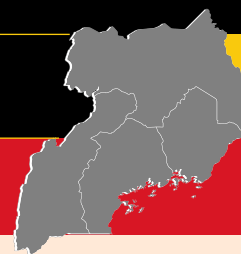


RIGHT TO EDUCATION

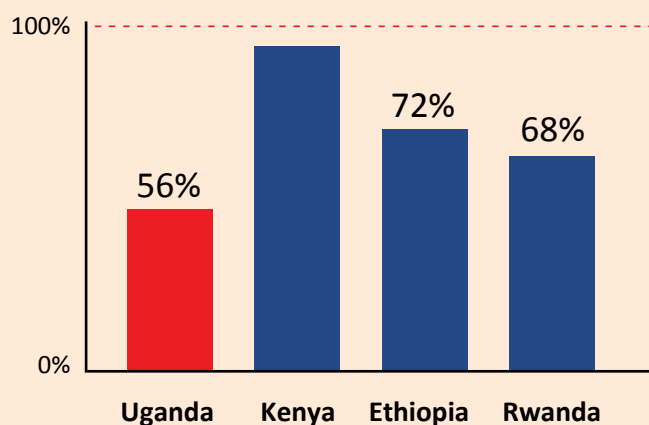


In Uganda's 2016 Universal Periodic Review (UPR), Uganda received recommendations on the right to education which focused on quality, access and sustainability of education and programs for school feeding. Despite some improvement, Uganda is yet to realise the right to quality education for all, especially marginalized groups. The under-investment in the public education sector and failure to regulate private actors in education has impeded access to quality education. Covid 19 further exacerbated this with prolonged school closures, failure to ensure learning materials reach children in rural and marginalized areas, disproportionately affecting children from poor and marginalized backgrounds and children with disabilities. Child labour is on the increase.

DESPITE IMPROVEMENTS IN ENROLLEMENT RATES, ONLY 6 IN 10 CHILDREN COMPLETE PRIMARY SCHOOL BELOW THE RATES OF COMPARABLE COUNTRIES

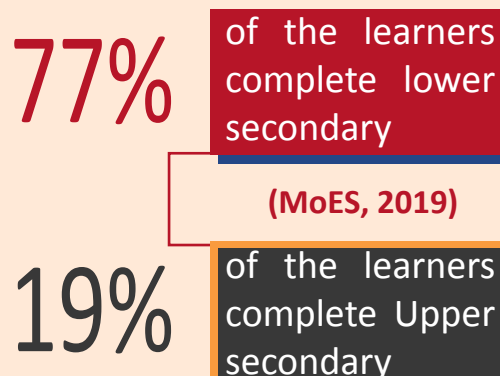
There has been an increase in enrolment from 8.84 million pupils in FY2017/18 to 10.76 million (representing a 22% increment) and maintained gender parity with both girls and boys at par with a 50:50 in Primary in FY2019/20. Similarly, at secondary school level, there was a 45% increment in FY2019/20 from 1.37 million in FY2017/18 to 1.99 million for secondary (MoES, 2020). While there has been marked improvement at primary level which is at 95.5%, the secondary enrollment score is only 35.4% (HRMI 2021 Rights Tracker). Despite an increase in enrolment, the survival rate (percentage of a cohort of students expected to reach a given grade) is still low.

Primary survival rate in 2017



(World Bank, 2018)

Secondary survival rate in 2017



Children are still out of school.

Even before Covid 19 related closures:



Children had never attended school in 2019/2020

(UBOS, 2021)

2.8 million 51.5%

Secondary learners who are eligible for secondary education were out of school Of Children between (13 - 18 years)

(MoES, 2019)



DISPARITIES IN ACCESS DISPROPORTIONATELY AFFECT VULNERABLE GROUPS

19% females with no formal education

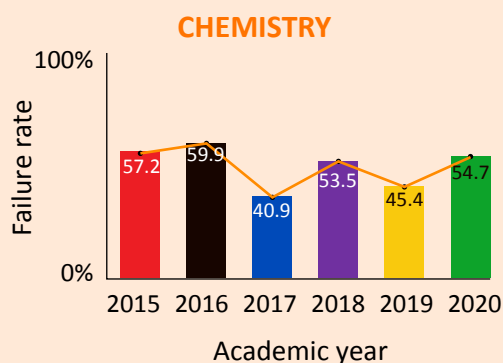
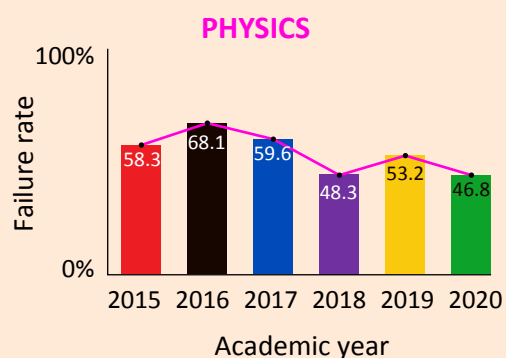
8% Males with no formal education

(UBOS, 2021)

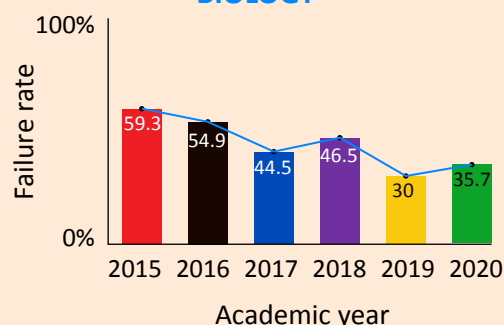
LEARNING OUTCOMES REMAIN POOR

Children continue to fail basic English and Maths assessments. In the recent Primary Leaving Examinations results, 12.5% and 17.3% of the learners failed English and mathematics respectively (UNEB, 2021). There has been a 1.1% decline in PLE performance rate from 91.4% in FY2018/19 (girls 90.6; boys 92.3) to 90.3% in FY2019/20 (girls 88.9; boys 91.8) – (MOES, 2020). The performance has further declined by 0.6%, from 90.4 in 2019 to 89.8% in 2020 (UNEB 2021). For secondary, there has been a constant high failure rate especially for science subjects as shown in the below;

FAILURE RATE IN SCIENCE SUBJECTS IN SECONDARY



BIOLOGY



Source: MoES Report of Taskforce on PLE, UCE and UACE Performance 2016-2018

INSUFFICIENT INVESTMENT IN THE PUBLIC EDUCATION SECTOR RESULTING IN DISPARITIES IN ACCESS AND QUALITY

Over the years, Uganda's expenditure on education as a percentage of GDP, exclusive of donor funding has averaged at 2.46% below the minimum of 4% of GDP to Education target (MoES ESSP FY2017/18-2019/20). Uganda has the lowest government spending on education as a proportion of GDP in East Africa (NPA, 2018). While the government's expenditure on education has grown in nominal terms over years, it has steadily declined in real terms. When the government introduced universal primary and secondary education, it compensated public schools for the loss in revenue through capitation grants. However, the government spends 12,000 UGX (approximately 3\$ per child per year), a staggeringly low figure, insufficient to meet the minimum requirements to enable equitable access to quality education (MoES 2019/2020).. The low capitation grant constrains achievement of quality education as non-wage expenses enable teachers to effectively deliver education.

Government SPENDS 12,000 (3\$) per child per year

AMOUNT NEEDED

Shs 63,546 for Urban
Shs 59,503 for Rural
(NPA 2018)



A revision of the grant formular is urgently needed to ensure sufficient financing is allocated to schools. In 2018, the National Planning Authority conducted an evaluation of the UPE program and recommended that to attain quality in the program, the capitation grant be increased to UGX 63,546 (approx.\$18) for Urban schools and UGX 59,503(approx.\$17) for rural schools (NPA, 2018). However, the current allocation indicated in the table below isare far less thanto the target proposed by NPA.

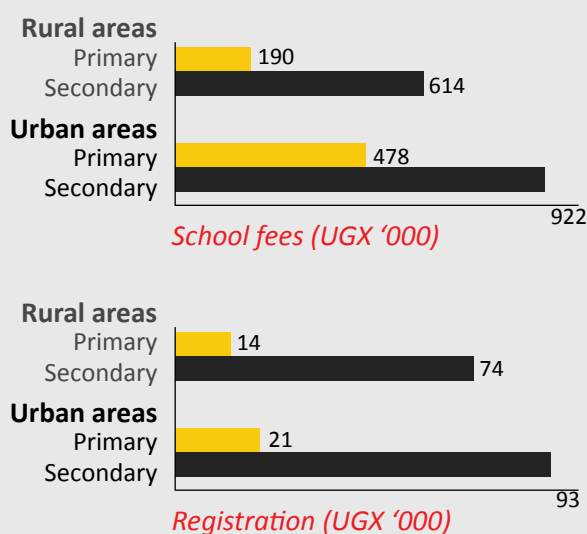
Table 1: UPE Enrolment, number of schools, unit cost and capitation grants FY 2017/18 – 2019/20

Financial Year	2017/ 18	2018/ 19	2019/ 20
Enrolment	7,254,071	7,290,119	7,474,600
Number of UPEschools that received the capitation grant schools	12,430	12,432	12,467
Unit costs (UGX)	9,447	10,000	12,000
Total Capitation grant allocated (UGX)	68,529,205,688	75,240,789,507	106,267,617,000

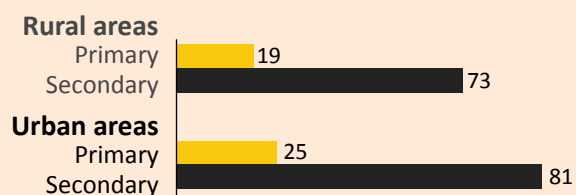
Source: Education and Sports Sector Annual Performance Report FY2019/20

As a result of the low public funding of education, school that are implementing universal primary and secondary (UPE&USE)programs are charging non – tuition fees from parents as shown in the table below. This detrimentally impacts children from lower income backgrounds who are unable to afford the fees charged leading to schools drop outs. Close to 65% girls and 67% boys that drop out of school attribute it to financial constraints to meet the tuition and non – tuition fees in schools (UNHS, 2016/17). On average parents spend UGX 278,000 on school fees (UGX 190,000 for a rural primary school and UGX 478,000 for an urban primary school) (NPA, 2018). Covid 19 and the prolonged closure of schools in Uganda has driven many children into child labour from 28% to 43% (UBOS 2019/2020 and ISER et al 2021).

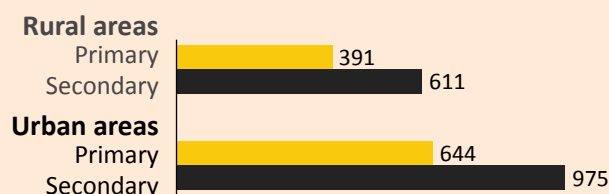
Average household expenditure on education by the type and geographical location



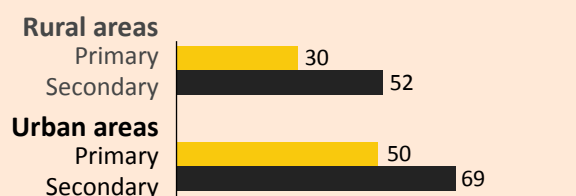
Source: Uganda National Household Survey 2016/17



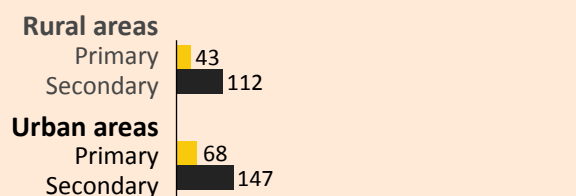
Examination fees (UGX '000)



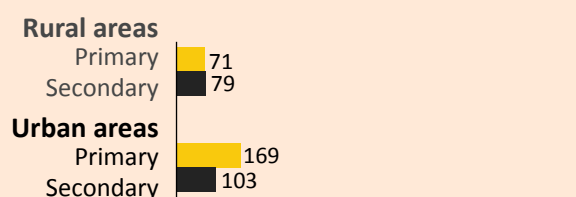
Boarding fees (UGX '000)



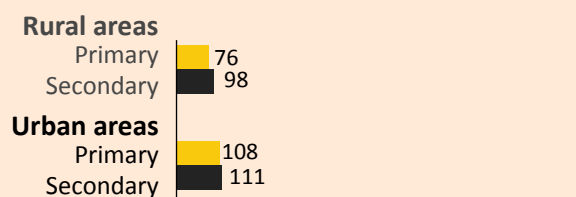
School uniform and sports clothes (UGX '000)



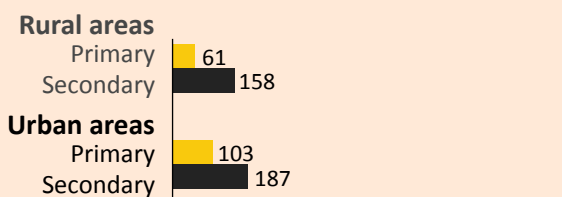
Books and school supplies (UGX '000)



Transport to and from school (UGX '000)



Expenses in daycare facility (UGX '000)



Others (UGX '000)

Source: Uganda National Household Survey 2016/17

PUBLIC SCHOOLS LACK THE BASIC NECESSITIES AND FACILITIES FOR DELIVERY OF QUALITY EDUCATION

Despite the increase in classrooms from 36,310 in FY2017/18 to 44,928 classrooms in FY2019/20 that is

23.7% increment represented

High pupil classroom ratio in government schools

PRIMARY SCHOOLS

71:1



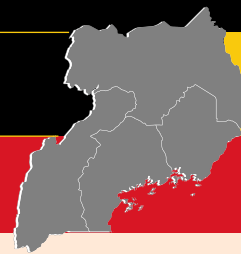
The pupil – text book ratio of 5:1 is still relatively high. Primary schools are also facing an increase in staffing gaps, high rate of teacher absenteeism while the secondary schools lack adequate science, English language and mathematics teachers; high absenteeism of students and staff, and inadequate wage in some districts to recruit the required number of teachers (MoES, 2020). The lack of sufficient teaching staff has affected the performance rate at both primary and secondary level.

GROWING PRIVATISATION OF EDUCATION UNDERMINING ACCESS TO QUALITY EDUCATION

Private provision of education has grown beyond the regulatory capacity of the state to among others; monitor and inspect all the schools to ensure compliance with basic requirements and minimum standards.

At primary level, about 39% of the schools are privately owned, with about 21% enrollment rate (MoES, 2016). The private schools share of primary

RIGHT TO EDUCATION



education enrolment has been growing at an average of about 1% per annum over the last ten years (MoES, 2016). At the secondary level, over 66% of the schools are private; and these have been enrolling on average 51% of students (MoES, 2016).

Covid 19 revealed that relying on the private sector to deliver the right to education is misplaced. The outbreak of the COVID – 19 and the resultant lockdown has resulted in a number of private owners of schools either selling off their schools or changing to other businesses (Daily Monitor, 2021). Even when schools reopened partially, many hiked fees in contravention of the government's directive and resulting in the exclusion of pupils from households grappling with the adverse economic effects of Covid 19 (ISER 2020). This underscores the importance of robust investment in public education to ensure equitable access.

INEFFECTIVE IMPLEMENTATION OF THE INHERENTLY WEAK LEGAL AND POLICY FRAMEWORK

The Constitution of the Republic of Uganda guarantees the right to education, however, the Education Act, 2008 that was enacted to give effect to the Constitutional provisions is very weak in terms of ensuring good administration and governance of the schools, provide adequate financing for public education, control the growing privatization and commercialization of education. Moreover, however, even the few progressive provisions in the Act are not effectively implemented.

GOVERNMENT EFFORTS TO CURB COVID 19 PUT THE EDUCATION SECTOR IN CRISIS

The severe economic downturn and the protracted closure of schools brought by the pandemic aggravated the barriers to access to education, more especially for the poor. Covid 19 and the resultant measures including school closures have resulted in some children not learning for two years. Uganda is the only country in Africa whose schools remain

closed as of November 2021. The program for continued learning during the lockdown has not benefited the vulnerable children. The failure to ensure learning materials reach the most vulnerable groups have left a significant number of children behind.

60% Learning Lost in Primary

44% Secondary

(FAWE, 2021)

30% May not return to school

due to pregnancy, early marriage and child labour (NPA, 2021). Persons with disabilities have been particularly left out. There are a significant number of pregnant girls. The protracted closure of schools was detrimental so government needs to work with stakeholders to mobilise children (especially girls) and teachers to return to school and ensure catch up classes for children who have not had chance to study during the pandemic. The economic meltdown aggravated by the pandemic has also rendered many households incapable of meeting the school fees and requirements for their children. As noted earlier, before COVID19, close to 65% girls and 67% boys were dropping out of schools due to financial constraints. This number is most likely to increase.

The protracted closure of schools was detrimental so government needs to work with stakeholders to mobilise children (especially girls) and teachers to return to school and ensure catch up classes for children who have not had chance to study during the pandemic, and regulate school charges.



RIGHT TO EDUCATION

RECOMMENDATIONS

1. In line with international benchmarks, increase resource allocation for education to at least 6% of GDP or 20% of the national budget.
2. MoES finances and equips/expands universal primary and secondary schools to take in more learners to accommodate the influx from private schools due to the impact of Covid 19 on incomes and livelihoods.
3. Address the barriers to education for girls and other vulnerable groups including allowing pregnant girls back to school and providing sanitary towels and facilities.
4. MoES develops a policy on private provision of education and amend the Education Act to strengthen the regulation of private provision of education in line with the Abidjan Principles.
5. Improve the data collection and management on school enrollment, completion and dropout rate including through issuing of identification to all children enrolled in school.
6. Implement school feeding commencing with the most vulnerable and poor areas of the country.

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ABOUT THIS FACTSHEET SERIES

This factsheet is part of a series prepared by the Initiative for Social and Economic Rights (ISER) in light of Uganda's 3rd appearance before the Human Rights Council for the Universal Periodic Review in January 2022. The factsheets in these series accompany the joint submission on economic, social and cultural rights coordinated by ISER and endorsed by over 55 organisations.



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