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Published in International Journal of All Research and Education and Scientific Methods. Volume 9, Issue 6. ISSN: 2455-6211



International Journal of All Research Education and Scientific Methods (IJARESEM), ISSN: 2455-6211
Volume 9, Issue 6, June, 2021, Impact Factor: 7.428, Available online at: www.ijaresem.com

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Role of School Management Committees in Implementing Right to Education

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ABSTRACT

The Right to Free and Compulsory Education Act (RTE) was enacted in August, 2009 after a long drawn struggle by various stakeholders. The basic objective of the Act is to provide every child from the age of six to fourteen the right to free and compulsory education. There are various other provisions in the Act to ensure quality education. One such provision is the involvement of parents and the members of School Management Committees (SMCs). The purpose of SMC is for decentralization of schools and community participation in the functioning of the schools. They have a significant role in the implementation of the Act and ensuring quality education. However, it has been found in various studies that SMCs are not functioning properly and in some places SMCs have not been formed.

In this context, the paper will highlight the main provisions of the Act, roles and responsibilities of the SMCs. Further, it will look at how effective the SMCs have been in the functioning of schools and in ensuring quality education. The paper will conclude with suggestions for empowering the SMCs in a substantive sense.

INTRODUCTION

Education is essential for improving the quality of life and for overall human development. This in turn helps in the economic growth of the country. Indian society is socially stratified on the basis of caste, class, religion, culture, etc. Education is one of the ways to overcome such inequalities and a means for social and economic transformation. There is also a big difference in the quality of education in terms of location related advantages and disadvantages. Even after its decades of independence, the education system in India is inept. These factors are related to children's access to education and their participation in the learning process. This is evident in the disparities in educational access and attainment between different social and economic groups. Improving education has been identified as one way through which levels of access, quality and participation in education can be improved (SARVEY, 2008) and which can reduce various problems related to inequality which worsens exclusion (Giridhar and Rameshpriya, 2010). "The Right of Children to Free and Compulsory Education (RTE) Act, 2009 addresses the fundamental commitment to school governance through SMCs to ensure school quality with equity. The purpose of SMC is for decentralization of schools and community participation in the functioning of the schools. The SMCs have been entrusted with an important role in the implementation of the Act and ensuring quality education."

Right of Children to Free and Compulsory Education (RTE), 2009
One of the major challenges before the planners of India after independence was literacy. Providing elementary education is the basic foundation to receive higher education. It is education for the masses which will bring equity. The planners of India made decentralization of elementary education a national goal. To realize the goal, Article (5) was inserted in the Directive Principles of State Policy stating that the State shall endeavor to provide within a period of two years from the commencement of the constitution for free and compulsory education for all children until they complete the age of fourteen years. The Right Constitution, Amendment Act, 2007 has added the new article 21-A and has made education for all children in the age group of 6-14 years a fundamental right.

The government of India has over the years constituted various committees and commissions on education which gave recommendations for compulsory elementary education for all. Despite governments' vision and plans for making elementary education for all, it didn't achieve the desired goal. Finally, with efforts from various stakeholders, the Right of Children to Free and Compulsory Education (RTE) was enacted in 8th of August, 2009 and came into effect on 1st April, 2010. Article 21 A was inserted in the Constitution. Article 21 A states that every child has a right to free elementary education of satisfactory and equitable quality in a formal school which satisfies certain essential norms and standards. The



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Act provides free and compulsory education of all children in the age of six to fourteen. The Act makes education a fundamental right of all children in the age group six to fourteen.

The title of the RTE Act incorporates the words "free and compulsory". "Free education" means that no child, other than a child who has been admitted to his or her parents to a school which is not supported by the appropriate Government, shall be liable to pay any kind of fee or charges or expenses which may prevent him from pursuing and completing elementary education. "Compulsory Education" casts an obligation on the appropriate Government and local authorities to provide and ensure admission, attendance and completion of elementary education by all children in the age group of 6-14 (Art. 20). With this, India has moved forward in a rights based framework that casts a legal obligation on the Central and State Governments to implement the fundamental right rights enshrined in the Article 21A of the Constitution. In accordance with the provisions of the RTE Act, State of the main provisions of the Act are (Art. 200).

Enforcement: The act shall extend to the schools of India except the State of Jammu and Kashmir. The provisions contained in the Act shall not apply to Madrasas, Vedic pathshalas and educational institutions primarily imparting religious instruction.

Right of Child to Free and Compulsory Education: Every child of the age of six to fourteen years, including a child admitted to a class 10th or class 12th of section 2 of the Act shall have the right to free and compulsory education in a neighborhood school till the completion of his or her elementary education. A child with disability shall without prejudice to the provisions of the Persons with Disabilities (Equal Opportunity, Protection of Rights and Full Participation) Act, 1995, and a child, have the same rights to pursue free and compulsory elementary education. However, a child with multiple disabilities "referred to in clause (i) and a child with "severe disability" referred to in clause (ii) of section 2 of the National Trust for Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities Act, 1999 may also have the right to opt for home-based education.

Special provisions for children not admitted to, or who have not completed, elementary education: Where a child above six years of age has not been admitted to any school or through admission, could not complete his or her elementary education, then, he or she shall be admitted in a class appropriate to his or her age.

Duty of appropriate Government and local authority to establish schools: For carrying out the provisions of this Act, the appropriate Government and the local authority shall establish, within such area or limits of territoriality, as may be prescribed, a school, where it is not so established, within a period of three years from the commencement of this Act.

Sharing of financial and other responsibilities: The Central Government and the State Governments shall have concurrent responsibility for providing funds for carrying out the provisions of this Act.

Details of local authority

Every local authority shall:

- Provide free and compulsory elementary education to every child;
- Provided that where a child is admitted by his or her parent or guardian, as the case may be, in a school other than a school established, owned, controlled or substantially financed by funds provided directly or indirectly by the appropriate Government or a local authority, such child or his or her parent or guardian, as the case may be, shall not be entitled to claim for reimbursement of expenditure incurred on elementary education of the child in such other school;
- Ensure availability of a neighborhood school as specified in section 6;
- Ensure that the child belonging to weaker section and the child belonging to disadvantaged group are not discriminated against and prevented from pursuing and completing elementary education on any grounds;
- Maintain records of children up to the age of fourteen years residing within its jurisdiction, in such manner as may be prescribed;
- Ensure and ensure admission, attendance and completion of elementary education by every child residing within its jurisdiction;
- Provide infrastructure including school building, teaching staff and learning material;
- Provide special training facility specified in section 4;
- Ensure good quality education in accordance with the standards and norms specified in the Schedule;
- ensure timely prescribing of curriculum and courses of study for elementary education;
- Provide training facility for teachers;
- Ensure admission of children of migrant families;
- Monitor functioning of schools within its jurisdiction; and



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• Provide the academic calendar

Duty of parents and guardian: It shall be the duty of every parent or guardian to admit or cause to be admitted his or her child or ward, as the case may be, to an elementary education in the neighborhood school.

Appropriate Government to provide for pre school education: With a view to prepare children above the age of three years for elementary education and to provide every child below six and education for all children until they complete the age of six years, the appropriate Government may make necessary arrangements for providing free pre school education for such children.

No denial of admission: A child shall be admitted in a school at the commencement of the academic year or within such extended period as may be prescribed.

Provided that no child shall be denied admission if such admission is sought subsequent to the extended period.

Provided further that any child admitted after the extended period shall complete his studies in such manner as may be prescribed by the appropriate Government.

Prohibition of holding back and expulsion: No child enrolled in a school shall be held back in any class or expelled from school till he completes elementary education.

Monitoring of child's right to education: The National Commission for Protection of Child Rights concerned for Protection of Child Rights along with State Commission for Protection of Child Rights to review the safeguards for rights provided by or under the Act and recommend measures for effective implementation of the Act. The Commission may initiate into complaints relating to free and compulsory education. Where the State Commission for Protection of Child Rights has not been constituted in a State, the appropriate Government may, for the purpose of performing the functions conferred on such authority, in such manner and subject to such terms and conditions, as may be prescribed.

Role of School Management Committee (SMC) in Implementing RTE:
Elementary education depends on the active participation of the community. Community participation in managing education leads to multidirectional participation in decision-making and functioning of the school. To improve quality education, community involvement has been one of the important strategies for improving education for all (Dey, 2013). However, Report, 2013, p. 10. But, National Policy on Education (NPE), 1986 and 1989 agree that the local management with community focus would enhance the teacher and also make the community more interested in what happens inside the school. Finally, enabling all children to participate in educational process (Sureshbabu, 2007). Active parental participation has the potential to improve the efficiency for their children. Various studies have also shown that school's organizational behavior and culture, and the principle of quality management affects in productivity (Ramesh, 2000; Hanumanth and Venkatesh, 2008; Sureshbabu, 2007; Kumar, 2012). These institutional arrangements that govern the functioning of school management system affect the overall quality of education."

The importance of community participation in educational governance has been highlighted as a strategy to ensure access to quality education. The report of the Education Commission recommended decentralization of educational governance for ensuring better involvement of community in school education (Gill, 1981: 67). Despite these, the early 1970s witnessed a reverse process leading to large scale nationalization of schools, particularly at the primary stage of education. In most parts of the country (Giridhar and Rameshpriya, 2011). The National Curriculum Framework (NCF), also called upon to create a platform for local understanding and experience in the curriculum to be taught in the schools. The Central Advisory Board of Education (CABE) set up as a Committee on Decentralized Management in 1993. This committee came up with the provision of the Village Education Committee (VEC) and bring the basic tier of the village. The VEC was expected to enhance the sense of primary education. "Most of the state governments have emphasized on creating bodies like Village Education Committees, Parent Teacher Associations and Mother Teacher Associations in order to bring schools and communities together. But these bodies are not under statutory provision. A study has also shown that active involvement of communities has increased the efficiency of school functioning thereby ensuring quality education. (Giridhar and Rameshpriya, 2012)"

The centrally sponsored scheme of District Primary Education Programme (DPEP) launched in 1994 is a significant move towards decentralization of education. It is one of the major initiatives to revitalize the primary education system and to achieve the objective of universalization of primary education. Due to DPEP, almost all village/suburban schools have formed Village Education Committee/School management committees.



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The Dakar Framework of Action explicitly calls for developing responsive, participatory, and accountable systems of educational governance and management. "The experience of the past decade has underscored the need for better governance of education systems in terms of efficiency, accountability, transparency and flexibility so that they can respond more effectively to the diverse and continuously changing needs of learners. Reform of educational management is urgently needed – to move from highly centralized, standardized and command-driven forms of management to more decentralized and participatory decision-making, implementation and monitoring at lower levels of accountability. These processes must be buttressed by a management information system that benefits from both new technologies and community participation to produce timely, relevant and accurate information."

Further to that, the Madhy Committee set up by the Central Advisory Board of Education (CABE) states that "It is increasingly becoming evident that the bureaucracy systems are not able to manage the challenges in the field of educational development and people's participation is seen the world over as an essential pre-requisite for achieving the goal of education for all. It is in this context, that the Committee perceives the attainment of educational programs to institutions of local self government as a step in the right direction (Gill, 1982)".

Despite all the recommendations and policy initiatives to bring community closer to the functioning of school, there is lack of active community involvement. With the notification of RTE, an affirmative step has been taken to strengthen the involvement of the community in school governance. RTE has recognized the importance of community participation and decentralization of education system. This, a new role is envisaged for various stakeholders at all levels in the education system, particularly for parents. Various studies have shown that there is a direct link between the learning level of the child to the involvement of the parents in their schooling (Arunima, 1999; Clem & Chandler, 2001; Gonsalves, 2002; Zellman and Veenendaal, 1997). Parental participation in the education system can have a positive impact on the functioning of school and ensuring quality education.

Article 21(1) of the RTE Act has mandated community participation at governance level in the management of school. SMC shall be constituted in every school, other than a model school, within six months of the appointed date and reconstituted every two years. All government, government aided and special category schools shall have to constitute SMCs as per Section 21 of the RTE Act. Since private schools are already mandated to have management committees on the basis of their recognition regulations, they are not covered by Section 21. A proposed amendment makes the SMC as advisory, rather than statutory, body for schools covered under Article 29 and 30 of the constitution (minority schools).

The purpose of SMC is to involve all the stakeholders in the best ways can be best. The implementation of the RTE has posed fresh challenges with regard to decentralization of elementary education. The roles and responsibilities of SMCs under RTE are:

- Monitor the working of the school which includes infrastructure facilities, access to quality education, prevention of drop out rate, learning level of children;
- Prepare and recommend annual and three year School Development Plans(SDP) which address infrastructure, academic achievement, etc. These plans shall collectively feed into creating an Annual Work Plan(AWP) for every district and subsequently, every state. Components of SDP are:
 - Estimates of class size enrolling each year;
 - Requirement of infrastructure equipment and teachers over the three year period according to the norms and standards specified in the Schedule of the RTE Act;
 - Additional financial requirements over the three year period to fulfill the responsibilities of the school under the Act;
 - Requirement of substitute teachers for teachers on leave;
 - Education rehabilitation arrangements for children from weaker sections and children with disabilities.
- Monitor the implementation of Mid day Meal and other government school schemes;
- Monitor the attendance and punctuality of teachers;
- Monitor the maintenance of norms and standards prescribed in the Schedule which would include classrooms, school facilities, teacher pupil ratios, etc.;
- Monitor the utilization of the grants received from the appropriate Government or local authority or any other source; and
- Perform such other functions as may be prescribed.

According to RTE, the composition of SMCs should be as follows:



- Three fourth (75%) members of the SMC should be parents/guardians. Out of which, 50% will be women. Women sections will be represented in the SMC in proportion to their population in the village.
 - One out of four (25%) will be non-SMC level stakeholders (Child based workers (Child and adolescent workers).
- The RTE has envisioned the SMCs to not only transforming the functioning of school, it has ensured that there is active participation of the community members particularly parents in educational governance. It is a strategy to bring about decentralization in educational governance in the real sense. The challenge lies in the proper and effective implementation of the Act.

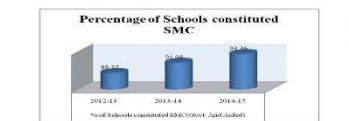
FUNCTIONING OF SMCs: A GROUND REALITY
The SMCs have been empowered through the RTE with roles and responsibilities clearly defined. Through the numbers of SMCs in the country have increased, a study conducted by the Central Square Foundation (CSF) found a huge gap between the policy and ground implementation of SMCs. (DINA, N012015). The real empowerment of SMCs lie in effective implementation of the Act.

Table 1: Percentage of Schools which have constituted SMC

School Management Committee (SMC) in Schools	2014	2016
% Schools which reported having an SMC	14	34.9
Of the schools that have SMC, % schools that had the last SMC meeting		
Between July	10.7	7.6
Between July and September	14.1	6.3
After September	13.2	29.4

As per Annual Status of Education Report (ASER), 2017, there is an increase in the percentage of schools which reported having an SMC. However, there is a decline in the SMC meetings held between July and September. This indicates that SMCs are not functioning in the real sense. The RTE has mandated for constitution of SMCs but the data shows that 60-70% only 4% of the schools are following the mandate. If no school is the part of the RTE, it is not ensuring the mandates of the Act are carried out. A strong political will is needed to ensure that the main provisions of the Act are followed.

Figure 1: Percentage of Schools which have constituted SMC



DINA, 2014 and 2015

The District Information System for Education shows that the numbers of school which have constituted SMCs have increased from 88,375 in 2012-13 to 93,385 in 2013-15. Further, most of the States have prepared a training module for existing SMCs, members to ensure their capacity to effectively participate in the absence of school activities.



Some States have been involving the SMCs in monitoring the attendance of teachers and students, besides monitoring of child outcomes. These initiatives have contributed to increased community involvement in the planning and monitoring of school activities and participation of Panchayat Raj Institutions (local self-government bodies in rural areas) and urban local bodies in planning and management of elementary and school education programmes (GoI, 2015)¹⁴.

Table 2: Percentage of SMCs Having Bank Account and Prepared SDP

% of Schools with SMC having opened bank account (Govt. And Aided)	2013-14	2014-15	2015-16	2012-13	2013-14	2014-15
84.2	85.63	90.92	80.7	83.65	84.94	

DINA, 2014 and 2015

The percentage of schools with SMC which have opened bank account has been increasing. The question lies on the utility of the accounts. The DINA data (Fig. 1) shows that in 2012-13 80.7% of the schools have constituted SMCs. However, when we look at Table 2, it shows that only 80.7% have prepared SDP. Similar trend can be seen in the subsequent years. This means that SDP are not prepared in many of the schools which have constituted SMCs. The School Development Plan is the soul of the RTE. Act through which a transformation is sought. It should be prepared thoughtfully. It must have practical solutions to all questions raised at the time of comparing the existing situation with the desired situation, in relation to the school. The SDP should clearly reflect the limitations of the community members in order to target quality education and also to ensure an effective functioning of the school. The SDP ought not to be regarded merely as a budget prepared. Rather, its focus should be on key transformation issues, for example- appointment of senior teachers proportionately, and so on.¹⁵

According to the 2015 PISA (Planning, Allocation and Expenditure) Institution Studies in Accountability, diverse states, SDPs are infrequently made in school, but even where plans are made, they are not created in a participative manner, and do not address the school's most pressing needs.¹⁶

A study conducted to examine the problems faced by the SMC members in implementing the RTE Act, 2009, found that 34% of SMC members expressed that lack of interest among parents to send their children to school is the main problem in enhancement of enrolment. 48% of SMC members believed that poor quality of teaching-learning process is the barrier in offering quality elementary education. 30% of SMC members feel that lack of skill among teachers is the main constraint in implementation of Continuous and Comprehensive Evaluation in school. 48% of SMC members agreed that lack of interest among parents and illiterate parents is the main problem of participation in SMC meetings. 44% of SMC members agreed that lack of SMC members' awareness is the main constraint in developing of School Development Plan and 54% of SMC members are believed that lack of fund is the main constraint in developing of School Development Plan.¹⁷

A study conducted in Himachal Pradesh on the functioning of SMCs has shown that most of the SMC members were not aware about the provisions of RTE Act, and the purpose behind the formation of SMC. One of the starting findings was that its role in the preparation of School Development Plan is negligible. However, according to the Act, the main responsibility of SMC is to prepare the School Development Plan. Further, lack of links with the SMC with the teacher's role of SMC is the development of the School. The members who would that there is lack of support from the administrative authorities which hinders the committee members.¹⁸ A major challenge in the proper functioning of the SMC is lack of awareness amongst the members. The members exist only on paper.

A new report has revealed that there is a lack of community participation and most of the SMCs are far from active. In most cases, the parents are unaware of school constitution; 30% of the schools have not held SMCs; more than 80% of the schools do not have functional school structures of school fund and playground is a major issue; 38% of the schools do not have a playground at all; and out of the selected 16,000 government schools to be converted into a model school, only 80 are going to be made.¹⁹



Overall Observations and Recommendations:

Education has the potential to change the socio-economic structure of a society. To bring about that change, we need quality education. As discussed earlier, to ensure quality education we need better education management. Community participation in education governance is one of the ways agreed by various policies and recommendations. Yet, there is lack of community participation in education governance. Decentralization of education is a strategy which can substantially improve quality, access and equity in education.

It has been observed that there is lack of awareness among the SMC members about the provisions of the Act. They are not aware about their roles and responsibility in the functioning of the school. There is no understanding amongst the members on the significance of SMC. They also need the skills and capacity to manage the functioning of the school. To strengthen the capacity of SMC members, proper training should be provided at regular interval. A tailor-cut training module should be prepared to address the specific challenges faced by the school. SMCs need funds to build capacity and awareness among members to help them assess needs and requirements for effective learning. A separate fund for training and capacity building of SMC can be provided by the state.

It has been seen that meetings of the SMCs are not held on a regular basis. The meetings are held only on papers. The meetings of SMCs must be conducted on a regular basis. To make sure, that meetings are actually held, live streaming and recording of meetings can be done. Further, the agenda of the meeting should include all the issues of school management that is required for quality education. It should include discussion about participation of children and their access and retention in education as well as discussing funding and expenditure. SMCs should also focus on tracking each child's progress and continuously monitor critical indicators. In order to assess progress of children, records of attendance and achievement must be generated through systematic record keeping and made available to SMCs. SMCs should focus on tracking each child's progress and continuously monitor critical indicators for school level planning and monitoring. Besides, they should pay attention to the requirement of teachers. There is a need for coordination of child related programmes making schools the nodal agency where the SMC acts as the apex planning and implementing body to oversee children's well-being and rights to education.

There is lack of active parental participation in SMCs. Their role in the functioning of SMCs is limited. Mostly teachers are carrying out the functions of SMCs. Proactive participation of parents will help in localizing value education among the children. Teachers and NGOs can encourage parents to play a substantive role in the school management. The relationship of parents with the school needs to be strengthened.

Transparency and accountability in education will make all the stakeholders to carry out their functions efficiently. SMCs should contribute to a system of social audit at local level. More people should be involved in the proper functioning of schools through media campaigns including handbills, poster campaigns, and print and electronic media discussions. Information and Communication Technology (ICT) enabled education governance will be more efficient, transparent, accountable and responsive.

Last but not the least, for effective functioning of the SMCs and implementation of school development plan to be envisaged by the Right to Education Act, political will is needed. Political executive whose vote banks are adults need to realize that the foundation of a country is its children. They need to build a strong foundation for a prosperous country.

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