

National Independent Schools Alliance (NISA) is the unified voice of budget private schools (BPS) in India, that aim at improving access to affordable and quality education for the economically weaker.

photo: Private Schools State Associations at NISA National Meeting



editor's pick: NISA SECRETARIAT

NISA held its first National Meeting for the year 2015 on 18-19 April at YMCA in New Delhi. Representatives from 14 states attended and the broad agenda of the meeting was to:

- Update NISA members on work done over the last six months
- Understand state specific issues concerning BPS
- Strategize on tackling the issues

Mr R. C. Jain welcomed representatives of all state Associations to 1st National Meeting 2015. He hailed NISA for being an effective platform for school associations to voice the challenges they face and to learn from other states. He added that he had had the opportunity to meet **Hon'ble HRD minister Mrs Smriti Irani**; he discussed with her the problems stemming from Right to Education Act.

NISA work in the last six months: An overview:

- High Court judgment in the case of **Jhilmil Phulwaari versus State of**

Haryana should serve as a favourable precedent for NISA.

- The judgment came in the wake of closure of 1300 schools in Haryana. It ruled against mass closures of schools without following due processes.
- State level meetings were organised in Himachal Pradesh, Rajasthan, Haryana, Tamil Nadu and Punjab.
- **Two policy roundtables on 'Right to Education Act' and 'Education Budget' were held with Members of Parliament prior to Parliament's winter session.**
- Mrs Kiran Kher, Member of Parliament from Chandigarh flagged the issue of indiscriminate closure of Budget Private Schools in the Parliament.
- NISA secretariat had a meeting with Mrs Meenakshi Lekhi, Member of Parliament from Delhi to discuss the challenges being faced by Budget Private

Schools, and submitted a brief note. Mrs Lekhi agreed to flag the issue in the Parliament.

- Assam State Association met with Mr Gaurav Gogoi, Member of Parliament from Assam. Its advocacy efforts have prevented closure of Budget Private Schools in Assam.
- **Punjab Private Schools Organisation's** quality improvement program with STIR education has completed 1 year.
- Haryana State Association is putting in money to start a similar program.
- NISA lesson plans are ready and have been rolled out in two Delhi schools.
- Pakistan Association of Independent Schools (PAIS), an initiative similar to NISA has been started in Pakistan. They developed their model with assistance from NISA. It has 300-400 members on its roster.

Private Schools State Associations - Challenges, Strategies and Success

Mr Kulbhushan Sharma, Federation of Private Schools and Welfare Association, Haryana:

Mr Sharma represented Federation of Private Schools and Welfare Association, Haryana in the meeting.



- A common minimum programme should be drafted to include state-specific challenges faced by Budget Private Schools.
- Students from Economically Weaker Section (EWS) should be given educational allowance which should be directly transferred into their bank accounts.
- Schools should be free to choose any board and maximum schools should be recognized under minimal and uniform norms.
- He acknowledged that the High Court order against mass school-closures in the case of Jhilmil Phulwaari versus State of Haryana sets a favourable precedent for NISA members. In the wake of the judgment, 1372 schools averted closure.
- Unrecognized schools applied for recognition online and were temporarily granted recognition. It has also filed a case for compulsory reimbursement by Haryana government.

Mr R. C. Jain, Delhi State Private Schools Management Association:



Mr Jain represented the association from Delhi. Addressing the meet, he said:

- The association has filed a petition against 25 % reservation under RTE since it places the cost burden on the remaining 75%.
- **The association's efforts have led to suspension of re-recognition under RTE and relaxation in norms related to land.**
- The association had demanded that schools be categorized before teachers' salaries are brought on par with those under 6th Central Pay Commission. Consequently, five categories

have been formed.

- NISA should serve as a self-regulatory body like Bar Council etc.

Mr Sashi Kumar, Karnataka Associated Management of English Medium Schools (KAMS):



Mr Kumar represented Karnataka Associated Management of English Medium Schools. Addressing the meet, he said:

- Association has challenged recognition of schools on the basis of language policy. These schools are in fact recognized under State Education Act as Kannada medium schools but are providing English medium education which violates the rule.
- Language policy of the year 1994 which restricts the number of English medium schools recognised every year under State Education Act needs to be reconsidered.
- Incorporation of Kannada into language policy under Section 29 (1) f of RTE is unconstitutional and in violation of fundamental rights.
- Schools are assuming minority status to avoid following RTE norms.
- Government has not been taking action against RTE non-compliant government schools.
- The association has sought for categorization (four categories) of schools for payment of fees to teachers. It has challenged the new infrastructure norms in the High Court.
- Karnataka High Court has made a positive observation that either government or parents should reimburse students from 25% reservation category.
- Safety guideline by education department to install CCTV cameras in all classrooms would cost Rs 1.39 lakh per school. The association has asked the government to implement safety norms in their schools first.
- **Government's inability to follow the norms in their schools could buy us some relief as government is considering quashing the guidelines.**
- Norms for police verification of teachers are difficult to follow.

- The association has launched a channel www.blossomtv.com where all educational policies are uploaded.

Mr P. R. Sathyamoorthy, Association of Private Schools Management CBSE, Tamil Nadu:

Mr Sathyamoorthy highlighted the issue of two language policy. Addressing the delegations, he said:



- The Tamil Nadu government follows two-language formula. Tamil language has been made compulsory.
- Provision for fee fixation is vague.
- 99% Schools in the state have infrastructure as per CBSE norms. The state government has brought in place another registration.
- The issue has been taken up with the State High Court and is still pending. Cameras in classrooms are important to keep tabs on teachers.

Mr Martin Kennedy, Tamil Nadu Nursery, Primary & Matric. Higher Secondary Schools Management Association:



Mr Kennedy was another representative from second association member of the state. Address-

ing the delegation, he said:

- 1000 schools have closed due to restrictive infrastructure norms.
- The association is fighting two cases on minimum and maximum school fees.
- The Rules require registration to be renewed after 2 years.
- Dual recognition with CBSE and the State Board is mandatory.
- There is lack of clarity on entry-level applicability of RTE.
- School bus rules are as stringent.

Mr Tejpal Singh, Punjab Private Schools Organization:

Mr Tejpal said the landscape of education in Punjab is relatively favorable to Budget Private



- The government has announced no student is directly admissible under 25% quota.
- Children can be enrolled in private schools only if seats in government schools have filled up.
- Last date for implementation of infrastructure norms was 2013 and for academic norms is 2015.
- Infrastructural norms mandate 200 square yards for primary and secondary schools.
- The association has had to move the court just once. 4000 schools were due for closure under stringent norms on Infrastructure but the issue was resolved through a dialogue with the Chief Minister and the Education Minister.
- Associated schools – schools which do not fulfil RTE norms - have been improving on standards and are being allowed to run.
- Different school boards should be scrapped and there should be only one National Board of School Education.
- A writ petition should be filed for voucher system. Children should be given vouchers and be free to opt for school of their choice.
- Schools should be allowed to recruit voluntary teachers.

Mr Bharat Malik, Private Unaided Schools Management Association (PUSMA), Maharashtra:

Mr Malik said the association has chal-

lenged the problematic Fee Regulation Act. He said:

- There have been no reimbursements.
- Language policies are complicated and overlook the fact that Constitution guarantees freedom to instructive language.
- There should be choice of board for schools. CBSE should be concerned with conducting exams and setting up curriculum. CBSE should not be evaluating infrastructure norms.

Mr Mohammad Anwar, Dynamic Federation of Private Schools Hyderabad, Telangana:

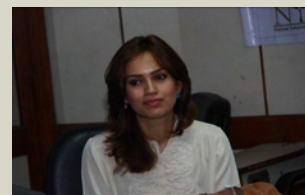
Mr Anwar represented the Dynamic Federation of Private Schools Hyderabad, Telangana. He said:

- State rules mandate uniform school dresses and 1 square feet area per student.
- Not having state boards can be problematic. CBSE norms are not viable in many regions.

Ms Ekta Sodha, Jamnagar Private Schools Association, Gujarat:

Ms Sodha said the State government is giving leeway to existing schools. She said:

- Although the state rules are outcome-centric, they are not being implemented.



- Reimbursements are not flowing in.
- Schools with poor infrastructure

are finding it difficult to survive.

- It is difficult to open new schools according to state rules. Nearly 60 documents are needed and corruption is rife.

Mr Vijay Shetti, All Goa Government Recognised Unaided Schools Association:

Mr Shetti said schools in Goa have not

been facing challenges with reservation as there are not many people below poverty line and population has not been growing. He said:



- State government is silent on RTE.
- A Fee Structure Committee has been appointed to link teachers' salaries to those given in government schools. The matter has been in limbo.
- Association with NISA helps to know about the challenges being faced by private schools in other states.

STRATEGISING

photo: State Associations Discussing Advocacy Strategies



Advocacy Intervention:

- RTE should be challenged on non-flow of reimbursements.
- Section 29 (1) f of RTE enables local language instruction for elementary education. States make rules under this Section and mandate local language instruction up to standard 5th. This is unconstitutional and in violation of the fundamental right to freedom of instruction. Such state rules ought to be challenged.
- Infrastructure norms should be challenged in the context of being given precedence over learning outcomes.
- NISA should have on board people of consequence – bureaucrats, governors, experts, etc.
- Supreme Court and High Court should be moved on commercial

electricity bills, ESI, PF, and property tax.

- Members should set up meetings with government officials at Central and State level.
- We should do a press conference in Delhi to advocate the issues of Budget Private Schools through NISA platform.
- We should have Model Schools which we can showcase to the government for pushing our case for outcome-centric rules.

- NISA members should be open to inter-school inspections.
- Success stories should be compiled and shared by way of brochures, magazines, documentaries, etc.
- People need to know Budget Private Schools are for the poor and it is government which runs counter to the aspirations of the poor by eating funds earmarked for education.
- Education World survey – State Association showed keen interest to participate in the survey to list top 100 Budget Private Schools in India

Image Building

- Schools should set benchmarks for quality, assess themselves regularly and ensure basic quality infrastructure. Parents need to be won over. Schools should lead by example.

SESSIONS BY EDUCATIONAL SERVICE PROVIDERS

How to Run a Great School: Education for Integrating Life:

Mr Premchand Palety as a resource person from C fore facilitated this session. C fore is engaged in ranking process for Budget Private Schools in collaboration with Education World. He discussed various innovative methods of teaching practices. His presentation was focused on the following themes:



- Importance of teachers
- Classroom Management
- Innovations in Pedagogy

gave insights into the program and also shared its impact on school development.



Zaya Learning:

Mr Neil D Souza from Zaya Learning talked about Zaya's endeavour to change for better the education landscape around the world. With a view to improving quality of education, Zaya introduced technology as a basic learning tool in all schools. Zaya has developed an end-to-end, affordable Blended Learning Model for the low-income Indian market, especially Low Cost Private Schools (LCPS). The model helps to track students' performance on a day to day basis, to draw from world-class digital content through partnerships with top content creators, all tagged to micro-objectives within the Indian curriculum, and to leverage technology for enhanced student performance.



Education for Integrating Life:

Ms. Kalpana Sampath as a resource person from Education for Integrating Lives (EFIL) helmed this session. She focused on the pedagogical practices in private schools. She discussed the ways pedagogy can be attuned to basic principles of life.



India School Leader Institute (ISLI) - School Leader Program

Mr Sameer Sampath from ISLI conducted this session; he talked about ISLI's school leaders' capacity building program. He

Learning Links Foundation (LLF):

Having been working in the formal and non-formal education sector, LLF has four domains of specialization - enhancing Quality of Education, Strengthening Citizenship, harnessing Technology for Educational and Social Improvement and supporting Sustainable Social Innovation. Ms Uma Balan from LLF discussed about the LLF's work on recognising Budget Private Schools through awards.





LANDMARK ORDER BY BOMBAY HIGHCOURT ON 25% ENTRY LEVEL AND REIMBURSEMENT

Uran Education Society v. The State of Maharashtra, WP/2800/2015, Dated April 28, 2015.

- Pursuant to the writ petition filed by unaided private schools for reimbursement by the State government for the 25% RTE reservation in the Mini KG sections, the Hon'ble Bombay High Court held that under the provisions of the RTE Act.
- Once 25% children belonging to the weaker sections are admitted in elementary and/or in pre-school education, such schools/institutions are entitled to the reimbursement as per law.
- The Court held that the Government cannot ask the schools to admit students to pre-school and then refuse to reimburse the schools for such students.
- The Court further observed that the Circulars issued by the Government from time to time were inconsistent.
- The Bombay High Court on interpretation of the relevant provisions of the RTE Act and observed that,
- The State circular and guidelines in view of above need to be corrected in

all respects.

- The clear provisions ought to have been interpreted and used for the benefits of children care and education, specifically when there is no issue that State itself as stated, given option to select the entry level, pre-school education and/or primary/elementary education.
- This itself means that State can in no way deny their obligation and duty. Therefore, the 25% entry itself contemplates the requisite reimbursement.
- The submission that the reimbursement applies only to and from primary education level for I standard is self destructive and unacceptable.

lution dated 30 April regarding:

- Guidelines for admission procedures for seats under EWS quota.
- Entry level for EWS quota to be class 1.
- Guidelines reimbursement and admission schedule for 2015-2016.

GR: Department of School Education and Sports

Following Bombay High Court Judgement, the Department of School Education and Sports, Government of Maharashtra has issued a Government Reso-

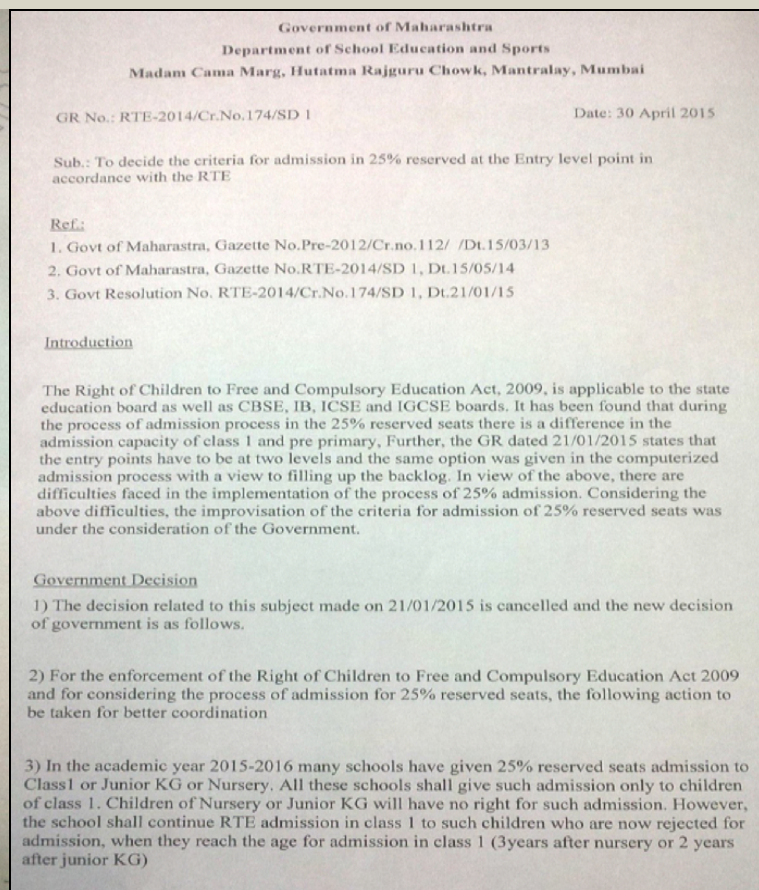
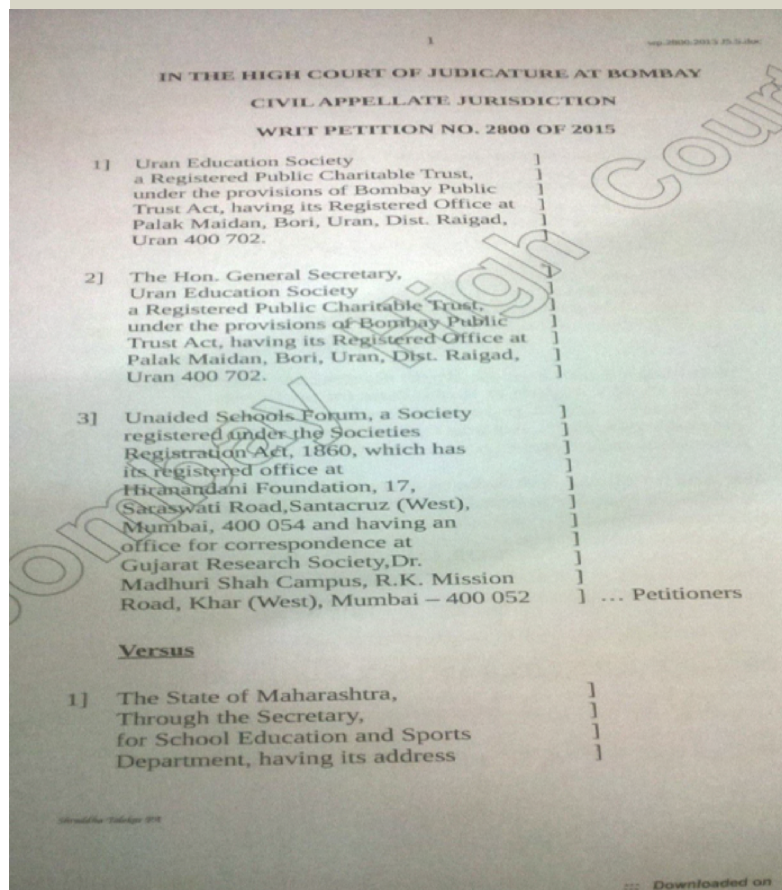


photo: AGGRUSA Goa Association appreciated as Member in good standing



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THE RTE PLATFORM

The Hindu | 5th May 2015
Tamil Nadu CM writes to Modi, seeks reimbursement of Rs 97.04 crore under RTE Act
<http://www.thehindu.com/news/cities/chennai/cm-seeks-rs-100-cr-for-rte-act-implementation/article7174938.ece>

Indian Express | 3 May 2015
Govt to Spend Rs 3000 more per EWS child to fill seats under RTE Reservation
<http://indianexpress.com/article/cities/ahmedabad/govt-to-spend-rs-3000-more-per-ews-child-to-fill-seats-under-rte-reservation/>

The Times of India | 30 April 2015
Unaided Schools Approach High Court for RTE quota
<http://timesofindia.indiatimes.com/city/mumbai/Unaided-schools-approach-HC-over-RTE-quota/articleshow/47169491.cms>

Indian Express | 5 April 2015
Maharashtra: Schools Ask 1,643 pupils to pay up or leave
<http://indianexpress.com/article/cities/mumbai/maharashtra-schools-ask-1643-pupils-to-pay-up-or-leave/>

Courtesy: **RightToEducation.in**

Reminder:

- # NISA requests all the state associations to submit the schools list for BPS Ranking Process.
- # NISA requests all the state associations to finalize the NISA State Meetings Date.

Welcome:

Tamil Nadu Nursery, Primary & Matric. Higher Secondary Schools Management Association



NISA has presence in Andhra Pradesh, Arunachal Pradesh, Assam, Bihar, Delhi, Goa, Gujarat, Haryana, Himachal Pradesh, Jammu and Kashmir, Karnataka, Madhya Pradesh, Maharashtra, Odisha, Punjab, Tamil Nadu, Telengana, Uttarakhand, Uttar Pradesh, Rajasthan and Sikkim.



National Independent Schools Alliance

A 69, Hauz Khas, New Delhi 110016 India
+91 11 2653 7456, 9899485667
www.nisaindia.org | nisa@ccs.in

A Centre for Civil Society Initiative

[f](#) /RightToEducation
[t](#) theRTEplatform
[in](#) /company/Centre-for-Civil-Society

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