



Is the Right to Education of Filipinos Being Fulfilled? Right to Education Index Findings for Philippines 2018

RTEI Aims and Objectives

The Right to Education Index (RTEI) is a new global index designed to catalyze reform across select indicators of the right to education. It is predominantly a civil society initiative aimed to track progress on key national-level right to education indicators in the areas of governance and the 4As (Availability, Accessibility, Acceptability, and Adaptability) of education.

The RTEI is to be used to help civil society hold governments accountable to their commitments on the right to education, strengthen networks of education advocates, and increase public and political support to realize the right to education. It is a long-term objective of RTEI to benefit civil society's efforts to create positive change in the quality of education in countries and globally.

Overview of the RTEI Score in the Philippines

Index	Score
Governance	91%
International Framework	100%
Domestic Law	100%
Plan of Action	100%
Monitoring and Reporting	100%
Financing	64%
Data Availability	79%
Availability	Insufficient Data
Classrooms	99%
Sanitation	Insufficient Data
Teachers	94%
Textbooks	Insufficient Data
Accessibility	83%
Free Education	100%
Discrimination	67%
Participation	83%
Acceptability	83%
Aims of Education	84%
Learning Environment	67%
Learning Outcomes	99%
Adaptability	81%
Children with Disabilities	83%
Children of Minorities	83%
Out of School Education	66%
Out of School Children	93%

The RTEI initiative in the Philippines has carried out by the Civil Society Network for Education Reforms or E-Net Philippines with support from RESULTS Education Fund. The answers to RTEI questionnaire were supplied by E-Net Philippines and validated by two independent research institutions and made available for government review. This RTEI case study paper was further developed based on the inputs of coalition members and education experts.

The Philippines' overall Right to Education Index Score¹ generated is 83, a weighted average of Governance (91) and the 4As of education - Availability (Insufficient data), Accessibility (83), Acceptability (83), and Adaptability (81) respectively. The governance, accessibility, and acceptability of education are highly present in the country, but adaptability is slightly absent especially for the marginalized, excluded and vulnerable sectors of Filipinos and insufficient data for Availability of education.

Philippines' sub-theme scores for domestic law and plan of action is the same at 100. This indicates that Philippine government has developed and adopted comprehensive laws and policies, aligned with international laws for ensuring the promotion, protection and fulfillment of the right to education of every Filipino. The Philippine is low score for the sub-themes on financing, out-of-school education, learning environment, discrimination as well as cross-cutting themes

on indigenous and minority populations.

Interrelation of all themes and subthemes suggest that there is gap between laws and practices. Although there are enabling laws and policies, they do not always translate into programs and budgets that will ensure the promotion, protection, and fulfillment of the right to education. There is also a gap in terms of enforcement and monitoring of normative framework of the right to education.

¹ The Overall RTEI Score provides a country specific index result measuring how well a country respects, protects, and fulfills the right to education for its citizens. The overall RTEI results range from 0 (right to education completely absent) to 100 (right to education fully respected, protected, and fulfilled).

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Equity and inclusion in education is a major issue as reflected in the low scores for both structural, process and outcomes indicators related to education of marginalized sectors.



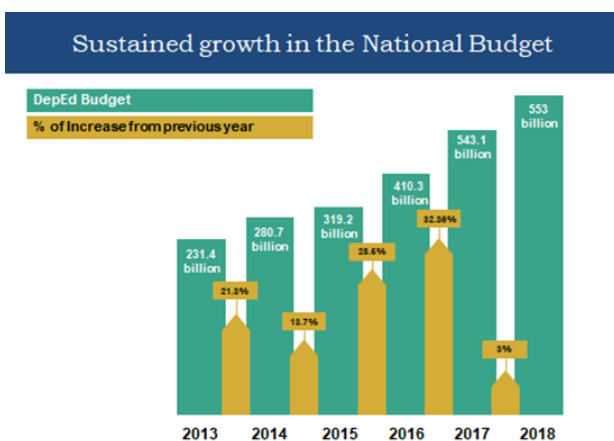
The right to education has not been fulfilled for a number of Filipinos particularly the poor and the marginalized groups. Low government financing has adversely affected education inputs that are crucial to the provision of quality education – teachers, per pupil spending, learning facilities. This is clearly evident in the persisting Education for All (EFA) gaps as reported in the Philippine EFA Review 2015 submitted to UNESCO; the huge number of out-of-school children and youth; and the State policies and budgets that discriminate against the poor and disadvantaged groups.

Deeper analysis of the issues related to financing for education, out-of-school education, and learning environment is elaborated in the succeeding sections.

Issue Area 1: Financing for Education

The Philippine constitution states that “the state shall assign the highest budgetary priority to education and ensure that teaching will attract and retain its rightful share of the best available talents through adequate remuneration and other means of job satisfaction and fulfillment.” Similarly, the general comment (GC) on Public Budgeting for the Realization of Children’s Rights adopted in June 2016 by the United Nations Committee on the Rights of a Child (UNCRC) provides detailed guidance for ensuring sufficient, equitable, and effective resource mobilization, budget allocation and spending for the well-being and protection of all children.

The trend of budget allocation for basic education shows upward trend which means steadily increasing in nominal terms, but in real terms is not much over the years. In terms of GDP share, Philippine budget for education is pegged at 2.5% for the last ten years, slightly jumped to 3.1% in year 2018, but has still fallen short of the SDG benchmark of 4-6% of GDP that should be spent to education. Philippines is behind its ASEAN neighbor countries such as Malaysia, Thailand, Singapore, Indonesia and was recently overtaken by Vietnam. This is despite the need to invest more to implement K to 12 reform program. The DepEd budget share for 2019 is very small; drastically decrease from its 2018 budget due to budget cut for inclusion programs. The government should not do retroactive approach in financing for education and other social services.



Budget allocation for education programs that cater to marginalized and disadvantaged groups including Indigenous Peoples, Muslims, and the out-of-school children and youth add up to a meager less than 1% of total budget for basic education. Aside from historical underfunding for inclusion programs, the 2019 budget for these programs is decreased; case in point the budget for indigenous peoples education program which was 162 Million in 2016 has been reduced to 130 million in 2018. There is also the case of madrasah education program that was reduced from 604 Million in 2016 to 505 Million in 2018. The same is



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true for the budget of children with disabilities from 50 million in 2017 to 40 million in 2018 despite the gap to reach these sectors of the population.

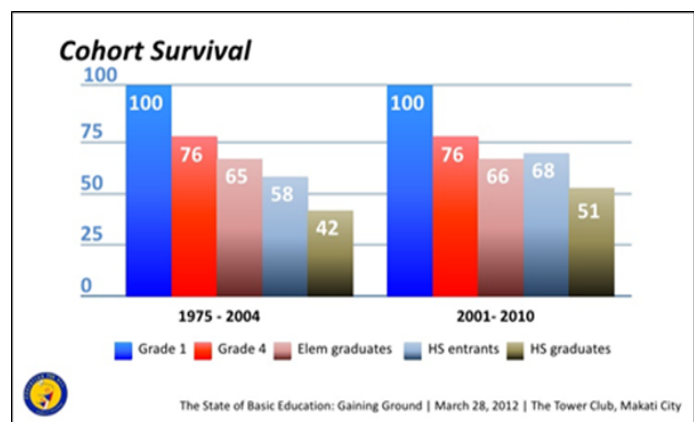
The UN Committee on ESCR also observed this insufficient level of resources dedicated by the government to financing school facilities and qualified teachers, which infringes upon the right to free mandatory education. More so, the allocated budget for basic education was not fully utilized every year and the Department of Budget and Management cut some of the DepEd's budget proposal to give time for them to catch up and in anticipation of major budget reform called Cash-Based Budgeting which means budget spending is only for the period of one year.

Issue Area 2: Out of School Education

The RTEI score for out of school education is at 66 percent. Data measurement is based on the availability of flexible learning options apart from formal education. The enrolment rate and completion rate in the formal education system is not improving for many years which also determines the cohort survival rate. Based on the available data from DepEd, enrollment rate increases along with increasing population of the country which pegged at 95%, which is the highest record in history. The 5% population out of the formal schooling has contributed to the alarming number of children who is not benefited from formal school.

In the same manner based on the report presented by the Department of Education, a typical progression of a cohort of pupils shows that for every 100 children enrolled in Grade 1 in 2004, only 68 survived to Grade 6 and only 47 reached year 4 (or Grade 10) in 2013. The situation has remained virtually the same compared to 2001-2010 and to the much earlier period of 1975-2004. The fallout in secondary level schooling has in fact increased with only 47 of 100 reaching year 4 in 2013 compared to the 51 who were secondary or high school graduates during the period 2001-2010.

According to FLEMMS, the primary reasons for dropping out of school are economic in nature, followed by early marriage, and then lack of personal interest. The phenomenon of children looking for jobs is attributed to high child poverty rate while lack of interest is a combination of the state of learning environment and children's health and mental conditions. PSA data showed that from 2009-2013, the number of working children, aged 5 to 17, did not go below the 2 million range.



Children falling out of the formal education system annually added to the already alarming number of out of school children. The Philippine Statistics Authority (PSA) report in 2013 revealed that children 5-17 years old not attending school is at 3.249 million. The recent number, according to PSA's Annual Poverty Indicators Survey (APIS), is 3.8 million Filipinos with age range of 6-24 years old who are out of school.

The Alternative Learning System (ALS) was established as a parallel to formal learning system which is consisting of both non-formal and informal education to cater to the out of school children and youth as well as to adults who have not completed basic education. The program intends to target learners in various circumstances including prisoners, working people and internally displaced people.

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However, the program has serious backlogs- At the policy level, institutional changes are required to ensure sustainable and long-term reductions of out-of-school, underfunding that limits the coverage of the program and the required inputs including community learning centers and the mobile teachers, issues on targeting, and low learning outcomes among others.

Issue Area 3: Learning Environment

The RTEI score for learning environment is at 67 percent based on the weighted average of select structural, process and outcome indicators related to violence, abuse and corporal punishment.

The National Baseline Study on Violence Against Children commissioned by the Council for the Welfare of Children with support from UNICEF, launched last year shows alarming cases of violence committed against children to wit:

- 80% (13-24 yrs. old) experienced violence, with higher prevalence in males (81.5%) than females (78.4%).
- 59.2% experienced physiological violence.
- 65% experienced bullying.
- 43.8% experienced cyber bullying.
- 3 in 5 respondents (or 66.3%) experienced physical punishment since childhood and occurred mostly 60% at home setting.
- 3 out of 5 children verbally abused, threatened and/or abandoned by their parents or guardians.

The CWC further reported that the situation has been exacerbated by rapid population growth, poverty, natural/human-induced disasters, discrimination, and poor access to social services.

DepEd also received increasing number of violence and child-abuse at school-setting through the years, the top cases are student bullying, corporal punishment, and a number of school-based gender related violence despite the issuance of DepEd's Child Protection Policy and Anti-Bullying Act of 2013. Many schools do not have trained guidance counselor and not functional child protection committee.

The violence, abuse and corporal punishment in school is aggravated by various factors such as norms and values reinforcing violent approach in disciplining children; lack of national policy that banning the use of corporal punishment as well as lack of code of conduct at schools; not functioning school child protection mechanism; lack of education and life skills on risks and protection among children; and lack of capacity of care givers on positive and non-violent approaches in handling children behavior.

Data Availability

Most of the data required to answer the RTEI questionnaires were available online from government websites, researches carried out by academics and other research institutions. In addition, some data was gathered through actual researches in relevant offices.

The most challenging issue is whether data are up to date. Most of the administrative data on education like gross enrollment rate, net enrollment rate, completion rate and dropout rate for both primary and secondary education are not up to date. Also, data on teachers, classrooms, water and sanitation facilities, and textbooks are not accurate and up to date. The reporting of these data is in aggregate form which do not provide clear picture of the situation in the ground. For instance, report

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on teacher figure has included the volunteer or locally paid teachers. Data comprehensiveness is a major concern-status of programs, learning practices, and situations of teachers and learners are missing. Finally, there is a gap on data disaggregation by socio-economic status, urban and rural setting, ethnicity, and quintile levels.

Data availability is important for policy development, planning, monitoring progress, assessment and evaluation of the effectiveness of the programs. The documentation of the programs and understanding the situations in schools is a powerful tool to inform education policy.

Recommendations and Call for State:

- Ensure the full implementation of the normative framework for education such as K-12 law, kindergarten act, and other policies that contribute to children's participation, learning and retention to school;
- To substantially increase the education budget consistent with the international benchmark of at least 6% of country GDP, by ensuring adequate resources must be invested to improve access, quality of education, protection and well-being of children especially the poor and marginalized groups;
- Strengthen the alternative learning system from policy to implementation level by improving the targeting of beneficiaries, expansion of the coverage of the program, and increase funding allocation;
- Ban corporal punishment in all settings particularly the home and the school and allocate budget for enhancing the capacities of care givers on positive discipline approach.
- To regularly collect and make public available the administrative data in relation to the implementation of the Executive Order on Freedom of Information. Also, ensure data segregation on gender, disability, economic and social situation, urban and rural setting, ethnicity, and quintile levels.



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