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Public-Private Partnerships in Education: A Vertical Case Study of the Right to Education Act (2009), India

Sheetal Gowda
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PUBLIC-PRIVATE PARTNERSHIPS IN EDUCATION: A VERTICAL CASE STUDY OF

THE RIGHT TO EDUCATION ACT (2009), INDIA

A Dissertation Presented

by

SHEETAL GOWDA

Submitted to the Office of Graduate Studies,
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ABSTRACT

PUBLIC-PRIVATE PARTNERSHIPS IN EDUCATION: A VERTICAL CASE STUDY OF

THE RIGHT TO EDUCATION ACT (2009), INDIA

May 2020

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One of the most contentious issues that elicits heated debates in the field of international and comparative education is the role of private actors in the provision of educational services using public monies. As the *programmatic idea* of public-private partnerships (PPPs) gains momentum internationally, educational PPPs has emerged as a key strategy in reducing educational and social inequities. Despite growing research evidence suggesting the contrary, the neo-liberal agenda of positioning PPPs as the best mechanism for achieving educational rights enshrined in international declarations and national constitutions continue to be perpetuated. Of particular relevance to this study is Section 12(1)(c) of the Right to Education Act of India (2009) which mandates 25% entry level seats be reserved for children from economically weaker sections (EWS) and disadvantaged groups (DG) in all private

schools, reflecting the Government of India's acceptance of PPPs as a viable alternative for failing public schools.

Through the pursuance of a policy initiative that promises greater choice and competition, productive efficiency, equity, and social cohesion, the Government of India proposes to harness the skills and expertise of the private sector to address issues such as school failure, achievement gaps, budget deficits, and inequities (social, economic, and spatial) affecting the public education system. Informed by the human rights-based approach, this study explored the availability of, accessibility to, acceptability and adaptability in schools, by examining whether this PPP fulfills the tenets of education as a human right. Using novel methodologies to investigate, this qualitative, vertical case study explored the multilinear and multi-sited flow of influence and policy ideas through the international, national, and sub-national levels, including their appropriation at private schools in Bangalore, India.

Evidence from the study suggests that this PPP fails to deliver on the multiple goals outlined in the RTE Act of India, 2009 and may not be in alignment with the human rights standards applicable to the right to education for all. Evidence also suggests that this PPP has not been successful in increasing access to equitable educational opportunities in private schools for the most vulnerable and marginalized populations. Furthermore, results from the study found the quality of education offered in private schools varied greatly due to a shortage in capital, physical, and human resources. Therefore, due to the lack of clarity in guidelines and apathy in implementation, it can be inferred that this PPP is highly ambiguous and can be viewed as a path towards privatization of public education.

ACKNOWLEDGEMENTS

Where The Mind Is Without Fear

Where the mind is without fear and the head is held high
Where knowledge is free
Where the world has not been broken up into fragments
By narrow domestic walls
Where words come out from the depth of truth
Where tireless striving stretches its arms towards perfection
Where the clear stream of reason has not lost its way
Into the dreary desert sand of dead habit
Where the mind is led forward by thee
Into ever-widening thought and action
Into that heaven of freedom, my Father, let my country awake.

TABLE OF CONTENTS

LIST OF FIGURES

LIST OF TABLES

ABBREVIATIONS

ADB	Asian Development Bank
ADM	Administrator (Participant)
AfDB	African Development Bank
AIDS	Acquired Immune Deficiency Syndrome
AP	Andhra Pradesh
ASER	Annual Status of Education Report
BBMP	Bruhat Bengaluru Mahanagara Palike
B.Ed.	Bachelor of Education
BEO	Block Education Officer
BOT	Build-Operate-Transfer
BOOT	Build-Own-Operate-Transfer
CAF	Development Bank of Latin America
CADE	Convention Against Discrimination in Education
CBSE	Central Board of Secondary Education
CCE	Continuous and Comprehensive Evaluation
CEDAW	Convention on the Elimination of All forms of Discrimination Against Women
CSO	Civil Society Organization
DBFO	Design-build-finance-operate
D.Ed.	Diploma in Education
DfID	Department for International Development
DG	Disadvantaged Groups
EFA/EfA	Education for All
EI	Education International
EU	European Union
EWS	Economically Weaker Section
GTA	Global Trade Agreements
GoI	Government of India
GoK	Government of Karnataka
HRBA	Human Rights-Based Approach
HIV	Human Immuno-Deficiency Virus
IB	International Baccalaureate
ICESCR	International Covenant on Economic, Social, and Cultural Rights
ICSE	Indian Certificate of Secondary Education
IDB	International Development Bank
IMF	International Monetary Fund
IPA	International Policy Actor
IRB	Institutional Review Board
KRTE	Karnataka Right to Education Act
LFPS	Low-Fee Private School
LKG	Lower Kindergarten
LPA	Sub-national Policy Actor
MaxQDA	Mixed Methods and Qualitative Data Analysis Software
MDG	Millennium Development Goals
MHRD	Ministry of Human Resources Development

MTT	Montessori Teacher Training
NCERT	National Council for Education Research and Training
NGO	Non-Government Organization
NISA	National Independent School Alliance
NPA	National Policy Actor
NPM	New Policy Management
NTT	Nursery Teacher Training
OBC	Other Backward Classes
OECD	Organisation for Economic Cooperation and Development
PACT	Positive Action Committees
PPP	Public-Private Partnerships
PRT	Parent (Participant)
Rs	Indian Rupees
SAP	Structural Adjustment Programs
SC	Scheduled Caste
SDG	Sustainable Development Goals
SSRC	Social Sciences Research Council
ST	Scheduled Tribe
STiR	Students and Teacher Innovating for Results
TCH	Teacher (Participant)
TPR	Teacher-Pupil Ratio
UDHR	Universal Declaration of Human Rights
U-DISE	Unified District Information System for Education
UID	Unique Identification Number
UK	United Kingdom
UKG	Upper Kindergarten
UN	United Nations
UNCRC	United Nations Convention on the Rights of the Child
UNESCO	United Nations Education, Scientific and Cultural Organization
UNICEF	United Nations International Children's Fund
USA	United States of America
USAID	United States Agency for International Development
USD	United States Dollar
VCS	Vertical Case Study
WTO	World Trade Organization

CHAPTER 1

INTRODUCTION

Inequities in access to an inclusive and free education of good quality is a persistent problem in Indian society, specifically for children from economically weaker sections, marginalized populations, and minority communities. Despite seventy years of targeted policies and immense progress made over the last two decades in universalizing primary and secondary education, there continue to be sharp inequities in educational outcomes based on "structural location, cultural marginalization, and institutional neglect" (Govinda, 2014; Nambissan, 2015, p. 285; Ramachandran, 2009). The dramatic increase in enrolment, attendance, and retention rates at the primary and secondary levels has not resulted in improved literacy and numeracy rates, leading to what UNESCO (2013) refers to as the "learning crisis." As developmental scholars and international organizations explore and test various policy alternatives and programs, public-private partnerships (PPPs) in education have emerged as a key strategy in reducing educational and social inequities (Ashley et al., 2014; Menashy, 2016; Nambissan and Ball, 2010; Verger, 2012, 2018). This study examines Section 12(1)(c) of the Right to Education Act of India (2009) which mandates 25% reservation for children from marginalized communities in all private schools. By exploring the availability of, accessibility to, and acceptability and adaptability in schools, this study examines whether this PPP fulfills the tenets of education as a human right. This vertical case study also explores the multilinear and multi-sited flow of influence and policy ideas through

the international, national, and sub-national levels, including their appropriation at private schools in Bangalore, India.

In a step toward achieving educational rights enshrined in international declarations and guaranteed by the Constitution of India, the Government of India (GoI) enacted the Right of Children to a Free and Compulsory Education Act, popularly known as the Right to Education Act (RTE) in 2009. The GoI claims that this legislation reinforces the government's constitutional obligation to provide a free and equitable education for all children between the ages of 6 – 14 years. The Act sets the norms and standards related to curriculum, school infrastructure, quantity and quality of teachers, discrimination and harassment, no detention policy, and holistic development (RTE Act, 2009; Ramchandran, 2009a; Srivastava, 2010; Verger and Vanderkaiij, 2012). Of particular relevance to this dissertation is Section 12(1)(c) of the RTE Act which mandates 25% entry-level seats be reserved for children from economically weaker sections (EWS) and disadvantaged groups (DG) in all private schools, reflecting the GoI's acceptance of PPPs as a viable alternative for failing public education.

PPPs are increasingly proposed and promoted as a solution for public education systems that are failing due to deficiencies in educational quality, shortage in resources, and inefficient use of resources (Mundy and Menashy, 2012; Muralidharan and Sundararaman, 2015; Verger, Fontdevila, and Zancajo, 2016). The definition of educational PPPs has several variations. La Rocque (2011) defines PPPs as "a government agency entering into an agreement with a private provider to procure a service, or a bundle of education services in exchange for regular payments" (p. 3). In a report submitted to the World Bank, Patrinos et al (2009) define PPPs as "the process whereby a government procures education or education

related services of a defined quantity and quality at an agreed price from a specific provider"
(p. 9).

One of the most contentious issues that elicits heated debates in the field of international
and comparative education is the role of private actors in the provision of educational
services using public monies. Proponents of PPPs argue that partnerships with private
providers improve quality of education through choice and competition, increase access to
schools for children who previously never attended schools for many reasons, improve equity
and social inclusion, and provide a cost-effective model of delivering better quality education
at lower rates (Barrera-Osorio et al., 2012; Mond and Prakash, 2019; Patrinos et al., 2009;
Tooley and Longfield, 2015). However, critics argue that PPPs is the first step towards
privatization of education and is reflective of the neo-liberal agenda promoted by market
forces, interested in increasing profits for private actors while simultaneously reducing the
role of the state in education. In addition, opponents contend that PPPs lead to further
stratification of the education system and weaken the public education system as more
students exit it (Ball, 2009; Kamat, 2011; Kamat, Spreen, and Jonnalagadda 2016;
Nambissan and Ball, 2010; Menashy, 2014; Verger, 2016). Chapter two provides a more
detailed review of the various debates and discourses related to PPPs in education.

As the "programmatic idea" of educational PPPs gains momentum amongst development
agendas, it is critical to understand the implications of policy initiatives on school
administrators, teachers, students and families (Education International, 2009; Fennell and
Malik, 2012; Verger, 2018). Therefore, to better understand the multiple discourses and
policy interpretations within a single institution, scholars and activists have called on
researchers to pursue novel methodologies that can investigate and reveal alternate ways of

3

knowing by including the voices and experiences of individuals typically marginalized by dominant discourses (Bailey et al, 2016; Menashy and Read, 2016; Patel, 2015, Verger, 2018). This dissertation is a step in that direction. The purpose of this dissertation was to gain an understanding of PPPs in improving educational outcomes and fostering equity and social cohesion through a study of policy in practice in Bangalore, India. In its application of macro-, meso-, and micro-institutional perspectives, this research study used the vertical case study methodology (VCS) proposed by Vavrus and Bartlett (2009) as a way to investigate the multiple discourses within an institution. The VCS calls on researchers to conduct "multi-sited, qualitative case studies that trace the linkages among local, national, and international forces and institutions that together shape and are shaped by education in a particular locale" (Vavrus and Bartlett, 2009, p. 12). Hence, clearly comprehending how policy has an impact on society requires going beyond merely explaining how policy is stated, and examining how it is initiated, developed, negotiated, disseminated, and implemented (Ball, 2012; Bartlett and Vavrus, 2014, Verger et al, 2016).

The remainder of Chapter One explores educational inequities in the Indian education system while simultaneously providing the rationale for conducting this study. Chapter Two provides a general overview of the Indian context by providing an overview of prevalent educational inequities. Furthermore, this chapter includes a literature review that tracks the trends in global PPP discourses and programs, education PPPs in India, and the policy initiatives adopted by the Government of India to guarantee the right to education. Chapter Three discusses the human rights-based approach (HRBA). This theoretical framework has shaped my thinking and the designing of this research project. Chapter Four outlines the research methodology that is informed by this study's theoretical underpinnings. Chapter

Five details the empirical findings from this study. Chapter Six analyzes the findings,

categorizing them into three main themes. Finally, Chapter seven is a summary of the

dissertation, outlining the limitations of the study and opportunities for future research.

Problem Statement

The Indian education system is diverse in nature, with multiple stakeholders involved in

the provision and management of education and is reflective of the highly stratified and

deeply segregated nature of social, political, and economic institutions (Nambissan, 2014;

Ramachandran, 2009; Sarin et al., 2017). Ramachandra (2009) describes this as the

"hierarchies of access," that is, – an education system that comprises elite private schools for

the rich and middle-class on the one hand, and low-fee affordable private schools for the

lower-middle class; state -unded and operated public schools, usually attended by children

from DGs and EWS; and schools run by religious and civil society organizations. In an

attempt to mitigate these stratifications and inequities in the education system, the GoI

proposed Section 12(1)(c) of the RTE Act 2009, and notes the following:

> The proposed legislation is anchored in the belief that the values of equality,
> social justice and democracy and the creation of a just and humane society can
> be achieved only through provision of inclusive elementary education to all.
> Provision of free and compulsory education of satisfactory quality to children
> from disadvantaged and weaker sections is, therefore, not merely the
> responsibility of schools run or supported by the appropriate Governments,
> but also of schools which are not dependent on government funds (p. 2).

While the onus is on private schools to provide a free and compulsory education to

admitted students, state governments reimburse the school, per admitted child, "the lower of:

(a) actual amount charged by the school from students other than those admitted through

12(1)(c), and (b) the recurring per-student expenditure incurred by the government" (RTE,

2009). However, this move by the GoI has been extensively contested and debated due to its

potential implications on the future of public education in India (Mehendale et al., 2015; Sarin and Gupta, 2016; Srivastava, 2010; Verger and Vanderkaiij, 2012).

Although it has been eight years since the passage of the RTE Act with the potential to progressively impact sixteen million children across the country, Section 12(1)(c) faces numerous ideological, procedural, and social challenges (MHRD Report, 2015; Mehendale et al., 2015; Sarin et al., 2017). Despite contradictory empirical evidence on the significance of private participation in education provision, school choice advocates have been successful in creating a social and policy environment that favors PPPs in education management and delivery (Muralidharan and Sundararaman, 2015; Harma and Rose, 2012; Verger et al, 2016; Verger, 2018). The promise of school choice, quality, accountability, and cost efficiency has led to large numbers of students from low-income families and the lower middle-class to abandon the public education system in favor of private schools. Sadly, today, government managed and operated schools are overpopulated by children belonging to lower socioeconomic status and marginalized groups (Harma, 2010; Kingdon 2016; Nambissan, 2012, 2013; Srivastava, 2010; Tooley, 2007, 2013, 2016).

In addition to the ideological debate over whether education is a public good or if it is a consumable product, concerns have been raised regarding the implementation of the Act. Since education under the Indian constitution is of concurrent jurisdiction, that is, both the federal and state governments can legislate on the issue, has resulted in conflict and ambiguity between federal and state level actors – its intent as envisioned at the national level versus how it is implemented and practiced at the local level (Govinda 2014, Mehendale et al., 2015; RTE Report, 2015; Sarin and Gupta, 2013; Velaskar, 2010). Of the 36 states and union territories in India, only sixteen have implemented this particular

mandate of the Act. Furthermore, bureaucratic hurdles and corruption, lack of transparency, limited access to information, and lack of e-literacy among EWS and DG families have left several aspiring families struggling to obtain the required information, certification, and clearances (Mehendale et al., 2016; RTE Report, 2015; Sarin et al., 2017).

The third challenge Section 12(1)(c) of the RTE faces alongside ideological and procedural issues is the concern of economic and socio-cultural exclusion. Several communities such as scheduled castes (SC), scheduled tribes (ST), other backward communities (OBC), Muslims, and families below the poverty line experience severe marginalization within the education system due to the intersectionality of their economic and cultural identities. Fraser (1998) identifies two forms of social exclusion – that is, economic and socio-cultural. Economic exclusion results from "economic injustices such as marginalization, exploitation, and deprivation" (p. 102). Socio-cultural exclusion is "manifested as dominant groups make certain groups invisible within the dominant discourse, seeking to impose dominant values, or consistently devaluing certain categories of people" (p. 102). This concept is particularly applicable to the Indian education system, where socio-cultural exclusion persists and is perpetuated (Govinda, 2014; Ramachandran, 2009). Economic inequities interlock with other forms of socio-cultural inequities, notably caste, gender, linguistic origins, ethnicity, religion, and geographical location, with children from Scheduled Castes (SC), Scheduled Tribes (ST), Other Backward Communities (OBCs), and Muslim minorities particularly, constituting a large portion of the marginalized population. A succession of policies and programs have been conceived to make education accessible to all sections of society, nonetheless, due to patriarchal practices, urban-rural

biases, social stratifications such as caste and religion, bureaucratic corruption, and lack of contextual knowledge, these programs have had little success on the ground.

Since equity, inclusion, social cohesion, and improved educational outcomes are the core tenets of Section 12(1)(c), as outlined in the RTE Act, it is important to interrogate the importance various stakeholders attach to education PPPs in international and national development discourses through a study of policy in practice in Bangalore, India. Research suggests that "policy processes are rarely linear, rather they are messy and complicated processes, in which actors at various levels influence the uneven flow of ideas, policies, and practices" (Vavrus and Bartlett, 2012, p. 13). Against this backdrop of PPPs in education, I proposed to trace the flow of education policy influenced by international organizations, formulated by national governments, and its appropriation in the sub-national context.

Rationale for Study

In the Twelfth Five Year Plan (2012-2017)[1], the GoI has called upon private actors to increasingly engage in education provision for children from EWS and DG through public private partnerships. A key strategy proposed by the Planning Commission to increase private participation in education delivery is by "easing the regulatory restrictions" (Planning Commission, 2013, p. 64). However, critics argue that rather than establishing a robust public education system that nurtures and fosters social inclusion, equity and cohesion, the government has failed at fulfilling its obligation to the right to education by entering PPPs in education (Dahal and Nguyen, 2014; Harma and Rose, 2012; Nambissan, 2014). Instead of

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[1] The Planning Commission of India is tasked with the responsibility of constructing, executing, and monitoring a strategic vision for national development. The plan for national development takes the form of a series of five-year plans, encompassing critical areas of human and economic development.

investing resources and expertise to improve the public education system which is overrepresented by children from EWS and DGs, the government has adopted an approach that is at best described as segmented and disjointed (Kamat, Spreen and Jonnalagadda, 2016; Nambissan, 2013; Verger et al, 2016). Therefore, in a climate where public education is threatened due to government apathy and under-investment, it is important to investigate the various discourses surrounding privatization in the Indian education system, the contexts within which these policy debates occur, and understand who the various international, national, and sub-national stakeholders engaged in education reform in India are, and their ability to influence agenda setting, policy formulation, adoption, and implementation.

Second, there was a need to examine the symbolic representation of the problem – that is, the content, underlying themes, and design of the policy as it has the potential to have an impact on the actions and behaviors of various stakeholders involved, and consequently have an impact on the outcomes (Mehendale et al., 2015; RTE Report, 2015; Sarin et al., 2017). While Section 12(1)(c) provides the basic framework, the primary responsibility of implementing the mandate lies with the states, and states have varied considerably in their adoption and implementation of the mandate. Therefore, it is essential to review the rules, guidelines, and notifications issued by the concerned state government, Karnataka in the context of this study. Several aspects of the mandate lack clarity and require further scrutiny – these include defining EWS and DG eligibility criteria, documentation required, income limits and poverty lines, neighborhood criteria, admission age, and reimbursement amounts. Due to this variation in interpretation and implementation of the mandate, there are interesting patterns and contrasts in enrolment, attendance, and dropout rates within and

between states, which calls for further in-depth analysis (Kamat et al., 2016; RTE Report, 2015; Sarin and Gupta, 2013).

Section 12(1)(c) is based on the premise that increasing access to private schools for children from EWS and DG will help mitigate exclusion, while improving academic outcomes for historically marginalized and disadvantaged groups. While several quantitative studies have been conducted to investigate enrolment, attendance, academic outputs, and efficiency, few theoretical and empirically sound qualitative studies have been conducted to examine the concept of social inclusion and cohesion within private educational institutions and classrooms in Bangalore for children admitted under Section 12(1)(c) of the RTE Act. Examining whether social inclusion is limited to achieving a "superficial target" of bringing children into school, or if it takes into consideration the lived educational experiences of students from lower socioeconomic status is another critical aspect this study proposes to investigate. Therefore, it is imperative to examine how social interactions create and/or perpetuate social exclusion, and if teachers and administrators are inclined to maintain the status quo rather than implement pedagogical practices that foster social inclusion.

Finally, in their bibliometric analyses of the international debate on PPPs, Verger (2018), and Menashy and Read (2016) note that much of the literature on private provision of education has generally been generated in the Global North and relies on top-down, broad-stroke quantitative approaches with limited context-situated observations. Researchers working in the Indian context have made similar observations, where dominant literature on educational PPPs has often represented the region as a single monolithic bloc, which has led to policies and programs that fail to acknowledge the vast differences in educational, social, economic, cultural, religious, and linguistic differences within and between states (Dahal and

Nguyen, 2014; Sarin et al., 2017; Verger and Vanderkaiij, 2012). Through this study I proposed to fill a significant gap in the literature on PPPs by conducting a multilinear, multi-sited study. The goal of this interpretive research project is to encourage a more inclusive development process where knowledge has a plurality of roots – where diverse stakeholders (local, national, and international), yet equally valuable sources of knowledge can belong and contribute to the democratic development processes (Ganeri, 2017). At the core of this research study is the assumption that knowledge is constructed through lived experiences rather than purely through academic literature, international development projects and discourses, and government policies and programs. This local knowledge is vital to a holistic understanding of policy. Given the nature and goals of my research study and its emphasis on processes and interpretations, qualitative research is the appropriate methodology through which to interrogate the richness and complexity of policy processes and to get at the embedded meanings of discourses, institutions, and actions of different actors. It allows researchers to capture nuanced articulations and experiences that may not be accessible through quantitative approaches or macro-level data (Ball, 2012a; Levinson, Sutton and Winsted, 2009; Vavrus and Bartlett, 2009).

Research Questions

Given the importance of inclusion of sub-national stakeholders in the decision-making and implementation processes, and the potential this generates for changing practice within schools, there is a critical need to study the actors whose voices resonate or remain silent. To do so, it is necessary to interrogate the various discourses on education PPPs across international, national, and sub-national levels – and to explore education policies and

practices that increase learning outcomes, inclusion and social justice, while guaranteeing the right to education. To this end, the following research questions informed my study:

Q.1. How do various stakeholders engaged in education reform in India at the sub-national, national, and international levels view the role of PPPs in guaranteeing the right to education?

Q.2. How is Section 12(1)(c) of the RTE Act, India (2009), which guarantees 25% reservation for children from economically weaker sections and disadvantaged groups in all private schools, practiced at the local level in Bangalore, India?

Q.3. What are the lived educational experiences of students from economically weaker sections and disadvantaged groups attending private schools in Bangalore under the RTE Act?

    a) How do they perceive that their learning outcomes have improved?

    b) How does social inclusion play out within schools and outside in broader society?

To answer my research questions, I conducted a vertical case study (VCS) of Section 12 (1)(c) of the RTE Act in Bangalore, India. The VCS operates on three axes – vertical, horizontal, and transversal. The vertical axis accounts for the macro- (international), meso- (national), and micro-level (micro) comparative interpretations undertaken in this research; the horizontal dimension is fulfilled by comparing how the same policy unfolds differently in multiple school sites in Bangalore, India; and the transversal axis emphasizes the importance of historically tracing the evolution and appropriation of education policies over time (Bartlett and Vavrus, 2013). Responses to these research questions were elicited from participant interviews, focus group interviews, observations, archival information, and policy

documents. This research mainly focused on the accounts of various actors engaged in policy formulation and implementation, and students from EWS and DGs currently residing and attending private schools in Bangalore, India. By listening to stakeholders' and students' narratives of their life-experiences and insights into education, this research intended to understand the multi-level processes that lead to better learning outcomes, and greater inclusion and social cohesion.

Site Selection

Bangalore (currently renamed as Bengaluru), is the capital city of the state of Karnataka in southern India (see Fig. 1). Referred to as the Silicon Valley of India, Bangalore is home to more than twelve million residents (Census of India, 2019). Once hailed for its pleasant climate, higher-education institutions, and research centers, Bangalore has now become a bustling metropolis where many of the information technology and biotechnology companies are headquartered. For several decades, starting in the 1960s, Bangalore has welcomed migrants from across the country who have come in search of better employment opportunities, education, healthcare, and other public utilities. Since the creation of the state in 1956, the Government of Karnataka has invested extensively in education systems at the primary, secondary, and tertiary levels, and is among the states with the highest literacy in the country, that is 89%. Once a manufacturing hub, today Bangalore is a reflection of the economic liberalization policies introduced by the Government of India in the 1990s, which transformed Bangalore into the leading knowledge-economy center in India.

Beyond my familiarity with the context and previous work as an educator in Bangalore, I chose Bangalore as the site for this research study as Bangalore today epitomizes the dramatic, yet inequitable social, cultural, economic and political development that has swept

across India. However, behind the glamor and glitz of the technology parks that dot the cityscape, reside several urban slums and low-income peri-urban centers that house close to 25% of the city's population. While the government struggles to cope with the civic needs of the city, most impacted by the shortage of resources are the urban poor who struggle to access various social services, including educational. In the last two decades, Bangalore has witnessed an explosion of providers in the education sector, with various actors stepping in to serve the educational aspirations of parents across class, caste, and geographic location. Also, Bangalore, the capital city of the southern state Karnataka, leads the country in the implementation of Section 12(1)(c) of the RTE Act.

Figure 1. Map of Bangalore

Prior to the RTE Act, the Government of Karnataka (GoK) has pioneered several initiatives aimed at dealing with issues associated with access, inclusion, and improved

quality of education. Some of the notable programs adopted over the years to target its EWS and historically disadvantaged populations are as follows:

• Free Uniform and School Bags: Started in 1961, providing free uniforms and books to boys and girls up to the age of 14. Started as a program to increase student enrollment in schools, this scheme aims to provide incentives and decrease economic barriers to education, as well as to retain children in school until the compulsory age (GoK, 2019).

• Directorate of Urdu and other Minority Language Institutions: Established in August 1987 with the mandate to identify "educationally backward" religious minority populations and provide educational facilities or open new schools to serve their needs (GoK, 2019).

• Akshara Dasoha: A midday meal scheme established in 2001, provides daily, hot cooked midday meals to students in Classes 1 to 10 across the state. The objectives of this scheme are to: increase enrolment, attendance, and retention; improve health; and improve overall learning ability through improved nutrition.

• Schemes for Out-of-School Children: The Government of Karnataka has established several schemes for bringing out-of-school children into the mainstream school system including: Coolienda Shalege evening schools for child workers; mobile schools for children from slums; Beediyinda Shalege for street children; and Baa Baale Shalege for out-of-school girls.

Conclusion

India's educational expansion is reflective of the Education for All (EfA) mandate, along with the push to achieve universal education at all levels of education by the year 2015 under the Millennium Development Goals (MDGs) (UN, 2000). With the passage of the

Sustainable Development Goals (SDGs) in September 2015, focus has now shifted to providing "an equitable and quality education that promotes life-long learning opportunities for all" (UN, 2015). PPPs in education are emerging as a viable policy alternative, as they are perceived to increase choice, quality, accountability, affordability, and cost-efficiency. Three consecutive five-year plans, starting from the Tenth Five-Year Plan (2002 – 2007), the Eleventh Five-Year Plan (2007 – 2012), and the Twelfth Five-Year Plan (2012 – 2017) have emphasized the role of the private sector in the provision of education. However, the fundamental issue of whether education is a powerful tool to challenge and change structural inequities, or if it can only reproduce and strengthen dominant ideologies continues to be debated. Through this study I sought to understand how social, political, administrative, and economic factors shape how policy gets "formulated, imported, adapted, and localized," leading to policy prescriptions that have the potential to influence education policy, curriculum, and practice at the local as well as national and international levels (Pritchett, 2009; Vavrus and Bartlett, 2009, p. 13).

CHAPTER 2

LITERATURE REVIEW

This chapter discusses the theoretical and empirical research literature relating to the role of private actors in the education sector. Specifically, the discussion focuses on public-private partnerships (PPPs) in education. Three main bodies of literature are explored in this chapter: (i) the origin and development of PPPs, its various definitions, typologies, and the role of non-state actors in influencing education policy; (ii) the evolution of education policy and practices in India since independence in 1947; and (iii) PPPs in India and the various actors involved in the education sector. The overarching goal of this chapter is to situate my research while exposing the gaps and illustrate the importance of conducting this study.

Education as a Marketplace

> Is education about giving each young child, each young person, the opportunity to develop his or her full potential as a person and as a member of society? Or is education a service sold to clients, who are considered from a young age to be consumers and targets for marketing?" (van Leeuwen, as cited in Education International, 2009, p. 3).

Neoliberalism and Globalization

The last three decades have been dominated by a global "neoliberal political economy," which has spread the ethos of privatization and market liberalization in multiple spheres, including education (Cabalin, 2012; Connell, 2013; Menashy, 2019; Verger et al., 2016; Verger, 2017). Having started in the late 1970s, by the mid-1980s neoliberalism had become

17

the preferred "political and ideological form of capitalist globalization" (Ball, 2012, p. 29).

The driving theoretical underpinnings of neoliberalism are that competitive free markets

which are the "optimal social institutions for attainment of social welfare," and that minimal

government intervention "could lead society to allocate resources efficiently and attain

maximum welfare" (Tickell and Peck, 2002, p. 384). The core tenets of neoliberalism were

formalized through the "Washington Consensus" in 1989 by identifying key areas that

required reform. They include "macroeconomic stability; cutting back government budgets;

privatization of government operations; ending of tariffs and other forms of protection;

charging user fees for many public services; and lowering worker protections through

flexible labour markets" (Klees, 2007, p. 312). The Washington Consensus was quickly

adopted by international financial organizations such as the WB, IMF, WTO, OECD, the

government of the United States of America, and the government of the United Kingdom

(Ginsburg, 2012; Harvey, 2005; Klees, 2002, 2008).

The dramatic change in the rhetoric at the national and international levels on the role of

government in the provision of public services can be attributed to the combined efforts of

Prime Minister Margaret Thatcher in the UK and President Ronald Reagan in the USA.

Around the same time, the WB and IMF witnessed a change in leadership, resulting in a

"Great Experiment" that sought to alter the way governments and citizens alike viewed the

role of government. Not only were these policies popularized in the Global North, they also

began to be advocated and implemented in the Global South to help governments overcome

debt and crisis-ridden economies (Ball, 2009, 2012; Cabalin, 2012; Klees, 2008; Mundy and

Menashy, 2014). The World Bank, International Monetary Fund (IMF), and World Trade

Organization (WTO) were successful in achieving the neoliberal agenda of privatizing social

services and public services through the implementation of Structural Adjustment Programs (SAPs) and Global Trade Agreements (GATs) (Ball, 2012; Connell, 2013; Verger and Robertson, 2012). Therefore, it can be ascertained that the primary goal of neoliberalism is to promote the maximum involvement of the private sector in the provision of public services and infrastructure. Markets are considered to be efficient while governments are not. Hence, if markets are deregulated and liberalized, they will achieve optimum economic benefits, which will in turn improve social outcomes for all.

Jessop (2002) refers to this move of reinventing public governance as "destatalization" – that is, a process of dismantling the institutional arrangements of the state and implementation of policies that incorporate new methods of regulations such as decentralization, marketization, performance measurements and evaluation, and public-private partnerships. The role of the government in a neoliberal state is limited to regulate and monitor the delivery of public services by the private sector – that is, "a shift from government to governance; from bureaucracy to networks; and from delivery to contracting" (Nambissan and Ball, 2010, p. 324). Notwithstanding the push for free-market principles of competition and choice, and the erosion of state institutions, concerns over the negative implications of neoliberal policies have been raised. Critics argue that neoliberalism has profoundly affected vulnerable and marginalized populations who are dependent on public services provided by the state (EI, 2009; Ginsburg, 2012; Koning, 2018; Spreen and Kamat, 2018; Verger et al., 2016).

This phase also brought about a transition in how states function – from bureaucratic towards "New Public Management" (NPM) (Hood as cited in Robertson and Verger, 2012, p. 23). Driven by a range of social, economic, political, and technological factors, NPM

included greater accountability, benchmarking, evaluation, monitoring, and autonomy. As national governments strive to comply with global regulations and standards, they are encouraged to replicate private-sector organizational structures and management policies to achieve productivity, efficiency, and quality (Jaimovich, 2012; Klees, 2008; Robertson et al., 2012). As Ball (2012) points out, the result has been excessive withdrawal of support for public programs and the government. As many facets of the neoliberal agenda continue to affect the economic, social, and political aspects of governments and individuals' lives, it is important to examine the relationship between governments and businesses, along with the potential pitfalls of too little government engagement, oversight, and scrutiny.

Neoliberalism has been the driver of globalization. Changes in economies, cultures, and politics that permeate all levels of society are a consequence of globalization (Kamat, 2011; Nambissan, 2010; Rizvi and Lingard, 2012). Globalization may appear and mean different things to different groups or people, depending on the contexts in which they live. The World Bank (2001) defines globalization as the "growing integration of economies and societies around the world as a result of flows of goods, services, capital, people, and ideas." Rizvi (2007) provides a more nuanced view of globalization:

> It is a concept that is used to describe almost any and every aspect of contemporary life, from the complex contours of contemporary capitalism, to the declining power of the nation-state system, the rise of transnational organizations and corporations, the emergence of a global culture challenging local traditions, and the information and communications revolution enabling rapid circulation of ideas, money, and people" (p. 256).

From Rizvi's comment we can discern that globalization is used to not only describe empirical events and conditions, but also to describe interpretations and responses to social, economic, cultural, and political changes. Verger et al. (2013) attribute three main characteristics to globalization, "hyperliberalism in the economic domain; governance

without government in the political domain; and commodification and consumerism in the cultural one" (p. 5).

The field of public education has not been immune to the influence of neoliberalism and globalization. Tickell and Peck (2003) refer to the twin effects of neoliberalism and globalization as "overlapping and intersecting projects," coining the term "neoliberal-globalization" to reflect this complex phenomenon (p. 4). While it was easier to privatize some public services such as transportation, infrastructure, energy, waste management, etc., advocates realized that it was not the same with essential services such as health, education, and welfare policies. Thus, emerged the concept of educational PPPs – that is, a process of marketization centered on the greater involvement of private capital, and managerial skills within educational systems which had traditionally been planned, financed, and delivered by the state (Ball, 2012; Dale, 2005). With globalization affecting all aspects of education, from agenda setting to policy formulation, adoption, and implementation, it should be noted that the processes that influence education policy are often constituted globally, even though they are adopted and implemented at the sub-national level. These "negotiations no longer take place only within the national political context, but also in an emerging transnational space" (Lingard and Rizvi, 2012, p. 72). As a range of new actors involved in education research, advocacy, policy formulation, and implementation emerge at the international, national, and sub-national levels, it is important to examine who these actors are and how their aims and motives affect educational outcomes for children from marginalized communities.

Public-Private Partnerships in Education

PPPs in education are being increasingly promoted as a policy alternative in the delivery of education services to meet the "twin challenges" of increasing access to education and improving learning outcomes. This coupled with financial constraints and shrinking education budgets around the world, has resulted in the emergence of private/non-state actors as a viable alternative to public education (Draxler, 2012; Ginsburg, 2012; Menashy, 2016; Patrinos et al., 2009; Verger et al., 2016). Since proposed by Milton Friedman (1962) five decades ago, the idea of private participation in the provision of public education gained credibility in the 1980s as frustration with public schools began to grow. This argument in several cases laid the foundation for private initiatives that promised greater choice and competition, productive efficiency, equity, and social cohesion. According to this argument, it is only the private sector that has the skill and expertise to address school failure, achievement gaps, budget deficits, and inequities (social, economic, and spatial). Private-sector engagement in the delivery of education is now one of the most intensely debated policy proposals (Belfield and Levin, 2005; Fennell, 2012; Friedman, 1962; Lafleur and Srivastava, 2019; Menashy, 2019; Verger et al., 2016).

By the 1990s, critics of privatization "in" and 'of' education began to raise serious concerns regarding the detrimental effects of neo-liberal, market-based education reform on the social, cultural, economic, and political development of societies. Furthermore, these critics articulated that, despite all the shortcomings and criticisms of the public education system, there should be skepticism regarding the motives, readiness, and capability of private actors to adequately and equitably meet the needs of diverse groups of students (Ball, 2009, 2012; Draxler, 2012; Ginsburg, 2012; Nambissan, 2014). "Partnerships" emerged as a

response to the concerns raised by opponents regarding pro-market education reforms and programs. Robertson and Verger (2012) noted that "Partnerships were a corrective to too much state (Keynesianism) on the one hand, and too little state on the other (privatization)" (p. 26).

Starting in the 1990s, international organizations (WB, IMF, USAID, DfID etc.), regional development banks (ADB, AfDB, CAF, IDB, etc.), and government agencies increasingly advocated for PPPs as an effective and efficient alternative to tackle problems in a range of sectors. PPPs exist in many domains such as infrastructure, energy, transportation, telecommunications, health services, and education to name a few (EI, 2009; Mundy and Menashy, 2012; Patrinos, 2013; Robertson and Verger, 2012). In the education sector PPPs emerged as a market-driven non-state solution to the perceived inability of states to meet the growing demand for educational opportunities. Partnerships in education vary depending on the actors involved and the relationship between the public and private partners. It should be noted that the private sector is not a homogenous bloc and that it covers a broad range of actors, including private businesses, private foundations, philanthropies, non-government organizations, faith-based organizations, civil-society organizations, international financial organizations, consulting firms, academic and research institutions, policy entrepreneurs, and edupreneurs (Barrera-Osorio et al., 2012; Bhanji, 2012; Menashy and Zakharia, 2017; Spreen and Kamat, 2018). Additionally, the role of non-state actors is not limited to management, provision, regulation, and evaluation, but rather extends to the policy process (Bhanji, 2012; Jaimovich, 2012; Menashy, 2019; Mundy and Murphy, 2001; Verger and Robertson, 2012). This shift has seen the involvement of "external expertise (move) beyond the traditional task of informing policy, and (become) policy forming in a more complex form of governing"

(Ferwick, Mangez, and Ozga, 2014, p. 6). While some actors portray PPPs as an innovative

strategy to address inadequacies in education systems, others question the legitimacy of PPPs

as a tool of governance, arguing that PPPs undermine the basic premise of the right to

education (Koning, 2018; Menashy, 2013; Nambissan, 2014; Verger, 2012, 2017). In light of

these contestations, it is important to examine the different conceptualizations of PPPs,

typologies, scholarly literature on PPPs, and the various non-state actors engaged in

education policy agenda setting, formulation, adoption, implementation, and evaluation.

Definitions of Public-Private Partnerships

The role of PPPs is grounded in the different conceptions of their meanings and

purposes. The Commission on PPPs (2001) categorizes them as a

> …risk-sharing relationship based on agreed aspiration between the public and
> private (including voluntary) sectors to bring about a desired public policy
> outcome. More often than not this takes the form of a long-term and flexible
> relationship, usually underpinned by contract, for the delivery of a public
> funded service (n.p.).

The term "partnerships" has been described as being "plastic" due to the heterogeneous and

multiple forms it can take. PPPs encompass a broad range of definitions, ranging from a

formal contracted project to a fully privatized project; still others define it as a "hybrid"

approach that distributes risk evenly among all parties where there is shared objective

(Draxler, 2018; Patrinos, 2009; Verger andVanderkaaij, 2012). Considering the complexity

of PPPs in education, Robertson et al. (2012) define PPPs as a

> …semantic umbrella that can cover quite heterogeneous phenomena, ranging
> from straight-out private service provision to contractual-based service
> arrangements, to less formal types of collaboration and partnerships between
> the private sector, private philanthropic organizations and governments, based
> on trust and joint commitment to the common good (p. 6).

PPPs are seen as serving two goals in education: a "language game" and a "governance

game" (Hodge and Greve, 2010, p. 3). The "language game" reflects the multiple ways in

which relationships between state and private sector actors are negotiated depending on the power dynamics between them, potentially leading to the import of business ideas and practices. The "governance game" indicates the growing role and influence of the private sector in educational governance (Hodge and Greve, 2010). Economists such as Patrinos et al. (2009) offer a more narrow and precise definition of PPPs, referring to them as a "contract made by a government with a private service provider to acquire services of a defined quantity and quality at an agreed price for a specified period" (p. 31). In summation, PPPs can be defined as a risk-sharing, long-term relationship and contract with specified goals, between state and non-state actors to realize the shared objective of achieving a common good. The diverse definitions of PPPs, the sectors they operate in, their scope, formality of arrangements, and the contexts they operate in therefore require further exploration.

Types of Public-Private Partnerships

Various models of PPPs have emerged between state and non-state actors to address the issues of educational access, quality, outcomes, and equity. Patrinos et al. (2009) identified two models of PPPs: (i) private financing for public school provision; and (ii) public financing for private school provision. Table 1 shows the 2x2 matrix proposed by Patrinos et al. indicating the different arrangements based on the two dimensions of provision and finance.

Table 1. Patrinos et al. 2x2 Matrix

PROVISION

		Private	**Public**
F I N A N C E	**Private**	Private Schools Private Universities Home Schooling Private Tutoring	User Fees Student Loans Philanthropy Corporate Social Responsibility
	Public	Vouchers Contract Schools Charter Schools Contracting Out	Public Schools Public Universities

(Patrinos et al., 2009, p. 3)

While this framework has dominated educational discourses and practices in recent years, opponents of PPPs argue that this framework is a simplistic understanding of the complex matrix created as a consequence of the interaction among the values, motives, and beliefs of state and non-state actors. Robertson and Dale (2013) provide a more novel and deeper understanding of the multiple modalities under which PPPs operate. (see Fig. 2)

Figure 2. Robertson and Dale Model of PPPs

Robinson and Dale categorize PPPs in three dimensions: "(i) distinct forms of education activity (funding, provision, ownership, regulation); (ii) particular kinds of entities or agents with different interests (state, for-profit/not-for-profit market, community, individual); and (iii) different platforms or scales of rule (sub-national, national, supranational)" (2013, p. 7). Given the diversity of educational PPPs, it is important to explore broader conceptualizations, typologies, and frameworks in order to gain a more nuanced understanding of the complex and continually evolving area of research.

Robinson and Dale's categorization of PPPs is best explained in a report produced by the Asian Development Bank (2009) which draws on typologies from multiple sources, which is summarized in Table 2 (p. 31). The ADB classifies PPPs into four distinct categories. First, *education service delivery* initiatives are the most common type of educational PPPs operationalized in many countries. Models of delivery-based PPPs include privately managed public schools, and contractual agreements with private schools for education services that include tutoring, extra-curricular, and vocational services. These PPPs are typically used as a means of expanding education within overburdened public systems. In this model of partnership, the government generally pays a fixed per-pupil fees to attend a private school, with payments being either targeted or universal in nature. These payments are made directly to the school rather than to students. Schools that enroll students under this model are usually required to meet certain criteria and standards set by the government. These criteria can include school infrastructure, curriculum, teacher qualifications, student-teacher ratio, school fees, management structures, and student performance letters. Outsourcing of non-curricular support services in schools include non-instructional activities, school maintenance, student

transportation, school-meals, budget and financial management, human resources and information technology services.

Some examples of PPPs in the Indian context engaged in education service delivery include:

i. Mid-day Meal Scheme – as the name suggests, a school meals program funded by the Akshaya Patra Foundation, Naandi Foundation, and GMR Varadalakshmi Foundation.

ii. Adopt a School – a PPP extending pedagogical services related to curriculum development, teacher training, and provision of teaching material, and learning enhancement for students through technology. Organizations and foundations supporting this program include Bharti Foundation, Varkey Foundation, Sir Ratan Tata Trust, Care India, Azim Premji Foundation, and Pratham (Kamat, Spreen, and Jonnalgadda, 2016; Srivastava et al., 2013).

Second, *infrastructure PPPs* are a variety of arrangements where the private sector is tasked with initiatives such as build-own-operate-transfer (BOOT), build-operate-transfer (BOT), and design-build-finance-operate (DBFO). The most commonly used infrastructure PPP is the DBFO. In this mode of partnership, the private partner builds, finances, and operates the facility for a fixed period of time, following which it is transferred to the government. While the private sector invests in the infrastructure in all cases, delivery of other educational services such as teaching, education supplies, staff recruitment, etc. are dependent on the terms of the contract. Contracts usually last for 25 – 30 years and clearly outline the standards to be met and services to be delivered. During the period of the contract the private partner is reimbursed by the state based on performance outputs. This model also includes leasing of public school buildings to private operators. Leasing schools to NGOs,

businesses, NGOs etc. provide public schools with much needed financial and human resources. In many cases, the private partners use their networks and expertise to help in establishing and operating science and computer labs in underequipped public schools. Example from India include:

i. Bridge International Academies involved in the improvement/construction/maintenance of public schools in the south-eastern state of Andhra Pradesh.

ii. Edureach, a program of Educomp has partnerships with more than 13,000 schools in 23 states, and aids in establishing computer labs, computer technology instruction, and assessment of learning skills using computer-based activities. Organizations engaged in this partnership are – Intel, Microsoft, Azim Premji Foundation, and Infosys Foundation.

Next, *demand side financing PPPs* include publicly funded voucher, scholarships, stipends, and tax credits for students to attend private schools. Vouchers and stipends are part of the partnership strategy that has received most attention in research studies. This model emerged to provide market-based education reform that promotes choice, competition, efficiency, and quality. State and non-state actors participate in the education partnership through financing vouchers and stipends for students to attend a private school of their choice. LaRocque (2008) defines vouchers as a "certificate or entitlement that parents can use to pay for the education of their children at a public or private school of their choice" (p. 22). Voucher programs are different from education service delivery partnerships, as students are able to select a school of their choice where the payments follow the student rather than being directly provided to schools. While vouchers can be offered universally, they are usually limited to certain targeted populations. There are several examples of voucher programs from the North and South. It is noteworthy that the designs, rules, and regulations

29

of voucher programs vary according to the context they are implemented. One such voucher program implemented in India is the Andhra Pradesh School Choice Project – a partnership between the Government of Andhra Pradesh, the Azim Premji Foundation, and the World Bank. The voucher covers all expenses related to school fees, textbooks/workbooks, stationery, uniforms, shoes, and transportation costs, and is funded by Bank (Muralidharan and Sundararaman, 2015).

Finally, *policy, strategy and support* are often referred to as capacity-building, knowledge-sharing, and skill-development, and this model of partnership is often led by non-state actors. As the title suggests, this type of partnership involves advocacy, curriculum development, education program development, standardized testing and evaluation, and extension of non-state expertise to the government. These partnerships include training of management staff, curriculum and pedagogical support, professional development workshops, and developing advocacy networks. Included in this model are opportunities for non-state actors to develop certification programs that are tailored to meet specific needs, quality assurance tests, and standardized testing infrastructure (ADB Report, 2009; EI Report, 2009; Patrinos, 2009; Robertson et al., 2012). In an attempt to harness knowledge, skills, and capacity of the private sector, The Government of India, and several other state governments have entered partnerships with private operators in realms such as – assessment, capacity building of school management committees, education and training institutes, and curriculum development. Private actors engaged in partnerships include Oxfam, Bill and Melinda Gates Foundation, Educare Trust, and School Choice Campaign, India (Srivastava, 2016).

Table 2. Asian Development Bank's Classification of PPPs in Education

Education Service Delivery Initiatives	Infrastructure PPPs	Demand-side Financing Programs	Policy, Strategy, and Support Initiatives
Private management of public schools	Private finance initiatives: finance, design, construction, and operation of education infrastructure	Publicly and privately financed voucher or scholarship programs	Private involvement in curriculum and program development
Contracting with private schools for delivery of education services	Private leasing of public schools	Payment of subsidies to students at private schools	Private involvement in policy and strategy development
Contracting with the private sector for delivery of specialist curricula	Equipment and maintenance of information technology laboratories and workshops	Tax credits and tax exemptions	Private sector quality assurance Private testing and certification
Outsourcing of ancillary functions at school			Private sector standard setting
Public sector affiliation and franchising of program delivery to the private sector			Private sector school review

Table 2 (ADB, 2009)

As is evident from the above discussion, the diversity of models demonstrates that there

is no "standardized model available for wholesale replication" (ADB, 2009, p. 23). The

complex social, political, administrative, cultural, and economic aspects of education systems further complicate the development of a single best system that is replicable and effective. PPPs are a "highly context dependent phenomenon" (Chattopadhay and Nugueira, 2013, p. 1; Pritchett, 2009). Therefore, it is important to examine the context that PPPs operate within, while simultaneously factoring in the diverse and unique needs of local populations.

Rationale for Public-Private Partnerships in Education

Public education has come under increased scrutiny over the past two decades due to the funding cuts, government inefficiency in education provision, rigid institutional hierarchies, and poor achievement test results (Draxler, 2015; Gurney, 2017; Harma, 2010). Central to the debate on the role of non-state actors is the idea that public education is not making the cut. The four main objectives of PPPs in education are increasing choice and competition, productive efficiency, equity, and social cohesion (Friedman, 1962; Belfield and Levin, 2005; Moschetti and Verger, 2020; Patrinos et al., 2009; Verger et al. 2016).

Choice and competition. One of the most contentious debates around PPPs is the role of government in the provision of education versus the role of non-state providers. The provision of education has been traditionally viewed as the responsibility of the state. Since the mass expansion of education in the early twentieth century, educating and schooling children have been an obligation of the state toward its citizens. Government provision of education is rationalized on the grounds that there are significant "neighborhood effects," i.e., externalities of education that are immeasurable and extend beyond the individual (Apple, 2011; Bonal and Verger, 2017; Nambissan, 2014). In contrast, Friedman's (1963) arguments about market incentivized schooling, along with Becker's (1964) advocacy of using

educational institutions for building human capital, laid the foundation for school choice and competition.

One of the foundational arguments for PPPs in education relates to the market-driven principle of choice. Levin (2002) defines choice as the right of "families to choose schools for their children that are premised on their values, educational philosophies, religious teachings, and political outlooks" (p. 36). Proponents of PPPs argue in favor of PPPs for two reasons. First, parents as duty bearers and rights holders, have the right to choose a school that best suits their financial, social, cultural, and religious values and beliefs. Parents are assumed to be rational decision-makers, who act out of self-interest or individualism, and consistently choose alternatives that provide the maximum benefit. Parents as primary caregivers are most aware of the capabilities and learning needs of their child, and hence are likely to make informed decisions that improve their child's educational outcomes and well-being.

The second aspect of choice relates to holding the system accountable. Given the freedom and opportunity to choose between equally viable alternatives, parents are likely to choose schools that offer an education that accommodates individual preferences related to curricular content, teaching philosophy, extra-curricular activities, school neighborhood, and religious affiliations. Supporters of PPPs argue that due to the "monopoly" of public schools, and the lack of options, parents are trapped in schools that are failing and inadequately equipped to meet the diverse learning needs of students (Friedman, 1962; Patrinos et al., 2009; Tooley, 2015). The PPPs framework articulates that choice creates competition between providers, compelling schools to provide maximum benefits at minimum costs. Tooley (2007) links the concept of pedagogical choice and competition to the use of voice

and exit mechanisms to achieve desired outcomes. Exit is viewed as an economic response by dissatisfied parents to pursue education services in other schools (voting with their feet), while voice is viewed as a means for parents/families to stay and influence educational services within a school. According to Tooley, it is this kind of competition in the education market that forces educational institutions to improve services.

The principal argument in favor of choice and competition is the assumption that it increases educational opportunities and outputs. However, critics vociferously oppose PPPs disguised as school choice because public education in their perception is the "cornerstone of democracy." A vibrant democracy requires informed and engaged citizens who are not only aware of their rights and freedoms, but of others as well. Proponents of public education believe that the public education system must prescribe to a curriculum that fosters critical thinking, imagination, self-confidence, empathy, patriotism, and social cohesion. The disparate ideologies pursued by private providers may fail to promote the democratic values required to build stable democracies (Harma and Rose, 2012; Nambissan, 2014; Verger, Lubienski, and Steiner-Khamsi, 2016). Therefore, it is definitely worth debating what kind of choices are acceptable or not. Another aspect that is important to enhancing school choice is information. However, in the case of imperfect information, parents are likely to make choices that do not fulfill their values, beliefs, and aspirations. Often families, particularly those from lower-socioeconomic status, have few resources and supports to help them access information and navigate the complex admission processes (Moschetti and Verger, 2020; Robertson and Dale, 2013; Sarin and Gupta, 2013).

With choice comes the additional burden of hidden costs associated with choosing a school outside of the public education system. Despite the government supplementing

educational costs through vouchers, stipends, and/or cash transfers, families have to bear additional expenditures such as transportation costs, admission fees, educational supplies, uniforms, and laboratory/library/sports fees (Fennell, 2012; Harma, 2012; Spreen and Kamat, 2018; Srivastava, 2016). Finally, private schools themselves may not be comfortable with the idea of providing education to all children. In a study conducted by Nambissan (2014), the author notes that choice led to de facto segregation of groups, thereby creating an added tier of class and caste hierarchy in an already segregated system.

Productive efficiency. This refers to the maximization of student achievement (outputs) for the least amount of financial inputs. A frequent claim made by advocates of PPPs is that the market creates the necessary condition for greater productive efficiency by encouraging competition and innovation (Patrinos et al., 2009). Supporters of PPPs articulate that "market competition among schools will create incentives to meet student needs and educational productivity" (Belfield and Levin, 2005, p. 540). Furthermore, they add that PPPs will result in improved academic achievements and accomplishments without exacerbating social and economic inequities.

The second aspect of productive efficiency is cost-efficiency. Supporters of PPPs believe that the bureaucratic form of governments that existed during the Great Depression and post-World War II have served their purpose. These supporters argue that a rapidly changing world no longer requires the kind of regulations and state interventions that existed up until the 1990s. They further suggest that governments should become more "lean, decentralized, innovative, flexible, adaptable, creative, and quick to learn when conditions change" (Osborne and Gaebler, 1992. p. 27). This argument is a derivative of the earlier discussed aspect of choice and competition, according to which government bureaucracies are

inherently wrought with inefficiencies. PPPs enable the private and public sectors to share

costs through pooling resources and using them optimally, thus allowing governments to

expand and diversify their services and financial capital to other neglected areas. PPPs enable

partners to share the costs of risks of participating in educational projects which would

otherwise require large amounts of capital investments (Bhatty et al., 2015; Dahal and

Nguyen, 2014; Santori, Ball and Junemann, 2016). Private non-state actors are projected as

having the resources and expertise to invest in innovative teaching materials and techniques,

school infrastructure, information technology, and co-curricular activities (Bhanji, 2012;

Menashy and Zakharia, 2017; Srivastava and Oh, 2012). Through PPPs, the government is

tasked with providing policy directions and oversight, while non-state actors provide

education services. The government is engaged in the allocation of resources; the non-state

actor is focused on maximizing outputs at minimal costs. In the likelihood of cost reduction

compromising the quality of education services, the government has the authority to

withdraw service allocation. Therefore, through competitive contracting, cost of service

provision can be cut and hence eliminate wasteful expenditures. Periodic systematic cost

benefit analysis should be conducted to determine the optimal use of resources (Ashley et al.,

2014; Draxler, 2012, 2014; Srivastava, 2010).

However, critics argue that efficiency is gauged purely on test scores while too often

overlooking the immeasurable qualitative aspects such as motivation, problem-solving skills,

creative thinking, ability to work in teams, and effective decision-making. While some

studies have shown modest improvement from the status quo, the question frequently raised

is whether the investment in terms of material and human resources is worth the gains.

(Adamson et al., 2015; Muralidharan and Sundaram, 2015; Verger et al., 2016). Opponents

of PPPs posit that, while schools may become more efficient under PPPs policy incentive, it is achieved at the cost of increased social hierarchies (Adamson et al., 2015; EI, 2009; Koning, 2018; Lafleur and Srivastava, 2019; Mcloughlin et al., 2014; Velaskar, 2010).

Equity. One of the most difficult dimensions to assess is equity, as it is a normative concept that means different things to different people. Equity generally encompasses the idea that all students have the right to receive a quality education, and equal access to resources and instruction irrespective of their race, class, caste, gender, religion, geographic location, abilities, and linguistic origins (Akyeampong, 2013; Belfield and Levin, 2002; Carnoy, 2000). Equity is analyzed on the following three indices – degree of access to educational opportunities, quality of those opportunities, and the education outcomes. PPP advocates suggest that the ability to choose schools provides families the opportunity to exit inferior schools in the neighborhood that likely impact educational outcomes (Barrera-Osorio et al., 2012; Tooley, 2007, 2013). According to Srivastava (2010), learning occurs by way of social interactions among students from different groups; further PPPs have the potential to mitigate inequities through such social interactions. In addition to equity through access to resources, proponents of PPPs suggest that equity can be attained through educational achievement. Better educational quality means not only higher student achievement and more productive workers but also more income for individuals and families, allowing them to move up the social and economic ladder (Barrera-Osorio et al., 2012; Belfield and Levin, 2005; Friedman, 1963).

On the contrary, those who question the role of PPPs in increasing equity argue private engagement in education leads to more social inequities as parents with greater social, political, and economic capital are likely to reap the benefits while the most marginalized

continue to be overlooked by the system. Often, it is the most marginalized and vulnerable

populations that are impacted due to the lack of information, and financial and social capital.

In addition, PPPs are likely to perpetuate segregation based on class, caste, and/or religion,

with families choosing to educate and socialize their children in schools that most reflects

their cultural values and beliefs (Akyeampong and Rolleston, 2013; EI, 2009; Harma and

Rose, 2012; Spreen and Kamat, 2018).

Social cohesion. This aspect refers "to the provision of a common educational experience

that will orient all students to grow to adulthood as full participants in the social, political,

and economic institutions of our society" (Belfield and Levin, 2005, p. 541). Social cohesion

is achieved by employing a common curriculum, social values, national identity, and

common language. In other words, schools are viewed as institutions that are essential to

promoting the common social good. Schools are thus tasked with instilling the necessary

skills and values required for individuals to participate in a democratic society – that is,

participate in public affairs, civic responsibility, collective decision-making, and involvement

in public life (EI, 2009; Gurney, 2017; Harma, 2011). Proponents of PPPs note that

partnerships in education are the best way to promote social cohesion as children are exposed

to a racially, ethnically, linguistically, and economically diverse student body.

However, one of the most frequent criticisms of private participation in education is that

schools will compete to maximize "private benefits" at the cost of "social benefits," thereby

resulting in families making choices that are individually more advantageous versus a

common social good. Hence, opponents argue that it is public education that is more suitable

to democratic and socially cohesive attitudes among students, as it provides the basis for

"knowledge, values, and loyalties that form the foundation of liberal democracies" (Ball,

2010, p. 129). Furthermore, PPPs will likely advance differences in curricula, values, beliefs, and knowledge, thereby eroding the democratic ideals and foundation of the state (Apple, 2000, 2011; Sarangapani and Winch, 2010). Although advocates of PPPs articulate that governments can overcome this hurdle by regulating and monitoring curriculum, instruction, and student evaluation. The best methods to measure social cohesion will be by assessing student exposure to history, political institutions, economic institutions and their functioning, legal frameworks, citizens' rights and responsibilities, common language, and participation in electoral processes (Nambissan, 2013; Srivastava, 2010; Verger et al., 2016).

The Indian Education System and Education Policy

The Indian Education System

The education system in the States and Union Territories of India follows the 5+3+2+2+3 pattern, which provides for five years of primary education, three years of upper-primary education, two years of lower-secondary education, two years of higher-secondary education, and three years of university education, although it should be noted that there are some minor differences between states in categorizing the different stages of education. Educational institutions in India are divided into four groups based on ownership of educational institutions: (see Fig. 3)

i. Government educational institutions – are established by the central government and operated by state governments. These schools are entirely managed and financed by central and state governments.

ii. Local body institutions – are run by municipal committees/ corporations/Zilla Parishads/ Panchayat Samitis/ Cantonment Board, etc. Examples of these types of schools include the ones run by BBMP (Bruhat Bengaluru Mahanagara Palike).

iii. Private unaided schools – are run by private individuals/trusts and are financed by school fees and funds that they raise themselves. These schools have considerable autonomy with regard to curriculum, medium of instruction, type of students admitted, pupil-teacher ratio, and tuition costs.

iv. Private aided schools – are established by private individuals/trusts but receive grant-in-aid from central and state governments. They receive funding to pay salaries of teachers and administrative staff, but they remain under private management. These schools are subject to central and state laws and regulations and are required to admit all eligible students irrespective of religion, caste, language, or ability.

<div align="right">(U-DISE, 2015; MHRD, 2015)</div>

Figure 3 below represents the various education providers operating in India.

Figure 3. Types of Education Providers in India
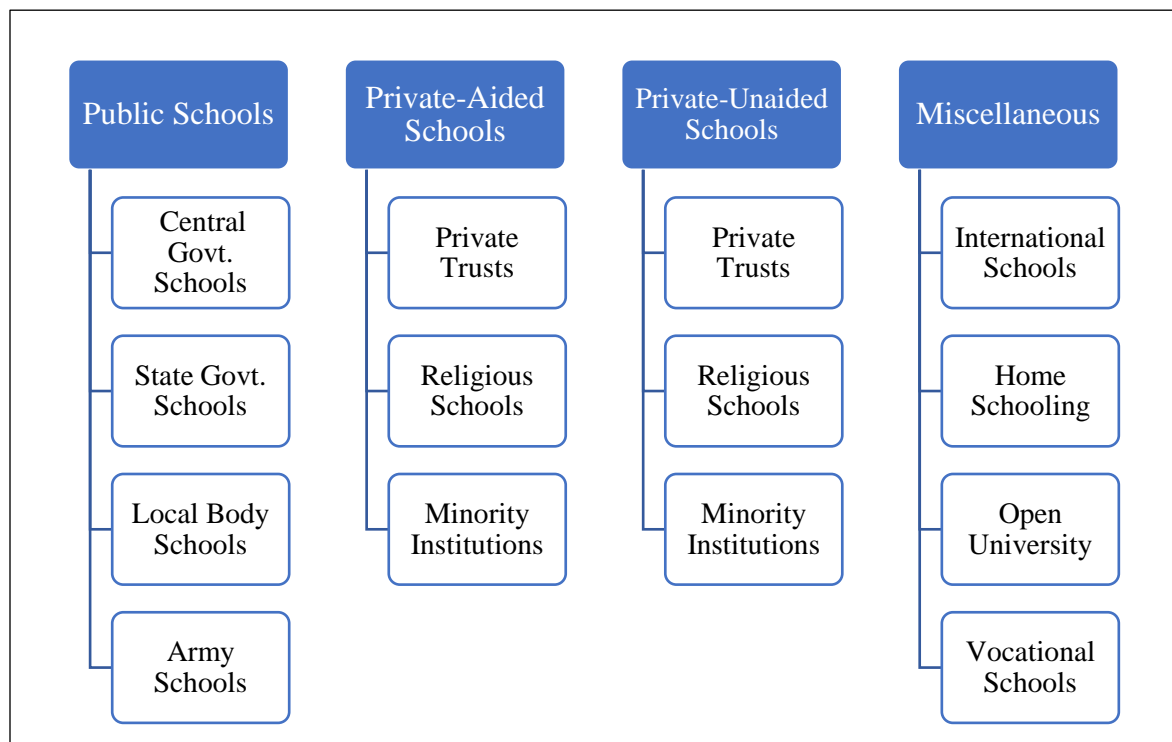
Education Policy in India: 1947 – 2019

Broadly defined, policy is the translation of political priorities and principles into initiatives that may deliver desired changes within specific timeframes. Ball (2012) points out that there are as many definitions of policy as there are writers about it, and these definitions could range from brief to those that are long and convoluted. However, Ball notes that, despite these myriad definitions of policy, they still share a number of commonalities, e.g., a policy is a formalized act, policy has pre-agreed upon objectives, policy is sanctioned by an institutional body or authority, and policy provides a standard for measuring performance. Education is a key sector of national development. To be effective, education policies must be designed in conjunction with a country's demographic, economic, social, cultural, political, and geographic contexts.

A policy document is a broad statement that outlines the government's ideology, goals, and priorities. It is in alignment with the country's constitution and can be sector-wide (e.g., education policy), or specific to a sub-sector (e.g., secondary education), or to a certain issue (educational outcomes) (Ball, 2012; Draxler, 2015; Vavrus and Bartlett, 2009, 2014; Verger et al., 2016). After independence, the Government of India (GoI) initiated several policies to address various issues in the field of education. Appendix A provides a timeline of the major educational milestones reached by the Indian government since independence. Therefore, in this study, I propose to analyze the flow of influence and policy ideas regarding PPPs at the international, national, and sub-national levels, by examining the actors, content, context, and processes that have an impact on the GoI's negotiation, formulation, and appropriation of education policy.

The constitution of India is rooted in liberal ideology and committed to the values of liberty, justice, and equality (Basu, 2013; Constitution of India, 1950; Guha, 2010; Thapar, 1966). In the context of education, this means following the principle of equal educational opportunity for all and compensatory policies for communities that are historically oppressed and exploited, namely, SCs, STs, and OBCs. The basis of "affirmative action" by the state is rooted in the recognition of deep injustices and inequalities that these communities have faced for generations, due to which they enter the education system with disadvantages and multiple layers of inequality (Constitution of India, 1950; Guha, 2010; Thapar, 1966). The education system of a country does not function in isolation from the society of which it is a part. Hierarchies of castes, economic status, gender relations, cultural diversities, and uneven economic development deeply influence issues related to access and equity in education. While access to education was limited to a select stratum of society for many centuries, deeply entrenched social inequalities between various social groups and castes continue to pose challenges for equity and justice. Extending educational opportunities to marginalized groups has been considered an antidote to this long-standing discrimination (Dreze and Sen, 2002; Kingdon, 2016; Rao, 2010).

In 1947, independent India began its educational journey with a literacy rate of only 18%. Despite constitutional safeguards for educating all children up to the age of 16, along with special provisions for children from marginalized groups, education remained a neglected area until the Education Commission was constituted in 1964. To accomplish the vision of equal educational opportunity, the commission recommended the following two-pronged policy:

1. Massive expansion of state-run free primary and upper-primary schools.

2. Establishment of a common school system. (Basu, 2013; Rao, 2010)

Though the policy received substantial support from policymakers, politicians, and citizens, the actual implementation of the policy, especially the common school system, faced stiff resistance from members of the upper castes and class. The only acceptable form of equal educational opportunity was a free, state-run system of elementary education, creating the existing two-tier system of education, i.e., government-run free schools for lower-castes and class, and a private-school system for the influential upper-castes and class (Kingdon, 2002; Kumar, 1991). While the situation has considerably changed as successive generations received the opportunity to pursue an education, vast gaps persist based on caste, class, religion, gender, and geographic location.

Public-Private Partnerships in Education in India

The global push toward achieving universal quality education as outlined in the Education for All (EFA) and the Millennium Development Goals (MDGs) has made India a focus of great attention due to the vast inequities in educational inputs and outcomes between various groups of people (Govinda, 2014; Gurney, 2017; Hill, 2015; Ramachandran, 2009). Empirical evidence from several macro and micro-level studies identify five key areas of inequities: (i) persistent inequitable access to education; (ii) deteriorating public schools; (iii) increasing achievement gaps; (iv) perpetuation and creation of hierarchies due to the entry of private/non-state actors; and (v) state monopoly and domination over education processes. While a booming national economy, material prosperity, and technological progress has benefitted some institutions and sections of society, scholars engaged in education reform in India argue that public education continues to face government apathy (Chavan, 2013; Govinda and Bandhopadhyay, 2008; Kamat, Spreen, and Jonnalgadda, 2016; Kingdon, 2016;

Ramachandran, 2009; Velaskar, 2010). Despite sweeping educational expansion of the public education system over the past 25 years, public schools remain underfunded, underequipped, and understaffed. Hence, the international development community led by the World Bank and its various partner organizations has identified PPPs as a positive step towards addressing inadequacies and shortcomings in the public education system (Govinda, 2014; Nambissan, 2014; Verger and Vanderkaiij, 2012).

PPPs in education are not new to the educational landscape in India. Although they have existed in the form of government-aided private schools since Independence in 1947, a renewed effort emerged in the 1990s advocating for educational PPPs as a viable alternative for failing state-funded, managed, and operated public schools. This push towards privatization began as the debt-ridden government of India experienced a fiscal crisis between 1985-1990 (Nambissan and Ball, 2010; Srivastava, 2010; Verger and Vanderkaiij, 2012). In response to the debt crisis, "The New Economic Policy of 1991 was introduced promulgating market liberalisation and privatisation of many state-owned enterprises, influenced largely by the World Bank's standard Structural Adjustment Program (SAPs)" (Srivastava, 2010, p. 541). SAPs were implemented in two phases in India: the first stage involved short-term macro-economic stabilization, and the second stage included deregulation, liberalization, privatization, and cuts in social sector spending. By controlling the influx of capital into the Indian economy, the WB gained the leverage required to influence public policy (Dahal and Nguyen, 2014; Srivastava, 2010; Verger and Vanderkaiij, 2012).

The WB, even today, reviews and monitors macro-economic issues such as balance of payments, fiscal deficits, foreign investments, and capital inflow. Under this review, the WB

not only proposes cuts to social expenditure, but also specify the sectors the cuts should be made in. The education sector is one such example. Education, which was once universally accepted as a basic right has now become a saleable commodity, thereby excluding those with less or no purchasing power (Ball, 2010, 2011; Nambissan, 2010, 2014). The new policy prescriptions led to a "major redefinition of relations between the state, market, and schools" (Velaskar, 2010, p. 72). According to Velaskar (2010) educational policy changed on two dimensions: "ideological and economic liberalization" (p. 71). The ideological debate was related to the role of India in the emerging global economy and the creation of a workforce equipped to maximize the benefits of an information society and knowledge economy. Second, economic liberalization and deregulation following the financial crisis led to the WB and various other development agencies (DfID, EU, ADB) becoming influential players in the education policy processes.

Following the adoption of the austerity measures outlined by the WB, the period of liberalization experienced a sharp decline in budgetary allocations to the education sector. On the one hand the government of India was expanding its role as the major provider of education services under the Education for All mandate (EFA) while simultaneously slashing funding for public schools. This created a gap in the education system between the expectations of families, and the actual delivery of education through the public education system. Moreover, the government was unable to reduce the educational inequities and social exclusion experienced by historically marginalized populations such as those belonging to disadvantaged groups and economically weaker sections (Govinda, 2014; Govinda and Bandhopadhyay, 2008; Harma and Rose, 2012; Jha and Parvati, 2014; Ramachandran, 2009).

The shift in India's education policy towards increased private sector engagement in public education is evident in three documents (Srivastava, 2010; Verger and Vanderkaiij, 2012). The first document is the Tenth Five Year Plan 2002 – 2007 published in February 2002 which identifies an increased role for the private sector in education:

> The private sector can contribute not only in monetary and material terms, but also in the form of expertise for improving quality through effective management of the system and the development of locally relevant teaching learning materials…More collaborative efforts at the institutional level as well as in programme implementation will be designed to expand the role of private initiatives in elementary education. A synergetic public-private partnership would be built up during the Tenth Plan to achieve the objective of UEE. (MHRD, 2002, p. 39).

In this policy document, the government encourages the private sector to contribute toward improving quality and access to education by expanding their role in education delivery, improve the functioning of government schools through PPPs, increase enrolment opportunities for marginalized groups in private schools, reduce regulations on private schools without compromising on quality, and harness the expertise of the private sector to make students e-literate (Planning Commission, 2002).

The second instance is the establishment of 6,000 "model schools" across the country, of which 2,500 were to be set up under the PPP model as outlined in the Eleventh Five Year Plan 2007 – 2012. The government in consultation with the private sector proposed to establish schools in rural and geographically isolated areas. The infrastructure for these schools is provided by the government, while the private sector is in-charge of management and operations. Private companies with a net worth of Rupees 2.5 million are eligible to set up schools and are required to deposit Rupees 5 million ($77,000/-) for the first school, and Rupees 2.5 million ($38,500/-) for every school thereafter. Each private actor can set up as many as 25 schools. Each school has the capacity to enroll 2,500 students, with 1,000 of

whom are from EWS and DGs. Students from EWS and DGs are required to pay a monthly

fee of Rupees 25/- ($.40), and the other students are expected to pay Rupees 50/- per month.

The remaining cost of Rupees 12,000 – 15,000 ($185 – 230) per year will be paid by

government as reimbursement to the privately managed/operated public schools. In total,

these model schools have the capacity to educate 6.5 million students of whom 2.5 million

are from EWS and DGs. Despite the government's enthusiastic development of this model of

PPPs, there have been few private/non-state actors willing to engage in this model of

education delivery (Planning Commission, 2008).

The third policy document that calls on the private sector to collaborate with the

government in delivering a quality education that increases learning outcomes, equity, and

social cohesion is the Right of Children to Free and Compulsory Education Act, 2009 (RTE

Act 2009). The RTE notes:

> The Right of Children to Free and Compulsory Education Bill, 2008, is
> anchored in the belief that the values of equality, social justice and democracy
> and the creation of a just and humane society can be achieved only through
> provision of inclusive elementary education to all. Provision of free and
> compulsory education of satisfactory quality to children from disadvantaged
> and weaker sections is, therefore, not merely the responsibility of schools run
> or supported by the appropriate Governments, but also of schools which are
> not dependent on Government funds (RTE Act, 2009).

As discussed earlier, the government proposes a 25% reservation, at entry-level (grade 1 or

pre-school) in private schools for children from EWS and DGs. The rationale for the use of

25% is to create a critical mass of EWS and DG students in the classroom.

During this entire period, multiple research studies have been conducted to examine the

increase in private sector engagement in education delivery across the country, particularly

low-fee private schools. Studies explored various aspects related to education policy

processes, quality outcomes, social inclusion, advocacy networks, and the motivations of

private providers. Some of the studies of specific relevance to this research study include those conducted by Muralidharan and Sundararaman (2015); a study by Spreen and Kamat (2018) in Hyderabad; Lafleur and Srivastava's (2019) study in private schools in Delhi; an investigation by Mond and Prakash on the motivations of private school founders and operators; and studies by Nambissan and Ball (2010), Srivastava (2016), and Kamat, Spreen, and Jonnalagadda (2016) on the role of transnational advocacy networks in influencing education policies and programs in India.

In a study conducted in the southern state of Andhra Pradesh (AP), Muralidharan and Sundararaman (2015) examine the aggregate effect of school choice on educational outputs of students enrolled in private schools under the AP School Choice project. Piloted by the Azim Premji Foundation, the AP School Choice program was carried out in five districts encompassing 180 villages. Parents of students attending public schools in these 180 villages were offered vouchers to attend a LFPS operating in the neighborhood, with the voucher covering tuition fees, and other overheads such as textbooks, workbooks, notebooks, stationery, uniforms, and shoes. However, this voucher scheme was a lottery, and applying did not guarantee acceptance. Tuition fees were paid directly to the school, while uniforms, shoes, and other educational materials were provided directly to the voucher recipients. Results from the study showed no significant difference in test scores of students admitted under the voucher scheme in comparison with their peers attending public schools in the five districts. Despite the lack of improved quality education in the participating schools, the researchers argue in support of increased private participation in education by citing the ability to achieve the same educational outcomes at 40% of the cost per student attending public schools.

In contrast to the claims made by proponents of LFPS and educational PPPs regarding better educational outcomes for children from marginalized communities attending private schools in India, the *Annual Status of Education Report* of 2018 highlights the poor literacy and numeracy skills of students attending public as well as private schools. For example, only 42.5% of students in grade 3 could read at grade 1 level, while 25% of grade 3 students could perform simple arithmetic operations of addition and subtraction (ASER, 2018). An interesting change emerging from the latest educational statistics from the Unified District Information System for Education (U-DISE, 2018) is the improved test scores of students attending government schools, and the falling test scores of students attending private schools. While the argument on improved quality outcomes for students attending private schools has centered around studies conducted in mid-level and elite private schools, some researchers have overlooked or downplayed the ambiguous and inconclusive findings from studies conducted in LFPS (Lafleur and Srivastava, 2020; Nambissan, 2014; Tilak, 2015). These new findings and emerging data raise more questions regarding private providers' claim of better educational outcomes, equity, and inclusion in private schools for children from marginalized communities admitted under Section 12(1)(c) of the RTE Act.

Another argument perpetuated by proponents of PPPs in education in India is the idea of achieving equity, inclusion, and social cohesion not only within schools but rather in society as a whole. Lafleur and Srivastava (2020) find evidence to the contrary in a study conducted in Delhi, India with 16 children from EWS and DGs attending private schools, admitted under Section 12(1)(c) of the RTE Act of 2009. Drawing on data collected through interviews and – "draw-and-talk" methodologies, the authors find that students admitted under the RTE Act experience "labelling and stigmatization" in the schools they are enrolled

in. Not only did teachers label students admitted under the RTE Act as "naughty or weak academically or incapable," these identities and beliefs "were further reinforced in peer interactions and internalized by the children in this study, affecting how they viewed and interacted with their peers" (p. 5). Since this study was conducted on the first cohorts admitted under the RTE Act, Lafleur and Srivastava call on researchers to conduct more "broad-stroke and long-term" studies on interactions between students and teachers in the classroom and schools if concerns of equity are to be addressed.

In addition to issues related to quality education and social inclusion in private schools, it is important to understand the various individuals engaged in education reform in India and the motivations driving their agendas. Mond and Prakash (2019) conducted a study to examine the motivations of individuals who set up and manage LFPS in India, by interviewing individuals who have established schools in the urban centers of Bangalore, Hyderabad, and Pune, that is, cities representing the biggest growth in private schools. The researchers outline several motivations that include setting up a school as a means of meeting an unfulfilled social need; skepticism regarding the government's ability to provide quality education; flexibility in developing and implementing pedagogical practices and curriculum; and the organic nature of LFPS arising from local contextual needs. The researchers conclude by arguing in favor of LFPS, noting that despite their shortcomings, LFPS "provide education to children who would not have gone to schools due to a multitude of factors" and aid in educating "some of the poorest communities across the globe" (p. 18).

In contrast, Nambissan and Ball (2010), Srivastava (2016), and Spreen and Kamat (2018) raise several questions regarding the motivations of privatization advocates and providers of private educational services. The above-mentioned researchers conducted extensive studies

to successfully map the global networks of international organizations, private foundations, philanthropic organizations, and edupreneurs involved in the flow and adoption of education policy ideas in India. In their studies, the authors draw attention to the flow of international policy ideas and discourses, "particularly those that advocate school choice and private schools as solutions…to achieving high quality education in India" (Nambissan and Ball, 2010, p. 325). Additionally, they provide a summary of networks linking various actors and organizations engaged in the campaign promoting school choice and privatization in education. Prominent education policy entrepreneurs in India include James Tooley who heads the Educare Trust, Sugata Mitra of 'Hole in the Wall' fame, Pauline Dixon who is a colleague of James Tooley, and Muralidharan and Kremer whose work is funded by powerful non-state actors. Advocacy networks operating in India comprise international organizations, private foundations and philanthropic organizations such as – Heritage Foundation, Atlas Foundation, Templeton Foundations, Bill and Melinda Gates Foundation, Center for Civil Society, The Goodrich Foundation, Thomas B. Fordham, Azim Premji Foundation, A C Nielsen, Center for Civil Society, Legatum Global development, Bridge International Academies, Bharti Foundation, and Cato Foundation to name a few. Despite an exhaustive list of non-state actors put forth by them, the authors express caution over the ambiguity and/or lack of publicly available information on private sector engagement in education in India (Nambissan and Ball, 2010; Srivastava, 2016; Srivastava et al., 2013).

While Nambissan and Ball (2010) provide a macro-level analysis of the policy advocacy landscape, Spreen and Kamat (2018) in their study provide a micro-level analysis of the various actors and contextual factors that has led to the proliferation of the LFPS in Hyderabad, India. The authors discuss various issues such as reduced budgetary allocation to

education, state governments' acceptance of private operators as partners in the provision of educational services, the profit motives of edupreneurs, and the threat posed by privatization to the right to education. Although pro-privatization advocates continue to propagate the "magic of markets," Spreen and Kamat (2018) draw attention to "the teaching and learning conditions in LFPS, issues on increasing inequalities based on gender discrimination and social exclusion, and the de-professionalization of the teaching profession" (p. 122).

While many of issues discussed above are beyond the purview of this study, of central importance was the role private schools in providing educational rights enshrined in the Constitution of India and international declarations and covenants. While several reports have been issued on the successes and failures of Section 12(1)(c) of the RTE Act of 2009, few theoretically and empirically sound studies have been conducted to examine the multilinear flow of policy ideas across international, national, and sub-national levels, and their appropriation in multiple sites at the sub-national level. Additionally, few studies have investigated the lived educational experiences of students and families from EWS and DGs who attend private schools under Section 12(1)(c).

Conclusion

In order to understand the role of PPPs in guaranteeing the right to education for children from marginalized and vulnerable communities under Section 12 (1)(c) of the RTE Act in India, the three main bodies of literature reviewed included education as a marketplace, the education system and education policy in India, and the emergence of PPPs in education in India. Attention was paid to review literature on multiple conceptualizations and understandings of PPPs to explicate how the government envisions its role in agenda setting

and education delivery to its citizens. I draw together these three bodies of literature to holistically understand PPPs in education and their role in delivering an education that enhances social cohesion, equity, and learning outcomes in Bangalore, India. Since educational systems and institutions serve the needs of the contexts they are situated in, it was important to examine the social, political, and economic contexts within which these institutions are located. While the discussion highlights the educational transformation as proposed by the state, it provides an incomplete picture of how such transformation unfolds through practice at the sub-national level.

Hence, this interdisciplinary research study attempts to bring together literature from the fields of education, sociology, international development, and public policy to examine the role of PPPs in actualizing the right to education. The purpose of this study is to explore how various actors conceptualize and implement PPPs in education and how and to what extent education creates socially just, cohesive, and equitable societies. Rather than reducing students to numbers and variables, this study sees policy makers, politicians, educators, administrators, students, families, and communities as stakeholders in creating and shaping the futures of students. While inquiry into the instrumental dimensions (choice and productive efficiency) of educational PPPs has begun to appear with some frequency, little attention has been paid to the cognitive, psychological, and social experiences of students and their families in schools under the RTE Act. In my own research I intended to examine how PPPs in education enhances participation, accountability, non-discrimination, empowerment, and social cohesion. The human rights-based approach provides an excellent theoretical framework through which to explore PPPs in the education sector, as this framework considers education as a right, that needs to be provided by the government.

CHAPTER 3

THEORETICAL FRAMEWORK

As demands for more just and equitable public policies and government accountability increase around the world, the international development community has called upon policy makers, researchers, practitioners, families, and communities to forge alliances in an effort to build more effective policies and programs to address poverty, discrimination, and exclusion (Bajaj, 2017; Menashy, 2014; Robeyns, 2006; Sen, 2005). Using the human rights-based approach (HRBA) as my theoretical framework, this dissertation explores the role of PPPs in creating equitable learning environments for children from EWS and DGs in Bangalore, India. This chapter explores the historical development of human rights, the meaning and nature of the HRBA, its core tenets, and its applicability to this study.

The Human Rights-Based Approach

Beginning with the Universal Declaration of Human Rights (UDHR) in 1948, the last seventy years have witnessed a progressive movement towards the realization of rights for all individuals irrespective of who they are, what they do, and where they live. Governments, organizations, and individuals understand and interpret rights in many different ways (Bajaj, 2014; Tomasevski, 2001; UN, 2012). Broadly, human rights can be defined as universal norms that exist as moral and legal codes for the protection of all human beings. As moral

codes they protect all individuals irrespective of their race, religion, class, caste, gender, sex, ethnicity, age, culture, and nationality. As legal codes, they protect the rights of individuals and groups who have been historically marginalized and discriminated against (Brighouse and Unterhalter, 2007; Tomasevski, 2003, 2006; UN HRBA Portal, 2017). Sen (1997) notes that "In the most general form the notion of human rights builds on our shared humanity. These rights are not derived from citizenship in any country, or membership in any nation. They are taken as entitlements of every human being" (p. 23). Thus, the rights-based framework is based on the premise that there are certain universal, inalienable, interrelated, and interdependent rights that are necessary to support a dignified human existence. Michael Freeman (2011) defines human rights as:

> A conceptual device expressed in linguistic form, that assigns priority to certain human or social attributes regraded as essential to the adequate functioning of a human being; that is intended to serve as a protective capsule for those attributes; and that appeals for deliberate action to ensure such protection (p. 9)

The notion of human rights as it is conceptualized today is largely influenced by the ideology of philosophers such as Thomas Hobbes, John Locke, and Jean Jacques Rousseau from the seventeenth and eighteenth centuries. Locke's philosophy is grounded in the concept of "natural rights," that is, a belief that humans are entitled to certain rights by virtue of being human (Donnelly, 2007; Freeman, 20011; McCowan, 2013; Menashy, 2011; Sen, 2006). In his book *Two Treaties of Government* (1688-89), Locke argues that "People form governments through a social contract to preserve their inalienable rights to life, liberty, and property." However, it was not until 1948 that a universal declaration of human rights was ratified. The UDHR is the most widely used and accepted standard for universal human rights (Bajaj, 2014; Pogge, 2002; Sen, 2005; Tomasevski, 2006). The aim of this declaration

in light of World War II and the establishment of the United Nations in 1945 is to promote international cooperation for the maintenance of peace and security, promotion of sustainable economic growth, providing humanitarian assistance in times of crisis, protecting the environment, and protecting the civil, social, and political rights of all human beings. Under the UDHR, human rights are categorized as personal rights, legal rights, civil liberties, subsistence rights, economic rights, socio-cultural rights, and political rights (Moriarty, 2018; 2007; Spreen and Vally, 2006; Tomasevski, 2006). Articles in the UDHR include rights to equality, right to organize, right to legal protection, right to life and liberty, freedom from discrimination, protection to freely practice and express religion, and the right to education. Article 26 of the UDHR guarantees a right to education and declares that education is fundamental to creating a sustainable future, where everyone has the opportunity to realize their full potential and capabilities (UDHR, 1948).

International Declarations and Covenants

Since then, education remains one of the most important institutions in promoting democratic values, tolerance, human rights, and the attainment of self-esteem and self-worth (Nussbaum, 1997; Sen, 2005; Tomasevski, 2006). With the ratification of the UDHR, several standard-setting instruments such as conventions, declarations, charters, frameworks for action, and recommendations have provided a conceptual framework to translate the right to education into tangible action. Some of the important declarations in the context of education are as follows:

The Universal Declaration of Human Rights (1948). Article 26 of the UDHR outlines the right to education as the right of every individual to access an education that is free and compulsory at the elementary level. The declaration proposes to promote equitable access to

education for all people and provides safeguards for parents to opt for an education of their preference. While the UDHR makes no specific mention of children, it is made amply clear that the right to education that is free and compulsory at the elementary and fundamental stages is applicable to all citizens. The Article also respects parents' right to choose a school of their preference by including a clause that gives them the freedom to choose based on their values and beliefs.

The UNESCO Convention Against Discrimination in Education (CADE) (1960). This is the only legally binding international declaration that is focused exclusively on the right to education at the primary, secondary, and tertiary levels. The governing body that oversees the operations of CADE has the power to sanction states that fail to fulfill their moral and legal obligations. Article 4 of CADE specifically refers to "equality of opportunity and treatment" in education for all citizens irrespective of their social, political, economic, and cultural backgrounds.

The International Covenant on Economic, Social, and Cultural Rights (ICESCR) (1966). The ICESCR is the main treaty that protects individuals' social, cultural, and economic rights. This covenant is particularly important as the UDHR classifies education under economic, social, and political rights. Similar to previous declarations, the ICESCR focuses on protecting the right to education for individuals, while simultaneously requiring the state to respect the liberty of parents in selecting a school of their choice. Article 13 of the ICESCR provides a detailed listing of the various rights guaranteed under this covenant.

The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) (1979). Another relevant legal instrument addressing the rights of education for girls is the CEDAW. Article 10 of this declaration requires that males and females have equal

access to and equal opportunities in all aspects of life, including education. Concerns addressed in this declaration include access to the same curricular material, higher education, and vocational guidance; elimination of gender stereotypes in educational material as well as gender- sensitization of educators; safeguards and facilities to participate in sports and play; and resource allocation for continued education.

The United Nations Convention on the Rights of the Child (UNCRC) (1990). Article 28 of the UNCRC affirms the right of the child to education and the duty of the state to ensure that primary education is free and compulsory. Education is cited as central to empowering the child by enhancing learning capacities, developing life skills, and increasing self-confidence and self-esteem. Hence, the effects of a good education extend beyond the boundaries of school – to embrace learning processes and life experiences which enable children to lead a more fulfilling and satisfying lives. Furthermore, the UNCRC calls on member countries to develop alliances to actualize the right to education.

World Declaration on the Education for All (EFA) (1990). Despite forty years of international declarations, policies, and programs, millions of children around the world lacked access to basic education, with millions more dropping-out of school and/or failing to complete school. International organizations, heads of states, and the development community renewed their commitment to expand their efforts to make education accessible and affordable to the most marginalized sections of society, specifically those in the Global South. The EFA constitutes six goals:

- Goal 1: Expand early childhood care and education.
- Goal 2: Provide free and compulsory primary education for all.
- Goal 3: Promote learning and life skills for young people and adults.
- Goal 4: Increase adult literacy by 50%.
- Goal 5: Achieve gender parity by 2005, gender equality by 2015.
- Goal 6: Improve the quality of education.

Ten years later the international development community met in 2000 in Dakar, took stock of the progress made since Jomtien, 1990, and recommitted itself to achieve the EFA goal by 2015.

Millennium Development Goals (MDGs) (2000). At the turn of the millennium, world leaders gathered at the United Nations in New York to work collectively toward reducing poverty, inequality, and marginalization. MDGs consist of eight goals and 21 targets related to poverty reduction, universalizing primary education, achieving gender parity, and abolishing child labor among other goals. Goal 2 and 3 are specifically related to right to education, that is, achieving universal primary education and gender parity at all levels of education. The two goals and three targets related to education are:

- Goal 2: Achieve universal primary education
  Target 2A: Ensure that, by 2015, children everywhere, boys and girls alike, will be able to complete a full course of primary schooling.
- Goal 3: Promote gender equality and empower women
  Target 3A: Eliminate gender disparity in primary and secondary education, preferably by 2005, and in all levels of education no later than 2015.

Sustainable Development Goals (SDGs) (2015). Building on the success of the MDGs, the SDGs are a "universal call to end poverty, protect the planet, and ensure that all people enjoy peace and prosperity" by 2030 (UNDP, 2015). Comprising 17 goals, multiple targets and indicators, the SDGs cover areas such as poverty, hunger, education, climate change, economic inequality, innovation, peace and justice, and sustainable consumption and development in 170 countries and territories. Goal 4 of the SDGs is aimed at improving the educational targets achieved during the period when MDGs were in operation. The SDGs indicate a marked shift in the understanding of the right to education, as the emphasis shifts from quantitative indicators to qualitative ones. In addition to focusing on the target of

universal primary and secondary education, Goal 4 views education as a process rather than an outcome and aims to achieve an education that is equitable and of good quality.

- Goal 1: End poverty in all its forms everywhere.
- Goal 2: End hunger, achieve food security and improved nutrition and promote sustainable agriculture.
- Goal 3: Ensure healthy lives and promote well-being for all ages.
- Goal 4: Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all.
- Goal 5: Achieve gender equality and empower all women and girls.
- Goal 6: Ensure availability and sustainable management of water and sanitation for all.
- Goal 7: Ensure access to affordable, reliable, sustainable and modern energy for all.
- Goal 8: Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all.

As signatories to some or all of the above-mentioned international declarations, treaties, and covenants, states are duty bound to provide an education that is free, compulsory, and of good quality. States that are parties to human rights treaties are obligated to adhere to the standards set by them. In practice this means – to respect (not to interfere with the exercising of a right); to protect (provide the essential regulations and safeguard everyone's rights); and to fulfil (provide, facilitate, and promote the rights of the most vulnerable populations) (Amnesty International, 2005; Robeyns, 2006; Spreen and Vally, 2006; UN, 2007; UNICEF and ADB, 2011). A denial of any of the rights mentioned earlier amounts to a violation of the international order and social injustice toward its citizens (Sen, 2004; Tomasevski, 2002, 2003; UN HRBA Portal, 2017) Considering the widespread acceptance of these international norms and standards suggests that there is a universal acceptance of education as a basic human right that transcends national borders and people. Thus, it is important to examine what a HRBA in the context of education means.

Tomasevski's 4 As

The HRBA to education is a normative framework for identifying, planning, implementing, monitoring, and evaluating education policies and programs based on international and national human rights standards (Nussbaum, 1993, 1997; Sen, 1990, 2002, 2005; Tomasevski, 2004, 2006). Although there is no single universally agreed-upon conceptual framework of a HRBA to education, UN agencies such as UNICEF and UNESCO (2007) have drafted a *Statement of Common Understanding* which has as its core elements:

- All development policies, programs, and assistance should advance the realization of human rights as declared in international human rights instruments.
- The standards set by international instruments should serve as a guide to all developmental activities and should be respected and adhered to.
- The developmental activities should help in building the capacities of duty-bearers to meet their human rights obligations. (UN HRBA portal)

The goal of a HRBA in education is to "assure every child a quality education that respects and protects his or her right to dignity and optimum development" (UNESCO and UNICEF, 2007). While the UDHR envisioned the right to education as "basic education," there continued to be disagreement and contestation about what constituted a basic education. Since then, considerable progress has been made as is evident from the goals and targets outlined in the EFA, MDGs, and SDGs' declarations. These declarations justify the right to education on the basis of both its intrinsic and instrumental values. The intrinsic qualities include development of capabilities, agency and freedoms, enhancement of social cohesion, increased civic engagement and political participation, understanding one's position in society, and being responsive to the world one lives in. The instrumental qualities of education include the acquisition of appropriate knowledge and skills that helps one become

and economically productive member of society (Bajaj, 2017; Menashy, 2014; Nussbaum, 2011; Robeyns, 2006).

According to the UN, the HRBA to education is a standard setting framework that operationalizes policies and programs and can be applied to identify the "root causes of development problems and systemic patterns of discrimination" (UN HRBA Portal, 2018). A rights-based approach should therefore "address the right of access to education, the right to quality education and respect for human rights in education" (UNICEF and UNESCO, 2007, p. 27). These three aspects (right to, in, and through education) of an HRBA to education represent the universal, inalienable, interdependent, and interrelated nature of right to education that Tomasevski (2004) reframes as the "4 As," namely: availability, accessibility, acceptability, and adaptability. Furthermore, Tomasevski describes the symbiotic relationship between human rights and education as "a mutually defining process, each essential to the enhancement of the other" (p. ii).

In addition to identifying the root causes of discrimination and marginalization, the HRBA outlines the interventions necessary to support the capacity of duty-bearers and rights holders to fulfil their obligations. Once children who are being discriminated against have been identified, the HRBA provides a framework for governments to adopt interventions that aid in agenda setting, policy prescriptions, program implementation, and evaluation of outcomes (Donnelly, 2003; McCowan 2013; Tomasevski, 2003, 2006). According to Lewin (2015) this means taking into account:

> Educational quality and processes (the resources to which children have access) and educational outcomes (what competencies and capabilities are acquired and how they are valued). … Systematically planned inputs…that anticipates where schools and teachers are needed and ensure that availability of learning materials keep pace with the numbers of children enrolled (p. 29).

Proponents of the HRBA to education insist that education policy and practice should be grounded in the norms and standards agreed upon in international declarations. That is, all rights apply equally to everyone, and no one should suffer discrimination and/or exclusion on the basis of his/her race, sex, religion, nationality, abilities, ethnicity, language, gender, geographic location, or sexual orientation. A rights-based approach is comprehensive in considering the universal, indivisible, interdependent, and interrelated civic, cultural, social, and economic rights of all individuals (Robeyns, 2006; Walker, 2006; UNESCO, 2007, 2013). Therefore, a rights-based approach to education integrates the norms, standards, instruments, and principles of international human rights systems to inform plans, policies, and processes of development programs.

A rights-based approach clearly identifies the state as the primary duty-bearer for the delivery of an education that is free, compulsory, equitable, and of good quality for all its citizens (Spreen and Vally, 2006; Thapliyal, Vally, and Spreen, 2013; UN, 2015; UNESCO, 2007). While critics have argued that a rights-based approach is heavily state centered, supporters have articulated that strong government commitments, regulations, and oversight for the implementation of the right policies is a necessary condition. However, an effective rights-based approach should be open to constant debate and revision based on inputs from various participants and stakeholders. In fact, an effective rights-based approach is one that recognizes the interrelatedness and interdependence of different rights, and integrates both top-down regulation and accountability, and bottom-up participation (Dreze and Sen, 2002; Menashy, 2014; Menon, 2002; Pogge, 2002).

From the above discussion it can be understood that the HRBA to education has clearly defined rights holders and duty-bearers. By adhering to the core principles (PANEL) that

define a rights-based approach to education, states ensure they are complying with and fulfilling their obligations to international treaties. In order to translate the state's obligations into tangible policies and programs, the rights-based approach identifies three practical dimensions: (i) the right of access to education, which includes the availability and accessibility to a free and compulsory education at all levels; (ii) the right to a quality education ensures a "child-friendly, safe, and healthy" learning environment guided by a curriculum that is "broad, relevant and inclusive"; and (iii) the right to respect in the learning environment, which encompasses respecting the identity, integrity, and participation of rights holders (Menashy, 2011; Sandkull, 2005; UNICEF and UNESCO, 2007, p. 28). Katerina Tomasevski, UN Special Rapporteur on the Right to Education, reframes these three dimensions as the 4 As, which explicitly outline the duties of governments follows.

Availability

The first tenet identified by Tomsevski (2006) refers to the availability of an education that is funded by the government for all children within a fixed age range. Under the HRBA, the responsibility to make education available to all children resides with the state, however, availability is not limited to solely government-run schools (Tomasevski, 2006; UNESCO, 2015c). Availability "embodies two different governmental obligations, that is, the right to education as a civil and political right," and as a "social and economic" right (Tomasevski, 2006, p. 13). As a social and economic right, the government must ensure the availability of schools, appropriate infrastructure, trained teachers, and safe learning conditions. The HRBA respects parental freedom to choose an education that it deems as suiting the best interests of the child. This right of parents as duty-bearers and rights holders is protected under civil and political rights by permitting non-state actors to establish schools. Barriers that would impede

availability of schools include shortage of schools, lack of funding, under or unqualified

teaching personnel etc (Moriarty, 2018; Sandkull, 2005; UNESCO, 2015c). It has been

argued that by engaging in partnerships with private schools, the government is abdicating its

responsibility and obligation of being the primary provider of a free and compulsory

education to all its citizens (Menashy, 2014; Spreen and Vally, 2007; Tomasevski, 2006).

Using the HRBA as a guide, this study will examine whether families from EWS and DGs

have the resources and means to choose a school that meets their ideological, religious, and

academic expectations. Additionally, I explored whether schools adhered to the standards

laid out in the RTE Act. Availability indicators used to analyze data collected during the

course of this study included:

    i. Role of the government in the establishment, development, and management of schools

    in all locations and in sufficient quantity.

    ii. Construction of safe school buildings – for example, classrooms, library, laboratories,

    sanitation systems, computer and IT facilities, and playgrounds.

    iii. Working conditions for teachers – for example, labor rights, trade union freedoms,

    and bargaining rights. (UNESCO, 2019).

Accessibility

Accessibility ensures that all schools are physically, economically, and culturally

accessible to all children, especially for children from vulnerable and marginalized

populations. Educational institutions must be protected from discrimination on any grounds

such as minority or indigenous origins, race, caste, etc (UN HRBA Portal 2017; UNICEF and

UNESCO, 2007). Accessibility therefore addresses the root causes of inequity and

discrimination that deter children from attending schools. Possible barriers to accessing

education include cost of schooling, discrimination, distance to schools, lack of choice, gender and caste discrimination, accessibility issues related to children with disabilities, and lack of sensitivity to the learning needs of local communities (Tomasevski, 2006; UN HRBA Portal, 2017). Often, it is girls, children living in rural areas, children from lower socioeconomic status, and children with disabilities who are most affected by issues of accessibility. As Tomasevski (2006) notes "Tackling exclusion requires halting and revising exclusionary policies and practices, not only countering their effects" (p.44). Therefore, it is important to examine what policies, programs, processes, and support services the GoI has initiated to make education accessible to all. Children from EWS and DGs face several physical barriers (hidden costs, distance to school, lack of drinking water, no electricity, shortage/overcrowding of classrooms, etc.), pedagogical barriers (irrelevance of curriculum, language; lack of access to books, newspapers, Internet, and appropriate reading and learning materials; gender stereotyping, low academic expectations, etc.), and socio-cultural barriers (caste, poverty, cost to family, child labor/domestic chores, caught up in survival battles, etc) (Kingdon, 2016; Muralidharan and Sundararaman, 2015; Ramachandran, 2009). Since HRBA emphasizes the importance of serving the needs of individual children as well as communities, it is important to examine the resources and supports extended to families from EWS and DGs that ensure education is not only available, but also accessible. Accessibility indicators examined in this study were:

    i. Elimination of legal and administrative barriers.

    ii. Elimination of financial barriers.

    iii. Non-discrimination and unhindered access to all levels and types of education and educational materials/infrastructure.

iv. Elimination of socio-cultural practices that limit educational access for students from marginalized communities. For example, gender, caste, linguistic origins, disabilities, and location. (UNESCO, 2019).

Acceptability

This tenet deals with the addition of "quality" within policy discourses. Not only should education be available and accessible, but the content of education should be "relevant, culturally appropriate, non-discriminatory, pluralistic, and of corresponding quality" (Tomasevski, 2006, p. 29). While there is no consensus on what constitutes a good education, scholars and practitioners have suggested that education should contribute to the holistic development of the child. Often, in India, the critique levelled against public schools by proponents of PPPs is that they are of poor quality, and that parents should be provided with alternatives that increase choice and thereby educational outcomes. While there is no concrete evidence that PPPs enhance educational outcomes for children from EWS and DGs in India, proponents have been successful in creating an environment where privatization is accepted as a viable alternative to failing public schools (Mehendale et al., 2015; Muralidharan and Sundararaman, 2015; Tooley, 2013). This study intends to examine the curriculum standards outlined by the National Council for Education Research and Training (NCERT), and how they are appropriated in schools that serve EWS and DG populations. In addition to an appropriate academic curriculum, education should simultaneously contribute towards improving critical thinking and cognitive skills, well-balanced decision-making, developing a healthy lifestyle, skill development to face life's challenges, and developing the capacity for non-violent conflict resolution (Nussbaum, 2011; Robeyns, 2006; Sen, 2006). According to Tomasevski education "should prepare learners for parenthood and

political participation, it should enhance social cohesion and, more than anything, it should teach the young that all human beings – themselves included – have rights" (p. 33). The onus is on the government to set educational standards, and these standards should be enforced and monitored, irrespective of whether the institutions are public or private. Measures of a quality education include relevant curriculum, appropriate textbooks and learning materials, universally designed classroom instruction, inclusion of technology and e-learning, and physical infrastructure such as libraries, laboratories, and playgrounds (Moriarty, 2018; Sandkull, 2005; UNICEF and UNESC), 2007). Indicators used to assess the acceptability of the education being offered included:

i. A curriculum designed to equip students with the knowledge, skills, and capabilities to lead wholesome lives.

ii. The availability and accessibility to adequate and appropriate pedagogical materials and resources.

iii. Teacher qualification and teacher sensitivity towards students representing diverse learning needs.

iv. Quality educational outcomes measured by continuous and comprehensive normative and summative assessments. (UNESCO, 2019).

Adaptability

Adaptability in the HRBA refers to the needs of education systems to evolve with the changing needs of societies and contribute constructively to reduce discrimination and inequity. This tenet requires governments to adapt education to suit the needs of children, rather than requiring them to assimilate into the existing structural and pedagogical practices in schools. An additional obligation the government is required to fulfil under this tenet is the

implementation of education programs and support services for children who are excluded from formal schooling (e.g., refugees, street children, working children,) (McCowan, 2013; Sandkull, 2005; Tomasevski, 2006). Research suggests that considerable numbers of administrators, teachers, and parents in private schools view children admitted through the RTE mandate as coming from "deficient backgrounds," and express reservations about the educability of students from EWS and DG. Therefore, it is imperative to examine how social interactions create and/or perpetuate social exclusion, and if teachers and administrators are inclined to maintain the status quo rather than implement pedagogical practices that meet the needs of students (Dahal and Nguyen, 2014; Jha and Parvati, 2014; Sarin and Gupta, 2013).

Furthermore, adaptability also means understanding that all children do not start school with the same opportunities and abilities, but schooling has the potential to enhance the capabilities and freedoms of individuals. Dreze and Sen (2013) noted that people do not start out in life with an equivalent means to convert resources and opportunities into achievements. Students' capacity to convert equivalent resources and/or equal opportunities into academic achievement, and the freedom to achieve varies enormously. Educational outcomes fail to meet expectations when equal resources are provided to students with unequal opportunities and capacities to use those resources. Therefore, merely providing access to school for historically marginalized groups without instituting special adaptations and the necessary conditions within school and in the community represents a false opportunity for them to actualize their true potentials. According to Spreen and Vally (2006), education "operates as a multiplier, enhancing the enjoyment of all individual rights and freedoms where the right to education is effectively guaranteed, while depriving people of the enjoyment of many rights and freedoms where the right is denied or violated" (p. 354-

355). Given that education is considered as an empowering institution that has the potential to expand the rights of people, this study explores the role of PPPs in creating an educational environment that meets the needs of diverse learners. Availability indicators used in this study were:

  i. An education that meets the unique needs of students, for example, children from minorities, children with disabilities, working children etc.

  ii. An education that meets the changing needs of society.

  iii. An education representing and respecting local needs and contexts. (UNESCO, 2019).

Core Principles of Human Rights-Based Approach

In addition to Tomasevski's 4 As framework, international organizations such as UNICEF (2008) and UNESCO (2013) have recommended an HRBA to education guided by the following core principles: participation, accountability, non-discrimination, empowerment, and linkages to human rights (PANEL). This section explores these principles in more detail.

Participation

In a rights-based approach a high degree of participation is required from rights holders, namely children, parents, teachers, local communities, and civil society organizations (Moriarty, 2018; Tomasevski, 2006). The principle of participation is mentioned in several human rights declarations and is highlighted in Article 12(1) of the UNCRC (1990) which states that "States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child." In other words, mere formal or token consultations with rights holders are not sufficient, rather,

participation must be free, active, and meaningful. States as duty-bearers have the responsibility to create the appropriate conditions for the optimal participation by children in schools. However, the right to participation is not limited to access to schools and pedagogical issues in school, rather, it extends to all aspects of social, cultural, and economic lives of children. Since children are limited in their capacity to participate directly, it is imperative that duty-bearers such as parents, guardians, teachers, and CSOs develop the knowledge and skills necessary to claim the rights on the child's behalf. For a rights-based approach to be successful, children, parents, local communities, and CSOs must be engaged in monitoring educational inputs and outcomes for children (Moriarty, 2018; Tomasevski, 2003, 2006; UNICEF and UNESCO, 2007). Given the fact that marginalized communities in India have often lacked the opportunities to actively participate in decision-making processes that affect their lives, it is important to examine how PPPs encourage the communities they serve to participate in determining their future (Govinda, 2014; Kingdon, 2015; Ramachandran, 2009b). This study intends to examine the various initiatives and active outreach measures the government as well as private school managements have instituted to encourage the participation of rights bearers.

Accountability

The principle of accountability is important for three main reasons: (i) it is a means of checking the exercise of power by the state; (ii) it is a way of sustaining the longevity of a successful program or initiative; and (iii) checks and balances foster sustainable and equitable development (DfID, 2004; Tomasevski, 2006). The UN (UN Portal) defines accountability as "the obligation of power-holders to take responsibility for their actions." The primary power-holders in the HRBA are the government, along with state officials,

service providers, and other individuals and institutions responsible for implementing the child's rights. The rigid guidelines of a rights-based approach focus on raising the accountability and transparency levels of duty-bearers. Therefore, as primary duty-bearers the government has immense potential to impact the lives of rights holders through their policies and programs. In an attempt to fulfil the obligation to promote, provide, and protect the rights of a child while refraining from rights violations, the government is required to proactively and in a coordinated manner establish and apply standards, indicators, tools, and monitoring and evaluation instruments. Accountability also helps in determining whether adequate information is available to rights holders regarding policies, programs, and resources; if there is sufficient monitoring of how funds are being used at the local, regional, and national levels; and if the education system is equipped to deliver both rights as well as respond to violations or denials of rights (UN, 2013, 2015; UNESCO, 2014, 2015; UNICEF and UNESCO, 2007). A frequent argument proposed by supporters of PPPs is that private schools in India are more transparent in educational management, service delivery, and improved educational outcomes in comparison with public schools (Nambissan and Ball, 2010; Srivastava, 2016; Tooley and Longfield, 2015). Through his study, I intend to investigate the standards, indicators, tools, and monitoring and evaluation instruments that PPPs employ to improve accountability in schools.

Non-discrimination

The principle of non-discrimination is at the heart of the HRBA. The HRBA proposes that all human beings are born free and equal; hence, all individuals have equal rights and deserve the same respect (Pogge, 2002; UN HRBA Portal). This means building equitable and inclusive societies in which the rights of vulnerable and marginalized populations are

protected. International organizations such as UNICEF and UNESCO have refrained from

providing a definitive list of vulnerable populations; instead, they suggest that local and

contextual factors should determine the populations whose rights need safeguards and

protections. Furthermore, they propose disaggregation of development data on variables such

as race, religion, gender, caste, economic status, ethnicity, age, etc. to identify areas of

concern, and institute policies and programs that mitigate concerns indicated by this data

(UNESCO, 2015b; UNICEF, 2016). The principle of non-discrimination not only examines

policies, programs, and the role of various state and non-state actors in delivering education,

but also monitors if power-holders are enforcing laws and programs in an arbitrary and

discriminatory manner. Finally, this principle ensures that various barriers against education

such as physical and structural, pedagogical, economic, and socio-cultural have been

addressed by legislative and policy frameworks, in conjunction with adequate resources (UN,

2014; UNESCO, 2015c). As discussed earlier, the deeply segregated and hierarchical nature

of the education system in India is reflective of the socioeconomic inequities. Students are

often discriminated against within classrooms and in school based on their caste, class,

gender, religion, and linguistic origins (Kamat, Spreen, and Jonnalagadda, 2016; Mehendale

et al., 2015; Ramachandran, 2009). Using the HRBA as my theoretical framework, this study

will explore how various actors and stakeholders ensure PPPs foster social as well as

academic inclusion in schools.

Empowerment

As mentioned previously, the HRBA to education emphasizes the intrinsic importance of

education and not merely the instrumental value of it (Robeyns, 2006; Sen, 2005). By

focusing exclusively on the empowering and liberatory potential of education, the HRBA

transcends traditional frameworks that examine quantitative inputs and outputs. This means that education policies and processes should contribute to the enhancement of the capabilities of rights holders to understand and exercise their rights. Empowerment is a process by which previously marginalized and disadvantaged groups become aware of the root causes of inequality and get involved through democratic participation to overcome discrimination and oppression. The significance of the principle of empowerment is that it challenges deeply embedded power structures in political, social, and economic processes, which either maintain the status quo and/or reinforce existing hierarchies (Dreze and Sen, 2013; Nussbaum, 2011; Sen, 2005). Empowerment also examines the capacity of the education system to address the obligations of the right to, in, and through education. Often the question raised about educational institutions is whether they serve the purpose of perpetuating the status quo or whether the potential for a liberatory education exists. Although it is the government that proposes legislation and designs curriculums to be implemented in schools, it is important to examine how this is practiced at multiple sites at the sub-national level. Ultimately, the goal of empowerment is to equip rights holders with the freedoms and agency to change not only their own lives but transform their communities and societies (Nussbaum, 1997; Sen, 2002, 2005; UNICEF Portal).

Linkages to Other Human Rights

A defining feature of the HRBA in education is its inseparable linkages to universally accepted human rights declarations and standards. The characteristic feature of the HRBA is its adherence to the rule of law, accountability to law, fairness in the application of the law, equality before the law, accountability and transparency, and participation in decision-making processes. The international obligations and minimum human rights standards that

states have agreed to provides the legal framework for identifying problems as well as addressing them in case of any violations. It should be noted that educational rights do not exist in isolation rather, they are connected to several other universally declared rights in the social, political, economic, and cultural realms of society (Sen, 2005; Spreen and Vally, 2007; Tomasevski, 2006). Therefore, it is important to not only examine whether educational PPPs help students become aware of their guaranteed legal and human rights but also aware of how to exercise them.

Conclusion

This chapter examined the various international declarations and legal frameworks that constitute an HRBA to education. The ideal of actualizing a free, equitable, and quality education that serves the needs of diverse learners is at the crux of the HRBA to education. From the above discussion, it can be discerned that a rights-based approach guides education processes, starting with policy formulation, to school management and funding, pedagogy development, and evaluating educational outcomes. Evidence from previous studies suggests that a rights-based approach that embodies the tenets of Tomasevski's 4 As not only enhances academic outcomes for all children, but also increases social cohesion and equity in society. However, the mere adoption of international standards and instruments or passing legislation on the rights of a child will not help reduce existing inequities and discriminatory practices in the education system. In order to gauge the success of the realization of the right to education, it is important to investigate the processes of policy formulation, adoption, implementation, and evaluation.

The HRBA was an excellent conceptual framework through which to explore PPPs in education in India as this framework examines the legal instruments that pertain to the right

to education at the international, national, and sub-national levels while simultaneously

attempting to understand the role of various stakeholders in policy appropriation at the sub-

national level. The HRBA to education allows a deeper understanding of the inter-related

dimensions of social, political, economic, and institutional influences that have an impact on

the well-being of students but yet are understudied due to the inadequacies of other

theoretical frameworks. While several studies have been conducted using the HRBA as a

framework to examine if governments are complying with international standards and

instruments in guaranteeing the right to education, few studies have explored the role of PPPs

to understand the cognitive, social, political, and psychological aspects of education that

impact students from EWS and DGs, but it is clear that each of these aspects interact and

influence each other. As posited by the HRBA, in order to comprehensively investigate how

policy can promote social transformation, it remains important to examine not only the policy

but also the ways in which it is appropriated. It also remains important to examine the

dynamic and interrelatedness of policy formulation and implementation. This examination

thus provides a definitive direction to reduce the vast gap that exists between policy

articulation and capacity to implement it on the ground.

CHAPTER 4

RESEARCH METHODOLOGY

Chapter One provided the general background and situational analysis of the current education system in India since the passage of the RTE Act 2009. Chapter Two of this study reviewed the history of education policy in independent India. Chapter Two also examined the theoretical and empirical literature to gain an understanding of PPPs in general, and educational PPPs in India in particular. Chapter Three then reviewed the human rights-based approach, that is, the theoretical framework that informs this study. In this chapter, I first discuss the methodological approach that guides this research study, followed by a discussion of the preliminary research conducted in July and August 2017. The chapter then concludes with a discussion of processes and issues critical to ensuring the integrity of a research study, that is, data collection, data analysis, validity, and researcher positionality.

Research Questions

The research is guided by the following research questions:

Q.1. How do various stakeholders engaged in education reform in India at the sub-national, national, and international levels view the role of PPPs in guaranteeing the right to education?

Q.2. How is Section 12(1)(c) of the RTE Act, India (2009), which guarantees 25% reservation for children from economically weaker sections and disadvantaged groups in all private schools, practiced at the local level in Bangalore, India?

Q.3. What are the lived educational experiences of students from economically weaker sections and disadvantaged groups attending private schools in Bangalore under the RTE Act?

a. How do they perceive their learning outcomes have improved?

b. How does social inclusion play out within schools and outside in broader society?

Using qualitative methodologies, I proposed to conduct a vertical case study (VCS) to answer the questions posed. A central assumption of this research study was that aspects such as equity, inclusion, and cohesion are constructed through lived experiences rather than through government policies and programs, international development projects and discourses, and academic knowledge (Vavrus and Bartlett, 2014). Local knowledge, or the "conditions derived from lived experiences," was vital to the holistic understanding of policy in practice (Yanow, 2006, p. 6). To address the research questions raised, I utilized interviews, focus group interviews, participant observations, document analysis, archival records, and physical artifacts as data sources.

Research Design

Selecting and identifying a methodological approach to conduct my research was a challenging task. From the beginning, I wanted to use qualitative methods to highlight and juxtapose the educational experiences of individuals at the sub-national level with policy texts describing what should happen. Since it is impossible to authentically capture the

success of PPPs by traditional quantitative research methodology, I proposed to conduct research through the philosophical and methodological stance of a VCS. By examining the "frictions, contestations, and differences that emerge when various forces and actors engage with and work for change," this study intended to reveal the myriad interpretations various actors attach to the role of PPPs in guaranteeing a right to education (Vavrus and Bartlett, 2009, p. 41).

Given the nature and goals of my research study and its emphasis on processes and meanings, qualitative research was the appropriate methodology to interrogate the richness and complexity of policy processes and to get at the embedded meanings of discourse, institutions, and actions of different actors (Sutton and Levinson, 2001). It allows researchers to capture nuanced articulations and experiences that may not be accessible through quantitative approaches or macro-level data. The VCS operates on three axes – the vertical, horizontal, and transversal. The vertical axis accounts for the macro- (international), meso- (national), and micro-level (sub-national) comparative interpretations undertaken in this research; the horizontal dimension is fulfilled by comparing how the same policy unfolds differently in multiple school sites in Bangalore, India, and; and the transversal axis emphasizes the importance of historically situating and tracing the evolution and appropriation of education policy over time (see Fig. 4).

Figure 4. Multi-sited Vertical Case Study

International — World Bank, DfID, UNESCO, PF

National — National Policy Actors | RTE Act (2009) National Education Policy 2019

Sub-national (pvt. schools) — School 1 | School 2 | School 3

Change over time

(Vavrus and Bartlett, 2014)
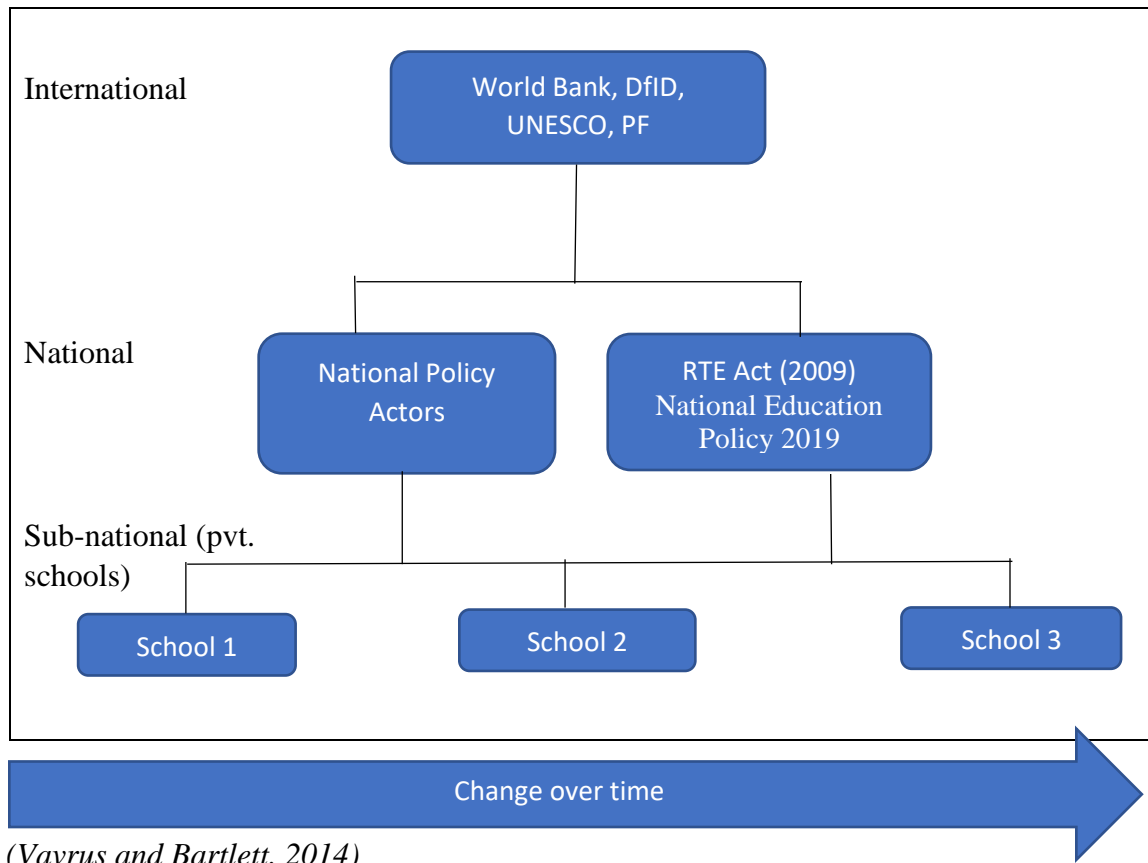
In an era of globalization and neo-liberalism, it was important to interrogate the connections among national governments, economies and education systems, and international financial institutions and development organizations that fund and evaluate policies and programs. VCS, in essence, provides novel and alternate ways to explore accepted forms of dominant ideologies and conceptions of how things happen, by shifting the attention towards individuals or groups whose knowledge and experiences go unrecognized. For policymakers whose own lives may be very different, this method of collecting and reporting findings gives a vicarious sense of the experiences that make up other peoples' lives and helps in translating research findings into tangible recommendations that informs researchers, policymakers, and practitioners (Vavrus and Bartlett, 2009; Zakharia, 2006).

Preliminary Research

A preliminary research study conducted in July and August 2017, supported by the Social Sciences Research Council Dissertation Proposal Development Program (SSRC-DPDP), helped in significantly shaping the conceptual framework for my dissertation study. My initial dissertation proposal centered around the complex nature of the concept and practice of girls' empowerment within the context of the Indian education system. During this period, I conducted discussions and interviews with six policy actors in New Delhi and Bangalore, two feminist scholars in New Delhi and Bangalore, eleven school administrators in Bangalore, and nine teachers in Bangalore. While I was able to collect data related to girls' education and empowerment, barring the two feminist scholars, all of the other participants frequently referred to the impact of the RTE Act on public education in general, and the specific impact of Section 12(1)(c) on public education in particular. Some of the dominant themes that emerged during interviews were regarding the cut in the annual budgetary allocation for education, the bureaucratic hurdles, rampant privatization in education, government apathy towards public education, entry of multi-national corporations in the education sector, under-qualified teachers in private schools, social exclusion of children from EWS and DGs in private schools, and the high dropout rates of students admitted in private schools under Section 12(1)(c). Additionally, preliminary data analysis indicated a gap between the perceptions and ideologies of policymakers at the international and national levels, in comparison with how the policy was practiced at the sub-national level – the disconnect between how policy is stated versus how it is appropriated.

The data gathered from interviews and observations during the preliminary study indicated that a new topic, yet a more pressing one needed to be investigated. Since then, I

have revised my dissertation proposal and subsequently explored the role of this PPP in guaranteeing the right to education for children from EWS and DG families in Bangalore, India. The preliminary research not only helped in developing my conceptual framework, it also reinforced my intention to explore an education policy and its practice that is likely to have a lasting impact on millions of children in India. This preliminary research also helped me to establish connections with my participants, and aided in solidifying a research schedule for fieldwork to be conducted in December 2018 and January 2019. I have continued to maintain contact with several of my participants through personal visits, email, phone messaging, and Skype/FaceTime calls, an ongoing process that constituted an integral part of my data collection.

Site Selection and Participants

My research questions have led me to explore locations where sub-national, national, and international processes converge and can be explored. This multi-sited study particularly focused on private schools located in the urban district of Bangalore, India. The three major reasons I chose these schools are, first, to study how policy unfolds in three, coeducational, private schools, as these schools are required to provide educational services for children from EWS and DGs under the RTE Act. I further explored and documented effective practices and strategies of how education policy, programs, and practice get appropriated in real-world contexts. Second, I wanted to study private schools because they serve the urban poor identified as EWS and DGs by the Indian government through Section 12(1)(c) of the RTE Act, which seeks to reach out and serve the needs of EWS and DGs. I was interested in researching the various social, educational, and political processes that have an impact on educational outcomes for these students. Last, I wanted to explore the key policies and

programs that have been implemented to serve educationally disadvantaged students residing in low-cost housing colonies and slums. Several educational interventions at the sub-national and national levels have been implemented in India in recent years; therefore, I wanted to shed light on how educational practices increase educational outcomes for students from marginalized communities who attend private schools.

Conducting the study in the urban district of Bangalore has allowed access to students from diverse socio-economic, religious, linguistic, and ethnic backgrounds. These communities also represent populations from different parts of the country, which have migrated to Bangalore in search of better educational, economic, and healthcare opportunities. Using the national education database, that is, the Unified District Information System for Education (U-DISE), I identified three private schools that are representative of various geographical locations in the city. Through purposive sampling I narrowed my research sites to these three schools. I also received consent letters from the administrators in these schools to conduct my study during the months of December 2018/January 2019 and June-through August 2019.

Participants for this study included policy actors at the international, national, and sub-national levels. Field-level participants such as bureaucrats, block education officers, school administrators, teachers, students, and parents aided in conducting this study. Table 3 below provides a list of individuals participating in this study.

Table 3. List of Participants

Participants	Numbers	Code
International Policy Actors	4	IPA1 – IPA4
National Policy Actors	6	NPA1 – NPA6
Sub-national Policy Actors	6	LPA1 – LPA6
Education Commissioner	1	

Deputy Education Commissioner	1	
Block Education Officer	3	BEO1 – BEO3
School Administrators	6	School 1: ADM1.1 – ADM1.2 School 2: ADM2.1 – ADM2.2 School 3: ADM3.1 – ADM3.2
Teachers	29	School 1: TCH1.1 – TCH1.10 School 2: TCH2.1 – TCH2.9 School 3: TCH3.1 – TCH3.10
Parents	20	School 1: PRT1.1 – PRT1.8 School 2: PRT2.1 – PRT2.6 School 3: PRT3.1 – PRT3.6
Students	12	Amita, Arjun, Bhavana, Maya, Mohit, Rajesh, Rahul, Sanjay, Shilpa, Shreya, Uma, and Varun

Data Collection

Interviews

Interviews provided a means to access unobservable information such as feelings, experiences, and the manner in which individuals interpret the world around them. The purpose of my interviews was to collect experiences from actors at various levels in the policy process in an effort to understand the ways in which they conceptualize the role of PPPs in actualizing the right to education, and their contribution to specific education policies and programs. In the case of a VCS, interviews allow a researcher to locate and trace the points of connections between various actors in different locations, build an understanding of how policies and programs are coordinated across multiple locations, and better understand the various processes involved in policy appropriation (Maxwell, 2012; Vavrus and Bartlett, 2014; Yin, 2014). This study also included structured, semi-structured and open-ended interviews. Open-ended questions were used to interview policymakers,

administrators, teachers, students and family members. Interviews further helped me to understand participants' interpretations of their ideologies, experiences, contextual situations, and social relationships. Kvale (2007) asserts that focusing on participants' communications enables the researcher to understand the multiplicity of their views and experiences as well as construction of the "self" through their lives.

I proposed to use the constructive-dialogical approach, as the narrative of the case study is constructed through dialogue between the speaker and the listener. The focus of the dialogic approach was to examine the perceptions of research participants rather than an objective truth. Not only was what the interviewees said important, but also were the ambiguities in their narratives such as silences, misunderstandings, distortions, and exaggerations (Kvale, 2007; Liljestrom, 2010). At the national and international levels, the interview protocol was designed to elicit responses that describe the nature of the participant's involvement in the educational processes; reflect their understanding of the policy negotiation, formulation, and appropriation processes; and explain the historical context of PPPs and their acceptance as a viable alternative to public education in ensuring improved educational outcomes, inclusion, cohesion, and equity. Interviews at the international level were conducted with policy actors from the World Bank, DfID, philanthropic organizations, and private foundations engaged in education reform in India. Policy actors at the national level included representatives from the Ministry of Human Resource Development, Government of India, National University of Education Planning and Administration (NUEPA), scholars, and representatives from private foundations.

At the sub-national level, my focus was on assessing the experiences of bureaucrats, elected council members, school administrators, and teachers tasked with the responsibility

of implementing policies and programs. These interviews helped me to comprehend how individuals understand PPPs; gain insight into individuals' roles in policy implementation; gather information about successful education programs; and to learn about their own individual lives and experiences. Policy actors at the sub-national level included representatives from the Ministry of Education, Karnataka, and Bruhat Bangalore Mahanagara Palike (BBMP). Additionally, in-depth interviews were conducted with a focal group of three students, one from each of the selected schools (see Appendix B, Interview Questions). These interviews helped in understanding how students from EWS and DGs not only navigate the complex processes of admission into private schools, but also their daily experiences in school settings which may differ from those of their social settings (Maxwell, 2012; Yin, 2014).

Interviews were conducted in a setting chosen by the participant. Special care was taken to explain the purposes of my research study and participants were clearly informed of their rights. Interviews were conducted for 60 to 90 minutes, tape-recorded and later transcribed and translated. The exploratory study conducted in the summer of 2017 helped me to identify my participants, based on their involvement with institutions whose work centered around aspects of education policy formulation and/or implementation. A total of eighty-seven participants were interviewed during the course of this study. Participants included: sixteen policy actors at the international, national, and local levels; five education officers representing the Government of Karnataka; six school administrators and twenty-nine teachers; eleven students; and twenty parents in Bangalore. Additionally, I identified a group of three students, one from each school, to conduct in-depth observations and interviews within and outside schools.

86

Observations

While interviews help a researcher to access unobservable information, participant observation enables access to the everyday world of citizens. In addition to serving as entry points to conduct participant observations, schools provide an opportunity for contextualized understandings of how professional practices can shape the educational experiences of students. The exploratory study aided in introducing and familiarizing myself with the participants and sites used in this research. The purpose of observations is to gain insights into the values and beliefs of participants based on their behaviors (Corbin and Strauss, 2008; Newby, 2014). My field observations were conducted between June 2019 – August 2019. I spent 4 – 6 hours in schools during each visit in order to observe classroom sessions, teacher practices, prayer, yoga, playground activities, free time, meal time, social discussions, and parent-teacher meetings. In addition to conducting observation within schools, I conducted observations outside the school, in the communities in which they live and interact. The goal of these observations was to explore and trace how everyday life may be impacted by situations beyond the school setting (Campbell and Gregor, 2002).

During my fieldwork, I recorded my observations and initial interpretations. After each observation and interview, I reflected on the field-notes and converted them into memos. Per Corbin and Strauss (2008), I also converted observational notes into memos during analysis to not miss the key elements picked up during the observations (Appendix I). Observations provided a better understanding of the phenomenon under study as they occurred in the natural setting, this includes identifying teaching styles, examining curriculum and classroom practices, analyzing policy appropriation; and confirming teachers and students' statements gathered during interviews.

Document Analysis

Documents selected for review included government education policy documents, national curriculum, school demographics information, internal school records, memoranda, minutes of meetings, emails, letters, notes, and progress reports. In addition to using primary data sources such as interviews and observations, I utilized secondary data to deepen my understanding of PPPs in education in the Indian context. The main advantage of this type of data is that it does not influence the social setting in which the research is being conducted. Artifacts not only provided alternative insights into the case under examination, but also assisted in triangulation or diversifying my data sources to enhance the validity of my conclusions (Crotty, 1998; Maxwell, 2013).

Data Analysis

Data collected during my research were in the form of transcripts of interviews, policy documents, audio-recordings, field-notes, observations notes, and student artifacts. Qualitative researchers choose their analysis methods not only via the research questions and the type of data collected but also based on the researchers own personal values and beliefs (Saldana, 2012). One of the unique features of conducting qualitative research is that data are analyzed continually, throughout the study, from conceptualization through the entire data collection phase, and into the interpretation and writing phases (Corbin and Strauss, 2008). For example, codes included: role of government in education, perceptions about PPPs, PPPs in India, challenges of PPPs, bureaucratic hurdles families experience, school choice, proximity of schools, physical infrastructure in schools, hidden costs of schooling, discrimination, indifference to diverse learning needs, cultural appropriateness of curriculum,

teacher qualification and quality, monitoring and evaluation, flexibility and inclusiveness of curriculum, features of an effective PPP, public perceptions, role of CSOs, regulatory framework, and experiences in schools (academic and social) to name a few. (see Fig. 5)

F*igure 5. Human Rights-Based Approach Indicators – 4 As*

- Role of Government
- Enrollment Indices
- School Infrastructure
- Working Conditions

- Administrative Barriers
- Physical Barriers
- Economic Barriers
- Socio-cultural Barriers

Availability   Accessibility

Acceptability   Adaptability

- Teacher Qualifications
- Quality of Education
- Quality of Edu. Materials
- Quality of Outcomes

- Individual Needs
- Flexible Curriculum
- Local Context

Data analysis involved categorizing or coding data as they were collected and continually examined for similarities and emerging patterns. Early in the study, I scanned recorded data and developed categories and codes for phenomena. I then coded data using the software program MaxQDA. Using the previously discussed list as a starting point, codes or labels were used to assign meaning to chunks of information, which were open to revision and elaboration once the actual data analysis began. Although it should be noted that due to the inductive nature of qualitative research, data analysis remained an ongoing process throughout the project.

The process of analysis started with identifying policy artifacts such as language, texts, and actions, and identifying the actors who were relevant to the process and create policies. The next step in analysis identified the meanings of values, beliefs, and feelings of various

participants, as there may be multiple meanings carried by each participant depending on time, location, and context. The final step was to identify the points of conflict that reflect different interpretations among different participants (Merriam, 1998; Saldana, 2012). Analysis of primary source material provided credible information as this material included policy documents, official records of meetings, and other forms of written correspondence. An examination of primary source artifacts provided a chronology of events and comprised a summary of the salient features of the artifacts. Similarly, analysis of guided interviews and observations began with reading through the transcripts. Data from observations and interviews were coded manually as well as by using coding software. The words used by participants to express their values, beliefs, and feelings formed the basis of the coding method used. The purpose of developing an MaxQDA code was to ensure that concepts stay as close as possible to the research participants' own words or use their own terms because they capture the essence of what is being described. Applying *emic* concepts respected and further enhanced the understanding of the insider point of view (Corbin and Strauss, 2008; Saldana, 2012).

Lincoln and Guba (1985) suggest that writing memos about coding categories can help to uncover that category and to develop rules for assigning subsequent data to the category. In this study, as in most qualitative case studies, coding schemes were added, changed, and refined as the study progressed. This research study noted the original source of each data point so that information could be verified by going back to original documents. Through multiple readings of data that were sorted into coding categories, I found patterns and similarities within and across themes, which in turn led me to my findings and conclusions.

Throughout the process of data collection and analysis, I maintained a reflective journal to note important patterns and themes that emerged during the research processes. The reflective journal served as a tool to draw and verify conclusions.

Trustworthiness

A fundamental concern in any research study is to incorporate appropriate methods that assure the quality of research, its processes, and its findings. Following the criteria set forth by Shenton (2004), this study addressed trustworthiness based on: (i) credibility, that is, I assured credibility of the research process by engaging in the field for a prolonged period of time. Credibility was established through conducting interviews, surveys, persistent observations, triangulation; peer-debriefing; negative case analysis; and member-check; (ii) transferability, that is, – "thick description" is articulated by Lincoln and Guba (1985) as a way of achieving transferability. By describing a phenomenon in sufficient detail I was able to evaluate the extent to which the conclusions drawn are transferable to other times, settings, situations, and people. Addressing the applicability of the findings, but also acknowledging that the research findings are related to the particular case rather than broad generalizations; (iii) dependability, that is, – maintaining an extensive audit trail increased the dependability of the data collected and analyzed. External audits involving an outside researcher not involved in the research process examining both the processes and product of the research study helped establish dependability. The purpose was to evaluate the accuracy and evaluate whether or not the findings, interpretations and conclusions were supported by the data; and (iv) confirmability, which involved the processes of triangulation, maintaining audit trails, and, reflexivity. The transparent description of the research steps taken from the start of the process, to the reporting of the developments and findings contributed toward confirming the

findings. Confirmability was achieved by assuring the neutrality of the researcher in order to establish the degree to which the findings of an inquiry reflect the voice of the participants and contexts of the inquiry, and not the biases, motivations, interests, and perspectives of the researcher (Crotty, 1998; Van Manen, 2016).

Reflexivity

Reflexivity speaks to the integrity of the research process and implies that a researcher reflects on the history of his/her project from conception, execution, analysis, and dissemination (Crotty, 1998). Reflexivity occurred throughout this research process. It was important for me, as a researcher, to acknowledge that I am a part of the social world being investigated. In any research study that seeks to give meaning to participants' voice, it is important to understand that the researcher's social and cultural identities can influences the process of inquiry. It was important that, as a researcher, I acknowledged my location within the social world and explored how my positionality influenced the way in which I view events and give them meaning. I maintained an informed reflexive consciousness to contextualize my own subjectivity in the inquiry, data reporting, and data analysis during the research process. Self-reflection promoted the acceptance of personal motivations for conducting research and the extent of accountability owed to the participants in the study (Madison, 1988; Van Manen, 1990).

When I entered the field, I encountered multiple challenges and opportunities as a result of my positionality in the pursuit of my research. I also recognized how my positionality affected the research process, as it allowed me to gain the access, rapport, and trust of participants involved in this study. As a researcher conducting her research in Bangalore, India, I remained an insider who possessed intimate knowledge of the community and its

92

members. As an insider, I was also able to interpret Indian social, cultural, and political practices since I as the researcher and researched have a shared understanding of the normative rules and values of the community. These values of shared experience, greater access, cultural knowledge, deeper understanding, and clarity of thought are closely tied and informed one another in multiple ways (Madison, 1998). Despite aspects of my identity such as educational background, fluency in English, gender, and social class which often set me apart from the group I intended to study, the shared points of cultural commonality and language allowed me to gain an emic rather than etic view (Crotty, 1998; Madison, 1988; Van Manen, 1990). However, to do justice to the research and my participants, it was essential that I examined my own positionality and biases as a multilingual, ethnic, female researcher affiliated with an American institution, conducting research with policy actors, administrators, teachers, families, and students from marginalized communities in India.

Ethical Considerations

Many ethical challenges have specific implications for qualitative research. These challenges arise from the unpredictable nature of the inquiry. The ethical challenges concern the issues of informed consent, confidentiality, researcher-participant relationship, and vulnerable populations (Stake, 2010; Yin, 2014). Informed consent was the first step I took before entering the field. The Institutional Review Board (IRB) assured, both in advance and periodically, that the appropriate steps are being taken to protect the rights and welfare of the participants involved in the study. In my research study, I collected written informed consent and assent for acquiring interviews, observations, and artifacts (Appendix E, F, G, and H). In addition, ongoing process consent was used frequently to check if students, teachers, and policy-makers were comfortable with being interviewed and observed. While obtaining

93

consent from students, it was important to request consent from the appropriate adults as the students were minors and from vulnerable populations.

Vulnerability in populations speaks to the possibility of exploitation due to some condition or circumstance that the participant is under. This includes any individual whose condition, status, or circumstances open him/her up to influence by outside agents. It was therefore binding on me to recognize and understand the vulnerabilities and ensure that participants were not taken advantage of. Vulnerable populations can include those who are socially, economically, physically, and culturally vulnerable. Since this study aimed at understanding the role of PPPs in guaranteeing the right to education from children from marginalized communities, it remained important for me as a researcher to safeguard the interests of these populations (Crotty, 1998; Patel, 2015). Therefore, in all research from the standpoint of the participant-researcher relationship, the key concept to establish was a mutual sense of trust and respect. Because of the nature of data collection involving interviews and observations, personal relationships raise several ethical issues, which include the process in which relationships are formed and managed, the nature of the power balance between the participant and researcher, and the way the relationship affects participants' psychological, emotional, and physical well-being. I strictly followed all necessary measures to establish a good rapport with all participants (Creswell and Poth, 2017; Van Manen, 2016).

Finally, maintaining confidentiality can be challenging in qualitative research due to the thick description used to illustrate and report findings. Confidentiality issues were addressed – regarding individual participants as well as in relation to sites at which the research is conducted. With regard to individual participants, I used pseudonyms, and exercised caution

while describing characteristics that could reveal participants' identities. Member checking was a way of minimizing exposure (Stake, 2010; Van Manen, 2016). Allowing participants to review what they have said also ensured that their views were accurately represented. By emphasizing how invaluable their contribution were to the study, participants were reassured, and confidence established. Therefore, I was mindful of the ongoing impact that the research might have on those involved, while simultaneously being ethically sensitive and morally competent.

Conclusion

This chapter started with a reiteration of my research questions, and the best methodology to explore the questions I have posed. In the introductory discussion I highlighted the importance of conducting a qualitative vertical case study, in Bangalore, India. This was followed by a brief discussion of my preliminary research study, which changed and shaped its course. Next, I discussed my research sites, different sources of data collection, demography of research participants, and data analysis techniques. The chapter ended by reflecting on, trustworthiness, reflexivity, and ethical considerations a researcher must keep in mind throughout the data collection, analysis, and reporting period. In conclusion, this chapter described the research design, data collection methods, data analysis techniques, and researcher positionality for the proposed dissertation study.

CHAPTER 5

FINDINGS

In this chapter I discuss the key findings obtained from an analysis of the data collected in the field. The findings in this chapter are organized into three main sections, namely: Section I compares and contrasts perceptions of policy actors at the international, national, and sub-national levels on the role of PPPs in guaranteeing the right to education for children from EWS and DGs; next, Section II details the findings from the appropriation of Section 12(1)(c) by three private schools in Bangalore, India; and Section III documents and describes the insights gleaned from detailed observations and discussions of the lived educational experiences of three students, one from each of the school admitted under Section 12(1)(c) of the RTE Act, India.

Input from semi-structured interviews, focus group interviews, observations, documents, and artifacts constituted the key evidence to explore the research questions posed in this study. Evidence gathered by the triangulation of these data sources represented by a wide range of ideologies and worldviews of respondents from the private and public sector was woven together to portray a myriad, yet cogent explanation of the research loci. As described in chapter 4, data analysis combines the features of content analysis and thematic analysis to examine the research data in order to preserve the sanctity of the qualitative nature of this study. Both pre-identified and emergent themes were analyzed, linked together, and

reorganized to correspond to the research questions, as well as align with the theoretical

framework that informs this study.

Section I – Policy Actors' Perceptions of PPPs

Analysis of interviews revealed rich and conflicting perceptions of PPPs, a reflection of

the contentious debates regarding the role of educational PPPs in society (Barrera-Osorio et

al, 2012; Kingdon, 2016; LaRocque, 2011; Menashy, 2016a; Nambissan, 2014; Tooley and

Longfield, 2015; Verger et al, 2016). Perceptions ranged from viewing educational PPPs as

the panacea for all the shortcomings in educational institutions, a first step towards

privatization, ideal for national development, philanthro-capitalism, and corporate social

responsibility. The ensuing discussion elaborates on participants' perspective of PPPs when

analyzed through the HRBA lens of availability, accessibility, acceptability, and adaptability.

Availability

> The fundamental right to life which is the most precious human right and
> which forms the ark of all other rights must therefore be interpreted in a broad
> and expansive spirit so as to invest it with significance and vitality which may
> endure for years to come and enhance the dignity of the individual and the
> human person…The right to life includes the right to live with human dignity
> and all that goes along with it, namely, the necessities of life such as adequate
> nutrition, clothing and shelter, facilities for reading and writing, and
> expressing oneself in diverse forms, freely moving about, and mixing and
> comingling with fellow human beings (Article 21 of the Constitution of
> India).

Perhaps the strongest support for education as a constitutional principle came from Chief

Justice P. N. Bhagwati's interpretation of Article 21 of the Indian Constitution concerning

the Right to Life. This ruling provided the basis for the transfer of education from being a

Directive Principle[2] to becoming a fundamental right whereby the Government of India was legally obligated to provide free and compulsory education for every child up to the age of 14 years. The 86th Constitutional Amendment, passed by the Indian parliament in 2002 cemented education as a fundamental right, however, it was not until 2009 that Parliament passed The Right of Children to Free and Compulsory Education Act commonly known as RTE Act of 2009. For the first time, under Section 12(1)(c) of the RTE Act, the GoI mandated that private schools share the responsibility of extending free and compulsory education to children from EWS and DGs, thereby paving the way for a public-private partnership in education.

A national policy actor (NPA4), a self-proclaimed critic of the RTE Act, educational PPPs and the privatization movement, waves the document and casts it on the table in front of me and notes that the GoI, rather than using the 86th Amendment to expand educational access to all children across the country, has used it as a "ruse" to abdicate its international and national obligations as a duty bearer to extend free and compulsory primary and secondary education to all school age children. This legislation and several international declarations required the GoI to formulate policy, establish, operate, monitor, and evaluate education systems with schools across the country in "sufficient quantity." However, a majority of national and sub-national policy actors argue that PPPs is the first step towards privatization, with the logical next step being privatization, where the role of the government as sole provider of public goods gets transformed into governance where the government merely regulates and monitors private for-profit operators deliver public goods, in this case

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[2] Until this amendment was passed, education had been part of the Directive Principles of State Policy, which carried no legal obligation for the state. This shift marked a paradigm change in the way delivery of education is to be perceived.

education. It should be noted that critics of PPPs, both at the national and sub-national level use the word PPPs and privatization interchangeably, often intentionally overlooking the ideological and discursive differences between the two.

Contrary to the opinions of a majority of national and sub-national policy actors, there was a distinct difference in how international policy actors viewed the role of PPPs in achieving universal education. Three of the four international policy actors who participated in this study were supportive of PPPs, and noted the immense opportunity this PPP offers to actualize India's commitment of achieving Education for All. A common sentiment expressed by all international policy actors is that nowhere is the failure of the Indian state more profound and impactful as in its failure to provide universal education of good quality that is free and compulsory. Additionally, the biggest problem facing the Indian education system is the inability of the GoI to fulfill the demands and aspirations of families for a twenty first century education. This is where they say the private sector has a constructive role to play. They note that rather than fixating on the ideological differences and funds being drained from the public education system, policymakers, educationists, bureaucrats, and administrators, must combine their efforts to harness the resources, skills, knowledge, and capacity of the private sector. The rapidly expanding private school market in India is an indicator of the demand for educational opportunities that are rooted in quality and efficiency. This PPP is one of the most bold and comprehensive initiatives the GoI has instituted to increase the availability and accessibility of acceptable educational choices for children from marginalized communities. As an international policy actor observed:

> You must be aware of the large number of private schools operating all across
> cities in India, of all budgets. Close to 40% of education in urban India is
> being provided by the private sector, and it is unbelievable how many schools

children from EWS and DGs will now be able to attend because of this PPP. Parents from lower socio-economic status are no longer forced to quell their aspirations for their children because they cannot afford to pay for a better education. Anyone who can pay for an education is already sending their children to private schools, by way of this PPP, a good education is no longer a luxury, but a right. (IPA2)

A similar sentiment was expressed by a national policy actor:

How does it matter where a child gets his/her education? All that matters is that the child has access to a good education and a safe school, whether private or public…and the family has the freedom to choose from a range of possibilities. Are parents wrong is wanting the best education for their child? They just have one chance at educating their child, and they want to get it right. (NPA5)

Additionally, three international, one national, and one sub-nation policy actor/s argue that admissions to private schools that are engaged in partnerships should not be limited to entry level grades. They posit that parents from marginalized communities must have the freedom to exhibit their disappointment with public schools by being able to exit at any grade and apply to a private school, while also using their voice to engage in activities that provide them better educational opportunities. As the policy actors argue, Clearly, under the current system, the rich have choices, whereas the poor are relegated to attend below par public schools. Providing every child, regardless of how poor they are, the opportunity to enroll in a school of their choice not only empowers them, but also forces the public education system to improve in order to continue being a viable alternative.

However, the argument regarding shortage of government schools and the poor quality of infrastructure is fiercely challenged by a majority of national and sub-national policy actors. They contend that there are more than 1.3 million schools established, funded, and operated by various municipal, corporation, state, and central governments across the country. In fact, they note that hundreds of government schools across the country have closed due to lower

enrollment rates at government schools. A sub-national policy actor rhetorically raised the question:

> What happens to students in semi-urban and rural areas where there are no private schools? Does it mean that these children do not deserve a good education? Should they attend poorly funded and equipped government schools if the government is taking away their resources and enriching the private education industry? (LPA3)

Several national and sub-national policy actors raised the issue of hundreds of government schools closing due to low rates of student enrolment, an outcome of Section 12(1)(c) of the RTE Act. These actors suggest that not only has the RTE Act created another tier of hierarchy in an already deeply stratified and segregated education system, but has jeopardized the education of millions of children who are dependent on the public education system for its delivery. A sub-national actor in his assessment of Section 12(1)(c) notes that this clause has adversely affected the most marginalized students as she observed:

> Ma'm, this partnership has caused many government schools to close down because the government is withdrawing funds from the educational allocation for public schools, and instead funding education of EWS and DGs in private schools by paying their tuition fees. Some families are lucky and are able to send their children to a private school under the RTE Act, but a vast majority of them cannot send their children. Where are these students supposed to go if the government school in their block closes? They end up dropping out of school or take up jobs. (LPA1)

Multiple national and sub-national policy actors further note that international policy actors representing donor organizations and agencies, edupreneurs, and "for-profit education marketers" have been "wildly" successful in framing the debate around the "failing education system in India. The same handful of studies…conducted by Tooley and Dixon in Hyderabad, India, are cited as the benchmark to indicate the success of private schools" (NPA 2). Sadly, the movement against PPPs in India is "discombobulated and fragmented,"

failing to offer the resistance required to take on the "juggernaut of hegemonic forces" of powerful international organizations, advocacy networks, and Edu-Business (NPA 3).

Some participants at the national and sub-national level also discussed that due to the short existence (since 2013) and disparate implementation across states, a valid and robust counter argument rooted in accurate data and experiences is yet to be formed. Therefore, the argument that government schools are failing while PPPs are the solution for failing government schools continues to be perpetuated by the dominant voices such as James Tooley, Pauline Dixon, and edupreneurs with access to power and money. The notion that money equates to knowledge, and the marginalization of voices is best expressed by a sub-national policy actor:

> You can exert as much influence based on not just how much you have to invest, but also have enough to bribe politicians and bureaucrats at all levels. There is a marketplace for only those who have ideas and money. Nobody values either our experiences or our contextual knowledge. (LPA2)

A sub-national and national policy actor (NPA2, LPA3) who worked on an evaluation report submitted to an IO express their disillusionment with the organization due to the pressure exerted on the CSO to produce a report that positioned PPPs as successful in guaranteeing the right to education despite inadequate and contrary data. They note that IOs such as the WB have a vested interest in proving PPPs as successful in order to "keep the perpetuate the cycle of borrowing. If it is deemed a failure, then they will have to plug the flow of cash. They want us (India) to keep borrowing money from them and be dependent on them" (NPA2). Alternatively, a national policy actor (NPA1) notes that politicians at the national level, and bureaucrats in the Human Resources Development Ministry have learned to "rig the game" as they are willing to say exactly what international organizations and donor agencies want to see and hear. As NPA1 notes "There are two parallel realities

operating simultaneously in India, the developmental game and the reality of daily life. To please the international community [and] to keep funds flowing…we have to play the game of compliance with international mandates."

Infrastructure. Another issue relating to availability that indicates a sharp divide between international, national, and sub-national policy actors is the issue of infrastructure in government schools. Three international policy actors suggest the infrastructure in government schools falls short of the required standards set by the government in the RTE Act. They argue that schools are poorly built and lack basic facilities such as electricity and water, classrooms lack student appropriate furniture and education materials, absence of laboratories, libraries and special rooms like clinics, multi-grade classrooms, unserviceable toilets and lack of separate toilets for boys and girls, poorly equipped playgrounds, and poor sanitation and hygiene. Furthermore, international policy actors note that despite strong evidence that high-quality educational infrastructure improves students' learning outcomes, the government has failed to make the required investments. They further suggest that with PPPs, marginalized students now have the opportunity to learn and thrive in environments that are designed to serve children from diverse backgrounds and with multiple learning styles. In addition to physical infrastructure, material resources in classrooms such as textbooks, blackboards, charts, maps, audiovisual and electronic materials, paper supplies, and other writing materials such as pens, erasers, notebooks, crayons, drawing books, and workbooks are frequently lacking in government schools.

As many national and sub-national policy actors noted, their field work and data confirms that on average, private schools have inferior infrastructure when compared to government schools. Often, government schools that offer tuition free education are expected to deliver

the same physical infrastructure that elite, tuition charging schools provide. National policy actors admit that several government schools do not meet the standards of essential infrastructure facilities outlined in the RTE Act. A national policy actor (NPA4) references the new statistics released by DISE in 2018 indicating progress made in some areas, for example, in the construction of school buildings, and provision of drinking water facilities, however, a number of gaps related to libraries, laboratories, technology, and access facilities for students with disabilities continue to exist. However, they note that it is important to be aware of the vast differences between and within states regarding the quality of infrastructure in government schools. States like Kerala, Karnataka, Gujarat, and Delhi have well-funded and well-equipped public education systems, but states like Bihar, Rajasthan, and Haryana have more work to do.

However, five of the six sub-national actors strongly disagree with the notion that government schools have poor infrastructure. They argue that this opinion is an "outdated" interpretation of government schools. Drawing from their experience they note that government schools have dramatically improved since the passage of Sarva Shiksha Abhiyan legislation (SSA), India's very own "Education for All" program in the year 2000. They make the argument that PPPs drain the public education system of financial resources, which if invested in the public education system could increase students' learning outcomes notable. Additionally, as observed by a sub-national policy actor, government schools own some of the "prime properties" in the city and fulfill the infrastructure guidelines mandated in the RTE Act, highlighting the presence of large school campuses, playgrounds, classrooms, libraries, science and computer laboratories, and separate toilets for girls and boys (LPA2). A sub-national policy actor who frequently conducts research studies in private schools noted:

Not all private schools are state-of-the art. I know hundreds of low-fee-private schools that are just one step away from a tragedy happening, like a fire tragedy. Do you remember the one in Tamil Nadu? More than one hundred children died. These schools are overcrowded, poorly designed, and do not comply with building safety regulations. They break all the rules and regulations, and then blame the government of corruption when things go wrong. They are the ones breaking the rules, so bribing is their only way to get government clearances and certifications. (LPA4)

Teachers and Working Conditions. Associated with the poor physical and material infrastructure in schools is the working conditions of teachers. An international policy actor notes "teaching is a three-way relationship between the teacher, teaching and learning materials, and the student, and sadly in that trinity, only the students is showing up to learn" (IPA4). International policy actors identify six main areas of concern regarding the working conditions of teachers in government schools, namely: (i) shortage of teachers in government school with one teacher having to substitute for more than one grade; (ii) lack of accountability for teacher absenteeism; (iii) non-teaching duties in schools; (iv) poor quality of teacher training and selection processes; (v) insensitivity towards diverse student populations; and (vi) teacher unions and inflated salaries. Due to the reasons mentioned above, policy actors believe that students attending government schools have lower attendance rates and lower learning outcomes than those of their peers attending private schools, which may ultimately lead to them dropping out of school. Therefore, they argue that partnerships with private schools will help stem the inadequacies arising out of teacher shortages and teaching quality. As IPA 2 noted:

The working conditions for teachers in private schools is significantly better than their counterparts in government schools – first, the teachers are much younger, teacher-pupil ratio is better, lesser teacher absenteeism, teacher's role is focused teaching and not administrative or janitorial duties, fluent in English, and cost efficient as they produce better results at lower salaries than government school teachers.

Contrary to the above opinion, several national and sub-national policy actors note that while private schools are thriving, teachers working in private schools are exploited, underappreciated, underpaid, and dissatisfied with their working conditions. In response to supporters of PPPs arguing the cost efficiency of private schools, opponents of PPPs argue that private schools usually hire untrained teachers to reduce the cost of paying salaries. As a sub-national policy actor articulates "untrained teachers can be coerced and manipulated into working on low wages, as well as for long or extra hours due to the lack of job security" (LPA3). Teachers working in private schools cannot unionize in India without risking their jobs, hence, there are very few opportunities for teachers in private schools to collectively bargain for better salaries and better working conditions. An extension of the low-wages phenomenon, is the hiring of temporary or contract teachers, employed for only ten months of the year, who as a result do not get paid during vacations. This has led to teachers having to work more than one job and extending private tuitions ("shadow education" NPA) in order to supplement their income. In addition to the above mentioned issues, national and sub-national policy actors observe that on average, the teacher-pupil ratio in private schools is much higher that government schools, ranging fromm 1:30 to 1:60 in private schools and 1:25 for government schools.

As can be discerned from the findings regarding the role of PPPs in increasing availability of schools, there are clear differences between the understandings of international policy actors when compared with the understandings of a majority of national policy actors, and the experiences of a majority sub-national policy actors.

Accessibility and Adaptability

Respondents identified issues that affect access to schools, and these include the direct and direct costs of schooling, capacity constraints in schools, poor quality of teaching, safety within schools, and deeply embedded socio-cultural practices. These barriers are broadly classified as physical barriers, administrative barriers, economic barriers, and socio-cultural barriers. The biggest advantage proponents of PPPs at the international, national, and sub-national level underline is role of partnerships in mitigating the educational problems in India by not only creating new educational opportunities, but also increasing access to these opportunities. Given the dramatic increase in demand for education in India, an international policy actor claims that educational partnerships help fill the gap that fills the "twin challenges of quantity and quality in education" (IPA2).

Physical Barriers. Physical barriers are the most observable and tangible obstacles that affect access to education. While all policy makers agree that infrastructure issues have an enormous impact on school access for children from marginalized groups, there is disagreement on the role of PPPs in reducing physical barriers in accessing schools and education. Interview respondents commonly discussed physical obstacles include those associated with school infrastructure, uninhibited access to spaces within schools and learning materials, and transportation to and from school. Three international, two national, and two sub-national policy actors suggest that PPPs help reduce discrimination and differentiation in the use of school facilities for children from EWS and DGs within private schools. All of the above mentioned participants note that children from SC (Scheduled Caste) and ST (Scheduled Tribe) communities are often not allowed to use the same bathrooms and drinking water facilities as those used by students from upper castes in

government schools. Attention is drawn to the gendered division of labor within government schools where girls from DGs are tasked with "sweeping, swabbing, and washing toilets" while girls and boys from upper castes are tasked with supervisory and leadership roles by a national policy actor (NPA6).

A majority of the national and sub-national policy actors interviewed in this study strongly contest the notion of crumbling infrastructure and discrimination in government schools as exaggerated, and opine that in several instances government schools are more accessible and have better school infrastructure than private schools. As discussed in the previous section, the term "private schools" encompass a broad range of schools that represents elite private schools with state-of-the-art school infrastructure and sprawling campuses, and budget private schools that operate out of cramped and unsafe buildings and houses. Hence, policy actors familiar with the context of education in India contend that government schools fulfill all the infrastructure requirements outlined in the RTE Act, namely, all weather buildings, access by unbroken roads, ramps, separate toilets for girls and boys, safe and adequate drinking water, playgrounds, boundary wall, library and laboratories, qualified teachers, sports equipment, and kitchen for midday meals. As a national policy actor articulates "I understand that while good infrastructure by itself is not adequate enough for providing quality education, it is important to have safe and clean environments" (NPA4).

By contrast, sub-national policy actors working in the local context observe that significant gaps remain in what is required by law and what exists in practice in private schools in Bangalore. However, international policy actors criticize the "hardware obsession" (IPA3) of critics of low-fee private schools, and add that regulations and mandated

108

infrastructure requirements are in fact a barrier to education, and therefore inhibit access to education.

Although international policy actors admit that a majority of low-fee private schools do not meet the mandated physical infrastructure requirements, they suggest that children enroll in private schools to improve learning outcomes, where the inadequacies in infrastructure, which they acknowledge, are compensated by characteristics such as good leadership, motivated staff, and inclusive learning environments. Furthermore, they observe that too often the discussion of physical barriers is reduced to "ramps and rails" rather than on an educational framework that enables the participation of all children in all aspects of school life. Respondents claiming to support PPPs, suggest the leasing or sharing of government school spaces by private operators to minimize physical barriers in accessing education. An international policy actor identifies the Mumbai School Management Model as a solution to eliminate physical barriers in school. Under this model the government contracts with select private education providers to operate government schools for a period of ten years. Operators under this model are bound to function under the norms set by the RTE Act, with the government reimbursing the operator the cost for educating per child and material support for children including uniforms and books.

Administrative Barriers. Administrative barriers are not easily observable and can be identified in the procedures and processes that impact accessibility to private schools. With regard to this category, policy actors across the spectrum agree that PPPs have placed additional administrative and bureaucratic burdens on schools and students alike. International policy actors note that they are working with local and state governments to help reduce legislative and administrative restrictions on families and schools to help

increase accessibility. As an international policy actor articulates "the overly centralized nature of the education system and the requirements for school licenses, certifications required by parents for admissions, all impinge on access to education" (IPA2). As a result of these regulations, proponents of PPPs at the national and local level claim that several LFPS have closed due to their inability to adhere to the regulations mandated in the RTE Act as well as independent guidelines issued by state and local authorities.

In addition to the regulatory restrictions on schools, policy makers raise concern about the various certifications such as address proof, caste and income certifications, and Adhaar Card[3] that are required to be eligible to be admitted under Section 12(1)(c) of the RTE Act. Policy makers in the government at the national and sub-national level admit that while there were several problems when the Act was first implemented for the academic year 2012-13, they have now been able to streamline the admission processes. Policy actors representing the government argue that by instituting the online application and admission procedures, bureaucratic red-tape, corruption, and fraud has been minimized. However, they acknowledge that in their effort to increase transparency, they might have impacted accessibility for marginalized populations who lack e-literacy, and as a result has increased costs and barriers while filing applications.

Therefore, participants who support PPPs assert that the government needs to give private schools more autonomy while admitting students and leave the decision making to parents and school managements. Again, several of the policy actors at the international, national, and sub-national levels suggest awarding financial vouchers to students and allowing parents

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[3] Aadhaar is a 12-digit unique identification number issued by the Government of India that is based on individuals' biometric and demographic data.

to make decisions on which school to admit their child is one of the core tenets of the right to education. This view is best expressed by a national policy actor (NPA6):

> I believe paying the student rather than the institution should be the direction the government move towards. PPPs work best when there is more competition between multiple providers, a level playing field for all private operators, and minimize government role while increasing school and family interface. I'm not suggesting government provision of education must be ended, but, it is time to reduce the monopoly of the government in education provision. You must read the book Excellence: Can we be Equal and Excellent Too? by John Gardner, who was education secretary to President Lyndon Johnson

For exactly the above mentioned reasons, participants expressing reservations regarding the motives of PPPs suggested that through the promise of quality, equity, and accountability in education, the government has created false aspirations for families and compelled them to bear the additional burdens and inconveniences to enroll their children in private schools. They argue that all the financial and human resources being diverted to this policy, if invested into government schools, would improve educational outcomes in public schools both in quantitative and qualitative terms.

Economic Barriers. While the earlier section examined the issues of access originating in administrative processes and physical infrastructure, this section analyzes the role of PPPs in reducing economic barriers to school access. Participants identified two main reasons behind economic obstacles families experience, namely, a lack of affordability due to the indirect costs of schooling, and loss of income earned by their children either in family occupations or as wage earners supplementing the family income. All respondents identified close linkages between economic status and the nature of schooling children can access, and agreed that the education system, whether public or private has failed to adequately address the financial constraints schooling places on families.

111

Although the direct costs of schooling is borne by the Government of India in the form of reimbursing tuition fees in private schools, respondents draw attention to the various additional fees to use facilities such as library, laboratory, sports, and computer labs in schools; cost of buying uniforms, shoes, books and scholastic materials; and additional costs associated with online applications, capitation fees, and transportation to and from school. As a sub-national respondent noted:

> It is a known fact that parents who send their children to private schools have to work multiple jobs to earn the money required to pay for fees and other costs of sending their children to school, and they have to prioritize their expenditures by compromising on other important needs such as food, shelter, healthcare, and savings for unexpected emergencies. (LPA3)

Seven of the sixteen policy actors participating in this study suggest that if the government is serious and committed to expanding educational access through PPPs, it should do more than just paying tuition fees. Solutions suggested by participants to mitigate economic barriers include are: offering student vouchers, stipends, and scholarships to students rather than reimbursing private schools; including private and philanthropic organizations to aid in supplementing the costs of schooling; and extending tools and equipment such as bicycles etc. to minimize additional schooling costs. However, as several national and sub-national respondents argue, the unequal socio-economic situation in society and the Indian education system is further exacerbated by PPP program in its current iteration. In other words, they believe that an additional tier of hierarchy has been created among communities belonging to EWS and DGs. As NPA1 noted:

> The real people who it is supposed to benefit, those at the bottom of the hierarchical ladder are excluded even before the process begins. Students from OBCs are overrepresented in admissions under Section 12(1)(c) in comparison to students from other disadvantaged groups such as SCs, STs, and Muslims. Usually, OBCs have more resources and means to bear the extra

112

costs that go with schooling, while those with meager means often lack the
information or the resources to apply under Section 12(1)(c)

Socio-cultural Barriers. These are the most invisible and intangible obstacles that affect

access to equitable educational opportunities for children from EWS and DGs, and therefore,

the most difficult to identify. Socio-cultural barriers is an umbrella term encompassing

barriers related to gender, class, caste, religion, ability, linguistic origins, and geographic

location. While nine of the sixteen policy actors (one IPA, four NPAs, and four LPAs)

downplay the implicit and explicit biases children experience in government schools, the

other seven policy actors who claim to support PPPs draw attention to the multiple

exclusionary practices students from marginalized communities experience in the public

education system. Barriers related to caste and gender emerge as dominant theme in this

discussion. A national policy actor recalls their experience from field research to prove

public schools are more discriminatory in their practices by stating:

> Research and my experience suggest there is more caste and gender-based
> discrimination in government schools. Through Section 12(1)(c), girls
> attending private schools have an excellent opportunity to actualize their true
> potential and capabilities. Harassment by teachers, staff, and other students
> belonging to upper castes is common in public schools, whereas in private
> schools the only thing that matters is the learner, teacher, and curriculum.
> There is no room for discrimination as parents will quit the school if they
> become aware of discriminatory practices. (NPA5)

A sub-national policy actor recalled a similar observation made in one of their field

studies in a public school:

> Teachers in government schools differentiate between neat and clean children,
> and ones who are untidy and dirty; well-dressed and shabbily dressed; [and]
> skin color of the child – all play an important role in not only how teachers
> perceive these children, but also in how they assess students' skills,
> learnability, knowledge, and abilities. Even the selection of children for
> school skits, class monitor, speaking during assembly, writing on the board,
> all depend on the student's caste, appearance, and sex (gender). For example,
> class monitors are 80% of the time boys, and that too from upper castes. Also,

seating in the classroom is influenced by teacher preferences and social identity, with children from DGs sitting alongside other children from their own caste, and usually at the back of the classroom. (LPA6)

Furthermore, a statement from a national policy actor cited below is another reflection of the deeply held socio-cultural biases and prejudices:

In a study that our center conducted, children from the Muslim community reported that they are often referred to, in a derogatory manner, as Mulla, Atankwadi, Osama, Taliban, Dawood, etc. Similarly, they also said that once a teacher made a statement to the effect of 'chamar ka baccha chori hi karega aur Musalman atankwadi hi banega' (the son of an untouchable will be a thief, and a Muslim will be a terrorist). Children from these communities are humiliated that their parents are drunkards, thieves, terrorists, lazy, and are not interested in the education of their children. (NPA6)

However, several national and sub-national policy actors dismiss the "hyperbolic articulation of socio-cultural barriers" (NPA2) as a "bogeyman" (NPA4) that supporters of PPPs use to push forth their agenda of privatization. They assert government schools are "safe spaces" (LPA2) for children from EWS and DGs as the student body and faculty are representative of their own class, caste, and linguistic identities. In fact, they suggest students from EWS and DGs are likely to experience more stigma, discrimination, and bullying in private schools as they have to adapt to a culture, environment, and experiences that is very different from their own. This is particularly significant given the backdrop of the present social settings and interactions, where there are limited interactions between members of upper class and caste with those from EWS and DGs. Views are formed largely on the basis of stereotypes and prejudices perpetuated in media and popular culture, with little opportunity for interpersonal interactions. In the context of gender, a sub-national respondent observed:

The government takes great pride in declaring they achieved gender parity in public school enrolments, but this is due to the large-scale exodus of boys from EWS and DGs to private schools. If you go into classroom in LFPS, you

will see there are more boys than girls, and if you go to government schools, there are more girls than boys. From my interactions with parents, teachers, and school administrators, it is clear that when parents have to make a choice of sending only one child to school, they will choose to send their son. They believe investing in the son's education will bring benefits to their family in the future, whereas the girl gets married and goes away to her husband's house. (LPA2)

While there is disagreement between policy makers on barriers related to caste, class, and gender, there is agreement on the multiple and intersecting barriers that children with disabilities experience. Despite legal protections and laws that mandate inclusion and equitable access in mainstream education, children with diverse educational continue to be underrepresented. Policy makers agree that more empirical studies need to be conducted to understand the specific barriers that children with disabilities experience. Schools are often neither equipped with the physical infrastructure, nor the pedagogical practices that meet the unique needs of students. A respondent at the sub-national level notes that families from EWS and DGs rarely send their children to school if they need special adaptations in accessing school infrastructure or learning materials. A national policy actor mentions her interaction with a parent who has a daughter with cerebral palsy to highlight parents' passive acceptance of their child's disabilities by citing:

The parent suggested their child was curse that had fallen upon their family, and god was punishing them for bad karma from previous lives, because they do not think they have done anything bad enough in this life to deserve a child who is retarded. (NPA3)

In addition to EWS and DGs, respondents discussed the absence of out-of-school children, migrant children, and children with HIV/AIDS in debates surrounding access to education. In their opinion, PPPs in its current iteration is not receptive to either out-of-school children or migrant children as it mandates admission at entry level, which is grade one or kindergarten. Therefore, exclusion "by, from, and within the system leads to deep

115

estrangement and alienation of children and their families at multiple levels, with unfavorable consequences for all parties involved, but PPPs have the potential to reduce these exclusions and expand access" (IPA2).

Acceptability and Adaptability

The notion that quality public education in India has been poor for some time was a dominant theme emerging amongst all policymakers participating in this study. Although concern for literacy and numeracy surfaced most frequently in interviews surrounding quality of education, participants identified several other dimensions that constitute a quality education. these include: (i) a curriculum that prepares students with not only content area knowledge, but also equips them with skills and capabilities to lead a wholesome life; (ii) school and classroom environments that are healthy, safe, and inclusive, and equipped with adequate pedagogical resources and facilities; (iii) teachers who are trained to use child-centered teaching practices that help reduce learning disparities and serve the needs of diverse student populations; (iv) eager students who are supported in their endeavor for learning by their families, communities, and schools; and finally (v) learning outcomes mirroring the targets and goals outlined in national policy documents and international declarations.

Curriculum. A majority of policymakers claim the characteristic feature differentiating private schools from public schools is quality and accountability in education provision. Based on their experiences and observations, policymakers stressed the importance of implementing a curriculum that provides students an understanding of content area, current affairs, and social and civic responsibilities, while simultaneously equipping students with "learnability and capability skills required to succeed in the careers of the future" (IPA 1).

Six of the sixteen participants believe partnerships with private schools is an excellent opportunity to offer an education that fulfills the curricular goals and objectives outlined in the National Education Policy of 2019, and National Curriculum Framework of 2005. In their opinion private schools are best positioned to leverage curricular and technological innovations to effectively customize learning for students enrolled in their schools. Terms/phrases used by participants to describe learning models in private schools include – peer-based learning, peer-to-peer sharing, peer-engagement, guided discovery, critical contestation and enquiry, teacher as facilitator and enabler, exchange of ideas central to education, and curiosity for lifelong learning.

An issue that all policymakers agree on is the fragmented nature of the curriculum and syllabi based on public or private provider, board affiliation of the school, and geographic location. NPAs draw attention to the fact that the K-12 segment is not only affiliated with a variety of national boards such as the Central Board of Secondary Education (CBSE), Indian Certificate of Secondary Education (ICSE), and International Baccalaureate (IB), but also several independent state boards. As a consequence of the diverse, and sometimes conflicting nature of central and state laws, there is a great amount of differences and disparities in the prescribed versus practiced curriculum. While some participants argue that the government should ease restrictions on the curriculum and language policies followed in private schools, others contend that such flexibility leads to unequal educational systems and inequitable learning outputs.

In addition to the emphasis on differences in the literacy and numeracy curricula offered in private and public schools, respondents at the sub-national level highlight the contentious debate raging between the central government and state governments in the five South Indian

states of Andhra Pradesh, Karnataka, Kerala, Tamil Nadu, and Telangana over the latest

regulations related to the three-language policy in the newly released National Education

Policy (2019)[4]. Based on a sub-national policy actor's experiences and familiarity with the

local context, he acknowledges the presence of challenges when implementing a national

curriculum, and the role of private schools in "ignoring local language and culture" by

imposing English as the medium of instruction in all, and Hindi as second language in some

private schools engaged in PPPs. The respondent added:

> …adopting the national curriculum would require leaving out topics related to
> local history, geography, and literature. There are so many clashes between
> activists supporting instruction in the local language, versus those imposing
> Hindi (national language) and their culture on Kannadigas (Kannada speaking
> populations). People are keen to learn English, though it is a foreign language,
> because it helps them when they go to college, or get better jobs. But, there is
> a long history of opposition to forcing North Indian language and culture on
> our South Indian way of living. And, with the BJP government in Delhi and
> their agenda to implement the three-language policy, these fears have
> increased. There is growing fear of a Hindu Rashtra and Hindi Rashtra (Hindu
> country and Hindi Country) among non-Hindus and non-Hindi speaking
> people. (LPA3)

Based on my observation notes and interviews, I concluded that several national and sub-

national respondents expressed criticism of private school providers as failing to follow a

curriculum that inculcates local and national values. The absence of community history,

language and culture make the linkages between education and daily life difficult for children

from DGs and minority populations. Not only does the school environment ignore their

"intimate knowledge of their environment, but sometimes overtly displays their experiences

and culture as inferior to mainstream practices" (IPA2). Also, these participants claim that in

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[4] Students who wish to change one of the three languages they are studying may do so in grade 6, so long as the study of three languages by students in the Hindi-speaking states would continue to include Hindi and English and one of the other modern languages from other parts of India, while the study of languages by students in the non-Hindi-speaking states would include the regional language, Hindi and English.

an effort to achieve good grades in math, science and technology, subjects like history, geography, language, literature, and arts that introduce/expose students to their own local culture, traditions, and practices have been sidelined. They argue that a quality education should transcend the objective of merely increasing academic outputs, and is best expressed by a national policy actor , "getting good grades to one that increases self-worth, self-awareness, and self-confidence in oneself and one's roots and culture" (NPA2)

Pedagogical practices. In addition to the discussion on educational content and curriculum imparted in schools, participants suggest attention needs to be paid to teacher quality and pedagogical practices. All participants emphasize the importance of teachers possessing in depth mastery of content matter and teaching practices in the classroom. IPAs express concern regarding the acute shortage of qualified teachers in countries like India, and its impact on guaranteeing the right to education for children from EWS and DGs, as they are the groups likely to be impacted by poor quality and unprofessional teaching practices. Under-qualified teachers lack mastery over content matter as well as the pedagogical training required to succeed in classrooms with students from diverse backgrounds and educational needs. Therefore, the quality of education offered in schools is only as good as its teaching and administrative staff.

While some participants commend teachers working in private schools for their commitment and productivity, others contend that private schools are exploitative towards teachers. Salaries paid to teachers in private schools is considerably lower than the designated government pay-scale, compelling them to work more than one job, which in many cases is offering private tuition to their own students. This opinion is countered by the argument that the current demand for private schools and the "exodus of students from public

119

schools to BPS (LFPS)" (LPA6) stems from the lack of trust in the quality of teachers, teacher attendance, pedagogical practices, and failure to create safe environments in public schools. However, others contend that a majority of private schools are not of optimal quality, specifically BPS, it can still be argued that BPS have been successful in improving learning outcomes for children from EWS and DGs.

The next indicator associated with teacher qualifications and pedagogical practices is the quality of teaching materials available in schools and classrooms. Teachers who are known to use active learning techniques and high-quality instructional materials are better at classroom management, content delivery, and increased learning outcomes. During interviews with participants, the most commonly referred to shortcoming is textbooks prescribed by the NCERT. Some national and sub-national policy actors stressed that textbooks printed and used in government schools were "riddled with errors and stereotypes" (LPA6). Despite textbooks being prepared with the best of intentions, they fall short of offering students comprehensive insights into various topics. Although the curriculum framework encompasses ideas like "social context, plurality, critical pedagogy, and paradigm shift to the perspective of the marginalized," textbooks do not reflect the government's commitment to inclusion and equity. A policy actor at the national level observed:

> The government needs to do more to address exclusion in a critical manner. Despite the government's effort to include the perspectives of women, Dalits, Adivasis, religious minorities, and disable people, biases continue in classrooms. Also, issues such as poverty, hunger, inequality, conflict, and unemployment, which are all around us in everyday life, are totally ignored in curriculum and textbooks…So, the challenge is how to make textbooks more informative without becoming political? And, how can textbooks include the views and concerns of various social groups, in order to educate children to be sensitive towards children from marginalized groups. (NPA4)

Respondents assert schools do not merely serve academic functions in society, rather, they are social institutions whose duties extend beyond pedagogical and academic agendas. They note the existence of a large private publications sector which serves the private school market. These publications are deemed to be of superior quality by private school managements and their proponents, as they are presented in a composite package of textbooks, lesson plans, and PowerPoint presentations to aid in classroom instruction and assessments. Since government schools are bound by the RTE Act, 2009, and compelled to use instructional materials published by the NCERT, they have little opportunity to modify teaching practices and expose students to multiple perspectives and ideologies. In contrast, private schools, while adhering to the NCERT guidelines, are able to utilize the knowledge and expertise of the "private publication industry" to integrate innovative instructional materials such as textbooks, workbooks, portfolios, and assessments into their teaching practices to improve student learning. Therefore, some participants suggest that the best way to achieve quality in education is for the government to engage in partnerships that prove beneficial for all parties involved. PPPs through the use of expertise, training, management style, and innovation can transfer and replicate the success of the market models to the education sector, thereby ensuring the fulfillment of the right to education obligations enshrined in national laws and international declarations. Private schools, as articulated by some participants, engage in frequent professional development sessions to "keep up-to-date with the latest knowledge and practices in the field" (IPA1). Teachers working in private schools in India are aware education is no longer limited to passive learning and rote memorization, but instead helps students improve their analytical skills, cognitive abilities, and imagination.

Academic achievements. The essence of an education that is acceptable under the RTE Act

is rooted in the delivery of an education that is of good quality, available at affordable costs,

and increases academic achievement. Nine of the sixteen policy actors interviewed for this

study dispute claims made by the other seven participants regarding the acute differences in

academic achievement between students attending private schools and public schools.

Participants who identify as supporting private sector participation in education provision

discuss studies conducted in Latin America, Africa, Asia, and India to prove their assertions.

They highlight the studies conducted by Tooley, Dixon, Srivastava, and Kingdon where

findings from research studies suggest children attending BPS in Hyderabad and Delhi,

outperform their peers attending public schools in subjects like math and sciences. These

claims are contradicted by several national and sub-national policy actors familiar with the

context, who draw upon information released by UDISE[5] which clearly indicates a steady

decline in learning outputs across the country since 2013. This they claim, correlates with the

implementation of the RTE Act 2009, and the mandatory requirement by all schools to report

accurate academic data to the state as well as central boards of education. Additionally, the

origins of private schools' advantage lie in the type of students choosing to enroll in them.

Parents whose children attend private schools are from backgrounds with "sufficient

education and income, and less likely to be from lower castes" (NPA3), and hence make

informed choices about their children's education. As a result of this sorting, children

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[5] Unified District Information on School Education (UDISE) initiated in 2012-13 integrating DISE for elementary education and SEMIS for secondary education is one of the largest Management Information Systems on School Education covering more than 1.5 million schools, 8.5 million teachers and 250 million children. Timely and accurate data is collected towards the establishment of a well-functioning and sustainable Educational Management Information System.

attending private schools have the social and financial resources to help them succeed in education.

Despite their disagreements on the role of PPPs in increasing learning outcomes guaranteed under the RTE Act, participants agreed on the following issues – frustration among families on the poor performance statistics in public schools; the impossible ask of expecting students to return to public schools when there are more than 300,000 private schools across the country; and finally, private schools, including low-fee private schools' ability to deliver on par, if not better results in a cost-effective manner. Previously, the only measurable metric available was inputs such as money spent, classrooms built, teachers trained, and students enrolled. However, now with data tracking facilities and systems it is possible to measure outcomes such as academic achievements, economic growth, social cohesion, employment, international competitiveness, transition to tertiary education, health indices, and democratic participation. Therefore, according to a national policy actor:

> There have been great changes in how student learning is being measured and understood in the developed and developing countries, both academic and soft skills. That's enough reason to enter partnerships to increase and measure the quality of education with as many educational providers as possible. This should include private providers, NGOs, religious schools, and public schools. To guarantee the right to education for all children, the government must – one, allow as many providers as possible to enter the education sector after due diligence; two, (make sure there is) accuracy in collection of data, and transparency in publication of it; three, rewards for meeting and punitive consequences for failing to meet set targets and goals; and last, provide variable-rate vouchers for schools that enroll students from EWS and DGs, hard-to-reach rural areas, and children with disabilities. (NPA6)

Section II – Section 12(1)(c) in Practice

Using data collected from three participating schools and education department officials, this section reviews the status of implementation of Section 12(1)(c) and the inclusion of EWS and DG children admitted under the same clause of the RTE Act.

The implementation of the Section 12(1)(c) of the RTE Act faces enormous challenges across the country (Mehendale et al, 2015; Sarin et al, 2017). Given the concurrent nature of the Indian education system and diversity of educational institutions means that thought the Act is applicable in the entire country, state governments need to frame their own rules for its implementation. This section reviews the rules, guidelines, notifications, and appropriation of Section 12(1)(c) and assess the extent to which it has been operationalized in participating schools. Further, this section documents findings about admission processes, acceptance in schools, educational and social barriers, inclusion, pedagogical practices, teachers' educational backgrounds, and students' and parents' experiences.

Availability

This sub-section begins with Table 4 providing an overview of the profile of the three participating private schools.

Table 4: Profile of Participating Schools

School Name	School 1	School 2	School 3
Block No.	5	1	9
Year Established	2009	1995	2003
School Management	Private Unaided	Private Unaided	Private Unaided
Med. Of Instruction	English	English	English/Kannada
Academic Session	June – March	June – March	June – March
Grades	LKG – 12th Grade	LKG – 12th Grade	LKG – 10th Grade

Affiliation	CBSE	CBSE/SSLC	SSLC
Composite School Fees	Rs. 44,000/annum (USD 629)	Rs. 28,000 – 20,000/annum	Rs. 15,000/annum
Total No. of students	2200	1732	943

Table 5: Availability – Karnataka Right to Education Act

Criteria	Provision	National Model Rules
Availability		
Neighborhood	The neighborhood or area limits for children admitted to Nursery/1st grade under Section 12(1)(c) of the RTE Act is within a radius of one kilometer for rural, and education ward [6]for urban children from the school. An Amendment made in April 2019, provided that unaided school previously required to admit 25% children from EWS and DGs, no longer are under the purview of Section 12(1)(c) if there is a public school within one-kilometer radius of the private school. "Where government school and aided schools are available within the neighbourhood," the government will not bear the cost of schooling in private schools for children from EWS and DGs. [7]	No
Eligibility	**DGs** – SC, ST, OBC which have been specified as category I, IIA and IIB respectively; minorities (Muslims and Christians); orphans; migrant and street children; migrant and street children; children with disabilities; and HIV affected/infected children. **EWS** – All other castes and communities residing in Karnataka, excluding the categories in DGs whose parents/guardians have an	No

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[6] For administrative purposes, the city of Bangalore is divided into nine education blocks, which are further divided subdivided into 198 wards administered by the Bruhat Bengaluru Mahanagara Palike (BBMP).

[7] The State Government of Karnataka issued an amendment to the Karnataka RTE Act 2012, notifying private schools that they are exempt from admitting children from EWS and DGs under Section 12(1)(c) of the RTE Act 2009, if there is a public school within one-kilometer radius of the private school. This Amendment was upheld as constitutional by the Karnataka High Court on May 31st 2019, issuing a judgment against litigants arguing for 25% reservation for EWS and DGs in private schools as guaranteed in the RTE Act 2009. The litigants led by the Education Rights Trust and RTE student' and parents' association has appealed this decision in the Supreme Court, which has been taken up in August, 2019. The arguments and decision is pending, until then the Karnataka High Court ruling stands.

	annual income of less than Rs 3.50 Lakhs (USD 5,000.00). Preference for families whose income is less than Rs. 1 Lakh (USD 1,430.00).	
Admissions	In order to make admissions transparent and centralized the state government has adopted e-governance – giving rise to online portals for admissions and centralized monitoring from the department of education. The government is responsible for the dissemination of information to the public regarding the availability of seats in schools. Local authorities shall undertake school mapping to aid in identifying availability of schools, and identifying children belonging to EWS and DGs every year. Schools will publicly display the names of all children enrolled in the schools.	No
School Infrastructure	Block Education Officers (BEOs) shall conduct inspections to ensure schools have: all weather building, access by unbroken roads, ramps, separate toilets for girls and boys, playground, library, sports equipment, kitchen for midday meals. Schools shall not be used for any other for profit purposes by the school trust, individuals, or groups. An amount of Rs. 8,000/- for Pre K and Rs. 16,000/- for grade 1 per-child shall be reimbursed to schools in two equal installments in September and January respectively. This amount is subject to revision, and shall be notified before the commencement of the academic year. Every school shall maintain a separate bank account to receive reimbursement per-child, and is subject to audit. Reimbursement will be made via direct Electronic Fund Transfer. Schools shall provide a financial status report in July for the previous academic year.	Yes

Neighborhood Criteria. The Karnataka Right to Education Act, 2012 (KRTE) has four

indicators that correspond with the *availability* indicators of the HRBA framework, namely,

neighborhood, eligibility criteria, admissions, and school infrastructure that are discussed

above in Table 5. The criteria of neighborhood is clearly articulated in the Act, with the

availability of multiple private aided and unaided schools within an educational ward to

which families can apply under Section 12(1)(c) of the RTE Act, 2009. Occasionally, the neighborhood criteria is expanded to adjacent wards if the 25% quota in the applicants ward has been filled. However, a caveat to the neighborhood limit is that schools cannot enroll general applicants into the 25% reserved seats by claiming a lack of neighborhood applicants. While the administrators at School 1 and School 2 expressed objection and resentment about the mandatory reservation of 25% seats, the administrator at School 3 was more receptive to the legislation. Administrators in School 1 and School 2 noted a reduction in school revenue due to the intake of EWS and DGs student, since the government does not reimburse at the same rate as the expenditure incurred on educating each child. The administrator in School 3 noted their admissions had increased over the past five years, starting from 2013, and declared "we had to take up a new building for rent because we couldn't hold all the admitted students in this building."

Both, private school administrators and Block Education Officers expressed concern on the impact of the legislation on public education. They all agree on the importance of supporting a robust and well-funded public education system, and expressed concern regarding closing of public schools, and dramatic increase in private school enrollments among children from EWS and DGs. Block education officers suggest the latest Amendment related to neighborhood criteria passed by the Government of Karnataka is in response to the hollowing out of public schools across the state in general and urban centers like "Bangalore, Mysore, Mangalore, and Hubli in particular" (BEO3). Figure 6 and Figure 7 indicate the gradual reduction in the number of public schools and the drop in enrollments rates in public schools respectively in Bangalore over the past three years in comparison to the increasing

127

number of schools and enrollments in privately managed and operated educational institutions.

Figure 6. Number of Public/Private Schools in Bangalore
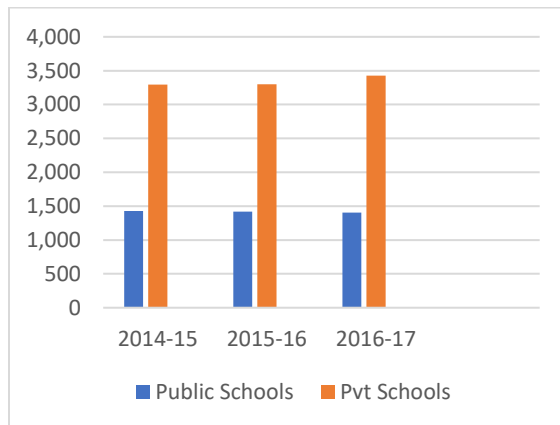
Figure 7. Enrolment Rates in Schools in Bangalore
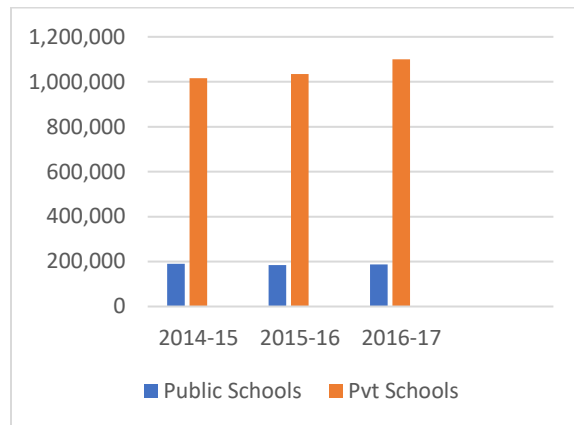
Therefore, in an attempt to plug the flow of students and resources from public schools to private schools, the Government of Karnataka passed an Amendment to the Karnataka Right To Education Act (KRTE) in 2019. According to the new Amendment of the KRTE Act, it is no longer mandatory for private unaided schools to admit children from EWS and DGs under the 25% quota if there are government schools or aided private schools in the same ward of the applicant's residence. As a result of this legislation, the number of RTE quota seats in Bangalore in private schools has declined sharply, from a little over 152,000 in the academic year 2018-19 to 17,784 for the academic year 2019-20.

Eligibility Requirements. In addition to the neighborhood, eligibility based on the family/guardian's income is central to admission under Section 12(1)(c). Karnataka has defined Economically Weaker Sections (EWS) as families having a composite income ceiling of Rs 350,000/- per annum (USD 5,000/-), with preference being given to families with income under Rs. 100,000/- per annum (USD 1,430/-). Disadvantaged Groups is defined

as those belonging to Scheduled Caste, Scheduled Tribe, Other Backward Class, migrant children, orphans, children with disabilities; and children affected/infected with HIV/AIDS. While the RTE Act 2009, refrains from including specifics about income and caste, the KRTE Act is context specific, and provides clarity on what class and castes are included under the 25% quota. These definitions capture the economic, social, cultural, and geographical nature of disadvantages that impact educational opportunities available to marginalized communities. Although the definitions mention multiple types of disadvantages in Indian society, it fails to capture the complex layered intersections that contribute to a student's identity and experiences. Additionally, the legislation fails to account for indicators such as gender, ethnicity, linguistic minority status, religion, and children from displaced/refugee families. Furthermore, the EWS rule explicitly states that disadvantaged groups are excluded from this category, thereby suggesting that economic disadvantage is mutually exclusive to other types of disadvantage.

During my observations and interviews with administrators, they noted that if parents could afford to offer as little as Rs. 2000/- (USD 35/-) in bribe, the Revenue Department in the government was willing to issue income certificates that met the eligibility criteria. As an administrator in School 3 noted:

> For families from economically weaker background, they still live on a cash economy. They don't receive their salaries in cheques, and they do not pay any taxes. So, it is very hard to know what their real income is. In my school we have several cases where the older child is attending school by paying full fees, but the younger child is admitted under the RTE quota. (ADM3.2)

A similar sentiment was expressed by an administrator at School 1:

> I can say more than 50% of the income certificates provided to us are fake. I recently had a family come to me and say they were willing to pay full fees and admit their child if they did not get selected in the admissions lottery. I know that the father is a civil contractor, he has good money, has a car, and he

has done many civil works for our own school. This is wrong in two ways, one, he is taking up the seat of a deserving child, and two, why should my other parents subsidize this child's education. several parents ask me that question, why should we pay for their education? (ADM1.1)

Another issue that several administrators and education officers draw attention to is the specific percentages of seat allotment related to the 25% quota, which is: SC – 7.5%, ST – 1.5%, and the remaining 16% to be divided among EWS and other disadvantaged groups. The SC and ST percentages have been determined based on their relative proportion of Karnataka's population, SC 17% and ST 7%. For the other 16% earmarked for EWS and other disadvantage groups, the government has provided a hierarchy for admissions with, orphans, migrant children/street children, children with disabilities, and HIV affected/infected children shall receive "first instance" admission, followed by children from EWS and OBCs. However, in practice, it can be confirmed that a majority of the 16% quota within a quota admits children from OBCs along with a few children from EWS. Figure 8 provides a breakdown of students admitted under various DGs and EWS categories across the state during the academic years of 2012-13 and 2016-17. Figure 9 provides a similar breakdown of school-wide admissions at participating schools (UKG-5th grade) for children admitted under Section 12(1)(c) of the KRTE Act.

Figure 8. Caste-wise RTE Enrolment Rates In Karnataka
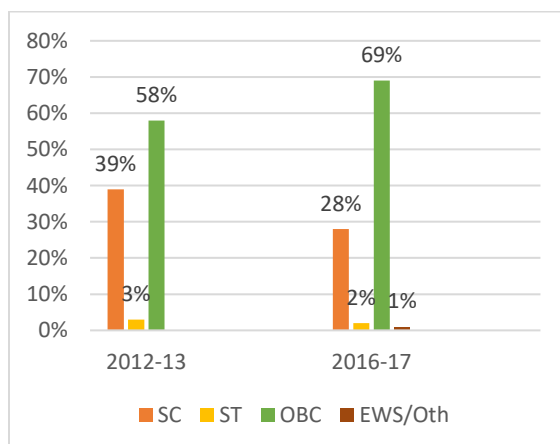
Figure 9. Caste-wise RTE Enrolment Rates in Participating Schools

130
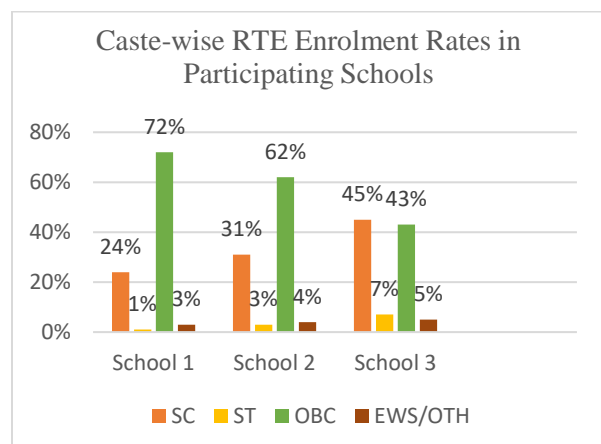
Starting in 2016, the admission process for the academic year 2016-17 has shifted to a centralized online process monitored by the department of education. Karnataka has a detailed admission procedure which provides clear instructions in Kannada and English on how the process should be carried out. The role of different stake holders such as school committees, BEOs, parents, and NGOs is clearly outline in the rules issued by the state government. The admission process involves four stages as shown in Figure 10.

Figure 10. Stages in the Admission Process
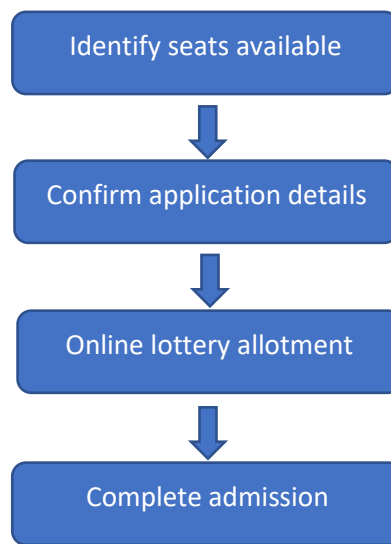
Stage one of the admission process starts with the government receiving information from unaided private schools about their location, class strength at entry level, intake capacity, entry criteria, and bank account for reimbursements. The profiles of schools are then verified by the BEO and uploaded to the admissions portal to make information available to all stakeholders. The government then notifies school management committees, parent teacher associations, NGOs, newspapers, and field officers about the availability in schools and releases a calendar of events applicable for that year. In stage two school vacancies are matched with applicants who fit the requirements delineated by the KRTE

rules. During this stage parents upload their information to the admissions portal which include child's name, age, contact phone number, eligibility category documents, location/address, and UID number (Aadhar number). Stage three involves the matching of eligible applicants to schools through a computerized program commonly referred to as the "RTE online lottery." The entire lottery process is videotaped for accountability and transparency. Stage four begins once the applicant and the school have been matched. The results are announced immediately to parents who are able to attend the lottery, for others the results are posted online and via SMS in English and Kannada. Following this, applicants directly approach the school for admission within a stipulated period of time (usually 1-2 weeks) with all the required documents. Listed below in Table 6 is an example of the timeline followed in Karnataka for the academic year 2018-19.

Table 6: Timeline for Admissions for Academic Year 2019-2020

Sl. No.	Action	Date
1.	School Registration	By February 2019
2.	Online applications	Mar 1st – Apr 15th 2019
3.	List of applicants eligible for RTE lottery released	May 3rd 2019
4.	First round of seat allotment via lottery	May 5th 2019
5.	Admission in schools begin	May 8th – May 15th 2019
6.	Information of admitted students is uploaded to online portal	May 8th – May 15th 2019
7.	Second round of seat allotment via lottery	May 25th 2019
8.	Second round of admissions in schools	May 25th – May 30th 2019
9.	Information of students admitted in the second round is uploaded to online portal	May 15th – May 30th 2019

Admission under Section 12(1)(c) of the RTE Act has seen a steady increase during the past six years, however, the Amendment related to the neighborhood criteria has dramatically reduced the number of seats available under the 25% quota. Figure 11 indicates the change in annual admission between 2013-2020 in Bangalore Urban District, the site of this study.

Figure 11. Admissions under Section 12(1)(c) in Bangalore Urban District (2013-2020)
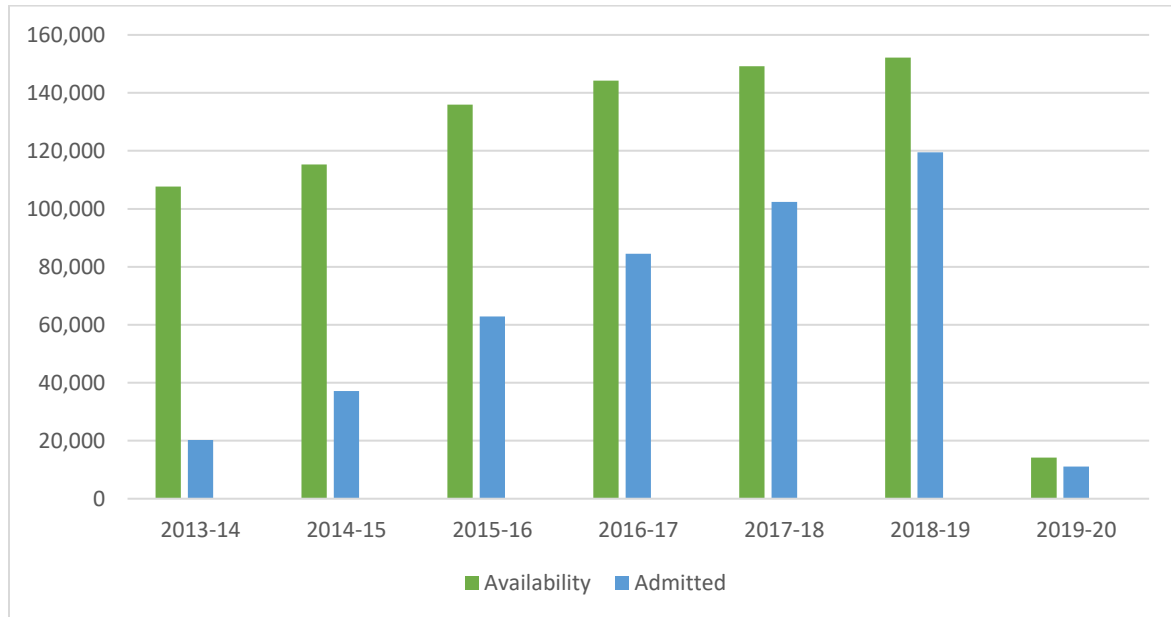
Figure 12 is a comparison of total seats available and applicants admitted to the three schools participating in this study during the academic years of 2013 – 2019. Data for 2019 – 2020 is not displayed as all the three participating schools were not required to admit students due to the change in definition of the neighborhood limits for admission.

Figure 12. Admissions under Section 12(1)(c) in Participating Schools (2013-2019)
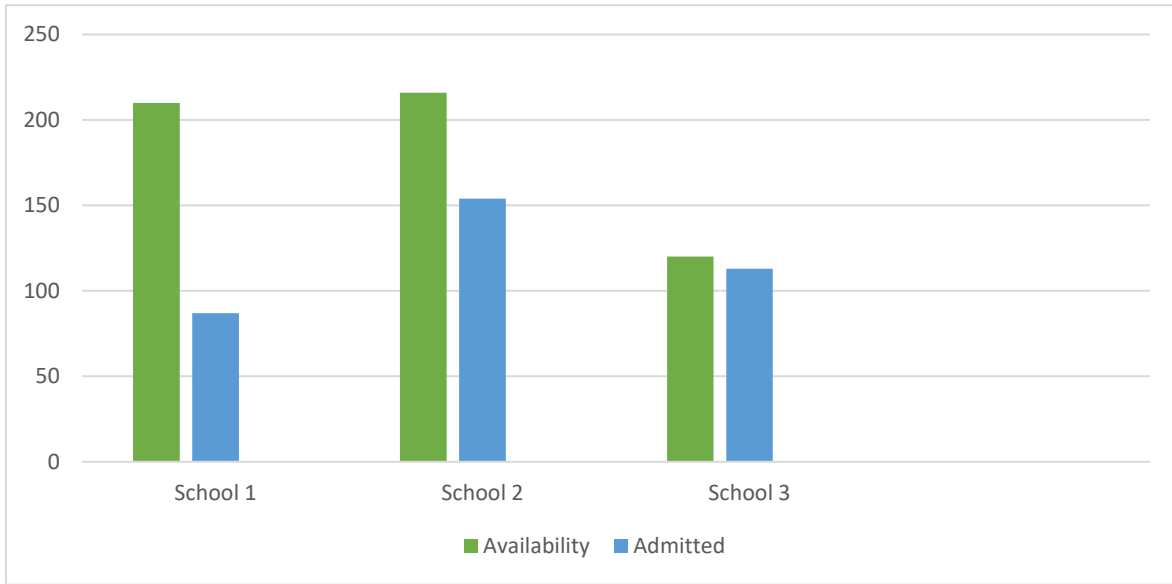
School Infrastructure. The next criteria under the *availability* indicator is related to school infrastructure. The KRTE Act follows the school infrastructure requirements prescribed by the GoI in their Model Rules. Table 7 indicates the ground realities of the sampled schools with regard to the physical infrastructure available.

Table 7: School Infrastructure in Participating Schools

Infrastructure		Availability	
	School 1	**School 2**	**School 3**
All weather building	Yes	Yes	Yes
Access by unbroken roads	Yes	Yes	Yes
Ramps	No	No	No
Safe and adequate potable water	Yes	Yes	Partial
Separate toilets	Yes	Yes	Inadequate
Playground	Yes	Courtyard	No
Boundary Wall	Yes	Yes	Yes
Library	Yes	Inadequate	No
Sports equipment	Yes	Inadequate	No

Kitchen for midday meals	Yes	No	No
Bank Account for reimbursements	Yes	Yes	Yes

The three sampled schools show a diverse fee structure which ranges from Rs. 750 per month to Rs. 3000 per month. A majority of the infrastructure available in schools is dependent on the annual fees charged by the schools. These issues will be discussed in more detail in the next section on accessibility to and within schools.

Accessibility

Table 8 below represents the various clauses under the KRTE Act that fulfill the accessibility and indicator of the HRBA framework.

Table 8: Accessibility – Karnataka Right to Education Act

Criteria	Provision	National Model Rules
Administrative	Local authorities shall maintain, in a transparent manner a record of all children in its jurisdiction, from birth till they attain 14 years. Records of – name, place, sex and date-of-birth; parents'/guardians name, address and occupation; elementary school where child is admitted; present address of child; and caste/income/medical/disability certifications.	Yes
Financial	A child attending a private school under Section 12(1)(c) shall be entitled to free textbooks, writing materials, and uniforms. For children with disabilities which prevent children from accessing school, the government shall make appropriate and safe transportation arrangements.	No
Socio-cultural	Local authority shall ensure within their jurisdiction that no child is subject to caste, religious, or gender discrimination in school. Local authorities will ensure that access to a school is not hindered on account of social and cultural factors. Local and school authorities will ensure a child belonging to EWS or DG is not segregated or discriminated against in the classroom, ICT	No

| | facilities; library; playgrounds, using drinking water and toilet facilities, and in the cleaning of toilets and classrooms.

School managements and teachers shall identify out-of-school, orphan, and migrant children and mainstream such children by providing special training to them, and coordinate with Social Welfare, Backward Classes, and/or Women and Child Welfare boards to arrange for hostel/housing facilities. | |

Administrative Barriers. While much of the "rights language" has been thoughtfully and thoroughly articulated in the KRTE Act, there seem to be considerable lapses in the implementation of the Act in actuality. Participants in this study cite three common grievances related to administrative issues, they are: lack of awareness about the provision, the online application process, and financial reimbursements to schools. This study found that the Government of Karnataka has not deployed additional staff to make information about Section 12(1)(c) accessible to the populations it is intended to serve. Despite witnessing a steady increase in the number of applicants, much of the information participants received was from neighbors, friends, colleagues, and employers. Although a few help centers have been established across the state, and a helpline dedicated to address parents' questions, applicants assert the resources are inadequate to serve the needs of a city with a student population as large as Bangalore. In my own experience, during my research study, I tried multiple times to get through to the help desk and was able to get through only after four tries. Clearly, it takes effort, time, and patience to access information required to submit a fool-proof application online. BEOs insist the government is prompt in posting press releases which appear in all the local English and Kannada newspapers two weeks before the commencement date of admissions, however, many of the poorest and marginalized families do not get the information at the right time.

136

The next barrier to access to private schools under Section 12(1)(c) in practice is the online application process itself. While the admission process transitioned to online from offline to increase transparency and accuracy, it has led to confusion and a new set of expenditures for applying families. The introduction of online applications has meant that parents have to be aware of using computers and the Internet, increasing their dependency on agents and middlemen who are e-literate and familiar with using technology. Families participating in this study identified several individuals/agencies who helped them in filing their online application, they are: friends/family/neighbors, employer/colleague, NGO/community worker, local political, BEO/field officer, government help center, schools, and private agents.

The problems with online applications begin with parents being unable to pin their address on Google Maps. Although he Government of Karnataka has been successful in mapping all wards and schools within each ward, parents participating in this study experienced problems while locating their address on Google maps, which led to erroneous identification of schools they were eligible to apply to. A majority of the parents participating in this study live in slums and illegal colonies that are not accurately mapped by Google, often leading to mismatched allocations for applicants. Block education officers admit to making mistakes when the paper application process was in effect (2013-2016), however, assert the state Department of Education has largely been successful in reducing human errors while transferring information to the online portal and sharing information with participating schools. The cost of applying is entirely on parents, who often forego resources such as time and labor cost, while incurring additional expenses related to online applications. All parents interviewed mentioned spending between Rs. 200 – Rs. 1000/- at

cybercafes, middlemen, agents, and government help centers to have their applications filled and submitted. Due to their lack of literacy and e-literacy, parents mention the risk of entering wrong information on the application form. A parents from School 1 anecdotally recalls her neighbor being denied admission due to a mistake an agent committed while filling out their UID number. As a result, they had to wait an entire academic year to apply again.

The unsynchronized admission timeline between regular admissions in private schools and students admitted under Section 12(1)(c) is a concern raised by administrators in all the three schools participating in this study. According to them, regular admissions are completed by the end of March for the new academic year beginning in June, while the admission for 25% quota does not begin until May. Administrators from School 1 and School 2 discussed instances where students missed 1 – 2 weeks of school at the beginning of the term due to delay in announcing admissions, administrative hurdles, and incomplete certifications. This causes a dilemma for both schools and applicants. Schools are unsure of what the numbers and nature of their student body is, and parents have to endure the stress, sometimes of multiple rounds of lottery before gaining admission to a school of their choice. Parents in School 2 and School 3 admitted to paying an admission deposit to ensure a seat in the school if they did not gain admission through the lottery.

While school administrators fault education officers and parents for delays in completing admissions, parents and BEOs allege some private schools are discrete in finalizing acceptance, which can lead to them arbitrarily rejecting applicants. Schools reiterate the heavy administrative burden on their staff with having to now maintain additional records for children admitted under Section 12(1)(c), while also maintaining financial records for

reimbursement and bi-annual production of financial statements. All the three schools

participating in this study confirmed receiving timely reimbursements as stated in the KRTE

Act. Based on the number of children enrolled in their schools, the government calculates

expenditure per child at the rate of Rs. 16,000/- for grade 1 and Rs. 8,000/- per child for Pre-

K, and transfers the amount directly to the bank account of the school. However, School 1and

School 2 assert that the per-child reimbursement received from the government falls short of

the per-child expenditures incurred by the school. An administrator from School 1 observed:

> We have been losing so much revenue over the past six years. We have had to
> cut several other development projects because we did not have the fund to
> proceed on them. We wanted to add a lift (elevator), build an auditorium for
> school functions, improve our athletics facilities, upgrade our computer
> room…but, we had to wait to make all these changes. In fact, we have had to
> pass on some of the charges on to parents of the other children attending our
> schools. The government only pays the tuition cost, how are we supposed to
> recover all the additional cost of extra-curricular activities. But this year
> thankfully we have a government school within one kilometer of our school,
> so we don't have to admit any students under the RTE Act. We can now try to
> go back to improving facilities in the school. (ADM1.1)

While there are no grievances related to government reimbursements, there seems to be

discontentment about the cost for education per-child determined by the Government of

Karnataka.

Financial Barriers. According to the guidelines issued by the government of Karnataka, the

school shall not levy any additional fees, charges, or expenses on parents of children

admitted under Section 12(1)(c). The clause clearly states it is the responsibility of the school

to provide free entitlements that include textbooks, uniforms, and writing materials. There

seems to be significant differences in the Model Rules issued by the Government of India

and state government. While the federal government outlines a broad definition of "free

entitlements," the state government narrowly defines it as "textbooks, uniforms, and writing

materials." However, schools participating in this study have successfully distorted "free" to mean just "tuition free" while charging several other fees and expenditures to recover some of the educational expenses incurred by the schools due to subsidizing education for children admitted under the 25% reservation.

Uniforms and books were not provided free of charge in any of the three sample schools in this study. In fact, it was mandatory for students to buy their uniforms and books from vendors authorized by the school, tailor made with the school emblem. Parents from the three schools spent amounts ranging between Rs. 750/- to Rs. 5,000/- for two sets of uniform. School 1 made Nike shoes mandatory, further increasing expenditure by another Rs. 2,500/-. An additional Rs. 1,000/- to Rs. 7,000/- was spent on books and stationery supplies required by schools. The KRTE clearly prohibits schools from collecting capitation fees or donations, specifically for students from EWS and DGs. However, all three schools collected a refundable capitation/donation deposit ranging from Rs. 5,000/ to Rs. 25,000/- Pare nts note that in most cases the education officers are aware of these violations, but choose to ignore the infraction and use it to "arm twist schools to then take bribes from them" (PRT3.5).

Education officers on the other hand accuse schools of manipulating their fee structures to suit the Rs. 16,000 per child reimbursement received from the government. From their observations and inspections, they have found that schools such as School 1 reduce their tuition fees to as close to the Rs. 16,000 limit, while "finding new ways to charge other fees" (BEO2). In contrast, low budget schools like School 3 increase their tuition fees to as close to Rs. 16,000 as possible to maximize their reimbursements, as it guarantees a steady flow of income for the school. Table 9 summarizes the multiple out-of-pocket expenditures incurred by parents whose children are admitted under the RTE Act.

Table 9: Out-of-Pocket Expenditures

Description of Expenditure	Amount Spent/annum
Application Form and Certifications	Rs. 200 – Rs. 1,000
Capitation Fees/Donation	Rs. 5,000 – Rs. 25,000
Admission Fees	Rs. 1,000 – Rs. 7,500
Uniforms	Rs. 750 – Rs. 5,000 (2 sets)
Textbooks/Stationery supplies	Rs. 1,000 – Rs. 7,000
Maintenance Fees	Rs. 2,500 – Rs. 10,000
Computer Fees/Smart Class	Rs. 1,200 – Rs. 7,200/-
Exam Fees	Rs. 200 – Rs. 750
Extracurricular Activities	Rs. 1,200 – Rs. 5,000
Transportation	Rs. 1,200 – Rs. 9,000
Private Tuitions	Rs. 2,400 – Rs. 6,000

In addition to the tuition fees which is paid for by the government, parents bear other miscellaneous expenses such as private tuition fees, transportation fees, computer fees, fieldtrips fees, class picnic, etc. For example, School 1 is equipped with Smart classrooms, and has computer science as a required subject. As an administrator in School 2 noted, the school has invested extensively in setting up Smart classrooms in collaboration with HP:

> …we have a state-of-the-art computer lab, each child his (her) gets to work individually on a computer. We have 40 computers in our lab. They start learning about computers form grade 1, and we do not discriminate while using facilities in the school. On average we spend about Rs.30,000 per child each year and the government pays only Rs. 16,000 per child. How are we supposed to sustain our quality of education when there is a huge difference in what resources we have and what we spend. We understand that all these additional fees are a burden on families, but what else can we do. Most of our

families are middle-class, and have no problem with paying the fees, sometimes even RTE parents are willing to pay the fees. They don't mind spending on their child's education. for those who can't pay, we sometimes raise money from other parents or sometimes teachers chip in. (ADM2.2)

On discussions with parents about the additional expenditure of schooling, a common sentiment that emerges is the deep gratitude parents have for the opportunity of their children sharing the same spaces and classrooms as those of children from upper castes and class. They insist that they are willing to work an additional job, and/or sacrifice on other essentials/needs to be able to educate their child/ern in a good private school. They harbor a deep-rooted bias that private schooling is better than public schools, believing they have hit the "education jackpot" when their child gains admission in a private school.

Socio-cultural Barriers. Keeping in mind the deep socio-cultural divisions within Indian society, and its impact on access to an education that is of good quality and inclusive, the KRTE Act encompasses provisions to minimize these barriers. Similar to the RTE Act of 2009, the KRTE of 2012 recognizes this difficulty, and as a result prioritized admission based on the category of disadvantage. Although the online lottery for admissions is a randomized process, allotment happens in a hierarchy of groups. The first special group of applicants selected for the first round of lottery includes orphans, HIV affected/infected, transgender, and disabilities. After all them are allotted, the second special group is children under the SC and ST categories – as discussed earlier, their intake is limited to 7.5% and 1.5% respectively. These seats are never allotted to students from other categories, and are open for the second and third round of the admissions lottery. The third group of applicants include OBCs, EWS, and other categories.

During my observations and the demographic information gathered during data collection in Schools 1, 2, and 3, no children were admitted under the orphan, HIV affected/infected, or

special needs categories. The most common group of admitted students were OBCs followed by SCs, and STs (discussed earlier in eligibility criteria). Native Kannada-speaking population was the largest linguistic group to have been among students admitted under Section 12(1)(c) accounting for 59.8%, followed by Telugu, Tamil, Hindi, and others accounting for 40.2%. See Figure 13.

Figure 13. Linguistic Origins of Students Admitted under Section 12(1)(c)
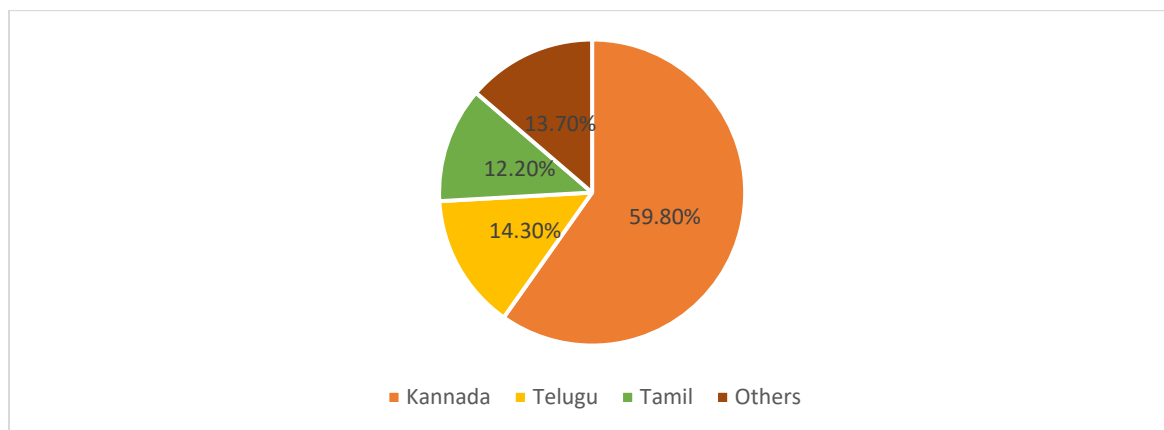
Another key aspect observed during this study was the gender disparity for children admitted under Section 12(1)(c). All three schools had higher numbers of boys enrolled in comparison to girls (see Fig. 14). Schools and officers in the Department of Education say they have no role in this disparity in admissions, and transfer the onus to the government for failing to take into account the intersectionality of gender with other disadvantages such as caste, class, disability, and geographic location. BEOs and administrators blame parents for discriminating against the girl child, and a considerable number of parents participating in this study chose to send their sons to an "English-medium school as it was more important for them to be well educated, find good jobs, and contribute to the family's income" (PRT3.4).

Figure 14. Enrolment Based on Gender in Participating Schools
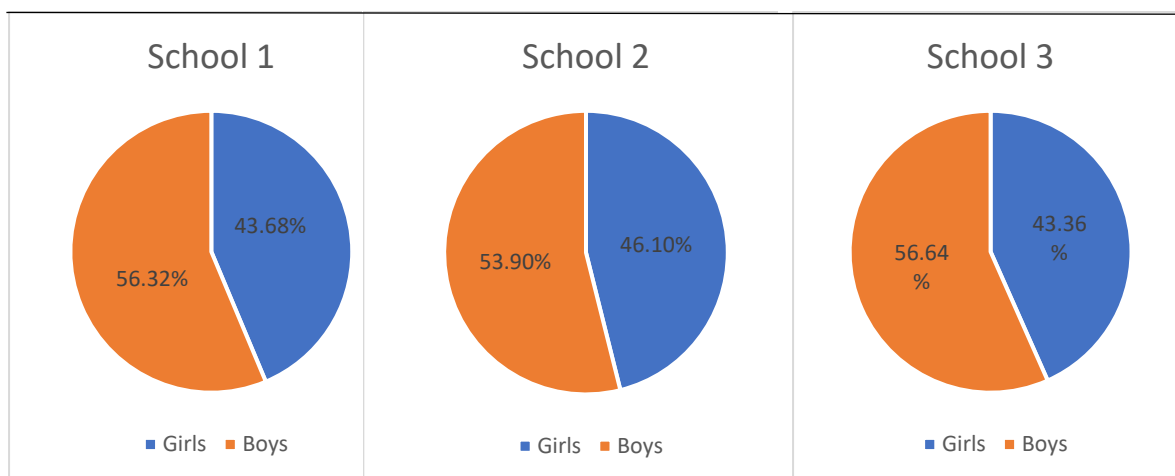
The regulations issued by the Government of Karnataka clearly state that students admitted under Section 12(1)(c) should not be discriminated against while using facilities in the school. However, during observation I noticed School 1 had all the students admitted under this clause being designated to sections D and E of each grade. On asking ADM1.1 as why this was so, she replied suggesting that all students pursuing Kannada as their second language were in these sections. But during my observation I noticed this was not so. On prodding teachers as to why these children were grouped in two sections, four of the ten teachers interviewed in School 1 admitted that there have been several complaints from parents of children admitted under regular admissions. A teacher from School 1 recalled an interaction between a parent and the principal regarding the admission of students under Section 12(1)(c):

> Parents insist they do not want their children to be in the same class as the RTE children because those children do not speak English, unhygienic, and behave badly. In fact, one parent came to the school office and created a big scene saying that their child and their maid's child cannot be in the same class. (TCH1.5)

Acceptability

Table 10 outlines the clauses that align with the acceptability and indicator under the

HRBA framework.

Table 10: Acceptability – Karnataka Right to Education Act

Criteria	Provision	National Model Rules
Acceptability		
Teacher Qualification	The minimum qualification for Pre K teachers – Nursery Teacher Training (NTT) and/or Montessori Training. Minimum qualification for grades I – VIII Bachelors in Education (B.Ed) with subject specific training for grades V – VIII. The DSERT is responsible for conducting appropriate professional development programs for in-service teachers.	No
Quality Education	The Department of State Educational Research and Training (DSERT) will formulate age appropriate and class-wise syllabus that will include academic, vocational, and alternative programs for children with special needs. It shall also clearly define expected learning outcomes at the end of each grade and for every subject. All schools shall maintain Pupil Teachers Ratio (PTR) of 1:30	No
Testing and Evaluation	Integrate Continuous and Comprehensive Evaluation for all classes from classes I – VII. Teacher will conduct periodic assessments and take up special training for children who do not meet expected learning levels. Teachers will maintain cumulative records for every child in order to monitor progress. No child shall be detained/failed in grades I through VII.	Yes

Teacher Qualification. The KRTE, which is modeled on the RTE Act 2009, outlines the

rules that schools must adhere to in order to fulfill the requirements for free, inclusive,

equitable, and compulsory education. Responding to the proliferation of educational

institutions at the primary and secondary level during the post-EFA era, and the acute

shortage of qualified and trained teachers, the Government of Karnataka opened teacher education programs to private providers. Till 2003, only state run colleges were imparting the Bachelor's in Education (B.Ed), Diploma in Education (D.Ed), Nursery Teachers Training (NTT), and Montessori Teachers Training (MTT) programs. Starting in 2003-04, a new policy gave rise to multiple private colleges and universities including teacher education programs in their course offerings. However, were/are no mechanism in place either at the state or the national level to monitor the quality of these courses, with a great degree of variation in quality based on the institution and geographic location.

With the passage of the RTE Act 2009, all schools are required to employ only teachers who have a B.Ed or a D.Ed for primary and secondary education, and NTT or MTT for LKG and UKG. Schools were given three years, that is until 2012 to ensure all their previously employed teachers and new recruitments met the guidelines set by the KRTE Act. Of the thirty teachers participating in this study, 4 teachers were NTT, 2 MTT, 17 B.Ed., 7D.Ed., and 1 untrained. When the number of teachers is disaggregated based on gender – 28 of the participating teachers are female, and 2 were male, with both of them being PT teachers (Physical Training) (See Fig. 15).

Figure 15. Teachers' Professional Qualification
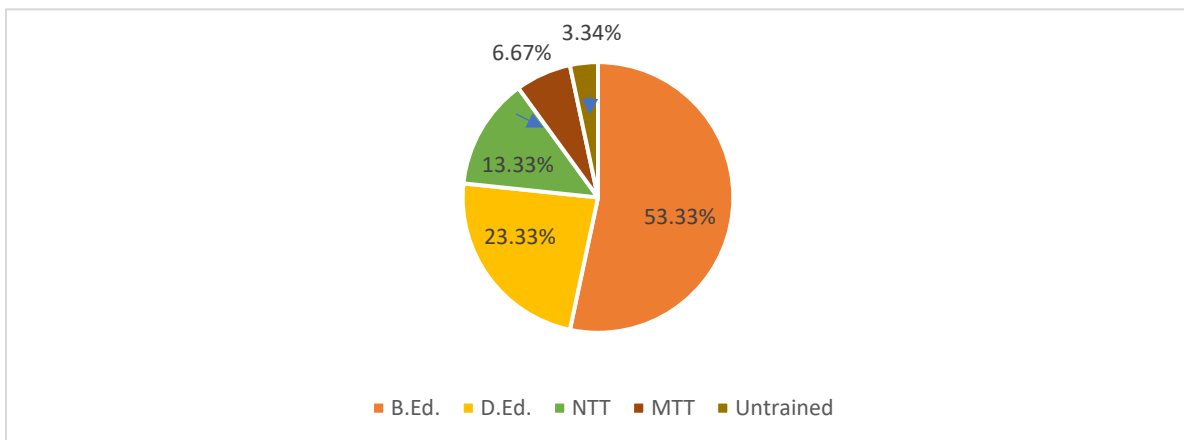
When asked if they knew about the RTE Act, all teachers acknowledged knowing about the Act, however, only 14 of the 30 teachers were able to recall one other provision on the RTE Act other than Section 12(1)(c). All teachers primarily associated the RTE Act with the 25% reservation admitting children form EWS and DGs. This lack of awareness of the broader provisions in the Act has several implications for the quality of education imparted in private unaided schools. Not only is teacher qualifications central to achieving quality education, the quality of teachers is equally important – their perceptions and experiences on issues of equity, inclusion, and social cohesion can deeply affect students' learning. Although the RTE Act does not explicitly articulate critical pedagogy and what it constitutes, the expectations, as delineated in the National Education Policy of 2019 is that schools and teachers implement and practice a curriculum and pedagogy that promotes child-centered learning, creates discrimination-free environment, uses mother-tongue to the maximum, no corporal punishment, teacher-pupil-ratio of 1:30, continuous and comprehensive assessments, and flexible and culturally-responsive/sensitive teaching.

Quality Education. The schools participating in this study are affiliated to the Central Board of Secondary Education (CBSE) and Karnataka Secondary Education Board, commonly referred to as the SSLC board – School 1 and 2 affiliated to CBSE and Schools 2 and 3 SSLC respectively. School 2 has two sections in each grade following the CBSE syllabus, and two sections following the SSLC syllabus. All students admitted under Section 12(1)(c) in School 2 were admitted to the state board, and were concentrated in two sections. It is commonly known that the CBSE syllabus is more rigorous than the syllabus prescribed by the state. School 2 and 3 use the textbooks and workbooks prescribed by the CBSE and SSLC board respectively. Only School 1 used additional workbooks and teaching materials designed by

147

their own teachers in collaboration with "independent curriculum design experts." These books they claim is what sets them apart from other schools as they are tailored keeping in mind the developmental milestones of children. When asked to list some of the challenges experienced in the classroom, some of the frequently mentioned difficulties included – slow learners, lack attention, poor English language comprehension, shortage of educational supplies, lack of parental support, illiterate parents, incomplete homework, indisciplined, unhygienic, undernourished, and signs of physical abuse.

When probed on how they deal with these challenges, the most common response was requesting a meeting with students' parents to make sure they "disciplined them and told them to listen to the teacher in class" (TCH2.7). A solution for children not learning in class or finishing their classwork/homework was to attend private tuitions. Another teacher from School 2 opined "it's impossible to take care of teaching, assessing, and paperwork, and also provide individual attention to the RTE children" (TCH2.4) All teachers participating in this study believed that it was the responsibility of parents to provide additional support to help their child cope with the academic demands from school. Every parent participating in this study admitted to sending their child for private tuitions after school, usually a teacher employed in the same school the child attends. Parents add that due to their inability to aid their children in their academics, parents are dependent on private tutors to help their child comprehend the day's work in school, and help them complete the homework for the next day.

While achievement gaps in lower grades of 1 – 3 were less evident, these gaps became more obvious in grades 4 and 5, with 5th grade being the highest grade that children admitted under Section 12(1)(c) have reached. While there are multiple instances in my observations

that confirmed this conclusion, two particular incidents stand out. In an English Language class in School 1, grade 4, the assignment for the day was to write a short 3-5 sentence paragraph on a student's favorite cartoon character. The teacher read out the instructions form a workbook in a mundane and monotonous manner, and asked children to recall who their favorite cartoon character was. Children admitted under regular admissions mention the names of Popeye, Winnie the Pooh, Dora, Peppa Pig, etc., however, children admitted under Section 12 (1)(c) remained largely silent throughout this discussion. Finally, Uma (name changed) musters the courage to mention her favorite cartoon character and says, "Ma'm, can I write about Chotta Bheem"? to which the teacher retorts sharply saying "Bheem is not a cartoon. Haven't you seen any cartoon shows on TV?" Uma lowered her head, and turned to her friend sitting next to her (another child admitted under the 25% quota) and says in Kannada "My father doesn't let me watch English and Hindi serials. We all watch only what he wants to watch on TV. My mother does not have the time to watch these serials and help me with my work." Multiple instances of teacher insensitivity to the contextual needs of local children was evident during observations. I frequently observed children engaged in busy work when they were unable to produce the academic work required in the class, for eg. sharpening pencils, taking drinking water/bathroom breaks, talking with their friends seated next to them, and taking books out of their bags and putting them back in. These children avoided making eye contact with the teacher due to fear of being called up in front of the class to reads out what they have written. Later, in discussions with students, when asked how they would catch-up on the missed classwork, all six of the participating students from School 1 stated their tuition teacher helps write it for them as their parents are unfamiliar

with the requirements of the assignment, and do not have the literacy and numeracy skills to help them with their academic work.

However, teachers argue that they have little flexibility in adapting their curriculum due to the pressure placed on them by school administrators and management to meet objectives and targets that produce quality learning outputs. Teachers blame the government and school management for their inability to meet the needs of a diverse classroom. All teachers participating in this study concur that their classrooms are more diverse today than they used to be five years earlier. Some of the reasons cited for diversity are – RTE students, children of illiterate parents, different castes and religions, more Kannada speaking children, poor English language skills, big differences in learning abilities, and unstable home environments. Parents on the other hand view teachers very differently, some parents referring to teachers as "Goddess Saraswati" due to their deep-rooted respect and belief that teachers have the potential to dramatically change not just the educational prospects, but also socio-cultural aspects of their child's life. Some of the words/phrases parents used to describe teachers included – inspirational/motivational, well educated, enjoys teaching, hardworking, love/concern for children, knows Kannada, Trustworthy, approachable, helpful, non-discriminatory, respects us, and well-groomed.

Testing and Evaluation. The third aspect of what constitutes the acceptability criteria under the HRBA is testing and evaluation. The KRTE rules require schools and teachers to conduct Continuous and Comprehensive Evaluation (CCE). In an education system relying heavily on year-end summative assessments, CCE mandates continuous and ongoing assessments in the classroom. This form of evaluation is designed to create an instruction-feedback loop which allows the teacher to modify instructional methodologies and techniques to suit individual

150

learners' needs. During classroom observations, I rarely witnessed children admitted under the RTE Act being actively engaged in classroom activities and discussions. More often than not, they were silent and passive observers, occasionally responding to teacher prompts and/or questions. Teachers expressed frustration with the children's learning abilities and most importantly English comprehension skills, frequently blaming parents and home environment for students' challenges with acquiring academic knowledge and achieving desirable learning outcomes. This observation is reaffirmed by what a teacher from School 2 noted:

> I spend around one hour a day with them in class, these RTE children are so bad at math that I do not know how to help them. There are 43 children in my class, and there are 8 RTE children, where do I have the time to give them individual attention. It is not fair to use all my time for these children. They all get very low marks in their tests, and I get called to the principal's office for answers. Sometimes we can't even fail these children. So, for many of them, I take tuition in the evenings. (TCH2.6)

I noticed similar struggles, specifically with math in all three schools. While these gaps are less evident in Pre-k and grades 1, 2, and 3, they become more evident and pronounced starting from grades 4 and 5. For example, this is a description of my observation of a math class in School 1. It is the second period of the day, the math teacher walks into the class five minutes late. Children are out of their seats, chatting loudly, playing, running in and out of class, tossing paper balls and pencils at each other, when the teacher walks in holding a pile of books in her hand. Two children run over to her, offering to help carry the books. The teacher then takes another 4-5 minutes to get the children to settle down at their desks. Another five minutes goes by with the teacher instructing children to open out their math workbooks and writing materials. A few children raise their hands and say "Ma'm I forgot to bring my book." Children who have not brought their books are told to go stand at the back

of the class. 3 of the 8 children admitted under RTE have not brought their books to school.

The teacher notices one of the children is Shiva (name changed), and says "Shiva, you did

not bring your book yesterday also. If you continue like this how will you pass 5th standard

(grade)." She instructs all of them to go to two different corners of the classroom and not

disturb the rest of the class. The teacher then collects homework assignments from the

previous day. 15 minutes of a 40-minute period have elapsed with no academic instruction

provided. The teacher instructs the children to turn to Pg. 24 in their workbook, and asks the

students to read out problem number 4 from the exercise on word problems.

*"A farm has 25 white cows, 49 black cows, and 17 chickens. How many total number of cows
on the farm?"*

After reading the problem the teacher instructs students to work out the problem. Within a

minute some children shout out the answers from across the classroom. However, Mohit and

Rahul, who are sitting next to each other (children admitted under RTE Act) are talking

among themselves (I was sitting right behind them and was able to listen in on the

conversation). Mohit says, in Kannada (translated) "I just don't understand these problems.

My tuition teacher helps me with my homework, but in class I get caught every day. I have to

find a new way to hide from the teacher." Promptly, the teacher singles out Mohit and ask

him for the answer, and he gives the wrong answer. To which the teacher replies "you stupid

boy, come in front and write the problem on the board." As Mohit walks reluctantly towards

the blackboard, the teacher continues "If you talk less and listen more you will learn

something, otherwise you'll fail and have to repeat 5th grade again." While all this in

happening in the classroom, the children who were sent to the back of the class as

punishment are pre-occupied talking among themselves and missing out all the instruction

during math class. Mohit picks up a piece of chalk and pleadingly looks at his fellow

classmates for prompts, however, overcome with confusion and embarrassment he is unable to pick up on what his peers are shouting out to him. The teacher then writes out the statements and numbers on the board, following which Mohit is able to complete the simple addition and gives the right answer. Several teachers noted that RTE children can get by with English conversation skills, however they are unable to comprehend the language when it comes to math and science. However, in School 3 an example of good practice I observed was a math teacher translating the problem into Kannada to help students better comprehend math problems. I noticed children were able to comprehend better when the word problem was analyzed in their mother-tongue.

A majority of teachers suggested children cope well with academic content and tests that involve rote memorization and reproducing it verbatim, however, experience difficulty when they have to use English comprehension and analytical skills during tests and exams. The entire purpose of CCE is to minimize using a snapshot to assess the academic abilities of a student, and to use non-intimidating and non-stressful techniques to assess a student's academic abilities. Systematic observations conducted regularly are to be used to plan academic and extracurricular activities for the student. Although I observed several monthly tests being conducted, I did not come across a single example of a teacher maintaining a formative assessment portfolio for their students. Additionally, the *comprehensive* in CCE that is designed to assess a students' cognitive, psycho-motor, affective, behavioral, and inter-personal capacities was absent from any form of assessments in participating schools. rather, teachers complained about the clause in the RTE Act that prevents schools form having children repeat a grade if the school deems them unprepared to be promoted to the next grade. Despite the "no-failing" students clause in the RTE Act, School 1, 2, and 3 had

several students repeating a whole academic year to "catch-up" with the demands of the next grade. In conclusion, the private schools observed in this study fall short of the promise of guaranteeing a quality education that is free, inclusive, and equitable.

Adaptability

Table 11 analyzes the KRTE Act clauses based on the availability indicator of the HRBA framework.

Table 11: Adaptability – Karnataka Right to Education Act

Criteria	Provision	National Model Rules
Adaptability		
Child-centered Learning	Formulate a flexible curriculum that will serve the needs of students from diverse socio-cultural and economic backgrounds, and different learning abilities. Evaluation reports will be used to devise and implement special teaching program by the teacher. Children with disabilities will be provided free special learning support material.	Yes

Child-centered Learning. A final indicator examined during the course of multiple observations, interviews, and document analyses, was *adaptability*. Analysis of data suggests that teachers and schools failed to adopt procedures and practices outlined in the KRTE Act. As previously discussed in the quality of content offered in schools, textbooks failed to include content reflection the diverse socio-cultural, linguistic, regional, and economic differences within the student body. A dominant perception among teachers and administrators was that the government was placing the burden of providing free education by private providers to marginalized groups while ignoring their own obligation in providing

154

good public education. Teachers discussed students using foul language, bad behavior, stealing stationery, poor hygiene, etc. as causes hindering inclusion. As discussed in the previous section on acceptability, some teachers identified children admitted under the RTE Act as uneducable and uninterested in participating in mainstream education.

In the context of adapting curriculum and instruction to suit students' learning needs, there was little evidence of such practice in the classroom. Adaptations for children with disabilities was interpreted only in the context of children with physical impairments (visual, deaf-blind, deafness, multiple impairments) and/or intellectual disabilities, with little to no knowledge of the broad array of disabilities related to autism, learning disabilities (dyslexia, development aphasia, dyscalculia), speech and language disorders, and emotional disorders. None of the three schools had any special education teachers nor counselors on their staff. On questioning teachers and administrators how they would deal when they came across students with special education needs, the responses ranged from saying " we refer them to doctors" (ADMN1.2), "they are just lazy, they do not want to learn"(ADMN3.1), "we make them repeat a class (grade)" (ADMN1.1), and "all those are problems rich people have" (ADMN3.1). Education officers interviewed for this study were also uninformed, and were unaware of the rights of a child with disabilities, and the protections offered to them by the government. A block education officer observed "we don't have money to educate normal children, where are we going to get the funds for training teachers and building schools for children with mental retardation" (BEO2). Although not stated as explicitly as the previously mentioned education officer, several other participants, including, teachers, administrators, and government officers echoed a similar sentiment – that education for children with special needs can wait.

Schools shared how they had made changes to internal policies to improve inclusion and minimize conflict between parents and teachers. Some of these policies include – releasing circulars in English and Kannada, having translators during PTMs, including children admitted under EWS and DG categories in active classroom discussions, equal access to all facilities in the school, and social and community engagement drives. During multiple observations in the three participating schools, there were some example of "good practice" and a higher number of incidents of teacher insensitivity such as singling-out children admitted under the 25% quota, punishment for incomplete classwork/homework/behavior, identifying/pointing to them as RTE children, and labelling them with stereotypes. I was always introduced to children on my first visit to the classroom, and of the more than 30+ introductions, only two teachers used subtle and sensitive ways to identify the children to me, while all the other teachers called out the children by their names and instructed them to "stand up and introduce yourselves," or just plainly said "will all the RTE children stand up and introduce yourself," often to the embarrassment of many of these children. It is important to expand on the good practices I observed. I always had a prior prepared list of the students' names with me before entering the classroom, A teacher from School 1 introduced me first and asked me to introduce myself to the fifth-grade classroom. Then, as a means of identifying the students for me, she called them out by name and asked questions such as "Geeta, have you completed your homework from yesterday?" "Rahul, did you give the note to your mother?" etc. It is worth noting that she called on other children also to prevent explicitly identifying students admitted under the 25% quota. Another teacher, also from School 1, introduced children of her UKG class in a similar subtle manner. It was the first period of the day, and the topic for the morning was "Sight Words." By way of calling on

children to read the word first from their book, and then find it in the classroom, the teacher

not only introduced the entire class to me, but also helped in identifying students admitted

under the RTE Act in a subtle manner.

The burden of wanting to feel included academically and socially weighs heavily on

students and parents alike. A parent in School 2 mentions being under constant stress of

receiving a note from her son's teacher. She says:

> He's (Sanjay) very naughty, and is always up to some mischief. He is not a
> bad kid, but the teacher thinks he's doing it to bully her and trouble her.
> Almost every week or once in two weeks I get called and shouted by the
> teacher. Once, Sanjay was playing with his friends, and Ravi fell and had a cut
> on his lips, everyone blamed Sanjay for the fall. The teacher asked me to
> come to school immediately they took me to the principal and threatened to
> dismiss him from school. I begged with the school not to do this, I also
> pleaded with Ravi's father to forgive Sanjay's mistake, and promised it will
> not happen again. His father gave him a good beating when Sanjay came
> home that day, he's more in control now. (PRT2.4)

Another parent from School 1 talked about a sleepless night she spent when her daughter

brought home a color pencils box that did not belong to her. PRT1.2 recalled:

> I couldn't sleep all night, I was so scared that my daughter will be accused of
> stealing. It was not hers, and when I asked her, she kept saying her teacher
> gave her the box to take home and finish the art homework. I did not have the
> teacher's number to call her and ask. First thing the next day I went to school
> with her at 8 in the morning waiting for her class teacher to come. I cannot tell
> you how relieved I was when the teacher actually told me she had given the
> color pencils. The teacher has given her phone number now, but I call only if
> it's serious.

Teachers on their part raised complaints over the absence of mechanisms to address their

grievances, either by school management or the government. Although several teachers

express the desire of wanting to help as many students as possible, they admit they have few

professional and human resources at their disposal to take advantage of. Teachers blamed

administrators for not taking more interest in professional development and hiring more

qualified teachers; administrators blamed the school management committee for cutting

necessary spending to increase their own profits, and the government for failing to engage in

more substantive ways to minimize gaps in providing quality and equitable education to all

children. During my six weeks of observations in three schools, I did not come across any

professional development sessions teachers attended in or outside the schools. Schools lacked

plans to bridge the gap between teachers' practice of social and academic inclusion versus

what is outlined in the RTE Act. However, an education officer (BEO3) places the blame

squarely on private schools for lack in flexibility when she claimed:

> Private school administrators are very arrogant ma'm, they think they know
> everything better than us. They believe they have nothing to learn from
> anyone, especially from government employees. They don't listen to any
> advise form the government, even if it means improving a child's education at
> school. They look at us like third class people when we go for our inspections.
> They don't follow the rules, they offer bribe to us to cover up their mistakes,
> and then lodge complaints that we are corrupt. (BEO3)

The underlying conclusion of these findings is the presence of multiple gaps due to the lack

of awareness of the rules and regulations in the Act, and the misrepresentation/indifference

towards the rights of children admitted under Section 12(1)(c). Misinterpretations such as

distorting "free education" as meaning 'no tuition fees' with schools charging other fees –

admission/miscellaneous, sports activities, technology fees, etc. Additionally, the wide

variation in the quality of education makes it even harder to determine the effectiveness of

the policy being studied.

Section III – Individual Case Studies

In order to understand more fully and address the social and educational experiences of

students admitted under Section 12(1)(c), this section discusses the education aspirations of

three students, the dreams and aspirations their parents have for them, and their expectations form the education system. A focal group of three students, one from each participating school was identified representing a range of differences in their caste, linguistic origins, geographic location, and gender. The research study systematically investigated and catalogued the social and educational lived experiences of these students. The findings further our understanding of how social and educational spaces and practices have the potential to impact the lives of impressionable young children. This study serves as a platform to voice participants' experiences, who too often are represented as mere statistics in research studies.

Case Study I – Amita: Finding her Footing

Amita is an 11 year-old girl attending fifth grade in School 1. Born and raised in Bangalore, her family lives in a housing colony for Grade IV government employees, in educational Block 5 of the Bangalore metropolis. Amita has lived in the same neighborhood and house for the past nine years along with her paternal grandmother, parents, and 7 year-old brother who attends a different private school, also admitted under Section 12(1)(c) of the RTE Act. Amita's father works as a peon at the Secretariat and is a permanent employee of the Government of Karnataka, and her mother works as a saleswoman in a local retail store. The family has a composite income of Rs. 300,000/- per annum (USD 4,200/). Amita's mother-tongue is Kannada, however, she is fluent in English and can understand Hindi although she cannot speak the language. Amita was admitted to School 1 in 2013-14 for LKG under the OBC category of DGs. Although eligible to apply under the EWS criteria, her parents chose to apply under DGs based on advice from colleagues and a middleman who helped them with admissions, since her chances of being admitted as an OBC were far

greater than EWS. Amita's father failed to pass his 2nd PUC qualification exam, and her

mother stopped schooling after passing 10th grade as she had to travel to the town to attend

college and her family did not support her in pursuing a college degree.

Amita's parents value education deeply, as they truly believe it is their best chance to

move up the socio-economic ladder. They always wanted to send their children to a school

where the medium of instruction was English, such as, Kendriya Vidyalaya[8] or a private

school, as the government schools in their block were not good. Amita's parents mentioned

them being eligible to apply to more than ten schools in their block, while they chose not to

apply to a few schools due to the high admissions costs and out-of-pocket expenditures. They

applied to three schools, and School 1 was their first choice, and were elated when Amita

was accepted. Amita's mother Rama, notes the difference in admission processes from 2013

when she applied for her daughter in comparison to 2016 when they applied for their son,

referring to the transition from offline to online applications. She notes

> …when we applied for Amita, we had to pay the middleman and the BEO Rs.
> 25,000/- (USD 357/-) to get our first choice of School 1. God's grace on
> Amita, she got into school 1, but I know people who paid and still did not get
> in their preferred school. They did not even get their money back.

Amita's parents borrowed money from a private lender to pay the education officer, which

took them three years to pay back. However, when applying for her brother's admission in

2016 under Section 12(1)(c) in 2016-17, her parents did not incur any additional expenses,

except for paying internet and services fee at a cybercafe where they filled and submitted the

online application. Their family did not experience any hurdles in acquiring the required

caste and income certificates since her father is a government employee, and found it easy to

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[8] First established in 1962, Kendriya Vidyalayas extend education to children of transferable central and state government employees.

produce all the required documents.

Amita's family did not experience any difficulties while completing her admissions at School 1. However, one of the major challenges the family continues to experience is related to the multiple out-of-pocket expenses the family bears as a result of sending two children to private schools. Since they live in government housing and do not have to pay rent, Amita's mother says it is easier on their pocket as they are able to invest the money saved on rent into their children's education. Some of the additional expenditures Amita's parents bear on a regular basis include – Rs. 10,000/- on books, uniforms, and shoes at the beginning of each academic year; Rs. 2,000/- computer lab annual fees; Rs. 1,500/- annual sports fees for badminton classes; Rs. 400/- per month on transportation fees to and from school; and an additional Rs. 1,000/ per month on miscellaneous expenses such as private tuition fees, art supplies, etc.

Amita aspires to be a "doctor first, if not I want to be a teacher." She says she wants to be well educated and take care of her parents. Amita's class teacher, who is also her science teacher describes her as a shy, well-behaved, and courteous student, who is an "average student getting 'Bs' and 'Cs' in Kannada and English, and 'Cs' and 'Ds' in science and math. TCH1.5 further adds that Amita has found it hard to cope with math and science concepts as the "syllabus has gotten tougher." This was also evident from my observation of Amita in the classroom, as she did not participate actively in classroom discussions, and was uncomfortable with the attention on her when she was called upon to read her answers to questions posed in the science class. She expressed fear of being mocked when she added "I am very scared my classmates will laugh or make fun of me if I make mistakes." I ask if that has happened before and she bends her head and nods, however, mentioned she did not want

to talk more about it. Amita takes private tuitions to help her with understanding lessons completed on that day in class, and completing her homework. She takes tuitions Monday through Friday between 5-7pm, and her father picks her up at 7pm and they return home.

The evening is spent with her parents compelling her and her brother to share experiences from their day at school. Amita admits that her parents find it challenging to understand several science, math, and social studies concepts, and she herself struggles to explain it in a coherent manner in Kannada. She laughs and notes "finally my mother says 'it is ok even if I don't understand, it's enough if you have understood.'" For her parents, an education is all about getting good grades in math and science, since they believe those are the only two subjects that will help gain admission into colleges, and finally attain jobs that pay them well.

When it comes to inclusion, Amita and her parents both claim they have not experienced any form of class, caste, and/or gender discrimination from teachers, administrators, and school management officials. She notes she faces more gender related discrimination from her grandmother and relatives at home rather than in school, to which her mother nods. Amita refers to her teachers as "nice and kind," but adds that teachers are more "strict" with the boys because they are "more naughty and don't listen to the teacher." However, she discusses instances when her peers do not include her in games and birthday parties, noting "they all go to each others' birthday parties, but me and my friend Maya (another student admitted under Section 12(1)(c)) are never invited to any of them, and even I don't want to invite them to my house." In my observations of Amita, Maya was the only other peer she socialized with in the classroom and during break-time. Amita refers to another experience that made her conscious of her background, that is, about the lunch she carries to school. She notes that most children bring noodles, pizza, cutlets (vegetable patties), and pasta, while she

carries "idlis, dosas, upma, and rice and curry." She remembers her friends referring to her food as "yucky" and many of her friends do not share from her box because it is "boring food." While teachers assert that they have not witnessed any discrimination that needs intervention, they do acknowledge that the problem will likely get worse as students grow older and become more aware of the social, economic, and cultural differences between them. In conclusion, I sensed Amita's deep gratitude for the sacrifices her parents make every day. Although her relatives constantly remind her that "you will get married and will have to cook, clean, and be a good wife," she is very clear that she wants to be well-educated, find a "job that pays her well," and take care of her parents in their old age.

Case II – Arjun: Dreams meet Reality

It's a hot summers morning in Bangalore, India. A small 15`x15` room with one window is crowded with desks and chairs for 40 children. There's a ceiling fan running at it's lowest speed, the teacher is yet to come into class, some children are out of their seats, others are talking loudly, and some others are running out to check if the teacher is on her way to the classroom. As I observe the unrestrained spirit of children, there's one particular student who catches my attention as he repeatedly runs up to the switch controls and increases the fan speed, while the class monitor goes back and turns it back down to the original speed. I later learn he is Arjun when the teacher said "all the RTE children to stand up and introduce yourself to this aunty (as she points to me)." Arjun was admitted to School 2 under Section 12(1)(c) in 2013-14 to LKG under the SC sub-category of the DGs eligibility criteria.

Originally from rural northern Karnataka, Arjun's parents moved to Bangalore in search of jobs and a better life following repeated droughts in their village. Arjun was a two-year old boy when his family moved to Bangalore, where his father found a job as a construction

worker, and his mother as a midwife in a private maternity hospital. Sadly, he lost his father when he was four years in a construction accident. He now lives with his extended family that includes his maternal grandparents and maternal uncle's family, who all migrated to Bangalore in 2013 when his father passed away. Eight of them live in a four-room house in Block 1 of Bangalore. Arjun's mother, applied to School 2 after being informed and counseled of the RTE Act by a doctor working in the same hospital as she does. She further notes she had no information about the RTE Act, and would have sent her son to a low-fee private school where the medium of instruction is English if he was not admitted under Section 12(1)(c). Arjun's mother echoed the same sentiment that other parents have noted about government schools – the poor quality of education; and disadvantages associated with Kannada being the medium of instruction.

Arjun's mother claims that despite all the help she received from her superior in filling the application form, she had to spend close to Rs. 10,000/- (USD 140/-) to file the application form, as well as submit certifications required to apply under the SC sub-category. She also adds that she was asked to pay Rs. 20,000/- if she wanted her son to be admitted to an elite private school, however, she declined the offer as she was unable to bear the additional one-time expense of Rs. 10,000/- and also the admission fees, capitation fees, and out-of-pocket expenses that are associated with elite private schools. Despite being admitted under the 25% quota, and the Act preventing schools form charging additional fees, Arjun's mother admitted to paying Rs. 5,000/- in admission fees, and Rs. 7,500/- as a refundable deposit that will be returned when Arjun leaves school. As is with most families admitted under the 25% quota, Arjun's mother incurs several expenses at the beginning of each academic year, and every month thereafter. Arjun's family spends Rs. 7,500/- at the

beginning of the year on books, uniform, shoes, and stationery; Rs. 4,200/- on transportation each year; Rs. 3,600/- on private tuitions annually; and Rs. 5,000/- on miscellaneous expenses, mainly buying cricket gear. notes that all this "extra expenses will be worthwhile only if he scores good marks in school (good grades)."

Arjun's class teacher (TCH2,4) identifies Arjun as an "extremely, naughty, disruptive, and spoiled child." Arjun was admitted to LKG in 2013-14 and is eligible to be in fifth grade, however, he was detained in class four due to his poor academic performance. His teacher notes "he gets single digits (test scores) in his tests and exams." Classroom observation brought the fact to light that Arjun was not engaged during classroom instruction, which he referred to as "boring and a waste of time." He says he would rather be outside playing cricket, since he wants to emulate Virat Kohli and play for the Royal Challenges Bangalore in the Indian Premier League. Furthermore, Arjun's class teacher observed that Arjun receives no support at home for his academic work, and it was impossible for the school to provide the support and scaffolding Arjun needed. As the teacher notes "he is not stupid, he is smart when he wants to be, he is just very lazy and irresponsible. His mother also has the same complaint, that he does not listen to anybody even at home," adding that Arjun's mother rarely attends parent-teacher meetings, and does not reply to any of the notes sent from the school office. Arjun's mother agrees with his teacher, and adds, "I have enrolled him for tuitions, but he makes all kinds of excuses to skip tuitions." While his mother is away at work, often for 24-36 hour periods, the responsibility of taking care of Arjun lies with his grandparents who are unable to extend any form of academic support. Arjun's class teacher showed me some of Arjun's classwork and test papers to confirm her observations, and the books were riddled with comments in red ink on every page. Arjun's mother was summoned

to the office in March 2019, and was told that Arjun was being detained in 4th grade due to his abysmal academic performance, and if he did not improve his test and exam scores in 2019-2020, he would have to leave the school. TCH2.4 mentions that the prospects of Arjun continuing in the school beyond 2020 seem bleak as he has not made any effort to improve his academic performance, and will be compelled to leave the school (add footnote). However, it is worth noting that his class teacher had made this judgment at the beginning of the academic year in June well before any effort being made to aid Arjun in his academics.

During classroom observations, I found Arjun was frequently, more often than others, picked on by teachers, when there were other students who were more distracted than him. Arjun did seem to be distracted and slow in completing his classwork and could be seen talking and laughing with his friend sitting next to him. The teachers on their part seemed to lack the patience and expertise required to build trust and rapport with Arjun. Teachers opined that Arjun had a learning disability that they were not trained to identify, and neither the school nor his mother had the resources and/or intent to help Arjun in improving his academic performance. Arjun's mother dismissed this as childish behavior, and suggested teachers were discriminating against him because of his caste and class background, whereas teachers blamed his mother, school administrators, and the government for not providing the resources and support required to adapt curriculum for children with different learning needs. Arjun's repeated run-ins with his teachers has caused his mother several "sleepless nights," with her worrying about what steps to take if he is forced to leave school, with the biggest fear being him dropping-out of school. She concludes her interview with me by expressing concern "I am scared he will not want to go back to a government school, and waste all his time playing cricket with other children from the neighborhood."

Case III – Bhavana: I'm also Kannada

Bhavana is an 8 year-old third grade student in School 3 and was admitted in the year 2017-2018 to grade 1. School 3 is among the few schools admitting students in first grade despite their entry level being LKG. Bhavana lives with her parents and two siblings in a slum in education Block 9 of Bangalore. She's the oldest of three children, with a 6 year-old younger sister, and 2 year-old younger brother. Neither her mother nor father have had any education beyond secondary schooling. Her father works as a security guard and mother works as a domestic helper in three houses (mainly doing menial chores such as sweeping, swabbing, washing dishes, and washing clothes). Despite Bhavana's mother tongue being Tamil, her family speaks Kannada at home since they have been living in Bangalore for more than two generations. She takes great pride in declaring she is fluent in speaking Tamil, Kannada and Telugu, and is learning English in school – a reflection of her multi-lingual abilities. She was admitted under the sub-category of SC under the DGs eligibility criteria.

Bhavana's father (Harish) works as a security guard at a local politician's house, who also owns School 3. He applied for Bhavana through the online admissions portal for School 3 on the advice of his employer, the local politician. Harish notes that since the implementation of the RTE Act, admissions in School 3 have increased steadily, and several of his neighbors' children attend School 3. Although he did not directly mention he was being coerced into admitting his child to School 3, I sensed this was implied based on interviews conducted with other parents' children attending School 3. Bhavana's family did not experience any barriers while applying or being admitted to School 3 due to their proximity to the proprietor of the school. However, they incurred the routine expenses of admission fees and refundable deposits that are a common feature in private schools. Some

of the out-of-pocket expenses her family bears include – computer fees, uniforms fees, books, stationery, and other miscellaneous fees. Bhavana's house is in close proximity of School 3 – walking distance – however, her father drops her to school on his way to work, and her mother picks her up at the end of the school day.

Bhavana is identified by her teacher (TCH3.3) as an intelligent, smart and cheerful child who has "good academic potential for the future." School 3 follows the state syllabus (SSLC), and after analyzing the syllabus, curriculum, textbooks, and lesson plans, practiced in School 3, it can be said that their curriculum is less rigid than the CBSE curriculum practiced in School 1 and School 2. There are considerable differences in the content and quality of curriculum practiced in Schools 1 and 2, and School 3. The textbooks used in School 3 are designed and issued by the state's Department of Education, and were found to have multiple factual errors in math workbooks, spelling errors in English, and inaccurate information in science and social studies textbooks. During my observations, I did not notice teachers make any effort to correct or probe the misgivings in textbooks and workbooks.

While Bhavana's parents are happy with her current progress in school, they acknowledge they will have to enroll her in private tuitions once she reaches middle school – grade 6. As Harish notes "me and my wife can barely read and write. We cannot help her in her studies, specifically subjects like math and science. We know, that in another two or three years we have to start sending her for tuitions." Observations of teaching practices in School 3 revealed that teachers often read text directly from the textbook without engaging students in any form of analytical or critical thinking, and classwork involved students copying question and answers from the textbook into their notebooks. Much of the pedagogical practices centered around rote memorization, with students being judged on their academic

abilities based on tests and exams conducted at the end of each academic term. There was no

evidence of any form of formative assessments, a key requirement of the RTE Act of 2009.

A particular discussion with Bhavana stands out to me, which is a reflection of the

multiple forms of discrimination children experience in schools. On my first day of

observation in grade 3 of School 3, I noticed Bhavana repeatedly turning back to look at me.

I would catch her staring at me, and when I made eye-contact with her, she would look away.

After doing this during the first three periods of the day, she finally walked up to me during

tea-break and asked "Ma'm are you also Kannada?" She asked this question because I had

earlier introduced myself to the class in both English and Kannada, and I had noticed several

children being very surprised when I spoke in Kannada. I said "Yes, Kannada is my mother-

tongue. I speak Kannada at home," to which she replies "I'm also Kannada." She gently

strokes my fore-arm and immediately switches to Kannada and says "you have such fair skin.

I did not know people who speak Kannada can be fair skinned. All my friends and relatives

who speak Kannada are black (dark-brown skin tone), like me. Only Hindi and English

speaking people are fair" (I am considered wheat-brown complexion, which is light skin-tone

in the southern parts of the country). Bhavana adds that several teachers use derogatory

words/slurs to call out or pick on students with dark skin. I could sense the feeling of

inferiority Bhavana experienced due to her dark skin in a society obsessed with light-skin.

PRT3.2 claims that they are used to not just this but several other slurs related to caste that

are used to identify them. He notes:

> My boss, other employees, all use bad words to hurt us on purpose, what can
> we do. We just swallow our pain and smile and move on. I tell Bhavana also
> not to worry about it too much. She is going to school to study and that should
> be her focus. Studying well and getting good scores is the best way to silence
> them.

Conclusion

The major purpose of conducting this research study was to offer insights through the study and conduct an in-depth investigation of the role of this particular public-private partnership in guaranteeing the right to education for children from marginalized communities. This chapter presented findings from a qualitative vertical case study for each of the three questions posed. Findings from the empirical evidence collected in this study indicated strong discursive differences on the impact of educational PPPs among policy actors participating in the study. Next, an investigation of the implementation of the RTE Act exposed several gaps in the appropriation of the policy in participating schools. Analysis of the findings from this study will be discussed in further detail in the next chapter vis-à-vis the international debate on PPPs in education.

CHAPTER 6

ANALYSIS

This chapter discusses the research findings covered in Chapter 5 and interprets them in light of the unique Indian context and broader educational PPPs literature within the international education landscape. The areas of alignment of these findings with existing knowledge and empirical evidence are highlighted alongside new trends identified from the empirical findings from this study. From the ideological arguments of proponents and opponents of increased private participation in education, the primary concern surrounding PPPs is not limited to access, quality, accountability, and efficiency but rather extends to encompass criteria such as equity and social inclusion. While proponents articulate the increased role of private providers as an excellent means of reducing social and educational segregation and exclusion, anti-privatization experts assert that PPPs at best aid in maintaining the status quo and at worst perpetuate and reinforce social inequities.

The vertical case study (VCS) approach provided an excellent framework to compare and contrast the conflicting discourses articulated by participants at multiple levels, including international, national, and sub-national. The vertical aspect of the VCS aided in developing an in-depth understanding and analysis of how participants at each level understood and interpreted the policy and phenomenon being studied. Since policy is rarely a linear process

(Vavrus and Bartlett, 2009), the horizontal axis of the VCS helped in examining the appropriation of policy across multiple sites. The VCS allowed me to use multiple techniques such as interviews, observations, focus groups, documents and artifacts analysis, and policy analysis to trace the linkages among international, national, and sub-national institutions and their impact on each other.

Three dominant themes emerge from the analysis of data collected from multiple sources: (i) this PPP is perceived as a path towards privatization; (ii) the strong discursive differences among policy actors on the impact of PPPs on educational access and outcomes; and (iii) inclusion within schools.

Path towards Privatization

The PPPs policy adopted by the Government of India (GoI) via Section 12(1)(c) of the RTE Act, 2009 at the national level, and implemented by state governments at the sub-national level aligns with the prevailing *privatization policy paradigm* in India as well as globally. Increased role for private providers and/or partnerships in education or in other sectors is not new to the Indian policy landscape. While partnerships in education have previously existed in the form of government-aided schools, this is the first time a constitutionally mandated partnership in education has been implemented across the country. Starting in the early 1990s with the Education for All initiative and continuing into the twenty-first century with the Millennium Development goals and more recently the Sustainable Development Goals, international organizations such as the World Bank, the UK Department for International Development, philanthropic organizations, edupreneurs, and

172

trans-national consultancy networks have been successful in promoting solutions emerging from the private sector (Ball, 2012; Verger et al., 2017).

In the context of this policy initiative, a majority of participants, irrespective of their ideological perceptions viewed PPPs as synonymous with privatization, while a few others viewed it as a means of mobilizing private resources to increase access to quality education and a call to fulfill their national duty. These diverse discourses in the national and sub-national context reflect the ongoing debate surrounding PPPs at the international level. Findings from this study suggest the presence of tensions among participants' ideologies, discourses, and practices in relation to the role of private for-profit educators in guaranteeing the right to education. The main factor influencing this debate across the country and specifically in urban centers such as Bangalore as evidenced from the findings of this study is the alarming increase in the number of private educational institutions, steadily increasing enrolment rates in private schools, closing public schools, drop in enrolment rates in public schools, and disproportionately high numbers of girls and children from SC and ST communities in public schools.

In this regard, I found non-state actors at the international and national levels to be amongst the most avid supporters of increased private providers in education, claiming that collaboration and cooperation with the private sector was the best way to achieve accountability, choice-competitiveness, cost-efficiency, quality, equity, and social-cohesion in education. Several of the non-state actors participating in this study proposed the imposition of a market model on public education, where such a radical reform requires a framing that the existing system is flawed and failing. The evidence of discourses premised on failing public schools is manifest among several participants, specifically among

173

participants from the non-state sector. Furthermore, they argue that rather than presupposing PPPs as a form of privatization, PPPs must be perceived as a reciprocal process of shared and mutual benefits to both sectors, where the government and private provider pursue different yet complementary roles. However, the attainment of such a partnership is dependent on multi-level cooperation in the planning, implementation, and evaluation stages of the educational partnership. Yet, policy actors and education officers at the sub-national level, based on their experiences from working with/in schools strongly push back against the notion that students from EWS and DGs attending private schools have better educational outcomes than their peers attending public schools. There exist clear conflicts between the perceptions of non-state actors at the international and national levels and the experiences of field level agents at the sub-national level. The VCS provided the means to juxtapose different actors' perspectives and positions and exposed the conflicts and contestations among various actors engaged in education reform in India.

The involvement of the corporate/private sector in education provision was viewed by a vast majority of participants at the sub-national level and a few at the national level as rooted more in profit making and less in guaranteeing a right to education. Participants expressed concern and skepticism over the spread of privatization and globalization in education. Additionally, policy makers at the national level and government actors at the sub-national level critiqued the role of powerful and influential non-state actors representing IOs and philanthropic organizations, and edupreneurs who have discursively and materially promoted privatization in education in India. Currently, the respective state governments are the main executors of the PPPs policy; however, given the financial and knowledge capital of powerful international actors, participants questioned the motives of the GoI in aligning with

174

the goals and vision of "influential foreign promoters" such as the World Bank, DfID, EU, and ADB. In fact, respondents at the national level highlight the various alliances private education providers and their advocates have established since 2011/12, for example, Progressive Action Committees (PACT), National Independent School Alliance (NISA), and Students and Teacher Innovating for Results (STiR) to name a few.

Despite overwhelming support for PPPs from non-state actors at the international and national levels, private school operators and government actors at the sub-national level believe this partnership is an infringement on the rights of private educational institutions. Evidence from the field, in schools and among families, suggests globalization forces are at the forefront of the privatization movement. Participants expressed reservations regarding the increasing number of "outsiders" influencing education policy and the lack of adaptability of the partners to the local context and insensitivity to local culture. Participants raise the concern of the threat of losing government control over education, and hence the loss of national identity, values, and social cohesion. A majority of private education providers used words such as "unfamiliar," "new," "vague," "unclear," and "top-down" to describe the current partnership arrangement. They articulate that this policy can be best interpreted as a "symbolic and political" decision by the then GoI. In their opinion, little attention was paid to planning, implementation, or anticipating the various challenges that would arise from such a policy. One education officer referred to Section 12(1)(c) as "…just a skeleton, lot more organs, systems, and processes need to be added to make it a living-breathing entity." It is noteworthy that participants representing low-fee private schools were more receptive to the partnership, as it is a straightforward and clear arrangement of receiving fixed fee-

reimbursements per student admitted, while elite and mid-level private schools expressed disdain toward the policy initiative.

In addition to the suspicion surrounding the motives of the government and private providers, participants expressed that Section 12(1)(c) is mere rhetoric and does not meet the true definition of a partnership. Other than policymakers who support PPPs as the panacea to reduce educational inequities in access and achievement, most participating stakeholders did not believe that the government has a true partnership. According to several participants representing the government and private schools at the sub-national level, the concept of *risk sharing*, one of the core elements of a partnership, is absent from this PPP. They observe that the government's role is limited to admissions and reimbursements, while essential criteria such as targets, goals, and outputs remain ignored in policy documents and evaluation reports. Since schools receive a fixed amount from the government and are not supposed to collect additional fees from students to cover the shortage in their budgets, they claim that the policy of fixed fee reimbursements has an adverse effect rather than incentivizing good performance.

However, as is evidenced from research in the field, private schools inflated the risk for the government due to the insufficient checks and balances required to audit and monitor private schools' functioning. Additionally, due to the low amount of fee-reimbursement per student offered by the government in comparison with the greater expenses incurred by private school operators, it was found that the risk is passed on to students and parents. All three private schools participating in this study were found to have multiple out-of-pocket expenditures that families incurred despite being guaranteed "free and compulsory" education. Although government officers are aware of these hidden costs of schooling, they

176

turn a blind eye, arguing that these schools have to engage in such practices to survive. A word that frequently came up in discussions with several non-state actors at all three levels, and private school administrators was *vouchers*. These actors strongly believe that "money should follow children and not schools."

The cynicism expressed by several policy makers at the national and sub-national levels regarding the motives of PPPs in education as the first step toward privatization was proven to be true with many participants discussing the possibility of vouchers being more successful than the current partnerships. They argue that rather than have the government decide through random lottery which school a child should attend, parents and students must have the freedom to choose a school reflecting the family's values and beliefs, while serving the unique learning needs of individual children. However, they reiterate that this does not mean the end of public education, rather, it compels public schools to compete with private schools and thereby improve learning outcomes for all students. To questions regarding additional hierarchies and increased stratification in society, three participants at the international level, two participants at the national level, and four school administrators suggested "individual targeting" of vouchers as a solution. They also suggested increasing "voucher amounts" based on disadvantages such as caste, gender, income, religion, and geographic location is the best way to level the playing field for students from EWS and DGs. They contend that since a majority of children from elite and middle-class families in India attend private schools and will not be shifting to government schools, the best option for the government to increase quality and equity in education, and social-cohesion through education is to fund students instead of reimbursing schools. By conducting a cross analysis of various discourses at each level, I was able to elicit the conflicting ideologies at play here.

This vertical analysis revealed that policy-flow continues to be a top-down process, with little attention paid to the contextual knowledge and experiences of sub-national actors.

Quality in Education

The goal of improved educational quality has been rhetorically applied across the world, including India to justify promoting PPPs and increased private participation in the provision of educational services. While this particular PPP has aided students from EWS and DGs gain admissions to schools that were previously out-of-reach, several stakeholders have raised concerns about the quality of education, accountability, and cost-effectiveness in private schools. Despite claims made by some policy makers at the international, national, and sub-national levels about the presence of better facilities and practices in private schools, evidence from the field suggests the contrary. This research revealed that the quality of education offered in the three participating schools is varied and inconsistent with targets and goals set forth in the New Education Policy of 2019 and the RTE Act of 2009. Participants described quality indicators outlined in education policy documents as vague and abstract, without any clear indication of measurable outputs. Participants identified multiple indicators that define a quality education, namely, school environment, teacher qualification and training, medium of instruction, learning capabilities of students, curriculum and pedagogy, and evaluation.

In light of the completion of seven years of implementation of the RTE Act, 2009 in Karnataka, and the government providing schools an extended period of three years until 2012 to register their schools and update their physical infrastructure, it was disappointing to observe that schools participating in this study failed to meet the criteria established by the

GoK. However, it should be noted that private schools are not monolithic – there are elite private schools serving the educational needs of the upper and middle classes, while low-fee private schools serve the educational needs of the poor. Contrary to the assertions made by international policy actors about private schools having better quality physical and educational infrastructure than public schools, the findings from this study indicate facilities in the three participating schools were vastly different from each other. While international policy actors drew upon examples from studies conducted in other cities in India as well as from countries like Colombia, Brazil, United Kingdom, Uganda, and Pakistan to make their case, national and sub-national actors representing the state strongly contended this assertion. The examination of how the RTE Act is interpreted and appropriated differently in each of the participating schools exposed the ambiguous claims made by several actors at different levels on the ability of private schools to provide better quality education than public schools. Observations conducted in the three participating schools clearly revealed that schools failed to adhere to infrastructure requirements mandated in the Act and also exposed a lack of awareness among some international and national actors of the ground realities.

The three schools participating in this study represent the wide range of private schools operating in the Indian context. Although all three schools were established before the deadline set by the government, they were found to be lacking in basic facilities such as ramps, separate toilets, running water, field, laboratories, library and child-friendly learning environments. School 1 was found to be the best equipped as it fulfilled a majority of the criteria, although it should be noted that School 1 also charged several additional fees associated with using those facilities. Facilities provided in schools progressively deteriorated with reducing tuition fees. School 3 failed to meet several of the infrastructure

requirements, as the school did not have laboratories, library, field, and running water. Toilets were smelly and dirty; moreover, as the schools did not have a 24x7 supply of water, children had to use limited amounts of water from water stored in large plastic bins. Also, students were crammed into small classroom, forty of them, three children on a bench, in small classrooms without sufficient natural light and air. Administrators and teachers from School 2 and 3 observed that in a densely populated city like Bangalore, it was impossible to meet the criteria set by the government, and noted that rather than run failing schools or close public schools, the government should consider leasing or renting its facilities to private operators.

In addition to poor infrastructure, the quality of education was further compromised by the hiring of unqualified and/or poorly trained teachers by private schools. While the minimum qualification of teachers in School 1 was a diploma in education, Schools 2 and 3 were found to hire unqualified teachers and untrained teachers. Participating schools were also found to define their own teacher qualification requirements, which did not meet the minimum standards set by the government. One of the main reasons for hiring unqualified and untrained teachers by the schools was to reduce salary expenditures incurred by the school. The salaries offered in private schools were not on par with those offered to teachers in public schools in a majority of cases, hence the disparity in the hiring of qualified teachers. For example, a teacher working in a public school in Karnataka earns Rs. 41,000/- to Rs. 51,000/- (USD 590 to 730) (Dept. of Education, 2019), and the salary range for the schools participating in this study ranged between Rs. 5,000/- to Rs. 25,000/- (USD 72 to 340), with School 3 having the lowest and School 1 having the highest renumeration.

As a result of compromising on the quality of teachers hired, schools were failing to engage in child-centered pedagogical practices. Schools participating in this study had English as the medium of instruction with affiliation to the national board (CBSE) and the state board (SSLC). Classroom instruction and education material used varied depending on the board affiliations, with CBSE curriculum being more rigorous than the state board (SSLC). School 1 was the only school equipped with smart-classrooms and learning materials that included audio-video aids, live samples, charts, maps, and computers. However, School 1 was found to be lacking in flexibility in its teaching practices and curriculum to meet the learning needs of students admitted under the EWS and DG categories. Students were observed to be passive in classrooms, often refraining from engaging in discussions and classroom activities, with several of the students admitted under Section 12(1)(c) finding it difficult to cope with instruction in English. School 2 had progressively fewer learning materials used other than instruction provided by a teacher, reading from a textbook, and a similar trend was observed in School 3. Teachers blamed their respective school managements for having more students in the class than the teacher-pupil ratio (TPR) set by the government. While the RTE Act specifies a teacher-pupil ratio of 1:30, School 1 had a TPR of 1:35, School 2 had a TPR of 1:40 and School 3 had a TPR of 1:42. The greater the number of students in a class, the lower the amount of attention and instruction time a student receives from the teacher. Additionally, every student participating in this study admitted to attending private tuitions after school hours, a clear indication that schools participating in this study failed to meet the specific educational requirements of students admitted under the RTE Act. Despite a clear restriction on offering private tuitions, there is little oversight and monitoring on either the government or the school's part. In

contrast with claims made by multiple policy makers who believe that private schools have better quality of education due to use of more sophisticated and culturally sensitive pedagogical practices, this study observed those claims to be mere rhetoric and far removed from the truth.

One of the factors contributing to the growth of private schools, including low-fee private schools in India, has been the demand for English medium schools from the lower-middle class and the poorer section of society. English medium schooling is seen as not only a pathway to a rise in social hierarchy but also as a guaranteed opportunity for successful job and career prospects. While this ideal is outlined in policy documents and articulated by several respondents as one of the important arguments favoring PPPs in education, evidence from this study indicates otherwise. Instructors lacked command over the language, with teachers in Schools 2 and 3 switching between English and Kannada. While teachers in School 1 were more confident with using English as the medium of instruction, teachers in School 2 and 3 were not so confident teaching in English. Teachers did not speak English correctly or fluently, and their pronunciations were poor, since they were neither trained in English-teaching nor were they English teachers. While non-state actors supporting PPPs vouch for better teacher quality in private schools, state actors insist English teaching is worse in private schools as they employ teachers with lower qualifications and lesser experience. The poor quality of English used for instruction in Schools 2 and 3 bolsters the argument made by state actors at the sub-national level, and raises questions regarding the quality of English instruction in low-fee private schools.

Finally, the quality of education can be determined only through regular evaluation and monitoring conducted by both school managements and the government. From the

government's perspective, the block education officer (BEO) in each educational block bears the onus of conducting periodic inspections and observation to determine whether schools are complying with the requirements and standards outlined in the RTE Act. School administrators participating in this study accused BEOs of using this opportunity to harass school authorities, while BEOs accused private schools of engaging in unethical and illegal practices to increase their own profits. While BEOs are tasked with supervision and monitoring, teachers are tasked with regularly evaluating students' progress. This study found no evidence of either formative assessments or academic portfolios for students admitted under the RTE Act. Students' academic performance was judged based on summative assessments conducted at the end of each semester in the form of tests and exams. Regular evaluation of students and adapting curriculums to suit individual students' learning needs was largely absent in participating schools. In a nutshell, evidence from the field contradicts claims made by several policymakers that the quality of education in private schools is far superior to the education offered in public schools. Given the broad array of private educational providers in Bangalore, it is inappropriate to make such broad-stroke assertions. The VCS methodology used in this study provided an opportunity to closely examine how issues related to quality in and through education were being implemented in the participating schools. An analysis of observation notes, interviews, documents, and artifacts highlighted several gaps in how the law is stated versus how it is interpreted and practiced in individual schools. The VCS is a comprehensive research methodology that is not limited to just policy analysis but rather extends to encompass essential aspects such as policy interpretation, appropriation, and evaluation.

Inclusion in Schools

> The fundamental principle of the inclusive school is that all children should learn together, wherever possible, regardless of any differences or difficulties they may have. Inclusive schools must recognize and respond to the diverse needs of their students, accommodating both different styles and rates of learning and ensuring quality education to all through appropriate curricula, organizational arrangements, teaching strategies, resource use and partnerships with their communities. There should be a continuum of support and services to match the continuum of special needs encountered in every school. Salamanca Framework for Action, 1994. (Salamanca Framework for Action, 1994)

The purpose of examining and analyzing Section 12(1)(c) was to understand the formulation and implementation of the Act in a manner that not only increased access and improved the quality of education, but also fostered inclusion in private schools for children from EWS and DGs. Analysis of the empirical findings from this study reveal that students and their families experience multiple barriers in accessing an education that is inclusive. This study did not find evidence that supports the arguments made by several policymakers at the international and national level on the inclusive nature of private schools and the discriminatory practices prevalent in public schools. Analysis of interviews with policy actors at the international and national level found several of them claiming that private schools were more equitable and inclusive. However, interviews with sub-national actors and observations from this study indicated the prevalence of multiple forms of academic, social, cultural, and economic exclusion within schools and society. The techniques utilized in a VCS aided in exposing this, that is, a thorough qualitative analysis of the macro, meso, and micro levels. While examining inclusion in public schools was beyond the scope of this study, barriers experienced by participating students and families included: administrative hurdles, out-of-pocket expenditures, academic alienation, and socio-cultural isolation.

Despite detailed definitions and explanations of admission processes and eligibility criteria in the notifications released by the Government of Karnataka, evidence collected in this study found multiple gaps in the implementation of Section 12(1)(c) in the participating schools. The rules in place clearly define what constitutes EWS and DGs, admission processes, free entitlements, and academic adaptations; yet, education officers, school administrations, and teachers displayed apathy and indifference to encourage practices minimizing exclusion. Rather than fostering inclusion, this study found that the most marginalized and economically vulnerable populations continue to be absent from these schools. Although the Government of Karnataka has designated fixed percentages for admission under each category, this study found an over-representation of OBCs and underrepresentation of SC, ST, EWS, and girls in School 1, while there were a greater number of students from SC, ST, and EWS students admitted in Schools 2 and 3. It is worth noting that School 1 has a higher fee structure when compared with Schools 2 and 3, hence remaining inaccessible to students from the most marginalized communities. Neither the government nor the schools engaged actively in any form of dissemination of information, thereby failing to raise awareness among parents regarding the potential benefits of the RTE Act, which is critical for fostering inclusion in schools in particular and society as a whole.

Another factor that has a direct impact on inclusion in private schools is the multiple out-of-pocket expenditures that deters parents from taking advantage of the "free" education guaranteed under the RTE Act. The KRTE rules clearly specify that students admitted under Section 12(1)(c) are eligible for "free education" as well as "free entitlements" that include uniforms, textbooks, shoes, and other miscellaneous fees. However, this study found all participating schools interpreting "free" as only tuition free, while charging several other

additional fees such as library fees, laboratory fees, computer-lab fees, sports equipment fees, etc. Policy actors at the international, national, and sub-national level who support PPPs articulate that this is a sacrifice parents are willing to make, however, parents' responses suggested otherwise. Several parents expressed sacrificing important needs, working multiple jobs/shifts, and raising loans to meet the additional costs associated with sending their child to a private school. Despite these sacrifices, parents expressed feeling inadequate and helpless when their child could not go on a class picnic, movie, have the right art supplies, or participate in a sports activity of their choice. Participants opposing increased private participation in education articulate that these additional out-of-pocket expenses are designed to exclude marginalized communities from accessing education in elite private schools.

Academic alienation and subtle forms of discrimination within the classroom was another issue that became evident during classroom observations. Although there was no overt discrimination related to caste, class, and/or gender, some of the forms of discrimination observed in the classroom included punishments, derogatory remarks, detention of students in the same class, practice of screening children admitted under EWS and DG categories, and exclusion by peers admitted under regular admissions. Students admitted under the RTE Act were frequently found to socialize, in the classroom and outside, only with other students admitted under the same clause. However, it must be noted that this observation was more common in grades 4 and 5, and less obvious in grades LKG to grades 3. Participants from School 1 and 2 advocated for using the school services on a rotation basis rather than integrating student from EWS and DGs into mainstream education. School administrators from School 1 suggested sharing school space, that is, their regular students using the facilities from 8 a.m. to 2 p.m. and students from EWS and DGs using the same school

infrastructure from 2 p.m. to 6 p.m. They articulate the benefits of "separate but equal" by claiming that this practice enables educational access to larger numbers of students, while adapting curriculums to suit the learning needs and capabilities of children from EWS and DGs.

An inclusive education must include locally relevant themes and contributions from and by marginalized populations if it is to foster a sense of belonging among students from EWS and DGs. However, not only were students found to experience academic alienation, students and their families expressed social isolation, as there was little value attached to the backgrounds, experiences, and values students from EWS and DGs embody. This study found students admitted under the RTE Act to be grouped into either one or two sections of a grade instead of being distributed evenly across all sections, and this was a practice witnessed across all three participating schools. Despite the RTE Act strictly prohibiting any form of discrimination or segregation inside and outside the classroom, this study found overt and subtle forms of discrimination and segregation in all three schools. Teachers and administrators attributed aspects such as indiscipline, inappropriate language, poor health and hygiene, and gaps in learning as "typical of students from poor families." Based on evidence from this study, claims made by multiple policy actors at the international and national levels extolling the inclusive academic and social practices in private schools seem dubious and questionable. Additionally, in the absence of grievance redressal and monitoring systems, parents have little to no chances of their concerns/complaints be addressed.

Conclusion

The analysis presented in this chapter captures several of the "contestations and frictions" in discourses among policy actors at the international, national, and sub-national levels, as

well as the challenges in implementing the RTE Act as envisioned by the Government of India. A detailed examination of the RTE Act conducted by using the vertical case study methodology revealed several context-specific peculiarities and irregularities in how policy is stated when compared with how it is implemented in the participating schools. As discussed earlier in this chapter, the goal of improving access to education, and achieving quality and inclusion in and through education for children from EWS and DGs as envisioned in the RTE Act, is greatly compromised due to apathy and indifference among all concerned stakeholders. In conclusion, the application of the vertical case study for this research study provided for a more holistic understanding of how policies get "made, imported, exported, adapted, and indigenized" (Steiner-Khamsi as cited in Vavrus and Bartlett, 2004, p. 13).

CHAPTER 7

CONCLUSION

The purpose of this dissertation was to offer a robust examination of the various

discourses and practices related to the role of public-private partnerships in guaranteeing the

right to education for children from historically marginalized communities in Bangalore,

India. Of particular relevance to this study was Section 12(1)(c) of the Right to Education

Act of India (2009) which mandates 25% entry-level seats be reserved for children from

economically weaker sections (EWS) and disadvantaged groups (DG) in all private schools,

reflecting the Government of India's acceptance of PPPs as a viable alternative for failing

public schools. Informed by the human rights-based approach, this study explored the

availability of, accessibility to, acceptability and adaptability in schools, by examining

whether this PPP fulfills the tenets of education as a human right. Using qualitative

methodologies, this vertical case study explored the multilinear and multi-sited flow of

influence and policy ideas through the international, national, and sub-national levels,

including their appropriation at three private schools in Bangalore, India. By conducting

interviews and observations with a diverse range of participants, and analyzing policy

documents and artifacts, I offer an analysis of the gaps between policy as it is stated in

comparison with its adoption/practice in schools at the sub-national level. The findings from

my study contradict much of what is currently understood about public private partnerships

in education. Much of the existing literature on PPPs shows that partnerships have noticeable

advantages over traditional public schools on indicators such as quality, equity, accountability, and inclusion. However, the results of this study suggest there is little evidence to support such claims.

This chapter begins with a summary of the previous chapters, and discusses the major findings and contributions of the study. Implications for policy, theory, research methods, and education practice are discussed alongside recommendations in the next section. The final section concludes with an examination of the limitations of this study and lists the scope for future research studies.

Summary of Chapters

Chapter 1 began with a general overview of the issues to be examined by this dissertation study, and provides the rationale for conducting an empirically and theoretically sound examination of Section 12 (1)(c) of the Right to Education Act of India, 2009. Bangalore, India, was presented as an ideal context within which to undertake this study as it epitomizes the dramatic changes in the educational landscape in India that have occurred over the past twenty-five years. Research which juxtaposes policy adoption and implementation at the sub-national level against policy articulations at the national and international levels is presented as a means through which to move beyond the rhetoric of declarations and policies toward a more nuanced understanding of educational practices in local contexts.

In order to better understand the role of public-private partnership in guaranteeing the right to education for children from historically marginalized groups, I explored three bodies of literature in Chapter 2. The first body explored "Education as a marketplace." The last three decades has been dominated by a global "neoliberal political economy" which has

spread the ethos of privatization and market liberalization in multiple spheres including education. In this body of literature, I trace the origins of neoliberalism and globalization and its impact on education. I then explore the various definitions of PPPs, the various operational models, and the rationale for PPPs in education. Second, I examine the education system, structure, and various education policies and programs instituted by successive governments in India between 1947 – 2017, with a specific focus on the role of private actors in education. The third body of literature I explore is PPPs in education in India. PPPs in education are not new to the educational landscape in India. Although they have existed in the form of government-aided private schools since Independence in 1947, there emerged a renewed effort in the 1990s advocating for educational PPPs as a viable alternative for failing state-funded, managed, and operated public schools.

Chapter 3 outlined the theoretical framework that has shaped my thinking and the designing of this dissertation, namely the human rights-based approach (HRBA). In the context of education, the HRBA to education is a normative framework for identifying, planning, implementing, monitoring, and evaluating education policies and programs based on international and national human rights standards (Tomasevski, 2006). Tomasevski (2006) reframes the right to, in, and through education as the "4 As," namely, availability, accessibility, acceptability, and adaptability. *Availability* refers to the presence of neighborhood schools, appropriate infrastructure, trained teachers, safe learning conditions, and schools that serve the religious/cultural/linguistic preference of families. *Accessibility* means that all schools are physically, economically, and culturally accessible to all children, especially for children from vulnerable and marginalized populations. *Acceptability*- not only should education be available and accessible, but that the content of education should be

191

"relevant, culturally appropriate, non-discriminatory, pluralistic, and of corresponding quality" (Tomasevski, 2006, p. 29). *Adaptability* refers to the needs of education systems to evolve with the changing needs of societies and contribute constructively to reduce discrimination and inequity.

Chapter 4 provided a justification for the research design and methodology used to answer the research questions posed in this study. The vertical case study was used to explore the following questions: Q.1. How do various stakeholders engaged in education reform in India at the sub-national, national, and international levels view the role of PPPs in guaranteeing the right to education? Q.2. How is Section 12(1)(c) of the RTE Act, India (2009) practiced at the local level in Bangalore, India? Q.3. What are the lived educational experiences of students from EWS and DGs attending private schools in Bangalore under the RTE Act? Participant observations, interviews, focus groups, and documents and artifacts analysis were used to collect data related to the questions posed. The chapter concludes with a discussion of data analysis, validity, reflexivity, trustworthiness, and ethical considerations – integral components of any qualitative research study.

Chapters 5 and 6 outlined the data collected from a multi-sited qualitative VCS. Chapter 5 was divided into three sections: In Section I, data collected from policymakers at the international, national, and sub-national levels provided conflicting insights into their ideological and experiential interpretations of the role of educational PPPs in guaranteeing the right to education for children from marginalized communities. Section II analyzed the RTE Act and identified specific clauses that aligned with the theoretical framework informing this study; this section also described the findings from interviews and observations in schools with teachers, students and parents. The findings indicated a total

lack of adherence by participating schools to several of the clauses mandated in the RTE Act. Schools were found to be in violation of norms set by the Act pertaining to infrastructure, teacher recruitment, curriculum, out-of-pocket expenses, inclusion, and flexibility in pedagogical practices. Section III articulated the experiences of a focal group of three students, one from each school. Findings from interviews, observation, and focus groups with parents and students indicate the academic and social experiences of children within and outside schools – the sometimes subtle, but often overt forms of discrimination and exclusion are discussed. Chapter 6 analysed the findings discussed in Chapter 5 by comparing and contrasting the articulations of policymakers at the international, nation, and sub-national level, while simultaneously outlining the gaps in practice when compared with government policy.

Significance of Study

This dissertation is presented as a contribution to the field of international and comparative education as well as the field of policy studies. This research study has the potential to make several contributions to policy, theory, research methods, and educational practices. First, at the policy level this study provides multiple insights into how policy analysis can be used to examine the Government of India's (GoI) commitment and intent towards creating educational institutions that are founded on human rights-based principles. Specifically, the examination of the Right to Education Act India, 2009, was warranted as it is a reflection of the GoI's commitment to human rights tenets enshrined in the Constitution of India, while also fulfilling its obligations to the international covenants and declarations. However, findings from this study indicate that the progress made on the policy front at the national level has not been met with similar progress in educational practice at the sub-

193

national level. This finding is best described by a policymaker at the sub-national level: "The reality of how RTE Act works at the local level does not match the rhetoric surrounding the Act." Such contradictions between policy conceptualization and policy implementation clearly indicate a lack of in-depth understanding of how current social and educational systems and institutions continue to influence practices and behaviors in local contexts.

Against the backdrop of the findings and analysis discussed in Chapters 5 and 6, this study is bound to have multiple policy implications. One of the major contributions this research provides is the necessary empirical data on the practice of Section 12(1)(c) in participating private schools in Bangalore, India. This empirical data are crucial to evaluating whether the goals and targets set by the RTE Act are achieved in practice, that is, quality in education, and inclusion and social cohesion through education. Additionally, this study serves as a road map for policymakers, researchers, educators, and several other state and non-state actors at the sub-national (across multiple states in India), national, and international contexts to gain insights into the real-life implications of an education policy of students from marginalized populations in particular, and society in general. For state and non-state actors whose own lives may be very different, findings from this study give a vicarious sense of the experiences that make up other peoples' lives and helps in translating research findings into tangible recommendations that inform researchers, policymakers, and practitioners. Rather than achieving generalizability, which is an outcome desired in most quantitative studies, this research study aspires to attain transferability of findings to other contexts across the country and the world. Given that there are few theoretical and methodologically sound research studies conducted on the RTE Act, and even fewer qualitative studies, this dissertation has the potential to have an impact on policy

194

prescriptions and recommendations, and re-examine the global discourses surrounding the role of private actors in the provision of public education.

Therefore, this examination of the RTE Act highlights the importance of policy analysis being a holistic process that needs to be followed right from the moment of policy conceptualization, through adoption, to the point of implementation. Such analysis provides the critical feed-back loop that aids in making adaptations to existing flaws. Findings from this study further support Pritchett's (2009) reference to the Indian state as a "flailing state," that is, a mismatch of policy articulations at the national level with how it is adopted and implemented at the sub-national level. Pritchett further articulates that the knowledge and skills of senior and powerful civil servants, seen as "reform champions" and "change agents" far exceeds the capabilities and skills of government agents who implement the policy in local contexts.

On the theoretical level, this study demonstrates that, while improvement in the quality of education in schools is at the crux of the Education for All initiative, much of the focus in the RTE Act has been limited to increasing access to private schools for children from DGs and EWS. The RTE Act was promulgated, promoted, and disseminated as a panacea for reducing social, educational, economic, and cultural inequities that have defined Indian society and institutions for centuries. While the policy on the surface fulfilled several of the tenets associated with education as a human right, when explored further during interviews and observations, it revealed a lack of awareness and apathy among stakeholders such as government bureaucrats, school administrators, teachers, and policymakers. One of the central issues that concerns this research study is how education policy has the potential or not to contribute to social change. Employing a human rights-based approach to investigate

195

the questions posed in this study provided the apt framework to understand the role of the state as a duty bearer in guaranteeing a right to education. However, findings from my data analysis provides evidence that the RTE Act serves as a right to admission in a private school rather than its intended purpose of improving quality, equity, and social cohesion in education. While much of the literature on PPPs focuses on broad-stroke, macro-level quantitative studies that fail to capture the individual experiences and understandings of individuals' lifeworlds, the HRBA provided the lens to understand that educational rights do not exist in isolation, rather, they reflect the social, political, economic, and cultural institutions and systems that constitute society.

Using a qualitative vertical case study (VCS) as my research methodology allowed for a deeper and more nuanced examination of issues that tend to be overlooked by conventional policy studies. While designing my research methodology, I was struck by the shortage of academic literature on qualitative research methodologies that linked discourses and practices at the sub-national, national, and international levels. A central assumption of this research study was that aspects such as equity, inclusion, and cohesion are constructed through lived experiences rather than through government policies and programs, international development projects and discourses, and academic knowledge, further, the VCS proved an excellent methodology to arrive at that conclusion. Given the importance of inclusion of sub-national stakeholders in the decision-making and implementation processes, and the potential this generates for changing practice within schools, there was a critical need to study the actors whose voices resonate or remain silent. Hence, this research study contributes to the existing body of literature by highlighting that knowledge has a plurality of roots, where diverse stakeholders (local, national, and international), yet equally valuable sources of

knowledge can belong and contribute to developmental processes. This research study further

highlights the existence of a plurality of methodologically sound approaches to find answers

posited by researchers.

Finally, this study contributes significantly in understanding the gaps between what is

stated in policies versus how policy is practiced when it comes to PPPs in education in India.

The sub-national level examination of how the RTE Act is appropriated differently in the

three different participating schools provided a more grounded picture of educational

practices in schools – in fact, it exposed the disconnect between policy and practice. This

study cast a spotlight on the various administrative, social, financial, and cultural barriers that

students from DGs and EWS continue to experience in educational institutions. The structure

of the Karnataka Education Department is similar and transferable to other states in India;

hence, this study provides empirically sound conclusions that can influence future policy

initiatives and/or amendments to existing ones.

Limitations of Study

Given the scope and structure of this study, I experienced a number of limitations during

the data collection, analysis, and writing process. Some of the limitations of the study

include:

i. To gain a better understanding of the impact of educational PPPs on aspects such as
    quality education, equity in education, and social cohesion through education, require
    exploration over longer periods of time. Given the different aspects of education and
    schooling this study attempts to capture, it ideally required more than the two weeks
    spent in each school.

ii. Purposive sampling of schools led to research being conducted in schools predetermined by the researcher. Hence, this sample is not a true representation of the various types of schools operating in the nine educational blocks in Bangalore, India. Hence, comparisons between the experiences of teachers and students across schools were limited.

iii. The inclusion of public schools was beyond the scope of this research study, which proved to be a limitation; however, it has the potential for future research studies. With a disproportionate number of girls and children from the poorest and most marginalized populations attending public schools, it is important to examine the impact of reduced financial allocations to public schools.

iv. Field work for this study was conducted at the beginning of the academic year, which limited access to student artifacts. If the study was conducted during the latter part of the year, there is the possibility of finding students more at ease and comfortable in their school and classroom environments.

I see this research study as the first step toward understanding the role of private education providers in fulfilling the GoI's commitment towards providing an equitable and quality education for children from EWS and DGs. As noted in Chapters 5 and 6, this study highlights the various shortcomings in issues related to quality and inclusion in schools. Too often, research fails to capture the unfolding of a phenomenon/a, instead capturing mere snapshots. This limitation can be overcome by conducting longitudinal studies that provide a more holistic and in-depth understanding of the problem being investigated. To better understand the impact of increased private participation in education, I will conduct future research studies that include public schools as sites of research studies. Additionally, I plan to

conduct studies that incorporate the experiences and perspectives of a greater range of teachers, parents, administrators, and students.

An extension of this study would be to examine the various private actors engaged in education provision in India, the different kinds of PPPs operating in India, and the role of transnational advocacy networks in influencing the flow of discourses and adoption of education policies, particularly those related to school-choice, school-vouchers, and privatization of public education. As marginalized groups and vulnerable populations such as girls, children with disabilities, ethnic/linguistic minorities, and migrant and out-of-school children continue to be disadvantaged by privatization policies, it is important to examine the conflation of discourses on the educational rights of children with neoliberal market forces. An analysis of findings from this research study revealed that private actors with considerable knowledge, economic, and political clout have been successful in symbolically representing the RTE Act as a means of guaranteeing the right to education while failing to delve deeper into the educational and socio-cultural impacts of this legislation. Section 12(1)(c) of the RTE Act denotes a privatization of rights where access to education is determined by parents' financial and social capital, that is, a legislation that perpetuates as well as legitimizes unequal availability of, accessibility to, and acceptability and adaptability in education. Therefore, currently, and more urgently so, when educational rights discourses are being commercialized and commodified, it is important to investigate the motivations of non-state/private actors engaged in education reform in India and beyond.

Conclusion

Identifying inclusive education as an important social objective, the GoI mandated the reservation of 25% of all admissions in private schools for children from EWS and DGs

under Section 12(1)(c) of the RTE Act. Designed to fulfill constitutional obligations and international declarations to establish a common school system with a common curriculum, the RTE Act provided hope and promise to increase access, quality, equity, inclusion, and efficiency for children and families from historically marginalized groups in India. Given this context, it was crucial to examine the various implications of this legislation. A conceptual framework using the human rights-based approach and a qualitative vertical case study was used to answer the three research questions posed in this research study. This investigation into the role of educational partnerships in the current context of education reform in India yielded significant implications for policy and future research related to reforming education policy and practice.

The three issues examined in this research study included: examining different policymakers' views and experiences on Section 12(1)(c) in particular, along with the role of private providers in guaranteeing educational rights for marginalized populations; next, in addition to accounting for policymakers' discourses, this study examined the appropriation of Section 12(1)(c) across multiple sites in Bangalore; finally, this study explored the implications of this study on individual students and their families' lives. Findings from this dissertation can be presented as: (a) an increased push by the GoI to include private providers as partners in expanding educational access and improving educational quality; (b) the promise of quality education by private schools is a myth, with little evidence to support the claim that private schools provided better educational inputs and outcomes; and (c) students continue to experience subtle as well as overt forms of academic, social, and economic discrimination and exclusion within schools. Furthermore, as evidenced from the findings, an unintended consequence of Section 12(1)(c) has been the creation of an additional hierarchy

in an already segregated and hierarchical education system. This dissertation ultimately

yielded more questions than answers, which is the likely outcome of any empirically and

theoretically sound research study. Longitudinal research seems to be indispensable, as it

remains to be seen if the RTE Act of India, 2009, will have lasting implications on local

populations.

POSTSCRIPT

Riding a wave of religious nationalism and populism, Narendra Modi, the son of a tea-seller, rose to become the Prime Minister of India in 2014. A central promise of the right-wing Bharatiya Janata Party (BJP – of which Modi is the head) manifesto in 2014 was *"Sabka saath, sabka vikas"* which translates to "Together with all, development for all." Modi was successful in converting majoritarian cultural anger into economic progress by promising a revolution against the political elite and corruption, more specifically Nehru's political dynasty/heirs. Modi's election in 2014, and re-election in 2019 is not an aberration, rather, it reflects a global trend of populist leaders rising to power across the globe like Erdogan in Turkey, Bolsonaro in Brazil, Donald Trump in the United States of America, and most recently Boris Johnson in the United Kingdom.

Since 2014, several basic norms and liberties that were once uncontested rights guaranteed under the Indian Constitution have been systematically undermined and often blatantly violated. A patriotic Indian has become synonymous with a Hindu who speaks Hindi – a disturbing departure from a tradition that valued and prided itself of being a multi-ethnic, multi-linguistic, and multi-religious society for millennia. Secularism, liberalism and the free press are seen as enemies of the Indian people, while religious vigilantes who epitomize religious nationalism, anti-Muslim sentiment, and deep-rooted caste bigotry roam the streets of several Indian cities freely. Minorities such as Muslims, Christians, and lower castes have all come under assault as the Government of India passed a new legislation – The Citizenship Amendment Act, and has proposed to create a National Population Registry in an attempt to identify and deport Muslim refugees fleeing oppressive governments from the neighboring countries of Afghanistan, Bangladesh, Myanmar, Nepal, Pakistan, and Sri-

Lanka. The fear of a government led program to create a registry that mandates revealing personal identifying information such as Aadhar Card, citizenship status, religion, etc. has resulted in protests and unrest across multiple cities in India.

In a time of great political and social unrest, the election promise of *"Sabka saath, sabka vikas"* has remained a mere slogan as the Government of India struggles to fulfill campaign promises. The government's aggressive push towards fulfilling the BJP's founding ideology of a "Hindu Rashtra, Hindi Rashtra" (Hindu Nation, Hindi Nation) is also clearly reflected in their Education Policy. The government has hollowed out India's places of learning (Indian Council for Historical Research, Jawaharlal Nehru University, etc.), often attacking academics as left-wing intellectuals, and replacing them with academics and bureaucrats chosen for their political ideology and not their proficiency. Textbooks published by the National Council of Educational Research and Testing (NCERT), more particularly history textbooks have been extensively re-written, with a generation of students now being exposed to a warped version of Indian History. Another area of concern in the education sector has been the language policy of the GoI – a transition from three language policy to two language policy, an encroachment on states' right to instruction in the mother tongue. However, after severe pushback from five states in Southern India, the government has put the policy on hold, pending further negotiation with state governments.

Faced with an economy taking a downturn at the beginning of their second term in office, and in an attempt to meet his campaign promise of transforming India from a USD 2.9 trillion economy to USD 5 trillion by 2024, the GoI has started selling its public stakes in industries such as oil, shipping, logistics, airlines; and has entered multi-billion dollar partnerships in infrastructure, healthcare, and delivery of other public goods. A similar trend

is evident in the education sector as the GoI pushes for greater private sector participation in the delivery of educational services. Given all these issues affecting the Indian education system, more research is warranted.

APPENDIX A: EDUCATION POLICY: A TIMELINE

1948. University Education Commission (UEC) – After independence, the first significant step taken by the GoI in the field of education was the appointment of the UEC in 1948. Issues covered in this legislation included: objectives of learning, teacher standards, post-graduate teaching and research, curriculum, professional education, business studies, and engineering education. This commission laid down the aims of university education in the country, keeping in view the country's past traditions, present conditions and future prospects.

1952. Secondary Education Commission (SEC) – The recommendations from the UEC were reinforced in this commission. The commission made recommendations regarding the objectives of education, reorganization of teaching institutions, medium of instruction and the system of examinations. The report went on to recommend the setting up of technical schools, polytechnics, strengthening multi-purpose education (a broad range of curricular topics within a single institution), central technical institutions, etc. The establishment of multi-purpose schools was a major contribution of this commission.

1964-66. Kothari Commission – The key objectives of the Kothari commission were: to conduct a detailed study on the education system with a special emphasis on quality; to emphasize the role of people in national development; to recommend an integrated approach to educational development leading to a comprehensive educational policy for India. The 17-member commission included 5 foreign national educationists—one each from United Kingdom, United States, France, Japan, and Russia.

1976. 42nd Constitutional Amendment – Education, which was originally in the State List of subjects of legislation, was transferred to the Concurrent List through this amendment. With

this amendment, a greater role of the central government was confirmed. Recommendations included: reinforcing the national and integrative character of education; maintaining quality and standards of learning, including those of teachers at all levels; promoting excellence by catering to the needs of personnel development, research and advanced study, international aspects of education, and cultural development.

1986. National Policy on Education (NPE) – The 1986 NPE was formulated two decades after the recommendations made by the Kothari Commission. Key NPE recommendations included: universal access, enrolment and retention of children up to 14 years of age; removing of disparities to equalize educational opportunities; empowerment of women through education; educational incentives for SC and ST families; recruitment of teachers from SC and ST; and revival of Sanskrit and other classical languages for contemporary use.

1995. Midday Mean Program – The program involves provision for free lunch on school days for children in primary, upper primary, and secondary school in government, government aided, local body, and religious schools. The primary objective of the scheme is to improve the nutritional status of children, encouraging out-of-school children, belonging to disadvantaged communities, to attend school more regularly and help them concentrate on classroom activities, thereby increasing the enrolment, retention and attendance rates.

2002. Sarva Shiksha Abhiyan (SSA) – The SSA is the GoI attempt to universalize elementary education; and translates to Education for All. This policy has been India's defining education policy for the past fifteen years. One of the main goals of SSA was to bridge gender and social gaps at primary education level by 2007 and at elementary education level by 2010. While SSA program is primarily financed by the Government of

India, three external Development Partners (DP) also contribute funds towards SSA, namely World Bank's International Development Association (IDA), DFID and EU.

2009. Rashtriya Madhyamik Shiksha Abhiyan (RMSA) – The RMSA is the GoI's flagship program launched to enhance access, quality, and equity in secondary education. The policy aims to "generate human capital" while providing the appropriate conditions for accelerating growth and development, equity, and quality to life. Built on the success of SSA, the RMSA also receives financial support from IOs. The policy proposes to provide: universal access to secondary education; enhance and universalize enrolment, attendance, and retention; and remove gender, socio-economic, and disability barriers

2009. Right to Education Act (RTE) – This Act became operative in April 2010. The Act provides all children in the age group of 6–14 years the right to free and compulsory education in a neighborhood school. The Act also provides for 25% of school admissions to be offered free to children from weaker/backward sections of society in both government and private schools. SSA, in partnership with the States, is the main avenue for implementing the provision of the RTE Act. SSA covers all States and Union Territories and reaches out to an estimated 220 million children in the country.

2010. Scheme of Inclusive Education for Disabled at Secondary Stage36 (IEDSS) – This policy was launched in 2009-10 and replaced the earlier IEDC scheme. It provides assistance for the inclusive education of the disabled children in classes 9-12. The aim of the Scheme is to enable all students with disabilities, after completing eight years of elementary schooling, to pursue further four years of secondary schooling (Classes 9-12) in an inclusive and enabling environment (Kothari Commission, 1966; MHRD, 1986, 2001, 2009; RTE Act, 2009).

APPENDIX B: INTERVIEW QUESTIONS

Note: These questions will be used as a foundation for the interview. The researcher will clarify and probe for more information, as necessary.

Thank you for taking the time to participate in this interview. Please respond to each question. If you need a question repeated or clarified, please ask. Your participation is greatly appreciated.

Tell me about yourself

Age: _____   Gender:_____

Education:_____
Experience:_____

(This information will be collected from all participants)

Interview Questions for Policymakers

1. Could you please begin by telling me a bit about yourself, such as your educational background, your position in the government, how long you have been in this position, and your role in the implementation of Section 12(1)(c) of the RTE Act.

2. Can you tell me about the history of the formulation and implementation of Section 12(1)(c) of the RTE Act?

3. We often hear references to the "right to education," what is your understanding of this right?

4. Based on your understanding of educational rights, how do you think public-private partnerships in education fulfill the obligations of the right to an equitable education for children from EWS and DGs as outlined in the RTE Act?

5. What are the various strategies and programs the government has instituted to eliminate physical, social, and financial barriers to access education under the RTE Act?

6. What is the current GDP allocation to the education budget? Do you think the budgetary allocation for Section 12(1)(c) adequate and appropriate?

7. What are the various measures to ensure that families have the information to choose the school they want to send their children to?

8. What mechanisms are in place to promote school attendance, or to reduce dropout, or prohibit all kinds of discrimination in schools?

9. How does the government monitor and collect data for planning, budgeting, monitoring, and assessing the performance of students from EWS and DGs? Is there disaggregated data

available (Socio-economic status, ethnicity, linguistics, geographic location, caste, religion, gender)?

10. To what extent is the government involved in setting the curriculum, designing educational plans for diverse learners, sensitive to the linguistic (mother tongue) needs of the local population, and setting standards for teacher qualification and professional development?

11. What legislations are in place to ensure the flexibility and adaptability of learning materials and environments to suit the diverse learning needs of children from diverse backgrounds?

12. Is there anything more you would like to add to our discussion concerning the RTE Act, and the role of PPPs in guaranteeing the right to education for children from EWS and DGs?

Interview Questions for Administrators and Teachers

1. Could you please begin by telling me a bit about yourself, such as your educational background, your position in the school, how long you have been in this position, and your responsibilities.

2. Can you tell me about your school – when was it established, what is its mission and goals, how many teachers/students you have etc?

3. What is the constitution of your student body? What are the sources of funding for the school?

4. How has Section 12(1)(c) of the RTE Act impacted your school? How do you see the role of PPPs in guaranteeing the right to education for children from EWS and DGs? How feasible do you think PPPs in education are?

5. What do you think is the role of educational PPPs in fostering equity, social cohesion, and improved learning outcomes for children from EWS and DGs?

6. Did the government consult with you before, and does it consult you currently for input on the Act? What kind of oversight does the government engage in?

7. What kinds of strategies, programs, supports, resources, and technical training has the government extended to your school to implement the RTE Act?

8. How does your school approach the varied learning needs of learners from diverse socioeconomic backgrounds? What are some of the specific changes your school has made to accommodate children from EWS and DGs? Does your curriculum align with the standards set by the government?

9. What added value do you think the partnership has provided to your school? Do you have any specific anecdotes to share?

10. Have there been any conflicts between your school/organization and the government over the implementation of the Act?

11. How does the government monitor and gather data about the progress of students from EWS and DGs? What are the educational standards that schools have to align with?

12. Is there anything more you would like to add to our discussion concerning the RTE Act, and the role of PPPs in guaranteeing the right to education for children from EWS and DGs?

Interview Questions for Students/Families

1. Could you please begin by telling me a bit about yourself, what grade you are in, how many years have you been in this school, and your family background.

2. How do you like being in (name of school)?

3. How did you family decide to admit you to this school?

4. How did they navigate the admission process? What information/support/resources did they have to help them navigate the admission process?

5. What role does education play in your and your family's life?

6. What is your experience in the classroom – academics, social interactions, attitudes, and inclusion?

7. What kind of support do you receive from administrators/teachers/support staff inside and outside the classroom?

8. How much support have you received from your family and/or community to adapt into attending (name of school)?

9. What difference has attending (name of school) made a difference to who you are?

10. Is there any thing else you want to share with me?

Thank you so much for your participation.

APPENDIX C: DATA COLLECTION GUIDELINES FOR DOCUMENTS

Report title:

Date of Report:

Author:

Type of Report:

Key Concepts:

Aim/objective:

Political/policy context:

Relation to International Policy Context:

Key actors/Committees/Policy Development Process:

Essential Components and Target Areas:

Definition of PPPs

Implementation Strategy:

Miscellaneous:

Participant name:

Address:

Phone Number:

E-mail address:

Date of interview:

Age (current):

Gender:

Caste/identity:

Grade level:

Name of school:

Number of Years in School:

Neighborhood of residence:

APPENDIX E: LETTER TO SCHOOL ADMINISTRATORS

Date

Dear Principal:

   I hope this letter finds you doing well. As you may remember from last summer, I am working on my Ph.D. in Urban Education, Leadership, and Policy Studies at the University of Massachusetts, Boston, USA. I am currently preparing my doctoral dissertation study, which is titled – Public-private Partnerships in Education: A Vertical Case Study of the Right to Education Act, India. The purpose of this study is to better understand how various stakeholders interpret the importance of PPPs in education, and the appropriation of education policy by multiple schools at the local level.

   With your permission, I would like to recruit faculty members at your school to participate in my study. I am attaching a Participant Recruitment Letter, which explains the study in detail. Participation in this study is voluntary and faculty members may withdraw from the study at any time with no penalty to them. I would also like to conduct on site interview with participants. The interview will last 60-90 minutes and will be scheduled at a time convenient to you. The interview will be recorded, so I can later transcribe the material.

   The results of this study may be published in scientific research journals or presented at professional conferences; however, your name and identity will not be revealed. In order to maintain confidentiality, I will not use actual names in my study; instead, I will assign pseudonyms for the school as well as for the faculty members who agree to participate. Data will remain secured in my home and will be destroyed after the study is complete.

   If you agree to allow your faculty members to participate in this study and if you are willing to participate in an interview with me, please complete the consent form and return it to me. If you have questions or concerns, please email me at sbgowda21@gmail.com. You can also email my dissertation advisor, Prof. Francine Menashy, at Francine.Menashy@umb.edu. I'm grateful to everyone at your School for letting me work with you.

Sincerely,

Sheetal Gowda, M. Ed.

Doctoral Student, University of Massachusetts Boston

APPENDIX F: NOTICE OF AGREEMENT TO PARTICIPANTS

(To be completed by principals of participating schools)

Date_____

I have received information about Sheetal Gowda's dissertation study titled – Public-private Partnerships in Education: A Vertical Case Study of the Right to Education Act, India. I understand the purpose of this study, the role of participants, and the procedures to be followed. I also understand that the identity of the school and all participants will remain confidential.

_____I agree to allow Ms. Sheetal Gowda to recruit faculty members at (insert name of school) for participation in her dissertation study,

_____ I agree to participate in interviews with Sheetal Gowda for her dissertation study.

_____Thank you, but I would prefer not to participate in your study at this time.

APPENDIX G: ADULT CONSENT FORM

Dear Participant,

I am Sheetal Gowda, conducting a research study to understand the impact of public-private partnerships in education in Bangalore, India. In my research I will conduct 60-90 minutes interviews with you, concerning your knowledge of and experiences related to Section 12(1)(c) of the RTE Act. I would like to ask for your consent to work with you to collect data. This would include handwritten notes, audio-taping the interviews, and reviewing data.

Your real name and any identifying markers will not be used in this research study. I would like to remind you, please do not use your real name, or the real names of others during any time in the interview.

Your participation in this study will be completely voluntary, which means that you can end or withdraw without penalty at any time. I believe that your participation involves minimal risk to you. Please feel free to discuss with me about unforeseen risks. The data collected will be used to inform my dissertation research study. I greatly appreciate your cooperation and support in this regard.

You have the right to ask question about this research before signing the form or at any time during the study. Questions or concerns about your rights as a participant can be directed to Sheetal Gowda, at sbgowda21@gmail.com, Phone Number: +1-609-462-6427.

You may contact my faculty advisor, Prof. Francine Menashy ay Francine.Menashy@umb.edu at any time for clarifications or discussion about the project.

_____ I consent to audio recording of my interview (please initial)

_____ I consent to the use of my real name in any written material produced (please initial)

_____

(Date)   (Participant's signature)   (Participant's name. printed)

I have discussed with _____ the above procedures, explicitly pointing out potential risks or discomforts. I have asked whether any questions remain and have answered these questions to the best of my ability.

_____

(Date)   (Investigator's signature)   (Investigator's name, printed)

Dear Participant,

I am Sheetal Gowda, conducting a research study to understand the impact of public-private partnerships in education in Bangalore, India. In my research I will conduct 60-90 minutes interviews with you, concerning your knowledge of and experiences related to Section 12(1)(c) of the RTE Act. I would like to ask for your consent to work with you to collect data. This would include handwritten notes, audio-taping the interviews, and reviewing data.

Your real name and any identifying markers will not be used in this research study. I would like to remind you, please do not use your real name, or the real names of others during any time in the interview.

Your participation in this study will be completely voluntary, which means that you can end or withdraw without penalty at any time. I believe that your participation involves minimal risk to you. Please feel free to discuss with me about unforeseen risks. The data collected will be used to inform my dissertation research study. I greatly appreciate your cooperation and support in this regard.

You have the right to ask question about this research before signing the form or at any time during the study. Questions or concerns about your rights as a participant can be directed to Sheetal Gowda, at sbgowda21@gmail.com, Phone Number: +1-609-462-6427. You may contact my faculty advisor, Prof. Francine Menashy ay Francine.Menashy@umb.edu at any time for clarifications or discussion about the project.

The nature and purpose of this research has been satisfactorily explained to me, and I allow my child, _____ to become a participant in the study. I understand I am free to discontinue participation at any time if I so choose.

_____ I consent to audio recording of my interview (please initial)

_____ I consent to the use of my real name in any written material produced (please initial)

(Date)   (Participant's signature)   (Participant's name. printed)

I have discussed with _____ the above procedures, explicitly pointing out potential risks or discomforts. I have asked whether any questions remain and have answered these questions to the best of my ability.

(Date)   (Investigator's signature)   (Investigator's name, printed)

APPENDIX I: OBSERVATIONAL AND JOURNAL NOTES

Please comment on any or all of the following categories:

- Observational notes
- What was the location/setting of the interview?
- What was their manner?

- Analytical thoughts about what you learned that is relevant to our research questions:
- Any "aha" moments?
- Key takeaways?
- New understandings?
- New questions?
- If you were to answer the research questions just on the basis of this one interview, what would you say?

- Ideas for research directions:
- Anyone that was mentioned that we should interview?
- Any documents to get?
- Any events to ask about?
- Etc.?

- Self-reflection thoughts about your role as a researcher:
- What did you learn about yourself?
- What did you do particularly well?
- What could you have done better?
- Any issues to work on?

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