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Country case study prepared for the 2017/8 Global Education Monitoring Report

Accountability in education: Meeting our commitments

Accountability in Education in Peru

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Santiago Cueto, Martin Dammert and Alejandra Miranda, GRADE 2017

1. Accountability in local language ¹

In Peru, in Spanish, "accountability" is often understood as assuming responsibility over specific public resources and providing information on how well they have been spent and what the results have been². Thus, being accountable is closely linked with being "transparent" with decisions made at every level of the education system. Therefore, information regarding the public budget, investments, remunerations and meetings held by public officers should be shown and made public by law³ (Congreso de la República, 2002). Hence, accountability represents both "control" and "surveillance", in the hopes to guarantee ethical habits while avoiding corruption and maximizing benefits for the population. According to Peru's education system, accountability focuses on the civil society's duty to judge the quality of the service being provided (Congreso de la República, 2003). In addition, in Spanish, "accountability" often leads to putting "pressure" on students, teachers, schools and parents in the hopes of improving students' educational outcomes and achievements (De La Vega, 2015). Moreover, it is frequently used as an instrument to manage and control the public concern regarding educational opportunities (Mbiti, 2016). In Peru, public officers are accountable for their actions. Therefore, they may be investigated after leaving their post, with a possibility that they will go to jail or be banned from public service if evidence of corruption, misappropriation of funds or other crime is found by the judiciary system or the National Audit Office (called *Contraloría*).

2. Country Profile

Peru is a republic that gained its independence in 1821. For the past almost two hundred years, it has alternated democratic governments with dictatorships. The country has had four successive democratically elected governments since 2001, when Alberto Fujimori fled the country after several indications of corruption and other crimes became clear (he is currently in jail serving a 25-year sentence). The country is ruled by a Constitution and has a presidential system with elections every five years. Laws are approved in the Congress, which includes 130 representatives from all regions. The judiciary system is independent from both the executive office (led by the President) and the Congress. In 2002, Peru started a decentralization process, whereby each region of the country elects its own Governor. Regions receive a large part of their budget from the central government, although they can also collect their own resources through local taxes, canon and others. However, Peru is still considered largely a centralized country. For example, around 30% of the close to 31 million Peruvians live in Lima, where the three branches of government are located. In general, overall quality of services (education, health, etc.) is often considered to be better in Peru's capital city, as well as in other large cities.

¹ Santiago Cueto (<u>scueto@grade.org.pe</u>) is a Senior Researcher at GRADE (<u>http://www.grade.org.pe/en/</u>), in Lima, Peru, where Martin Dammert is an Intern and Alejandra Miranda is a Research Assistant. This paper does not represent an institutional view from GRADE but only those of the authors.

² In Peru, the Spanish term most used for accountability as assuming responsibility would be *rendición de cuentas*. In the second sense, providing information on resources received and spent, the term for accountability would be *transparencia*. In Quechua (Peru's indigenous language with most native speakers) "accountability" can be translated as *yuparquy* in the first sense and *ch'uyayachiy* in the second.

³ Law #27806 regarding transparency and access to public information.

In regards to the education system, the main legal instruments are the Constitution, approved in 1993⁴, and the General Law of Education, approved in 2003. These establish the right to education for all children. The Ministry of Education is responsible for designing policies, carrying out programs and managing the budget. Underneath the Ministry, there are regional offices of education (*Dirección Regional de Educación*, or DRE), which are often closely linked to the Governor's office. Underneath DREs, there are Local Offices for Educational Management (*Unidad de Gestión Educativa Local*, or UGEL), which are the closest link with the schools. There are three modalities of basic education: regular, special (for students with disabilities), and alternative (for students over 15 years who have dropped out of school and want to complete secondary). There are also other programs, for example for bilingual intercultural education and for high-achieving students. Students who have not completed secondary education may also enroll in technical education centers called CETPRO. In regards to higher education, there are institutes (which can be technical, pedagogical for teachers and for the arts) and universities. Educational services are either provided by the government or private services (there are a few institutions that have a mixed service, for example the Fe y Alegría network of schools, which will be considered public here).

Peruvian education has advanced greatly over the past few years, mostly in terms of access to education (see figures below). In regards to achievement, some progress has also been observed. For example, the National Census Evaluation in second grade has shown that the percentage of second grade students achieving at satisfactory levels in reading has increased from almost 16% in 2007 to almost 50% in 2015. In mathematics, the progress has been from 7.2% to 26.6% over the same years⁵. In a regional evaluation organized by UNESCO in 2013 (TERCE)⁶, Peruvian students were at or above the regional mean in reading, writing, mathematics and science in third and sixth grades. These results also showed progress in comparison to an evaluation previously administered in 2006 (SERCE)⁷⁸. Finally, Peru has participated in four rounds of PISA, to test the skills of 15-year-old students in reading, mathematics and science. While the results also show progress in reading, the ranking of the country has been consistently towards the bottom. This is associated with the fact that most countries participating in PISA are OECD members, with higher levels of development⁹. What all these results show however, is that achievement is closely linked with levels of poverty, ethnicity (indigenous students tend to achieve at lower levels, compared to Spanish speakers), area of residence (rural students tend to achieve at lower levels, and maternal education (Cueto, León and Miranda, 2015)¹⁰. This inequality is evident from at least the age of five years, and seems not to diminish as children age, according to the Young Lives

⁴ Available at http://www.congreso.gob.pe/Docs/files/CONSTITUTION 27 11 2012 ENG.pdf

⁵ Data obtained from <u>http://umc.minedu.gob.pe/wp-content/uploads/2016/03/Resultados-ECE-2015.pdf</u>.

⁶ Tercer Estudio Regional Comparativo y Explicativo

⁷ Segundo Estudio Regional Comparativo y Explicativo, also organized by UNESCO's regional office.

⁸ Results obtained from <u>http://umc.minedu.gob.pe/wp-content/uploads/2015/09/TERCE-Cuadernillo2-Logros-aprendizaje-</u> WEB.pdf.

⁹ See <u>http://umc.minedu.gob.pe/wp-content/uploads/2014/12/Principales-resultados-PISA-2012.pdf and for PISA 2015 see</u> <u>http://umc.minedu.gob.pe/resultados-de-evaluacion-pisa-2015/.</u>

¹⁰ Disabled students often show low levels of access and learning and thus should be considered a priority for educational policies. There is very little information is available on them, from national statistics or empirical studies.

longitudinal study¹¹ (Cueto, Muñoz and León, 2014). Thus, overall, the main challenges in the country are to increase quality (e.g. increasing the percent of children achieving at satisfactory levels of achievement) and reduce inequality (e.g. increasing the educational opportunities of children with low performance, such as those mentioned above).

3. Actors and accountability

In this section, the role of some of the main stakeholders for accountability in education is presented: *Parents*: According to the Political Constitution of Peru "early childhood, primary, and secondary education" is mandatory (Congress of the Republic of Peru, 2009, p. 10). Who should take responsibility over this however is not clear, with roles potentially being assumed by parents for younger children and perhaps parents and youngsters at older ages. Coverage has been increasing over the past few years. For example, between 2005 and 2014, preschool net coverage has increased from 60.3% to 82.6%. Primary net coverage has been at similar high levels across this period: 94.7% in 2005 and 93.2% in 2014. Finally, secondary education net coverage has increased from 73.4% to 83.8% over these years (UNESCO and CNE, 2016). The children who are not in school are usually from isolated, poorer, regions or with disabilities. The Ombudsman office (see below) has often written reports on the rights of all children to have access to basic education.

Despite parents being required by regulatory approaches to be responsible for their kids' education, it is common that the lack of tangible resources hinders the fulfillment of their responsibility. This is an example of a constitutional principle that should be observed by everybody, but so far has been impossible to enforce. Although education must be assured by the State, no clear procedures or regulations (i.e. penalties or incentives) aim to promote school enrollment and attendance in the public sector (Congress of the Republic of Peru, 2009). Meanwhile, in the private sector, the institutions often establish a limit of unjustified absences to ensure optimum levels of assistance. On the other hand, parents' associations or committees may be established to improve existing education services and infrastructure in public schools (Congreso de la República, 2003). Consequently, involvement and participation by parents is welcome. Nevertheless, there are no national statistics on number of parents' associations formed in schools or research on their influence in school decisions. In education conflicts, however, it is common that there are only representatives from the Ministry and the teacher union present, and not from parents or students.

Students: national regulations and laws (i.e. General Law of Education) identify students as active learners who take responsibility in the construction of their knowledge. Therefore, students are expected to hold teachers (and education providers) accountable for their learning by assessing and offering feedback on the education provided. Moreover, in order to participate and get involved in the education community, they are allowed to establish student organizations (Congreso de la República, 2003).

Teachers: traditionally, the teaching career in the public system established promotion based on years of experience. In 2012, the Congress approved a new Teacher Reform Law exclusively for public teachers. This law for the teaching career establishes evaluations to be admitted to the career, to evaluate performance, to be promoted and to apply for administrative or other positions within the system (Congreso de la República, 2012). If a teacher is admitted to the career¹², they have a permanent position and may advance up to the eighth level

¹¹ See <u>http://younglives.org.uk/</u> for more information about Young Lives.

¹² In August 2015, more than 200 000 teachers were evaluated. However, just 8 137 teachers were admitted to the first level of the Teaching career.

(the highest level is paid 260% more than the teachers in the first level). If a teacher does not pass the evaluation to be admitted to the career, they can still be hired by the State on an annual contract. This Law establishes criteria for the dismissal of teachers, including unethical behavior and poor performance in evaluations (although the latter has not been enforced due to political pressure). Therefore, accountability is applied by pressure from the Ministry of Education, which creates a normative environment in which teachers need to align their behavior with certain expectations to avoid deductions for missing classes, and warnings, suspensions or dismissals for unethical behaviors. This Law is widely considered a promising initiative by parents and the media to increase the quality of teachers in the country. However, some doubts are cast on the fact the State has to hire some teachers every year by need, even though they did not pass the evaluation. Thus, it could be presumed that they do not have the skills needed to teach. Teachers tend to oppose the Law, especially for the possibility that they could be fired for having poor results in evaluations; instead, they promote the idea of receiving training to improve their performance. Finally, according to international testing standards, the evaluation agency (in this case the Ministry of Education) should provide some evidence on the reliability and validity (mainly predictive) of these evaluations, especially since they are high stakes (i.e. decisions are made based on the evaluations). So far, there have been no reports by the Ministry defending the validity of these evaluations. While, as mentioned above, there are some offices such as the National Audit (Contraloria) that hold accountable officers from the Ministry of Education for budget expenditure, there is no institution that can hold them accountable based on educational or technical arguments.

Ministry of Education: in the Peruvian system, the Ministry of Education is perhaps the main office to be held accountable on several topics. Below, a few topics that currently seem most relevant are enumerated: *D1. Budget*: the General Law of Education (Congreso de la República, 2003) states that no less than an equivalent of 6% of the GDP (figure established somewhat arbitrarily) should be invested in education. However, even though the public budget in education has increased significantly, as a proportion of the GDP it has moved only from 2.8% in 2003 to 3.6% in 2015 (UNESCO and CNE, 2016). The explanation of why the budget per student increases significantly but as a proportion of the GDP has increased at a low rate is that the country's GDP has also increased significantly. Consequently, it would seem more rational to first define what would be the cost of having an education system with high quality levels for all children while taking into account the different contexts in which they study. The fact remains however, that this Law continues to establish this goal, which is far from being accomplished and, again, there is no mechanism to enforce it. Regarding Peru's national budget, a law established in 2004 states that resources invested in education should be allocated based on measurable results (Congreso de la República, 2004). Thus, the Ministry of Economy and Finance indirectly sanctions (or rewards) all actors in the education sector based on their previous performance and achievements.

D2. Balance of a Presidential Period: at the end of every Presidential period, the Ministry of Education is required to produce both a declaration of the budget received and spent. It has to report on purchases for its main office and dependent offices, as well as a narrative report on the aims of that period, the goals reached and the main challenges ahead. The financial report is sent to the National Audit office, which may prosecute if any statement is false. The narrative report is delivered to a transition committee, formed by representatives of the elected government, and publicly published in a web site (Ministry of Education, 2016). This is widely considered a good practice (especially by the media and incoming government officials), as it forces the outgoing administration to make a balance of their work and helps the incoming administration to begin work on the main issues in education, according to their government plan.

D3. Achievement of students: as mentioned above, Peru organizes national evaluations of achievement every year and participates in international evaluations periodically. In the 90's, Peru participated in the first regional evaluation by UNESCO. The government at that time, led by President Fujimori, apparently did not like the results

of the country in this evaluation. Thus, Peru's data was not authorized to be included in the first report¹³. Since then, a strong awareness of accountability of students' results has grown. While several evaluations have been administered, since 2007 the main focus has been on the National Census Evaluation, which measures achievement in reading and mathematics of second graders. Moreover, since 2015, secondary students (eighth graders) are also participating in this national evaluation, and other grades are expected to be included starting in 2016. The national and regional results are presented publicly and expected with great interest by the press and politicians. Although school and individual results are presented privately to each stakeholder (i.e. principals, teachers and parents) through a written report, apparently many parents to consider teachers responsible for their children's achievements. The results however, are not used to fire or replace teachers or principals. The private sector often uses the results as well, publicizing how their students performed. This pressure on the results is also highlighted by other initiatives, such as *Bono Escuela*, which is described in the case study below.

D4. National Education Project (NEP): in 2006, the National Council of Education (NCE) published the NEP, which established a vision and six goals for the education sector, posed for 2021 (Consejo Nacional de Educación, 2006). The NEP was adopted by the government at that time as a State policy, that is, one that should be observed by successive governments. In fact, a Law (#29515) was established in 2010 to mandate that every March the Minister of Education has to report to the Congress on annual advances on the NEP (Congreso de la República, 2010). For most of the past years, ministers have complied with this and presented in front of the Education Commission of the Congress. Critics have observed however, that the NEP is too vague to hold any minister accountable for any specific action. For example, the vision of the NEP is "Everybody develops their potential starting in infancy, has access to the written world, solve problems, practice values, know how to continue to learn, pose themselves as citizens with rights and responsibilities, and contribute to the development of communities and the country combining their cultural and environmental capital with world advances (CNE, 2006, p. 112, authors' translation). Additionally, the Ministry of Education is forced to ask the NCE its opinion on the development of any new curriculum (this was just seen for the curriculum published in 2016). Overall, the NCE has no mandate to enforce accountability on the NEP.

D5. Open Government Partnership (OGP): in 2016, the Ministry of Education published an institutional plan¹⁴ to support transparency and promote participation of the civil society. Therefore, the General Office of Transparency, Public Ethics and Anti-Corruption is expected to publicly share information with Peruvian citizens and thus, guarantee a regulatory and participatory approach to accountability, where citizens hold the Ministry accountable.

DRE and UGEL: all education institutions (public and private) should be monitored, supervised and regulated by regional and local offices of education. These are responsible for overseeing the quality of the service provided, while promoting an integral education with optimum equipment and infrastructure (Congreso de la República, 2003). Accountability, applied through laws by the government, aims to assure the provision of a good education. Therefore, regional and local offices of education allow (or deny) the functioning of education institutions. Simultaneously, norms for every academic year are developed, managed and evaluated by these offices in the hopes of facilitating the learning outcomes of students, the enrollment and attendance of pupils, the fulfillment of the academic calendar and the existence of effective pedagogical practices (Ministerio de Educación, 2015).

The private sector: the provision of education in Peru can be public or private; the latter charges a fee for tuition, while public education is free. As shown in figures 1, 2 and 3, private education (for preschool, primary and

¹³ See report at <u>http://unesdoc.unesco.org/images/0012/001231/123130S.pdf</u>.

¹⁴ Plan Institucional de Gobierno Abierto y Datos Abiertos 2016 (Resolución Ministerial 435-2016-MINEDU)

secondary) has increased between 2006 and 2015, although the tendency for an increase in private education seems to be diminishing. It is clear however, that the majority of students are enrolled in public schools.

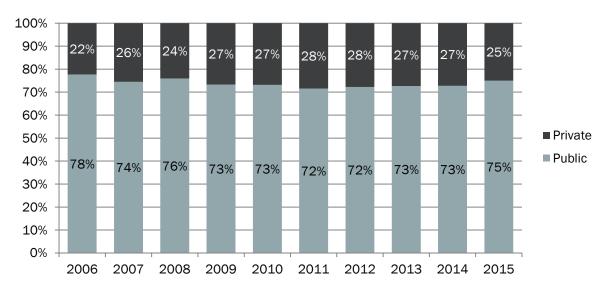


Figure 1. Enrollment rates in preschool education by type of school

Source: National Household Surveys (ENAHO) 2006-2015

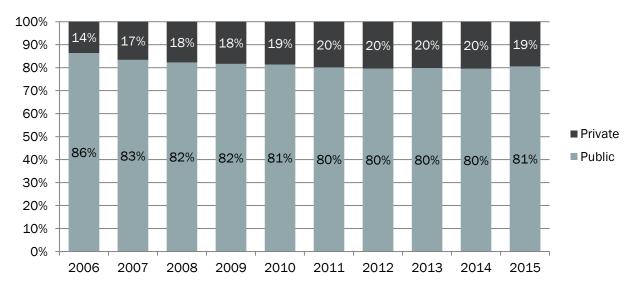


Figure 2. Enrollment rates in primary education by type of school

Source: National Household Surveys (ENAHO) 2006-2015

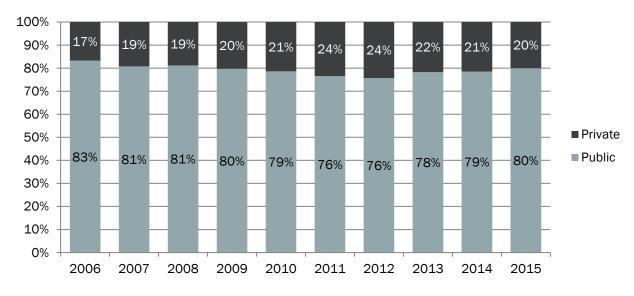


Figure 3. Enrollment rates in secondary education by type of school

Source: National Household Surveys (ENAHO) 2006-2015

There are elite, international, very expensive schools, which are widely considered of good quality. Recently however, networks of schools for the middle class have been created, such as Innova Schools¹⁵. These schools aim to offer a good service to the middle class in urban areas. Finally, also recently, many private schools have been established in poor urban areas. These are for the most part unregulated and apparently many do not have licenses to function, so they offer certificates from other schools that do have a license from the local education office and municipality (among other institutions that should allow the school to function). Private schools have academic freedom but are required to follow the national curriculum (Congreso de la República, 2003). They also have to report to the local education office their roster of students and their grades, as well as the education certificate. In an attempt to organize better the private sector and prevent corruption and unauthorized functioning, especially of the poorer schools mentioned above, the Ministry announced in 2016 that new regulations would be soon developed. The private sector leaders received the news of a new regulation negatively, and protested that behind this regulation, which they perceived to be mostly for sanctioning, was an attempt to make all education public. This is however, an example of the need to include all stakeholders when new regulation is planned.

In regards to higher education, the situation is quite different from that in basic education, with most students enrolled in a private institution, as shown in Figures 4 and 5.

¹⁵ See <u>https://www.innovaschools.edu.pe/</u>.

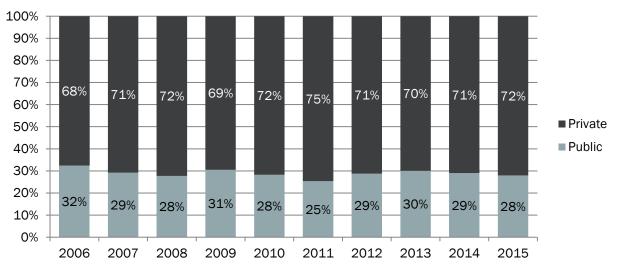


Figure 4. Enrollment rates in technical education by type of institution

Source: National Household Surveys (ENAHO) 2006-2015

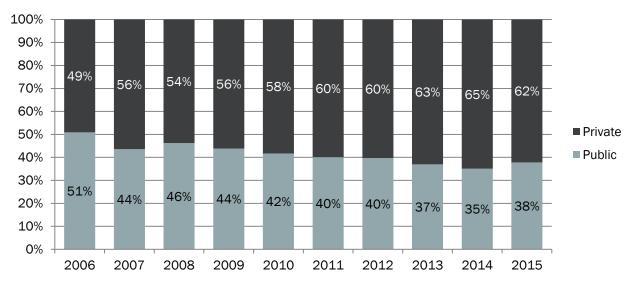


Figure 5. Enrollment rates in university by type of institution

Source: National Household Surveys (ENAHO) 2006-2015

Most private institutes and universities were created over the past few decades with little regulation from the State in the quality of its service. In an attempt to amend this, the Congress passed a new university law in 2014 (Congreso de la República, 2014). This law included the creation of a superintendence of universities (SUNEDU) which would authorize and license new or existing universities. SUNEDU was in some ways dependent on the Ministry of Education (for example, the Superintendent would be appointed by the Ministry). This Law has been criticized by some public and private universities, mostly with the argument that the State, and specifically the Ministry, would be affecting the autonomy of the universities. This would hardly seem to be the case as this Law explicitly states that the autonomy of the universities is guaranteed, but the debate continues and it is possible

that the Law will be changed over the next few months now that a new Congress has been elected with several representatives from universities in it.

In conclusion, the provision of private education is Peru is a topic of heated debate. Perhaps the arguments behind it are on the one hand from those who promote private education, who insist that these institutions are centers of innovation and that market rules should regulate its functioning (i.e. if an institution does not provide a good service, it should eventually have to close as students would not enroll). On the other hand, there are those who defend the position that educational policies in general are a public issue, and the State has an obligation to authorize and supervise functioning and quality of all services. In-between these positions, the debate, policies and regulations are likely to continue, as there are heavy economic interests from the private sector on the one hand and a government that is prioritizing the importance of a high-quality public education service on the other.

Ombudsman Office: in Peru, the Ombudsman Office (called *Defensoría del Pueblo*¹⁶) was created in 1993 as a public and independent office. Its mission is to promote and defend the rights of all citizens and communities. The Ombudsman is appointed by the Congress, which signals the political importance of this post, and receives and collects complaints and information to prepare its reports. Based on these and other sources, opinions and reports, aimed mostly at the State, are produced. Over the past ten years, they have produced education reports aimed at promoting the educational rights of populations with traditionally low performance¹⁷. The topics they have covered include corruption, the provision of free education, the right to education for persons with disabilities, education for indigenous students, among others. There is no mandate that the State has to follow its recommendations. However, the press sometimes publicizes these reports and civil society organizations, commented on in social networks, and often responded by the Government.

There are other actors relevant for accountability in education, including the Church (especially Catholic), civil society organizations and the international organizations and cooperation agencies working in Peru. However, the agents described above are the most influential.

4. Case study: teacher incentives for student performance

In 2014, given the increasing importance of the National Census Evaluation, the government created an incentive program for teachers and principals based on student achievement¹⁸. *Bono Escuela* aims to acknowledge teachers' and principals' work towards the improvement of students' achievement¹⁹. This performance-based approach to accountability targets regular basic education schools only (i.e. special education schools and alternative schools are excluded). The program started with incentives for primary grade teachers and principals based mostly on students' performance in the reading and mathematics tests administered in Spanish in second grade (first category) or the reading test in indigenous languages and Spanish as a second language administered in fourth grade (second category). For the schools to be considered, they need to have registries of tests for the two past years. If a school had no registries, they could still participate but in a third category, which included

¹⁶ See <u>http://www.defensoria.gob.pe/</u>.

¹⁷ A list of the education reports produced appears in the reference list.

¹⁸ The information summarized here was taken from Decreto Supremo No 287-2014-EF and Decreto Supremo No 203-2015-EF.

¹⁹ Data obtained from <u>http://www.minedu.gob.pe/biae2016/pdf/rm-n-572-2015-minedu.pdf</u>

other criteria (i.e. student retention rates and compliance with providing registries from schools, which are considered also in the first two categories but with a relatively small weight). The incentive is monetary and is offered to schools achieving at least in the top 35% (and the incentive is higher for those in the top 25%). The incentive is higher for principals and second grade teachers, but teachers from other grades in the school also receive a monetary incentive. The ranking of schools is determined within the categories mentioned above, but also considering other characteristics of the school, such as whether or not the school is multigrade and the region where it is located.

While the objective of the program, increasing student achievement, is clearly stated, its non-intended consequences are still under debate. For example, the National Council of Education (2014) has issued a statement saying that according to international research and local experiences, such type of incentives may have detrimental consequences on education, such as narrowing the curriculum, excluding students from school or testing, or increased attention on students from the chosen grades, in detriment of students from other grades. The statement also argues about the technical complexity involved in factually establishing a direct causal link between teachers' behaviours and student performance. This would seem to be especially true in a context where the comparison for increased performance is established by comparing achievement from different cohorts in the same grade in successive years and not the same students over time. These arguments are in line with several authors who have argued against this type of incentive (e.g. Fryer, 2013; Koretz, 2000). This may be a case where a social indicator, in this case student achievement, is overused in ways that tend to corrupt its originally intended purposes. This is commonly referred to in the literature as the Campbell principle (1976). The alternative would be to provide incentives based on a variety of indicators, and not only or mostly educational achievement in two areas.

The international evidence on programs such as Bono Escuela is mixed. For example, in Andhra Pradesh (India), a similar program not only had a positive effect on students' achievement, but also no negative consequences (Muralidharan and Sundararaman, 2011). The study found an effect even after five years (Muralidharan, 2013). Similar results were found in Israel (Lavy, 2009).

The debate on this will probably continue over the next few years. Clearly, now that the program has been established, local research is needed on its implementation and impact. For example, the government is issuing a new curriculum for 2017, which includes a variety of competencies, including reading and mathematics, but under an umbrella of developing citizenship and ethical skills in a democratic society. It seems evident to us that there is a need for better alignment between establishing such goals and providing incentives for performance in only two areas (i.e. reading and mathematics). The incentive program is increasing its relevance in Peru, as starting in 2016 the incentive is also being provided for secondary teachers and principals, with similar mechanisms. This is based on the census evaluation that started in 2015 for second year of secondary students. The debate is open for arguments and evidence.

5. Policy recommendations

Based on the above, the following recommendations are provided:

Guarantee the right to education for all children: the right for a quality education is established in Peru's education law. However, as mentioned above there are still issues with access and opportunities, with lower levels for the poor, indigenous, rural and students with special needs. Accountability mechanisms for all children to exercise their right to education would seem to be needed to diminish inequality in the education system.

Start an external research and evaluation program with a focus on accountability: as in many developing countries, there is little research on education in Peru on accountability issues. The Ministry of Education in the

past three years has started a program to monitor and evaluate its interventions that seems very promising, called MINEDU Lab. They have also started a promising program to monitor the delivery of services in public schools, called *Semáforo Escuela*. However, ideally such programs should be located externally to the Ministry, so that the accountability and evaluation roles are clearly differentiated.

Assign responsibilities for fulfilling recommendations from the General Education Law, National Education Project, and Ombudsman office.

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