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ACTIVITY REPORT for the MATANEL FOUNDATION

Name of the Program: Rights in Education

Year of activity: 2013

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State of the program and plans for 2014

In January 2013 a new government was elected and a new Minister of Education, Shai Peron from the Yesh Atid party, was appointed. Peron used to be active in a movement called "Hakol Hinuch", the Movement for the Advancement of Education. Their agenda includes strengthening public education, as well as reducing the effect of standardization and tests in schools. In the past Hila cooperated with this movement as part of the coalition to limit extra curriculum hours funded by parents.

The first year of Peron's leadership of the Ministry of Education brought a lot of announcements of change but in effect little action was taken. His most important declaration was reducing matriculation exams and their format which only resulted in the formation of a committee that will decide on the issue. Once in a while Peron does press releases declaring an intention of reducing this or that subject which leads to a small public discussion. However the committee has not yet finalized its conclusion and a new policy is not yet officially declared.

In 2013 we saw a *positive development with the suspension of Meizav* exams a decision that was influenced by Hila's legal action. Again a committee was appointed to examine the Ministry's policy on comparative exams as to date the committee has not finished this work so the results are not clear yet.

We were also successful with our demand to *translate General Directives to Arabic*, a demand that was accepted by the Ministry and materialized by end of 2013.

Peron managed to initiate a *summer program for kids up to the age of 9* which was declared recently, in doing this he attended an issue that was brought up in the 2011 social protest: School kids have very long holidays that do not match their working parents which put great stress and economic burden on them.

On other issues Peron showed a lot of good will but no results have been seen. One example is Hila's appeal about pupils with learning disabilities he responded very positively and promised to check the policy but has not done anything yet. Consequently we intend to submit our appeal on the same in 2014.

On the other hand it seems that Peron is surrendering to market forces i.e. parents from wealthy backgrounds who are pushing to enlarge parent payments to schools and enhancing the possibility of unique schools to collect parent fees and conduct selection processes. This was apparent with the publication of the draft of the general directive formalizing these demands. Fortunately we were able to stop this action through advocacy efforts see below.

Another *worrying development is the law proposal "State Liability to education"*, that does not secure public education access for all pupils, rather it defines the state as the regulator of education and the major but *not only* funder. The proposal is non comprehensive, allows the ministry to set regulations about private funding on top of the public funding, does not protect teachers' rights and changes the system of educational budgeting. This proposal was initiated by "Hakol HaHinuh" who managed to get signatures from about 25 MP's across the political parties on a law proposal. After finding that there is an intention to start the legislation process in 2014 Hila started acting to prevent this bad piece of legislation from going further.

In this context the same coalition is preparing for a *discussion in the education Knesset committee about privatization of the Israeli education system*, initially the session was planned to take place on January 28th but was postponed. We have written a position paper to be sent to the Knesset committee and the other attendants in the discussion and also intend to attend the discussion and voice our stand.

When it comes to the information and consultation center Hila plans to further expand our work in Arabic society especially in parent committees and women's groups and we have also started working in Ethiopian absorption centers giving workshops and supplying consultation to Ethiopian immigrants who arrived in the recent 2 years.

Evaluation of Hila's Legal Action and Advocacy

1. Translation of the Ministry of Education's General Directives into Arabic.

***Background:** The Ministry of Education issues approx. 10 general directives each year and most educational procedures and conduct is determined in these directives. The directives are only issued in Hebrew and are not accessible to Arab parents.*

In the beginning of June 2013, Hila sent a letter to the Ministry of Education with our demands that major directives relating to pupils and parents rights should be translated to Arabic. The letter was signed by Hila, the Ramat Gan Legal Clinic, the Arab Parent Union and Unicef.

Following that, the Ministry decided to translate its directives to Arabic. Directives in Arabic appear in a special link once you open the search engine for the Ministry's general Directives: <http://cms.education.gov.il/EducationCMS/Units/Owl/Hebrew/Nehalim/HozreyMankal.htm>

2. Security cameras in schools

Hila joined the Ramat Gan Legal Clinic in demanding that the Ministry to **regulate the usage of security cameras in schools**. In many cities security cameras were put in school court yards without proper legislation securing the privacy of pupils and regulating who is allowed to be exposed to the footage taken.

Despite the hostile reaction of the former general manager (see 2012 report) who claimed that there was no problem with the way security cameras are placed in schools, we got some good news in the middle of 2013:

The Ministry is working on a general directive that will regulate the installation of cameras in school and the use of the pictures and films. Hanna Shadmi who is the manager of the educational psychological service announced in a conference about children's privacy conducted in Shaarei Mishpat College that the directive will be published soon and detailed some of the limitations it will include:

- it will be forbidden to put up cameras in pre-school frameworks
- cameras in schools can only be placed in public areas such as corridors but not classrooms
- the decision to place cameras in schools will be taken by the school and approved by the ministry of education without intervention of the municipality (up till now the municipality has initiated the placements)
- the only use of the camera will be to prevent violence
- Only the school principal will be allowed to watch the pictures/films
- Strict limitation regarding the use of films such as time limits etc.

A representative of the Ministry of Justice who was present at the conference specifically mentioned that it was Hila's letter, a copy of which was also sent to the Ministry of Justice that pushed the decision of the Ministry to regulate the issue and to correct the malpractice that exists.

3. **Campaign against enhancing parent payments in schools**

***Background:** Early in 2013, 4 elementary schools in Jerusalem that were collecting high parent payments for additional learning programs received instructions from the Ministry of Education to lower the payments to make the schools more accessible. It is worth noting that parent payments in these schools reach up to NIS 1000 per month and are used not only for additional curriculum but also to hire teachers, reduce numbers of pupils in class etc. All of these schools have selection processes and are therefore in effect only open to pupils from well established households. After the instruction the schools appealed to court demanding that the Ministry will allow them to continue collecting high parent fees.*

As a result of this appeal, the Ministry of Education published a draft of a new general directive in June, which allows all schools to introduce extra curriculum programs up to 15 hrs./week sponsored by parent payments. The directive also allows High schools to create special tracks that will let pupils learn and do matriculation exams in a variety of topics. These tracks will also be funded by parents.

At Hila we have no problem with pluralism in schools nor with varied curriculum that target different communities; however we strongly object the selection processes in the above mentioned schools and even more the economic selection of pupils. These schools are actually providing private education services in public facilities and is a growing trend to improve the public system with private services for pupils whose parents can afford it.

Following the draft Hila gathered a coalition of organizations: *the Israeli Association for Human Rights, Legal Education Clinics of Ramat Gan Collage and Haifa University and Yedid.* We objected to the new policy and also initiated a discussion in the Knesset education committee.

We are happy to say that our fierce objection to raising parent payments for exclusive classes, tracks, schools together with some legal problems in the directive has caused the ministry to suspend it.

4. **Action against the law proposal "State Liability for Public Education"**

In the summer we learned that a group of MP's from the Labour party and the Yesh Atid party are planning to submit a law proposal called "State Liability for Public Education ".

After studying the proposal we realized that it does not secure public education access for all pupils rather it defines the state as the regulator of education system and the major but not only funder. The proposal is non comprehensive, allows the ministry to set regulations about private funding on top of the public funding does not protect teachers rights and changes the system of education budgeting.

The coalition (*Hila, Adva Center, the Israeli Association for Human Rights, Legal Education Clinics of Ramat Gan Collage and Haifa University and 3 professors of Education: Yosi Yona and Yosi Dahan who are also members of Adva's board, professor Dany Gottwein of Haifa University and PhD student/advocate Yael Kafri*) drafted a manifest explaining why the law proposal undermines rather than strengthens public education and lobbied it to MPs, academics and education specialists.

In December 2013 we met with 3 Meretz MPs who had already removed their signature from the law proposal. We also met with 3 MPs from the Labor party and Dov Hanin of Hadash party, all promised to object the proposal if it comes to procedures. Ran Erez who is the head of the High School Teachers Organization, promised he will join us in opposing the law proposal and will support a public campaign if necessary. Noga was the main writer of the manifest and Hila has put a lot effort to make all the parties agree on it and the strategy.

5. In 2012 we reported our intent to follow up on the Ministry of Education ***inclusion policy of pupils with special needs***. Shai Peron set up a committee to check the possibility of implementing the recommendations of the Dorner committee. The Dorner committee concluded its recommendation in 2009. It recommended far reaching inclusion policy which includes a wide scale inclusion of pupils with special needs in regular schools and classes: allocation of personal budget to each pupil that goes with a pupil to any education frame he chooses to learn in contrary to the system now where budget are allocated to special education classes and schools and very small budgets are located for inclusion. The committee also recommended that the choice of the educational framework will be given to the parents where as today it is the Ministry of Education who makes the decision and the parents are obliged to obey.

We intend to follow up on this issue.

6. Rights of pupils with learning disabilities (possible court appeal)

In 2012 we approached the former Minister of Education Gideon Saar on the issues of rights for pupils with learning disabilities demanding 2 policy changes: the first subsidizing psychological and didactic assessment per family income and the 2nd establishing a clear policy on the adaptations these pupils need throughout their school years.

We did not receive an answer to our letter and were preparing for a court appeal but then Shai Peron was elected and we had to re-appeal to the new ministry. Shai Peron responded positively but we were not able to meet him and discuss the issues. We tried to progress with the issue with MP Karin el Harar a member of Perons Yesh Atid Party who formed in the Knesset a lobby for people with special needs, despite our efforts no progress was made during this year and so we plan to renew our effort in court in the first quarter of 2014.

One Issue that fell through:

The regulation **regarding travel expenses** for pupils

In the beginning of 2013 we found that there had been a court ruling in an appeal by a group of parents near Binyamina, who had sued the local council claiming discrimination and insufficient funding of expenses on transport arrangements. The court declared that transportation for pupils with no special needs is neither the Municipality's nor the Ministry of Education's responsibility. In other words they are not obliged to provide or pay for school transport. The municipality or Ministry of Education can give this service if it fits their budget. However since the Ministry of Education has recently cut its budget on these services we find that an appeal will have no chance at all. We continue to support parents and groups of parents on the municipal level on claims of discrimination with transport issues. We assisted pupils from Petah Tikva, Binyamin, Netanya and more in 2013.

Evaluation of Expanding individual and group legal support to parents and pupils

Most of our goals were reached, *all* one time callers were answered or referred to the appropriate place, at least 90% of consultation cases ended successfully. With success we mean that violations of children's educational rights were prevented, or the information that we gave the parent helped them or that the outcome of for instance placement to special education met the parent's wish.

2131 individuals received legal support (simple inquiries and consultation cases. On top of this 8 parent groups/committees received ongoing consultancy. Most of them Arabic, the groups were from: *Arara, Baka el Garbiya, South Negev, Ksefe, Tira, Kalanswa, Tel Sheva and Netanya.*

Evaluation of the legal support to individuals and parent committees

Statistics of consultation 2013 (comparative to 2012)

| Individual | Simple Inquiries | Consultation cases |
|--------------------|------------------|--------------------|
| 2012 | 1550 | 213 |
| 2012 Arabic | 162 | 31 |
| 2013 | 1673 | 165 |
| 2013 Arabic | 259 | 34 |

| Groups | Simple Inquiries | Consultation cases |
|--------------------|------------------|--------------------|
| 2012 | 148 | 62 |
| 2012 Arabic | 24 | 16 |
| 2013 | 165 | 67 |
| 2013 Arabic | 43 | 25 |

Our big progress this year was working in Arabic society and Taghrid's dedicated work, we were able to reach a larger number of parents both individuals and groups.

Arabic consultation cases and simple inquiries mostly concern, discipline and punishment issues and when it comes to group consultation most relevant issues are elections and functions of parent committees and issues of safety and structures of schools.

The 2 most common issues with Ethiopian parents are referrals to special education and also discipline and punishment issues mostly frequent suspension of pupils. The overall picture of paternalistic approach to parents is still prevailing.

Examples of individual cases:

An unusual case: A mother phoned the hotline with a question about refunding a parent payment if the child could not attend a school trip and gave a last moment notice. After Noga explained to her that the regulation stated that she could only get a partial refund and a lengthy conversation on the issue, the "mother" confessed that she actually was the school principal of the school. She had given the same answer as Noga to the real parent in question but when she had given back the partial refund she had been sued by the parent and summoned to court. Feeling insecure that she had done the right thing, she then decided to contact Hila since she is a regular reader of our column. See below thank you email from the principal:

From: <טובה לוי >

Date: 2013/8/29

Subject: Re: החזר דמי טיול

To: noga buzaglo <noga@hila-equal-edu.org.il>

תודה רבה ויישר כוח! כמנהלת אני רואה חשיבות רבה בפעילות העמותה ולעיתים אף מפנה הורים אליכם כדי לבדוק את עצמי . אני מאמינה כי בראש ובראשונה כל אחד משותפי מערכת החינוך מחויב בהמשגת ובהנגשת זכויות התלמיד והוריו ע"פ הנחיות חוזר מנכ"ל תוך כבוד ודיאלוג בונה. קיימים מקרים בהם ל "בורר" היצוני יש תפקיד אזרחי חשוב ואת התפקיד הזה למיטב ניסיוני עד כה, אתם עושים נפלא מבלי לבטל את אחריותו וחובותיו של הפונה. יישר כוח!

ברשותכם אפרסם קישור לאתר ביה"ס כדי להביא את ידיעת קיומכם לכלל ההורים.

בברכת שנה טובה

מנהלת ביה"ס

A 10th grade student from the Arab village Majed el Krom was suspended illegally from school in May, just 6 weeks before the end of the year. She contacted Hila through an Arab feminist organization to ask for help. Her suspension was an extra severe punishment for an incident in which she left the school in the middle of the day. Unfortunately she was accompanied by a girlfriend who was the cousin of the school principal.

Whilst investigating the details we found that the background of this severe punishment was that the girl goes to school in the village of Nahf in a class for excelling pupils. However she herself comes from a poor uneducated family and it seems that she is considered inferior and unwanted by some of the staff and families of her fellow students. This was shamelessly pronounced by the principal in one of the phone conversations with our legal advisor, Noga Dagan Buzaglo. The principal took from granted that the girl's parent's were ignorant and suspended her, but he did not even punish the other girl - his cousin.

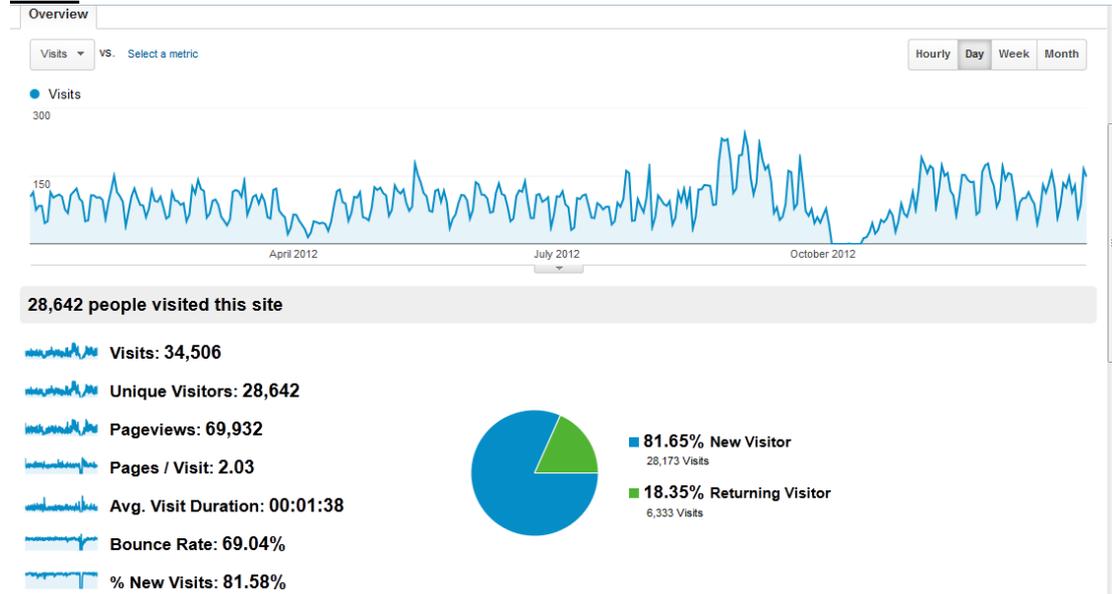
After several phone calls and a very aggressive legal letter from Hila, the girl was able to continue her studies and finish the school year.

Statistics of usage of Hila's website 2013 compared to 2012

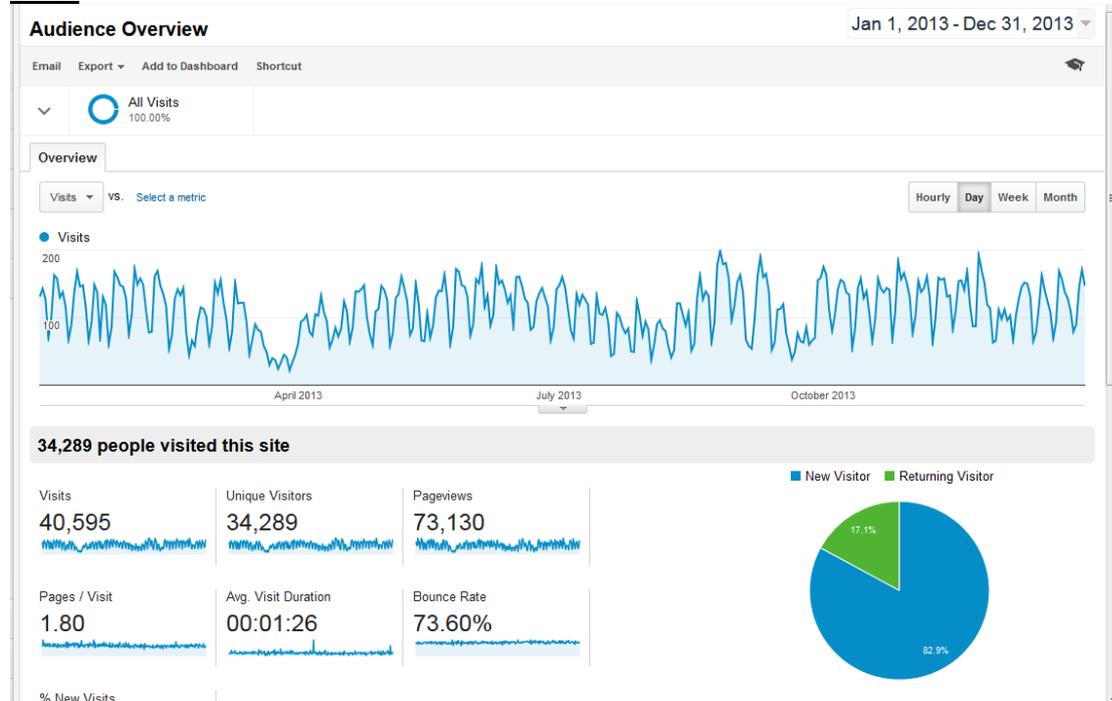
In 2012 we had 1,822 visitors to the Arabic pages. In 2013 the number of visitors more than doubled to 4,160 unique visitors.

To the pages of information for parents in Hebrew we had 29,906 visitors in 2013 which is a slight raise from 2012.

2012:



2013:



Short Summary of Evaluation of Legal Advocacy

As stipulated above our major achievements this year were:

- Getting the Ministry of Education to translate its general Directives to Arabic
- Our contribution to the Ministry of Education decision to suspend and reassess the Meizav comparative exams
- the halting of the Minister's intention to enhance parent payments however this effort shall be ongoing combined with the coalition action on the issue of privatization (that includes allowing for more household payments for school education)
- Instigating the Ministry of Education to set regulations for the usage of security cameras in schools, a practice that is already occurring in schools without any legal protection of pupils and teachers rights.

We at Hila – for Equality in Education wish to thank the Matanel Foundation for giving Hila the opportunity to help individual parents throughout the country in cases where their children's educational rights have been violated and for funding our legal advocacy struggles that may take more time to implement but are so very important for children, parents and society in the long run.