

INTEGRITY VIOLATIONS AND PARENTAL CONTRIBUTIONS IN MONGOLIA



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CONTENTS

INTRODUCTION.....	4
Methodology.....	7
About this report.....	11
SECTION 1. COUNTRY AND EDUCATION SYSTEM OVERVIEW.....	11
Education system and reform priorities.....	11
Integrity and anti-corruption context	13
SECTION 2. IMPROPER PRIVATE SUPPLEMENTARY SERVICES.....	15
Improper tutoring through daycare services for primary school children.....	15
Improper tutoring through elective classes after school hours and during the school break.....	17
Vulnerabilities which open opportunities for the violation.....	18
Vulnerabilities which fuel distrust and motivate participation in the violation	20
SECTION 3. MISAPPROPRIATION OF PARENTAL PAYMENTS IN EDUCA- TION.....	21
Parental payments: forms, purposes, and illicit use.....	22
Vulnerabilities which open opportunities for the violation	24
Vulnerabilities which fuel distrust and motivate participation in the violation.....	25
SECTION 4. CONCLUSIONS AND RECOMMENDATIONS FOR ACTION.....	29
REFERENCES.....	32

INTRODUCTION

This report was prepared in the framework of the Integrity of education systems: training for civil society organisations joint project by the Center for Applied Policy and Integrity and the Network of Education Policy Centres (NEPC), supported by the Education Support Program of the Open Society Foundations. The project provided civil society organisations – members of NEPC from Georgia, Kyrgyzstan, Moldova and Mongolia with initial training on integrity assessments in education, which was followed by locally-led explorations of integrity in selected areas and reform priorities in education in these four countries. The present report is the result of this exploration in a specific area.

The report relies on a methodology for the assessment of integrity of education systems (INTES), which was developed in the framework of the OECD by the Center for Applied Policy and Integrity and has guided education integrity assessments and research since 2010.

The declared aim of INTES is to help national authorities and stakeholders understand the policy-related conditions under which corruption in their education systems thrives and support the development of solutions that improve these conditions in ways that prevent malpractice at its roots. The approach follows the assumption that integrity problems and corruption in education are not phenomena that affect the sector “from outside”, but a consequence of deeper-rooted problems in the education system itself, which can (and should) be addressed with the means at the disposal of decision-makers, practitioners, and stakeholders in that sector (OECD, 2018).

The INTES methodology seeks to deliver answers to two questions: whether participants in education engage in corrupt practices and if yes, how the conditions in which they participate in education may play a role in that (Milo-vanovitch, 2020). The focus is on the ways in which policies and practices in education may create opportunities and incentives for education participants to engage in corrupt conduct.

The scope of “corrupt conduct” implied in this report may include practices for which there is criminal liability as well as softer, sector-specific actions, which are harmful, but may not qualify as corrupt by international standards. Both types of practices are subsumed in the notion of “integrity violation”: an action which is intentional, systemic, involving education participants in professional positions (e.g. administrators, principals, teachers), and contradicting the values and principles that apply to the education sector of the country under assessment (OECD, 2018). The report follows thereby the 2019 update of the INTES typology of integrity violations which describes nine forms of such system-wide conduct (Table 1).

Table 1. INTES typology of integrity violations in education

No.	Name	Definition of the practice
1	Illicit provision or denial of access to education	Arbitrary withholding or provision of access to education by those in charge of access, in exchange for undue benefit or the prospect thereof.
2	Improper private supplementary services	Services such as private tutoring, which are provided by teachers or other professionals privately and for personal gain in addition to their regular work in education, to students and in subjects or areas which they teach or otherwise cover in that regular work, with the purpose of student advancement and/or support.
3	Politicisation of education	Building and promoting political and quasi-political connexions, loyalties and networks in (public) education with a view to using them for personal or political advantage.
4	Undue recognition of student achievement	Intentional over-marking or under-marking of students in regular education and the fraudulent granting of graduation credentials in exchange for personal benefit or the prospect thereof.
5	Favouritism in staffing decisions	Redistribution of public resources in the form of employment contracts, employment-related promotions and benefits in favour of relations, friends, colleagues or people who are otherwise close to those in charge of the staffing decisions.
6	Misappropriation of funds in education	Embezzlement of assets (funds) in education by someone who does not own them but is entrusted with their management or control.
7	Procurement fraud	Use of fraudulent schemes to procure goods and services for education providers in view of personal enrichment.
8	Cheating	Misrepresentation through fraudulent means (including plagiarism) by those seeking formal recognition of student achievement, of the work they have done and/or the knowledge and skills they have acquired.
9	Accreditation and licensing fraud	The use of fraudulent means, including of personal favours or the prospect thereof, to obtain a license to operate, degree-awarding powers, and/or programme accreditation.

Source: (OECD, 2018)

In line with the INTES methodology, this report also gathered evidence on vulnerable areas in education which create the conditions for integrity violations to thrive, with the purpose of informing practitioners and decision-makers on how to change these conditions for the better. “Vulnerable areas” are defined as weaknesses (shortcomings or gaps) in education policy and practice which may provide education participants such as teachers, principals, parents, education administrators, with opportunities and reasons to engage in integrity violations (OECD, 2018) (Kovac Cerovic, Jovanovic, & Milovanovitch, 2019).

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Research Methodology

In line with the INTES methodology, this report also gathered evidence on vulnerable areas in education which create the conditions for integrity violations to thrive, with the purpose of informing practitioners and decision-makers on how to change these conditions for the better. "Vulnerable areas" are defined as weaknesses (shortcomings or gaps) in education policy and practice which may provide education participants such as teachers, principals, parents, education administrators, with opportunities and reasons to engage in integrity violations (OECD, 2018) (Kovac-Cerović, T. et al. 2019).

The data used in this assessment was collected through focus group discussions, individual interviews, social media analysis, and desk research. For the collection of evidence through focus groups we applied the INTES-based AIREN approach (Kovac-Cerović, T. et al. 2019), which relies on dynamic storytelling (Daiute, C., Kovac-Cerović, T. 2017). The purpose of different data collection technique was to understand the experiences connected to acts of corruption in education as conveyed by those involved: teachers, parents, civil society and authorities.

Three focus group discussions were organized with dynamic storytelling techniques to explore practices of parental contributions in various schools. At first, the piggyback focus group was conducted inviting members of the Parent-Teacher Association after their annual event in the capital city. The group was composed of 23 parents from 6 rural schools from four aimags. For them, dynamic storytelling method was used to feel out about the context. The Asia Foundation survey mentioned above served as the basis for the stories to be used in the storytelling. Four non ended stories about child to be admitted to a school, transfer a different class or school, child taking a day care by own teachers were given to the groups to write a happy ending. The group included school and kindergarten teachers and therefore it was faced some limitations. To finish the stories, when participants come out quite a few cases where integrity is violated in reality, there was a tendency by the teachers to hesitate or resist them, so other members of the group likely followed them. Key topics discussed were parental contributions, illicit access to prestigious public schools, undue recognition of student achievement and ways to prevent these illegal practices.

Second was in Uvurkhangai province, involving 5 participants including 3 herders, one NGO representative and a retired school staff. A letter with attached instruction was sent to a non-government organization, the most active in Uvurkhangai province which has been collaborated with MEA on the WB funded project of Social accountability and Community school asking to nominate participants for the FGD. The other focus group discussion was conducted in Ulaanbaatar, capital city of the country. City group included 7 people, including

representatives/parents from private sector, international NGOs, national NGOs, Mongolian National University and former public employees.

Several individual interviews were organized with education officials in Uvur-khangai aimag and UB city.

This phase was preceded by desk research, which was instrumental in the preparation of this report. Numerous documents we collected for desk research include laws such as National constitution, law on Education, Law on Anti-corruption, Law on Conflict of Interest Prevention, Law on Civil service; rules and regulations such as Code of Ethics of school teachers and administrators, School rule, Public servants Code of Ethics, National Program against anticorruption, third parties reports such as Asia Foundation, Independent Authority Against Corruption survey on perceptions and knowledge of corruption (SPEAK) and social media materials etc.

About this report

The report presents the information about the most common and current phenomenon that leads to integrity violations in the Mongolian general education system, so called parental payments (donations). Such payments may not be illicit per se, but they can be instrumental in a number of integrity violations. In Mongolia, they are usually provided under different pretexts and in various forms which represent such violations, such as payments for day care services for primary grade students as a form of improper supplementary tutoring (see Table 1) or direct donations that can be subsequently misappropriated. The report also discussed the policy shortcomings behind each integrity violation in view of providing all parties involved with an analysis of the systemic weaknesses, recommending possible measures to prevent such practices, and opening the door for further discussions at the national level.

As previously mentioned, SPEAK surveys conducted from 2012 to 2014 reveal about 28 percent of all incidents of corruption involved teachers. Therefore, the focus of this study aims more on the practices that show how justice is violated through the involvement of teachers.

The report has four sections. Section I provides an overview of the country, its education system and major education policy priorities. Section II identifies and describes the integrity violations which involve parental payments. Section III provides a causal analysis to determine what opens opportunities for the violations and what creates incentives to engage in them. Finally, Section IV proposes possible solutions.

SECTION 1. COUNTRY AND EDUCATION SYSTEM OVERVIEW

Country overview

Mongolia, with its unique challenges of dispersed population living in a vast territory, with an extreme, highly seasonal, climate, has gone through rapid changes since 1990s including transition to a market economy, uneven growth patterns and environmental challenges. Currently, the population of Mongolia is 3.2 million and it is one of the least densely populated countries in the world. By 2017, the average population density was two persons per sq. km in rural areas, in sheer contrast with the capital Ulaanbaatar, where it was 311.3 persons per sq. km. The extreme continental climate with long, cold winters and short summers makes it difficult for pastoralism which is a dominant national livelihood. Income disparity between rural and urban areas is significant, with urban incomes averaging 24.2 percent more than rural incomes.

The persistent rural poverty affects household capacity to keep children at school, and to manage 'hidden' schooling costs such as school uniforms and winter clothing, textbooks, school supplies, public transportation, school events and contribution costs. It is currently facing numerous challenges, of which the urgent need to improve quality of provision at all levels. Rates of education participation at all levels are high, with most targets for growth being met. In 2017/18 school year, 1.029 million pupils/students were enrolled in 2,393 educational institutions at all levels nationwide. However, there are growing concerns over quality, equity and governance.

Education system and reform priorities

The education system in Mongolia has been experiencing a period of reform over the past decade. The length of the basic education cycle was increased from ten to twelve years. The education system now consists of five years of primary school, four years of lower secondary school, and three years of upper secondary school. Upper secondary school is free but not compulsory. The first cohort of students to have completed the full twelve-year cycle will graduate in 2020.

Basic education enrollment has recovered with the economy. The 1990s saw a drastic decline in school enrollment ratios; the 2000s witnessed its recovery to the pre-transition level in pre-primary through lower secondary education; the current decade will likely see an extension of access in pre-primary and post-primary education. The national net enrollment rates of 95.5 percent and 92.6 percent for primary and secondary education.

As of the academic year 2018-2019, there were 803 schools operating in Mongolia. 245 of them are in UB, 558 in rural areas. 81.7 percent of schools are public, 18.3 percent are private schools. 600,400 children are enrolled in

schools, including alternative services as of the academic year 2018-2019. Only 6.7 percent of students are enrolled in private schools.

Having successfully extended access to basic education, the Government has now placed a much sharper focus on improving the quality of primary and secondary education. Available information on student learning outcomes shows alarmingly low performance, and disparities exist between Ulaanbaatar, aimag centers and soums (Administratively, Mongolia is divided into 21 aimags, and aimags are divided into 330 soums) due to the poor quality of teaching in primary and secondary schools in Mongolia.

Several challenges must be addressed if the Government is to deliver on its promise of higher quality education. Preliminary findings from different studies reveal a teacher training system that is not very dynamic and does not appear to be reaching a high level of quality in terms of preparing teachers for future service. The lack of learning materials in urban areas has inhibited the student experience. Finally, many schools have multiple shifts, and overcrowded classrooms that exacerbate quality issues.

Public spending on education remains at mid-level (compared to peer countries) at 4.6 percent in Mongolia. A system of per student financing was introduced in Mongolia in 1998. The Mongolian government provides primary and secondary schools with school budgets comprised of three components (i) A normative amount based on a per student allocation, whereby the amount per student varies according to grade and location of the school; (ii) a so-called 'fixed budget' to cover utility costs; and (iii) funding for targeted social assistance to support children of low-income families.

In principle, this system of financing provides resources where they are needed, as "funds follow students." However, the system leaves almost no scope for school managers to plan and budget as they see fit for the circumstances of their school. Without school autonomy, as is the case in Mongolia, per capita financing alone has limited impacts in improving efficiency and school accountability.

Recent research notes that lack of consistent policies, decisions emanating from political imperatives and the instability of implementation mechanisms for the curriculum system (standards, programmes, textbooks, teaching and learning environment, teacher development, assessment) at all levels of education have combined to impose limitations on making substantial and sustainable progress in providing learners with good quality education opportunities and outcomes.

National education legislation is currently used not only for the purpose of regulation and steering, but also as an instrument for implementing reforms. Yet, regulations in education and other spheres are not always enforced. Improving governance seems essential for effecting real changes, improving accountability and transparency, and implementing and evaluating policies 'on the ground'. One timely illustration of the challenge is decision-making authority when it comes to the institutional landscape and the roles of central, aimag and

soum administrations.

The phenomenon of “unplanned urbanization” is evident in public general school education, where the allocation of variable costs by MECSS stimulates competition for students between schools, even when schools may be undesirably small. As an important source of employment in rural districts, public schools are often caught up in local politics. A school may be opened in a certain community to fulfil a political pledge, whether or not the school location makes sense from a rational point of view. Nevertheless, central authorities have responsibility for the coherence and performance of the system as a whole.

Some of the changes were made without strategic visioning or balanced reflection, without having engaged in detailed studies or public discussions; and the rationale for the changes was not well explained or justified to education professionals or the public; and nor was the continuity of traditions and reforms at every decision-making level taken into consideration. This may have led to increasing the workload of teachers and students at the classroom level, decreasing the effectiveness of lessons and resulting in low level of learning achievements besides creating ambiguity and complexities for schools and teachers.

Integrity and anti-corruption context

There is a higher level of public attention to corruption and its impact. Corruption is now ranked second in terms of major problems facing Mongolia, an increase from third last year by the respondents of the 19th Survey on Perceptions and Knowledge of Corruption (SPEAK) in Mongolia, a nationwide survey of citizens in rural soums, aimags, and the capital city Ulaanbaatar conducted in 2018.

Since 2006 political institutions such as political parties, Parliament, and national government have received a worsening assessment from the general public and today are considered among the most corrupt institutions. The Anti-Corruption Agency organized the 3rd Annual Integrity Assessment in 2018 throughout the country and the most widely recognized corruption -stricken institutions in Mongolia in 2018 were compared with the results of the 2016 assessment. The court, land department, health organizations, public administrative organizations, ministries and agencies were ranked in the top five in 2016, and there was no difference in 2018 for them. Education institutions were ranked 9th in 2016, but in 2018 they moved 4 places forward and ranked 5th, thus named them as widely corrupted institutions by 41.0 percent of the respondents (Source: IAAC website).

The Asia Foundation, as part of its activities in Mongolia to strengthen governance and transparency, raise awareness, and prevent corruption, has conducted the Survey on Perceptions and Knowledge of Corruption (SPEAK) since 2006, and the Study on Private Perceptions of Corruption (STOPP) since 2012. According to the SPEAK survey, political parties, land management offices, and the mining sector are perceived to be the most corrupt. The education sector, by

comparison, is viewed as less corrupt. Citizens have greater expectations of fair treatment from the education and health sectors than from law enforcement or judicial organizations. Nevertheless, the variety and incidence of corruption in education are high enough to damage public morale, especially among the youth. According to SPEAK surveys conducted from 2012 to 2014, for instance, about 28 percent of all incidents of corruption involved teachers (Transparency, Ethics and Corruption Issues in Mongolia's Education Sector, Study Report, Asia Foundation, 2016).

The study records perceptions, observations, and encounters with corruption reported by citizens, teachers, experts, and researchers on the forms, causes, ethics and other factors of corruption in the education sector. The study also looked at the issue of donations and fees in the education sector. Of all parents surveyed, 19.5% reported making no payments or donations. In other words, four out of five households with kindergarten- or school-age children made donations or payments of some form. The receipt of these donations and how they are used, however, is not adequately reported. In about 40% of cases, no information on spending was provided; only 50% of respondents said teachers informed them how their money was spent; while fewer than 10% said that school managers had given them this information.

The findings demonstrate that the public has little access to information about how much is collected in fees and donations over the entire sector and how this money is spent. Moreover, the fact that most of these donations and payments pass through the hands of teachers with little oversight or reporting has bred public suspicion of conflicts of interest and corruption.

In most cases, unethical conduct and corruption in the education sector are connected to attitudes of parents, the budget and financial resources of the sector, and the salaries, remunerations, and working conditions of the personnel. This unethical conduct has become more or less normalized in the education sector — respondents may object in principle, but in practice they tend to acquiesce.

Respondents displayed a limited understanding of the donations, fees, and formal and informal charges, and did not cite any administrative measures to address the root causes of corruption and conflict of interest. Teachers and staff criticized school directors and headmasters, their ethics, and the inappropriate influence of political parties and political authorities. Just a few out of over 1100 respondents thought that budget expenditures, particularly for large-scale projects and procurements, are free from corruption, while the majority believed that these practices are corrupt. Sixty percent of respondents think that oversight currently in place is inadequate to control ethical misconduct and corruption in the education sector.

SECTION 2. IMPROPER PRIVATE SUPPLEMENTARY SERVICES

Before describing tutoring as an improper private supplementary service (IPSS), which nowadays causes the violation of integrity, it is worth mentioning what is the permissible opposite of such tutoring. Private supplementary tutoring is instruction in subjects of relevance to student progression and graduation which is provided for a fee and takes place outside of regular school hours (Bray and Lykins, 2012). The purpose could be to better prepare for assessment and examination, understand specific parts of the curriculum or excel in academic competitions.

Tutoring can be perfectly legal and even desirable, for instance when it is provided free of charge and/or for enrichment purposes. However, some forms of supplementary private tutoring can be an integrity problem for which tutors could be held liable, for instance when the tutors are schoolteachers who tutor their own students from school privately for a fee (Bray, 2009; OECD 2018). This creates a conflict of interest and may lead to illicit conduct, for instance when teachers make the participation in their tutoring services a condition for passing exams.

The INTES typology defines this form of tutoring as an “improper private supplementary service” and an integrity violation which teachers or other professionals provide “privately and for personal gain in addition to their regular work in education, to students and in subjects or areas which they teach or otherwise cover in that regular work, with the purpose of student advancement and/or support” (see Table 1).

Here, we discuss about two manifestations of such improper private tutoring services. One is when teachers tutor students in the form of paid, supplementary daycare services. The other is when teachers conduct so called in-depth, special, elective classes after school hours and during the school break, for which they and charge fees. The next sections discuss these two forms of IPSS in more detail.

Improper tutoring through daycare services for primary school children

According to the Law on Education companies, organizations and citizens carrying out educational activities other than schooling may provide assistance to children and adults in obtaining and improving professional education according to special programs and daycare services (Article 18.1).

“Day-care services” means services that are outside school and provided by separate providers according to the parents request and on the basis of the agreement with the individual that the that the services shall be carried out in a healthy and safe environment for the care, protection and development of children.

For primary school children, parents spend money on private tutoring in the form of such services. Although it meets busy parents’ needs, the attitude of teachers that using it as an additional income-generation source is a major concern. The issue is that teachers provide such services to their students and

on subjects they teach. Teachers tell parents that the child is not doing well in school, advising or insisting kindly to take the tutoring via daycare services.

Some 75% of the instructors at those centers are former and present teachers. The majority are primary education teachers, kindergarten teachers and Mongolian language teachers. But, in not few cases, it is the schoolteachers providing the daycare services, i.e. meaning that they have a double employment. Teachers doing double duties except basic work, operating daycare without any official permission, as well as covering and charging fee from students they teach (although some parents want to), providing advantages to students who attend her daycare, not reporting on income earned and not paying taxes violate Education law, Violation Act, Ethical Codes of Teachers, Administrators, and other staff, Public Servants Code of Conduct, and Law on Child Rights, etc.

By law, class teachers shouldn't organize tutoring to their own students for fee. However, usually it is in shadow form and people know about it through individual connections, acquaintances, and friends. In many cases, for example, a retired or another teacher runs day care, and a class teacher sends their students and then the income is divided. The payment ranges between MNT 30 000 to MNT 400 000 per month.

Most of the participants of focus group discussions mentioned that teachers rather work high achievers during school hours and don't work with low achievers and instead "kindly" force parents to send their children to daycare.

My child's teacher runs a daycare for their students after the class renting 2 room apartment. It costs MNT 250 000 a month. Quality of service, especially meals are not good and there is no noticeable change in my child's achievement, so I wanted to quit, but I am afraid of her negative attitude towards my child.

Parent participant

Also, at the interview with the Social Policy and Development Department education officer it was mentioned that in the countryside, particularly in aimag center, parents complain a lot on growing number of such services carried out by young, newly graduated teachers, possibly due to low competences and experiences, and low pay of teachers who are just at the beginning of their careers.

It can be assumed that this service is more in demand during primary education years, can be operated and stopped at any time because there is no formal oversight and control system, or can be operated when money is needed for the owner, lack of available or experienced human resource, etc. 80% of children enrolled are at their 1st year and three fourth are children of age 6-8, which is of 1-3rd grade of primary school. In addition, one of every two centers has no basic information of children enrolled, and no any written agreement established with parents.

How is it affecting child and his/her parents?

- It may cause some discrimination/favoritism issues on children who are not attending teachers' private tutoring. The majority of FGDs revealed that the children from lower income families cannot afford the fee for daycare services that own teacher organizes, even they have an academic need. These children likely to lose opportunities to attend various art, cultural, sports events and perform on behalf of class, etc. Or the child of someone who knows a teacher well gets more chances. Children always like to entertain, perform and show up in front of the audience. Or there is a tendency to show an ambivalent attitude to the child of someone who asks, positively criticizes, urges for the responsibility.

My child 's teacher runs a daycare for their students after the class. I don't send my child to the daycare because my husband looks after the children. But after some time, my child begs to go to the daycare. The reason he says teacher is very nice with the children who attends her daycare and very rough with him even hit him for having low grades.

Parent participant

15

- Teachers must be at school for 8 hours a day. So, they have a limited time for operating and tutoring at their daycare center and in most cases, children stay accompanied by nonprofessionals such as teachers' family members and friends. At most daycare centers, there is not sufficient air for children to breathe, space to play and run, but rather sitting and doing homework.

It is unfortunate that many parents are being reconciled to pay for their children's detainment by so called daycare providers.
From social media Eagle News of September 2019

Improper tutoring through elective classes after school hours and during the school break

Also, as a right by education law, school is allowed to organize special, in-depth program, elective classes and a teacher shall have a right to elect students and organize professional and special courses.

In addition to these enrichment classes, any teacher can offer remediation/repetition classes if he/she thinks that students need them. During the FGD with parents in Uvurkhangai aimag, it was mentioned that, during a school break usually teachers announce and conduct fee-based repetition class to students and it costs MNT 5 000 per hour, each day one or two hours, total

5 days, it makes 50 000 per parents. They said they accept it for the sake of their children, but get disappointed because in addition, in many cases parents have to buy additional materials and handouts, and they do not have clear information on the purpose, content, volume and its importance. In order words, they don't know what policy does exist at the school regarding these fee-based classes or remediation.

This practice can also show direct violation of the Ethical Codes of Teachers and Administrators, and Other staff of the School articles 4.1.3. Not to use the institution's property assets for personal use; and 4.3.2 Prevent deducting a leisure time of children and harming the child's rights and health for achieving own success.

Our 3 children go to one of the good, upscale school. We send elderly child to English specialized class that school organizes and pay as annual fee of 200,000 MNT. In fact, it does not have a difference from regular class in its content and organization. It is conducted after school like a repetition class of what was taught during regular hours. My child gets tired for staying long hours after school. The quality of the training is inadequate, and we don't know by what policy school manages it. There are were 20 children in the beginning, and now there are 40 children. School explains that the tuition costs are to be spent for teachers' overtime.

Mother of child from one of the upscale schools

In some cases, parents push/pay to enroll their children in in-depth classes when their achievement is not so high, later a child performs much lower comparing herself/himself with the rest of the children and he/she loses confidence and faces socio-emotional problems. Sometimes parents send him/her to remedial classes, and it worsens the situation and child leaves school or involved in risky activities due to high level pressure and being not able to cope with stress and anxiety.

Teachers work extra hours to do remedial/repetition classes and it may impact on their teaching quality. Without proper rest and preparation for the lesson the quality of teaching in the classroom may be affected.

Teachers are not allowed to conduct remedial classes and repetitions on their taught subjects so they send students to the retired colleague or colleague in other school for remedial paid classes and share the payment.

Teachers ask parents and students to purchase expensive textbooks, handbooks developed by printing companies or colleagues on the name of in depth content of the subject and gets percents from that company and person.

My child got poor marks at the entrance test to the in depth class and could not enter it. But after some time I notice that those children who did not qualify at that time entered the in depth class. I found out later that I had not given to the principal and teachers some amount of money to get access to it. I begged the classroom teacher to help but she said no way to get to.

Parent Participant, Uvurkhangai province

These two violations are interrelated. Usually parents send to the remedial/ repetitions classes from junior level to help their children pass the entrance test to the in depth classes later. So, they pay double cost.

Vulnerabilities which open opportunities for the violation

Daycare services

Despite the problematic integrity implications, there is not much in place to slow down the proliferation of daycare services. Day care centers do not get any special permission/license and any operational requirements are not required to comply with, thus operate without any control. In other words, it is open to any individual to operate this type of activity. Because, there are no standards and requirements for day-care centers, therefore no formal inspection is performed.

There is no license for daycare centers. At first, we went to the Ministry of Education, Agency of Children and Development to find out how and where to obtain permission. No one knows about any legal act and advised to approach Professional Inspection Agency that they inspect hygiene requirements.

A manager of a daycare center.

In the reality, the provision of having contracts between a parent and an organization does not apply. The day care centers have almost no contracts with parents. Parents' understanding of contracting and mutual accountability is also inadequate. For both parties, the important is if payment is paid or received. Therefore, the development and protection of children in daycare centers is not good quality. There is no official standard for daycare centers exist for many years. However, in the 2018-2019 Action Plan for the Implementation of the National Program of Child Development and Protection which was approved by the joint order of Ministers of Health, Minister of Education, Culture and Science in February 2018, it is stated that the standard shall be developed, adopted and enforced. The MECSS is responsible, jointly with the GASI for the standard development and implementation. But it's yet unclear whether the standard is currently in place. It means that quality assurance mechanism for day care

centers is underdeveloped.

Even though there is no licensing authority to operate daycare centers and it is still not clear what ministries and agencies they belong to. There is also no clear, visible address and signs of daycare centers, no official registration. So, to get information about them, you have to rely only on a study done by the Family, Children, and Youth Development Agency in 2018.

Elective classes

Schools are allowed to organize specialized or upgraded classes/programs for students for fee. This creates much interest for schools to gain some income. Parents are not satisfied with the quality and the way they organize such classes.

Our 3 children go to one of the good, upscale school. We send elderly child to English specialized class that school organizes and pay as annual fee of 200,000 MNT. In fact, it does not have a difference from regular class in its content and organization. It is conducted after school like a repetition class of what was taught during regular hours. My child gets tired for staying long hours after school. The quality of the training is inadequate, and we don't know by what policy school manages it. There are were 20 children in the beginning, and now there are 40 children.

School explains that the tuition costs are to be spent for teachers' overtime.

Mother of child from one of the upscale schools

In general, for parties involved, there is a lack of comprehensive knowledge and understanding of ethical rules and it is not clear who and how the fee system and school oversight works when teachers engaged in organizing special, elective classes and remediation/repetition hours after school hours and during school break.

Guidance for payment setting must be provided by MoE and school council sets final payment for in depth classes. But in reality, MOE has not set any norms for it and school councils are not functional and dormant for many years.

According to the Regulation adopted by Minister of Education a teacher who conducts in depth classes get additional salary equivalent to up to 30% of students' payment. The rest of the payment should be spent on school facilities, learning materials, handbooks, teaching supplies. Professional inspectorate of education has oversight function, but its monitoring tool is not efficient. Provincial/city education departments has a responsibility to approve curriculum and learning plan and monitor implementation of requirements for teaching staff, textbooks and learning materials and facilities, but due to limited number of staff at the department it is not done properly. Budget for visiting schools in soums far away from each other is not enough.

There are more cases reported to the provincial administration about remediation/repetition classes after school hours and during school break by teachers, especially primary school teachers. Also, complaints by the parents are recorded about poor quality of remediation/repetition classes conducted by newly graduated teachers. We have initiated discussions how to regulate it at the provincial level, how to monitor, whom to allow to teach in those classes.

Education specialist, Social policy development Department, Provincial Government

There is no specific regulation regarding remediation/repetition after school hours and during school break. Parents ask for remedial classes for children in the cases like herders' children had no opportunity for pre-school education due to remoteness or children of herders are staying 24 hours in the dormitories without parental supervision and there is only one teacher who helps with homework. Big class size of 40-60 children in primary classes also creates a demand for extra instruction for some low achieving children.

From the point of view of teachers, improving outcome of students is one of the performance areas by which all teachers are evaluated by the education managers on behalf of school principals. Based on the performance results/scores teachers get up to 45% of base salary as a quarterly performance bonus. So, teachers are interested in having such remedial classes if they have time and space for it.

In addition, there is no proper complaint mechanism for parents so most of the cases are not solved and not responded properly. Education department officials warn school principals, direct them to stop the cases and do inspections when they visit schools and give recommendations. Teachers Ethics Regulations is not enforced fully, so teachers are not punished for violating it.

Vulnerabilities which fuel distrust and motivate participation in the violation

Daycare services

"Day-care services" means services that are outside school and provided by training/educational organization according to the parents request and on the contract basis and that services shall be carried out in a healthy and safe environment for the care, protection and development of children.

One of the biggest issues for the public employees in densely populated Ulaanbaatar is the traffic that makes their life hard in taking to and picking up their children from schools. For the parents, many such issues are solved by choosing daycare services, for example, parents are able to do their job leaving

their kids under teacher's supervision, not leaving them at home. Plus, these centers mainly focus on helping with homework.

There is a lot of interest and a tendency by parents to give their children to a good school, upgraded class, and/or to a good teacher. In short, such requests continue lasting from the beginning of school year. Our two schools are awarded among the top 40 schools nationwide. One is math and art specialized, the other one has been a laboratory school for many years. There is much competition for few good reputation schools because they select students. It is true that making a promise in exchange.

Social policy department education officer

Elective classes

From the point of view of parents, quality of education at primary and secondary level is perceived as low by a society as a whole and parents. It is proved by the recent policy review "Learning achievements at all levels are below 60 percent and are a particular cause for concern in lower and upper secondary levels. The average content knowledge score across primary grades was 56.0 percent, lower secondary 46.0 percent, and upper secondary 37.0 percent". (MIER, 2019).

So, parents are eager to enroll their children in in-depth classes to increase their achievement and increase their chance to be entered the university.

I adapted to the situation, I paid money for in depth classes and repetitions for my child. I think my child is lucky to have this kind of chance and he/she likes it. It is good thing for my child, it is usual here, so I pay for it.

Parent Participant

SECTION 3. MISAPPROPRIATION OF PARENTAL PAYMENTS IN EDUCATION

Misappropriation in this report means the intentional, illegal use of the funds of another person for one's own use or other unauthorized purpose. It can particularly refer to when done by a public official which is here school principal and teachers. It is not about stealing money, but more about the use of parental donations for other, illicit purposes such as securing of access, extra classes and so on which can be named of misapplication of funds which is a situation where monies are actually used for a purpose that they are not intended for. The funds are merely improperly used within the public institutions.

In Transparency, ethics, and corruption issues in Mongolia's education sector, Study report, Asia Foundation, 2016 survey, 14 questions were asked on the Perception and understanding of ethical misconduct and corruption in primary and secondary education sector and respondents widely believed that parents always, often, or sometimes use bribes, connections, or position to enroll their children (70%), change their classes (62%), change their grades (61%), or secure scholarships (47%).

The practice of teachers being involved in the process of money collecting has now changing, and nowadays it goes through councils of classroom parents, repeatedly mentioned by participants of all FGDs. Although, it is claimed as parents' voluntary initiatives on behalf of the council, and the teachers seem unrelated, though in fact, there are teacher's indirect involvement and impacts. The teacher appoints someone close to and who is her/his acquaintance or a friend as chairman or an influential member of the parent council. They serve the teacher side.

It used to require a lot of money for graduations, celebrations and gift to school and teachers. Today, it is ceased to some extent, but is still somehow common that parent councils create various secret arrangements. Parents resist, but nothing works out.

However, you can understand and accept the parents who gave a gift to a teacher to express their gratitude for their well-trained children. But it is difficult to distinguish such practices from its hidden characters.

Parents also pay salaries for assistant teachers. The primary school teachers have recently had assistant teachers since they have many children in the class, i.e. there is a high student teacher ratio. The assistant teacher is usually a graduate student of the Mongolian National University of Education. Each parent is said by a teacher to pay MNT 10 000 per month as the salary of assistant teacher. However, it is unknown how much is actually given to them.

Parents are asked and required to purchasing books developed by others from a teacher. It's almost a network that the teacher gain benefits from selling for them. Even there is such pressure on the teachers of rural schools that they have to buy handbooks of few pages produced by center or urban school teachers. The main reason to buy them is they may be used for the exam.

Parental payments: forms, purposes, and illicit use

Although the Constitution guarantees general education as free, there are certain informal payments that parents still pay for education of their children. For the following purposes and forms informal payments are made by parents to the schools/teachers of their children. They have been frequently mentioned during all focus group discussions as a proof of idiomatic word of mouth, in other documents and in social media as well.

1. Celebration of holidays (graduation, new year, teacher's day, etc)
2. Excursion
3. Art performance contest (to purchase costumes, make up, decoration, etc)
4. Classroom renovation and furnishing
5. Class fund
6. Stationary
7. Purchasing of printer for a teacher
8. Fee for classroom cleaning (for primary grades in some schools)
9. Paying the salary for an assistant teacher in primary education
10. Upgraded or specialized or elective class
11. Class change and school admission (Access to education)
12. Buying food for teachers who give exams
13. Private supplementary tutoring
14. Buying books, handbooks developed by teachers
15. Lending money to teachers

If we rank among them by the frequencies and the number of participants of all FGDs that expressed them, **private supplementary tutoring, parental contributions and payments, and illicit access** make up the most adverse issues, in other words they happen in an improper, illicit and unethical ways, because, forcing, making pressure from teachers, charging any different fees, class teachers involving, reporting on money collected are the causes of them. The latter two issues are clustered in the assessment as misappropriation of education funds as the concerns lie within how the funds, collected as donations and/or fees, are handled. This study aims to focus on two issues in detail, namely, private supplementary tutoring, parental contributions and payments.

Nº	Reason for requesting parental contributions	Frequency of mentioning
1	Class change and school admission (Access to education)	15
2	Upgraded or specialized or elective class	12
3	Private supplementary tutoring	12
4	Classroom renovation and furnishing	8
5	Class fund	8
6	Buying books, handbooks developed by teachers	8
7	Stationary	6
8	Purchasing of printer for a teacher	4
9	Fee for classroom cleaning (for primary grades in some schools)	4
10	Paying the salary for an assistant teacher in primary education	3
11	Art performance contest (to purchase costumes, make up, decoration, etc)	3
12	Buying food for teachers who give exams	1
13	Celebration of holidays (graduation, new year, teacher's day, etc)	1
14	Excursion	1
15	Lending money to teachers	1

10 out of 15 forms of informal parental payments to school described by participants of all three focus group discussions are mainly mistrusted as misappropriation, because they are not reported back.

There is no reporting back to the parents. Last spring 25,000MNT was collected from every parent to purchase a curtain for the classroom where my child attends. But after several months curtain is not purchased. I asked myself several times a teacher about the curtain during parents meeting and through Facebook posts, she refused to respond.

Parent participant

There are schools that used to report at least to some extend as within the law on Glass account, while many not.

How is it affecting child and his/her parents?

Schools charge money from parents for classroom renovation in a spring mainly, some schools at the beginning of school year. The amount of money differs between schools and classrooms around 10000 -150000₹ per year (4-50

Euros). Overall, paying all this money is making a heavy burden on families.

These kinds of informal payment in education affect the poorer, even average families, which then hurts children. Teachers discriminate against the child and parents who have not been given money to 'donate', or bought so called educational materials in a way such as bad-mouth and keep them down. Both, parents and children feel ashamed and uncomfortable.

Parents meeting agenda is all about money. It is very shame that parents who have not been yet paid are repeatedly reminded and called by their children's names through parents Facebook group.

A participant parent

In places where there is high unemployment, in rural places, young parents use their retired parents' pensions for that. Herders and poor households and their children are more affected. They do not have enough information, lack of understanding, and they cannot express well their voices. They get afraid if that affect the achievement of the child, and if then achievement of class and school or the child may have trouble. Therefore, they just try to give everything that was asked for the sake of their children.

I work at local market selling some products and I handle cash all the time. My children's teachers always want to borrow money from me. If you resist, your child may have trouble. If sometimes I can't help this way, I give them at least some local, homemade food products in exchange.

Parent participant of FGD

Vulnerabilities which open opportunities for the violation

Schools are legally authorized to get donations, assistance, and support from parents, or parents are obliged to give. It is a very recent decision by Education, Culture, Science, and Sports Minister (August 2019, a/508 decree) that it allowed schools or made schools obliged to conclude a contract/agreement with parents, caregivers and guardians of students and the model template of it has been approved. In it, the rights and duties of the parents include that parents provide donation, assistance and support once a year for ensuring hygiene and safety, improving the environment, renovation and maintenance of their children's classroom. In turn, schools shall report on these donations, assistance and support from parents, and its expenditures in transparent and open way. The government claims it under the provision of education and budget laws. But there is a distortion in its implementation, because there are no monitoring mechanisms.

Donations are voluntary and willing. Assistance and support can be in any form such as monetary, material, and emotional, etc. But in current documents, they are all listed without the specifying differences between them, i.e. misconception. Therefore, it opens opportunities for schools and teachers to mostly prefer money. In reality, schools and teachers insist parents to give monetary donation.

Besides, schools charge very different amount of donations, because it does not have any supporting documents.

There is a lack of obligations to report for school administrators. In the abovementioned regulations a teacher is obligated to report back to the parents on collected donations. But many times monetary donations or support is collected by school administration mostly through teachers. Teachers are not in position to insist school principal to report back to the parents due to hierarchy and authority in the education system.

There is no rule for accountability and financial reporting on parental donations in support of the schools of their children. The amount received from parents is never recorded in the school financial statements, so school accountant and principal are not accountable to anyone. Education department, state treasury fund is not obligated to demand reporting on parental donations. School inspectorate ensures only prohibited illegal payments have been made or not by the parents to the school.

According to the Budget Law a school is not allowed to have more bank account permitted by the State treasury and any assets deposited would be spent with strict control and permission from the treasure according to the approved budget. So schools avoid those complications and most-if not all-of the contributions made by parents are directly managed by those parents and are not captured in school accounts. If those donations were not transacted through school bank accounts school administrators are not accountable for the amounts spent. Even school administrators report they will handout excel sheets only, they are not obligated to show all financial supporting documents and vouchers to the parents or inspectorate.

There is no rule to record purchased assets by parental donations to the school asset register. So teachers and school principals misuse equipment or furniture bought by parental donations.

A book shelf, a wardrobe, a water boiler, floor texture, vacuum window were purchased by parental donations, but next year all disappeared with the teacher. We had to collect donations again to purchase those things again.

Parent Participant, UB

Vulnerabilities which fuel distrust and motivate participation in the violation

Ethical codes of teachers, administrators, and other staff in schools describes ethical norms that a teacher shall comply are clearly defined in five areas: Prevention of Conflict of Interests, Prevention of Discrimination, Prevention of Abuse, Prevention of Pressure and Coercion, Prevention of Receiving Gifts and Bribery.

4.1 Prevention of conflict of interests

- 4.1.1. Endure illegal financial and property relations with children, parents, communities and co-workers in connection with the course of study and learning;
- 4.1.3. Not to use the institution's property assets for personal use;
- 4.1.4. Shall not carry out double duties or obligations except for basic work, unless the laws allow;
- 4.1.5. Avoid persuading children, parents, or caretakers to purchase equipment and supplies, and avoid earning illegitimate income;
- 4.4.5. Not to sell goods, training materials or other items, not to require payment, fees, donations that are not specified in law, and refuse to accept them;

4.2. Prevention of Discrimination:

- 4.2.1. Not to discriminate a child by family status, development, and ability to learn, and to evaluate the student achievement realistically;
- 4.2.2. Shall not discriminate parents, guardians, the public, and their colleagues by age, sex, personality, position, knowledge and experience and respect and solidarity;

4.3. Prevention of abuse

- 4.3.1 Not to insult children, parents, guardians, co-workers and not degrade;
- 4.3.2 Prevent deducting a leisure time of children and harming the child's rights and health for achieving own success.

4.4 Prevention of Deportation

- 4.4.3 In conducting education and training activities among children, not to force on behalf of the name of school
- 4.4.5 Shall not sell books, training materials and other items and shall not require any fees, payments or donations not specified in law; and refuse to accept them;

4.5 Prevention of Gifts and Bribery

- 4.5.1. Refuse receiving and giving bribes and gifts from parents and students for own work performed, and not to mediate;
- 4.5.2 Not to lead children, their caretakers, and parents' councils to organize expensive gifts during official arrangements such as graduation and enrollment;
- 4.5.3 Ensure timely and fair reporting on the fees, payments, donations, and capital expenditures;

Violation Act

- **Chapter 9.1.1 and 9.1.5 Violation of education law.** Here it states that there will be a fine of 20 units for a person that forced students to buy and pay books or products or charge any fees that is not allowed by law; illegal revenue shall be collected and refund students when establishing educational institution and organize activities for profit without obtaining a license specified in the law and plus a fine of 200 units.
- **Chapter 10.19 Avoid paying taxes.** If the person responsible for paying the value added tax manufactured goods, sold, performed work or rendered services without registering with the tax authority, it shall recover tax and is fined an amount equal to the tax amount to be recovered.

Public administration and service employees Code of Ethics.

- Report accurately to authorized body about own assets, income status and changes in them.
- The Public servant Ethics Board is to be function under each state administrative and service institution. In fact, it is not clear whether this board exists, but schools and teachers often talk about the internal supervisory board.

27

At the local level, as on the example of Uvurkhangai aimag, where FGD and individual interviews organized, complaints often arrive on health and education sector matters through the hotline services and also through inspection. Most complaints are about school and teachers collecting money from parents.

Actually, donations for improving the environment, renovation and maintenance of children's classrooms which has been carrying complaints over the years has formalized by recent regulation of Education, Culture, Science, and Sports Minister (August 2019, a/508 decree), and local authorities aware and speak about it, and the other kind of payments are still required from parents to pay.

In current documents some terms are very generic, which can be misled. For example, donations are voluntary and willing. Assistance and support can be in any form such as monetary, material, and emotional, etc. In reality, schools and teachers insist parents to give monetary donation, support and assistance i.e. misconception. It is open for schools set their rates.

According to the MOE statistics education expenditure as a percentage of GDP has been decreased from 6.1%-4.3% between 2010 and 2018. Investment of education sector was extremely low and stagnant since 1990. It was increased drastically since 2018 budget year and it was expanded to meet needs of increased school and kindergarten population, in other words, new kindergarten and school buildings were budgeted mostly.

The per student amount by which schools are financed has to be revised every year to reflect annual price changes by Government decision. However,

since 2016 it has not been reviewed and except increase in teachers' salaries no other normative means have been increased to reflect changing market prices. This pushes school administrators to opt for parental contributions to cope with budget deficit.

A finding of Education Budget Review reveals that 70% of primary and secondary budget goes to salaries of teachers, nearly 20% is spent for school heating and electricity and only 2% is spent for teaching and learning supplies and stationeries. The shortage of funds for these other variable costs are seen by many school principals and instructional managers and accountants as a key obstacle to the delivery of education quality.

School budget tracking CSO survey analysis identified that school budget is not realistic and insufficient for efficient service delivery. Only 3% schools fully provide stationeries and supplies for teachers and 47% has no provision from the schools. 36% teachers get support from parents to purchase materials for effective teaching. Its findings show that budget items for learning materials, supplies, equipment for laboratories, field trips, stationeries, books, renovation and maintenance, cleaning supplies, and extracurricular activities are so limited that they are forced to cover from parental contributions. There is a tendency that year by year budget allocations for those budget items have been decreased as we see from the Budget review for 2013-2017.

When compared to the normative budgets allocated for schools' operational expenditures, parental contributions are negligible for rural bagh schools but substantial for the larger aimag and UB schools.

SECTION 4. CONCLUSIONS AND RECOMMENDATIONS FOR ACTION

It is worth mentioning the actions to prevent violations and corruption by the respondents of SPEAK survey of Asia Foundation in 2018. These actions include strong enforcement measures and punishment, increasing public employees' salaries, transparency in administrative decision-making, strengthening state control over public administration, strengthening civil (non-government) control over public administration, building public awareness, and consistency of implementation of rule of law. The most popular 3 choices were strong enforcement measures and punishment, consistency of implementation of rule of law, and strengthening civil (non-government) control over public administration. Within this framework, and based on the focus of this research, it proposes following areas of consideration.

Priority 1: Legal environment for daycare services at national level.

Parents are forced to send their primary school age children to daycare centres which are run by mostly classroom teachers due to their full time employment and sometimes to get favors from the teachers towards their children. At the same time parents served by those centres are not happy about conditions and services provided at those centres, but there is not enough regulations to protect their interest.

A more coherent set of regulations is needed for the operation of daycare centers - clear, detailed and sound standards and operational requirements. One of the important points in the regulations should be regarding whether private supplementary services be provided by full time school staff/teacher. At the same time, it is important to strengthen the implementation of the regulations through inspections and awareness raising.

Priority 2: Effective hotline service operation at local and community level.

Many types of corruption-related conduct in education can happen at school level, it can be widespread in some areas, with a considerable negative impact. They are also entirely in the remit of education authorities to address but parents and public are not empowered or aware to report to the relevant authorities due to sensitiveness of the issue.

Efficient and fair operating phone hotline service is very helpful and important. Relevant procedures and regulations should be developed, and public awareness should be improved so that the complaints and concerns can be shared/informed to the local and municipal authorities. There are examples of good practices in municipalities, therefore, this could be improved and disseminated nation-wide.

Priority 3: Strengthening a national system and framework for monitoring and verification of public policies, plans and programmes

The education system, for example, experiences high turnover of human resources, and frequent changes in policies and priorities. It was often observed that regulations in education and other spheres are not always enforced and it is used by school principals and teachers to be involved in the corrupt behaviors and unruly practices. Improving governance seems essential for effecting real changes, improving accountability and transparency, and implementing and evaluating policies 'on the ground' in the sector.

In order for this to happen a strategic monitoring function/unit within the MECSS is needed to be established to monitor policy implementation. Its role would include the development of potential indicators, including on inclusion and equity, in consultation with the Mongolia Institute for Educational Research and relevant stakeholders. It would review the existing national system and framework for monitoring and evaluation of education policies, strategies, plans and programmes; and support identification of the main partners or stakeholders responsible for monitoring and verification of implementation processes. This should also be in coherence with the work of Education Inspection Department within the State Specialized Inspection Agency.

Priority 4: Strengthened Ethics Councils at local and upper levels

Ethics Councils were established over a decade ago at school levels. So far, very few complaints about the ethical conduct of teachers were received. But no complaint does not necessarily mean there's no problem. Complaints from parents and other citizens are not properly investigated and solved due to low capacity at school level and nature of the cases. Ethical Councils fail to conduct oversight or impose sanctions on ethical violations and corruption.

Building the capacity of the Ethics Councils that are formally established at the district and provincial as well as national levels rather than at the school level, so that the structure works efficiently. Since the Code of Ethics of School teachers and administrators, School rule, Code of Ethics of Public Administration and Service employees and other laws are quite comprehensive, it should be strictly enforced, and those established structure called Ethics councils should be strengthened.

Priority 5: Greater involvement of parents and community in school governance

70 percent of all schools in Mongolia are small size schools serving the rural communities. Most of the parents are illiterate, unemployed and powerless compared to very few schools which are located in the city centre. It means that

problematic conduct and behaviors of teachers and school authorities are out of control of parents' organizations or school councils. Engagement of parents in school affairs is long-term standing issue in the education sector even though it is necessitated by remoteness of the schools and not frequent inspections and oversight by relevant authorities.

Parent engagement in school life is becoming more and more prominent in and it is seen as an important piece ensuring the social accountability at school level and in the wider education sector. There are new regulations and policies that are enabling and encouraging parent and community engagement and there are good practices that need to be shared widely so that parents and the community are involved in the governance and decision making as well in monitoring the services. This could improve the transparency issues that arise with parental contributions and donations.

Priority 6: Increased education financing

Experience shows school repair expenditure, whether as part of capital or recurrent expenditures, is very low. Within recurrent spending, 'renovation expenditures,' the only expense category capturing repair expenditure, never exceeded 0.02% of recurrent spending between 2005 and 2018. According to the Teachers Union that expenditure on classroom learning materials is extremely low, accounting for under 1% of recurrent spending on education. With limited government spending on renovation of classrooms, learning materials and supplies, schools are forced to largely finance these items including through contributions from parents, fund raising, or funds raised by the local governments.

Education financing should be increased to facilitate improved quality education services, and more attention must also be given to increasing the efficiency of funds allocated to schools. As well as reviewing financing in the context of the strategic policy direction, national and international commitments, attention is needed to optimise the salaries and welfare of teachers and other employees, as well as investing in the social protection, care and safety of students at all levels. Costs related to the maintenance of school facilities and equipment should also be included in the budget so that additional donations and similar should not be collected from parents and caregivers.

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