like Sri Lanka it is the text book publishing that provides the base for other types of publishing.”

- There is duplication of expenditure

A service would cost us more if the provider is a monopoly and it is using its resources including its manpower inefficiently. It is also clear that we need not pay twice for a service. The education system in Sri Lanka manifests both these inefficiencies. For example, the state spends twice for education administration, first for a central bureaucracy and second for a provincial bureaucracy. In addition, Parents spend twice for the delivery of same education content, first through taxes spent on delivery at school and secondly through fees paid to tuition masters for the delivery of the same material.

- National Education Commission of 2003 clearly puts the finger on the state for failures in education
The National Education Commission in Sri Lanka in its 2003 report the education system is characterized by the following adverse features which are significant sources of inefficiency in public education.
 - (i) Extreme politicization of the system at all levels
 - (ii) Lack of coordination within the ministry and the agencies coming under the purview of the ministry and between the ministry and provincial authorities.
 - (iii) Inefficiency, ineffectiveness and indifference of officials and principals, and lack of motivation among teachers

3. Legislating equity is only a first step

Education legislation like any other public interest legislation tries to achieve the three 'E's of public administration--- efficiency, effectiveness and equity. A cursory look at several key education legislation and executive orders from Sri Lanka, India and USA shows we in the Indian subcontinent may have much to

learn from the recent efforts in the USA. The 1939 education ordinance of Sri Lanka simply sought to rationalize the education administration. The legislation of 1961 was under the belief that vesting the ownership and the administration of the schools in the state would bring about equity. The executive order by President Kumaratunge in 1997 (Education Regulation No 100 3/5) from Sri Lanka sought to bring equity through more diligent public officials. The 2005 Right to Education Bill in India too seeks to effect the right to free and compulsory education but all these legislation lack sufficient means of accountability by public officials. In contrast the no child left behind legislation specifically concerns accountability. Although the extent of accountability is much debated in the USA, nobody would deny the necessity for accountability to the public by those in charge of disbursing public funds.

Sri Lanka	Educaiton ordinance 1939 amended seven time between 1939-73	An Ordinance to make better provision for education and to revise and consolidate the law relating thereto
India	Right to Education Bill, 2005	An Act to put into effect the Right to Free and Compulsory Education to All Children in the Age Group of Six to Fourteen Years
USA	PL 107-110, the 'No Child Left Behind' Act of 2002	An Act too close the achievement gap with accountability, flexibility, and choice, so that no child is left behind.

The National Education Commission in Sri Lanka in its 2003 report identifies inefficiency etc by government problems in education, but, unfortunately, the commission does not venture to analyze and address the root cause of these inefficiencies.

Public choice theory in economics tells us that the principal-agent problem causes inefficiencies in the delivery of public services. In education, parents and the society in general are the principals and elected officials and public servant are their agents. When there are layers of intervening agents between the parents and the education desired by them for their children, delivery of services is affected inevitably. Political leaders and officials, the agents of the people, are likely to make allocations based on the amount of personal utility than utility for all of society (the principal).

Moreover, due to the authoritarian nature of the education system, the delivery of government services by lesser officials such as principals and teachers are also not subject to regular public scrutiny creating opportunities for rent seeking and corrupt activities.

When a government fails to deliver its education services efficiently and effectively, the influential and the well-to-do find ways and means of making the system work for them or by-passing the system. The poor and the powerless on the other hand have no recourse but stay in a dysfunctional public education system. Their exclusion from a quality education is society's loss while their private loss is a gross inequity inflicted on them

by society. **The greatest culprit of inequity in education is a public education delivered inefficiently and ineffectively.**

4. Ensuring accountability

- Decentralization of education delivery

A highly decentralized form of education governance with effective oversight by the affected community is found in the USA where each local government unit elects its own board of education by popular ballot at the same time local government elections are conducted. Typically a local government unit would have one or more senior secondary schools which are fed by a system of junior secondary schools which in turn are fed by a system of neighborhood primary schools. The school system is funded by local taxes with the school board acting as the ultimate authority on all policy and administrative matters.

The decentralized system in the USA is not without its problems. In 2001 a case was filed in the supreme court of Ohio alleging that the system of funding for education is unconstitutional because the opportunities of education for children vary across the state depending on the tax base of each locality. However, in the case of Sri Lanka where education funding is already distributed from a central tax base, this problem should not arise.

Empowerment of the schools and reduction of bureaucratic layers that extend from the central ministry to department of education to provincial authorities is the only way to combat the current ills of political interference, bureaucratic lethargy and lack of coordination among the bureaucrats that were identified by the NEC¹ as the three major contributory factors for overall inefficiency and ineffectiveness of education system in Sri Lanka.

The concept of a school-based management structure has been accepted for a long time in Sri Lanka. First introduced as School Development Societies (1986) and then as School Development Boards (1993) and School Development Committees (2005) and as the Program to Improve the Schools in its latest incarnation. The concept is like a good food presented in different packages to the guests at different times but not offered for actual enjoyment. Therefore It is important not only to include a strengthened form of school-based management in a new Act but to have education activists make sure that parents and communities are aware about their rights and responsibilities. In essence, a truly decentralized form of education delivery in Sri Lanka will not happen without grass-roots level activity and agitation for change.

- Mechanisms for informing the public about educational outcomes

Currently the ministry of education publishes an annual report but the data are limited to education inputs such as enrollment, teacher-student ratios etc. There is no national assessment of the performance of

¹ Identified as contributory in recommendation 110 in the NEC (2003) report.

students until they sit for the General Certificate of education (ordinary Level) examination after completing Grade 11. Any new legislation should require education authorities to report to their respective political authorities and the general public about the educational achievements of children by districts, divisions and schools at least for after Grades 5 and 9. Civil society groups in each education administration unit too should keep track of educational outcomes in their respective areas.

Equity in education is not something that can be achieved by legislation alone. Throwing money at the problem will not work either. Unless committed civil society groups take it upon themselves to make the parents and the general public more knowledgeable and demanding, the status quo will continue.

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