

HOW TO MONITOR THE RIGHT TO EDUCATION ACT USING COMMUNITY VIDEO



PASS या FAIL
A NATIONAL VIDEO AUDIT OF THE RTE BY VIDEO VOLUNTEERS

VV's **Pass ya Fail** Campaign is documenting the implementation of the **Right to Education Act** in rural schools across the country near to where our Community Correspondents reside. The **RTE Act** is a legislation enacted by the Parliament of India on **4 August 2009**, which describes the modalities of the importance of free and compulsory education for children between 6 and 14 in India under Article 21a of the Indian Constitution. India became one of 135 countries to make education a fundamental right of every child when the act came into force on 1 April 2010.

THE CAMPAIGN

- VV will monitor on ground performance of 13 key provisions guaranteed under the RTE Act.
- Though each of the 13 provisions may be edited in a separate video, the brief and background given below has clubbed some provisions together into one video. You will note that 5 distinct provisions, all related to infrastructure, have been clubbed into Video Brief #1
- This monitoring will be done across a minimum of 100 districts of India. The communication team will use this as a peg for press coverage etc
- The below briefs, however, will be rolled out to **ALL CCs** in our network
- The monitoring will be carried out only in GOVERNMENT OR GOVT AIDED PRIMARY AND SECONDARY SCHOOLS unless otherwise specified in the brief
- Each CC will not make more than 2 videos on from the below list of videos (unless otherwise told by the mentor)
- All CCs should first report back their story idea to the mentors and then film/shoot.

VIDEO 1: SCHOOL INFRASTRUCTURE

Type of School: Government or Government aided Primary or Secondary Schools

Each CC should go one or two primary or secondary schools in their village or in the nearby village and shoot. All 6 points to be shot in the same school.

1. Inside a typical classroom while teaching is on. Clearly show (and count) the number of students in one classroom. RTE Act provides that the teacher to student ratio should not be more than 1:30 for primary schools. If one teacher is teaching more than 30 students, then its violation of the RTE Act.
 - **Visuals:** *Clear stable block LS of children studying (or not studying) from the point of view of teacher. And clear stable block LS of teacher teaching (or not teaching) from the point of view of students from the back of the classroom. The overcrowding should be seen clearly. Please do not pan camera. Give variation of shots by shooting through a window etc*
2. Inside a typical classroom, show methods that are being used by the teacher to teach the child and processes of the child's learning. In what way is education being transacted to the child? The act says that learning for the child is facilitated through activities, discovery and exploration in a child friendly and child-centered manner;
 - **Visuals:** *B-rolls of teacher and student interactions, teaching processes in school rooms.*
3. Ask a student to show the toilets for the students. Take good shots of the students showing you the toilets. RTE Act provides for separate toilets for girls and boys. Interview girls and boys if this is the case. If the toilet is not separate, ask in the interview where the boys go to relieve themselves. If there no toilets at all, ask how they manage.
 - **Visuals:** *clear stable shots of the toilets. Clearly show the condition it is in. If students are using outdoors place for relieving themselves, find creative ways of showing this to the audience*
4. RTE Act says that government schools must have separate kitchen to prepare Mid Day Meals. Please be aware that we are NOT monitoring where the students are sitting down to eat but where the food is cooked. The kitchen might technically be a room – but not a functional room to serve as a kitchen
 - **Visuals:** *of the place the meal is cooked. Clearly establish if it's cooked outside. Please take 5 shots of cooking*

5. RTE Act guarantees that all students should get safe and adequate drinking water. Monitor the drinking water sources and how clean or safe it is. If there's no drinking water hand pump, or pipeline (tap), then document how far the source of water is and who fetches the water. If only girls are made to fetch water, take interviews to support this. If the water is stored in cement or plastic tanks, try and take visuals of inside the tank. Interview on quantity and quality of drinking water to be done with students. Not with the teachers.
 - **Visuals:** *clear stable LS and CU of water sources (could be tank, tap, hand pump, water pot etc). Visuals of students fetching water from a distance. Clear CU of quality of water. Students carrying own water bottles from school (indication for both access and discrimination – in case it is for students of the SC/ST community)*
6. RTE guarantees that each school should have playground, library and play material. Document if these are in place or not. If the schools are on road side, please shoot from a vantage point to clearly establish absence of playground. Interview students if they know about this provision within RTE. The chances are that a library (act doesn't specify what library means – but figure out and shoot access to 'books' by children) is missing in most schools. Please remember that a library is not necessarily a room, rather it's a collection of books and other resources. Sometimes the library can be in the teacher's room or staff room or in the Principal's office. If this is the case, establish during interview if the library books are accessible to the students.

The above 5 points can be filmed as one video. Each CC will film these 5 points in one school to make one video.

VIDEO 2: HARASSMENT

Type of School: Government or Government aided or Private | Primary or Secondary School

RTE Act says that “No child shall be subjected to physical punishment or mental harassment” It is unlikely that all schools (unfortunately) are aware of this. This video will need some research. All the CC needs is one or two clear case studies that proves/establishes that corporal punishment (physical) was carried out or is being carried out. If you do come across such a case, make sure that you have the consent of the parents before shooting this. Also make sure that the case is not very old.

Another way to investigate if a student is being physically or mental harassment is to ask a bunch of them: “What does the teacher usually do if you are unruly or naughty?” and then escalate the question by asking “what would the teacher do if someone is even more unruly”? So, a conversation can possibly go like:

CC: What does the teacher usually do if you are unruly or naughty?

Students: He would scold us

CC: For what kind of behavior would he scold you? [You are trying to investigate if the punishment increases to include physical punishment at some point]

Student: if we don't obey or listen to him then he would scold us

CC: Has any student done anything so naughty or unruly that he/she was beaten or caned or made to stand out in the sun

The response to the above question can go any where. Either they will have nothing to report (which we hope is the case) or may reveal something startling. If you come to know that a particular teacher has violent tendencies and has physically punished a bunch of students, you may want to interview one or more students who can corroborate this. You may also want to interview the teacher too and ask him if he knew of the RTE provision that prohibits such behavior. His/her response to this will be interesting.

Visuals: *since you will not get actual b-rolls of physical or mental harassment of students by teachers, you will have to establish this in indirect manner. The best will be for you to spend sizeable time in the classroom of the teacher who has been pointed out by students as using corporal punishment. Capture the way he teaches his/her class, the way she/he interacts with students, asks them stand up or get irritated with them etc.*

Also take general b-rolls of classroom: teaching and studying visuals. Steady, multiple angles

VIDEO 3: SCHOOL MANAGEMENT COMMITTEE (SMC)

Type of School: Government or Government aided | Primary or Secondary School

The RTE stipulates that every school shall constitute a School Management Committee consisting of the elected representatives of the local authority, parents/guardians of students and teachers. In Hindi the SMC may be ***Shala Prabhandak Samiti***

All government schools, government aided schools and schools in the specified category (Kendriya Vidyalaya, Sanik Schools, Navodaya Vidyalaya) are all supposed to have SMC. **Basically, this provision applies to all except private schools.**

- At least three-fourth of SMC shall be parents/guardians.
- It also states that proportionate representation shall be given to the parents or guardians of children belonging to disadvantaged group and weaker section (read Dalit, religious minorities, tribal, primitive tribes and denotified tribes).
- 50% of members of such Committee shall be women.

The Act also puts down that the School Management Committee shall perform the following functions.

- Monitor the working of the school
- Prepare and recommend school development plan
- Monitor the utilization of the grants received from the appropriate Government or local authority or any other source

It is unlikely that a CC will be able to record an ongoing SMC meeting. So, the best option will be to bring out facts on this via interview.

Each CC to interview three kinds of people for each school: 1) Pradhan/Sarpanch or any elected gram panchayat member; 2) principal or a school teacher; 3) mother (not father) of a student. This woman/parent should either be a Dalit, tribal, DNT, or religious minority.

The CC should first meet with the principal/headmaster of the school and ask her/him:

1. What is a SMC and can you explain the importance of this and its function?
2. Do you have a SMC in your school
3. (if YES) Can you give the list of names of its members

If you do get a list, you can meet with two people from that list. One should be an elected panchayat member or Sarpanch and other one the woman member and/or a parent member

from the disadvantaged communities and ask the following questions to each of the two:

1. What is a SMC and can you explain the importance of this and its function?
2. What exactly does the SMC do to monitor the working of the school?
3. Have you been asked to prepare or comment on the school development plan?
4. Do you know the amount of grants received by this school, from where and for what it was spent?
5. How long have you been part of the committee and how many meetings were called so far?
6. Who all can be the members of this committee?
7. How satisfied are you with the functioning or affectivity of the SMC?

If the response to the first question suggests that there is no SMC in that school or that they are not aware any such committee, then the CC should use the rest of the time to inform them about the RTE provisions around the committee. And follow up to make sure that an SMC is set up.

- **Visuals** for the principal
 - *Establishing LS and ELS of school*
 - *Details of learning and other activities in the school*
 - *Broll of principal teaching or working*
- **Visuals** for Sarpanch or member of Panchayat:
 - *Establishing LS and ELS of panchayat building*
 - *LS and MS of inside panchayat building to show character at work*
 - *CU, MS of Character at work*
- **Visuals** of the parent
 - *Establishing LS and ELS of house*
 - *MS, CU of activities of the parent*
 - *LS, MS, CU of parent with the student*
 - *General b-roll of the hamlet, mowhala, lane (give us the character of this place)*

VIDEO 4: DISCRIMINATION

Type of School: Government or Government aided | Primary or Secondary School

RTE Act says that no school shall discriminate students on the basis of caste, class and gender. Is the work division based on gender, caste or class? The Act specifically says that ***“Ensure that the child belonging to weaker section and the child belonging to disadvantaged group (Scheduled caste, the Scheduled Tribe, the socially and educationally backward class or such other group having disadvantage owing to social, cultural, economical, geographical, linguistic, gender or such other factor, as may be specified by the appropriate Government, by notification) are not discriminated against and prevented from pursuing and completing elementary education on any grounds.”***

Ask all CCs to look for/research the following case studies:

1. Are the seating arrangements in school based on caste or class? Meaning, are Dalit (or other disadvantaged groups) made to sit separately or behind the class.
2. Is there separate drinking water source or mid day meal seating arrangement in the schools
3. If students are required to do chores like cleaning, is it that only girls are required to this and the boys are made to do some other kind of chores?
4. If students are required to clean toilets (no students should be required to do so), is this done on the basis of caste? Like, only Dalit students are made to clean toilets?
5. Case studies of verbal abuses (gaali, garoch) based on caste?

Video on this can only be made if CCs find good case studies to exemplify this. Once they have researched, they need to call back the mentor and discuss the story ideas. Shooting should be done only after this discussion and go ahead.

Visuals: *Should clearly establish the discrimination.*

- o *Girls sweeping the yard or cleaning utensils*
- o *Separate seating arrangements in the classroom or in mid day meal scheme*
- o *Students (Dalit or girls) made to clean toilets*
- o *Separate water sources for Dalit children. Often Dalit children are seen carrying water bottles from home so that they can avoid drinking water from the common tap/pot in the school. These visuals are crucial*

VIDEO 5: NEIGHBOURHOOD SCHOOLS

Type of School: Government or Government aided Secondary School

The RTE Act says **Ensure availability of a neighborhood school.**

- **For every 20 kids, (std.1 -4, ages 6-11) – primary school should be functional within a km radius**
- **For every 20 kids, (std.5 - 8, ages 11 - 14) – secondary school should be functional within 3 km radius**
- **In case there is no such infrastructure, transportation cost must be borne/other arrangements made”**

Ask your CCs to research this and get back to you. One way to do this research is to talk to students going to a particular school (specially the secondary school) and figure out how far they come from. Talk to students who take bus or come on bicycles. If they find that a secondary school is not present within 3 Km radius, the interviews should clearly establish this.

Interview students:

1. Where do you live and how far is it from your school? – time, cost and distance
2. How long does it take to reach school, how much do you spend, and how do you get to school (walk, take a bus, cycle down)?
3. Does school support in any ways for transportation. Like, do you have free school bus or are you given free bus passes, cycle etc?
4. Do you know that your secondary school should be not more than 3Km away from your house?

Visuals

- *Great b rolls of children getting to school using bicycles, or walking long distances. B rolls should give a sense of the time it takes them to reach school.*
- *B rolls of students studying or playing in school will NOT work for this story. We need to show them “going to school”*
- *If a student takes bus, ask the CC to follow that student right from getting ready at the house, walking to the bus stand, waiting for the bus, getting in and traveling, getting off, walking to the school. Get the full sequence.*

Interview Head Teacher or Principal or Teacher

1. How many villages does this school cater to and how far are these villages?
2. Are there any students coming in from more than 3 or 4Km away?
3. The RTE Act mentions about neighborhood schools, can you explain what this is?
4. What arrangements have the schools made for students coming in from far away (more than 3 km away)?

Visuals: *Same as above*

VIDEO 6: MIGRANT STUDENTS

Type of School: Government or Government aided | Primary or Secondary School

RTE Act guarantees that children of migrant parents have access to free and compulsory elementary education. It says that “Where a child is required to move from one school to another, either within a state or outside, for any reason whatsoever, such a child shall have a right to seek transfer to any other school, excluding religious or minority schools (madrasas, vedic schools) and private schools.

On the ground, this provisions means that the children of migrant workers cannot be denied admission into a government and/or government aided school in a village/city they have migrated to.

Ask the CCs to research if any migrant student was denied admission. Once this case/cases are found, only then embark on shooting this video. Once case study is found, interview the student, the parent of the student and the teacher of the school.

Interview Students

1. Tell me about your earlier school: which village was it in, about your friends there, how did you like the school?
2. Why did you move to this village/city? And why are you not going to school now?
3. What do you want to be when you grow up? (establish how keen this kid is to learn and make a career and the denial of education will screw with this)

VIDEO 7: STUDENT WITH DISABILITIES

Type of School: Government or Government aided | Primary or Secondary School

RTE Act guarantees the right to pursue free and compulsory elementary education for a child suffering from disabilities. This means that any child with physical or mental disorder/disability and/or any child with any special needs CANNOT be denied admission to any regular government or government aided school.

Ask your CCs to research if they know any child in their village/Block with any sort of disabilities. Ask them to find out the following and get back to you before shooting the video:

1. What is the specific form of disability the child suffers from?
2. Has the child been denied admission? If yes, what reasons were given to her/him or parents?
3. If the child is going to school, is the teacher equipped to take care of her special needs?
4. If the child is going to school, does the school have facilities to address her special needs (like a ramp in case of physically impaired kids, special learning tool in case of visually impaired kids etc)?
5. If the child is going to school, how is she generally treated? Is there any teasing or harassment?
6. Does the child have to pay any kind of fee or charges (books, uniform, admission fee, etc)?

Once the Mentors receive the research based on the above, Arundathi will collate these information and create specific briefs for each possible video. Only after the video briefs are made will this provision of RTE will be filmed on video.

VIDEO 8: RESERVATION IN PRIVATE SCHOOL

Type of School: Private | Primary or Secondary School

The RTE lays down that, private schools are required to reserve 25% seats in all classes for children belonging to “disadvantaged backgrounds” and that they will be given free education.

Children belonging to disadvantaged groups include children from SC/ST, and other socially and educationally backward categories based on cultural, economical, social, geographical, linguistic, gender, child with disability (2012 amendment) or other categories that the appropriate governments can separately notify.

Ask your CCs to research if any student belonging to disadvantaged background were denied education in private school. This information then needs to be cross checked with the relevant school authorities because the denial may not necessarily be a violation of this clause. For example, a school may already have filled up 25% and then denied the one/two students.

Research points for your CCs

1. Find if any student belonging to disadvantaged background have been denied admission in private school and reasons
2. How many such students were denied by the same school. Check if there's a pattern the school is guilty of
3. Check with the private school authorities how many students they have taken in to fulfill this criteria.
4. Check if the school is charging any fee to such students

Before you ask your CC to go ahead with the filming of this video, kindly ascertain that the case is indeed a violation of this provision.

VIDEO 9: STATE COMMISSION FOR PROTECTION OF CHILD RIGHTS

When any Act/law is enforced it will also state the process to be followed if violation of that Act has to be notified along with who (which body) is responsible to hear and address complaints or grievances. In the case of RTE this role has been delineated to **the National Commission for Protection of Child Rights and the State Commission for Protection of Child Rights**. Their functions are as follows:

- **Examine and review the safeguards for rights provided by or under this Act and recommend measures for their effective implementation**
- **Inquire into complaints, relating to Child's right to free and compulsory education**
- **Take necessary action**

Mentors should identify one CC in every state (preferably those who are in or close to the capital city) and ask them to:

1. Find out if their respective states have a State Commission for Protection of Child Rights and who its members are
2. If yes, how many complaints on violations or non fulfillment of RTE provisions have they received and what actions have been taken.
3. Encourage these CCs to file an RTI regarding this. Mentors will need to draft this RTI and get the CCs to file them. One per state
4. Arundathi should file a similar RTI asking about constitution of the National Commission for PCR

If CCs find that there is a functioning State Commission for PCR, they should interview a relevant official with the following questions:

- When was the SCPCR formed and what are its functions?
- What is the SCPCR's role in effective implementation of Right to Education?
- How many complaints has the SCPCR received regarding RTE and what are the actions taken?

CCs should also take the opportunity to show the SCPCR the various cases of violations filmed thus far and ensure action and impact.

VIDEO 10: RTE IN JAMMU & KASHMIR

The RTE, like all other Acts passed in the Indian Parliament, says that the Act “shall extend to the whole of India except the State of Jammu and Kashmir”. This, for those who don’t know, is because of the “special status” conferred to the State of J&K by the Constitution of India. The general practice is that the J&K State adopts laws/Acts passed by the Indian parliament verbatim or with little changes, like for example the RTI Act.

Ask Sajad Rasool to research the following points and get back to you. Video will be filmed only after he has reported back on this:

1. Has the RTE Act adopted in J & K? (J&K claim that they have a pre-RTE act: which is better than RTE. SR make a video on RTE, his take on RTE, better/worse, etc)
2. If yes, what provisions from the ones described above are applicable in J & K
3. If no, are there any alternate Act in some other name that guarantees the same/similar rights to free and compulsory education?

Report back the finding to Arundathi who will then accordingly create video briefs for Sajad.

IMPACT AND FOLLOW UP PLANS

We are not only looking to create this monitoring videos on various provisions of the RTE Act, but we are also committed, like in all other campaigns, to initiate action to ensure positive changes on each of the violation we document.

So, when you transact these videos and the campaign ideas to your SACs, field Mentors and CCs, do inform them that they be prepared for follow up actions to bring about IMPACTS!

The videos will be edited in a way that maximum impact can be ensured.

The exact form of edit is not yet firmed and this will be firmed only once we begin to see the footage coming in. However, there are two possibilities:

- One video per CC on each of the briefs above
- One composite video on one brief that collates footage from all CCs on that issue/provision

Arundathi will maintain a clear excel to monitor the kind of stories coming in. This excel is in addition to the 'Story Tracker' (which will also be filled in). These new excel, named "RTE Campaign Videos" will be very useful to analyze the kind of stories coming in from various parts of the country.