



Are the rights of children in conflict with the rights and entitlements of school teachers?

UNFAVOURABLE TREATMENT AND DISCRIMINATION CONTINUE TO DOMINATE INDIAN CLASSROOMS. **VIMALA RAMACHANDRAN** DESCRIBES ON-GROUND REALITIES AND SYSTEMIC CHALLENGES OF SCHOOL EDUCATION IN INDIA.



Can we realise the right to education of children, their right to learn, and their right to grow in an environment free of discrimination and violence without the active support of teachers? Most advocates of child rights and even teachers, administrators, and parents will reply in the affirmative when such a question is posed. Yet, my own work of the last twenty five to thirty years has taught me that schools in our country continue to be spaces where discrimination is fairly common, corporal punishment, and different forms of verbal abuse continue to rule and most importantly, millions of children leave school without learning much.

Be it government-conducted learning assessment surveys or NGO surveys – almost all of them agree that our children are not learning much.

Who you are – your gender and caste identity, your economic situation, your location, and the status of your health and wellbeing – not only influence which school you will attend but also how you will be taught and how much love and care you will get inside your school.

Effectively, the ‘social capital’ a child brings into the school is an important predictor of ‘success’. Children who have educated parents, have access to books, and live in resource-rich environments gain a lot more from schooling than those from resource-poor households and environments. Equally, disturbing is that many teachers and administrators believe that ‘such’ children cannot learn, or are not interested in learning.

A six-state research study commissioned by the Ministry of Human Resource Deve-

lopment (MHRD), Government of India, in 2011-12 revealed that children from socially and economically disadvantaged communities and children who are perceived as 'dull' by teachers face blatant and subtle forms of discrimination from their teachers and fellow students. Girls carry the additional disadvantage of gender-based discrimination and sexual harassment. Recent media reports point to the rape of minor girls by teachers (Banda, Uttar Pradesh reported in *India Today* 24 November 2019, Bengaluru, Karnataka in *Times of India* 23 November 2019, Ambaji, Gujarat in *Express* 7 November 2019 – to cite a few).

The study also highlights the practice of teachers paying more attention to children who sit in the front rows and not to those at the back. Regrettably, many teachers also involve children in their household chores. Similarly, another study that I had conducted on behalf of UNICEF in 2009 found when teachers assigned school sanitation tasks, Dalit and tribal children were asked to clean toilets while forward caste children were assigned duties like sweeping classrooms and playgrounds.

Are teachers to blame?

When such issues are brought to the forefront, many educationists believe that instead of blaming teachers and portraying them as villains, the system should be blamed. There are others who argue that teachers reflect dominant social attitudes and that discrimination is a larger social issue and one that is not specific to teachers. While both arguments are valid at one level, the hard reality is that there are no mechanisms to ensure that teachers and all government officers adhere to the constitutionally enshrined rights of children to equality, against discrimination, and protection against gender, caste and community-based prejudice and stereotypes.

The challenge that we face today is to strike the right balance between the rights

of children to quality education in a humane and non-discriminatory environment and the rights of teachers who are often protected by strong teacher-unions. Initiating action against errant teachers may be possible if criminality can be proved in a court of law (rape, physical abuse) but there is little that the system can do to mitigate subtle forms of discrimination and abuse on a daily basis. Equally disturbing is the absence of teacher-appraisal mechanisms that ensure all children are given equal opportunity to learn and grow.

Ensuring all children learn has remained one of our most persistent challenges because the monitoring system in place privileges data on attendance and transition over that on learning. Outcome indicators, especially those related to learning, find no space in the current education monitoring system of India. Teachers are expected to complete the curriculum in a given time-frame. Teaching at the right level and reaching out to all children is not seen as part of teaching duties.

My colleague Saxena and I conducted interviews in 2018–19 with students who have dropped out. They revealed that as children reach secondary school they face a formidable task of coping with the requirements of class nine. The girls who dropped out of school in grades 8, 9, or 10 cited three main reasons for dropping out (i) one of them left the school as she could not understand English, mathematics, and science subjects; (ii) another said she failed in grade 10 and then left the school; (iii) one more girl said that while she was studying in grades 6 to 8 she had to work in the field as a labourer and then she left the school; (iv) one pointed out that '*for scholarship my school had asked for a caste certificate and I could not provide it. Since there was no scholarship my mother withdrew me from the school*'. Similarly, when we explored the same set of questions with boys, school going and dropouts, they said (i) up to grade 8 there was no need for studying as they

were automatically promoted. But in grade 9, it was difficult to understand various subjects and cope and hence they left the school; and (ii) the poor economic condition of their family compelled them to drop out.

In the same study, corporal punishment was cited as a major issue by boys who dropped out at the secondary level. Not doing well in school, being absent from school, and even not doing homework resulted in corporal punishment, which was a further deterrent to continuing. During conversations, boys pointed out that corporal punishment is a major reason for dropping out; however, this is not reflected in the responses received during the household survey carried out as part of the project. In fact, close to 25 per cent of boys we interacted with reported that they had dropped out of school due to corporal punishment. Girls did not report corporal punishment (physical) as boys did, but talked about being made to stand up or being sent out of the class for not doing homework. Sometimes teachers would scold the girls who sit at the back and neglect their participation in class if they were weak in a particular subject.

My interactions with teacher union leaders during the course of the studies cited above reveal that the unions essentially focus on transfers, posting, salary, reimbursement of expenses, retirement benefits, and non-academic duties. In almost all interactions, teacher union leaders refuse to engage with issues of discrimination, prejudice, classroom processes, and children's learning. Interactions with alternative teacher forums like subject-specific groups were, however, a bit different. Such forums highlighted issues such as the need for academic support to address poor subject knowledge, the problems of teaching in multi-grade and multi-level classes, and the challenges of adopting new pedagogic practices. They too were reticent about discussing discrimination, corporal punishment, and abuse (verbal and physical). The common



refrain was that this was an aberration and not the norm.

Discussions with administrators were not very different. When we presented the UNICEF 2009 study to the state education department, the response was one of denial. In fact, we were criticised for not filing a complaint in the police station when we had come across caste-based discrimination or abuse cases during the study. They echoed the view of the subject groups and insisted that such examples were deviations and not the norm. Similarly, when a MHRD-sponsored study in 2012 was presented, state government officials listened carefully and said that they would have to see it to believe what our research found. They also hinted at bias on the part of the researchers towards ‘ferreting out such cases’ and

believed that the majority of teachers were unbiased and adhered to basic norms of decency. Educational researchers and teacher educators present were more open. However, when we persisted and tried to move the discussion to systemic reforms that could work in India, some interesting ideas were put forth:

Possible solutions

- Empower teachers with adequate autonomy in the classroom so that they can deliver lessons at the pace set by children. Teachers should not be forced to complete the curriculum when most of their students lag behind. This will ensure learning for all.

- Introduce a more teacher-led Continuous and Comprehensive Evaluation (CCA) so that the teachers can regularly ascertain the learning of her students. On

the contrary, filling out forms for CCA has become an administrative task. Equally, there is a need to send the message that no-detention does not mean no-assessment.

- Provide on-site and on-demand academic support to all teachers. This could be done through cluster or school-complex level resource teams of teachers and teacher educators.

- Introduce a rigorous teacher appraisal system – one that holds them responsible for the learning and wellbeing of children. All teachers should sign a bond that they will adhere to the Constitution of India and will not discriminate against any child based on caste, community, gender, parental occupation, or economic status. It may be necessary to publicise mobile numbers where parents and children can

register their complaints when the rights of children are violated.

- Insulate teachers from patronage networks and streamline teacher recruitment and deployment policies and processes.

- Strengthen the institution of headteachers and principals and give them more power (and not just more responsibilities).

- Organise systematic induction programmes for all new teachers, which include familiarisation with constitutional rights of children, right against discrimination, and right to equality.

- Prepare and circulate booklets and posters to every teacher and every school with the rights of children clearly written and the consequences of violating these rights described in detail.

- Teachers must know that there are systems in place to protect their professional interests and aspirations for professional development and that equally importantly, performance matters. They must be suitably rewarded for better performance. A transparent grievance redressal mechanism needs to be in place alongside a transparent and rigorous appraisal system. This should include a robust teacher information system to address delays in promotions, increments, transfers, or deputation, etc.

Essentially, a system needs to be put in place to bring greater clarity to what is expected of teachers, what are their rights, and their constitutional duties. Any reform should address all the dimensions of the educational system and infuse greater transparency and accountability. Juxtaposing the rights of children against the rights of teachers helps no one. We in India have continually struggled to establish the rights of the most marginalised and vulnerable people and children form an important segment of our population. Depriving them of love and care in the formative years has a long-term irreversible impact on their future trajectory. There can be no compromise on safeguarding the

rights of children, especially when they have no voice anywhere in the system. **T**

AUTHOR

Prof. Vimala Ramachandran has worked in education for more than three decades focusing on elementary education, girls' education and women's empowerment. She is the Managing Director of Education Research Unit, and has been National Programme Manager for Mahila Samakhya, a women's empowerment programme of the Government of India, and National Fellow at the National Institute of Educational Planning and Administration.

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