



ऑक्सफैम इंडिया
OXFAM
India

A movement
to end
discrimination

7 September 2021

To
Manish Sisodia
Education Minister, Delhi

Dear Mr. Sisodia,

Subject: Survey on private schools in Delhi and recommendations for strengthening private school regulation

It has been a rather long time since we met and it would be good to meet soon.

The pandemic has brought to the fore, multiple cases of exploitation and violation of norms by private schools – hiking fees arbitrarily, coercing parents to pay fees for services not being offered such as transport and lab fees, and cutting off access to online classes for children on non-payment of fees. At a time when 84% households have suffered a reduction in their incomes, private schools have continued to hike their fees.

We appreciate the efforts of the Delhi government to reduce the financial burden on parents by asking private schools to collect fees with a 15% deduction. However, there remain challenges that go beyond fee regulation, including instances of screening during admission and discrimination on the basis of gender, caste, religion or background. This increases the urgency for strengthening comprehensive regulation of private schools. Delhi has a history of progressive private school regulation policies and can show the way forward to other states.

To understand the challenges faced by private school parents in Delhi during this difficult time, Oxfam India and EFRAH conducted a rapid survey of 100 parents spread across South, South-West and North-East district of Delhi. 92% of the sample consists of those earning less than INR 20,000 per month and is largely comprised of migrants residing in slums and unauthorized areas. While the sample is small and not representative of the larger populations, the findings are consistent with the issues raised by private school parents across Delhi as evidenced in prior research and recent media coverage. The key findings based on the survey, along with recommendations are given below.

1. Discrimination and screening during admission process—47% parents say that their child had to appear for an entrance test

Screening/denial during the admission process on the basis of gender, caste, religion, language or background is disallowed under the Delhi RTE rules. Despite this, 5% parents reported that their child was denied admission in a private school on the basis of either gender, caste, religion, language or background. Further, almost half the parents surveyed, stated that their child had to appear for an entrance test as part of the admission process.



Screening students through entrance tests is in violation of the Directorate of Education's own [order](#) (DE/15/Act-I/4607/13/2015/5686-5696), which was upheld by the Hon'ble High Court.

Delhi has clearly defined guidelines related to the admission process and criteria that schools should adopt for admission. However, a parent friendly and prompt process of grievance redress is needed to support parents and children who have faced discrimination and screening during the admission process as the current [online](#) system of GR might be challenging for parents to access and navigate. Additionally, a large-scale awareness campaign is also needed to orient parents about their rights and processes through which they can get their grievances addressed.

2. Access to education blocked and humiliation of children— 58% parents report that access to online classes blocked by school due to non-payment of fees

The Delhi High Court has [ruled](#) that schools can block online classes for children whose parents are unable to prove that they are facing a financial crisis. Despite the fact that most parents surveyed reported a loss in income, 58% of those who were unable to pay fees, saw their child's access to online classes blocked by the school. This remains an unresolved issue and needs greater dialogue between the government, parents and schools to ensure that the best interests of children are kept at the centre of any solution that is arrived at.

In violation of NCPCR guidelines which advised states to ensure that no child should be harassed by schools for non-payment of fees, 15% parents reported that their child was humiliated by the school when they were unable to deposit the fees in time.

Institute a helpline for parents to report grievances related to blocking access to education, and ensure that complaints are responded to within 48 hours. In consonance with NCPCR guidelines, institute child protection guidelines to ensure that no child is humiliated by the school, and that they continue to have access to education during this difficult time.

3. 78% parents feel that PTAs should be empowered to review fee hikes and other important decisions by schools that concern parents and children

Despite the existence of [guidelines](#) that require all private unaided schools to establish Parent Teacher Associations, 70% parents reported that they were not aware if there is a PTA in their child's school, indicating the need for awareness generation amongst parents about their rights as well as greater monitoring to ensure all schools establish a PTA, in compliance with guidelines.

In addition, half the parents reported that they were not consulted about important decisions taken by the school. To ensure greater participation of parents in school management, 78% parents were of the opinion that PTAs should be empowered to review fee hikes and other important decisions by schools that concern parents and children.

According to Delhi Education Rules and [guidelines](#) by the Directorate of Education, parent representation is needed on the school managing committee which takes decisions regarding fee hikes and other important issues. However, there is a need to increase representation of parents on the managing committee to at least 70% of the total membership. Further, clear guidelines and processes should be laid out on how frequently the committee will meet, their powers, scope etc. Clear consequences should also be specified for schools that don't follow these processes and take decisions arbitrarily, without consulting parents.

4. Discrimination and humiliation by classmates and school staff – Almost 40% parents report humiliation of their child by a school staff member

Delhi RTE Rules clearly state that any form of discrimination, whether it be on the basis of gender, caste, religion, language or background is an offence. Unfortunately, 61% parents report that their child was abused by another classmate based on gender, caste, religion, language or background. Further, almost 40% parents report that their child was targeted and humiliated by a school staff member (including teacher) based on their identity. This finding is consistent with existing [research](#) which has found identity-based discrimination to be prevalent across private schools in Delhi.

While guidelines and laws exist to prevent discrimination, a more parent friendly grievance redress mechanism would be needed that makes parents and children feel comfortable about sharing such instances of violation. [SARTHAQ](#)¹, NEP's implementation plan recommends a social audit of schools led by Parent Teacher Associations and students. This would be crucial to strengthen social accountability of private schools, ensure participatory governance and make private schools safe and child-friendly spaces. Further, ensuring implementation of such audits will contribute towards Delhi being seen as a pioneer in NEP implementation.

5. 80% parents report that their complaint made to the Education Department was not resolved satisfactorily

Of the parents who filed a complaint against their child's private school for discriminatory behavior with the Education department, 80% said that their complaint was not resolved satisfactorily. The key reasons for this were 1) No cognizance of the complaint made and 2) No action was taken against the school administration. This finding is consistent with a [survey](#)



conducted by the Delhi Parents Association, which found that no action was taken on 95% of the complaints made. An unfortunate outcome of this process was humiliation of 15% children whose parents complained to the Education Department, which might be a fear that holds a large percentage of parents back from filing their complaints.

It would be helpful to seek feedback from parents on the current grievance redress mechanism, and setup a committee consisting of parent representatives along with academicians, ex-government officials to provide recommendations on an easier and more effective GR process.

6. 80% parents are of the opinion that private school expenses should be made public

Private schools claim that the majority of funds generated through fees are used for paying teacher salaries and meeting other expenses. However, Delhi government's own [petition](#) in the Supreme Court, argued that private schools have large surpluses, ranging between INR 1 to 48 Crores. 80% of the parents surveyed are calling for greater transparency in private school accounts by asking for their expenditure data to be available in the public domain.

The National Education Policy (NEP) recommends greater disclosure and transparency by schools. Delhi could consider learning from fee regulation rules of [Chandigarh](#), which require audited accounts of private schools to be uploaded on the website of the Education department, such that they can be accessed publicly. Similar provisions are also proposed in the The Delhi School (Verification of Accounts and Refund Of Excess Fee) Bill, 2015, which has unfortunately not been passed yet. We recommend either enacting this law or issuing a notification to this effect, to ensure greater transparency around private school accounts. These provisions would be crucial to ensure oversight over private school accounts by the authorities to gauge whether the fees charged are justified.

In summary, we request your support to implement the following recommendations to protect rights of private school children and parents, and set an example for other state governments to follow:

- Institute a parent friendly and prompt process of grievance redress to support parents and children who have faced discrimination during and after the admission process
- Organise a large-scale awareness campaign to orient parents about their rights and processes through which they can get their grievances addressed
- Institute a helpline for parents to report grievances related to schools blocking access to education, and ensure that complaints are responded to within 48 hours
- In consonance with NCPCR guidelines, institute child protection guidelines to ensure that no child is humiliated by the school for non-payment of school fees
- Institute mechanisms for parent and child led social audit of all private schools to ensure participatory governance and make private schools safe and child-friendly spaces



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- Seek feedback from parents on the current grievance redress mechanism, and setup a committee consisting of parent representatives along with academicians, ex-government officials to provide recommendations on an easier and more effective GR process
- Mandate private schools to upload their income and expenditure accounts in the public domain.

I hope that these recommendations are considered by the government while framing guidelines and policies for private schools, that look at issues of fee regulation, transparency of school expenditure, grievance redressal processes and eliminating discrimination during and after admission. In working towards this, Oxfam India would be happy to assist you in organizing consultations with diverse stakeholders including parents, academicians and civil society associations.

I look forward to hearing from you.

Warm Regards

Amitabh Behar
Chief Executive Officer