

## Children's Right to Quality Early Childhood Education

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### Abstract

ASER study, '2018 and 2019 of India reported the non school readiness of children for formal schooling. Data from studies brings attention on missed, non compensable critical periods and loss of learning opportunities during early years of life. Due to this loss, children even miss out on their right to development and participation. Hence, to ensure this, it becomes necessary and facilitative to have children's Right to quality early childhood education. Children during early years are more receptive towards learning with rapid brain development. Quality early childhood education adds on to their learning capacities by providing conducive, developmentally appropriate and play based learning opportunities. United Nation Convention on the Rights of Child in General comment No. 7 attempts to ensure implementation of child rights in early childhood. Article 28; 6.2; 29.1; 18.2; 29.1 of UNCRC calls attention on children's right for free and compulsory education from birth onwards, leading to holistic development of children and inclusion of human rights education in early childhood education. Directive principle of Indian constitution in Article 45 delineates to provide early childhood care and education for children of less than 6 years of age. Indian government policies like Draft National education policy '2019 stated to integrate quality early childhood education as part of RTE; National ECCE policy, '2013 aims for free, universal, inclusive, equitable, joyful and contextualized opportunities during early years; Quality standards for early childhood care and education, '2013 (b) specify some non negotiable quality standards indicators for ECCE service providers and National ECCE Curriculum Framework, '2013 (a) aims for quality and excellence in early childhood education by providing guidelines for practice in ECCE programmes.

**Keywords:** *children's right to quality early childhood education, fundamental right, curriculum framework, UNCRC, quality early childhood education*

### Tracing the place of right to quality early childhood education: A Legal framework

"General comment" No. 7 (2005) Implementing Child Rights in early childhood was added in United Nation on Rights of Child. Comment aims to encourage rights of children during early childhood years due to the importance of critical periods this life stage carries. The need for this comment was realized from reports about early childhood received by UNCRC, focusing mainly on child mortality, birth registration and health care. Article 28 of UNCRC states children's right to free and compulsory education, in Article 6.2, committee recognizes this right from birth onwards. Article 29.1 of UNCRC links education to development of children in personality, talents, mental and physical abilities. General comment No. 1, elaborates on aims of education that is to empower children's skills, capacities, dignity, self esteem, self confidence through child

centred and child friendly manner. Article 18.2 states that appropriate assistance for parents should be given for child rearing and enhance their knowledge in their role in early childhood education. Article 29.1 (a) states to aim for programmes which work in partnership with parents for child's development. General comment No. 1 (2001) recommends including human rights education within early childhood education (UNICEF, 2005). Garg and Singla (2012) state relevance of right to education, lack of which leads to deprived freedom of speech and expression enshrined in Article 19 (1) (a). Right to education is directly linked to right to life, and it is the states responsibility to provide educational facilities to all states members. Realizing importance of education, in 2002 Right to Education Act under Article 21 A was declared as fundamental right. According to the Right to Education act children of age group six to fourteen years should be provided with free

and compulsory education. However, the RTE act did not cover age group below six years old children. Further, in Eighty sixth Amendment Act in 2002 of the Indian constitution, Article 45 stated that “*The state shall Endeavour to provide early childhood care and education, for all children until they complete the age of six years*” as one of it’s Directive Principle.

### **Realizing need for children’s right to quality early childhood education: Current status in India**

ASER’ 2019 conducted surveys in 26 districts across 24 states of India, examining 36,930 children of age group 4 to 8, findings reported enrolment rates to be 44.2% in Anganwadi Centres AWCs and 36.7% in private preschools at age 4 years; 26.2% in AWCs and 40.6% in private preschools at age 5 years; 5.8% in AWCs and 23.2% in private preschools at age 6 years; 1% in AWCs and 8.3% in private preschools at age 7 years and 0.4% in AWCs and 2.8% in private preschools at age 8 years. Same sample of children were examined on cognitive, early language, early numeracy, social and emotional tasks and it was found that 44.2% of 4 years old and 26.3% of 5 years old performed much lower in cognitive skills and foundational abilities (ASER, 2019). National Achievement Survey, 2017, stated that 1 in 3 students in standard 3 could not read small text with comprehensions and 1 in 2 could not use maths to solve daily problems. ASER, 2018 stated that 50% of children in standard 5 in rural India could not read grade 2 text and 35.7% of grade 1 children could not recognize numbers from 1 to 9.. The India Early Childhood Education Impact study and ASER study stated that origin of these crisis lie even before children enter grade 1<sup>st</sup> (“Dhawan & S,” n.d). Lack of exposure to enriching environment, developmentally appropriate opportunities, learning experiences during early childhood years makes children unprepared for formal learning. Further, children miss out on their basic right to development and participation.

Early childhood education that is care and education of children from birth till eight years provides “*sound foundation upon which all learning depends, making every stage of education that follows more efficient and more productive*” (UNICEF). During early years, children are most receptive towards growth and development, if exposed to quality care and

education opportunities. The area of brain responsible for intelligence and higher level of cognition develops maximum synapses during 3.5 years of age. Brain development during early years follows a balance between proliferation of neurons and controlled cell deaths, which are nurtured by environmental factors. Enriched environmental factor can develop portions of brain which enhances cognitive capacity, learning, memory and resilience in children. These factors also refine neural circuitry which can help to recover genetic disorders, trauma, brain impairments, maternal separation, early neglect or abuse (Centre on Developing Child Harvard University, 2007).

In a study 900 kindergarten children were studied to examine impact of Judy Centre program (a quality early childhood education provider) on school readiness components. Results stated benefits to the children at high risk category after attending the program. Children who came from economically disadvantaged group, special needs, less proficient English skills, were able to reduce the achievement gap (Fontaine et al., 2004).

India early childhood education Impact study, assessed 2767 children, after attending one year of preschool, found that children going to private preschools gained an average of 6 point percentage more as compared to their counterpart going to government preschools (Anganwadis) on school readiness score,. Gain in school readiness score was highest amongst children who attended “know practices” category preschools, a category which included preschools with best quality amongst the sampled preschools. Hence, concluding that quality of early childhood education is significantly associated with school readiness level of children (Kaul, Chaudhary & Sharma, 2014).

Investing in early childhood education increases the possibility of children completing their primary schooling. Early childhood education through various centres or programmes aims at holistic development of children in social, emotional, cognitive and physical domains by providing stimulating environment, culturally & developmentally appropriate activities, interactive sessions, play opportunities and a trained teacher for secure attachment. It also fosters in children the skills and concepts related

to readiness for learning of 3Rs, before entering in primary schooling (Kaul et al., n.d).

### **Stepping towards quality early childhood education: A policy framework**

***Draft National Education Policy 2019:*** Realizing the importance of critical periods, developmentally appropriate opportunities and future returns of investing in early childhood education, Draft National Education Policy 2019 lays down policy initiatives that have to be achieved by 2025. It mandates the expansion of curricular and pedagogical framework of early childhood education. The first part of this framework will be for children of 0-3 years of age group, focusing on cognitive stimulation during infancy. Second part will be for children of 3-8 years old elaborating of flexible, multilevel, play based, activity based, discovery based learning aiming to teach alphabets, numbers, basic communications in mother tongue. Expansion and strengthening of early childhood education facilities will be done through training Anganwadi workers in cognitive stimulation, play based learning and multilevel education for children up to six years and by providing Anganwadi centres with excellent educational materials. Wherever possible, Anganwadi centres will be co-located with existing primary schools to provide better educational environment. New primary schools or existing ones will be added with quality preschool for 3-6 years old children with primary focus on health, nutrition and growth monitoring services. High quality stand alone preschools will be constructed where Anganwadi cannot take on educational responsibility of 3-6 years old. Child friendly and learning friendly infrastructure will be developed with basic facilities. State government will train professionally qualified early childhood educators. An effective regulation on the quality of early childhood education will be done. Lastly, it highlights on the inclusion of free and compulsory quality pre-primary education for 3-6 years olds will form an integral part of Right to Education Act (Draft National Education Policy, 2019).

***National early childhood care and education policy 2013:*** The policy aims to provide quality early childhood education by promoting developmentally appropriate practices through quality standards, curriculum frameworks, provision of appropriate play materials and ECE

programme and child assessment. Basic quality standards and specification will be implemented by public, private and non-governmental service providers that are: 3-4 hours of daily ECCE programme; classroom measuring 35 square meter for 30 children; trained staff; developmentally appropriate and child centric curriculum in mother tongue; developmentally appropriate toys; safe and cleaned approachable buildings; adequate and safe drinking water; adequate and separate toilets for girls and boys; separate space for cooking and nap time; availability of first aid box/medical kits; and teacher child ratio to be 1:20 for 3-6 years old and 1:10 under 3 years (Ministry of women and child development, 2013).

***National Policy for Children 2013:*** The policy mentions to “provide universal and equitable access to quality early childhood care and education for optimal development and active learning capacity” for children below six years of age (Ministry of women and child development, 2013).

***Quality Standards for Early Childhood care and education, 2013 (b):*** The document provides a framework for early childhood care and education service providers/programmes to assess and assist implementation of non negotiable quality standards as mentioned in National ECCE policy’2013. Along with this, policy also proposes eight quality standard in the framework that are:- interaction; health nutrition, personal care and routine; protective care and safety; having infrastructure/physical environment; organization and management; children experiences and learning opportunities; assessment and outcome measures; and management to support quality system (Ministry of women and child development, n.d).

***National early childhood care and education curriculum framework,’ 2013(a):*** The framework lays down guiding principles for ECCE programmes to develop its own curriculums based on this framework to promote quality and excellence in early childhood education. It mentions objectives of early childhood care and education programmes as to value and respect children along with making them feel safe and secure. Enable sound foundation for physical and motor development, good nutrition, healthy habits, hygienic practices and self help skills, effective communication, development and integration of senses. It should

stimulate intellectual curiosity and conceptual development of world along with smooth transition from home to ECCE centre and to formal schooling. The curriculum of programme should have three components that are context, content and process. The classroom should have flexible arrangement, display of child's material, periodic change of display, learning/activity corners and involvement of parents or community. Teachers should have short term and long term planning, choosing theme with child's self/relationships/people/world, varieties of activities, with activities being developmentally appropriate and contextual. The programme should be of 4 hours with 20 minutes activities. There must be some routine on daily basis with a balance of structured, unstructured, indoor, outdoor, group, individual, self directed and adult directed activities. Introduction of second language should be done after child becomes comfortable in mother tongue with continuous parental support and involvement in child's learning (Ministry of Women and Child development, n.d).

### **Early childhood education in India: Participatory trends and current status**

According to Census 2011, India the total population of children in age group of 0-6 years is 16.45 Cr, while 74% of this figure belonging to rural area (as cited in Children in India 2018-A statistical appraisal, n.d). When, 36930 children of age group 4 to 8, were surveyed from 1514 villages of India the enrolment trends were found to be 44.2% in AWCs and 36.7% in private preschools at age 4 years; 26.2% in AWCs and 40.6% in private preschools at age 5 years; 5.8% in AWCs and 23.2% in private preschools at age 6 years; 1% in AWCs and 8.3% in private preschools at age 7 years and 0.4% in AWCs and 2.8% in private preschools at age 8 years (ASER, '2019). Rajiv Gandhi Creche Scheme has 22038 sanctioned crèches for children of working mothers with 0.55 million children of age group 0-5 years availing the facility (as cited in Chopra, 2015). Indian Early Childhood Education Impact study – 1, surveyed participation trends in 69 villages and six urban sites covering 298 ECE centres in three states that are Andhra Pradesh, Assam and Rajasthan, including 2767 children between ages of 3.5 to 4.5 years. 83% of sampled children were found to be attending some form of early childhood education programme, out of which

45% were found to be attending Anganwadi centres and 43% attending private preschools. Remaining 12% distributed amongst “known practices” and government pre primary school in state of Andhra Pradesh and Rajasthan. The physical facilities available in these 298 sampled ECE centres were better in Andhra Pradesh with the mean score of 5.9 on the scale of 10, while Rajasthan and Assam scoring 5.3 and 4.5 respectively. ECE centres in Rajasthan had better outdoor and indoor materials as compared to Assam and Andhra Pradesh with mean score of 3.8; 3.1 and 2.7 on scale of 10 respectively (Kaul, Chaudhary & Sharma, 2014). Studies on ICDS report struggle of Anganwadi centres for building spaces as most them were running on rented buildings or at panchayat ghars/religious places. Also, availability of materials like blackboards, flannel boards, whiteboards, coloured chalks, scissors, paper, sketch pens etc was inadequate. Policy Brief: Indian Early Childhood Education Impact study, (n.d) stated Anganwadi centre and private preschool to be majorly accessed ECE centres of India. While, Anganwadi centres focus majorly on nutrition while private preschools are downward extension of primary classes. None of them reported to offer planned play opportunity for children and collapse to provide appropriate environment for children.

### **Conclusion/Discussion**

United Nation Convention on Rights of Child provide four sets of rights that are survival, development, protection and participation, while being interdependent on each other and none of them cannot be dealt in isolation. Children's right to early childhood care and education is one such right which can contribute to all four sets of child's right under one domain (Chopra, 2015). The question arises how can these rights be dealt together under one domain? Quality in early childhood care and education through various programmes/ECCE centres can lead to this objective. Enriched environment provided through quality care and education develops portion of brain which enhances cognitive capacity, learning, memory and resilience in children. These factors also helps in refinement of neural circuit which can recover genetic disorders, trauma, brain impairments, maternal separation, early neglect or abuse (Centre on Developing Child Harvard University, 2007). Burchinal & Cryer, 2003 stated enhancement in

cognitive development, socialization, and performance on school readiness while providing high quality child care to children (as cited in Fontaine et al., 2004). Investment in quality early childhood care and education has crucial relevance as it lay strong foundations for life time. Despite of these proven benefits of quality early childhood care and education, UNICEF reported non enrolment of more than 175 million children globally in early childhood education. Therefore, to ensure full participation of children in quality early childhood education some legal frameworks were proposed and implemented, nationally and internationally.

United Nation on Rights of Child added “General comment” No. 7 (2005) that is

Implementing Child Rights in early childhood. Indian Constitution, eighty sixth amendment act in 2002, Article 45 stated that “*The state shall Endeavour to provide early childhood care and education, for all children until they complete the age of six years*” as one of it’s Directive Principle. Certain policies were framed nationally like Draft National education policy’ 2019; National ECCE policy’ 2013; National Policy for Children’ 2013; Quality standards for early childhood care and education’2013 (b) and National ECCE Curriculum Framework’2013 (a) to ensure delivery of quality early childhood education to children this age group.

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