

# RIGHT TO EDUCATION



In its Universal Periodic Review in 2011, Uganda accepted five recommendations related to the right to education. Despite some overall improvements, the quality of education in public schools remains poor. In response, families are turning to private schools, which are inadequately monitored and regulated; this hinders the realization of the right to education and disproportionately affects poor children.

**DESPITE SIGNIFICANT IMPROVEMENTS IN ENROLMENT, ONLY 3 IN 10 CHILDREN COMPLETE PRIMARY SCHOOL.** Overall, primary school enrolment stood at 8.5 million pupils in 2014, which is a 93.7% net enrolment rate (UNICEF, 2015). However, the survival rate (the percentage of enrolled pupils that complete the last grade of primary school) is 33% (MoESTS, 2015). In comparison, it is 78% in Tanzania; 81% in Rwanda; and 84% in Kenya (UNICEF, 2015). The most recent government data indicates that approximately 9% of children aged 7 – 14 years, 700,588 children, are out of school; the vast majority are in rural areas.

Official statistics from 2013 similarly showed that 60% of students in Primary 6 could not read or write a simple sentence and 59% could not complete simple calculations—worryingly, this is an increase from 55% in 2010 (MoESTS, 2015).

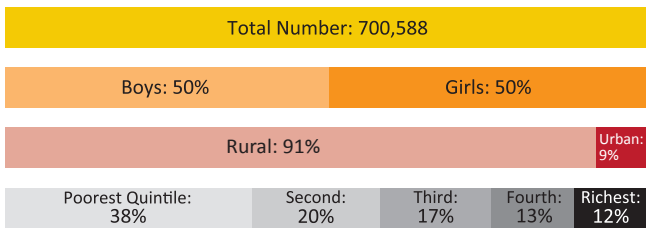
**LEGAL AND POLICY FRAMEWORKS ON EDUCATION ARE NOT EFFECTIVELY IMPLEMENTED.** The Constitution guarantees the right to education and Uganda has taken commendable steps to pass laws and policies to implement its provisions. However, very few enforcement mechanisms exist to ensure laws and policies are implemented in practice.

**PUBLIC INVESTMENT IN EDUCATION IS INADEQUATE.**

Government expenditure on education averaged 2.4% of GDP over the past five years (World Bank, 2013). This is significantly less than Uganda’s neighbors and far below the 6% it committed to in the Dakar Framework for Action on Education for All.

A core element of Uganda’s Universal Primary Education (UPE) policy was to abolish primary education fees and compensate public schools for that lost revenue through ‘capitation grants’. With this grant, schools are expected to cover instructional materials, co-curricular activities, maintenance and utilities, and administration (IIEP, 2014). The grant is calculated using a variable formula that depends on the budget allocated in a particular financial year, but is not indexed to inflation (IIEP, 2014). As a result, the allocation is not consistent. Although it increased recently, it still equates to a staggeringly low USD 2.50, per pupil per year. A revision of the grant’s formula is urgently needed to ensure it provides adequate and reliable source of funding for schools.

**Numbers of out of School Children aged 7 – 14 yrs, by sex and household characteristics, 2011**

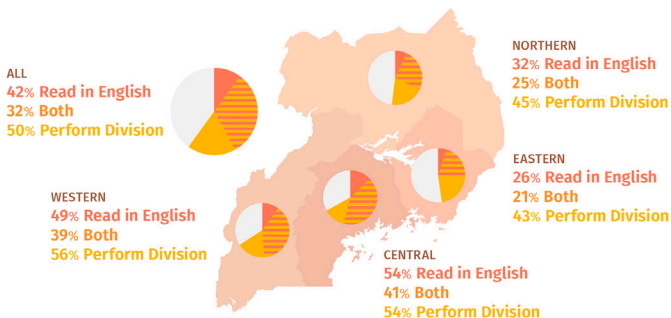


Source: UBOS and ICF, 2012

In secondary schools, the net enrolment rate drops dramatically to 26% and the gap between regions is even larger than at primary level (MoESTS, 2015).

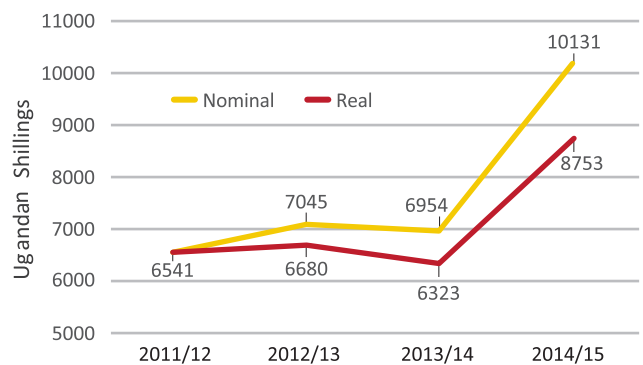
**LEARNING OUTCOMES REMAIN EXTREMELY POOR.** Large scale, citizen-led, household-based assessments show a significant number of children are going through primary school without learning basic English and maths.

**Proportion of Primary Grade 3-7 pupils competent in English literacy, numeracy and both, by region, 2014**



Source: Uwezo, 2015

**UPE Capitation grant, rate per pupil, real and nominal values, 2011/12 – 2015/16, based on 2012 prices, in UGX**

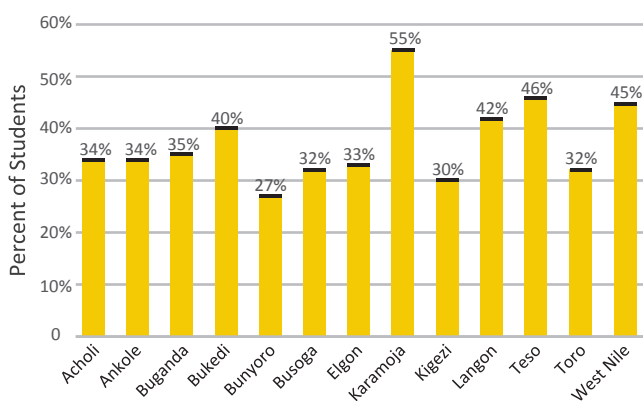


Source: Own calculations, based on MoESTS, various years (CPI from IMF World Economic Outlook)



**SCHOOLS LACK RESOURCES NECESSARY TO PROVIDE A QUALITY EDUCATION.** Government data indicates that two in five students lack adequate sitting space in government schools (MoESTS, 2015) with notable regional differences, particularly in North Western Uganda. An additional 45,371 classrooms are needed (MoESTS, 2015). On average, there are 84 students per classroom at the primary level (UWEZO, 2015). In one study, 90% of the Primary 4 classrooms observed lacked textbooks (World Bank, 2013).

**Percentage of Students without adequate sitting space, by sub region, 2015**



Source: MoESTS, 2015

Schools also lack qualified teachers. Pupil-teacher ratios remain high; the government reports that there are 53 students per teacher in government primary schools, on average (MoESTS, 2015). The 2013 Service Delivery Indicators report only one in five primary school teachers had achieved competency in English and mathematics (World Bank, 2013). Teacher absenteeism is also a major problem; one study found 24% of teachers absent from observed schools and 53% not present in the classroom (World Bank, 2013).

The under-resourcing of schools means even though school fees have been abolished, uniforms, classroom materials, meals and other costs make education unaffordable for many. In a survey conducted in 16 districts in 2014, roughly 80% of households stated that lack of money was why their child dropped out of primary or secondary school, while 58% claimed financial constraints prevented their child from ever enrolling (UNICEF, 2015).

**UNREGULATED EXPANSION OF PRIVATE SCHOOLS HINDERS THE RIGHT TO EDUCATION.** The poor quality of public schools has forced many parents to opt for private schools, even when they have to carry the burden of high school fees. The prevalence of private schools is particularly striking at the secondary level. In 2015, only 38% of secondary schools were public and 62% were private (MoESTS, 2015). Even at the primary level, 48% of schools in urban areas are private, compared to 23% in rural areas, according to the most recent government data (UBOS, 2013).

The private sector’s role in education has grown rapidly, straining the government’s capacity to properly regulate it; 18.8% of primary schools are not registered with the Ministry of Education, for example (MoESTS, 2015). Less than half of the private schools visited by the Initiative for Social and Economic Rights (ISER) in 2015 were inspected regularly to ensure their compliance with the government’s Basic Requirements and Minimum Standards (ISER, 2015). The lack of accountability resulting from the weak supervision of the private sector has contributed to the failure to ensure quality, affordable services and resulted in discrimination against children from poor backgrounds (ISER, 2015).

## RECOMMENDATIONS

Make a plan, setting concrete targets for improving the quality of public education, particularly in rural areas; reducing the high dropout rates in primary schools; improving literacy and numeracy; and increasing enrolment in secondary schools.

In line with international benchmarks, increase allocated resources for education to at least 6% of GDP or 20% of the national budget.

Revise the formula used to allocate funds to schools so that it keeps up with inflation and provides an effective mechanism for reducing educational disparities.

Strengthen regulations and expand monitoring and oversight mechanisms to adequately regulate private education providers, in law and practice.

## ABOUT THIS FACTSHEET SERIES

This factsheet was prepared by the Initiative for Social and Economic Rights (ISER) and the Center for Economic and Social Rights (CESR) in light of Uganda’s appearance before the Human Rights Council’s Universal Periodic Review in 2016. The six factsheets in this series accompany the joint submission on economic, social and cultural rights endorsed by 41 non-governmental organizations.

## REFERENCES

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