

Review of Consultations

From April 15 to May 20, 2015 RESULTS Educational Fund (REF) held an open public consultation to gather feedback on the Right to Education Index (RTEI) tools under construction with specific focus placed on the draft version of the RTEI Questionnaire. The Questionnaire is the central tool for RTEI, as it will be used by partners to collect information that is used to construct the Index. The consultation included three main opportunities for comments:

- **Consultation Call** on April 23 from 12:00 GMT to 1:00 GMT.
 - This Skype call included 20 individuals, across 10 countries, representing 18 organizations.
 - Invitations to the call were sent out through the Global Campaign for Education (GCE) listserv as well as personal networks of key RESULTS Educational Fund staff. Additionally, organizations and individuals that have participated or shown interest in RTEI at earlier stages of the project were invited.
 - Following the consultation a summary of feedback and list of attendees were circulated to individuals invited.
- **Open Online Consultation** from April 15 to May 15.
 - RTEI draft tools and feedback instructions were posted on the RESULTS Educational Fund website and the consultation was announced via a RESULTS blog.
 - The blog was shared through the GCE network, RESULTS Educational Fund staff personal networks, and through social media platforms such as LinkedIn and Twitter.
 - The consultation was also announced in the weekly announcements of the Comparative International Education Society and in the monthly announcements of the Sociology of Education Sector of the American Sociological Association.
 - REF also encouraged its international affiliates and the GCE network to cross-post the blog announcement.
- **Consultation Meeting at the World Education Forum** in Incheon, South Korea on May 20 from 6:00 to 8:00 local time.
 - This consultation meeting was held immediately after the month-long open consultation period and was designed to further explore questions that arose from consultation feedback.
 - Specifically, the consultation meeting discussed ideas around:
 - The potential use of a minimum core obligation lens.
 - The availability and comparative costs and benefits of using nationally available data relative to data made public through international organizations.
 - This consultation meeting included 30 individuals, across 12 countries, representing 25 organizations.

- Following the consultation a summary of feedback and list of attendees were circulated to individuals included at any stage in the overall public consultation.

During and directly following the consultation period REF staff held bilateral conversations to clarify feedback and further explore potential responses. Overall the consultation period saw a diverse set of interested parties come together to discuss RTEI and issues around the right to education more broadly. The overall consultation resulted in 114 pieces of individual feedback. The feedback came from a total of 90 individuals, across 30 countries, representing 67 organizations. The organizations represented included international organizations such as UNESCO, regional education coalitions such as the Latin American Campaign for the Right to Education (CLADE), and issue specific or country specific organizations such as the Pakistan Coalition for Education (PCE), amongst others.

Response to Feedback

Feedback from the public consultation highlighted four overarching areas for strengthening. These four areas are outlined below with adjustments made in response to the feedback in *italics* following each area. A more comprehensive list of response to feedback including all 114 comments provided during the consultation period can be found on the first tab of the Response to Feedback excel file. As RTEI enters its pilot phase it is important to note that the pilot and its surrounding processes are being used in a formative nature. This suggests that the modifications outlined in this response to feedback will likely not be the final changes as the Questionnaire and other RTEI tools are refined further following insight from the pilot.

1. Suggestions to **narrow the scope of the Index** with perhaps having one smaller questionnaire for the Index and one more comprehensive questionnaire to understand more fully what is happening in a country.
 - a. *Two lenses were considered in narrowing the scope of the Index – immediate obligations and minimum core obligations.*
 - b. *After initial discussions with respondents who suggested these lenses, bilateral discussions were held with individuals representing the Global Initiative for Economic, Social and Cultural Rights, the Right to Education Project, UNESCO, and legal experts in human rights and education law.*
 - c. *Following these additional discussions, minimum core obligations, as outlined in General Comment 13 of the Committee for Economic, Social, and Cultural Rights, were chosen as a focus of the Questionnaire. This focus also aligns with UNESCO’s “The Right to Education: Law and Policy Review Guidelines.” REF’s definition of minimum core obligation is further limited to those that are to be immediately implemented by the state.*
 - d. *This resulted in a smaller, narrower questionnaire to be used for Index calculation and a companion questionnaire – focused on progressively realized rights – that can be used to contextualize the state of education in a country through transversal themes. To see how the new core and companion questionnaire align with the Questionnaire used for the consultation see the second tab of the Response to Feedback excel file.*
2. Concerns with **subjectivity** when responders interpret the question. This includes both questions that have multiple response categories and those that elicit yes or no answers.
 - a. *To clarify response categories additional guidance was provided. This included providing quantified ranges to Likert scale type responses (i.e. rarely = less than 1 in 10).*
 - b. *In the guidance to most questions an “additional guidance for responses” section was added specifying what a “yes” response means. Importantly, this clarifies that for many of*

the national law questions a “yes” response indicates that a law is present, not that it is comprehensive or effective. While this approach reduces subjectivity it also creates a slightly inflated Index score – although this is the case across all countries. This tradeoff is discussed in detail in the limitation section of the RTEI Background and Methodology.

- c. A two hour orientation/training call is also planned with pilot partners to help align respondent approaches to questions and ensure common definitions are used.*
3. Concerns with **data availability** and whether data from international sources or national sources should be used.
 - a. Data availability is covered in more depth in the RTEI Background and Methodology.*
 - b. Following more in-depth discussions, including the WEF consultation meeting, it was decided that respondents would probe national sources in an attempt to get the most up-to-date, comprehensive information. The pilot process will help REF evaluate whether this approach should be used moving forward.*
 - c. Following pilot data collection, analyses will be conducted comparing data obtained from national sources with publicly available international data.*
4. Concerns with **resource rich countries having an advantage** that would inflate their Index score and reduce the face validity of the Index.
 - a. Narrowing the Index to immediate minimum core obligations largely removes the resource advantage of rich countries that are more likely to have met progressively realized rights.*
 - b. Pilot Index scores from the five global South pilot partners will be evaluated in light of data from RESULTS affiliates in the U.S., UK, Australia, and Canada.*
 - c. Equivalence weights will be applied to structural, process, and outcome indicators to ensure that merely having a law in place is not enough to result in a high Index score.*