1. Details of Module and its structure

Module Detail	
Subject Name	Education
Paper Name	Educational Administration, Management & Leadership in School Education
Module Name/ Title	Regulations, Accountability Mechanisms, Regulatory Bodies Guiding the Education System
Module Id	e-PG-EDN_13.18
Pre-requisites	Knowledge of the various kinds of educational institutes (public, private and government institutes)
Objectives	At the end of this unit, learner will be able to: ● To clarify the concept of regulation in relation to educational system. ● To explain the concept of accountability mechanism in relation to educational system. ● To update knowledge regarding the functioning of regulatory bodies in developing accountability and regulatory mechanism ● To analyse the present status of our education system. ● To identify the regulatory and accountability structure at Elementary level. ● To identify the regulatory structure at Secondary level.
Keywords	Regulation, Accountability, Educational bodies

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1. Introduction

Presently, about 74 per cent of the country's total population is literate (i.e., able to both read and write). Our country faces many challenges such as poor quality of education at all levels, low quality of research, inadequate basic physical

infrastructure, low quality of training, lack of autonomy and accountability. So, different regulatory bodies came into existence in order to enhance the quality of education in the whole country. Regulations are enforced usually by a regulatory agency formed or mandated to carry out the purpose or provisions of legislation.

2. Learning outcomes: At the end of this unit, learner will be able to:

- To clarify the concept of regulation in relation to educational system.
- To explain the concept of accountability mechanism in relation to educational system.
- To update knowledge regarding the functioning of regulatory bodies in developing accountability and regulatory mechanism
- To analyse the present status of our education system.
- To identify the regulatory and accountability structure at Elementary level.
- To identify the regulatory structure at Secondary level.

3. Concept of accountability mechanism in relation to educational system

Accountability refers to the process by which the education system holds itself responsible for delivering the appropriate services and for meeting the goals for educating students. Accountability can broadly be defined as the obligation of those holding power to take responsibility for their behaviours and actions. This obligation might come out of moral, ethical need to account for one's behavior or out of a legal requirement. It is a relational concept as it concerns the relationship between those that perform an action or deliver a service, and those on whom the action or service has an effect.

Accountability involves two critical aspects: First is determining who should be accountable to whom and for what. Second is developing the institutional mechanisms and incentive- sanction structures on the basis of which accountability is realized.Well, there are various elements that come together in the notion of accountability, which includes:

answerability – that is the need for justification of actions,

enforcement – the sanctions that could be imposed if the actions or justification for the actions are found to be unsatisfactory and

responsiveness- that is the ability of those held accountable to respond to the demands made.

Well, accountability requires transparency so that actions can be scrutinized and further to assess the performance.

Our India's educational system broadly comprises of education at various levels like the elementary, secondary and higher education. The Ministry of Human Resource Development (MHRD) is the nodal ministry for the education sector. The bodies involved in regulating and maintaining standards at the Center level are following:

- National Council of Educational Research and Training (NCERT),
- University Grants Commission (UGC)
- National Council for Teacher Education (NCTE)
- National University of Educational Planning and Administration (NUEPA)- at the central level.

All these educational bodies have developed some important regulations and accountability mechanisms in order to improve the system. All these bodies are accountable to look after the interest of education at various levels. As per law, these bodies perform various functions like ensuring quality, standards, to do new researches in the field of education. So, we will discuss the regulations and accountability mechanisms set up by these bodies. First is

NCERT

The National Council of Educational Research and Training was established in New Delhi, on 1st September, 1961 for providing academic support in improving the quality of school education in India. It is the academic adviser to Ministry of Human Resources development (MHRD) of the government of India. The ministry draws upon NCERT's expertise while formulating and implementing policies and programs in the areas of school and teacher education. Its role is:

- To monitor the administration of NIE / Regional colleges of Education.
- To undertake aid, promote and coordinate research in all branches of education for improving school education
- To organize pre-service and in-service education programmes for teachers.

- To prepare and publish study material for students and related teacher's handbooks.
- To search talented students for the award of scholarship in science, Technology and social sciences.
- To undertake functions assigned by the Ministry of education (MHRD) for improving school education.
- To disseminate knowledge of improved educational techniques and practices;
- To conduct special studies, surveys and investigations.

UGC (University grant commission)

UGC is the authoritative body organization set up in our country by the Central Government in 1956 to control, coordinate, determine and maintain the standards of Higher education. Universities can start functioning only after getting the prior sanction and recognition of the UGC. Necessary funding is also through the body. The mandates of UGC are like:

- Promoting and coordinating university education.
- Determining and maintaining standards of teaching, examination and research in universities.
- Framing regulations on minimum standards of education.
- Disbursing grants to the universities and colleges.
- Advising the Central and State governments on the measures necessary for improvement of university education.

NAAC (National Assessment and Accreditation Council)- Its objectives are

- To act as a catalytic agent to motivate Higher Education Institutes to achieve excellence in all spheres of academic activity
- To promote the idea of accountability among the academics.

It is mandatory for such institutions to undergo the process of accreditation. NAAC has its own regulation criteria. It has identified the following seven criteria to serve as the basis for its assessment procedures:

1. Curricular aspect
2. Teaching-learning and evaluation
3. Research Guidance and extension
4. Infrastructure and learning resources

5. Student support and progression
6. Governance, leadership and management
7. Innovations and best practices

Role of Internal Quality Assurance Cell (IQAC)

For performance evaluation and quality up-gradation of institutions of higher education, the National Assessment and Accreditation Council (NAAC), proposes that every accredited institution should establish an Internal Quality Assurance Cell (IQAC) as a post-accreditation quality sustenance measure. Since quality enhancement is a continuous process, the IQAC will become a part of the institution's system and work towards the realization of the goals of quality enhancement and sustenance. During the post accreditation period, it will channelize all efforts and measures of the institution towards promoting its holistic academic excellence.

NCTE (National Council of Teacher Education)

The mandate given to the NCTE is very broad and it covers the teacher education programmes including research and training of persons for equipping them to teach at pre-primary, primary, secondary and senior secondary stages in schools.

The regulations and role of the Council is to:

a. Co-ordinate and monitor teacher education and its development in the country;

b. lay down norms for different courses of teacher education, including the minimum eligibility criteria for admission

c. lay down guidelines for compliance by recognised institutions, for starting new courses or training, and for providing physical and instructional facilities, staffing pattern and staff qualification;

d. lay down standards in respect of examinations leading to teacher educator qualifications, criteria for admission to such examinations and schemes of courses or training;

e. lay down guidelines regarding tuition fees and other fees chargeable by recognised institutions;

f. formulate schemes for various levels of teacher education and identify recognised institutions and set up new institutions for teacher development programmes;

g. take all necessary steps to prevent commercialisation of teacher education

National University of Educational Planning and Administration (NUEPA)

This is apex institution concerned with educational planning and administration. This institution conducts research, organizes training, provides many services and disseminates important information on innovations, changes and developments in the areas of planning and management. Many states are also in the process of setting up State Institutes of Educational Management and Training, to assist state level educational planning and training of educational planners and administrators. Regulatory Frameworks at various levels like

- **Elementary**
- **Secondary**
- **Higher Level**

At the elementary level, there are different types of schools

i. Government and government-aided schools.

ii. Schools run by autonomous organisations under the government (such as Kendriya Vidyalayas and Navodaya Vidyalayas).

iii. Schools run by government departments directly (such as those run by defence and railways).

iv. Schools run by public sector undertakings

v. Unaided schools (private)

On the basis of suggestions given by the regulatory bodies, and to check the process of all these elementary institutions, several initiatives were taken by the government.

The Right to Education Act, 2009

The act seeks to implement the fundamental right to education for all children (including children with disabilities) between 6 to 14 years. The central RTE Rules were notified on 8 April 2010. Till date, 32 states, including Gujarat, Andhra Pradesh, Himachal Pradesh, Orissa, Rajasthan, Punjab, Haryana and Manipur have notified state RTE Rules. The government has committed 2.3 trillion…. for five years (2010–11 to 2014–15) to implement the Act. The fund sharing pattern between the centre and the state is in the ratio of 65:35 for five years. The act makes it mandatory for all schools to meet certain minimum norms. They have to meet the Pupil–Teacher Ratio (PTR). All other schools require a certificate of recognition and

it shall be granted if the school satisfies certain norms such as PTR, infrastructure and qualification of teachers. Schools that do not meet these norms within the prescribed timeframe shall be shut down. In case the school violates this provision, it shall be liable to a fine.

- If we compare the regulations of Government schools and private schools, Government schools have to provide free and compulsory education to all admitted children. For aided schools as well as unaided schools, the extent of free education would be proportionate to the funding received, provided that a minimum of 25 per cent seats are reserved for disadvantaged students. All other schools (including unaided schools) have to reserve at least 25 per cent of seats for the students from SC, ST, low-income, and other weaker groups (including children with disabilities). Unaided schools shall be reimbursed for either their tuition charge or the per-student expenditure in government schools, whichever is lower. If the per-student expenditure is higher than the government schools, the private school has to bear the cost.
- The act prohibits physical punishment or mental harassment, screening procedures for admission of children, capitation fees, private tuitions by teachers and running schools without recognition. It also prohibits children from being held back in class, expelled or the requirement to pass a board examination until the completion of elementary education.
- It is important to understand the extent of regulation for various types of schools. The only requirement for government schools is to meet the PTR norm. However, private schools are subject to lose their recognition and shutting down if they do not comply with norms for PTR, infrastructure and teaching.

This act only specifies penalties in case a school collects capitation fees or subjects the child to a screening procedure during admission.

Furthermore, the act enhances the role of all the stakeholders to ensure enrolment of all children, but does not identify which government agency will be responsible for this task. In 2008, the National Knowledge Commission (NKC), recommended the setting up of a testing body at the national level for quality assessment of both government and private schools. The testing body would monitor schools on the

basis of various types of Indicators such as learning levels, enrolment and attendance.

Extent of Regulation for Various Schools

In Government Schools, all admitted students should be provided with free education. In, Other Schools (including Aided and Unaided), 25 per cent seats to be reserved for disadvantaged students. For Government Schools, recognition is mandatory. It shall be granted if school meets norms such as PTR, infrastructure and qualification of teachers. There is no strict rules regarding government schools.

In case if a private school operates without recognition, it shall be liable to a fine. Government Schools Constitute School Management Committee with representatives. There is no provision for unaided schools. Other schools have to constitute from parents and local authority. Aided and Private schools have to constitute the School Management Committee and play an advisory role.

SECONDARY AND HIGHER SECONDARY LEVEL

Secondary and higher secondary level is the responsibility of the state governments. The proportion of private schools at secondary level is 60 per cent. In order to give a boost to secondary education, in 2009, the central government launched the Rashtriya Madhyamik Shiksha Abhiyan (RMSA). It seeks to achieve an enrolment rate of 75 per cent within five years, universal access by 2017 and universal retention by 2020. Schools are recognised by respective state departments of school education. Every recognised school which conducts a public examination at the end of Classes X and XII has to be affiliated with a board or councils like, Central Board of Secondary Education (CBSE), National Institute of Open Schooling (NIOS), Council for the Indian School Certificate Examination (CISCE) conducting such examinations.

Various committees have recommended ways to strengthen the secondary education system. These include the National Knowledge Commission , the Central Advisory Board of Education (CABE) Committee's Report on Universalisation of Secondary Education and the Planning Commission's Working Group Report on Secondary and Vocational Education (12th Five-Year Plan).

Different Committees gave several recommendations on Secondary Education

CABE Committee Report- Focuses on universal access, equality, and relevance. It enhances the flexible curriculum and scientifically designed student assessment system. It focuses on the need for decentralized micro level planning. Allocation of 6 per cent of GDP for education.

National Knowledge Commission- It recommends the

✓ Decentralization of school management to local authorities such as panchayats as far as possible.

✓ Transparent, norm-based procedures for the recognition of private schools, to reduce harassment and bureaucratic delay.

✓ National evaluation body to monitor the quality of both government and private schools, using results based monitoring framework.

✓ It mentioned the need to revamp school inspection, provide training to teachers, reform curriculum and incorporate English into the curriculum.

Planning Commission Report (12th Plan)- gave regulations like

✓ To Extend Rashtriya Madhyamik Shiksha Abhiyan (RMSA) scheme to government aided schools and to cover higher secondary education.

✓ Provide for residential schools and hostels in existing schools to enhance access.

✓ Civil construction work under RMSA should be carried out as per state schedule of rates since they vary from state to state.

✓ Provide untied fund of `10 million at the district level to improve quality in school.

Higher Education

Education provided after completion of school education (Class XII) is known as higher education, which comprises education in general subjects, and others like professional and technical education. At present, India's GER is 15 per cent in higher education, which is much lower than the world average of 23 per cent. The aim is to increase the GER (Gross Enrolment Ratio) to 21 per cent by the end of the 12th Plan and 30 per cent by 2020. The number of unaided higher education institutions has increased over the years (currently 63 percent of institutions are private). With about 50 per cent share in enrolment, private institutions have improved access. However, they are concentrated in a few select disciplines such as engineering, management,

medicine, and information technology (IT). Also, the spread of private institutions is uneven, with some states witnessing more growth than others.

UGC has the power to determine and maintain standards and to disburse grants. Universities can be central, state, private, or deemed. UGC stipulates that colleges that provide degree courses have to be affiliated with a university. UGC provides minimum qualification of teachers, guidelines for award of various degrees and standards that private universities have to maintain. It can also regulate fees of universities if it is in the public interest to do so and prohibits such universities from taking any donations.

Technical and Professional Education

Technical education is regulated by the AICTE and the subjects that fall under this include engineering, management, pharmacy, architecture. Technical institutions can provide degree programmes only if they are affiliated with a university. Affiliation is not required if the institution runs only diploma programmes. The CABE, which includes representatives from the central and state governments and other experts, coordinates between the centre and the states. There are also 14 professional councils such as the Medical Council of India, the Dental Council of India, the Bar Council of India and the Council of architecture that recognize courses, promote professional institutions and provide grants to undergraduate programmes.The fees and the manner in which admission is granted in unaided institutions are regulated by the state-constituted Fee and Admission Regulatory Committee, which determines the fee that each private institution can charge and the student intake. National Assessment and Accreditation Council and the National Board of Accreditation are autonomous bodies that accredited institutions, set up by the UGC and the AICTE, respectively.

The AICTE regulates foreign institutions, which provide technical education either directly or through collaboration with Indian partners. There are many challenges facing higher education. Some of the key challenges are related to access, quality, governance and funding.

Several issues related to regulation of the private sector.

    a) Access: India's GER in higher education is about 15 per cent. Other countries such as the United States (US) (81 per cent), the United Kingdom

(UK) (54 per cent), Japan (49 per cent), and Malaysia (27 per cent) have much higher enrolment rates.

b) *Quality*: No Indian university is listed in the top 100 universities in the world and only two are listed in the top 200. There are problems like universities are of poor quality, low quality of research, and improper practices in admission process.

c) *Funding*: Universities in India face financial constraints. Only 0.7 per cent of India's GDP is spent on higher education which is lower than countries such as the US (2.9 per cent), UK (1.3 per cent) and China (1.5 per cent). In general, about 75 per cent of maintenance expenditure is spent on salaries and pensions, and 15 per cent is absorbed by claims such as rents, electricity, telephones, and examinations.

d) *Governance*: India's National Policy on Education, 1986 emphasised the need for decentralisation, autonomy of educational institutions and the principle of accountability in managing educational institutions. The regulatory bodies have a procedure for granting recognition and there is large scale corruption.

e) *Regulation of Private Sector*: Various Supreme Court judgments have sought to curb by ordering varying degree of control on private institutions. States such as Madhya Pradesh, Andhra Pradesh, Gujarat, Karnataka, and Orissa enacted laws to set up such committees to approve the fee structure in professional educational institutions. On the other hand, the private institutes claim that capitation fee is required to ensure financial viability of the institution. Some experts also contend that allowing only non-profit entities to operate in the education sector does not ensure quality, nor does it increase supply or curb charging of capitation fees. The non-profit status may act as an incentive for players since such entities get tax exemptions, which makes it easier to launder money

f) *Admission in Private Institutes*: This is also regulated by the government. Certain numbers of seats are marked as government seats where students pay the equivalent of the fee charged in government institutes. About 15 per cent of seats are categorized as management quota, where students pay the fee as

mandated by the Fee Regulatory Committee. The 3rd Constitutional Amendment enables the Parliament or State Assemblies to enact laws reserving seats for SC/ST/OBC in private institutions.

Conclusion

India is graduating to an economy where the bulk of its population will be in the relatively younger age group of 20–35 years. This 'demographic dividend' provides India the great opportunities but also poses a great challenge. India will be able to reap the benefits of such a dividend only if its population is healthy, educated and appropriately skilled. This chapter focused on the regulation of the education sector. India's ability to emerge as a globally competitive country will depend on its knowledge resources. There are small number of institutions that provide high-quality education while the majority needs significant improvement in terms of quality, access and equity. There have been some recent initiatives to reform the sector including the RTE Act, various bills to reform higher education regulation and schemes related to vocational education. However, many of these initiatives do not fully address issues related to quality and access of education and governance of the sector. They also do not encourage participation of the private sector in providing education. In order to bring about a systemic transformation, it is important to address many of the weaknesses and contradictions inherent in the regulatory structure of the education sector.