



RIGHT TO EDUCATION INDEX PILOT REPORT

April 2016

RIGHT TO
EDUCATION
INDEX 

RESULTS
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ACKNOWLEDGEMENTS

We would like to thank the more than 100 individuals who participated in online and in-person consultations to aid the conceptualization and development of the Right to Education Index (RTEI). Thank you Civil Society Action Coalition on Education for All (CSACEFA) for hosting the inception meeting in Lagos, Nigeria in 2013 and RESULTS Korea for hosting a consultation on the sidelines of the 2015 World Education Forum. The 2015 RTEI pilot was a collective civil society initiative that benefited greatly from the hard work and depth of knowledge of our pilot partners. They not only completed the RTEI Questionnaire for their respective countries but also engaged with RESULTS Educational Fund (REF) throughout the formative pilot process, providing valuable input to strengthen the Index in the future. Our 2015 RTEI pilot partners were: Foro por el Derecho a la Educación (Chile), Civil Society Action Coalition on Education for All (CSACEFA) (Nigeria), E-Net Philippines, HakiElimu (Tanzania), and the Education Coalition of Zimbabwe (ECOZI). Additionally, we would like to thank our anonymous peer reviewers who took the time to carefully review pilot partner responses and provide thoughtful comments. We also extend our gratitude to our RESULTS affiliates in Australia, Canada, and the United Kingdom who provided an important space for ongoing discussions about the Index and completed an informal testing of the Questionnaire in their respective countries. Furthermore, we thank the Right to Education Project, whose years of development of right to education indicators contributed inspiration and a robust starting point for this project. Finally, we thank the Open Society Foundations for their grant support to this initiative.

RESULTS EDUCATIONAL FUND

RESULTS Educational Fund (REF) is a non-profit 501(c)(3) grassroots advocacy organization founded in 1981, that creates the public and political will to end poverty by empowering individuals to exercise their personal and political power for change. REF focuses its advocacy efforts on policies that protect and expand access to health and nutrition, create economic mobility, and provide education for all. REF's organizational strategy uses a combination of policy analysis and research, coordinated grassroots advocacy, media engagement, congressional outreach, high-level engagement, and international partnerships to achieve its goals. Its model has been replicated in eight other countries – Australia, Canada, Japan, South Korea, Mexico, the United Kingdom, Kenya, and Zambia.

Written by: William C. Smith and Tony Baker

Cover Photo: Smiling Girl at School Near Mount Meru by David Dennis, ow.ly/4mRF9X

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CONTENTS

What is RTEI?	2	Adaptability	14
How does RTEI work?	2	Data Availability	15
RTEI Questionnaire	2	Select Transversal Themes	16
Process	3	Teachers	16
Calculation	4	Private Education	17
Interpreting RTEI Results	4	Opportunity and Indirect Costs	18
A Work in Progress	5	Chile	19
2015 RTEI Pilot Results	7	Nigeria	21
Governance	10	Philippines	23
Availability	11	Tanzania	25
Accessibility	12	Zimbabwe	27
Acceptability	13	Additional Information	28

WHAT IS RTEI?

The Right to Education Index (RTEI) is a global accountability initiative that aims to ensure that all people, no matter where they live, enjoy their right to a quality education. RTEI is a global index built out of the international right to education framework to monitor national progress towards its fulfillment. It reveals key areas in need of improvement, offers country-to-country comparisons, and tracks progress over time. Ultimately, RTEI seeks to:

- Strengthen the expertise and capacity of civil society and education advocates.
- Increase public and political support for realizing the right to education.
- Hold governments and institutions accountable for their commitments to the right to education.
- And finally, uphold the right to education for every child and adult everywhere.

HOW DOES RTEI WORK?

RTEI partners with civil society organizations, research institutions, and governments to collect data on a wide range of indicators explicitly derived from the international right to education framework. The data is used to form the Right to Education Index, which can be used by the general public, civil society, researchers, and governments to identify areas in need of improvement, explore issues more deeply, and place efforts where they are most needed.

RTEI Questionnaire

The primary tool of RTEI is the RTEI Questionnaire,¹ a comprehensive survey of close-ended questions answered with supporting documentation. Each question has an explicit basis in one or several international human rights instruments, namely legally binding international conventions of the United Nations.

1 For more information on the RTEI pilot questionnaire, go to: http://www.results.org/uploads/files/RTEI_Pilot_Questionnaire_June_15,_2015.pdf

The RTEI Questionnaire consists of a Core Questionnaire and a Companion Questionnaire. The Core Questionnaire contains 52 indicators focused on immediately realizable minimum core obligations of the government while the Companion Questionnaire encompasses an additional 28 indicators related to progressively realizable rights. Minimum core obligations include:

- Ensure the right to education on a **non-discriminatory basis**.
- Provide free and compulsory, quality **primary education**.
- Ensure that education **conforms to the objectives** set out in the international right to education framework.
- Adopt and implement a **national education strategy**.
- Ensure **free choice of education** without interference, subject to conformity with **minimum educational standards**.²

The RTEI Questionnaire is structured into themes of Governance and the 4 As (Availability, Accessibility, Acceptability, and Adaptability)³ along with respective subthemes:

- **Governance:** The legal structure of education in a State. This includes State ratification of international declarations or treaties, education financing, and education standards and regulations. Subthemes include: International Framework, Domestic Law, Plan of Action, Monitoring and Reporting, and Data Availability.
- **Availability:** The specific quantity of educational institutions available and the condition of such institutions. Subthemes include: Classrooms, Sanitation, Teachers, and Textbooks.

2 UN Committee on Economic, Social, and Cultural Rights, General Comment 13

3 The "4 As" is a framework developed by the first UN Special Rapporteur on the Right to Education, Katarina Tomasevski, to conceptualize and assess governmental human rights obligations in education. Tomasevski, K. (2001). Human Rights obligations: Making education available, accessible, acceptable and adaptable. Right to Education Primers No. 3 Available at <http://www.right-to-education.org/resource/primer-no-3-human-rights-obligations-making-education-available-accessible-acceptable-and>

- **Accessibility:** Whether available institutions are accessible to all students regardless of their socio-economic, familial, or demographic status. Subthemes include: Free Education, Discrimination, and Participation.
- **Acceptability:** The quality of available education. This moves beyond learning outcomes to also capture the cultural relevance and security of the educational environment as well as the aims and content of education. Subthemes include: Aims of Education, Learning Environment, and Learning Outcomes.
- **Adaptability:** The ability of education to be flexible in meeting the needs of a diverse range of students. Subthemes include: Children with Disabilities, Children of Minorities, and Out of School Education.

The RTEI Questionnaire also classifies each indicator as structural, process, or outcome. The various classifications of indicators found in the RTEI Questionnaire also allow for further analysis of additional transversal themes:

- **Girls' education:** The laws and processes that specifically target girls and attempting to evaluate education equality across sex.
- **Children with Disabilities:** Disaggregation of process and outcome indicators to evaluate education equality by disability status.
- **Regional Disparities:** The difference in the education system and learning outcomes based on urban-rural divide.
- **Indigenous and Minority Populations:** Educational equality concerns amongst potentially marginalized groups (ethnic, racial, religious) in a country.
- **Private Education:** Laws and processes that shape the use and availability of private education in a country.

- **Teachers:** The professional state and requisite training of teachers in a country.
- **Income Inequality:** Differences in student access and educational outcomes by socio-economic status.
- **Content of Education:** Investment in learning materials and topics included in national curriculum.
- **Monitoring and Accountability:** The laws and processes that provide oversight for the educational system of a country.
- **National Normative Framework:** The laws that guide the national education system.
- **Opportunity and Indirect Costs:** Costs that price children out of education and the loss of potential gains from education when children are out of school.
- **Alignment of Education Aims:** How well the aims of education, outlined in the international right to education framework, are included in the legal structure of a country and incorporated into the national curriculum and teacher training.

While originating out of the RTEI inception meeting held in Lagos, Nigeria in September 2013, the RTEI Questionnaire was developed through consultations conducted over the course of 2015.⁴ It is anticipated that the RTEI Questionnaire will be continually refined and improved as lessons are learned through rounds of application.

Process

RTEI partners with civil society organizations and national education coalitions as the primary respondents to the RTEI Questionnaire. Partners

⁴ A summary of these consultations can be found at http://www.results.org/issues/global_poverty_campaigns/right_to_education_index/

are identified through a competitive open application process and selected based on their history of engaging their governments to strengthen education systems, experience in research and data collection, and capacity to drive public discourse on education. Civil society organizations from Chile, Nigeria, the Philippines, Tanzania, and Zimbabwe were selected as the 2015 RTEI pilot partners.

Partners are trained and have two months to complete the RTEI Questionnaire. Each response is provided with supporting documentation, with opportunity for further comment and clarification. Upon submission, Questionnaires are assessed by REF staff to ensure readiness for peer review and clarifications are obtained where needed. Completed Questionnaires are then subjected to a double-blind peer review by in-country independent experts and national research organizations. Two anonymous reviewers per country are given one month to review. National governments are provided the same 30-day window to review and comment. Disparities in responses are reconciled by REF staff.

Calculation

Fully reviewed and reconciled Questionnaires are used to calculate RTEI scores. The Core Questionnaire is used to calculate the Index score, theme scores, and subtheme scores while additional data from the Companion Questionnaire allows for the calculation of transversal theme scores. Scores are on a scale from 0 (right to education absent) to 100 (right to education respected, protected, and fulfilled).

The Index score is a composite of the unweighted average of each theme (Governance, Availability, Accessibility, Acceptability, and Adaptability), each worth 20 percent of the total score. Each theme score is an unweighted average of its related subtheme scores. Subtheme scores are the average of individual question scores in their respective areas.

Transversal theme scores are derived by using reconfigurations of indicators found both in the Core Questionnaire and Companion Questionnaire. Their calculations are based on the RTEI Analytic Handbook.⁵

⁵ For more information on the RTEI Analytic Handbook go to: http://www.results.org/uploads/files/RTEI_Analytic_Handbook_8-4-15.docx

INTERPRETING RTEI RESULTS

RTEI scores can be used to identify deficits in the right to education in countries as well as across countries. Each country page below contains “potential areas of focus” which list a few of the more challenging areas revealed by RTEI that are areas for governments to remedy to improve progress towards the right to education in their countries.

To enhance national-level application and interpretation, RTEI civil society partners use RTEI results to develop country briefs. Country briefs contextualize RTEI findings, provide deeper analysis, and offer remedies to areas of deficit. The country pages of this report contain summaries of key findings and recommendations explored by RTEI partners in their respective country briefs.

As with any index, RTEI has limitations in its interpretation and application:

RTEI is...

- A general measure of the right to education in a country.
- Based on an important, but non-exhaustive, list of indicators explicitly derived from the international right to education framework.
- Focused on minimum core obligations that should be immediately implemented and are not subject to resource restraints.
- A first step toward further analysis and advocacy.

RTEI is not...

- The comprehensive, definitive measure of the right to education in a country.
- An exhaustive index that covers the full complexity of the right to education.
- Able to capture important indicators on the right to education that are subject to progressive realization or restricted by available resources.
- A legal document that can be used for adjudication purposes.

A WORK IN PROGRESS

The 2015 RTEI pilot was a learning experience that tested the RTEI Questionnaire, data collection process, data availability, and score calculation methodology, among other aspects. In addition to partner feedback at various points throughout the project, a partners meeting was convened in February 2016 to more thoroughly discuss lessons learned and areas of improvement. Broad aspects for refinement in the next round of RTEI include:

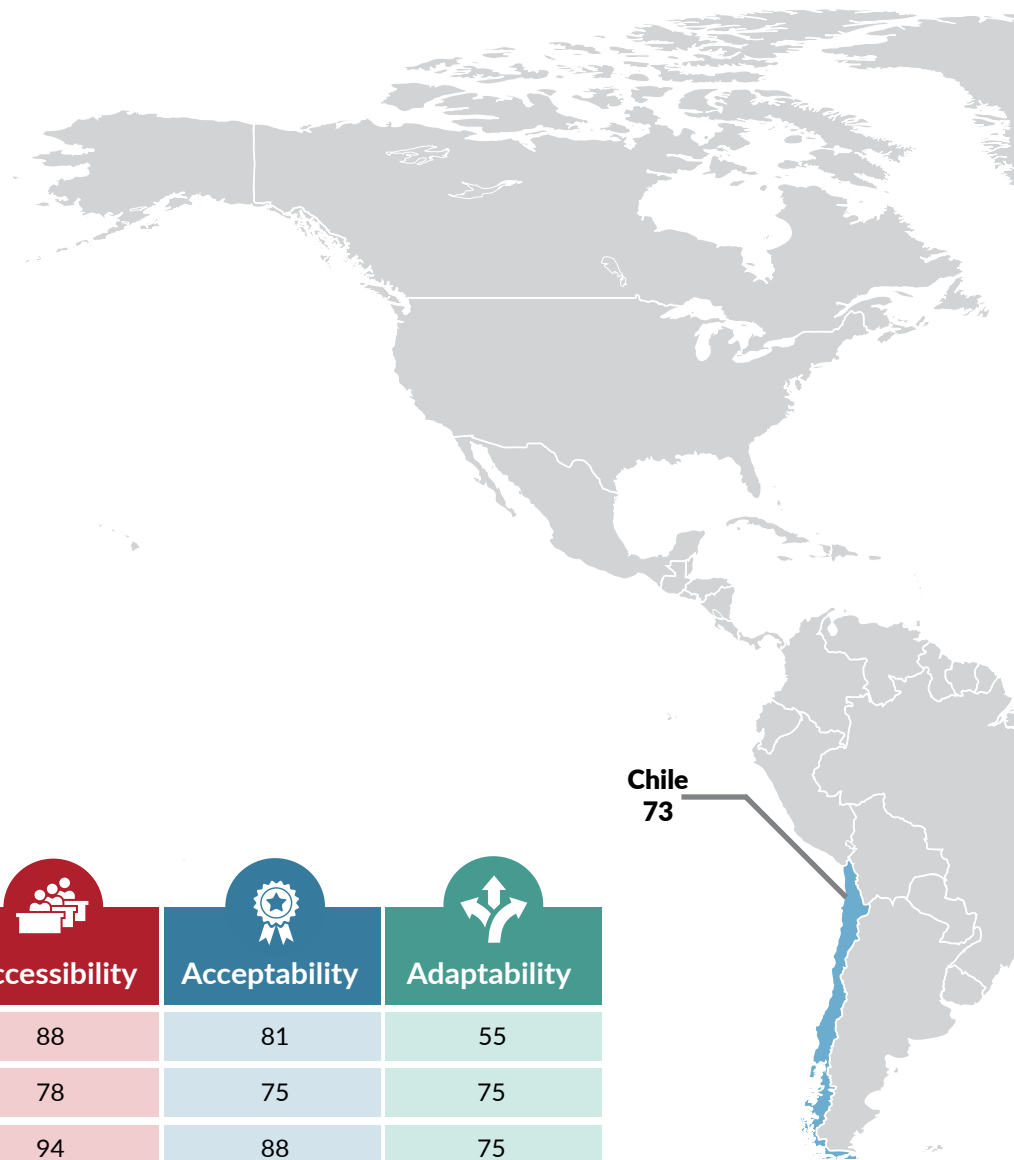
- Ensuring structural, process, and outcome indicators in each subtheme.
- Revisiting scoring methodology based on a combination of Core and Companion Questionnaire responses.
- Refining various indicators.







Given its complex nature, RTEI will continue to be a work in progress with new improvements and refinements developed through future rounds of application.

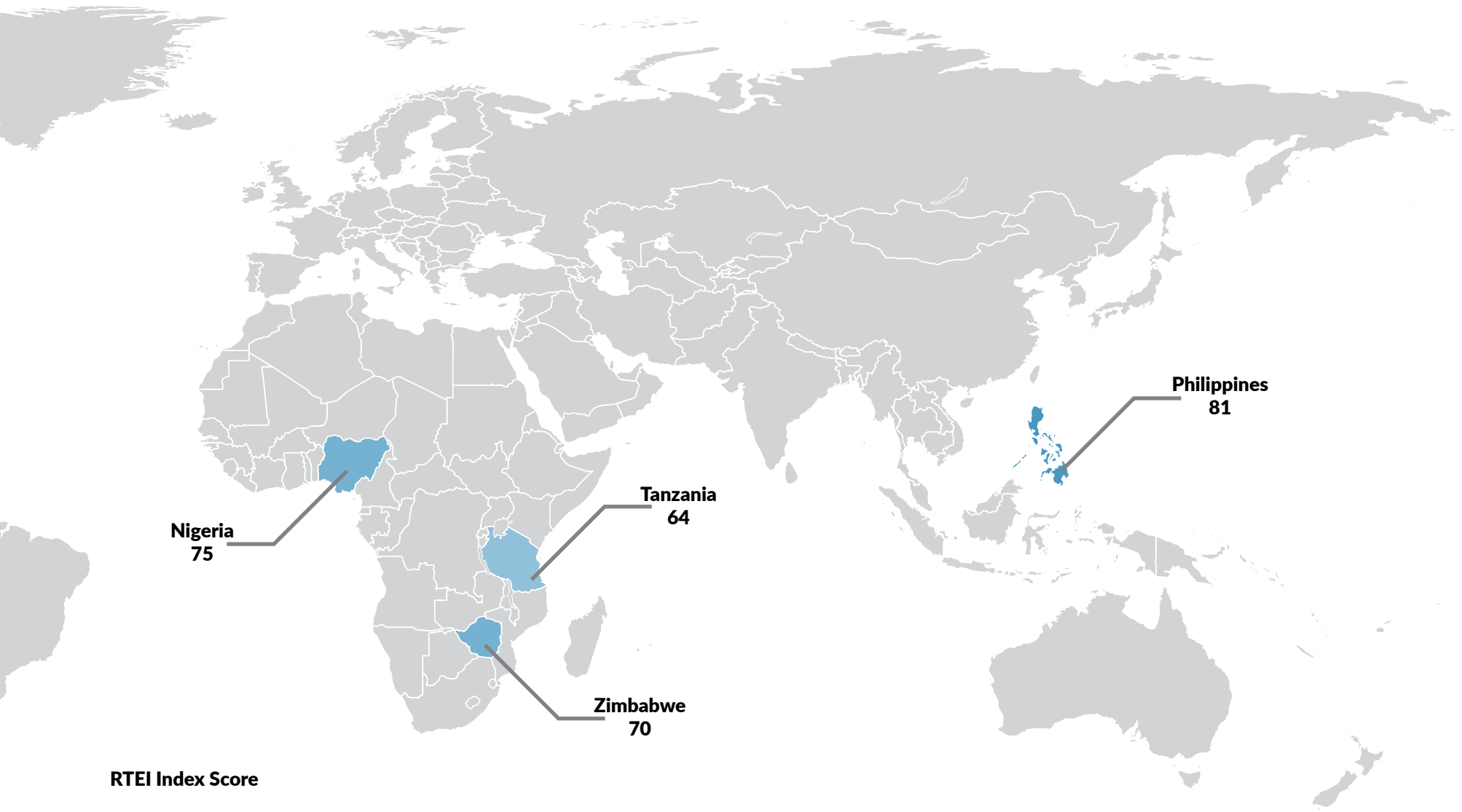
2015 RTEI PILOT RESULTS

The Right to Education Index (RTEI) is a global index designed to monitor national progress towards the realization of the right to education. It is not only an accountability mechanism for civil society, governments, and the international community to use to monitor commitments made around the right to education, but it is also a diagnostic tool that reveals obstacles preventing the realization of the right to education in a country and potential remedies to them.

In 2015, RTEI was piloted with partners in five countries – Chile, Nigeria, the Philippines, Tanzania, and Zimbabwe. Index results are displayed on the map to the right and the table below. The overall index score is a general indication of progress towards the right to education in a country while scores on Governance, Availability, Accessibility, Acceptability, and Adaptability represent progress in the thematic areas that comprise RTEI. As contained in this report, these results can be further interpreted through various subthemes and transversal themes.



	 Index	 Governance	 Availability	 Accessibility	 Acceptability	 Adaptability
Chile	73	64	76	88	81	55
Nigeria	75	94	53	78	75	75
Philippines	81	93	57	94	88	75
Tanzania	64	84	43	80	71	42
Zimbabwe	70	60	67	79	79	67



RTEI Index Score



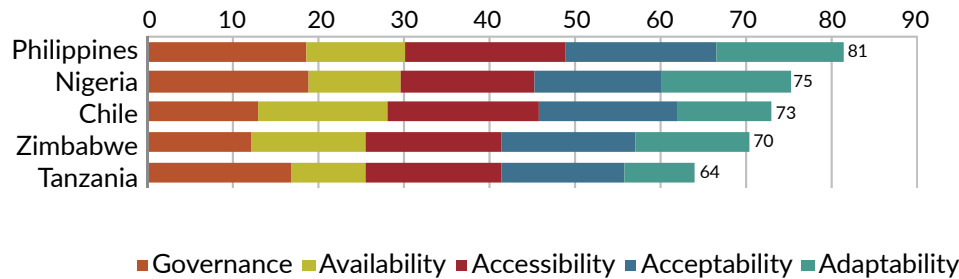
Towards the right to education being absent.

Towards the right to education being respected, protected, and fulfilled.

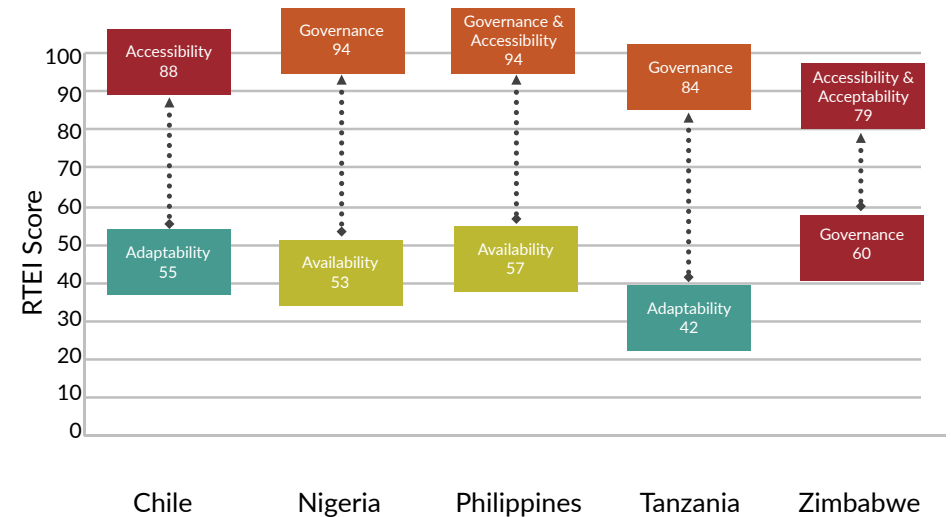
The Philippines performed most strongly in the 2015 RTEI pilot, with an Index score of 81, while Tanzania ranked lowest with a score of 64. Difference in country results are mostly driven by Governance, Availability, and Adaptability, while Accessibility and Acceptability appear to be relative areas of strength across all countries. This broadly suggests weaknesses in certain national legal frameworks around the right to education, that educational resources, such as teachers, textbooks, and classrooms, are inadequate, and that countries are struggling to adapt education to meet the needs of all learners. These differences are explored more deeply throughout the report.

The figure below demonstrates where countries are performing most strongly and which areas need the greatest attention to improve their Index scores. The greatest difference between strongest and weakest themes is found in Tanzania (43 percent difference) and Nigeria (42 percent difference). Large gaps between the strongest and weakest theme help identify target areas for improvement. For example, if Tanzania improved its weakest theme (Adaptability) to the average of the four other pilot countries their overall RTEI score would increase from 64 to nearly 70.

Index Score Composition by Theme



Country Specific Strengths and Weaknesses Within Index Score





GOVERNANCE

Governance is a strong theme in three of the five pilot countries, with Nigeria, the Philippines, and Tanzania each scoring above 80. Chile and Zimbabwe's Governance scores are driven down by the Plan of Action subtheme in which they scored zero for not having a national education plan that aims to achieve free and compulsory primary education. This contrasts sharply with the three other countries which have a plan in place that includes targeted implementation dates for progressive implementation.

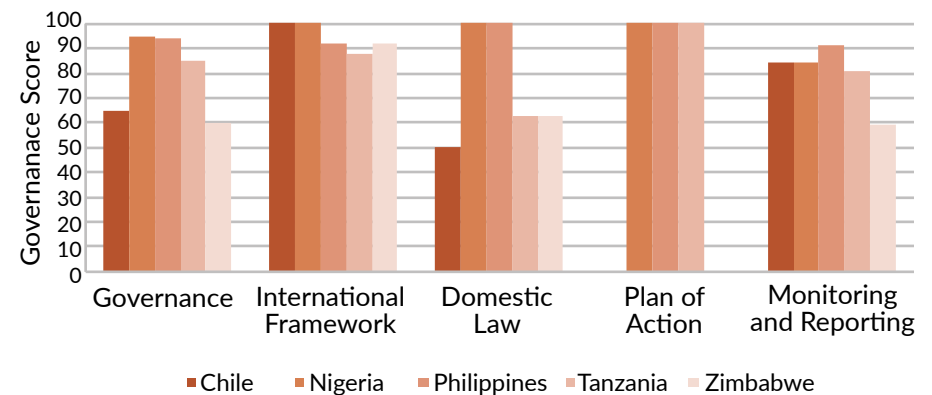
All countries scored high in International Framework, as they have signed onto and ratified the vast majority of international and regional treaties relevant to the right to education. All pilot countries also scored high on Data Availability, as most essential Governance information such as that found in national law and policies is available to the public.

Chile, Tanzania, and Zimbabwe all struggled in Domestic Law, suggesting that laws protecting the right to education and the liberties of minorities and parents to establish schools need to be strengthened.

The Monitoring and Reporting subtheme captures the presence of minimum educational standards and a government body assigned to monitor such standards, as well as regular collection of disaggregated data. Zimbabwe scores well below other countries in Monitoring and Reporting as it lacks systematic collection of data and only disaggregates it by sex and age.

Governance	International Framework	Domestic Law	Plan of Action	Monitoring and Reporting	Data Availability
Nigeria	94	100	100	84	87
Philippines	93	92	100	91	83
Tanzania	84	88	63	100	81
Chile	64	100	50	0	84
Zimbabwe	60	92	63	0	87

Governance and Subtheme Scores





AVAILABILITY

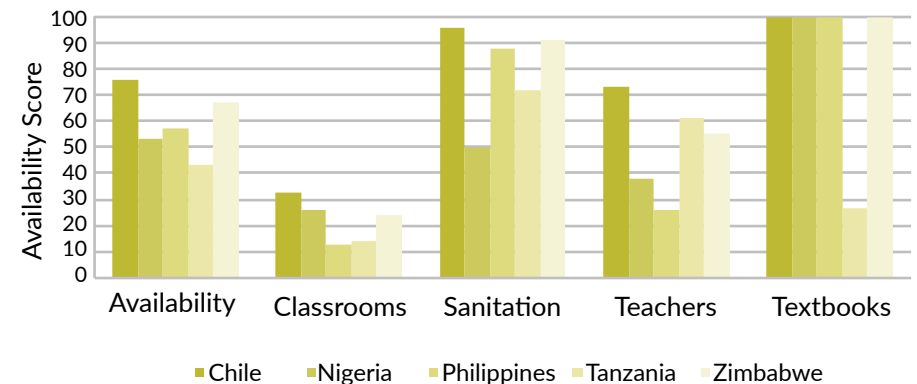
Availability is the one of the weakest areas of the right to education in Nigeria, the Philippines, Tanzania, and Zimbabwe, largely due to overcrowded classrooms as reflected in low Classroom scores. For example, on average the Philippines has over 75 students in a primary school classroom while it is 72 in Tanzania. The Classroom subtheme was also discovered to be problematic in the pilot due to the lack of a benchmark for classroom size. Such a benchmark will be explored by RTEI in future rounds.

While most countries scored poorly on the Teachers subtheme, Nigeria and the Philippines were revealed to be particularly problematic. For example, in Nigeria only 60.6 percent of teachers trained to national standards whereas 95 percent and 99 percent of teachers are trained in Chile and Tanzania, respectively.

The majority of pilot countries performed well in Sanitation and Textbooks, with a couple of exceptions. Nigeria struggled in Sanitation as more than two-thirds (68 percent) of its primary schools do not have toilets while a third (33 percent) do not have access to potable water. In Textbooks, an average of at least one textbook per student was reported in all countries except Tanzania, where there is one textbook for approximately every 3.7 students.

Availability	Classrooms	Sanitation	Teachers	Textbooks
Chile 76	33	96	73	100
Zimbabwe 67	24	91	55	100
Philippines 57	13	88	26	100
Nigeria 53	26	50	38	100
Tanzania 43	14	72	61	27

Availability and Subtheme Scores





ACCESSIBILITY

Accessibility is one of the highest scoring themes of the RTEI pilot, with all countries scoring around 80 or greater. Among other things, this theme assesses Participation, consisting of gross enrollment rates, net enrollment rates, and completion rates at the primary level. Only primary school enrollment and completion rates are factored into the Index as minimum core obligations focus on the provision of primary education.

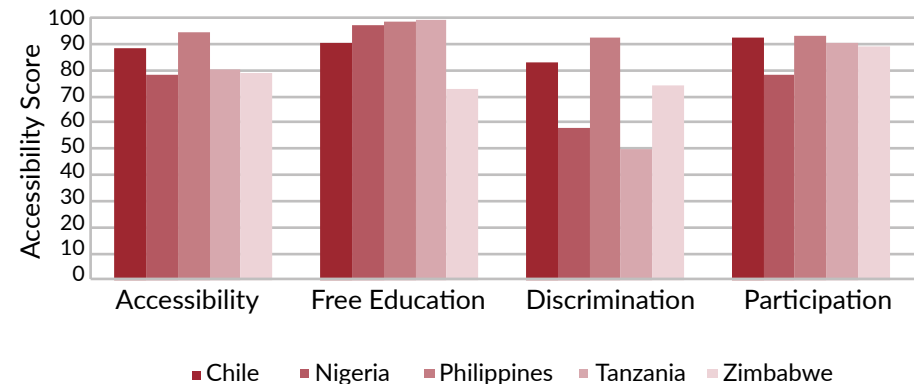
The parity rates incorporated into this subtheme do however extend more broadly to cover secondary and tertiary education in addition to primary education as minimum core obligations of non-discrimination apply to the entirety of the right to education. It is important to keep in mind that parity rates help to evaluate non-discrimination but do not speak to the level of access. For example, secondary education gender parity is nearly identical for both Chile (0.99) and Zimbabwe (0.98), but this is not to suggest similar levels of access as the gross enrollment rate for both genders is approximately 99 percent in Chile but only 52 percent in Zimbabwe.

Discrimination – the lowest Accessibility subtheme score for all countries – includes indicators that assess whether laws prohibit discrimination based on various socio-demographic categories and protect access to education for disenfranchised groups like pregnant girls and migrants or refugees without documented legal status. Discriminatory practices against pregnant girls and young mothers were found in Nigeria and Tanzania. In both countries, girls who become pregnant can be expelled from school and young mothers not allowed to re-enter. In Tanzania, the practice of expelling a girl for pregnancy is “nearly universally practiced” while it is “regularly practiced” in Nigeria.

Finally, in Free Education, Zimbabwe falls behind the rest. Although it stipulates that primary education is compulsory, Zimbabwe’s Education Act of 2004 places the duty on parents to ensure that their children attend, which includes the payment of minimum fees.

Accessibility	Free Education	Discrimination	Teachers
Philippines	94	98	92
Chile	88	90	83
Tanzania	80	99	50
Zimbabwe	79	73	74
Nigeria	78	97	58

Accessibility and Subtheme Scores





ACCEPTABILITY

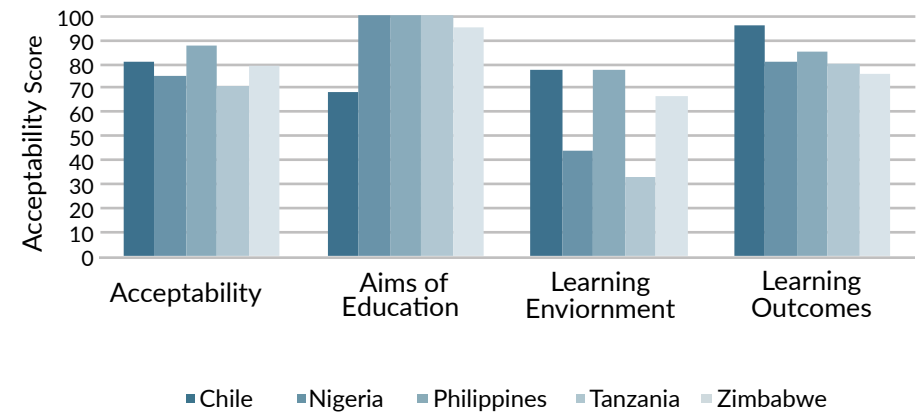
Acceptability is also one of the stronger themes revealed by the RTEI pilot. Aims of Education inquires whether education systems are targeting the aims of education clearly laid out in the Convention on the Rights of the Child, Article 29, paragraph 1. In Nigeria, the Philippines, and Tanzania these aims are included in national laws or policies, the education curriculum, and teacher training curriculum. In Chile, however, there are no compulsory standards for teacher training or mechanism to ensure that textbooks used in both public and private schools are aligned with the curriculum guidelines provided by the Ministry of Education, resulting in a lower Aims of Education score.

Learning Environment subtheme was most impacted by the practice of corporal punishment in the classroom. In Nigeria and Tanzania, corporal punishment is still legal. However, in all countries, regardless of legal status, corporal punishment is reported as being practiced on a regular basis.

As there is currently no universal metric measuring student learning, RTEI uses national assessments and examinations as the foundation for the Learning Outcomes subtheme. In addition to passage rates and parity scores on national assessments, Learning Outcomes also assesses youth and adult literacy rates. The composition of Learning Outcomes best enable it to track changes in learning outcomes in a country over time as requirements for passing national assessments can vary across countries. It is anticipated that the metrics of this subtheme will change as global learning metrics continue to develop.

Acceptability		Aims of Education	Learning Environment	Learning Outcomes
Philippines	88	100	78	85
Chile	81	68	78	96
Zimbabwe	79	95	67	76
Nigeria	75	100	44	81
Tanzania	71	100	33	80

Acceptability and Subtheme Scores





ADAPTABILITY

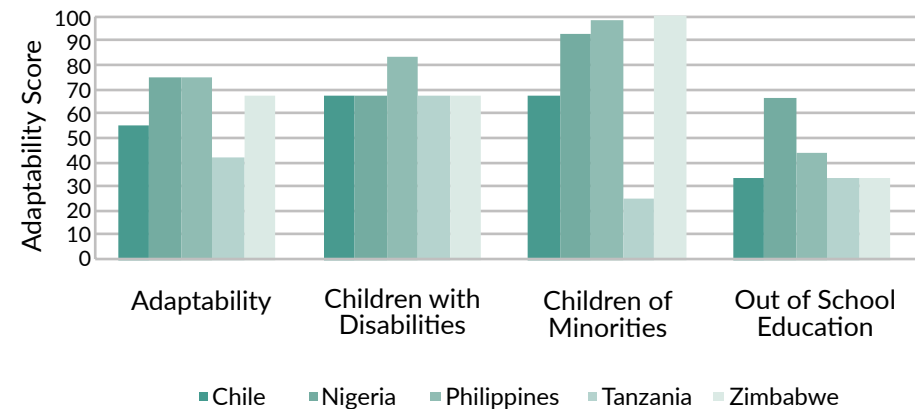
The overall low Adaptability scores suggest that countries struggle to adapt education to meet the needs of their diverse student populations. Out of School Education scores are below 50 for four of the five pilot countries.⁶ These countries are struggling to provide education in refugee camps, retention centers, and prisons, and when offered in prisons, the curriculum received is not integrated with the general education system.

Children of Minorities is generally a strong subtheme with the exception of Tanzania. Tanzania does not provide mobile schools for nomads and is the only RTEI pilot country that lacks a national law ensuring the provision of education in the student’s mother tongue.

The Children with Disabilities subtheme revealed a similar gap between policy and practice across pilot countries. All have national laws recognizing the right to education for children with disabilities, but all fall short, to some extent, in providing reasonable accommodation measures for them.

ADAPTABILITY				
Adaptability	Children with Disabilities	Children of Minorities	Out of School Education	
Nigeria	75	67	93	66
Philippines	75	83	98	44
Zimbabwe	67	67	100	33
Chile	55	67	67	33
Tanzania	42	67	25	33

Adaptability and Subtheme Scores



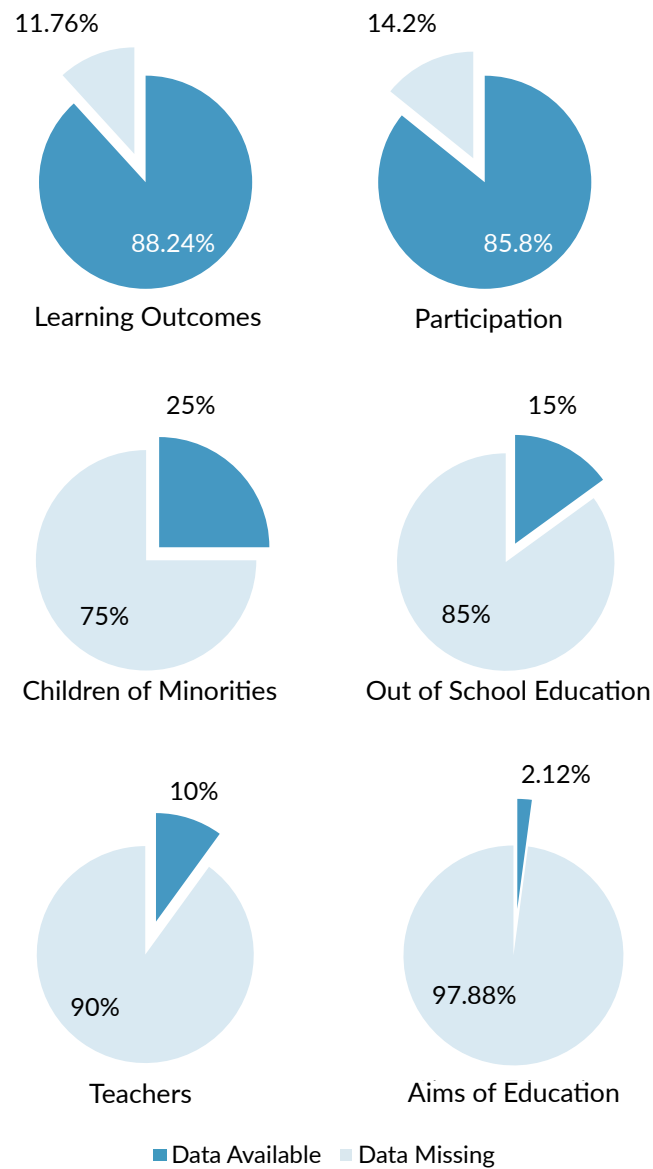
⁶ The only subtheme with lower scores is classrooms. See the availability section above for caveats on the classroom subtheme.

DATA AVAILABILITY

Data availability is essential to monitoring the realization of any human right. In general, data availability across RTEI was strong, with data provided for over 80 percent of the questions. All countries had complete data in 11 of the 17 subthemes.

The vast majority of missing data comes from Participation and Learning Outcomes, largely due to lack of disaggregation by socio-demographic category. Information on enrollment, completion, passing, and literacy rates must be further disaggregated by disability, geographic location, and income level to better assess non-discrimination. Outside of occasional data points in Nigeria and Chile, no country had data disaggregated by geographic location, and only Chile had periodic data disaggregated by income level. No country had data disaggregated by disability. These areas of data availability must be remedied if governments are to know if they are ensuring the right to education for all children.

Average Percentage of Missing Data



SELECT TRANSVERSAL THEMES

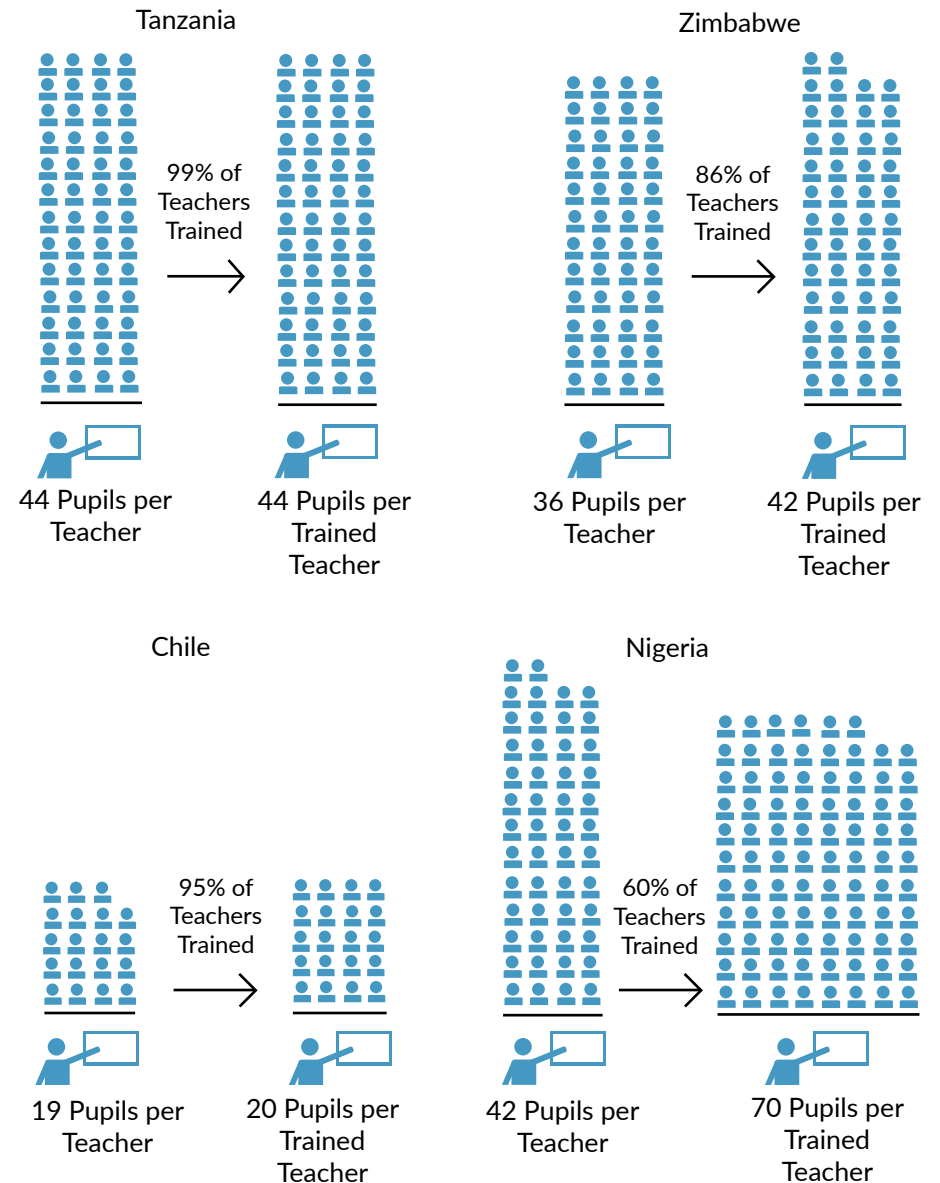
Teachers

The Teachers transversal theme reveals the impact of teacher training on a country's pupil-teacher ratio. While the general pupil-teacher ratio is often publicized in education statistics, General Comment 16 from the Committee on Economic, Social and Cultural Rights establishes trained teachers as a requisite of sufficient education provision. Given the importance of trained teachers on student outcomes,⁷ a pupil-trained teacher ratio provides a more accurate picture of student access to quality education.

Of the RTEI pilot countries, Tanzania and Chile prove to have the largest portion of their teacher workforce adequately trained, with 99 percent and 95 percent, respectively. However, while Chile is achieving a ratio of 20 pupils per trained primary school teacher, Tanzania is struggling with 44 pupils per trained teacher.

The effect of teacher training on pupil-teacher ratios is most prominent in Nigeria. Nigeria reports a general pupil-teacher ratio of 42:1 in primary schools, but this balloons to a pupil-trained teacher ratio of 70:1 as 40 percent of those teachers are not trained.⁸

Effect of Teacher Training on Pupil-Teacher Ratios



⁷ UNESCO Institute of Statistics (2006). Teachers and Educational Quality: Monitoring Global Needs for 2015.

⁸ The Philippines is not included as data on percentage of trained teachers was unavailable. The pupil-trained teacher ratio in the Philippines is 38.

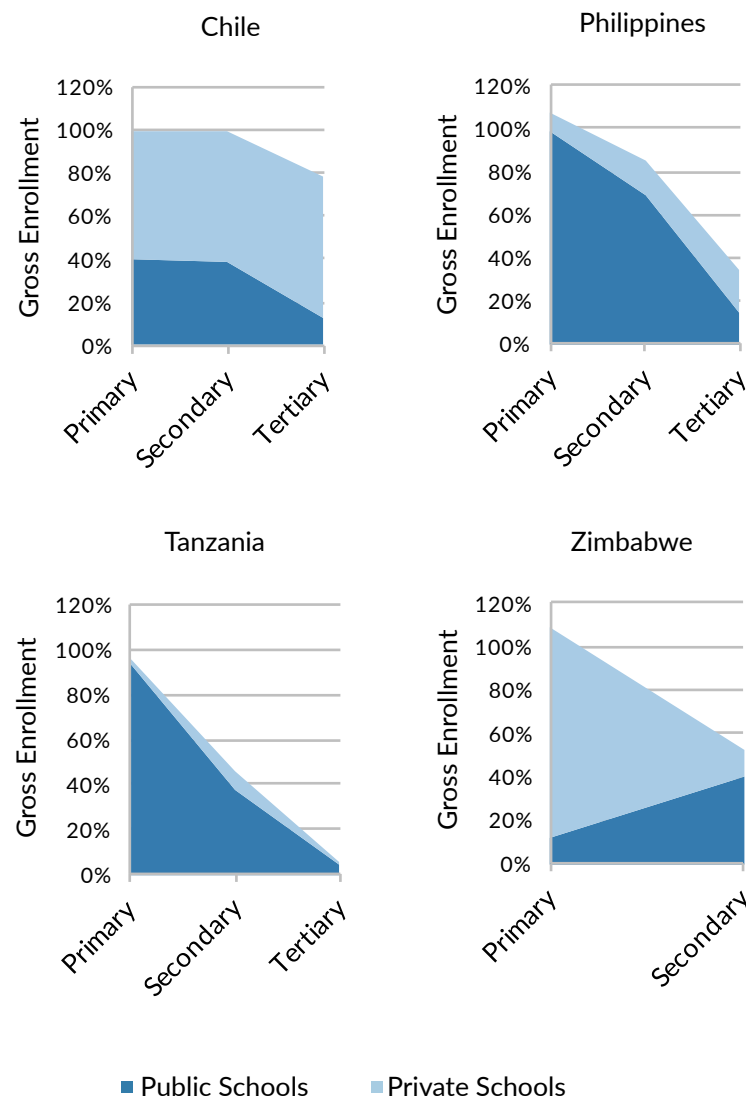
Private Education

The Private Education transversal theme assesses, among other things, relative gross enrollment patterns in public and private schools. Such an analysis is important for ensuring that the government is not abdicating its responsibility at various levels of education.

The charts illustrate gross enrollment rates at different levels of education as well as the share of students that are in public or private schools. While the gross enrollment rate stays relatively high in Chile beyond primary education, it drops considerably in other pilot countries, reflecting low transition rates related to high dropout rates, increased costs of higher levels of education, and policies that make enrollment in secondary education more challenging. The most drastic decline in enrollment occurs in Tanzania, where the gross enrollment declines from 96 percent in primary to 46 percent in secondary and 6 percent in tertiary.

The charts also reveal trends in private school enrollment. In Chile, over 50 percent of students are enrolled in private schools at all levels of education. Tanzania and the Philippines have more publicly provided education systems, although private school enrollment increases at higher levels of education in the Philippines. In Zimbabwe, the large majority of students (nearly 90 percent) begin their education in private schools but enroll in public schools when transitioning to secondary (with 77 percent enrolled in government secondary schools).⁹

Share of Enrollment in Public and Private Schools



⁹ Nigeria is not included due to missing data on private school enrollment share.

Opportunity and Indirect Costs

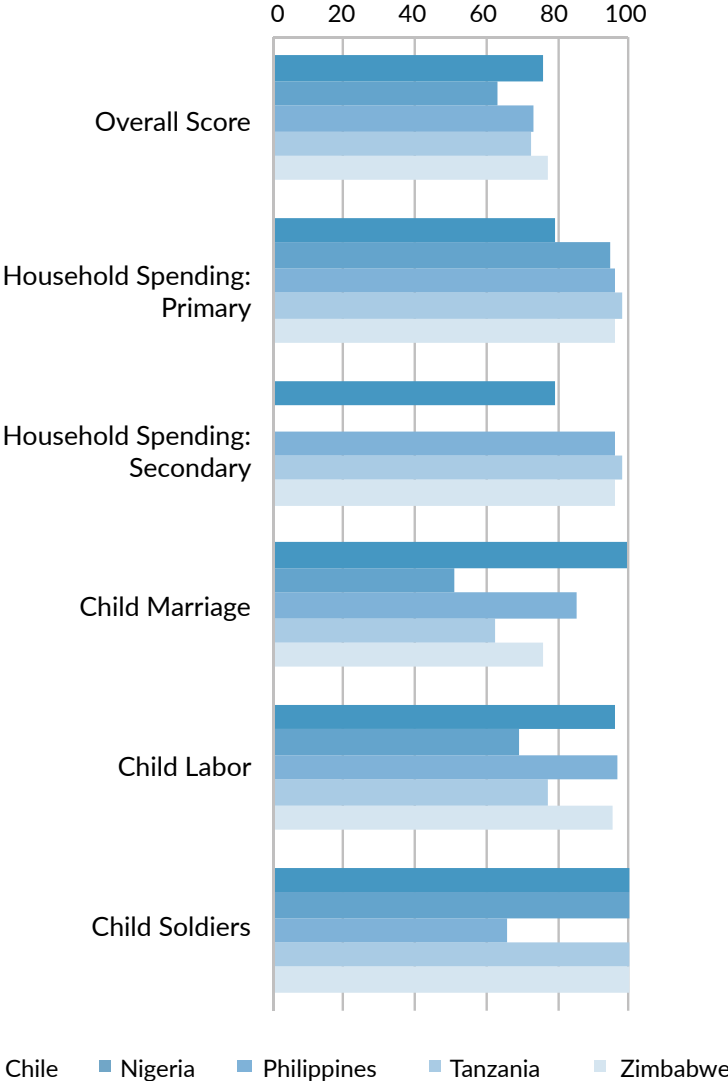
Opportunity and Indirect Costs captures the costs and opportunities that may keep children from attending school. This includes the household costs of education and alternatives to education, such as early marriage, child labor, or child recruitment by armed forces or armed groups. All pilot countries scored below 80 on this transversal theme, indicating high costs of education and the lack of safeguards protecting children.

RTEI reveals that households in Chile spend more of their income on education than those in the other pilot countries. Families in Chile are committing more than ten times the shares of their income to primary education (21 percent) than those in Tanzania (2 percent).






Early marriage is one of the leading reasons young women drop out of school or do not transition to secondary education. In Nigeria, about half of all women are married before they are 18 years old. In Tanzania and Zimbabwe, 25 to 40 percent of girls are married by the age of 18. These contrast sharply with Chile, where only about 1 girl out of 100 is married before she is 18.

Although child labor (working below the age of 15) is illegal in all five countries, it remains common practice in Nigeria and Tanzania. Nearly a third (31 percent) of all children below the age of 15 are working in Nigeria, and in Tanzania, it is nearly a quarter (23 percent). The right to education is not being upheld for these children. While this is a decision more likely made by low income families in Nigeria and Tanzania who may rely on the additional income to survive, it exacerbates root problems as they simultaneously fail to benefit from education’s power to break the cycle of poverty.

Opportunity and Indirect Costs



CHILE: 73

 Governance 64		 Availability 76		 Accessibility 88		 Acceptability 81		 Adaptability 55	
International Framework	100	Classrooms	33	Free Education	90	Aims of Education	68	Children with Disabilities	67
Domestic Law	50	Sanitation	96	Discrimination	83	Learning Environment	78	Children of Minorities	67
Plan of Action	0	Teachers	73	Participation	92	Learning Outcomes	96	Out of School Education	33
Monitoring and Reporting	84	Textbooks	100						
Data Availability	87								

Chile scored 73 in the 2015 RTEI pilot. It scored high in the area of Accessibility, followed by Acceptability. It scored low, however, in **Adaptability** and **Governance**. The **Plan of Action** and **Out of School Education** subthemes proved particularly problematic. The content of **teacher training** and the **discriminatory environment in regards to indigenous and minority populations** were further revealed to be areas of the right to education in Chile that could be improved.

Transversal Themes		
Opportunity and Indirect Costs	Legal restrictions in opportunity and indirect costs	75
	Opportunity and indirect costs in practice	76
National Normative Framework	National Normative Framework	71
Monitoring and Accountability	Strength of monitoring and accountability	76
	Content of curriculum	100
	Content of teacher training	0
Private Education	Private education legal environment	67
Girls' Education	Overall state of girls' education	83
	Discriminatory environment	72
Indigenous and Minority Populations	Discriminatory environment	56
Children with Disabilities	Structure and Support	68

No Constitutional Right to Education

One of the most significant problems existing in the legislated institutional structure is the lack of constitutional guarantee of the right to education. Rather, the constitution guarantees the right to freedom of education, which includes “the right to open, organize and maintain educational establishments” by the private sector. This has made it impossible for citizens to demand education as a fundamental human right in court. Meanwhile, enrollment in education administered by private stakeholders has increased significantly in past decades.

No National Education Plan

Chile does not have a national education plan to ensure that the education system positions public education as a universal right. Since the 1990s, the Chilean education system has experienced the creation and implementation of several reforms and actions, but these are initiatives of various governments and are not framed in the context of a national education plan.

Unregulated Teacher Training Curriculum

The only condition for entering the teaching profession is training by an institution of higher education; however, these institutions have complete autonomy regarding their education plans and curricula that are not necessarily linked with those of the Ministry of Education. One attempt to regulate teacher training is through a standardized test by the Ministry of Education (Prueba Inicia) taken voluntarily by higher education students at the time of graduation. However, this instrument places accountability on students rather than higher education institutions for teacher training standards.

Discrimination and Multiculturalism

Despite school guidelines promoted by the Ministry of Education and recent legislation that indicate that students should not be discriminated against on several grounds (e.g., customs and culture, sexual orientation, pregnancy, educational attainment, and tuition debt), students continue to

face discrimination and expulsion from the education system. Moreover, the manuals regulating the school environment have often been used to justify the expulsion of students rather than promoting diversity. While there are initiatives to promote multiculturalism, they are isolated and not part of a national program. Finally, the Indigenous Law of 1993 recognizes the importance of respecting and protecting indigenous culture and language but does not provide indigenous groups the right to establish their own educational institutions, which could advance the value and recovery of indigenous language and culture.

Unavailable/inaccessible information

Even though the Law of Transparency and Access to Public Information was enacted in 2008 to ensure the supply of official information from the Ministry of Education, access to information is still disorganized and bureaucratic. Data is not disaggregated by socioeconomic status, indigenous groups, or migrant populations.






Recommendations to the Chile Government

- Ensure the right to education in the constitution.
- Design, implement, and evaluate a national education plan.
- Build a nationally unified system of comprehensive, free, and public education from early childhood to higher education.
- Regulate teaching training in public universities.

Country analysis adapted from the Foro por el Derecho a la Educación country brief. Full brief available online.



NIGERIA: 75

Governance 		Availability 		Accessibility 		Acceptability 		Adaptability 	
International Framework	100	Classrooms	26	Free Education	97	Aims of Education	100	Children with Disabilities	67
Domestic Law	100	Sanitation	50	Discrimination	58	Learning Environment	44	Children of Minorities	93
Plan of Action	100	Teachers	38	Participation	78	Learning Outcomes	81	Out of School Education	66
Monitoring and Reporting	84	Textbooks	100						
Data Availability	87								

Nigeria scored 75 in the 2015 RTEI pilot. It scored high in the area of Governance, but implementation appears challenging, with indications of considerable deficits in the **Availability** of education. The **Teachers** and **Learning Environment** subthemes are areas needing particular attention. Transversal themes further revealed **costs of education, girls' education, and structure and support for children with disabilities** as additional focus issues in the right to education in Nigeria.

Transversal Themes		
Opportunity and Indirect Costs	Legal restrictions in opportunity and indirect costs	100
	Opportunity and indirect costs in practice	54
National Normative Framework	National Normative Framework	85
Monitoring and Accountability	Strength of monitoring and accountability	90
	Content of curriculum	100
	Content of teacher training	100
Private Education	Private education legal environment	100
Girls' Education	Overall state of girls' education	68
	Discriminatory environment	64
Indigenous and Minority Populations	Discriminatory environment	82
Children with Disabilities	Structure and Support	58

Lack of Qualified Teachers

The lack of qualified teachers is one of the major factors contributing to poor learning outcomes in Nigeria. According to the Nigeria Education for All review, only 60.59 percent of primary school teachers were adequately trained in 2011, creating an average pupil-trained teacher ratio of 70:1. In addition to teacher training, there is a need to recruit and retain teachers in rural and remote areas where schools are often overcrowded and suffering from poor teaching and learning. Student performance should be reviewed in relation to teachers' qualifications, truancy, training, and commitment in schools.

Poor Learning Outcomes

Learning outcomes have continued to decline over recent years at all levels, even at universities with what are called “half-baked graduates” who sometimes cannot read or write. In the secondary schools, student performance on national exams has continued to worsen. In 2015, only 39 percent of those who sat for the West African Examination Commission obtained credits in five subjects. Parents are becoming discouraged to send their children to school when learning and the subsequent promise of gainful employment are not guaranteed. In addition to the lack of trained teachers, these poor learning outcomes are attributed to overcrowded classrooms, insufficient and out-of-date textbooks, and underequipped libraries and laboratories.

Unsafe Learning Environments

Safety and security of students at schools in insurgency prone states is a major threat. The abduction of the Chibok girls is only one example. Almost two years later, over 200 schoolgirls who were taken from their school hostels in Chibok by Boko Haram militants are yet to be found despite international pleas. This led to closures of schools across Borno state for several months, putting thousands of children out of school.

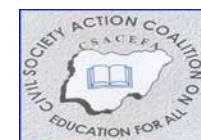
Missing Data

Much of the data required by RTEI was not available. Despite having an Education Management Information System (EMIS), education data is difficult to ascertain. Some data from the National Bureau of Statistics (NBS), National Planning Commission (NPC), and other agencies is accessible but not up to date. Data is rarely disaggregated by disability, location (rural and urban), or wealth quintile. Data on private education, even basic information such as enrollment, is largely unavailable.






Recommendations to the Nigeria Government

- Back up clear and achievable education plans with increased budget allocations.
- Address teachers' professionalism, training, and welfare in order to attract and retain qualified teachers.
- Support regular data collection and online accessibility through EMIS, NBS, and NPC, particularly including data on private schools and disaggregated by disability, rural and urban, and wealth quintile.

Country analysis adapted from Civil Society Action Coalition on Education for All (CSACEFA) country brief. Full brief available online.



PHILIPPINES: 81

Governance 		Availability 		Accessibility 		Acceptability 		Adaptability 	
Governance		Availability		Accessibility		Acceptability		Adaptability	
93	93	57	57	94	94	88	88	75	75
International Framework	92	Classrooms	13	Free Education	98	Aims of Education	100	Children with Disabilities	83
Domestic Law	100	Sanitation	88	Discrimination	92	Learning Environment	78	Children of Minorities	98
Plan of Action	100	Teachers	26	Participation	93	Learning Outcomes	85	Out of School Education	44
Monitoring and Reporting	91	Textbooks	100						
Data Availability	83								

The Philippines ranked highest in the 2015 RTEI pilot, with a score of 81. It scored high in the areas Governance and Accessibility, but **Availability** proved to nevertheless be challenging. The **Teachers** and **Out of School Education** subthemes would raise scores if improved. **Costs of education** and **structure and support for children with disabilities** were further indicated as problem areas in the Philippines efforts to realize the right to education.

Transversal Themes		
Opportunity and Indirect Costs	Legal restrictions in opportunity and indirect costs	100
	Opportunity and indirect costs in practice	73
National Normative Framework	National Normative Framework	96
Monitoring and Accountability	Strength of monitoring and accountability	95
	Content of curriculum	100
	Content of teacher training	100
Private Education	Private education legal environment	100
Girls' Education	Overall state of girls' education	n/a
	Discriminatory environment	92
Indigenous and Minority Populations	Discriminatory environment	82
Children with Disabilities	Structure and Support	73

Poor State of the Teaching Profession

RTEI revealed that the teaching profession is relatively underpaid in the Philippines. An entry-level teacher in a public school earns only PHP 18,549 (USD\$390) per month, substantially less than a high school graduate entering the Philippine Military Academy as a cadet, who receives PHP 21,709 (USD\$457) per month. Workloads are heavy, as enormous class sizes have not changed for many years. The classroom-pupil ratio is 1:75 for primary and 1:74 for secondary while the mandated pupil-teacher ratio is 1:45. There are about 85,000-90,000 contract teachers, no systematic monitoring of in-service training, and no tracking of numbers of trained versus untrained teachers.

Out of School Children Prevalent

Reports presented by the Department of Education show that of 100 children who started Grade 1 in 2004, only 68 survived to Grade 6, and only 47 reached Grade 10. The Philippines ranked highest in numbers of out-of-school children in 2012 among eight Asian countries, even higher than Indonesia with a population double that of the Philippines. A primary reason for not attending school is child labor. Because of the high poverty rate, students are forced to drop out of school to participate in economic activities.

Education Increasingly Unaffordable

Although the law stipulates that basic education is free, indirect costs can make it unaffordable, especially to the disadvantaged. According to a case study by E-Net Philippines, costs of uniforms, supplies, transportation, and meals restricted the poorest 30 percent of Filipinos family from sending their children to school. The hidden costs in primary and secondary education are turning Philippine education into a privilege for those who can afford it rather than a right of all Filipinos.

Missing Data

Most data required by RTEI was available. However, much of it, such as enrollment, completion, and dropout rates is not up to date. Data on teachers, classrooms, water and sanitation facilities, and textbooks are not accurate or up to date. Data is not disaggregated by socio-economic status, urban and rural settings, ethnicity, or wealth quintile levels.






Recommendations to the Philippines Government

- Ensure the implementation of the normative framework for education such as law and policy through programs and adequate budget.
- Ensure adequate, qualified, professionally-trained, motivated, and empowered teachers through higher recruitment, increased salaries, and in-service training.
- Strengthen the alternative learning system to ensure second chance education of out-of-school children, youth, and adults.
- Increase the education budget to be consistent with the international benchmark of at least six percent GDP as recommended by UNESCO.
- Regularly collect and make publicly available administrative data, admission policies, facility conditions, student performance, and levels of fees charged by private schools. Disaggregate data by gender, disability, economic and social situation, urban and rural setting, ethnicity, and wealth quintile.

Country analysis adapted from the Civil Society Network for Education Reforms (E-Net Philippines) country brief. Full brief available online.



TANZANIA: 64

Governance 		Availability 		Accessibility 		Acceptability 		Adaptability 	
Governance		Availability		Accessibility		Acceptability		Adaptability	
International Framework	88	Classrooms	14	Free Education	99	Aims of Education	100	Children with Disabilities	67
Domestic Law	63	Sanitation	72	Discrimination	50	Learning Environment	33	Children of Minorities	25
Plan of Action	100	Teachers	61	Participation	90	Learning Outcomes	80	Out of School Education	33
Monitoring and Reporting	81	Textbooks	27						
Data Availability	90								

Tanzania ranked lowest in the 2015 RTEI pilot, with a score of 64. Its highest score was in Governance, but considerable issues were found in **Availability** and **Adaptability**. **Children of Minorities**, **Out of School Children**, and **Learning Environment** were subthemes revealed to be particularly problematic. Issues in **girls' education** and **discrimination of indigenous and minority populations** could likewise be focused on for improved realization of the right to education in Tanzania.

Transversal Themes		
Opportunity and Indirect Costs	Legal restrictions in opportunity and indirect costs	75
	Opportunity and indirect costs in practice	73
National Normative Framework	National Normative Framework	72
Monitoring and Accountability	Strength of monitoring and accountability	90
	Content of curriculum	100
	Content of teacher training	100
Private Education	Private education legal environment	100
Girls' Education	Overall state of girls' education	63
	Discriminatory environment	44
Indigenous and Minority Populations	Discriminatory environment	53
Children with Disabilities	Structure and Support	83

Shortage of Textbooks and Classrooms

The 2015 RTEI revealed a huge problem in the availability of learning materials and facilities in schools. The availability of textbooks score indicated an acute shortage of textbooks in schools, as four pupils are using one textbook on average rather than one textbook per pupil. With regard to the availability of classrooms, the classroom-pupil ratio for primary education stands at 1:72 instead of 1:40. This indicates a serious challenge of congestion in classrooms which affects teaching and eventually learning outcomes.

Early Marriage and Expulsion due to Pregnancy

Despite the fact that gender parity index is 1:1 in Tanzania, girls face many challenges that affect their lifelong learning and transition to higher levels. RTEI shows that more girls are enrolled in primary and secondary education but often drop out before higher levels. Pregnancy and early marriage are the major challenges affecting girls' completion of education. In Tanzania, pregnant girls are typically expelled from school, and there is no re-entry program for young mothers, effectively ending their education. About 7,138 girls were expelled from school due to pregnancy in 2012, and pregnancy accounted for 8.8 percent of dropouts in 2014. Meanwhile, the Marriage Act of 1971 allows female marriage after the age of 15, enabling a context of early marriage that adversely affects girls' completion of primary and secondary education. In 2010, about 37 percent of girls were married under the age of 18.

Corporal Punishment and Child Labor

Despite the Child Act of 2009, which was intended to protect children, Tanzania still faces several challenges, including corporal punishment and child labor. Tanzania does not have any law prohibiting corporal punishment in the classroom. Rather, the Corporal Punishment Act of 1979 and the Government Guidelines of 2000 institutionalize the use of corporal punishment, making it lawful for four strokes to be administered by a head teacher. In practice, corporal punishment is used widely and often by any

teacher. Child labor also propels the dropout rate and affects the learning process for many children in Tanzania, with about one in four children between the ages of 5 to 14 found to be employed in the labor market in 2013.






Recommendations to the Tanzania Government

- Invest heavily in school infrastructure and learning and teaching materials. Increase the development budget from the current average of 15 percent of the total education budget to 30 percent.
- Introduce a re-entry program that would allow young mothers to go back to school after delivery. Look to neighboring countries such as Malawi and Uganda for how such a program may be implemented. Raise the age for female marriage from 15 to 18 years.
- Effectively implement the Child Act of 2009 to stop child abuse, corporal punishment, and child labor.
- Disaggregate education statistics by income quintiles, rural and urban, district and regional expenditures on education. Make data available on teachers' salaries and budgets for learning and teaching materials.

Country analysis adapted from HakiElimu country brief.
Full brief available online.



ZIMBABWE: 70

 Governance 60		 Availability 67		 Accessibility 79		 Acceptability 79		 Adaptability 67	
International Framework	92	Classrooms	24	Free Education	73	Aims of Education	95	Children with Disabilities	67
Domestic Law	63	Sanitation	91	Discrimination	74	Learning Environment	67	Children of Minorities	100
Plan of Action	0	Teachers	55	Participation	89	Learning Outcomes	76	Out of School Education	33
Monitoring and Reporting	59	Textbooks	100						
Data Availability	87								

Zimbabwe scored 70 in the 2015 RTEI pilot. Its score in **Governance** was the lowest across the five RTEI pilot countries, largely due to issues in the **Plan of Action** and **Monitoring and Reporting** subthemes. **Out of School Education** likewise proved problematic. Legal aspects of the **cost of education** and **education for indigenous and minority populations** and **children with disabilities** also presented themselves as obstacles to the right to education in Zimbabwe.

Transversal Themes		
Opportunity and Indirect Costs	Legal restrictions in opportunity and indirect costs	63
	Opportunity and indirect costs in practice	77
National Normative Framework	National Normative Framework	74
Monitoring and Accountability	Strength of monitoring and accountability	80
	Content of curriculum	100
	Content of teacher training	100
Private Education	Private education legal environment	100
Girls' Education	Overall state of girls' education	82
	Discriminatory environment	79
Indigenous and Minority Populations	Discriminatory environment	50
Children with Disabilities	Structure and Support	58

No Plan for Free Primary Education

Zimbabwe's 2011-2015 Education Medium Term Plan does not have a plan of action to provide free primary education. The plan states that fees should be paid to access education in accordance with the Education Act [Chapter 25:04], which requires school fees to be maintained at the lowest possible levels but requires them nonetheless. This has been worsened by the introduction of examination fees at Grade 7 to bolster the resource-constrained Zimbabwe School Examinations Council. The Ministry of Primary and Secondary Education has enacted a policy of non-expulsion of learners in arrears but leaves authorities to deal with parents who default on payments.

Lack of Education for Refugees, Prisoners, and Young Children

Accessibility to education in refugee camps is limited. Refugees are assisted with scholarships, which are few, take long to process, and leave many to pay for education. According to UNICEF, in 2009 Zimbabwe had 281,000 internally displaced people (IDP) of primary school age out of school. It was also found that a different curriculum is being used in prisons than in mainstream schools, indicating a lack of integrated education in prisons as required by the Standard Minimum Rules for the Treatment of Prisoners. Finally, 731,528 children ages 3-5 (69 percent) are out of school with no access to early childhood development (ECD) programs, a situation ascribed to high dropout risk in later years.

Poor Classroom Conditions

The classroom-pupil ratio in primary schools was 43 percent in 2013 and 46 percent in secondary schools. To cope with the number of students, 41 percent of primary schools and 36 percent of secondary schools in urban areas are running double shifts which limit classroom time for learners. In other cases classes are conducted under a tree or in a shed where learners are exposed to harsh weather conditions.

Inaccessibility for Children with Disabilities

The Ministry of Primary and Secondary Education reports that only 2.7 percent of primary schools have facilities (such as classrooms, toilets, and general equipment) for students with special needs and 0.9 percent of schools have facilities for children with disabilities. These conditions were also highlighted by the 2015 Zimbabwe National Education for All Review.

Missing Data

Data unavailability was very common during the RTEI research, with data from 2013 being the most recent. Data is largely unavailable in regards to private education and statistics disaggregated by rural and urban schools, students with disability, and wealth quintile.

Recommendations to the Zimbabwe Government

- Remove fees and increase investments in ECD and primary education.
- Increase resources in social safety nets such as the Basic Education Assistance Module (BEAM) that assists children to attend school.

Country Analysis adapted from the Education Coalition of Zimbabwe (ECOZI) RTEI country brief. Full brief available online.



ADDITIONAL INFORMATION

Full information on RTEI including a consultation summary, the RTEI Questionnaire, the RTEI Analytic Handbook, pilot partner information, and country briefs are available on our website at http://www.results.org/issues/global_poverty_campaigns/right_to_education_index/.

- **RTEI Background Paper:** This paper provides a project overview, aims, and pilot timeline.
- **Background to Indicator Selection:** This document outlines the process of identifying and selecting indicators for inclusion in the draft RTEI Questionnaire that was used for consultations. It includes RTEI Inclusion Criterion and addresses general issues of index specificity and data availability.
- **Summary of Consultations:** From April 15 to May 20, 2015, RESULTS Educational Fund held public consultations to gather feedback on RTEI tools under construction. The consultations included global conference calls, an online guided consultation, and a consultative session at the World Education Forum in Incheon, South Korea. In total, the consultation period resulted in 114 pieces of individual feedback from a total of 90 individuals, across 30 countries, representing 67 organizations. For further detail, see RTEI Review of Consultations and Response to Feedback, Comprehensive Response to Feedback, and Pre- and Post-Consultation RTEI Questionnaire Changes.
- **RTEI Pilot Questionnaire:** The RTEI Pilot Questionnaire was used for the 2015 Pilot. Pilot partners were supported to complete the Questionnaire over a two-month period, collecting the information necessary to assess a country's progress on various areas of the right to education. The RTEI Pilot Questionnaire consists of a smaller, narrower Core Questionnaire covering minimum core obligations and used for Index calculation and a Companion Questionnaire — focused on progressively realized rights — that was used to contextualize the state of education in the country through transversal themes. The RTEI Pilot Questionnaire is an all-in-one document including both the Core and Companion Questionnaires, respondent guidance, and fillable forms.
- **RTEI Pilot Analytic Handbook:** The RTEI Pilot Analytic Handbook provides partners with the means for interpreting overall Index results as well as suggestions for how the Index can be used to analyze and highlight different transversal themes, such as private education, girls' education, income inequality, regional disparities, teachers, etc. For each transversal theme, the Analytic Handbook provides an easy to complete worksheet as well as possible interpretations of the responses and potential leverage points to remedy the right to education issues revealed by RTEI.

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