Is the State taking steps to identify out-of-school children, to encourage school attendance and to reduce drop-out rates? [1]

Out-of-school children are all those excluded from education at a given level of education

Comments:
Check whether there are specific programmes for this purpose, whether they respond to a thorough diagnostic of the specific reasons in the country amongst specific groups for drop-outs and out-of school children; and whether these programmes are well-funded. If disaggregated data on numbers of out-of-school children shows that children from specific marginalised groups are disproportionately represented, check whether the State has adopted specific measures to encourage school attendance amongst children from those groups

Available data:
Global Initiative on Out-of-School Children [2]

Human Rights Standards:
Article 13 (2), International Covenant on Economic, Social and Cultural Rights; Article 28 (1) (a) (e), Convention on the Rights of the Child; Article 24 (2), Convention on the Rights of Persons with Disabilities; Article 7 (2) (c) (d), ILO Convention 182; Article 17 (2), (Revised) European Social Charter; Article 13 (3) (a) (d), Protocol of San Salvador; Articles 11 (3) (a) (d) (e) & 6, African Charter on the Rights and Welfare of the Child; Articles 13 (4) (c) (h), African Youth Charter; Article 41 (2), Arab Charter; Article 10 (f), Convention on the Elimination of All Forms of Discrimination against Women

Tags: Armed Conflict (Including Child Soldiers) [3], Access to Education [4], Free Education [5], Women and Girls [6], Indigenous Peoples and Minorities [7], Persons with Disabilities [8], Persons with HIV/AIDS [9], Migrants, Refugees and IDPs [10], Persons in Detention [11], Persons Living in Poverty [12], Child Labourers [13], Process Indicators [14]

Are there established mechanisms to enable parents, children and community leaders to contribute to the formulation and / or implementation of strategies to identify out-of-school children, to encourage school attendance and to reduce drop-out rates? [15]

Mechanisms by which stakeholders can contribute to the formulation and / or implementation of strategies to identify out-of-school children include: perception surveys, focus groups and public campaigns.

Comments:
Incorporating the input of parents, children and community leaders in the formulation and implementation of strategies for encouraging school attendance can often make these strategies more effective.

Human Rights Standards:
Article 13 (2), International Covenant on Economic, Social and Cultural Rights; Article 28 (1) (a) (e), Convention on the Rights of the Child; Article 24 (2), Convention on the Rights of Persons with Disabilities; Article 7 (2) (c) (d), ILO Convention 182; Article 17 (2), (Revised) European Social Charter; Article 13 (3) (a) (d), Protocol of San Salvador; Articles 11 (3) (a) (d) (e) & 6, African Charter on the Rights and Welfare of the Child; Article 13 (4) (c) (h), African Youth Charter; Article 41 (2), Arab Charter; Article 10 (f), Convention on the Elimination of All Forms of Discrimination against Women

Tags: Armed Conflict (Including Child Soldiers) [3], Access to Education [4], Free Education [5], Women and Girls [6], Indigenous Peoples and Minorities [7], Persons with Disabilities [8], Persons with HIV/AIDS [9], Child Labourers [13], Migrants, Refugees and IDPs [10], Persons Living in Poverty [12], Persons in Detention [11], Participation [16], Process Indicators [14]

Are there any specific measures to ensure that previously out-of-school children remain in school? [17]

An example of such a measure is a programme that adapts education to students’ specific circumstances to prevent further drop-outs

Comments:
Previously out-of-school children may require additional support given that they have already missed schooling and are, as a result, more likely to drop-out of school again.

Human Rights Standards:

Tags: Armed Conflict (Including Child Soldiers) [3], Access to Education [4], Free Education [5], Women and Girls [6], Indigenous Peoples and Minorities [7], Persons with Disabilities [8], Persons with HIV/AIDS [9], Migrants, Refugees and IDPs [10], Persons in Detention [11], Persons Living in Poverty [12], Child Labourers [13], Process Indicators [14]

Do domestic laws forbid discrimination in access to education? [18]

This indicator examines whether discrimination, both direct and indirect, are legally prohibited

Comments:
Check on which grounds discrimination is forbidden: age, gender, race, ethnicity, colour, origin, language, status, opinion, sexual orientation, disability, socio-economic status, and other pertinent grounds

Available data:
Right to Education Project, Where to Find Information [19]

Human Rights Standards:


Is education provided in retention centres/camps for migrant, refugee and internally displaced children? [21]

Comments:
Without such arrangements, this group of children would be denied access to education

Human Rights Standards:
Article 30, Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; Article 22, Convention relating to the Status of Refugees; Articles 2 (2) (3) & 13 (2), International Covenant on Economic, Social and Cultural Rights; Articles 2, 22 (1) & 28 (1), Convention on the Rights of the Child; Article 3 (e), UNESCO Convention against Discrimination in Education; Para 34, CESCR General Comment 13; Article 9 (2) (b), Kampala Convention

Tags: Access to Education [4], Migrants, Refugees and IDPs [10], Persons in Detention [11], Process Indicators [14]

Do imprisoned children receive education integrated with the general education system? [22]

"Every juvenile of compulsory school age has the right to education suited to his or her needs and abilities and designed to prepare him or her for return to society. Such education should be provided outside the detention facility in community schools wherever possible and, in any case, by qualified teachers through programmes integrated with the education system of the country so that, after release, juveniles may continue their education without difficulty " (Rule 38, Rules for the Protection of Juveniles Deprived of their Liberty [23])

Comments:
Without such arrangements, this group of children would be denied access to education and the opportunity to integrate back into society after release

Levels of disaggregation: Level of Education
Human Rights Standards:
Article 77 (2), Standard Minimum Rules for the Treatment of Prisoners; Rule 38, Rules for the Protection of Juveniles Deprived of their Liberty; Article 10 (3), International Covenant on Civil and Political Rights

Tags: Access to Education [4], Quality of Education [24], Persons in Detention [11], Process Indicators [14]  
Is educational and vocational information and guidance given to imprisoned children? [25]

Comments:
Such information and guidance may be necessary to ensure that this group of children can be fully reintegrated into society once they are released from prison

Human Rights Standards:
Rules 38, 42 & 43, Rules for the Protection of Juveniles Deprived of their Liberty; Article 10 (3), International Covenant on Civil and Political Rights; Article 71 (5), Standard Minimum Rules for the Treatment of Prisoners; Rule 26 (1) (2), United Nations Standard Minimum Rules for the Administration of Juvenile Justice

Tags: Access to Education [4], Persons in Detention [11], Process Indicators [14]  
Do adult prisoners have access to education? [26]

For example literacy programmes

Comments:
Provision shall be made for the further education of all prisoners capable of profiting, particularly of adult prisoners who have low literacy skills

Human Rights Standards:
Articles 77 (1) & 75 (2), Standard Minimum Rules for the Treatment of Prisoners; Article 10 (3), International Covenant on Civil and Political Rights

Tags: Access to Education [4], Adult Education [27], Persons in Detention [11], Process Indicators [14]  
Percentage of prisons with libraries [28]

Comments:
According to international human rights standards, every prison should have a library for the use of all categories of prisoners, adequately stocked with both recreational and instructional books

Human Rights Standards:
Rule 40, Standard Minimum Rules for the Treatment of Prisoners; Rule 41, Rules for the Protection of Juveniles Deprived of their Liberty

Tags: Quality of Education [24], Learning Material [29], Adult Education [27], Persons in Detention [11], Process Indicators [14]  
Are children prisoners-of-war given the means to pursue their educational activities? [30]

Means to pursue their educational activities would include access to regular classes with qualified teachers, access to books, etc.

Comments:
Human Rights Standards:
Article 40, Standard Minimum Rules for the Treatment of Prisoners; Articles 38, 72 & 125, Geneva Convention III relative to the Treatment of Prisoners of War

Tags: Armed Conflict (Including Child Soldiers) [3], Access to Education [4], Persons in Detention [11], Process Indicators [14]  
Number of administrative complaints on the right to education [31]

This indicator is the number of complaints regarding issues related to the right to education in the last 12 months. Issues include, inter alia availability or accessibility of primary education, funding of primary education, availability or accessibility of secondary education, accessibility of higher education, discrimination issues, registration or
closing of private schools and parents’ rights to ensure the religious and moral education of their children in conformity with their own convictions (Source: Audrey Chapman (2007) Development of Indicators for Economic, Social and Cultural Rights: The Rights to Education, Participation in Cultural Life and Access to the Benefits of Science: p.149)

Comments:
A very low number of administrative complaints on education rights may be indicative of the lack of adequate access to administrative complaint mechanisms rather than a lack of problems related to the right to education. Conversely, a very high number of administrative complaints may be indicative of adequate access to administrative complaint mechanisms, but at the same time of serious problem in the education system itself. If the focus of the monitoring exercise is a specific marginalised group, check the number of complaints related to that group.

Levels of disaggregation: Gender, Region, Urban/Rural, Public/Private, Minority, Persons with Disabilities, Persons with HIV/AIDS, Migrants, Refugees and IDPs, Persons in Detention.

Human Rights Standards:


Proportion of received complaints on the right to education that have been investigated by an administrative body. [33]

This indicator measures the proportion of complaints that have been investigated by an administrative body in the last 12 months.

Comments:
A low value of this indicator would be indicative of an inadequate mechanism to investigate complaints on the right to education. If the focus of the monitoring exercise is a specific marginalised group, check the number of complaints related to that group.

Levels of disaggregation: Gender, Region, Urban/Rural, Public/Private, Minority, Persons with Disabilities, Persons with HIV/AIDS, Migrants, Refugees and IDPs, Persons in Detention.

Human Rights Standards:


Number of court cases on the right to education. [34]

Number of court cases on educational rights is the number of cases that considered issues related to the right to education.
education in the last five years. The issues to examine include, inter alia availability or accessibility of primary education, funding of primary education, availability or accessibility of secondary education, accessibility of higher education, discrimination issues, registration or closing of private schools and parents’ rights to ensure the religious and moral education of their children in conformity with their own convictions (Source: Audrey Chapman (2007) Development of Indicators for Economic, Social and Cultural Rights: The Rights to Education, Participation in Cultural Life and Access to the Benefits of Science: p.149)

Comments:
A very low number of court cases on education rights may be indicative of the lack of adequate access to the justice system rather than a lack of problems related to the right to education. Conversely, a very high number of court cases may be indicative of adequate access to the judicial system, but at the same time of serious problems in the education system itself. If the focus of the monitoring exercise is a specific marginalised group, check the number of court cases related to that group

Levels of disaggregation: Gender, Region, Urban/Rural, Public/Private, Minority, Persons with Disabilities, Persons with HIV/AIDS, Migrants, Refugees and IDPs, Persons in Detention

Human Rights Standards:


Proportion of court cases where it has been determined that there has been a violation of the right to education [35]

This indicator measures the proportion of court cases related to the right to education that have been adjudicated against the State in the last 5 years

Comments:
A very low value of this indicator may be indicative of a lack of judicial independence vis-à-vis the government

Levels of disaggregation: Gender, Region, Urban/Rural, Public/Private, Minority, Persons with Disabilities, Persons with HIV/AIDS, Migrants, Refugees and IDPs, Persons in Detention

Links

[3] https://www.right-to-education.org/monitoring/tool?f%5B0%5D=field_contextual_issues%3A61
[4] https://www.right-to-education.org/monitoring/tool?f%5B0%5D=field_key_issues%3A97
[5] https://www.right-to-education.org/monitoring/tool?f%5B0%5D=field_key_issues%3A108
[6] https://www.right-to-education.org/monitoring/tool?f%5B0%5D=field_marginalised_groups%3A85
[7] https://www.right-to-education.org/monitoring/tool?f%5B0%5D=field_marginalised_groups%3A79
[8] https://www.right-to-education.org/monitoring/tool?f%5B0%5D=field_marginalised_groups%3A82
[9] https://www.right-to-education.org/monitoring/tool?f%5B0%5D=field_marginalised_groups%3A83
[10] https://www.right-to-education.org/monitoring/tool?f%5B0%5D=field_marginalised_groups%3A80
[11] https://www.right-to-education.org/monitoring/tool?f%5B0%5D=field_marginalised_groups%3A81
[12] https://www.right-to-education.org/monitoring/tool?f%5B0%5D=field_marginalised_groups%3A84
[13] https://www.right-to-education.org/monitoring/tool?f%5B0%5D=field_marginalised_groups%3A110
[14] https://www.right-to-education.org/monitoring/tool?f%5B0%5D=field_type_of_indicator%3A111
[16] https://www.right-to-education.org/monitoring/tool?f%5B0%5D=field_policy_processes%3A90
[17] https://www.right-to-education.org/monitoring/content/are-there-any-specific-measures-ensure-previously-out-school-children-remain-school
[18] https://www.right-to-education.org/monitoring/content/do-domestic-laws-forbid-discrimination-access-education
[20] https://www.right-to-education.org/monitoring/tool?f%5B0%5D=field_type_of_indicator%3A93
[22] https://www.right-to-education.org/monitoring/content/do-imprisoned-children-receive-education-integrated-general-education-system
[24] https://www.right-to-education.org/monitoring/tool?f%5B0%5D=field_key_issues%3A101
[26] https://www.right-to-education.org/monitoring/content/do-adult-prisoners-have-access-education
[27] https://www.right-to-education.org/monitoring/tool?f%5B0%5D=field_levels_of_education%3A73
[28] https://www.right-to-education.org/monitoring/content/percentage-prisons-libraries
[29] https://www.right-to-education.org/monitoring/tool?f%5B0%5D=field_key_issues%3A103
[30] https://www.right-to-education.org/monitoring/content/are-children-prisoners-war-given-means-pursue-their-educational-activities
[31] https://www.right-to-education.org/monitoring/content/number-administrative-complaints-right-education
[32] https://www.right-to-education.org/monitoring/tool?f%5B0%5D=field_policy_processes%3A86
[33] https://www.right-to-education.org/monitoring/content/proportion-received-complaints-right-education-have-been-investigated-administrative-body
[34] https://www.right-to-education.org/monitoring/content/number-court-cases-right-education
[35] https://www.right-to-education.org/monitoring/content/proportion-court-cases-where-it-has-been-determined-there-has-been-violation-right-education