



How to fulfil the RTE promise

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Centre must fund the states, but let them identify the students who need help

After the Supreme Court judgment on the constitutionality of the Right to Education Act (RTE), the onus is now on the government to design a transparent, fair and accountable method to implement the 25 per cent reservation in private schools for economically and socially disadvantaged communities. Instead of reservation, perhaps the initiative can be called 25 per cent inclusion seats or 25 per cent opportunity or state-sponsored seats. A general estimate is that anywhere between 2.5 to 7 million poor students would benefit in the first year of full implementation. And this number will double every year thereafter for eight years. A large number of poor children's future is thus at stake in the proper implementation of the 25 per cent opportunity seats.

From the multitude of consultations and discussions that have taken place over the last two years on this provision, there are certain ideas that should help fulfil this promise of inclusive education.

First, the central government must directly pay for the 25 per cent opportunity seats instead of relying on state governments to reimburse schools on a state-by-state basis. State governments have already been pointing out that Sarva Shiksha Abhiyan (SSA) funding they receive from the Centre does not include the cost of the 25 per cent seats in private schools. Instead of including this cost in the SSA budget, which would vary widely from state to state, it is far more convenient and straightforward for the Centre to take this responsibility directly. The amount to be paid should be decided by state governments as per the costs incurred in providing education in state schools, and this would be different from state to state. The payment should be from the central government.

The central government should adopt a uniform criterion for adjusting the reimbursement amount from year to year. The current state RTE rules differ widely in re-calculating the amount for future years. Some states offer to revisit state expenditures every two years and re-calculate the reimbursement amount, while others suggest adjusting the first year amount by the rate of inflation for all future years. It is better to have a uniform national rule about re-calculating the reimbursement amount.

Second, the Centre should create an independent special purpose vehicle to manage the reimbursement, which could be called the India Inclusive Education Fund. The central government would commit to make contributions but more importantly, it would raise extra money from corporations, foundations and individuals. These non-government funds could be used to bridge the gap between the reimbursement amount calculated on the basis of the actual per-student cost in government schools, and the fees of private schools. Private schools would be free to raise their own funds to bridge the gap through donations, charity events like music concerts, cultural fairs and other annual events, but they would also get support from the fund. The fund could also offer inclusion awards for schools that do well in social integration and holistic learning of the 25 per cent opportunity students. These awards could help cover a part of the gap for private schools as well as incentivise them to take the challenge of inclusion more seriously.

To assure schools that they would be reimbursed on time and in full as per the process outlined by the fund, the Centre should include its contribution in the annual central education budget and transfer that amount to the fund on April 1. The Centre should calculate its liability as equal to the amount paid out by the fund in the previous year and deposit that amount on April 1 in the fund's account. The cost adjustments for the current year as per the

national uniform rule should be made by August, and the Centre should then deposit the corresponding amount on September 1 to meet its full obligations for the academic year.

Third, the definition and identification of qualified candidates under the 25 per cent should be left to state governments. Some states have suggested that they would issue student cards to those who qualify and that this student card would then be used by schools to determine eligibility. Some states may issue smart coupons or vouchers or biometric cards. There is certainly a need for experimentation to decipher better methods of identification. After some years of experience, we may evolve a commonly accepted method across the states.

The verification of qualified candidates should be done by the National Commission for the Protection of Child Rights (NCPCR), its state branches and affiliated NGOs. The NCPCR should have the powers to take action against states that have significantly high rates of identification errors of omission and commission in order to keep the pressure on the states to improve their identification processes and technologies. The NCPCR may require that the failing states contribute to the fund in proportion to the degree of their failure.

Many more details and processes need to be worked out for the effective implementation of the education opportunity seats, but the above forms the foundation of a structure that will help fulfil the RTE's historic promise.

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