The Convention on the Rights of the Child and Quality Education

Quality Education: Setting goals in terms of fulfillment of rights
A challenge and a vision for Save the Children

Save the Children

Concept Paper

The Convention on the Rights of the Child and Quality Education

Save the Children fights for children's rights.
We deliver immediate and lasting improvements to children's lives worldwide.

Save the Children works for:
*   a world which respects and values each child
*   a world which listens to children and learns
*   a world where all children have hope and opportunity

The Convention on the Rights of the Child and Quality Education

Setting goals in terms of fulfillment of rights

A challenge and a vision for Save the Children

This concept paper has been developed in consultation and collaboration with Save the Children colleagues in South Asia (Afghanistan, Bangladesh, India, Nepal, Pakistan and Sri Lanka), while different earlier publications by the author have also been used.

The paper is intended to provide a framework for developing quality education programmes "translating" the Convention on the Rights of the Child (CRC) into policies and practices that are inclusive of, and responsive to, diversity. It is also meant as a source of stimulation and discussion, and has as its intended audience, policy-makers and practitioners – including teacher educators – as well as national and international organisations. It is written in the belief that education goals and policies need to be based on equal rights and opportunities, implying that public education must be made accessible and beneficial for all learners. It underscores our joint responsibility to reach out to children that have been traditionally marginalised and excluded – including in situations of conflict, post-conflict and natural disaster

SAARC[1] governments at their meeting in Islamabad (2002) pledged to mobilize resources to provide "free, inclusive, gender responsive quality basic education for all", reiterated by the 2008 Education for All (EFA) Mid Decade Assessment reports, which highlights that countries in South Asia are committed to education as a basic human right. The right to, in and through education is emphasized in international treaties and declarations, in particular the Convention on the Rights of the Child (CRC, 1989) and the World Declaration on Education for All (EFA, 2000). Children who are not in school[2] are therefore being denied their rights.

---

[1] SAARC = South Asia Association for Regional Cooperation

[2] School/schooling in this document means learning in formal and non-formal environments

Though the State remains the primary provider of education, the role of non-government organisations (NGO) is significant. NGO and community-based initiatives play an important role in education provision in South Asia because, at present, agreed international targets cannot be reached through the state system alone. Non-formal programmes are an important alternative to formal schooling as they address gaps of formal education. Non-formal education (NFE) however, needs to closely collaborate with governments to achieve EFA goals, by targeting hard-to-reach groups and underserved geographical areas. These programmes need to be integrated into the mainstream education system or absolved when there is no longer a need for them.

While CRC article 28 protects the general right of all children to education, article 29 emphasises its wider goals related to content and methodology. Other CRC articles stress children's rights to relevant information, to be respected and listened to, to participate in decisions affecting them, and not to be subjected to physical or humiliating punishment or other forms of violence and abuse. Taken together, these define a rights-based vision of quality education, which is inclusive, child-centred and flexible, effective and relevant, appropriate and participatory, safe, protective and empowering.

Concepts like Inclusive Education (IE), Child-Friendly Schools (CFS) or Inclusive Learning Friendly Environments (ILFE) tend to be perceived as approaches "owned" by different international agencies. This may have confused policy makers and implementing agencies, while in reality all can be considered strategies that "translate" the CRC into policy and practice, while reinforcing the role of education as a vehicle for overcoming marginalisation and social exclusion.

The CRC is with its near universal ratification the world's most agreed upon international human rights treaty. All countries in South Asia have ratified the CRC, which makes it a legal obligation for governments to ensure compulsory primary education of good quality for all children, free of cost. To work from a rights perspective has far reaching implications for education development and necessarily entails values, knowledge and skills revolving around the principles of non-discrimination, protection and participation.

1

The Challenge

1.1 Discrimination

Despite increased enrolment rates, South Asia still accounts for nearly 40% of the world's total out-of-school children. Who these children are varies by country and context but are likely to include girls, children with disabilities, those affected by conflict or natural disaster, Dalits, children from urban and rural poor families and nomadic populations, religious, ethnic, linguistics and indigenous minorities, as well as migrant children.

Non-discrimination and inclusion are based on the belief that education is a human right and the foundation for a just society. It links to a rights and responsibility analysis showing that national education systems are responsible for all children, and therefore need to be flexible and responsive.

All children, whatever their individual characteristics or learning needs, have a right to belong to mainstream society, and thus to mainstream education. Though there must be a special focus on learners vulnerable to marginalization and exclusion, inclusive, diversity-responsive education benefits all children. Using children's human rights as the lens for assessing education, necessitates challenging discrimination and asking what education is for.

It is important to understand the dynamics of exclusion. Any child may suffer exclusion at times. Critical are those affected in major and permanent ways by where they live (e.g. rural or remote areas, urban slums, refugee camps, internally displaced), how they live (e.g. in poverty, chronically ill, malnourished), and who they are (e.g. gender, with disabilities, from ethnic, language, religious minorities). These children may be unable to break the cycle of discrimination without affirmative action by communities, schools, national education systems and international agencies. Most current education strategies have been inadequate regarding the needs of marginalised and disadvantaged.

children. When programmes do exist, they tend to be planned and implemented as special programmes for learners identified as 'different' or 'difficult', resulting in parallel education systems within countries: for the poor, for 'hard-to-reach' children, for children with disabilities, for ethnic minority children, and private schools for the privileged.

1.2 Access & Quality

Official data reveal that primary enrolment and gender parity have improved throughout the region. However, these statistics are on their own no indicator of success as they only provide a picture of the number of children on the school register, not of their attendance, or quality of learning. Studies[3] have revealed that at least half the children finishing primary education in South Asia cannot effectively read, write or do simple mathematics. The quality of learning outcomes is therefore a serious concern for most countries in the region. Access and quality have also been undermined by armed conflict and natural disaster, seriously impacting on all children's education rights – but often more so for girls and marginalized learners.

The level of sanctioned violence in South Asia is relatively high. Teachers are considered figures of authority to be obeyed and students are expected not to question, but to comply. Many children fear the punishment of teachers. Education does not thrive in an atmosphere in which children live in fear of those who teach them.

Though most governments have made explicit commitments to meeting the goal of gender equity in education, there are no strategies to tackle gender-based violence in schools. Neither have topics about gender-based violence in schools been incorporated

in the curriculum. Students however need opportunities to explore the ways in which traditional gender views inform and constrain them, and strategies to empower them to change while developing respectful gender relationships. This is a critical aspect of rights-based quality education.

All countries in the region continue to rely on traditional teacher-centred classrooms, where teachers teach to the test and learners memorize facts in order to pass exams. Teaching strategies that require active engagement by learners are more effective than approaches that restrict students to passive roles, but many teachers consider interactive methods more difficult to use and time-consuming.

Quality of education is often defined in terms of academic excellence. However, quality may be more elusive than what can be measured on tests and exams. Quality must be given a broader meaning, recognizing measurable and non-measurable outputs, as well as the process by which education takes place. This broader understanding includes acceptance of education as a right in itself and as an enabling right, recognition of the indivisibility of those rights, and acknowledgement of schools as places in which rights are practiced.

Similarly, measuring the quality of learning outcomes through tests and national exams - reflected in scores and grades - has serious limitations as this does not tell us if what children have learnt is meaningful to them. Assessment requires attention to outcomes as well as to the experiences that lead to those outcomes. Achievement is important, but to improve achievements we need to know about the student experience along the way – about the curricula, teaching, and kind of student effort that lead to a

---

[3] UNICEF *The Millennium Development Goals: Progress and Challenges in South Asia 2006*

particular outcome. Assessment can help us understand which students learn best under which conditions and with such knowledge their learning can be enhanced.

1.3 Basic Conditions for Learning and Participation

It is a myth that there are different categories of learners such as those with "special" and those with "ordinary" needs. All children have the same needs of belonging, love, friendship, security, health, stimulation and self-esteem, and it is normal that learning needs of children differ.

Education systems have clung to this myth against better judgment. However, it is more important to reflect on the role of teachers as their attitudes, behaviour and methods either enhance or impede a child's ability to learn. In classrooms where undifferentiated large-group instruction is the norm, teachers do not detect individual learning needs. Children who do not progress in such situations are easily labelled as 'slow learners', while they may consider the curriculum irrelevant or have problems to understand the language of instruction. Students may have negative and meaningless school experiences if teachers feel no empathy for such diverse learners or are not ready for them with effective instruction and classroom strategies.

Children in a classroom are never homogenous and should not be treated and taught as if they were. Every child has unique characteristics, interests, abilities and learning needs and therefore, if the right to education is to mean anything, education systems must be designed and implemented to take account of the diversity of such characteristics and learning needs.

Systems, schools and teachers that take children's rights serious do create learning environments that are accessible in terms of infrastructure, curriculum and methodology for learner and learning diversity, including for those with a different mother language and those with disabilities. In such environments children are not expected to learn the same during the same time with the same results and they are respected for who they are, where they come from and what they *can* do.

Whether children stay in school and benefit from education depends on what happens in classrooms. This is where all the inputs come together and interact. Understanding what is happening in schools and classrooms is a necessary precondition for addressing quality and developing effective improvement strategies. Many children find learning difficult in the schools as they are currently constituted. Repetition rates and poor learning achievements are linked to what and how teachers teach and how they interact with children. Throughout South Asia schools face challenges of insufficient teachers and low teacher quality. What happens in classrooms is often teacher-driven and not very stimulating while the school curriculum is too theoretical and at times irrelevant.

Where teaching-learning processes have improved, but the examination system not reformed, content heavy and exam driven education systems remain a serious obstacle for quality teaching and learning. Being certified as a teacher does not guarantee success in the classroom, and neither is a successful teacher always in possession of paper qualifications. The quality of learning and participation in the classroom depends on the broader context of the school, the curriculum, the authorities and the community.

2

THE VISION: Dimensions of Quality

2.1 Inclusive

School development is increasingly focused on the right to Education for All within the government mainstream education system. In describing its vision for EFA, the Dakar World Education Forum stated that education which is inclusive of, and responsive to all learners is vital if the EFA goals are to be achieved. This applies to all aspects of difference and diversity, including gender.

Inclusion or inclusive education tends to be misunderstood as a concept that applies to children with disabilities only. This limited and limiting perspective has, in some countries, become an obstacle for real inclusive reforms. Inclusion is not a special approach that shows us how some learners like students with disabilities can be integrated in public schools, but it looks into how mainstream systems can be transformed in order to respond to learner and learning diversity in a constructive and positive

manner, which includes, but is not limited to children with disabilities. In addition, there are special challenges related to the enrolment and participation of girls in South Asia, and if they come from excluded groups such as ethnic minorities or low-caste families, their disadvantages are multiplied. Inclusive education encourages us to ask which children are not in school or if they are, why they are not learning or participating, and what can be done to reduce the barriers to their education. There is a need to look at what happens in classrooms and ask questions such as: "How do teachers interact with children from different backgrounds and with different learning needs?", "Do all girls and boys participate?", "How do teachers teach and model values like tolerance, non-violent problem solving, democracy and peace in the classroom?", "Do educational materials and subject choices challenge gender stereotypes?" and "Are examples used from different cultural or ethnic groups in the teaching-learning process?"

An effective support system is essential if schools are to become more responsive to diversity. 'Support' includes everything that enables children

to learn. The most important forms of support are available to every school: children supporting children, teachers supporting teachers, parents becoming partners in the education of their children and communities supporting their local schools.

At every level and in every subject the curriculum can become a vehicle for promoting the principles and practice of non-discrimination and equality.[4] Textbook contents and illustrations must for example represent girls and boys and members of minority groups in positive and empowering manners. It should be stressed however that discriminatory attitudes are not simply removed by developing new curricula and textbooks and that more needs to be done to reverse deep-rooted, often negative perceptions of diversity.

2.2 Effective and relevant

Many children finishing primary education in South Asia have not mastered basic competences. Changing this situation requires employing sufficient teachers for lower student-teachers ratios, improving teacher education, shifting from rote-learning to developing problem-solving skills – also in assessment - and revising curricula and textbooks. More attention needs to be paid to the educational experience of children, girls and disadvantaged children in particular.

In the process towards rights-based quality education, the curriculum is an important tool for change. Although there is a need for a basic standard curriculum, it must be flexible enough to respond to the needs of different students. It should therefore not be rigidly prescribed at a national or central level, but allow for school-level adaptations and for modification to meet the individual needs of different learners.

Teaching-learning materials, textbooks, assessment procedures and language policy are all components of a curriculum and have diversity dimensions. They serve to challenge or reinforce equality linked to caste, class, religious and ethnic identities and divisions. Analysis of a curriculum is a useful first step in learning about equality issues. It highlights the importance of asking questions regarding what children are being taught about themselves and about others.

Relevance and effectiveness also relate to the language of instruction. There is inequality of opportunity when children do not speak the language of instruction, because those who speak that language can start learning from the first day, while the others must first learn the foreign code. Mother-tongue based multi-lingual education (MLE) starts with developing a child's reading, writing and thinking skills in the first language. The national language is to be progressively introduced. Research suggests that recognizing the importance of first languages in a bilingual or multilingual education structure results in improvements of educational attainment and helps to retain students from minority groups in school. There is therefore an urgent need for teachers to have the skills to bridge the child's first language with the second language in subsequent grades.

Good teachers understand that their work goes beyond the transmission of a curriculum and the assessment of measurable achievements. They are aware of the challenge of the broader social contexts in which they teach and they keep searching

---

[4] **Equality** means that all learners have equal conditions for realizing their full potential and for contributing to, and benefiting from, economic, social, cultural and political development. It is the equal valuing by society of the similarities and differences of individuals, and the roles they play. Equity is the process of being fair to all. To ensure fairness, measures must often be put in place to compensate for the existing historical and social disadvantages. Equity is a means, while equality and equitable outcomes are the results.

for more effective ways to reach all students, while recognizing individual strengths and learning needs. Therefore, teacher education needs to focus on how teachers can use methods and facilitate processes that are transformative rather than reproducing gender prejudice or discrimination.

The relevance of education is enhanced if links are made to children's lives resulting in learners being able to apply new knowledge and skills in real situations. In rights-based schools this includes knowledge about human rights, gender equality, health and nutrition, HIV/AIDS and peace building. Content must be appropriate to children's level of development and in languages that they understand. This and how it is delivered ultimately decide whether the education experience will be empowering and transformative.

2.3 Safe, Healthy and Protective

Quality education can only exist in a context where children are protected from health hazards, injury, violence and abuse. What happens in school must also promote children's health. School level policies on health, safety and protection need to be constructed and implemented to ensure that the learning environment is hygienic and attractive, and children are protected from harm. Water and sanitary facilities should be adequate to the needs of all children and staff, male and female, and maintained. Similarly, appropriate play facilities must be available, used and maintained. Health education and life skills need to be integrated in curriculum and teaching-learning activities, and psychological and social support and referral services available and utilised. Emergency preparedness and response plans, constructed in participation with children, should also be in place and operational. Such programmes must incorporate the skills, understanding and attitudes needed for peace and conflict prevention as well as disaster preparedness.

Quality education depends on positive relationships among students and between teachers and students. Children's behaviour is central to the learning process and is an intrinsic element of education. Problems in behaviour in educational settings are usually a product of a complex interaction between the individual, school, family, community and the wider society. Social interaction based on mutual trust and respect is fundamental to a quality learning environment. There is no place for beating, bullying, verbal abuse or the denigration of groups or individuals in a quality learning environment.

Interventions in response to unwanted behaviour need to be the least necessary and least intrusive. Schools must recognize the importance of having clearly stated and shared values and beliefs which underpin expected standards of behaviour and quality of relationships for all, including children, taking into account their age and understanding.

Discipline problems can largely be prevented by developing positive teacher student relationships and rules that are fair and make sense for both teacher and students. Behaviour problems are rare in classrooms where students are actively involved and interested, and in which they are appreciated as individuals.

For many children, especially those living in difficult circumstances, school can be a place of refuge from danger. Teachers must therefore be able and willing to reflect on their own practice when seeking explanations for lack of student learning and consider inadequacies in content, methodology and learning environment, rather than inadequacies in children. They need to learn how to include and address the learning needs of children from poor, disadvantaged families, students who may have to work after school hours,

students from ethnic minorities, and those with various learning difficulties. It is important for schools and teachers to know students' socio-economic and family situation to be able to also understand the non-academic factors that influence their learning achievement. Special challenges can be found in contexts during and after emergencies – conflict or natural disaster – where teachers also need to recognise their role in providing psychological and social support to learners.

2.4 Participatory

Extensive research has shown that more participatory teaching-learning approaches and the development of problem solving and critical thinking skills, results in a more sustainable and higher quality of learning. Children learn by actively fitting new information and skills with what they already know and can do. The ability to construct new knowledge in this way determines our capacities for life long learning and our ability to adapt to and overcome the challenges of modern life.

Pedagogical processes in classrooms must change in order to accommodate participatory and active learning. Teachers are not just responsible for teaching a curriculum; they are responsible for teaching children - all different and unique. Therefore, textbooks and other learning materials must also facilitate learning in ways that encourage active and equitable participation.

Teachers need to manage their classrooms effectively and create learning environments where the participation and contribution of all students is sought and valued, where all girls and boys can feel secure, where stereotypical views are challenged and where children learn to appreciate diversity. Teachers' efforts to improve quality must begin with an understanding of how different children learn. Most children

that experience learning difficulties do not need different or "special" education; what they need is more flexible and differentiated education. This may include making accommodations and adaptations in teaching methodology, means of assessment and use of technology.

Quality education involves parents, families and communities - in planning, implementing and monitoring. Participation of parents is likely to improve learning achievements and other outcomes as they demand closer monitoring of teachers, better student evaluations, a closer match between school's needs and its policies, and efficient use of resources. For instance, parent participation in school management has been shown to increase student enrolment and reduce teacher absenteeism. Furthermore, when involved in School Management Committees (SMC) or Parent Teacher Associations (PTA), shared decision making, interpersonal and management skills as part of school-based planning and management may become new beneficial skills for parents and other community members.

Children too can participate in the planning and delivery of quality education. This will improve quality in itself by enhancing their self-confidence and self esteem, providing an opportunity to acquire and expand their skills, including problem-solving, negotiation and communication skills. Children who are encouraged to be involved with improving their own school will develop a sense of purpose and competence; a belief that they can make a positive impact on their own lives and on the lives of their peers, family and community while becoming familiar with group and democratic processes, including understanding different points of view and the need for compromise. Participation provides an opportunity to learn and practice the skills of responsible and active citizenship.

2.5 Monitoring the Change

Throughout South Asia pre-service and in-service teacher education is being improved. Training opportunities have increased, especially at district and sub-district level, many using cascade models for arranging large scale training programmes. The main features of these programmes have been the use of (1) new methods such as role play, discussion, games and activities. (2) raising the motivation level of teachers, (3) developing a better understanding of child-centred classroom practices, (4) content and subject area strengthening and (5) preparation and use of Teaching Learning Materials (TLM). Just more teacher education is however not enough. Close and responsive monitoring is important to make the impact of improved training visible in classrooms. In that regard it is important to keep in mind that teachers tend to teach the way they have been taught, rather than the way they have been taught to teach. If teachers are to become reflective practitioners and users of active teaching-learning methods, they must participate in professional development programmes that advocate and use these same models.

Pre-service teacher education needs to include adequate time for teaching-learning practice which will allow future teachers to observe 'best practices' in terms of addressing diverse learners in multi-grade classrooms (a reality in many South Asian countries). In-service teacher education too needs to move away from theoretical content to gaining more diversified practical experiences, so that teachers can improve their teaching. Thus teacher education needs to move out of meeting rooms into the classroom arena, where master trainers must display their skills in a particular area and build confidence and motivation in teachers.

Education quality is often measured by means of quantitative data like 'attendance' or 'time spent' in school. Without qualitative indicators related to classroom observation however, it will be difficult to adequately address issues related to equal learning opportunities, because education is not acquired in isolation from the social setting in which students live. Quality must embrace the notion of education as a transformative process which promotes social change and contributes to building a just and democratic society.

Whether children learn effectively is determined by the teacher-learning relationship and methods used. Thus, to encourage improved learning, the desired change must be in improving these processes. Measuring change in what happens in classrooms is likely to be a more reliable indicator of quality and effectiveness than measuring narrowly-defined test outcomes.

3

The CRC & Quality Education

Rights-based education focuses on holistic and meaningful outcomes not limited to academic achievement. To assess the quality and equality of education there must be defined learning achievements based on such a wider rights-based concept of quality, using indicators that are accessible and fair in terms of gender, language and other aspects of diversity.

There is no quality without equality and equality without quality is not worth having.

Both are complementary aspects of a rights-based vision - mutually supportive and enhancing. Equality does not mean that all children receive the same education – in content or in form. Equality in quality occurs when diversity is accepted as a normal aspect of life, and when curriculum, teaching-learning methods and assessment are adapted to meet individual needs. Developing student understanding, rather than simple factual knowledge, represents the foundation of quality education reform efforts in curriculum, teaching-learning processes and measurement of outcomes.

3.1 Norms on Education in the CRC

Although, the whole Convention is relevant in the discussion about education as a rights-based concept, what follows are examples of norms on education that can be found in the Convention on the Rights of the Children (CRC) – ratified by all governments in South Asia and thus legal obligations.

Two CRC articles deal specifically with education. **Article 28** defines education as a right and recommends steps for this right to be achieved "progressively and on the basis of equal opportunity". Primary education should be compulsory and available free to all. States must encourage attendance and reduce drop-out rates and take measures to ensure that school discipline is administered in a manner consistent with the child's human dignity. <u>Therefore</u>:

* *Out-of-school children need to become a priority for policy makers and practitioners, by developing strategies to reach out to these children and provide them with equal education opportunities.*

* *Though the State remains the primary provider of education, the role of non-government organisations (NGO) is significant because agreed international targets cannot be reached through the state system alone. Non-government programmes are an important alternative to formal schooling as they address gaps of formal education. However, these programmes need to closely collaborate with governments to achieve EFA goals by especially targeting underserved geographically areas and hard-to-reach groups.*

* *Present investments in education will only pay off if a minimum quality is achieved, which requires employing sufficient teachers of good quality, shifting from memorization to developing problem-solving skills, and revising curricula and textbooks Study and investment must also be made into traditional and customary forms of education, and the benefits of peer teaching and negotiated curricula examined.*

Article 29 is about the purpose of education, which should be to assist the child in developing his/her "personality, talents and mental and physical abilities to their fullest potential". Another purpose is to develop respect for human rights and fundamental freedoms. Respect for the child's culture is stressed – parents, cultural identity, language and national values – as well as for "civilizations different from his/her own". Education should help children prepare for "responsible life in a free society, in the spirit of understanding, peace, tolerance, gender equality, and friendship

among all peoples, ethnic, national and religious groups". Finally, Article 29 stresses the importance of education which develops respect for the natural environment.
Therefore:

* *Teachers need to think about the best interest of each child when deciding on learning activities, adjusting the standard curriculum to the learning needs of different learners, and using different teaching methods so that all children can learn: those who learn best by doing, by hearing, by seeing, by moving, etc. Furthermore, teachers must use teaching-learning approaches that invite students to think and reason and express their opinions and all children must be supported to learn and master the basic skills of reading, (and listening) writing and arithmetic.*

* *Education must be seen as more than just academic training or schooling. Education promotes and supports a holistic child view, while complementing cognitive learning with social and emotional learning. It necessarily entails values, knowledge and skills that revolve around the basic principles of non-discrimination, protection and participation.*

* *The relevance of education is enhanced if links are made to children's lives resulting in learners being able to read, use numbers to solve problems and develop life skills in real situations. In rights-based schools this includes knowledge about human rights, gender equality, health and nutrition, HIV/AIDS and peace building. Content must be appropriate to children's level of development and in languages that they understand. This and how it is delivered ultimately decide whether the education experience will be empowering and transformative.*

Several other articles of the Convention are relevant, for example *article 13* which states that children have the right to obtain information and express their views (without violating the rights of others). Therefore:

> *Teachers must encourage children to ask questions, investigate sources and share information and ideas. Within the learning environment children should be able to express their thoughts and participate fully and feel comfortable about who they are, where they come from, and what they believe in.*

Article 17 ensures the accessibility to information and material from a diversity of sources by the State, while encouraging the mass media to disseminate information which is of social and cultural benefit to children and taking steps to protect them from harmful materials.

Article 18 states that parents have joint primary responsibility for raising the child, and the State shall support them in this. Therefore:

> *Parents must be welcomed to the school and consulted about the learning of their children. They must know who to contact if they have concerns about their children, and be sure that the matter will be taken seriously. The school must also provide clear information about how parents can help their children to do better in school.*

> *Teachers and parents must work together to help children learn better in school and at home. Together they care about the children's health, nutrition and safety – also on the way to and from school.*

> *Boarding schools and hostels must have special measures to protect children from all forms of physical or mental violence, injury or abuse, neglect, maltreatment or exploitation, including sexual abuse. Reporting, referral, investigation, treatment and follow-up of instances of child maltreatment must be in place and operational.*

Article 19 protects children from all forms of maltreatment by parents or others responsible for their care (such as teachers) and guarantees the establishment of appropriate programmes (including educational programmes) for the prevention of abuse and the treatment of victims. Therefore:

> *Children must be secure in school and encouraged to care for each other, while learning about their rights and how they can help protect themselves and others from abuse.*

> *Physical, mental and sexual violence should not be permitted in school, which includes corporal punishment, verbal abuse, bullying, sexual abuse and harassment.*

Article 22 states that special protection and assistance must be granted to refugee children. Therefore:

> *Extra attention to the educational rights for vulnerable groups such as internally displaced children (IDP) – also resulting from natural disaster - or those in refugee camps is warranted.*

> *In situations of conflict (or natural disaster) quality education can be both life-sustaining and life-saving, contributing to physical protection, psychological and social well-being, and cognitive development.*

And **Article 23** is about children with disabilities, having the right to special care, education and training to help them enjoy a full and decent life in dignity and achieve the greatest degree of self-reliance and social integration possible. Therefore:

> *Schools should proactively include children with disabilities and provide the necessary support to reduce their participation and learning barriers in mainstream education.*

> ** Systems, schools and teachers that take children's rights seriously do create learning environments that are accessible in terms of infrastructure, curriculum and methodology for different children, including those with disabilities.*

Article 24 states that every child has a right to the highest standard of health and medical care attainable, especially focusing on the provision of primary and preventive health care, and public health education. <u>Therefore</u>:

> ** There need to be written school policies and regular practices that promote children's health. Classrooms/schools must be clean, safe and have adequate water and sanitation facilities. Health education and life skills need to be integrated in curriculum and teaching-learning activities.*

Article 30 protects culture, religion and language of children from ethnic, religious or linguistic minorities. <u>Therefore</u>:

> ** Multi-lingual education (MLE) must be used as the medium of instruction – at least in the lower primary grades. Such education starts with developing the child's reading, writing and thinking skills in the first language. The national language can be progressively introduced and taught as a second language.*
>
> ** The curriculum must incorporate indigenous knowledge and multi-culturalism; also sensitizing majority cultures to minority cultures.*

It is especially important to understand the significance of the articles that have been defined as 'general principles': article 2, 3, 6 and 12. These have a message in themselves but are also critical for the interpretation of the Convention as a whole.

Article 2 states that no child should suffer discrimination and that all children should enjoy their rights. This applies to each child, irrespective of "the child's or his/her parents' or legal guardians' race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status". The message is about equality of rights. <u>Therefore</u>:

> ** No child can be refused enrolling and attending classes for whatever reason, boys and girls must have equal learning opportunities and all children must be treated the same: with respect*
>
> ** The complexity of inequalities of class and gender, ethnic, religious and other differences that constitute education deprivation, must lead governments to find better strategies to accommodate diversity in schools.*
>
> ** The principles of inclusive education ensure that throughout the system, from school and classroom to central government, consideration is routinely given to the identification of children excluded from learning and participation, identification of the barriers and ways of addressing those, and the marshalling of resources to overcome them.*
>
> ** Non-discrimination is an important aspect of quality education. However, the right to non-discrimination - the least disputed principle of the CRC - is a major challenge in education systems in South Asia. The question of how schools can include all children from the communities they serve and enable them to learn, is a pressing concern for anyone concerned with issues of equity and social justice in present and future society.*

Article 3 promotes 'the best interest of the child'. When the authorities take decisions which affect children, their best interest should be a primary consideration. The implementation of this article is a basic challenge to States, in particular when the interests of the child clash with other priorities in society. Therefore:

> * *Schools must develop policies and practices which protect children from harm. Authorities should employ sufficient teachers and other competent adults to minimise children's risks to health and safety in schools and classrooms as well as when going to and from school.*

Article 6 ensures the right to life, survival and development "to the maximum extent possible" and should be interpreted in a broad sense, with the added dimension of quality of life. Its meaning covers not only physical health but also mental, emotional, cognitive, social and cultural development. Therefore:

> * *Quality Early Child Care and Education (ECCE) and secondary education (including vocational/ technical) must be considered integral parts of life long development.*

Article 12 states that the child should be free to have opinions in all matters affecting him/her and that his/her views should be given due weight "in accordance with the age and maturity of the child". The underlying idea is that the child has the right to be heard and have his/her ideas taken seriously. Therefore:

> * *Within the learning environment children must be able to express their thoughts and ideas to participate fully and to feel comfortable about who they are, where they come from, and what they believe in. Teachers help children learn how to form and express their views by giving them*

the opportunity to make decisions about classroom procedures, choice of activities, who they work with etc. and listening carefully to them

> * *Children having a say in matters that affect them improves standards, behaviour and inclusion, while recognising that social and emotional learning is as important as academic learning. Children need to build knowledge and understanding of issues like social justice, human rights and sustainable development. This way education can and should create the basis for a democratic and just society.*

> * *Participation is like non-discrimination, an important dimension of quality education and the basis for democratic citizenship. Children and young people learn most about citizenship by being active citizens. Rights-based schools model this kind of society by providing learners with opportunities to take on responsibilities and exercise choice. What children learn in school will have an impact on future society. Therefore education must have values and social skills at its heart and teach, model and practice those.*

Article 42 obliges States to make the principles and provisions of the Convention widely known, by appropriate and active means, to adults and children alike. Therefore:

> * *Child Rights Education is an integral part of a quality curriculum. This goes beyond cognitive learning and includes the social and emotional development of all those involved in the learning and teaching process. It aims at developing a culture where human rights are practised and lived within the school community and through interaction with the wider surroding community.*

4
Concluding Remarks

There is a need to review curriculum content and coverage. "Less is more" if education is to be different from schooling and if the quality of teaching and learning is to be improved.

There is also a need to review policies and practices, and raise issues of marginalization and exclusion by asking what kind of diversity is acknowledged in existing mainstream policies and practices, and questioning the need for additional policies that continue to allow for "special" and "different" approaches without challenging the rigidity and discriminatory aspects of what is in place.

Accountability in education must be enhanced through improved data collection and analysis, disaggregated by gender, income, region and district, urban and rural, public and private, formal and non-formal, social groups, minority groups, and disabilities, so that inequities can be quantified and appropriate strategies devised to minimize imbalances.

Teaching is a complex task, and becoming a professional teacher is a journey, not a destination. As teachers are the key to ensure that children receive an education that is relevant, of good quality and meeting their learning and emotional needs, there is an urgent need to invest more in teacher education and teachers' on-going professional development needs.

ANNEX 1

How do we know whether our classrooms and the teaching-learning processes are rights-based or in other words: inclusive, effective, flexible, participatory, safe, protective, relevant and transformative?

A self-assessment tool for teachers for use in their classrooms:

Most people look at classrooms as places for seriously learning and seldom as places where children enjoy activities and have a say in what and how they need and want to learn. Classrooms consist of students, who hopefully are interested in gaining new knowledge and skills, and teachers, who hopefully can facilitate optimal learning to all those different children. The most important part of teaching and learning is the learning environment, especially the ways how teachers and students interact and how such an environment helps different children learn to their best ability. An inclusive, child-friendly learning environment is not just a place for academic learning, but also a place where children have rights: the right to be healthy, to be loved, to be treated with respect, the right to be protected from violence and abuse (physical; mental; sexual), and the right to express an opinion, and to be supported irrespective of learning needs.

What are the goals of a rights-based classroom?

Goal 1: Encourage children's participation in school and community
Goal 2: Enhance children's health and well-being
Goal 3: Guarantee safe and protective environments for children
Goal 4: Encourage optimal enrolment and completion
Goal 5: Ensure children's optimal academic achievement and success
Goal 6: Raise teachers' motivation and success
Goal 7: Mobilize parent and community support for education

What role can teachers and students play to reach these goals?

If all teachers and students work together and schools try to become inclusive, child-friendly schools, many of these rights-based goals can be achieved as part of whole school development. If individual teachers try to make their classrooms more inclusive and child-friendly, they may only reach parts of these goals, but these are good first steps. Individual teachers can make their classrooms rights-based quality classrooms by trying to implement (some of) the action points mentioned below.

Goal 1: PARTICIPATION

- I have made my classroom a welcoming place for all children, also for those from very poor families, those with language difficulties, those with disabilities and those who learn slower than others.

- I involve my students in class meetings where we discuss and decide on matters that concern their well-being

- I organize together with my students learning activities involving parents and community members, while also going out into the community for project learning activities.

- I organize with my students a classroom bulletin board or student opinion box, so students can express their ideas and views about school and community issues

- I arrange different seating arrangements for my class to facilitate different ways of learning and participation. I encourage boys and girls to work together, listen to each other's views and respect each other.

- I especially make sure that students, who are shy or who have learning difficulties are also participating and learning adequately, including through peer to peer support.

- I encourage girls and boys to speak and contribute and I value the views of girls and boys equally.

Goal 2: HEALTH AND WELL-BEING

- I maintain and regularly update the health records of my students, and refer students with problems to health centres

- I use simple assessment tools to find out whether students have hearing, vision or other problems

- I teach (and role-model) proper waste disposal in my classroom and in the school

- There are separate toilets for boys and girls and they are kept clean.

- There is a play area which is properly maintained.

Goal 3: SAFETY AND PROTECTION

- My classroom has proper ventilation and lighting and enough space for all students.

- Classroom furniture is sufficient and sized to the age of your students.

- My classroom-layout and furniture allow students to interact and do group work.

- My classroom has a bulletin board or a corner that displays helpful learning materials such as posters, illustrations, low-cost and self-made teaching-learning aids, newspaper and magazine clippings and my students' own work.

- My classroom is maintained and kept clean.

- I have together with my students developed classroom rules on how to respect and help each other and on how to behave.

- I have identified different learning needs and difficulties of my students and I provide additional support while also asking students to help each other.

- I use positive classroom and behaviour management methods.

- The school has an emergency preparedness plan and I make sure that all students know what to do in case of an emergency

Goal 4: ENROLLMENT AND COMPLETION

- I try to find out whether there are children from within the school "catchment" area are not coming to school and the reasons why. I encourage children who are not in school to come to school

- I discuss with students and parents/ community members the problem of non-enrolment and how to get all children of school age into school

- I regularly check on attendance of my students and address problems concerning non-attendance.

Goal 5: ACADEMIC SUCCESS

- I know and implement my school's vision and mission.

- I am familiar with child-centred and child-friendly teaching-learning approaches.

- I ask my students what they already know about a topic before I start teaching

- I have sufficient books and teaching aids for my students' optimal learning

- I plan and prepare lessons well, while keeping in mind that children have different learning needs and learning styles.

- I have interesting pictures, posters and student work on the wall of my classroom.

- I encourage and implement cooperative learning and discovery/ active learning ("learning by doing") with my students

- I make topics more interesting and relevant to children's lives by inviting community members or parents to the classroom or by going out of the classroom or by using locally available resources as teaching-learning aids

- I discuss text and pictures with my students and make them aware of positive, non-stereotyping messages versus bias and prejudice based on gender or other kinds of differences. As a teacher I promote and model tolerance and respect for diversity.

- I use continuous formative assessment to make sure children are learning and I adjust my teaching methods and contents when needed.

- I observe and listen to my students and document their learning process and progress.

- I often ask open ended questions to find out how students think and reason

- I encourage girls and boys to make subject choices that challenge gender and other stereotyping.

- I do not punish my students for giving the wrong answer or solution, but treat mistakes as new opportunities for learning

Goal 6: MOTIVATION OF TEACHERS

- I try to find ways to further develop professionally through reading about education, more training or in-service workshops

- I am professionally supported by the head of school, and he/she encourages me to work together with other teachers and support each other

- The head of school treats male and female teachers with the same respect.

- I ask the head of school to monitor my performance and identify my areas of strengths (to be shared with other teachers) and weakness (for further professional development)

Goal 7: COMMUNITY SUPPORT

- I invite parents or community members to my classroom to show what is happening in the classroom or for project presentations by the students.

- I meet and discuss with parents and community members matters of concern such as safety when going to and from school; violence and abuse risks; allowing children with "special needs" into the school and supporting them; irregular attendance; etc.

- I organize literacy classes for illiterate parents.

- I encourage parents and communities to be equally supportive of boys and girls and ask them to contribute to the learning of their children in different ways, while my students can also contribute to community needs with special projects.

References:

Hammarberg T. (1997) *A School for Children with Rights* (UNICEF)

Heijnen, E. (2003): *Children who learn together learn to live together* – Towards Inclusive Education / Save the Children South Asia, South-East- and Central Asia. Discussion Paper

Heijnen, E. (2004) *Effective Teaching and Effective Classroom Management: One and the same? A teacher's reflection and approach to "positive discipline"* (Centre for Educational Research and Development, Bhutan)

Heijnen, E. (2005) *Moments of Truth – Researching Pre-Service Teacher Education* (National Institute of Education / Royal University of Bhutan / Helvetas-SDC)

Heijnen, E. (2005) *Effective Schools are Inclusive Schools* (Centre for Educational Research and Development, Bhutan)

Heijnen, E. (2006) *Assessment for learning and assessment of learning* (Centre for Educational Research and Development, Bhutan)

Heijnen-Maathuis E. / UNICEF (2008) *From Parity to Equality: How are we doing in South Asia?*

Save the Children / Cain E. (2003) *Quality Counts – Developing indicators in children's education*

UNESCO (2003) *"Overcoming Exclusion through Inclusive Approaches in Education"*

UNESCO (2004) *EFA Global Monitoring Report 2005 – The Quality Imperative*

UNESCO Bangkok (2005 / 2nd ed) *Embracing Diversity: Toolkit for Creating Inclusive Learning-Friendly Environments* http://unesdoc.unesco.org/images/0013/001375/137522e.pdf

UNICEF / Elaine Furniss (undated) *Assessing Learning Achievement*

UNICEF (2006) *The Millennium Development Goals: Progress and Challenges in South Asia 2006*

Save the Children fights for children's rights.
We deliver immediate and lasting improvements to children's lives worldwide.

Save the Children works for:
• a world which respects and values each child
• a world which listens to children and learns
• a world where all children have hope and opportunity

For more information, please contact:

Save the Children Sweden
Regional Office for South and Central Asia
Sanepa Road, Kupondole, Lalitpur
GPO 5850, Kathmandu, Nepal
Tel: +977-1-5531928/9
Fax: +977-1-5527266
rosca@sca.savethechildren.se
http://sca.savethechildren.se

Save the Children