

About this paper:

This paper is to serve as background information on the Right to Education Index (RTEI) project for participants involved in various phases of project development. It is advised that participants read this paper before consultative meetings or calls.

This paper includes:

1. Executive summary
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RESULTS Educational Fund (RESULTS) is a non-profit 501(c)(3) citizens' advocacy organization that has been creating the public and political will to end poverty by empowering individuals to exercise their personal and political power for change since 1981. RESULTS focuses its advocacy efforts towards achieving Education for All, expanding access to microfinance for the very poor, and addressing diseases of poverty such as tuberculosis, childhood undernutrition, and child immunizations. It works with volunteers in more than 100 communities across the United States, coordinates campaigns with international affiliates in Canada, Mexico, the U.K., Japan, and Australia, and partners with national advocacy organizations in donor and developing countries.

Executive summary

The Right to Education Index (RTEI) is a new initiative being developed by RESULTS Educational Fund (RESULTS) and its partners. RTEI is:

- A **global** index on **national-level** progress towards the realization of the right to education.
- To be implemented **biennially**.
- To be implemented through a **questionnaire** completed primarily by **civil society respondents** using **national-level** education data and verifiable information.
- To be peer reviewed by **national research organizations** and **governments**.
- To be documented in biennial **global reports** with civil society research partners producing **country analyses** to more deeply explore RTEI findings and support national-level campaigning.
- To be used to help civil society **hold governments accountable** to their commitments on the right to education, **strengthen networks of Northern and Southern education advocates**, and **increase public and political support** to realize the right to education.

As above, RTEI is predominantly a **civil society initiative**. It will be robust with comprehensive results presented in an indexed format, but this methodology has been chosen for its capacity to attract public attention and gain traction with national governments rather than out of a desire to attempt to categorically measure every conceivable aspect of the right to education.

As such, the RTEI Questionnaire is currently envisioned to be **comprehensive but not exhaustive** in scope, consisting of a series of indicators covering governance and the 4 As of the right to education. This format has been selected as it also meets an intermediary object of the initiative — to more fully inform education advocates of the content of the right to education for deeper, more effective use of it in their advocacy.

With plans to develop the core **RTEI tools** and conduct a **five-country pilot** (countries tbd) in 2015, RESULTS now seeks further consultation with human rights experts and education advocates in the RTEI Questionnaire development phase. While certain design aspects have been entertained thus far, any and all considerations are welcomed into the process and will be essential to strengthening the initiative.

Project rationale

This project has been informed by a series of lessons learned and opportunities identified by the campaign for Education for All that RESULTS has been driving since 2002:

A slowing rate of progress: Progress towards achieving universal primary education is stagnating. The global primary net enrollment rate has hardly improved since 2005, moving from 87 percent to 89 percent. The number of out-of-school children is now actually on the rise, from 56 million in 2010 to 58 million in 2012. Nearly 40 percent of children of primary school age (250 million) are failing to learn the basics. In this context, donors are cutting aid, with total aid to education declining by 10 percent since 2010.

The dearth of education advocates: There are far too few advocates providing oversight to governments and multilateral institutions driving educational reform. This is as true in the global North as it is in the South. Campaign fronts can sometimes be disconnected, with the North typically concentrating on resource mobilization and not the domestic policy frameworks into which those resources enter.

Meanwhile the South is often focused on national policy issues but not the larger actors beyond their borders. Networks of education advocates have formed but need further strengthening of their global movement.

A rights-based approach: Standards and obligations established by the right to education framework offer some of the strongest justifications for education advocates, but many fail to fortify their advocacy with a rights-based approach. The global discourse on education has devolved to a few pillars of inputs, and there is a need to re-establish a rights-based perspective in education advocacy. Index-based initiatives, such as the International Budget Partnership's Open Budget Index and the Global Integrity Index, offer methodologies that could similarly drive progress towards the right to education.

An identified need: In September 2013, RESULTS convened a global consultative meeting in Lagos, Nigeria to more thoroughly establish the perceived need of an initiative to address these issues and to ensure that it will indeed benefit civil society's efforts to create positive change in the quality of education. The outcomes exceeded expectations as human rights experts and civil society organizations alike expressed a strong thirst for such a project.

Project description

With these lessons and opportunities in mind, RESULTS is developing a new initiative designed to accelerate global North-South progress towards realizing the right to education by:

- 1) Strengthening networks of Northern and Southern advocates through action research, dynamic resources, capacity building, and joint advocacy;
- 2) Holding governments and institutions accountable to their commitments to improve basic education and realize the right to education, and;
- 3) Increasing public and political support to realize the right to education from donor countries and developing country governments alike.

This is to be achieved through a new Right to Education Index (RTEI), a global index designed to catalyze reform across select indicators of the right to education, leading to, in years ahead, a multi-country advocacy campaign that will drive accountability and progress towards realizing the right to education. The project will facilitate ongoing research, analysis, and advocacy in partnership with civil society in the North and South alike and unite education advocacy campaigns with a concentrated focus.

In partnership with in-country civil society coalitions and organizations, the project will develop and administer a questionnaire to biennially track progress on key national-level right to education indicators in the areas of governance and the 4 As (availability, accessibility, acceptability, and adaptability), covering issues such as:

- Is the right to education guaranteed by the constitution?
- Is there a policy for free education? Have school fees been abolished?
- What proportion of the national budget is allocated to education?
- To what age does basic education apply?
- Is corporal punishment illegal?
- Does domestic policy prevent the expulsion of pregnant students / allow re-entry of young mothers?
- Are there progressive policies to ensure inclusive schools for children with disabilities?

- What is level of implementation of such policies?

Questionnaire development will build on the work of the Right to Education (RTE) Project (a project of ActionAid International, the Global Campaign for Education [GCE], Amnesty International, Save the Children, and Human Rights Watch), which since 2009 has developed a bank of over 200 indicators for the right to education through consultative workshops and an online forum. This indicator bank will be adapted to construct a survey consisting of close-ended questions designed to establish the status of national-level progress towards the right to education. Questions are to be feasibly answered at the national level (i.e., no field research required) and verified through supporting documents submitted by respondents (see Annex for sample question). The RTEI Questionnaire will be accompanied by a Questionnaire Guide explaining the section(s) of the right to education legal framework from which the question/indicator derives its justification and the types of supporting documents that may acceptably substantiate responses.

The RTEI Questionnaire is intended to be broad in scope, with lenses that will allow for deeper exploration of key issues identified by civil society partners. This scope is important for meeting an intermediary object of the initiative — to more fully inform education advocates of the content of the right to education for deeper, more effective use of it in their advocacy. Also, with the right development, RTEI will present a significant opportunity for civil society to complement and expand the right to education reviews being conducted by UNESCO as described in [The Right to Education – Law and Policy Review Guidelines](#).

While governance and the 4 As are currently envisioned to act as the primary structure of the Questionnaire, questions/indicators will be categorized using several other frameworks to allow for further analysis by civil society partners, RTEI reports, and, in future years, a data-driven website. These will include level of education (pre-primary, primary, secondary, technical and vocational training, and tertiary), education type (public and private), indicator type (structural, process, and outcome), and, where possible, special issues (privatization, girls' education, teachers, learning, education finance, etc.). An RTEI Analytic Handbook will be developed to outline these deeper issues captured by the RTEI and to help users to more thoroughly interpret results. With this design, civil society partners will be able to zero in on the most critical issues for their contexts, such as privatization, corporal punishment, the expulsion of pregnant girls, domestic financing, etc., and more strategically use the RTEI to support their national campaigns.

Thus, the core tools of RTEI will consist of:

- **RTEI Questionnaire:** The RTEI Questionnaire will be based on select RTE Project right to education indicators to date. It is to be feasibly answered at the national level by in-country civil society partners with guidelines accompanying each question. Questions will be answered through a, b, c, d, e answers, designed and weighted for quantitative reporting. Respondents will supply supporting documents to each question. Each question will be accompanied by guidance as its human rights justification, interpretations of possible answers, and the types of acceptable supporting documents that may be provided as a means of verification.
- **RTEI Analytic Handbook:** An Analytic Handbook will be developed alongside the RTEI Questionnaire to provide the means for interpreting Index results through a mix of different frameworks, such as privatization, girls' education, corporal punishment, the expulsion of pregnant girls, domestic financing, etc. For each question/indicator, the Analytic Handbook will

provide possible interpretations of the responses and potential leverage points to address if results are low.

- **RTEI Background and Methodology:** A Background and Methodology paper will be developed to transparently describe the development of the RTEI, the rationale, its justifications, the weighting of indicators/questions, calculations of scores, and logistics of implementation.

RESULTS will identify and support in-country civil society partners, predominately national GCE coalitions, to complete the Questionnaire which will be supported by verifiable documentation, subjected to a double-blind peer review by national research organizations, and made available to national government counterparts for review and comment. Questionnaire completion will consist of:

- Civil society research partner initial Questionnaire completion (two months)
- Vetting of initial responses and supporting documents by RESULTS and partners (one month)
- Peer review of completed Questionnaires by two national research institutions (one month)
- Government review of completed Questionnaires (one month)

RESULTS and its partners will provide guidance throughout the completion phase.

Upon finalization of completed Questionnaires, RESULTS will produce a global RTEI report. The report is to provide only topline results while deeper, more effective country analyses will be developed by civil society research partners to further interpret RTEI results and support national-level advocacy.

While the first 12 months of RTEI will focus on tool development and a five-country pilot, the project ultimately seeks to scale up county coverage in future years so as to initiate a globally recognized measurement that will drive government response towards fulfilling the right to education. RTEI is designed to be not just a research project but a means for facilitating greater joint advocacy campaigns across partners, particularly in the global South. In years ahead, the project will see RESULTS partnering with a subset of civil society organizations and national education coalitions to support the development and implementation of country-level advocacy strategies, provide ongoing training and learning exchange opportunities, and link advocacy activities in the North and South such as speaker tours in the global North, Parliamentary and Congressional delegation visits to the global South, and advocating through the RESULTS International Conference. A new online, data-driven website is to also be developed to allow greater access and application of RTEI findings by education advocates once the project is taken to scale.

In total, RTEI will facilitate the following activities in the long term:

- **Research and analysis:** A global RTEI report will be produced on a biennial basis with country analyses produced by civil society research partners.
- **Website development:** An online portal will be developed to more effectively communicate new information through infographics, data visualizations, and data-driven interactive maps.
- **Advocacy and media trainings:** Civil society advocacy and media trainings will be conducted with national partners in anticipation of RTEI report launches to drive more effective national-level advocacy campaigns around RTEI findings.
- **In-country advocacy strategies:** Select civil society organizations will be supported to develop and implement domestic advocacy strategies around RTEI findings.
- **Regional RTEI launches:** Biennial findings will be launched with national partners at the regional level to enhance targeted advocacy.

- **Solutions bank:** To offer in-country solutions to barriers revealed by RTEI, the web portal will collate case studies of actions taken and successes achieved by civil society organizations that were confronted by similar obstacles.
- **South-South learning exchanges:** To solve shared challenges and build specific advocacy capacities, learning exchanges between Southern partners will be facilitated either in the form of regional meetings to discuss advocacy challenges and successes or bilateral organizational exchanges to achieve specific capacity building needs.
- **North-South learning exchanges:** In partnership with its international affiliates in Canada, the U.K., and Australia, RESULTS will invite Southern partners to advocate their country's issues on the right to education to Northern audiences. RESULTS and its affiliates will also lead delegations of key advocacy targets to visit Southern partner initiatives.

Project timeline (initial 12 months)

Activity		2015											
		J	F	M	A	M	J	J	A	S	O	N	D
1	Development of a core set of RTEI tools in collaboration with key partners												
1.1	Develop zero drafts												
1.2	Develop first drafts												
1.3	Consult experts on tool development												
1.4	Finalize tools												
2	A five-country pilot conducted across a variety of regions to test the RTEI and strengthened for future scale-up												
2.1	Identify civil society partners and research organizations												
2.2	Establish partnerships with Southern civil society and research organizations												
2.3	Administer questionnaire to civil society research partners												
2.4	Vet responses and supporting documents												
2.5	Solicit peer review of completed questionnaires												
2.6	Solicit government review of completed questionnaires												
2.7	Resolve feedback												
2.8	Confirm final results												
2.9	Produce RTEI pilot report												
2.10	Support civil society research partner analyses												
2.11	Incorporate pilot feedback and lessons learned into RTEI Questionnaire												

Project development to date

In September 2013, RESULTS convened a global consultative meeting in Lagos, Nigeria to explore the need for this project to ensure that it would indeed benefit civil society campaign efforts around the right to education. The meeting brought together civil society advocates, researchers, and human rights experts from across Africa and beyond to examine the project and assess its value. It was co-hosted by the Nigeria Civil Society Action Coalition for Education for All (CSACEFA), and involved participants from Nigeria, Liberia, Ghana, Tanzania, Kenya, Zambia, South Africa, Philippines, U.S., and U.K., including the Right to Education Project. The meeting confirmed that the project would indeed fill critical gaps in advocacy needs worldwide and act as an invaluable resource for education advocates.

With this confirmation, RESULTS secured resources in late 2014 to develop the Right to Education Index and implement a five-country pilot over the 2015 period.

In January 2015, RESULTS conducted a consultative call with select human rights experts and education advocates during the initial stages of RTEI Questionnaire and tool development. The consultation focused on the conceptual framework of RTEI and general structure and content of the RTEI Questionnaire.

Current phase

RESULTS has now developed drafts of the RTEI Questionnaire and Analytic Handbook and is seeking further consultation. Draft materials are being made publicly available through the RESULTS website and targeted emails to human rights experts and education advocates. Another consultative call is to be conducted in April 2015, with feedback also open to be submitted by email. These consultations will provide input as RTEI tools are developed and finalized over the January-May 2015 period.

For comments, questions, or feedback, please contact William Smith at wsmith@results.org or Tony Baker at tbaker@results.org.

Annex: Sample Question

* This sample is provided to demonstrate a general question template. It has not been fully developed nor meant to propose an exact question on corporal punishment.

Acceptability

Subtheme: Corporal Punishment

Question 3.3.1

Basis:

"States Parties shall ensure that:

(a) No child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment."

— Convention on the Rights of the Child, Article 37

"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."

— Convention on the Rights of the Child, Article 19

"There is no ambiguity: 'all forms of physical or mental violence' does not leave room for any level of legalized violence against children. Corporal punishment and other cruel or degrading forms of punishment are forms of violence and States must take all appropriate legislative, administrative, social and educational measures to eliminate them."

— Committee on the Rights of the Child, General Comment No. 8, Paragraph 18

See also African Charter on the Rights and Welfare of the Child [Article 2(a)], etc.

Guidance:

[Further discussion of definition of corporal punishment and examples.]

Question 3.3.1	Response
<p>Does domestic law prohibit corporal punishment?</p> <ul style="list-style-type: none">a. Yes.b. No.c. Not applicable/other (please comment).	

Citation/supporting document: (Acceptable supporting documents are limited to public law.)
Researcher comment:
Peer review 1 comment:
Peer review 2 comment:
Government comment:
RESULTS Educational Fund comment:

Question 3.3.2

Question 3.3.2	Response
<p>Does corporal punishment occur in practice?</p> <ul style="list-style-type: none">a. Yes, it is a common occurrence, commonly accepted, widely reported, or systematized.b. Yes, but on rare occasions or not commonly accepted.c. No.d. Not applicable/other (please comment).	
<p>Supporting document/citation: (Acceptable supporting documents may include government or non-governmental research reports, local or international news articles, or, in the absence of all else, expert testimony.)</p>	
<p>Researcher comment:</p>	
<p>Peer review 1 comment:</p>	
<p>Peer review 2 comment:</p>	
<p>Government comment:</p>	

RESULTS Educational Fund comment: