

# RTEI Uganda Country Brief

## Understanding RTEI

The Right to Education Index (RTEI) is a global index designed to drive accountability and progress towards realizing the right to education. It is a global accountability initiative that aims to ensure that all people, no matter where they live, enjoy their right to quality education. RTEI works with civil society, research institutions, and governments to collect data on a wide range of indicators of the right to education to identify progress being made towards the fulfillment of the right to education as well as obstacles to it through driving accountability and progress towards the right to education in countries all over the world. RTEI is built out of the International Right to Education Framework to monitor national progress towards its fulfillment.

## Overview of RTEI scores

Uganda has signed and ratified a number of international human rights instruments that provide for the right to education. It has further taken steps by passing legislation, formulate and implement programs such as the Universal Primary Education (UPE) and Universal Secondary Education (USE) that aim at affording all children an opportunity to access education which explains the score of 70% for the aspect of education governance. In spite of this, the country's general score in regard to the right to education is low at 57%, which is below the average score of 69% across the 15 countries participating in RTEI 2021. This can be attributed to a number of factors such as the fact that both UPE and USE programs are not entirely free, and parents are still required to provide facilities and resources which has led to high non – tuition fees.<sup>1</sup> Also, under the government grant aiding arrangement where the government pays salaries and allowances for teaching and non – teaching, instructional materials and infrastructural support, the schools charge high tuition and non – tuition fees which is not regulated by the government.<sup>2</sup> Equally, although under Universal Secondary Education and Universal Primary Education the private sector has been encouraged to play a leading role in the delivery of private education, its regulation including monitoring is very weak and both tuition and non – tuition fees remain high and unregulated.<sup>3</sup> As a result, private schools are charging high tuition and non – tuition fees.<sup>4</sup> This has affected access to education by children from poor backgrounds, which explains the low score on accessibility to education of 34%. The situation is worse for children with disabilities, most schools are ill – equipped and prepared to accommodate them.<sup>5</sup> This is mainly due to low funding of special needs education.

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<sup>1</sup> Section 5 (2) of the Education Act, 2008.

<sup>2</sup> Jackie Bukaya Guma et al 2021, A Report Inquiring into “Exorbitant Tuition and Non-tuition fees” Charged by Government Grant-Aided Schools, Department of Research Services, Parliament of the Republic of Uganda (unpublished)

<sup>3</sup> Initiative for Social and Economic Rights (2016) A Threat or Opportunity? Public – Private Partnerships in Education in Uganda. P. 1

<sup>4</sup> National Budget Framework Paper FY2018/19 – 2022/23, P.21

<sup>5</sup> See Ministry of Gender, Labour and Social Development and UNICEF (2015) Situation Analysis of Children in Uganda. Available at [https://www.unicef.org/uganda/UNICEF\\_SitAn\\_7\\_2015\\_\(Full\\_report\).pdf](https://www.unicef.org/uganda/UNICEF_SitAn_7_2015_(Full_report).pdf) p. 61

Despite relatively high scores (80%) as far as availability of education is concerned, this score does not reflect the situation in individual schools implementing UPE and USE programs. A number of the UPE and USE schools are operating with limited classrooms, sanitation facilities and staff as reported in various Auditor General Reports over the years.

### **Impact of COVID-19 on Children's Access to Education**

The outbreak of the COVID-19 pandemic, schools and educational institutions were closed as a precautionary measure to mitigate the risk of human-to-human transmission of COVID-19, to protect children from being affected, and to minimize the spread of the virus in the community. 51% of learners across the entire education system stopped learning, with majority of them (60%) being from the primary subsector.<sup>6</sup> This is despite the Ministry of Education and Sports implementing a continued learning program during the lockdown that involved distributing self-study materials and conducting lessons on radio and television.

In regards to return to school following the national reopening, the National Planning Authority approximated that 30% of the learners who were in school before COVID-19 most likely did not return to schools due to increases in the prevalence of child labour, teenage pregnancies and child marriages.<sup>7</sup> For pregnant learners, this has been exacerbated by the recently Revised Guidelines on Prevention and Management of Teenage Pregnancy in School Setting which requires pregnant learners to leave school when the pregnancy is three months old and return when the baby is six months old. This effectively locks out pregnant learners from schools for an entire academic year.

The COVID-19 pandemic has taken a huge financial toll with 64.6% of the households either struggling or not able to afford tuition and non – tuition fees for their children.<sup>8</sup> As a result, parents have resorted to transferring their children to UPE and USE schools. These schools are known to have overcrowded classes, a shortage of textbooks and operate with limited infrastructure and human resources, thus affecting quality learning. The Ministry of Education and Sports is yet to announce a nationwide intervention on the issue of inadequacy of human resources and infrastructure in schools. This policy brief focuses on areas that promote access to education for vulnerable groups especially girls.

### **Availability of Data**

During the collection of data for the RTEI 2021, the research team experienced a lot of challenges due to the absence of data for a number of questions under various themes. There is need for government to strengthen the Education Information Management System (EMIS), particularly on data collection and management. Specifically, there is need to capture and avail data on: the percentage of total national education budget that is allocated to teacher salaries, teaching and learning materials (including teacher training), capital development (Infrastructure), the current public expenditure per pupil in constant USD and as a percentage of GNI per capita PPP in primary

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<sup>6</sup> National Planning Authority (NPA) 2021, Towards Safe Opening of The Education Sector in Covid-19 Times: Technical Note, at <http://www.npa.go.ug/wp-content/uploads/2021/09/NPA-on-Reopening-of-Schools-AmidstCOVID19.pdf> accessed on February 1, 2022

<sup>7</sup> Ibid, 2021.

<sup>8</sup> Ibid, p. 12

and secondary. The government needs to also collect data on percentage of household spending on primary and secondary education. Significantly, gross enrollment, net enrollment, completion rate, percent of students in primary and secondary received an overall passing score on the national assessment/exam adult and youth literacy rate. However, this data needs to be disaggregated by: urban, rural, lowest income quintile, second income quintile, middle income quintile, the fourth income quintile, the highest income quintile, students with disabilities among others, in order to reveal inequalities and possible discrimination in education.

### **Issue one: Free Education**

The introduction of UPE in 1997 and USE in 2007 has led to a tremendous increase in access to education, especially by children from poor backgrounds and girl children.<sup>9</sup> While UPE and USE has reduced gender inequalities and improved access to schooling, it has failed to eradicate school dropout. Currently, six out of 10 people who drop out of schools is due to high cost of education.<sup>10</sup> This is mainly attributed to the non – tuition fees that learners are required to pay in UPE and USE schools such as for examinations, laboratories, sports, development, registration fees, among others.<sup>11</sup> This is a demonstration that the UPE and USE programs are not achieving the purpose (ensuring access to education for the poor and vulnerable groups such as girls) for which they were introduced. This observation is corroborated by United Nations (2013), concluded that the objective to reduce the number of pupils out of primary education had not quantitatively declined. Therefore any plans to regulate the charging of tuition and non-tuition fees should take into consideration all categories of government education institutions.

### **Issue two: Girl's Access to Education**

While improvement in access to Universal Education increased female enrollment by 19% since the year 2000<sup>12</sup>, the prolonged closure of schools due to COVID-19 has worked against these gains. Girls experienced a lot of violence and abuse leading spike in teenage pregnancy and early marriages. It is estimated that 67 districts registered an increase in teenage pregnancies from 2019 to 2020, with the national rate hitting 290,219 teenage pregnancies in January to September 2021. This translates into 32,000 pregnancies per month.<sup>13</sup> This necessitated the Ministry of Education and Sports to issue the Revised Guidelines on Management and Prevention of Teenage Pregnancy in School Setting 2020 to guide the control of teenage pregnancy in school as well as facilitate the re – entry of teenage mothers in school. However, in their current form, the guidelines effectively prohibit pregnant learners from being in school. Pregnant learners are required to leave school when the pregnancy is three months old and return after giving birth when the baby is six months

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<sup>9</sup> Initiative for Social and Economic Rights (2016) A Threat or Opportunity? Public – Private Partnerships in Education in Uganda. P.3 & 5

<sup>10</sup> Uganda Bureau of Statistics (UBOS), 2021. Uganda National Household Survey 2019/2020. Kampala, Uganda; UBOS, p. 29 at [https://www.ubos.org/wp-content/uploads/publications/09\\_2021Uganda-National-Survey-Report-2019-2020.pdf](https://www.ubos.org/wp-content/uploads/publications/09_2021Uganda-National-Survey-Report-2019-2020.pdf) accessed on February 10, 2022

<sup>11</sup> Ibid, P. 24

<sup>12</sup> Deininger, K. (2003). Does cost of schooling affect enrollment by the poor? UPE in Uganda. *Economics of Education Review*, 22(3), 291-305. doi:10.1016/s0272-7757(02)00053-5.

<sup>13</sup> United Nations Population Fund Factsheet on Teenage Pregnancy 2021 at [https://uganda.unfpa.org/sites/default/files/pub-pdf/teenpregnancy\\_factsheet\\_3.pdf](https://uganda.unfpa.org/sites/default/files/pub-pdf/teenpregnancy_factsheet_3.pdf) (accessed on February 10, 2022)

old.<sup>14</sup> The same guidelines are also silent on schools that refuses to re – admit pregnant learners back to school.<sup>15</sup> The unfavorable policy environment on teenage mothers and pregnant learners’ continued learning can be attributed to religious values in religious founded schools that are the majority.

### **Recommendations**

- i. The Ministry of Education and Sports should as a matter of urgency develop and enforce a comprehensive regulatory and financing framework that provides for the minimum unit cost required to educate a child in both primary and secondary. This will provide proper guidance in financing of public education and regulation of private providers of education especially those for profit.
- ii. Ministry of Education and Sports adopt a policy framework that is in favor and promotes pregnant learners retention and teenage mother re – entry in school
- iii. There is need to engage foundation bodies of the religious founded and owned schools to support pregnant learners retention and teenage mother re – entry into school unconditionally.
- iv. The Ministry of Education and Sports and the District Local Governments should prioritize the improvement and strengthening of data collection and management on school enrollment, completion, and dropout rates. This can be done through issuing of identification to all children enrolled in school – both government and private schools. This will ease the tracking of enrollments and completion rates. The data should be disaggregated based on other relevant variables.
- v. Ministry of Education and Sports should prioritize the expansion and renovation of infrastructure of existing UPE and USE schools to accommodate the high influx of learners from private schools that either closed or charging high fees.

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<sup>14</sup> Guideline 3.2: 9 of the Revised Guidelines on Prevention and Management of Teenage Pregnancy in School Settings in Uganda

<sup>15</sup> Guideline 4.2. 3 and 4.2.4 of the Revised Guidelines on Prevention and Management of Teenage Pregnancy in School Settings in Uganda