ANNUAL STRATEGY PLANNING MEET

(29 April - 1 May 2016, Chandigarh)
NISA – National Independent Schools Alliance hosted a 3-day Annual Strategy Planning Meet with its Executive Council and members from 29 April to 01 May 2016. The meet was organized in Piccadilly Hotel, Chandigarh. The day one of the meet was dedicated only for executive council members to discuss the issues of Budget Private Schools and map out the yearly goals and action plan for the year. Here are some pictures from day one:

Rest of the two days was dedicated to annual meet with all the members including executive council members. 47 Members from 16 state associations attended the two-day long planning meet. The annual meet had sessions on strategy, planning, legal intervention, generating meaningful data, building organization etc apart from discussion and decision making on organization.

PER CHILD FUNDING: IDEA AND OPPURTUNITY

Dr. Parth Shah – President CCS

“It matters only when it happens to you”

Dr. Shah opened the session by laying emphasis on the imperative need for private schools to stand together to defend their cause against the policies of the government. “If we don’t stand together, we die separately”, was the opening motto. He gave some facts on education budget to give more clarity on the issues pertained with Budget Private Schools. Here are some of the points emphasised:
1. School teachers in government schools are paid in terms of per-capita income of the country and the facts state that the highest paid salary in the world are in France and United States, who pay about 1.2 times of the same. While in India, the payment of the school teachers in government schools is 7 times in calculation.

2. Government schools have consistently failed to provide quality education. Private schools are the only hope, solution and alternative, as is evident from their learning outcomes. Through NISA, we must understand the impact we are trying to make to the lives of the people.

3. He mentioned about the importance of understanding the economic aspects of the education, the state government’s perspective on bringing development and policy changes in education.

**Voucher system** is a model which definitely ensures the parental choice and quality of education. At present, considering the challenges in front of this model, it was discussed as to how 25% seats can be reimbursed by the government to schools. Every month, parents will receive voucher on behalf of child, and will submit to school who will encash it through bank. This also resolves the problem of reimbursement of the 25% seats reserved for EWS students.

**Problems in implementing the EWS admission:**

1. Budget Private Schools are charging much lower than what is allotted by the government for EWS admissions and still they are providing quality education and not getting reimbursements in time.

2. Government is investing more in government schools in terms of per-child funding than Budget private Schools but still aren’t able to provide quality education.

3. Schools should only provide admissions if they are reimbursed by the government. Schools will reserve 25% quota for weaker sections only if they get reimbursed regularly.

**Parental Choice and Decision-making of the poor is Underestimated!**

Mr. Shah, in his concluding lines also tried to make the participants understand the decision making power of poor community and as well as how the communities are aware when
they make their choice. The case study of Bihar Cycle Scheme was discussed wherein cash money was given to parents to buy a cycle for students - girl child. The result was that 93% beneficiaries actually bought cycles instead of drinking away the money as that is a common misconception for the poor.

It is imperative to understand that the poor can make decisions for them and know how to make optimum utilization of their money. Let choice be in the hands of the poor. Provide vouchers instead of belated reimbursements.

QUALITY EDUCATION ASIA

Rupam Sah, Lead Learner – Quality Education Asia

Quality Education Asia (QEA) is an organization which works for the improvement of the schools in various aspects. QEA aims at re-defining quality in education, quality for education and producing quality through education. QEA intends to bring quintessential change in the process of learning which looks at learners as the key force behind all the innovations in the field of education.

Rupam Sah presented the different ideas of QEA and program focusing on the following aspects:

a) Enabling schools to

• Deliver true 21st century education
• Integrate learning for life
• Become adept in the application of ICT for education
• Implement the best teaching and learning practices
• Collaborate and interact internationally

b) Empowering teachers to
• Increase efficiency
• Enhance productivity
• Create media-rich digital resources
• Integrate ICT into teaching, learning and its evaluation

C) Engaging students to

• Validate, synthesize and leverage information
• Innovate with web tools
• Create knowledge, rather than being passive consumers and receptors of ready-made content, belated reimbursements.

CREATING EVIDENCE FOR POLICY CHANGE

Rohan Joshi – Associate Director, Research

Rohan talked about how creating or generating evidence is a crucial part of any sort of policy change and then he started the session with the question that why BPS are facing closure. This question was met with responses such as land norms, recognition / infrastructure norms, teachers’ eligibility, RTE State Rules. It was identified that while most of the above responses stemmed from the RTE Act, it was only Sections 18 - 19 that provide for closure, penalty and de-recognition.

This was followed by the question that what are the challenges faced under Section 12 (1) (c) and what is the kind of data that NISA must keep / maintain to combat these challenges?

Section 12 (1) (c) – challenges faced during reimbursements:

• The reimbursement not increasing every year
• Reimbursement is given only on recurring basis and not on actual cost
• Delay in the reimbursement process from the government’s end
• Selection of children sent for EWS
• Entry point issues
• Keeping seats vacant till the end of September, etc.
For the above mentioned issues, the evidence are required such as:

- Government data on a regular basis in which they have declared per-child expenditure/ total expenditure.
- CAG report of the state for rectifying the errors in the fee calculations and to know how many government children are dropping.

But the problem after mentioning challenges and their possible solutions is that neither the people challenging the government for their shortcomings nor the government to prove themselves right have the reliable data. There are no assessments conducted and therefore there is no credible data on the subject.

What is the method of collecting such data that is followed?

- It was opined by the presenter, and agreed in unanimity that the requisite data required, can be best collected by the schools themselves.
- Since everybody agreed on non-availability of the data even for very basic issues therefore, it was suggested that there is an imperative need to create a resource bank – which has a free access to all.

Rohan discussed about the three simple models of collecting data— a) community driven data collection; b) association driven data collection; c) collaboration with the government itself.

SUPPORT TO EDUCATE – XGEN PERSONAL

_Prabhash Jain – Founder & CEO_

“This program is to raise funds by sponsorship for the education of children who are at risk of lack of education, discontinuing their studies due to various impoverished circumstances. Let us join hands in ensuring that school becomes accessible to all children.” said Mr Jain to begin the session.

He introduced EduGrowth, a complete Enterprise Resource Planning (ERP) solution for schools starting from student registration to result generation. The system includes individual monitoring and suggests the right way of grooming the students, teacher friendly software for syllabus, marks management with CCE compliant report, prioritizing safety through Bus Tracking etc.

**Why this platform?**
It’s a transparent, interactive and configurable platform for bringing the donors, schools and the underprivileged children on the same platform. Donors can freely choose; interact with schools; contribute directly and monitor the utilization of their contributions.

STATE UPDATES IN BRIEF

1 States to add to these pointers, if any appear to be missed out

Delhi

- Post RTE norms – there has been a relaxation in land norms to save unrecognised schools.
- It was agreed that the options for senior secondary schools are over-crowded because the options were too less.

Haryana

- 134A, Haryana State Rule states that all the private schools will have to keep 10% reserved seats for weaker section in their schools for which the government will not fund the private schools. A petition was filed for the same in the High Court, and it has said that the government has to reimburse the amount for these 10% seats.
- Rule 10 of Haryana State Education Rule states that only NCERT books to be used. Objection to the same was made. Filing a case in the HC challenging the order is the intended course to be taken.

Hyderabad

- Telangana government is not implementing the RTE Act because of the threat of taking admissions from EWS sections in private schools which will lead to decrease in enrolments in government schools.
- On school books, nationally the curriculum is decided but the government should not be allowed to dictate that all the way. The government should only be allowed to prescribe the basic curriculum and not more such as what books to be used etc.
- Formation of fee regulation committee is also a problem in the state and it’s been challenged in the court as well.

Chandigarh

- RTE is not yet implemented. No norms formulated just yet.

Himachal Pradesh
• In 2012, the RTE State Rules were defined and implemented thereafter. The issue for the schools is renewal of recognition every year and pay Rs. 1000/- for the same every time. This year they are forcing the State to provide for teacher qualification / eligibility. Junior Basic Teachers (JBTs), have to be trained by the government. There are not enough JBTs and therefore recruitment is becoming difficult. Also, what can and should be done about the existing teachers’ remains a question. On the basis of this, schools are being de-recognised.

• HP HC’s recently passed an order that all private institutions to declare what fee they are charging. Accordingly, fee regulation committee was set up and the government is to analyze and prepare a report on the issue. What all funds cannot be taken by the parents without any valid explanation for it is also detailed therein.

J&K

• On the issue of fee hikes, a petition in Kashmir High Court has been filed. Court has given the verdict that schools are having liberty to fix the fees. But the Judge is from the Tamil Nadu so he placed the order of fees hike committee formation.

• Within the state, the private schools made it unequivocally clear to all the deputy commissioners that private schools will all shut down and not take any admissions if the RTE was implemented.

Maharashtra

• No reimbursements have been received by schools in last two years. Process for admissions has become online and therefore applications have increased tremendously.

• Maharashtra Un-aided School Forum has filed a petition against late reimbursement from the government but the schools don’t want to become a part of the petition as they are scared to go against the government.

• It was also discussed that if some rule is being implemented in one state and other states are facing any issues with it, then the corrective measures for the same should be taken immediately so that the other states do not face the same problem.

Manipur

• The minorities are forced to take up majority languages. The RTE is not entirely applicable but for recognition and renewal. Qualified and trained teachers are required which is extremely hard to find in tribal areas. For recognition of schools, they are forced to sign a document that states that these schools will not seek any governmental assistance.

Rajasthan
It is the first state where RTE was implemented and was never protested. We have no problem with the RTE. But the BPS can actually do well if the RTE is rightly implemented.

Tamil Nadu

- Pre-Primary schools have no land norms so they are safe. If the school is having an availability of land in different places then also it is not eligible for the recognition.
- Large grounds i.e. 6 grounds of about 3 acres are required for recognition and that is why Budget Private Schools are not able to get the recognition.

Uttarakhand

- Private Schools are asked for commercial charges for the usage of electricity and water in the school.

Uttar Pradesh

- Recognition is a problem because of the norms adopted. Infrastructure requirement is tedious and we are trying to push for relaxation in these norms. BPSs were declared unrecognized due to their inability of meeting the prescribed norms. Association is pushing for the recognition of schools so they are not disregarded.
- It was stated that 10% increase in fee of students can be done in three years but in the case of teachers, an increment should take place every year.
- Association of Private Schools, Uttar Pradesh is seeking enhancement of reimbursement for the reservations under the RTE on actual cost instead of recurring cost.

Karnataka

- Schools are being forced to comply with RTE norms.
- Last year they had 5 lakh EWS admission applications. But since RTE admission is online now so this year govt has received only 3 lakh applications because of some automatic filtrations in the online system.
- Online process is delayed and sometimes it continues even post the commencement of the session. The demand is that the process should end on or before February every year.
- Association has given a representation to D. V. Sadanand Gowda, Cabinet Minister of Law and Justice and that has reached the HRD. They will increase their allocated budget towards the RTE reimbursements – that’s an assurance given by the union.
• KAMS (Associated Management of English Medium Schools of Karnataka) is fighting 7 cases at present but the government is not ready to negotiate.

LEGAL UPDATE AND PLANNING

Nidhi Bhalla – Advocate

Nidhi, an advocate took a session emphasizing on the requirement of having a central repository of documentation / collected information etc., for the purpose of the intended litigation or legal advocacy that NISA wishes to engage in the present and future. This repository is to be accessible to the paid members of NISA, and is to include / store, relevant judgments, decisions, orders, bye-laws, rules, acts (Central and State), names of the schools associated with NISA, internal assessments of the students studying in the concerned schools, number of students NISA represents etc.

This session also discussed various prospective and existing litigations, these were:

1. **NGT matter** - The order of the National Green Tribunal (NGT) that restricts any public vehicle which is 10 years or more old in the NCR area. The assumption here is the older the vehicle gets, the more it pollutes. The order also applies to school buses. NISA is in the process of filing an intervention application in the matter to seek an exemption for vehicles privately owned and run by Budget Private Schools.

2. **Land Norms** - Schools in Delhi require 200 sq yards land for a school up to 5th grade and 800 sq yards for school up to 8th standard. There are around 1500 schools of about 500 sq yards and wish to run schools up to 8th standard. Representation to the Delhi government along with petition before the Delhi High Court. The argument of allowing schools to run in shifts is presented too. Other states are also facing similar issues. We have compiled land and infrastructure norms GO’s of few states and shared with NISA members. This matter was heard before the Delhi HC and dismissed recently.

3. **RTE reimbursements** - Sources suggest that RTE reimbursements are not taking place. Schools are not being compensated for the seats they are reserving for the Economically Weaker Sections, as mandated by the government. We require data such as “Which state is most affected?” along with the consent of the affected parties to proceed with litigation.

4. **Gujarat matter** - RTE rules provides for school recognition based on certain guidelines with 85% weightage on learning outcomes and to assess the learning outcome it provides for third party assessments. Sources suggest that these assessments of learning outcome are not happening. If NISA can gather the relevant required information, the Gujarat High Court can be moved on this issue.

5. **School Closure** - Legal research and draft of PIL on Punjab school closure. RTI applications filed: Delhi Education Amendment Act, School closure in Maharashtra and Rajasthan. Tamil Nadu association regarding school closure case. Drafted the Open letter to Tamil Nadu Chief Minister against school closure.
6. **Fee Regulation** - Maharashtra assembly passed a law regarding school fee regulation. Implementation began without making rules for the same. Private schools association of Maharashtra decided to challenge the law and have filed a case in Bombay High Court. CCS has also drafted its petition and intends on filing the same at strategic time.

7. **ESIC & PF** - We are working on filing a petition regarding schools to comply with provisions of labour laws such as ESIC and PF. Legal research has been completed and a note has been prepared. We require data from schools and state governments to move the Chandigarh High Court. We have also connected with a lawyer in Chandigarh to help us file the case.

This session ended with the discussion as to the importance and viability of having a central repository, and a legal representative for NISA. Questions such as what are the potential matters of immediate concern - wherein NISA would like to initiate litigation? Does NISA have enough data/evidence to substantiate our claims before the court? Timelines required collecting such information? Who shall be the relevant point of contact for the legal positions that have to be taken by NISA etc?

Almost unanimously every member present agreed on the imperative requirement for collecting the relevant information on issues of concern.

**PRESS CONFERENCES**

During the strategy planning meet, a press meet was also organized. Press meet was addressed by members of executive council. Issue of increasing government intervention in operation and management of schools across the nation was criticised. The demand of focus on quality was highlighted. Addressing the press meet, NISA executive council members demanded school vouchers for 25% EWS students under RTE Act. Around 40 representatives of various media houses attended the press meet.

**FACILITATION OF MEMBERS**
All the member associations from participating states were facilitated by the president of NISA for becoming an active member. 16 State associations were honoured with the NISA membership certificate and meeting group picture from NISA office bearers and secretariat.

Members expressed their gratitude for NISA and promised to make it further more vibrant platform with credibility and recognition all around the country.

OTHER DISCUSSIONS AND DECISIONS

During the strategy planning meet various ideas for organisation development and smooth operation was discussed. Here are some of the key decisions made:

Organization Development

1. Whatsapp group:
   a. Only 2 members from each association
   b. Only for update on education related update, news, issues
   c. Unpaid members to be taken out from group after 15 days

2. Paid membership:
   b. Next year membership fee to be deposited from January to end of February.
   c. 15 Days to be given to old unpaid members. If unpaid, member to be disqualified.

3. Executive Council tenure:
   The tenure of the council members was decided to be 3 years through voting by present members. 13 members voted to make the decision. Here is the number of vote share:
   a. 2 Years: 1+1+1+1 = 4
b. 3 Years: \[1+1+1+1+1+1+1+1+1 = 9\]

4. Extended Council:

The Executive Council members collectively decided the need to extend the committee and include some members as Advisors for various positions. Here are the members appointed on various roles:

a. Legal Advisor: Shashi Kumar from Karnataka Association

b. Quality Advisor: Muhamad Anwar from Telangana Association

c. Fund Raising Advisor: Subhash Singh from Uttarakhand Association

d. Organisation Development Advisor: Ravi Azta from Himachal Pradesh Association

e. Advisor on School Transport: Anil Garg from Maharashtra Association

f. Advisor to President: A S Mahajan from Haryana Association and Tejpal Singh from Punjab Association

5. NISA president to be given a full assistant to work for NISA. Half of the salary of assistant to be paid from Haryana Federation and half to be contributed from NISA.

6. Condemn letter to be sent to Delhi Government:

a. All states have different rules and regulation and Delhi Government’s decision in media in other states is not required, uncalled for and untenable

b. NISA sees it as misuse of public fund

c. A memorandum to be sent to Delhi Chief Minister and Lt Governor on the same.

******