



INITIATIVE FOR SOCIAL AND ECONOMIC RIGHTS

ISER Position Paper on the Education and Sports Sector Ministerial Policy Statement FY2022/23

About ISER

The Initiative for Social and Economic Rights (ISER) is a Non-Government Organization working on the Right to Education among other social and economic rights. It is in this regard that ISER presents this position Paper on the Ministerial Policy Statement for the Education and Sports sector FY2022/23.

1.0 Introduction

1.1 Current Context

This budget comes at a time when COVID – 19 has reversed even the slightest human capital gains Uganda had registered over the years. The International Monetary Fund (IMF) in its 2022 Outlook indicates that many livelihoods have to date been disrupted and full recovery to pre-COVID 19 era levels is still threatened by yet a weaker global economy. As for the education sector, major setbacks have so far been witnessed following the prolonged school lockdowns that affected learning and the viability of education institutions. These have ranged from the surging student numbers within public schools to exorbitant fee charges by several schools, loss of learning and approximated high rates of school dropout.

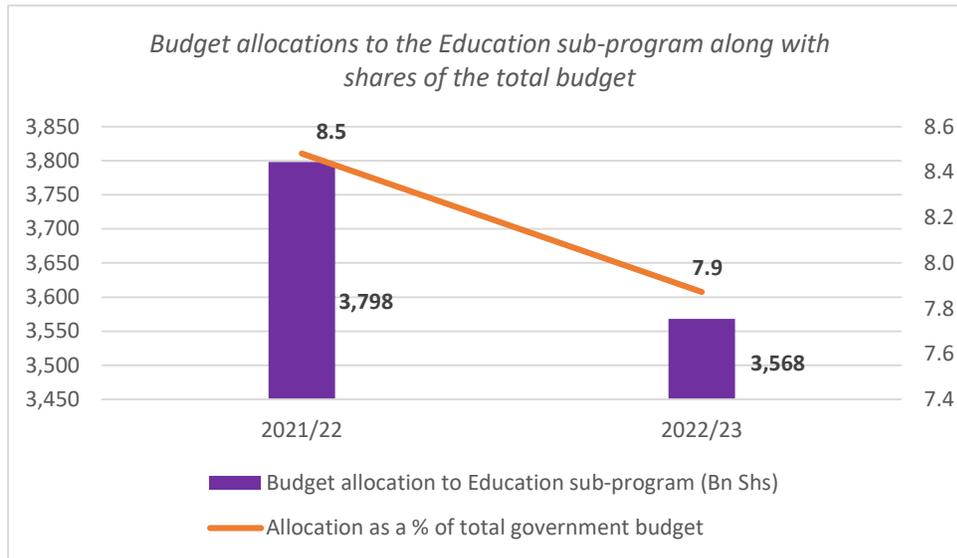
1.2 Locating the Education and Sports Sub-program within the FY 2022/23 budget

1.2.1 An alarming cutback in the Education and Sports sector budget: Is now really the time for austerity?

It is concerning to observe that the Education and Sports sub-program will see its budget slashed by UGX 230bn in FY2022/23. This is despite all the current challenges facing the sector following the re-opening of schools. The sector will now receive UGX 3,568bn in FY 2022/23 down from UGX 3,798bn allocated for the current financial year. This will consequently shrink its share of the entire national budget to 7.9 percent from 8.5 percent in the current fiscal year. This is contrary to the commitments that government made with the IMF to progressively increase its spending on education until FY2023/24.¹ Enhancement of public expenditure education and strengthening its delivery require prioritization to cushion the households from vulnerability as they recover from the effects of the COVID19 pandemic. Any reduction on public expenditure on education will serve to increase the burden on households especially the poor ones that would drive more inequity in education access and school dropouts.

¹ See Statement Issued by IMF, Executive Director for Uganda on Uganda's Request for a Three-Year Arrangement Under the Extended Credit Facility-Press Release; Staff Report at <https://www.imf.org/en/Publications/CR/Issues/2021/06/30/Uganda-Request-for-a-Three-Year-Arrangement-Under-the-Extended-Credit-Facility-Press-461347>: (Accessed: April 20, 2022)

Figure 1: Budget Allocations to the Education Sub-program along with shares of the total budget (FY 2022/23)



2.0 Other key issues for consideration from the proposed budget

2.1 Low target for teacher recruitment and limited budget for school maintenance

Owing to the impact of the COVID19 on the economy, many parents opted for schools implementing the Universal Primary and Secondary Education (UPE and USE). However, a number of UPE and USE schools were already operating with limited human resource and infrastructure. The increase in enrolment in these school simply piled pressure on the already overstretched human resource and infrastructure. For instance, in FY2019/20, the Ministry of Education and Sports (MoES) enlisted a plan to fill the 220,000 staffing gap in UPE schools in a phased manner starting with 6,000 teachers that required UGX 18bn, second phase 6,000, third phase 5,000 and the last phase 5,000. This plan has not been

fully actualized. The current increase in enrollment in UPE schools has definitely affected the teacher – pupil ratio. In spite of this challenge, the sector is targeting to recruit only 200 teachers in primary schools in FY2022/23. The District Local Governments have also been allocated only UGX 8.1bn as school maintenance. In light of these challenges, the following should be undertaken;

- i. The agreement to allow District Local Governments to utilize part of the development expenditure to procure vehicles for purposes of facilitating school inspection in FY2022/23 should be extended to the next fiscal year such that the available funds can be utilized to improve school infrastructure in schools with high enrollment.*
- ii. There is some level of duplication in school inspection especially at the national level. In addition to the Directorate of Education Standards undertaking school inspection, even Pre – Primary and Primary; and Secondary departments of MoES also undertakes school inspection. The funds utilized by the pre – primary and secondary departments can be re – allocated towards improvement of school infrastructure.*
- iii. The Committee should consider reallocating part of the proposed allocation in Vote – 013, namely borrowing – repayments – UGX 11bn; Employment related social benefits – UGX 25.868bn; travel and transport – UGX 13.67bn towards school infrastructure*
- iv. Parliament should direct Ministry of Finance, Planning and Economic Development to find resources within the budget to enable MoES actualize its plan of filling the current staffing gap in schools.*

2.2 Plans to introduce double shift to address congestion in schools in urban areas

Under the output on Basic Requirements and Minimum standards met by schools and training institutions, the Ministry indicates that it has finalized a study to inform the introduction of double shifts in urban schools so as to address congestion. Any plans to implement the foregoing arrangement should be discouraged for being discriminatory as it subjects learners in urban areas to

a different form of learning from the ones rural areas. The congestion in urban schools can be attributed to the education sector's inappropriate planning for education service delivery. Much as the policy of one primary and secondary school per parish and sub county respectively can be credited for facilitating equitable access to education especially in rural communities, the same cannot be said for urban areas due to the large population. Even in rural areas, there are parishes and sub counties that are extremely big to be equitably served by one school. In dealing with education service delivery in urban areas, the committee should direct MoES to;

- i. Adopt a revised formula from the current one primary and secondary school per parish and sub county respectively to constructing and grant aiding schools based on population and size of the administrative units.*
- ii. Consider full optimization of the available land in urban school by adopting construction of flats for classrooms, administration blocks, sanitation facilities, and staff accommodation quarters among others.*

2.3 Comprehensive study on the Public Private Partnership (PPP) scheme in the education service delivery

As part of its responses to recommendations from Parliament on plans to grant – aid community schools, the ministry indicated that it has since ceased grant aiding of community schools and it is instead planning to conduct a comprehensive study on PPPs in the education service delivery to determine the way forward. First, the ministry partly responded to the questions or recommendations raised by the Committee on the issue of grant aiding of community schools. The Ministry indicated that it has since ceased grant aiding community schools but did not respond to the issue of the need for a regulatory framework of grant aiding of schools. Currently, almost all schools implementing UPE and USE programs are under the grant aided arrangement and even others

that receive government financial and infrastructural but non – UPE/USE. However, there is no formal document in form of Policy or Memorandum of Understanding governing this relationship. As a result, a number of these schools have on various occasions acted in total disregard of ministry’s directives especially on hiking of school fees structures despite government making substantial investment in form of infrastructure and human resource in such schools. Secondly, the ministry should be made to understand that even the current grant aiding arrangement is more of a PPP. Therefore, instead of the ministry considering plans to re – introduce the PPP arrangement that was phased out for a number of factors especially abuse and misuse of resources, there is an urgent need to formalize and strengthen the current grant aiding arrangement of community and religious founded schools.

The committee should consider directing the ministry that;

- i. Instead of undertaking a comprehensive study on the Public Private Partnership (PPP) scheme in the education service delivery, it should as a matter of urgency prioritize the development of a statutory instrument on grant aiding of school in line with s. 3 and 57 of the Education Act to facilitate the entering of memorandum of understanding between community/ religious founded schools and the government.*

2.4 No plan for regulation of school fees in primary and secondary schools

So far two successive National Household Surveys – both of 2015/16 and 2019/20 conducted by the Uganda Bureau of Statistics have indicated cost as the major driver for school dropouts. With 6 out of 10 persons that drop out of schools attributing it to unaffordable cost of education. With the massive job loss and slowdown in the economy due to the impact of the pandemic, National Planning Authority has approximated that 64.6% of the households in the country are either struggling or not in position to afford tuition and non – tuition fees for their children. The high cost of education can be attributed to lack of regulation for fees even in government aided schools implementing UPE and USE programs. ISER in its 2020 report, [“Leaving No One Behind: Barriers to Continuity of Education for Vulnerable Children Impacted by Covid-19 in Uganda”](#) established the discrepancy in school fees structures in government aided schools. Lweru Senior School in Buikwe District charges UGX 50,000 which is lower than other government schools such as Ongino Senior School in Ongino Sub County, Kumi district that charges UGX 210,000. For the government aided schools that are non – UPE and USE, some of them even charge fees higher than private for profit schools. The report *inquiring into “Exorbitant Tuition and Non-Tuition Fees” Charged by Government Grant-Aided Schools* by the Parliament

Research Department indeed indicates the exorbitant school charges by these category of schools.

Despite, s. 3 and 57 of the Education Act, 2008 mandating the Minister in charge of Education to regulate fees in all schools through Statutory Instrument, fourteen years since the enactment of this Act, no Minister has exercised these powers. In the past, the Permanent Secretary, Ministry of Education and Sports has issued guidelines on school charges to all schools. However, the guidelines have no legal effect on the schools that disregard them. Also, the power to regulate fees is conferred on the minister through issuing statutory instrument and not the permanent secretary. The Committee should therefore;

- i. Direct the Minister for Education to issue statutory instrument on school charges in line with s. 3 and 57 of the Education Act, 2008.*

3.0 Conclusion

The Education subprogram is one of the programs that was adversely affected by the COVID19 pandemic. Schools were closed for a long time leading to loss of learning and depreciation of loss infrastructure and assets. Also, there has been a skyrocketing in enrollment in UPE and USE schools albeit with dilapidated infrastructure and limited human resource. This has forced some of the schools to contemplate adopting double – shifts for learners. Any plans to cut the budget will therefore undermine the subprograms plans for recovery. Instead, more resources should have been availed.