

Right to Education Index (RTEI) Country Brief: United States Findings 2022

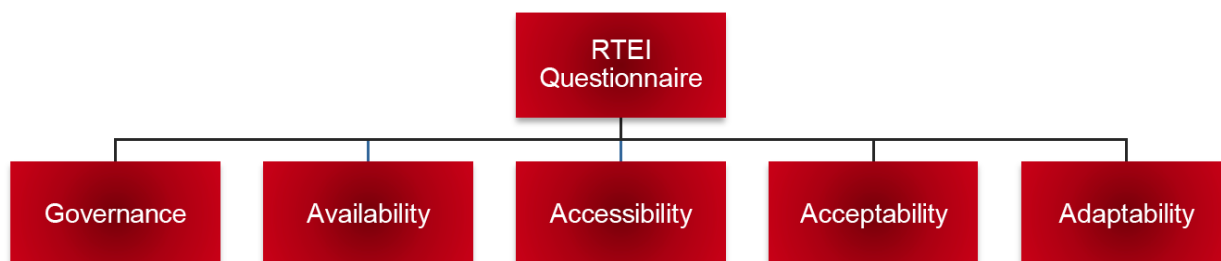
Introduction

The Global Campaign for Education-US (GCE-US) is a civil society organization, and global coalition, dedicated to ensuring universal quality education for all children and youth. Our mission is to promote education as a basic human right and mobilize to create political will in the United States and internationally to ensure universal quality education, which is at the core of all human development. We believe that all children have the right to quality, inclusive education, and it is our hope that this Country Brief, which will identify key issues in need of improvement within the US educational system, will be used to further advocate for a more equitable society.

What is RTEI?

The Right to Education Index (RTEI) is a global accountability initiative that aims to ensure that all people, no matter where they live, enjoy their right to a quality education. RTEI is a global index built from the international right to education framework to monitor national progress towards its fulfillment. It reveals key areas in need of improvement, offers country-to-country comparisons, and tracks progress over time. RTEI can be used to increase public and political support for realizing the right to education and hold governments and institutions accountable for their commitments to the right to education.

The RTEI Questionnaire was completed by 15 participating RTEI countries in 2021 and is comprised of 5 themes:



Governance (speaks to the legal structure of education); Availability (speaks to the specific quantity of educational institutions available); Accessibility (speaks to the accessibility to education for all students); Acceptability (speaks to the quality of available education); Adaptability (speaks to the ability to meet diverse needs).

Additionally, each theme contains many embedded subthemes that address cross-cutting issues within education. Questions within each subtheme are assessed and given scores, ranging from 0 to 100, to provide scores for each theme and the overall country score.

RTEI Results

Overall, the United States received a score of 82%. While it appears that some progress has been made from the 2018 RTEI where the United States scored 79%, the United States was still lowest scoring high-income country in the 2021 RTEI¹. Across the themes, the section focused on governance received a score of 61%; availability received 51%; accessibility 63%; acceptability 36%; and adaptability 62%. While the adaptability theme scored the highest amongst the themes, it is important to note that the United States received a 0% on “attacks on education”, due to the number of schools shootings. Subsequently, the lowest scores include the following subthemes, which will be addressed in this country brief: international framework (28%), free education (29%), aims of education (22%), and minorities and indigenous peoples (33%). Relative areas of strength were also identified and include the education of children with disabilities (100%); student participation, which focused on enrollment and completion (96%); and monitoring and reporting on data (75%).

Impact of COVID-19 on the Right to Education

COVID-19 has had a devastating impact on the right to education worldwide. For this reason, RTEI added a component on the impact of COVID-19 within country contexts. However, it is important to note that the scores within this section did not impact the overall RTEI country score. Rather, this addition to the questionnaire was intended to provide a better understanding of country preparedness for education in emergency settings, such as a global pandemic. Important findings for the United States include:

- 99% of students were affected by school closures
- Though distance learning was provided during school closures, access to the internet and technology provided difficulties for many school districts and students
- Universal measures to ensure that students most at-risk of dropping out were given support were not taken
- Teachers were prioritized for vaccination in 37 states
- 4% (\$200 billion of \$4.7 trillion) of the U.S. COVID-19 relief budget was allocated to education

There are many issues that have significantly limited students in different ways due to availability of and access to resources needed to successfully navigate distance and hybrid learning environments. COVID-19 has shown the United States, and the world more broadly, the importance of having a plan in place for future disasters – especially to ensure quality, inclusive education for learners most at-risk, including children and youth with disabilities, minorities, and indigenous peoples. However, it is important to note that school closures due to COVID-19 also

¹ Countries in the RTEI include: Brazil, Philippines, Palestine, Indonesia, Kenya, Honduras, Zimbabwe, Sierra Leone, Tanzania, Uganda, Democratic Republic of Congo, Ethiopia, Haiti, UK, and US.

led to a drop in school shootings, which has been noted as one positive unintended consequence due to COVID-19. Fatal shootings nearly stopped in 2020 but built back up in 2021. In total, there have been 119 school shootings in the United States the since the last RTEI in 2018². In comparison, attacks on education across RTEI countries is not rare, however mass school shootings are a uniquely American crisis.

Data Availability

Throughout the questionnaire process, there were many instances where locating data provided a unique challenge. For example, there were sections where data availability was either limited, or the most recent data was significantly outdated. One of the potential explanations for this shortcoming could be the impact of COVID-19 on national data collection. However, there were also instances where national data did not provide an accurate representation of the United States, as many states varied within their state legislation and data availability. For this reason, we continue to advocate for the creation of a national education database where national and state-wide data can be publicly accessible. Additionally, in comparison with other countries, the United States is lacking significant data on literacy, which is an area in need of consistent and reliable data collection to better understand the literacy gap issue in the country. Lastly, as within the greater global community, there is an overall need for disaggregated data on education for sub-populations, to provide a more thorough representation of the progress being made, along with the gaps that still need to be addressed.

Lack of International Human Rights Treaties Support:

RTEI revealed some worrisome trends for education governance in the United States with the country scoring below all other participating countries for the subtheme International Framework (subtheme score of 28%). This sub-theme assessed whether governments are party to a number of United Nations (UN) treaties, UNESCO treaties, International Labor Organization conventions, the Geneva Conventions, and regional treaties relating to the protection of human rights, in particular those related to children, women, and other vulnerable groups. By comparison, the average score for International Framework among all RTEI countries was 70%. In fact, the United States still has not ratified many human rights treaties, including: the Convention on the Rights of Persons with Disabilities (CRPD), the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW), the Convention on the Rights of the Child (CRC, which every other country in the world has ratified), or the International Covenant on Economic, Social, and Cultural Rights—which is part of the International Bill of Human Rights. As a country that prides itself on being a champion of human rights, we are quite literally failing from an international framework perspective.

² There were 24 school shootings in 2018 and 2019, 10 school shootings in 2020, 34 school shootings in 2021 (24 of which occurred after August 1), and 27 in 2022 (as of June) according to an [Education Week Report](#).

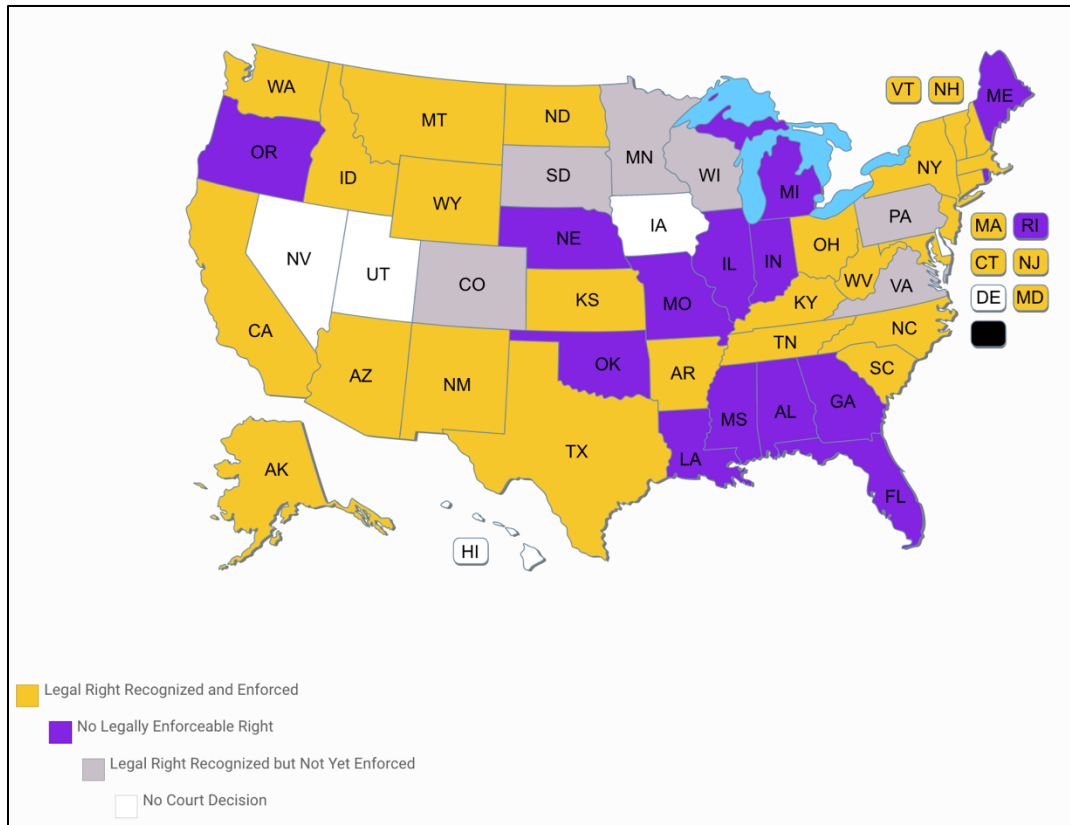
International Human Rights Treaty Recommendations for the U.S.: Ratify relevant treaties, and incorporate these principles into domestic laws and policies, including:

- The UN Convention on the Rights of the Child
- The UN Convention on the Rights of Persons with Disabilities
- The UN Convention on the Elimination of All Forms of Discrimination against Women
- The UNESCO Convention against Discrimination in Education
- The Safe Schools Declaration
- The International Labor Organization Minimum Age Convention

Ratification of these key treaties and conventions will ensure that the U.S.:

- Repositions itself as a global leader on human rights, specifically for vulnerable populations.
- Will have a more effective voice in discussions and negotiations with other countries on human rights related issues.
- Will ensure that children's basic right to education is promoted and protected, as opposed to the current absence of a federal constitutional right to education.

Action can be taken to address this issue by raising public awareness of the different treaties and the need for their ratification, asking the President to prepare recommendations for ratification, informing senators and key policymakers about the importance of these treaties and conventions, and advocating to incorporate international frameworks into state laws and policies that are currently missing such frameworks. To illustrate one component of the right to education across the U.S., the map below indicates which states have a legally enforceable right to equity in school funding via the state's constitution and courts.



Source: *SchoolFunding.Info*

Only after ratifying these treaties, and using domestic law to uphold them, can the United States genuinely be the human rights champion it has so long claimed to be. To lead on the human right to education globally, it is critical that the U.S. increase funding for whole child approaches, bilateral international basic education, whole child approaches, and multilateral mechanisms to ensure quality, inclusive education for all learners, including the Global Partnership for Education (GPE) and Education Cannot Wait (ECW) fund for education in emergencies.

Lack of Investment into Early Childhood Education and Development

The United States also received the lowest scores among RTEI countries in the following categories: aims of education (22%), a subtheme within acceptability; and free education (29%), a subtheme within accessibility—both of which are based on the Convention on the Rights of the Child and the International Covenant on Economic, Social, and Cultural Rights. Together, these subthemes emphasize the need for further investment in early childhood education and development (ECED), as the United States has yet to ensure free Early Childhood Education, while 45% of countries around the world provide at least one year of free ECED. Research has shown that ECED is a critical period (from pregnancy to age 5) for brain development and provides a

unique opportunity to deliver targeted support and foster the holistic development of all children, which can lead to a more inclusive society.

The RTEI found that less than half³ of state laws, policies, and curriculum include aims that emphasize the full development⁴ of the child. Additionally, teachers in the U.S. are not currently required to receive training to teach towards the full development of the child. Furthermore, although many states have adopted early learning standards or guidelines for pre-primary school, enrollment is often associated with high costs as pre-primary schools are not yet universally included in public education systems and are often privately run. In instances where free pre-primary schools do exist, access is quite limited, families typically need to meet specific requirements, and are often placed on a waiting list due to high demand.

Early Childhood Education and Development Recommendations for the U.S.: Establish laws, policies, and curriculum that aim at the holistic development of a child’s social, emotional, cognitive, and physical needs in order to build a solid foundation for lifelong learning and wellbeing. This will require several targeted actions to ensure access to quality, inclusive early ECED programs and services, such as:

- Supporting the Child Care for Working Families Act
- Increasing federal support for access to ECED services
- Creating laws and policies that ensure direct delivery of ECED services
- Incentivizing and supporting states in moving toward universal pre-primary programming, including education, in ways that support socioeconomic, racial, and linguistic diversity
- Requiring federally supported preschool programs meet minimum quality standards
- Making programs affordable by subsidizing or paying full tuition for ECED programs for children from low-income families
- Encouraging local government and community participation in the development of early childhood policies through the formation of localized planning groups and the development of local plans as a criterion for state funding
- Improving early educator compensation, and providing pre-service and in-service training targeting the holistic development of the child
- Providing national data on early childhood development to help track progress over time

Significant research has shown the importance of investing in early childhood education and development, yet many children and their families in the U.S. lack access to free quality and inclusive learning environments before kindergarten. Therefore, it is imperative that we act now

³ Approximately one dozen states have adopted social emotional learning standards and are in various stages of implementing these standards, aligning them with curricula and instructing teachers in their proper use.

⁴ Full development includes, but it not limited to, a child’s social, emotional, cognitive, and physical needs.



to enact policies that support the investments necessary to make affordable, high-quality early learning programs a reality for all families.