



PAGE: Pour une Approche Globale de l'Éducation

Democratic Republic of the Congo: Equateur • South Kivu • Kinshasa

School Fee Policies and Practices in the Democratic Republic of the Congo: Situational Analysis and Perspectives for the Future



Bukavu. South Kivu

**Report of Research and Participative Consultations Conducted
by the PAGE Project Education Policy Team**

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ABBREVIATIONS

ANAPECO:	Association Nationale des Parents d'Élèves et Étudiants du Congo [Congo National Association of Parents of Students]
APEC:	Association des Parents d'Élèves des Écoles Catholiques [Association of Parents of Catholic School Students]
APEK:	Association des Parents d'Élèves des Écoles Kimbanguistes [Association of Parents of Kimbanguist School Students]
APEP:	Association des Parents d'Élèves des Écoles Protestantes [Association of Parents of Protestant School Students]
CENC:	Conférence Épiscopale Nationale du Congo [National Episcopal Conference of the Congo]
CNEPT:	Conseil National de l'Éducation Pour Tous [National Council of Education for All]
DAE:	Decentralized Administrative Entity
DFID:	Department for International Development (UK)
DRC:	Democratic Republic of the Congo
DSRP:	Document Stratégique de Réduction de la Pauvreté [Poverty Reduction Strategy Paper]
EDC:	Education Development Center
EFA:	Education For All
EPSP:	Enseignement Primaire, Secondaire et Professionnel [Elementary, Secondary and Professional Education]
FPE:	Fonds de la Promotion de l'Éducation [Education Promotion Fund]
GDP:	Gross Domestic Product
HIPC:	Heavily Indebted Poor Countries
IGA:	Income Generation Activity
IRC:	International Rescue Committee
IPP:	Inspection Principale Provinciale [Principal Provincial Inspection Office]
MDG:	Millennium Development Goals
MEPSP:	Ministère de l'Enseignement Primaire, Secondaire et Professionnel [Ministry of Elementary, Secondary and Professional Education]
MESU:	Ministère de l'Enseignement Supérieur [Ministry of Higher Education]
MICS:	Multiple Indicator Cluster Survey
NGO:	Non-Governmental Organization
PAGE:	Pour une Approche Globale de l'Éducation
PRS :	Pension de Rente et de Survie [Teachers' pension office]
RESEN:	Rapport d'État du Système Éducatif National [Status Report of the National Education System]
SECOPE:	Service de Contrôle et de Paie des Enseignants [Service for Verification and Payment of Educators]
SERNIE :	Service National de l'Identification des Élèves [National Service for Student Identification]
SMC:	School Management Committee
SONAS:	Société National d'Assurances [National Insurance Company]
SY.E.CAT :	Syndicat des Enseignants des Écoles Catholiques [Union of Catholic School Teachers]
SY.ECO:	Syndicat des Enseignants du Congo [Congo Teachers' Union]
TENAFEP:	Test National de Fin d'Études Primaires [National Elementary Completion Exam]
UNDP:	United Nations Development Program
UNICEF:	United Nations Children's Fund
USAID:	United States Agency for International Development

FORWARD

This report presents the results of research conducted by the team of education policy specialists for the Pour une Approche Globale de l'Education (PAGE) project. PAGE is a project carried out by the Education Development Center (EDC) in partnership with the International Rescue Committee (IRC) with financing from the United States Agency for International Development (USAID) in the Democratic Republic of the Congo.

PAGE is a pilot project spanning three years, from October 2005 to October 2008. It is carried out in two provinces of the DRC, Equateur and South Kivu, targeting 120 school-communities divided into 60 per province. It aims at reducing the burden of school fees borne by parents and communities. This reduction will be accompanied by improvement in the quality of and growth in access to education.

To achieve these results, the project is strategically structured into three technical components: Education Quality, Community Participation, and Education Policy, which are all interlinked in holistic synergy. This report on the situational analysis of school fee policies and practices was conducted in the context of the Education Policy component with input from the other PAGE project teams.

The purpose of this study is to provide the project and also the stakeholders and partners both inside and outside the Congolese education system with information needed for a clear understanding of the realities surrounding the question of school fees. It will serve as a tool for the design, implementation and success of all the processes that could lead to the reduction of the burden of school fees or the pure and simple abolition of these fees.

PAGE hopes to have provided a modest contribution to meeting a real and immediate need: informing and objectively guiding stakeholders to take action around the major issues related to school fees in the DRC. PAGE hopes that the issues raised in this research report will attract the attention of one and all to the existing situation and the considerations needed to achieve education for all in general and the abolition of school fees in particular.

May our concerted efforts continue to achieve concrete results for the benefit of the children of the DRC and for the entire nation.

Rebecca Cusic
PAGE Chief of Party

ACKNOWLEDGMENTS

This report on the situational analysis of school fees policy and practices in the DRC and perspectives for future action had the support of many people – from the design of the tools and methodologies to the data collection and the preparation of the report itself. May we first give a global thank you to all those who in one way or another gave from the best of themselves to make it possible.

Specifically we thank USAID and the U.S. Congress, the sponsors of the PAGE project, for having taken an interest in the question of school fees as a critical issue along the path to reaching the objective of Education For All. We also thank the Congolese government and all the partners from the education sector for their time discussing the issue and for providing essential information that made it possible to establish a database that was indispensable in the preparation of the present report. In particular we would like to thank the officials from the Ministry of Elementary, Secondary and Professional Education (MEPSP), representatives from international and national organizations, provincial governors, officials from the provincial EPSP divisions, the leaders of the different school network coordinating bodies, provincial inspection agents, parents of students and their associations, teachers and their unions, administrators of the schools visited, community leaders and all members who participated in the research and consultations.

We thus salute the commitment of the wide range of stakeholders involved in addressing school fees in the Congo. The concerted actions of this diverse group are already reflected in tangible results, including two major first milestones: the adoption of the new Constitution of the Democratic Republic of the Congo that calls for free and universal elementary education, and the creation of a National Commission for the Abolition of School Fees.

PAGE Situational Analysis Research and Writing Team

Philippe Ngwala Malemba, Education Policy Advisor

Gérard Matundu, Education Policy Specialist, Equateur

Eugène Lubula, Education Policy Specialist, South Kivu

Jennifer Swift-Morgan, Technical Assistant

EXECUTIVE SUMMARY

This final report on the situational analysis of school fee policies and practices in the Democratic Republic of the Congo (DRC) presents the results of documentary research; interviews and focus group discussions with stakeholders, partners and decision makers from the Congolese education system and communities; and discussions and exchanges during follow-up workshops with the same actors. These analyses and consultations were conducted and facilitated by the PAGE project Education Policy team at three sites in the DRC: Kinshasa and the provinces of Equateur and South Kivu. They also cover three levels of the education system: national, provincial and local. The categories of stakeholders consulted include government actors, international organizations involved in the education sector, members of teacher unions, members of parents' associations, school principals and administrators, representatives of the different school networks managed by churches, provincial divisions of the Minister of Primary, Secondary and Professional Education (MEPSP), provincial inspection agents, community leaders and members of local school committees and associations. An estimated 430 people took part in the interviews, participative consultations and the workshop discussions.

The DRC education sector public financing crisis dating from the 1980s has led communities to develop alternate mechanisms for assuring the schooling of their children and the survival of school institutions. In the 1990s, the idea of having parents pay fees to cover teachers' salaries was proposed as a hypothetical emergency stop-gap measure, but then was formalized and became a structural change generalized throughout the country.

The school fees borne by parents thus became the principal source of financing despite the high level of poverty throughout the country and in rural areas in particular. The different kinds of school fees paid by parents, which are identified and catalogued systematically in this report, represent a very significant amount relative to the low income of Congolese families. Consequently, access to education conditioned on the payment of school fees, especially in order to cover the teachers' salaries, has led to a massive exclusion of children from the education system. The education system access indicators have only continued to decline over time.

Faced with this exclusionary situation and several other harmful consequences which follow from it, all participants in this study unanimously call for the State to resume payment of teachers' salaries. Initial negotiations with the government, such as by the teachers' unions, have taken place but have not yet resulted in a clear plan. At the same time, a strong international movement is advocating in favor of education and the Congo has made a commitment to try to achieve the objective of primary Education for All by 2015.

The issue of school fees has therefore become very important and must be brought to the center of the debate on the improvement of education system performance in the DRC. It is now indisputable that need to better understand school fees is real and pressing. This is why a situational analysis of school fees is an important step in the process of abolishing or at first reducing the burden of school fees.

Principal Results of the Study

The principal results of the study presented in this report hinge around six essential axes: the context of the education finance system; analysis of laws and regulations affecting school fees; the type and mechanisms for setting and allocating school fees; the amounts and financial burden represented by the school fees; school fee collection and alternative financing mechanisms; and the summary of the position of the principal stakeholders in the education system concerning the issue of school fees.

The context of the education finance system in the DRC is such that the entire education system is principally financed by parents and communities, because of the weakness of public financing that became nearly nonexistent several years ago.

The education system in the DRC is principally financed by school fees. Public financing has continued to drop for several years and the forecast operating expenses allocated to education represent 6% of the State's budget. The public expenditure per student went from \$109 in 1980 to \$4 in 2002, a drop of 97%.

The governmental decision in 2005 to eliminate "motivation fees" (*frais de motivation*) contribution to teachers' salary and transportation paid by parents to cover and supplement teachers salaries was not effectively executed. In reality, these fees were replaced by transportation fees at an amount much higher than that which was previously applied under the *frais de motivation* description.

The education financing system operates as a regressive tax system which only strikes the parents of students and which blocks access to education, whereas education is both a human right and a public good. This good benefits the entire community as an input to the development process but its financing in the DRC is the responsibility of a single class of the population: the students' parents, among whom the poorest bear the greatest relative brunt of the burden.

The laws and regulations for school fees provide for several advantages not used by the students, schools and parents. This is true even though the National Education Law is in flagrant contradiction of the Constitution on the major question of educational financing and free elementary education.

The new Constitution of the DRC declares that elementary education is free; however, the existing National Education Law (the *Loi Cadre d'Enseignement National*) authorizes the financing of schools by parents' contributions. Despite this contradiction that will certainly require an amendment or possibly even an overhauling the law, the existing National Education Law does already mandate that the principal source of financing of public school institutions is the State, through its national budget and the budgets of the decentralized administrative entities. In its spirit, the on only contribution from parents called for in the law is the small centrally mandated school tax fee (the *minerval*) and the indirect costs of schooling related to school supplies. At the provincial level, the annual EPSP provincial

decrees have provisions which include a nomenclature of school fees for which parents are responsible and that clearly show that the vast majority of the education system's financing rests on parents' shoulders.

Most school fees are set by provincial decree and represent significant monetary amounts that weigh heavily on parents.

At the provincial level, school fees are set by provincial decree as proposed by the provincial education committee. In general, the nomenclature includes the following types of fees: the *mineroal*, insurance, technical fees, periodic fees for specific interventions, fees for the national primary school completion exam (*Test National de Fin d'Études Primaires*, or TENAFEP) and school documentation fees. The teacher salary supplement fees (referred to as either the *frais de motivation* or *prime*) and school guard fees are set by each school. According to the inventory conducted for this study, total amount of per-student school fees for the 2005 – 2006 school year equaled approximately \$15 for Equateur and \$13 for South Kivu. In the province of Equateur, the GDP (Gross Domestic Product) per inhabitant is estimated at \$25¹, meaning that per-student primary school fees represent 60% of the per capita GDP; in South Kivu, the per capita GDP is approximately \$67 and the per-student expenses for primary education represent 19%². Assuming the head of household's income is the primary source for fee provision and knowing that most households do not have just one child, there is real reason to be concerned about the impact of school fees on household income.

According to the findings, on average the students from first to fifth grade each pay on average 3,327 Congolese francs or \$8 US per school year (at a rate of \$1 US = 420 Congolese francs, valid at the time of data collection); those in sixth grade pay 6,327 Congolese francs, or the equivalent of \$15 US. The highest fees are *frais de motivation* to cover or supplement teacher salaries the TENAFEP fees. Because they are set at the school-community level, the *frais de motivation* vary from one school to another. In Equateur, for students from first to fifth grade, the *frais de motivation* alone represent on average 71% of all fees, whereas for students in sixth grade they represent 38% of all fees. The TENAFEP fees represent on average 46% of all fees for a sixth-grade student. In South Kivu, *frais de motivation* represent 87% of fees for elementary school students from first to fifth grade and 66% of fees for the sixth-grade class. The TENAFEP fees represent 24% of the fees paid in sixth grade.

Although school fees are the principal source of financing for schools, their payment by parents poses a problem because in reality the collection and recover rate for school fees is low. In the schools visited in Equateur, this rate is 53% on average and in the schools visited in South Kivu, this rate is 60% on average. Furthermore, according to the research conducted, the communities and parents that are the principal suppliers of funds are not sufficiently involved in the decision-making process for setting school fees.

¹ PNUD, *Rapport du développement humain durable de la RDC* [UNDP, Report on DRC Sustainable Human Development].

² The GDP are taken from Rapport du PNUD sur le Développement Humain Durable de la RDC en 2000. The RESEN give the revenue indicators per inhabitant in 1999 PPA dollars for the provinces. It seemed more meaningful to use the GDP/inhabitant put out by the PNUD.

The collection of school fees is done by restrictive practices which favor the exclusion of children from the education system and create conflicts between the school principals and the school network management offices.

The most common practice used to compel parents to pay children's school fees is threatening to or actually expelling students who do not pay. This practice discourages the students from continuing their schooling and creates a deficit in the learning of those who are expelled from school for some time and who do not benefit from makeup classes when they return to school.

Furthermore, despite parents' poverty, the provincial decrees are strict and force the school principals to hand over the collected fees to the inspectors and management offices on time under penalty of disciplinary sanctions. The date for payment from the schools to the offices is generally set at January 31, while the provincial decrees require that the fees be collected from parents at the time of enrollment or at the first quarter of the school year. These stipulations compel the inspectors to require that the principals pay the entirety of the fees all at once, and at an amount calculated according to the fee rates multiplied by the number of students enrolled as declared at the beginning of the school year rather than as a function of the rhythm of fee collection.

To make up for the insufficiency of funds due largely to the incomplete fee collection, the school-communities develop alternative financing mechanisms.

The average school fee collection rate, meaning the actual amount received from parents relative to the expected amount according to the enrollment numbers, is low. In Equateur province the collection rate for the sample schools was estimated at only 53%; in South Kivu it was equal to 60%. These rates were observed even despite the forced collection mechanisms that are applied in the schools: seizure of exam grades, seizure of report cards, or preventing access to class for lack of payment of the fees. This shows the extent to which parents experience enormous difficulties in paying school fees.

School-communities have also developed several mechanisms for assuring the survival of the schools and the continuation of their children's education. This involves practices and policies with regard to school fees that can be classified in two categories: practices attempting to insure that the full amount of expected fees is covered, and practices to make up for the insufficiency of school fees due to the low collection rates and the insufficiencies of fees in general to meet the full needs of the school.

Beyond forced payment mechanisms to collect fees, the mechanisms for making up the insufficiency of school fees often include income generation activities (IGAs) executed either as a private initiative of the principal or by joint initiative of the principal and the community. These mechanisms also consist of payment of fees in kind, by compensation with goods and other material resources given by parents or with the labor of the children or their parents.

In addition to the low school fee collection rate, the school-communities are faced with the phenomenon of the “law of enrollments.” It is according to this “law” that inspectors require principals to pay to the provincial and central education institutions the full amount of fees not as a function of the rhythm of the payment of the fees but as a function of the enrollment numbers declared at the beginning of the school year. This phenomenon empties the school’s coffers and forces the principals to request periodic supplementary contributions from parents, including those who have already paid their fees. Some schools conduct IGAs to balance out the law of enrollments. It should be noted, however, that this use of IGAs has not spread to all schools.

The position of diverse education sector stakeholders is unanimous on the need to eliminate school fees but there are latent conflicts that put several actors at odds around this issue. The situation shows a real need for frank dialogue and the valorization of the respective strengths of each stakeholder group order to find a solution together.

The stakeholders consulted in Kinshasa are favorable to the abolition of school fees: these actors include government representatives at the central Ministry of Education, churches, parents’ associations, and teachers’ unions.

The government’s policy in the area of school fees is favorable to the abolition of these fees. Article 43 of the new Constitution stipulates that elementary education is free and mandatory. In this way, the government has engaged in the effort to achieve Education for All, which is one of the eight Millennium Development Goals. The expression of this political will is reflected in recent initiatives, including in particular the Education Promotion Fund (*Fonds de la Promotion de l’Education*, FPE) to support the education system and growing collaboration with international partners to help resolve the school fees issue.

The churches, which had initiated the practice of parents financing teachers’ salaries through *frais de motivation*, have now called for the State to resume responsibility for the payment of the teachers’ salaries.

The teachers, through their representation in unions, support the elimination of *frais de motivation* through State payment of an acceptable, living-wage salary. Recent negotiations initiated by unions with the government on the subject of salary levels and the institution of new, acceptable rates have been suspended and previous agreements to pay salaries have not been respected. For this reason, teachers continue to return to parents in solicitation of monetary contributions.

Through their associations, the parents are calling for the elimination of school fees in order to relieve them of their considerable burden. National offices of parent associations based Kinshasa claim to be responsible for bringing about the FPE initiative. Together, the parents, teachers and churches all appear to be united in their demands vis-à-vis the State, while in the meanwhile being at times at odds as teachers and churches continue to ask parents for fees. Together, these groups have petitioned the State for school fee elimination – or at least full payment of teachers salaries at – while claiming that as of yet the government continues

to demonstrate bad faith in negotiations by not coming through and providing the funds it has promised.

Aware of its own difficulties, the State, despite itself, formulates what it calls firm promises without ever making good on these promises, resulting in repeated teachers' strikes. During the meeting to prepare for the beginning of the 2005-2006 school year, the government again made "firm" promises. Because of budgetary constraints, however, the State once again was not able to provide the teacher salaries it promised, results yet again in a strike.

In addition, parents consider teachers to be hypocrites that contribute to their misfortunes; the parents' perspective is that they hear the teachers say that they are against making parents be responsible for their salaries while at the same time proving to be very demanding when it comes to their *frais de motivation*. The teachers declare that the national parents' associations themselves benefit from the school fees to the extent that there are arrangements between the associations and the principals so that a share of the fees will be set aside for them.

In brief, the current situation has created a critical level of mistrust between all of the different education stakeholder groups who each have difficulty recognizing and appreciating the efforts of the other groups in face of this situation. This situation clearly reveals the need for dialogue and for each group to acknowledge and appreciate the respective strengths of the other groups in order to find a tenable solution.

Recommendations

A number of recommendations emerge from the researchers' analyses and from propositions formulated by stakeholders themselves. These recommendations cover the short, medium and long term with regard to the reduction and abolition of school fees in the DRC.

In the short term, the education stakeholders at the local level must play their roles effectively. The school management committees and school principals need capacity strengthening in budgetary planning and management as well as training in principles of transparency in order to improve the use and management of school fees at the school level. Furthermore, the parents' committees and associations also have a need for training that will allow them to better know and exercise their right of external oversight of budgetary management and also to participate in school decision-making.

Also in the short term, parents and other community members need to be sufficiently informed of the existence of new public funds allocated to schools and they need to be involved in their management. To strengthen this effort, school-community members should be trained in strategic and operational planning for the effective use of these funds, the preparation of an annual school budget, and the regular tracking of the budget plan.

In the short and medium term, income generation activities (IGAs) –if they are well conceived and managed–could help lessen the burden of school fees borne by parents. If

the activity is well planned, it could generate alternative financial resources to support the improvement of teaching and learning at the school. Such activities should correspond to the interest and the existing or reinforced skills of the parents and community members concerned, as well as to a viable market for the goods or services produced. Care also needs to be taken to ensure that the IGA does not lead to the exploitation of student labor, especially for the benefit of school staff. Finally, the activity needs to be well planned and managed with oversight from a trained school management committee that can ensure that funds generated feed into the school's budget and support its action plan. Promising IGAs currently being carried out in Equateur and South Kivu provinces include community gardens, the raising of rabbits and chickens, and snack kiosks.

In addition to IGAs, there are other school-level reforms that could help mitigate the burden of fees even before they are reduced or abolished by the state. For instance, school-communities should adopt policies that increase more broad-based participation in decision-making for setting fees. Most importantly, each school should adopt policies to protect children and their families against the worst forms of abuse related to forced payment and to promote school access and consistent attendance.

Making the texts of the key education laws widely available is another important strategy in order to raise parental and community awareness of advantages that the laws provide. Armed with this knowledge, the parents and other community members could make use of these provisions as arguments for their advocacy efforts. For example, the existing National Education Law calls for the State to take responsibility for school personnel salaries and also for expenses linked to school construction, maintenance and didactic material. The National Education Law also calls for school expenses to be drawn from the federal budget and that of the decentralized administrative entities. This constitutes an opportunity for community members and others to assure that education is included during budget preparation at the national, provincial and local levels.

Furthermore, it will be critical to adapt the existing education laws and regulations, in particular the National Education Law, so that they are brought in line with new Constitution of the Republic that calls for free elementary education – both as a human right and an essential factor needed for the country's development. In addition to updating the laws and regulations, there is a crucial need to develop and adopt accompanying operational texts that specify the mechanisms for applying and enforcing these laws.

In the long term, the only sustainable strategy regarding school fees in the DRC is for the State to once again take responsibility of financing public education. This involves restructuring the country's tax and finance system in order that a larger share of the budget be allocated to the education sector. Consequently, this public financing will make it possible for the State to fully pay the salaries of registered (*mécanisé*) teachers and to regularize the situation of non-registered teachers by officially recognizing them as civil servants and paying them as such. As the *frais de motivation* that are still charged under other names constitute the largest share of fees borne by the parents, total coverage of teacher salaries by the State would constitute a very important first step in the abolition of school fees.

INTRODUCTION

In the Democratic Republic of the Congo (DRC), school fees paid by students' parents currently constitute the principal source of financing for the education system. To ensure that their children attend school, parents are required to pay "motivation" fees (*frais de motivation*), which serve to supplement the minimal salaries teachers receive from the State as well as to pay non-registered teachers who receive no government salary. In addition, students' parents pay several other fees that serve to support the school and finance other levels of the education system. These fees include construction or maintenance fees, periodic fees for specific needs or interventions, school promotion fees, fees for printing costs (e.g. student ID cards, student identification sheets, report cards, certificates), fees for the national primary school completion exam (*Test National de Fin d'Études Primaires* or TENAFEP), school guard fees, insurance premiums, and the national school tax fee (*minerval*).

The funds generated by these fees, once collected, are distributed in part back to the school and in greater part up to different levels of education system management offices (provincial inspection offices for standard public schools and network coordination offices for public schools supported by religious entities). Given that it is organized in this way, this funding allocation system clearly demonstrates that nearly the entirety of the DRC education system's operations rely on the payment of school fees by students' parents.

Socioeconomic data place the DRC in the 142nd position worldwide with regard to the Human Development Index and estimate that 80% of the population lives on less than one U.S. dollar per day per person.³ In this context and with its existing finance system, it is apparent that education in the DRC is in peril. This is because the paradoxical situation that the same parents who live in utter poverty are those that are required through school fees to assure the survival schools and even the education system as a whole.

Additionally, the poverty that has been endemic to the DRC recently has been exacerbated by wars leading to a massive displacement of over 1.6 million inhabitants. Approximately 15% to 17% of these displaced persons could be elementary school age children, among which at least half are girls⁴. As a result of poverty and displacement, many parents sometimes find it impossible to pay the school fees for their children. As a consequence, this inability to pay contributes to the decreasing enrollment and initial school admission rates. The net rate of admission into the first grade in the DRC currently is estimated at 17% of the first grade-aged population, disaggregated to 17.5% for boys and 16.6% for girls⁵; the net elementary enrollment rate compared to the total estimated number of school-aged children (years 6-11) was estimated at 51.7% in 2001, disaggregated to 54.8% for boys and 48.6% for girls⁶.

Faced with these realities, the issue of school fees, particularly at the primary school level, is a source of great concern. As such, it should be placed at the center of the debate on reforms to overhaul the Congolese education system at all levels – national, provincial and local.

³ PNUD, *Rapport sur le Développement Humain Durable*, 2003.

⁴ CONADER, Programme National de Désarmement, Démobilisation et Réinsertion, 2005.

⁵ Banque Mondiale, *Rapport d'État du Système Éducatif de la RDC*, 2004.

⁶ RDC, *Enquête Nationale sur la Situation des enfants et des femmes – MICS2/2001*, Rapport d'analyse.

1. Contents of the Report

This report presents the final results of a situational analysis of school fee policies and practices in the DRC. The study lasted nine months, from March to November 2006. A preliminary version of the study report was prepared in June 2006; it was submitted for debate during workshops organized in Kinshasa, Mbandaka and Bukavu at which different decision-makers and other stakeholders from the education system and local communities actively participated. In organizing these workshops, the objective was to solicit participants' reflections, opinions and content corrections based on the preliminary report. The analysis of all comments collected during these workshops resulted in this final version of the report, whose contents are summarized as follows:

- Study methodology and data quality
- Contextual analysis of the education financing system
- Analysis of the laws and regulations concerning school fees
- Types of school fees, and mechanisms for setting and distributing them
- Collection of school fees and alternative school financing mechanisms
- Summary of the position of the principal education stakeholders on the issue of school fees and fee abolition
- Recommendations and perspectives for the future

2. Context and Justification of the Study

The Democratic Republic of the Congo possesses important human and natural resources that simultaneously constitute advantages and challenges. The DRC is the third largest country in Africa and ranks fourth in the continent with regard to population. Its surface area is 2,345,000 km² – nearly the size of Western Europe – and its population is estimated at 54.9 million inhabitants, of which 60% are under 25 years old. Kinshasa, the capital of the DRC, has more than 8 million inhabitants, representing 16% of the total population. The population growth rate is 3% per year⁷. The DRC's considerable agricultural, mineral and energy resources and its borders with nine countries make it potentially one of Africa's richest countries and a regional engine for growth.

However, despite all the country's economic potential, the DRC's development aspirations have yet to be realized as evidenced by the large gap between its potential and the population's current standard of living. In reality, the DRC lives in a profound crisis which has engulfed all of the country's sectors. A protracted period of poverty since independence worsened due to years of fratricidal confrontation and the spread of armed conflict across the country, contributing to the degradation of the country's social fabric and economy. This multisector crisis did not spare the education system with regard to any of its components (technical, administrative, social and strategic).

Recent data on indicators reflecting the general features of the Congolese education system are provided in the World Bank's comprehensive 2004 Status Report on the National

⁷ UNICEF, *Projet descriptif de programme de pays révisé, République Démocratique du Congo, January 2006.*

Education System (*Rapport d'État sur le Système Éducatif National*, or RESEN). This report draws the picture of a system characterized by the following features: poor access to education, a low level of elementary education, and a low internal return from the education system.⁸ These features are, among other reasons, due to the education system's financing policy which in turn is characterized by the small share of the State's budget relegated to the education sector. The education system is therefore essentially financed by parents because of the insolvency of the State.⁹

Despite this bleak outlook, the current context surrounding the education system offers a number of opportunities to address the issue of school fees. In particular, the government of the DRC has officially pledged to achieved Education for All, reflected both in the new Constitution as per Article 43¹⁰ that declares that elementary education is free and mandatory and in the adoption and promotion of the strategy document for implementing the National Action Plan for Education for All for the biennium 2006-2007¹¹. In addition, the government of the DRC has validated its Poverty Reduction Strategy Paper (DSRP), which foresees a reduction of Congo's external debt from \$13 billion (as of 2001) to approximately \$1.5 billion;. As part of this plan and in the context of the Heavily Indebted Poor Countries (HIPC) program (about \$76 million in 2004), the resources made available from debt relief are intended for "pro-poor" expenditures and will therefore be at least partially allocated to the rejuvenation of the education system. Very recently, the resolutions of the UNICEF-promoted international School Fee Abolition Initiative and the Nairobi conference organized in April 2006 include the creation of a National Commission for the Abolition of School Fees in the DRC, which is currently being established. Finally, the current context includes a number of donor-supported initiatives aiming to help reduce the burden of school fees on parents and communities, including the PAGE (Pour une Approche Globale de l'Éducation) project financed by United States Agency for International Development (USAID), and other similar initiatives.

However, the process both for the reduction of the burden of school fees and for the abolition of these fees themselves is so complex that their success does not depend simply on an evaluation of the estimated costs that such a step requires. One of the major prerequisites for this effect remains the deep understanding of the problems surrounding the question of school fees through a systematic situational analysis. This report responds to the pressing and legitimate needs of enlightening the stakeholders to the complex realities of the question of school fees. This constitutes an important milestone in the considerations surrounding the mechanism for abolition of school fees.

This is the context in which the PAGE Project conducted a participative situational analysis of school fee policies and practices in the DRC.

⁸ Banque Mondiale, *Rapport d'État du Système Éducatif de la RDC*, 2004.

⁹ BAD/OCDE, *Perspectives économiques en Afrique, République Démocratique du Congo*, 2005

¹⁰ Democratic Republic of the Congo. Assemblée Nationale. *Constitution de la République Démocratique du Congo*. Kinshasa : February 2006.

¹¹ RDC, MEPS, Document de stratégie de mise en œuvre du Plan d'Action National de l'Éducation Pour Tous pour le biennium 2006-2007, March 2006.

3. Study Objectives

Conducting a situational analysis of school fee policies and practices in the DRC aims to:

- a. Make available to policy decision makers, national and international education sector actors as well as community members data allowing them to understand and assess the issues surrounding the question of school fees in the DRC and at the same time guide in-depth reflection to plan action on school fees.
- b. Make available to the PAGE project baseline data to serve as a reference point for informing the project's strategy and guide the monitoring of project performance.
- c. Make known and better understood the policies and practices of school fees in the DRC in terms of (i) laws and regulations; (ii) types of school fees and decision-making mechanisms in setting the fees; (iii) collection mechanisms for school fees and alternative school financing mechanisms; (iv) new public funds intended to cover school operational costs; (v) the position of the principal stakeholders on the issue of school fees in general and school fee abolition in particular.

4. Institutional Framework of the Study

The situational analysis of school fee policies and practices was conducted in the context of the PAGE Project with the financing from USAID. This project is carried out by the Education Development Center (EDC) in partnership with the International Rescue Committee (IRC) and the Ministry of Primary, Secondary and Professional Education (*Ministère de l'Enseignement Primaire, Secondaire et Professionnel*, or EPSP). Specifically, PAGE project Education Policy technical component team was responsible for the study design and implementation. (The other two other technical components of the PAGE project are Community Participation and Education Quality, which together with Education Policy constitute the project's global approach towards increasing primary school access and quality.)

At the national level, the Education Policy team is made up of three experts:

- A Technical Advisor who supervises and coordinates the team's activities
- A Specialist charged with field activities in Equateur province
- A Specialist charged with field activities in South Kivu province

Internationally, the team benefits from the technical support of an EDC Technical Assistant based in the United States.

I. STUDY METHODOLOGY AND DATA QUALITY

This chapter presents the study's methodological approach and the tools used. Considering the importance of the research subject, the presentation of the methodology deserves detailed explanations on five points: the strategy and process of data collection, sampling, data collection tools, using and processing of the data, and quality of the data collected.

1. Data Collection Methods

The methods used for collecting data for the study were based on three principal approaches: document analysis, consultations at the national level with informants and stakeholders on the question of school fees, and participative consultations within the school-communities.

1.1 Document Analysis

Document analysis was used to collect information from previous research and government documents in order to obtain a solid initial understanding of the Congolese elementary and secondary education financing system in general and of school fees in particular. Concretely, the study identified and analyzed legal texts and study documents directly or indirectly describing the elementary and secondary education financing system in the DRC. Among the legal texts, the most important is the National Education Law (the *Loi Cadre d'Enseignement National*) and for the research reports analyzing the education sector in DRC, the most important is the World Bank's 2004 RESEN, as previously cited. The full list of documents identified and analyzed appears in the bibliography.

1.2 Interviews at the National Level with Participants on the Question of School Fees

At the national level, the research team consulted with key informants and stakeholders on the question of school fees with the purpose of collecting objective data on the current system and kinds of fees charged as well as opinions about the fee system. The process consisted of identifying key stakeholders on the basis of criteria that included working in the domain of education and education financing and occupying a recognized position among the various education actors. Stakeholders of this type who were consulted include government actors from the Ministries of Education and Finance, actors from Congolese civil society directly involved with the education sector (teachers' unions, parents' associations, and representatives of *école-conventionnées* – church-supported school networks officially recognized as part of the public school system), and international partners (including both donor agencies and international NGOs). Early consultants helped to hone the study's objectives and guide direction of the research, and all exchanges provided crucial data on the fee system and also on stakeholder perspectives with regard to the major challenges this issue presents.

1.3 Focus Group Interviews and Individual Interviews with School-communities and Stakeholders at the Provincial and Local Level

The participative consultations with school-communities were organized in the provinces of Equateur and South Kivu in areas where the PAGE project is working. These consultations took place in the form of semi-structured interviews and focus group discussions with school staff and community members. An interview protocol (see Appendix) was designed by the study team to guide the exchanges in the field. In general, these discussions aimed to identify the different practices and policies applied by community members and school staff with regard to the setting and collection of fees and to the alternative survival mechanisms developed to ensure the basic solvency of the school. At the provincial level, the team conducted interviews with partners (international and national organizations) participating in the education support sector. These interviews aimed to establish the landscape of such partners and also to identify and better understand their specific involvement. Also at this level, the team conducted interviews and a number of follow-up consultations with the provincial level offices of the MEPSP, especially with regard to the system of setting fees and the allocation of the funds generated by them.

Thus, the majority of the information contained in this report comes from data collected in consultations with the communities and staff of the schools targeted by the PAGE project, NGO representatives operating in the education sector, and officials of the provincial division of the MEPSP. The interviews and discussions took place during the period of March 31 to May 15, 2006.

In each of the two provinces, the researchers collected data from each of the 20 school-communities that constitute the first cohort, or wave, of sites targeted by the project (see Sampling, below). In each province, these 20 schools belong in turn to seven larger communities. The researchers visited all of these communities during the initial data collection and consultation phase except for one in South Kivu where the community of Cirunga, housing three targeted schools, was not visited because of time and logistic constraints.

A community consultation consisted of focus group discussions with the members of a single community who have children being educated in the school operating there. Fundamentally it consists of guided discussions where each participant, whatever their position in the community, has the freedom to express themselves on the different questions raised. This method clearly has three advantages. It makes it possible for: a) the participants to express themselves freely; b) the researcher to instantly crosscheck the points of view expressed and in this way assure himself of the quality of the information gathered; c) the researcher to crosscheck the information collected from the school-communities with the perceptions of the NGOs and with the official information provided by the provincial division of the MEPSP. However, some participants avoid or hesitate before expressing themselves in front of others during focus group discussions. Following the school-community consultations conducted for this study, the researchers identified this category of participants, such as school principals, and were able to contact some of them separately either in person or by telephone in order to obtain their perspectives.

The interviews obtained from the NGOs and the leaders of the EPSP Division were not conducted according to a predetermined schedule but instead on the basis of periodic meetings. Clearly this approach limits the number of partners consulted; however, it had the advantage of guaranteeing the establishment of personal contact with the officials and it avoided missing appointments, allowing the research team to make good use of a limited amount of time. These meetings enabled the researchers to obtain insight into a) interlocutors' perceptions of the school fees issue, b) their involvement and behavior relative to the issue of school fees, and c) their achievements in the domain of education, especially with regard to education finance and management.

1.4 Organization of the Workshops at the National and Provincial Levels for Communication, Mobilization and Validation

With the goal of creating education partner ownership of the study's findings and collecting feedback on the initial results in order to enrich them and make any necessary corrections, the PAGE project organized workshops at the national and provincial levels. During these workshops, the research team presented the preliminary report produced as a result of the interviews and participative consultations and submitted the draft report for comment. The preliminary study findings were shared and debated with international partners and education stakeholders in two stages:

- a. In Kinshasa, a workshop was organized with national-level government officials, key Congolese civil society actors active in the education sector, and international technical and financial partners involved in education. During this workshop, participants were organized into three sub-groups each assigned one of the three chapters of the draft research report. Each of these committees had the responsibility of reading, commenting on and proposing modifications of findings presented in their respective chapters. The results of each committee's work were debated in plenary session. The comments and observations garnered from the national workshop served to improve the research report.
- b. At the provincial level, a workshop was held with key education stakeholders in both Equateur and South Kivu, where PAGE is operating. Thanks to observations made during the national workshop, the small group work of the provincial workshops was organized by four thematic committees: a) school fee laws and regulations; b) types of school fees and decision-making mechanisms in the setting of fees; c) school fee collection and alternative mechanisms for financing schools; and d) management of school fees, relations with the school system management offices and public funding of schools. The invaluable comments and observations collected during the provincial workshops made it possible to develop the final version of the research report, with regard to both content and organization.

2. Sampling

With regard to the consultations conducted at the local level, the research sample included all of the school-communities in the provinces of Equateur and South Kivu targeted by PAGE during the first two years of the project's execution. It is important to clarify that the specific fee data collection and field interviews conducted from March to May 2006 only involved the first cohort of 40 schools targeted by the project, or 20 per province; the 40 others from the second year, selected in September 2006, joined the provincial workshops in which their delegates participated. Thus in total 80 school-communities were consulted, 40 per target province.

Each of the schools was part of a community which surrounded it and from which the students who attended it came. The term "school-community" signifies all the stakeholders surrounding an elementary school institution, including the local population and the school staff. Among the schools in the project's first cohort, there are both standard public schools and schools organized by religious networks and that have official agreements to be part of the public school system, called *écoles-conventionnées* (see Section II).

The research team did not have the intention of using systematic, random sampling in order to conduct a quantitative analysis that could be generalized to the whole school population in the DRC or in the two provinces. Instead, the sampling methodology consisted of using the school-communities already targeted by the PAGE project as the units for observation in order to obtain a precise situational analysis of the project sites coupled with information gathered at the provincial and national levels that could reasonably be used to provide insight into the school fee situation in the DRC in general. In addition, the intensive study of the PAGE-targeted school-communities provides an enriched qualitative understanding of the reality of school fee policies and practices as parents and other actors experience them (see Appendix for the list of community schools studied).

The following tables show the total sample of persons consulted during both phases of data collection: the interviews and focus groups, and then the national and provincial workshops.

Table 1: Categories and numbers of people consulted during the first research phase

Categories of Stakeholders	Number			
	Kinshasa	Equateur	South Kivu	Total
Government actors (non-Ministry of Education)	6	4	4	14
Civil servants from the MEPSP	3	5	5	13
Actors from international agencies and NGOs	4	5	5	14
Representatives of national NGOs	2	4	4	10
Heads of religious network coordinating committees	8	10	10	28
Members of teachers' unions and parents' associations	10	12	12	34
School administrators	5	20	20	45
Members of local communities (community leaders, parents and others)	0	24	26	50
Total	38	84	86	208

Table 2: Categories and numbers of people who participated in the workshops

Categories of Stakeholders	Number			
	Kinshasa	Equateur	South Kivu	Total
Government actors (non-Ministry of Education)	1	4	2	7
Civil servants from the MEPSP	-	7	6	13
Actors from international agencies and NGOs	9	4	7	20
Representatives of national NGOs	1	4	3	8
Heads of religious network coordinating committees	3	7	5	15
Members of teachers' unions and parents' associations	4	32	24	60
School administrators	-	40	20	60
Members of local communities (community leaders, parents and others)	-	22	23	45
Total	18	120	90	228

3. Data Collection Tools

The primary data collection tools used included:

- The guide for the local interviews and consultations (see Appendix), which does not include highly specific questions but rather recommendations to guide the data collectors during the interviews and exchanges in order to garner the information sought.
- The guide for leading the workshops (see Appendix), which was developed in order to guide and organize the small group work. In addition, workshop participants received copies of the preliminary study report and other documents including an extract from the National Education Law on school financing along with the provincial decrees setting school fees for the 2005-2006 school year.

4. Use and Analysis of the Data

The data collected during the participative consultations were analyzed and summarized by the research team according to three points which made up the content of the preliminary study report: (i) the elementary and secondary education financing system in the DRC; (ii) school fee policies and practices in primary schools in the provinces of Equateur and South Kivu; (iii) Perspectives for the future of the school fee policies in the DRC.

Feedback that emerged from the national workshop indicated that additional depth was necessary with regard to the second part of the preliminary report, and so the work of the provincial workshops was organized according to the four themes given above. The results of the group-work and thematic commissions were analyzed and summarized by the study team in view of enriching the final version of the report.

5. Quality of the Data Collected

The quality of the data was assessed relative to the research methodology. Given that the approach used was essentially participative, it is valid to confirm that the data collected have value in that the declarations gathered are in fact descriptions of the experience of the stakeholders, partners and communities consulted. These data were also subject to the assessment and comments of all the categories of stakeholders involved during the workshops. The group-work that was conducted in the workshops and whose results were fully debated made it possible to both triangulate and validate the collected information. Furthermore, it is important to emphasize that feedback from partners at the national level suggest that the summary of study results related to school fees policies and practice reflects the realities of most schools and thereby gives a panoramic overview of the education system in the DRC.

II. CONTEXT OF THE EDUCATION FINANCING SYSTEM IN THE DRC

Before presenting the specifics of the results of the different consultations conducted at the national, provincial and local levels, this chapter describes some important elements which make up the financing system for basic education in the Democratic Republic of the Congo, especially the elements linked to the question of school fees, which helped to understand the current context. The chapter's content focuses essentially on: (i) the description of the education administration system and (ii) financing of the education system.

As previously noted, the education financing system in the DRC has been comprehensively described in 2004 RESEN report that constitutes a key document of reference for understanding the current education system as a whole. The present study report will not repeat all of this information here but instead draws inspiration from RESEN and other documents to garner and present the key elements likely to give the reader a general overview of the context of the education financing system in the DRC.

In addition, it is important to note that it is difficult to separate the analysis of the elementary education sector from that of the secondary education sector in the DRC as both sectors are closely linked under the same ministerial supervision that administers them, specifically the Ministry of Elementary, Secondary and Professional Education (MEPSP). Consequently, the analysis presented in this chapter will include certain elements from both sectors while seeking to emphasize the elementary sector.

1. The Elementary and Secondary Education Administration System in the DRC

1.1. Principal Stakeholders Forming Part of the School Administration System

Since 2003, elementary education has been under the supervision of the MEPSP, which operates in conjunction with the Ministry of Upper and University Education (*Ministère de l'Enseignement Supérieur et Universitaire*, MESU). From 1997 to 2003, there was only a single Ministry of Education.

The principal categories of stakeholders who were involved in elementary and secondary education administration are: the central government and the MEPSP; the provincial administration; the representatives of the four principal religious congregations (Catholic, Islamic, Kibanguist, and Protestant); the students' parents and teachers' union.

- a. *The central government and the MEPSP.* The government, through the intermediary of the MEPSP, is the guarantor of the education system. Under the management of the General Secretary of the MEPSP, it enacts laws and regulations which govern and organize the administrative, technical and strategic school management.

- b. **The provincial administration of the MEPSP.** At the provincial level, the General Secretary of the MEPSP is represented by the Provincial Division Head normally called the Provincial Education office, or “*Proved*” (i.e. “Prov-Ed”) for short. The *Proved* is under the administrative control of the Provincial Governor, but for technical questions, refers to the MEPSP. Below the provincial level, the *Proved* is represented by the sub-division heads (the *Sub-Proved*). The *Sub-Proved* has available the following three departments: staff and finance, pedagogy, and planning. In practice, these departments lack staff and other resources and have difficulty playing a significant role in the administration of the education system¹².

In addition, in the provincial administration there is the Provincial Education Council which is convened by the *Proved* at the beginning of each school year to propose the rate for school fees, which is subsequently submitted to the Provincial Governor and published by provincial decree setting the school fees.

- c. **The churches.** In 1997, during a time of war and period of transition, the State made an agreement with the four principal religious networks in the Congo (Roman Catholic, Protestant, Kimbanguiste and Islamic) under which the churches must provide education conforming to the government’s directives. These directives concern the school program and standards in areas of class sizes, teacher qualification and salaries, and the evaluation system. An important provision of the agreement stipulates that the churches manage the schools, even though they belong to the State, which is the sole organizing power over them. These schools managed by the churches but which are considered quasi-public under the State’s discretion are those referred to as *écoles-conventionnées*.
- d. **The students’ parents** They are the fourth major player of the school system administration in the DRC. In principle, they are represented from the base to the summit by the parents’ committees in the schools, the community and province committees, and several national organizations of students’ parents, the oldest of which is National Association of Students’ Parents of the DRC (ANAPECO, *Association Nationale des Parents d’Élèves et Étudiants de la RDC*). Since 2002, three networks of *écoles-conventionnées* each have their own parents’ association, in particular the Association of Parents of Catholic Students (APEC, *Association des Parents d’Élèves Catholiques*), the Association of Parents of Protestant Students (APEP, *Association des Parents d’Élèves Protestants*), and the Association of Parents of Kimbanguiste Students (APEK, *Association des Parents d’Élèves Kimbanguiste*).
- e. **The teachers’ unions** The teachers are organized into labor unions. In the beginning, there was a single union, specifically the Union of Teachers of the Congo (SY.E.CO, *Syndicat des Enseignants du Congo*). For several years the church-supported *écoles-conventionnées* have increasingly developed their own teachers’ unions. Thus, there is now, for example, the Union of Catholic School Teachers (SY.E.CAT, *Syndicat des Enseignants des Écoles Catholiques*).

¹² RESEN, p 39

1.2. Management System of the School Institutions

The schools are managed by the principal (*chef d'établissement*) (called the "directeur" in the elementary schools and "préfet des études" in the secondary schools) and the School Management Committee (SMC, or *conseil de gestion*). The principal assumes the pedagogical, administrative and financial management of the school including staff management, payment of salaries, and all the receipts and expenditures. The governor, assisted by the *Proved*, names the principals in all the public schools; in the church-supported *écoles-conventionnées*, the governor exercises their authority in cooperation with the Provincial Coordinators of each religious network of *écoles-conventionnées*.

In theory, the SMC is a deliberative body of the school institution and holds the decision-making power in matters of receipts coming in from the "operating fees" (contribution of the parents for the operating budget of the school) and the "motivation fees" (parents' contribution in order to cover or supplement the school's teachers). This committee is made up of the principal, the director of discipline, and the parents' representative (in this case, the president of the Parents' Ccommittee).

However, in practice, the term for "School Management Committee" used in French by most people is the *Comité de Gestion de l'École* (using the word "committee" literally) as opposed to the official term used in the National Education Law, which is *Conseil de Gestion de l'École* (using the word "council"). "Council," more accurately connotes the SMC's intended role as deliberating body and holder of deliberative power in matters concerning the use of funds obtained from the operating fees. In most schools, the role of the SMC as a council is not well understood and in reality it often acts as an organ that simply plays the role of an onlooker; in this way, all of the decisions concerning the use of the fee receipts fall to the principals and their school system management offices.

2. Education System Financing

Education financing policy should in principle rest fundamentally on public policy since education essentially arises from the State's social and economic responsibilities. It turns out, however, that it is the weaknesses of public financing that lead to the participation of households in financing the education system. The following paragraphs explain the development of public financing of education in the DRC and the context in which parents were led to become the principal providers of the education system's finances.

2.1. Development of Public Education Expenditures

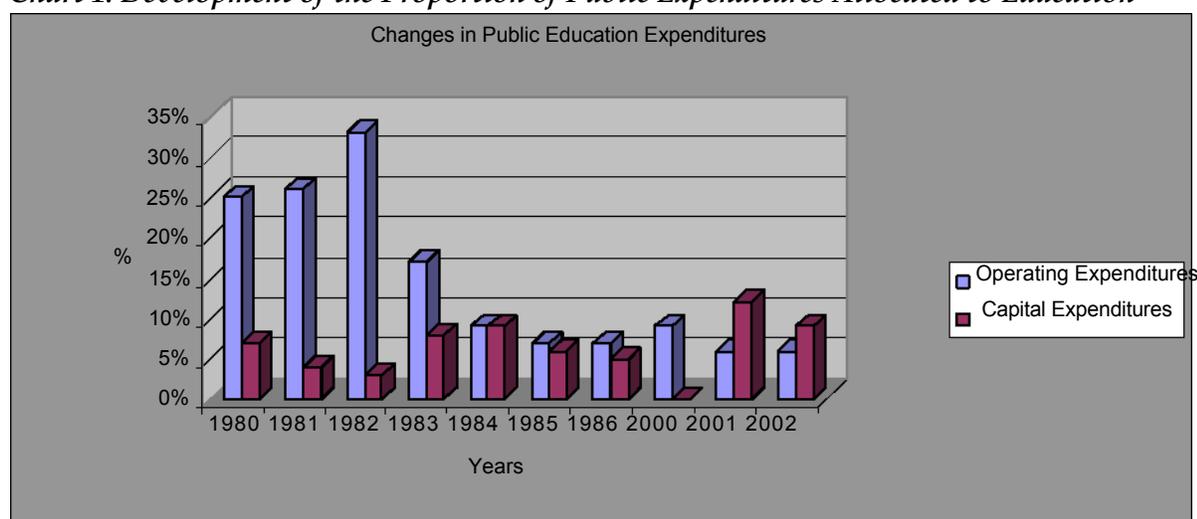
Since 1980, the year marking an acceleration of the crisis in public finances, the share of the Congolese state budget consecrated to education has markedly dropped. In terms of current expenses, the share was estimated at 24% in 1980 with a slight increase two years later, to 26% in 1982. The situation worsened starting in 1983 when it decreased again to 17%, finally falling to 7% two years later. The table and chart on the following page show the recent development of public expenditures for education and the share of public expenditures allocated to this sector.

Table 3: Public Expenditures Supporting Education (in millions of constant 2002 USD)

Education	1980	1981	1982	1983	1984	1985	1986	2000	2001	2002
Operating expenses										
Elem. & Secondary	512	483	558	170	69	71	71	42	14	18
Upper	227	170	173	88	25	29	30	7	3	7
Scientific										0,53
Administration								4	0,6	
Capital expenditures										
Elem. & Secondary	10	11	19	8	3	1	0,9			
Upper	2	0,2	0	0,4	0	0,3	0,3	0	0,6	2,4
Operating expenses	25%	26%	33%	17%	9%	7%	7%	9%	6%	6%
Capital expenditures	7%	4%	3%	8%	9%	6%	5%	0%	12%	9%
Total	24%	24%	26%	17%	9%	7%	7%	8%	5%	6%

Source: Data taken from the 2004 RESEN

Chart 1: Development of the Proportion of Public Expenditures Allocated to Education



Source: Prepared on the basis of the data in Table 3.

Note: For the years 2000-2002, public expenditures only involve the seven provinces under governmental control at that time during the civil war; only civil servants in these provinces were paid from public funds during this period.

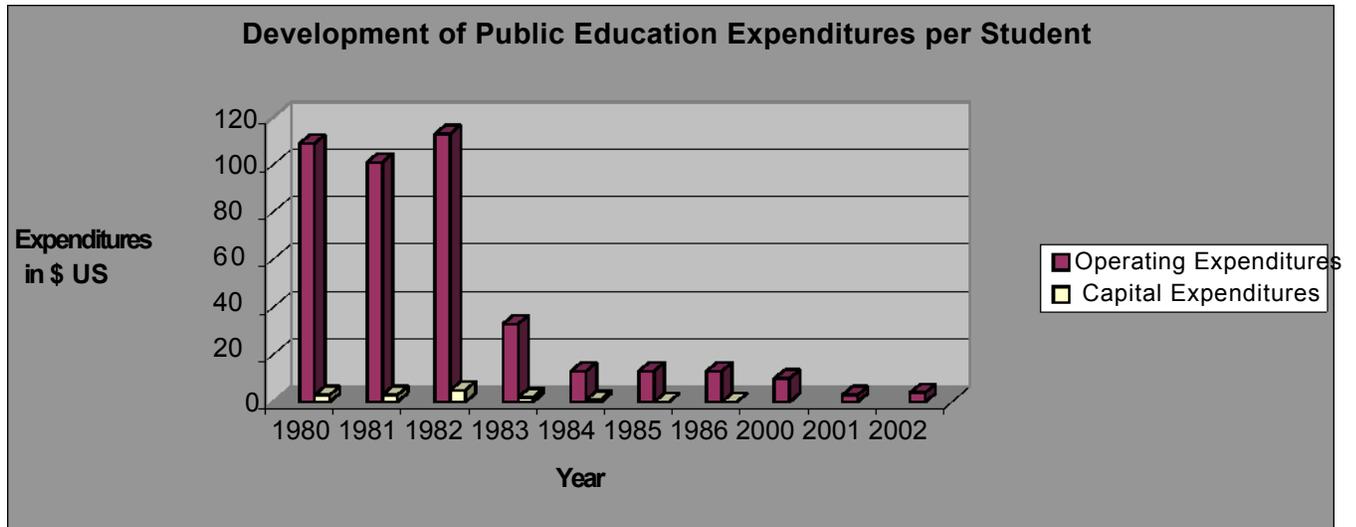
According to RESEN, public expenditures per student have continually declined since 1980. At the elementary and secondary level, the real expenditure per student in 2002 represents 3.7% of the level reached in 1980.

Table 4: Real Expenditures per Elementary and Secondary Student (in millions of constant 2002 USD)

Education	1980	1981	1982	1983	1984	1985	1986	2000	2001	2002
Operating Expenditures (elementary and secondary)	109	101	113	33	13	13	13	10	3	4
Capital Expenditures (elementary and secondary)	3	3	5	2	1	0	0			

Source: Prepared by the study team on the basis of data drawn from the 2004 RESEN

Chart 2: Development of Public Education Expenditures per Student



Source: Chart prepared on the basis of the data in the Table 4.

From 1980 to 2002, the public operating expenditures for education per student dropped markedly. Taking 1980 as a base year, these expenditures went from 100% to 3% between 1980 and 2002, which is an estimated drop of 97%¹³. This shows the speed with which the State has disengaged from taking charge of children's schooling. It is logical to predict that this extent of public sector disengagement would automatically lead to parents assuming the vast majority of responsibility for financing schooling given their desire to keep schools open.

It was in 1983 that the state expenditures for education began to tumble. In 2002, at the height of the most recent civil war, one had the impression that they were disappearing altogether. During this period of analysis – from the beginning to the end – capital expenditures were essentially insignificant.

2.2. Public Subsidies Coming from the HIPC Funds to Benefit School Institutions

The public subsidy is an important element of the context surrounding current school fees policies and practices. In Article 100, Title VII, Chapter II, the National Education Law calls for public subsidies to constitute one of the principal sources of financing for public education institutions, for both public institutions and institutions created by the State and those managed by private individuals or legal entities (the second category refers to the church-supported *écoles-conventionnées*).

This study aimed to identify the type of public subsidies that the schools receive, the origin of the subsidies, the manner in which they were managed and at the same time to verify whether the communities were informed of the types, origins and management method of these public subsidies.

¹³ This number is calculated based on data from the table by dividing \$4 (operating expenditures for 2002) by \$109 (operating expenditures in 1980 considered his base year, the whole multiplied by 100. The result is 3%. 97% is obtained by subtracting 3% from 100% (base). Thus, the public expenditures per student went from 100% in 1980 to 3% in 2002, or a drop of 97%.

Only since the beginning of the school year studied for this analysis, 2005-2006, have formally recognized and registered (*mécanisée*) schools benefited from a subsidy of 87,000 Congolese francs (\$193 U.S.) each per quarter, as provided through the Highly Indebted Poor Country (HIPC) poverty reduction fund. This subsidy is intended to finance school operating and maintenance expenses and therefore eliminate the “operating fees” charged to parents. The HIPC school operating funds are distributed in three installments over the course of the school year.¹⁴

Thus, according to the information received during the school document analysis, interviews and participative consultations, schools have effectively begun to receive public subsidies in an amount equivalent to 87,600 Congolese francs per quarter. The origin of these funds, through HIPC, is the World Bank-supported Social Fund. The path by which they arrive at the schools goes through five steps: (1) the Social Fund (World Bank); (2) the Ministry of Finance; (3) the Ministry of Budget; (4) the MEPSP via the department for teachers’ inspection and payment services (SECOPE, or *Contrôle et de Paie des Enseignants*); and finally to (5), the beneficiary schools by way of the school principal. Only officially recognized and registered (*mécanisée*) schools benefit from these funds.

It is important to note that the consultations in the school-communities along with the provincial workshops revealed that a significant number of students’ parents and even members of Parents Committees were unaware of the existence of these HIPC operating funds made available to their school via the principal. In addition, the members of the community who had heard something about it were unaware of the origin of these funds or their precise purpose. In cases noted in Equateur, the last allocation of funds was received by the principal at the very end of the school year; in these cases, no documentation explaining the use of these funds was provided to the SMC or Parents’ Committee.

2.3. Survey of the History of Parents Participation in Education Financing

Although previously acceptable on the whole, the education situation in the DRC began to break down in the middle of the regime of the Second Republic. During the 1990s, following extended non-payment of their salaries, teachers went on unlimited strikes resulting in the worst of cases in a number of academic years that were essentially “missed” altogether with schools remaining closed.

In 1993, the National Episcopal Conference, out of concern for the future of the country, proposed that parents assume payment of teachers for a limited time. Unfortunately, this takeover lasted longer than intended with negative consequences including the inability of poor parents to support school fees for their children and the exclusion of these children from the school system.

It was for this reason that a meeting was organized in February 2004 between the government and teachers to review the situation. A series of seminal negotiations that began with this meeting resulted in what is referred to as the Mbudi Accord. As part of this accord, the parties reached an agreement settling on a fixed teachers’ pay scale. For its part, the

¹⁴ Confirmed by the school directors during participative consultations in the schools visited in Équateur and South Kivu provinces.

National Episcopal Conference of the Congo (CENC) asked schools to put an end to the supporting of teachers by parents. The deadline for instituting this scale was set for the end of 2004. However, this deadline was missed and in January 2005, teachers begin to clamor to such an extent for the institution of this pay scale and payment of salaries accordingly that the 2004-2005 school year was completed only with enormous difficulties.

In the beginning of the 2005-2006 school year, the government in turn opted for the elimination of all allowances for teachers paid by parents. Since then, teachers have continued to demand a fixed pay scale, but the government has yet to institute the accords. Faced with this situation and out of concern for their children to continue their schooling, parents were obliged to continue paying the *prime* or allowances for teachers, but this time under other names such as teacher transport fees.

In addition to teachers' salaries, the insufficiency of public resources has led school officials to call upon the parents' contribution for the daily operation of the schools. Not only does this practice reduce the ability of children of poor families to access education, it is tainted by several irregularities. Among these irregularities, there is for example the fact that principals are not required to institute adequate mechanisms for preparing and checking school budgets in order to assure a rational use of the private financing coming from parents.

In addition, there has for several years been a constant degradation of the situation characterized by the diminution of elementary-level enrollment rates, the decay of school infrastructure, the lack of educational materials, the de-motivation of the teaching staff, the low education system yield attested to by significant dropout rates, the low level of learning attainment for students at all levels, and overall the inadequacy of education received as compared to the needs of the learners and of society.

Household financing of education is manifest in two ways in the DRC: the financing of private institutions but also the financing of ostensibly public institutions. Since the absolute levels of public expenditures for education have been very low since the middle of the 1980s, Congolese households have financed vast majority of the expenditures allocated to public institutions in addition to those for private institutions.

3. Critical Look at the Education Administration System

The education administration system has several major inadequacies that can be summarized in two essential factors: insufficient coordination of the different elements within the institutional framework and weaknesses regarding distribution of responsibilities; and the marginalization of parents' participation in the management of school institutions.

a. The Insufficient Coordination within the Institutional Framework and Weaknesses Regarding Distribution of Responsibilities

The basic education sector is principally the responsibility of the Ministry of EPSP. However, several other ministries are involved in the area of education by organizing either formal

instruction (for example, technical medical education institutes) or non-formal types of training (literacy, health education, and agricultural training).

The inspection of many schools, classes and teachers is performed by central-level administration authorities. However, the Governor, at the decentralized level, is supposed to play a major role in education administration and in principle the Decentralized Administrative Entities (EAD, *Entités Administrative Décentralisées*) should benefit from budgetary transfers from the Ministry of the Interior, Security and Decentralization, which approves the provincial budgets.

This phenomenon of central administrative control of provincial- and local-level activities is both an important factor and consequence of the current school fees context in the Congo. Centralized control logically reduces the role of the provincial-level administration and is principally due to the fact that the two most important financial contributors to the education system are the parents (who finance the largest share of education expenditures: teacher salaries and the construction of new schools) and the central government that, despite its limited financial resources, still has the minimal capacity to deploy teachers and organize exams. EAD contribution to school financing and, to an even lesser extent, the contributions of the religious networks remains modest.

b. The Marginalization of Parents' Participation in the Management of School Institutions

Parents are the principal financiers of schools but they have limited voice to make decisions regarding the use of the funds they provide. The *frais* the motivation, for example, once collected, are distributed by the principal or by the teachers amongst themselves. Regardless of whether the other funds collected are managed by the SMC or in consultation with the religious committee (as in the case of *écoles-conventionnées*) or government administration officials (as in the case of public schools), the parents' participation in decision-making and oversight remains minimal. Despite the existence of parent and teacher associations and unions, local communities rarely have dynamic structures with the capacity to participate efficiently and effectively in the management of schools, nor are they generally encouraged to do so.

c. The Legal Confusion about the Ownership of Religious Schools Benefiting from Public Assistance

The *écoles-conventionnées* include schools that were built by churches on their own land by means of their own individual funds and those which were built by the State and whose management was entrusted to the churches. Because of the nationalization and return of these schools during the 1970s, it is no longer clearly known whether the churches or the State owns the lands and buildings of the *écoles-conventionnées*; and consequently who must undertake new investments in this infrastructure. In practice, communities have voluntarily contributed to the construction and maintenance of schools; this legal confusion did not constitute a major problem until the present, but it may now be necessary to remedy it if new sources of financing should appear, in particular the funds which could be allocated to the school's when school fees are effectively abolished.

To summarize, the education financing system in the DRC is characterized by weak support from the State compensated by a total involvement of parents who became the principal supplier of funds for the education system. These latter are, however, marginalized in decision-making with regard to the management of these funds.

Because of the lack of dynamic and effective structures, certain important stakeholders, such as the teachers and parents unions and associations do not get involved in an effective manner in the governance of the system, especially relative to their involvement in the decision-making both from the local level up to the central level and vice-versa.

In addition, the administration of the education system as a whole does not allow the provincial administration and the decentralized administrative entities to effectively play their intended role of monitoring and supporting schools. It is important to note that the control of power is nearly totally monopolized by the central administration.

It is evident that the education administration and financing system depends in large part on the legal and regulatory framework that governs it. This is important considering that the current laws and regulations include anachronisms and inadequacies but also positive elements in both the direct stipulation and their inferred intent. That is why it is useful in the following element of this analysis to examine more closely the existing laws and regulations related to school fees in the DRC.

III. LAWS AND REGULATIONS CONCERNING SCHOOL FEES

This chapter on the laws and regulations concerning school fees presents information and analysis of the content and various implications of the legal and regulatory context within which school fee policies and practices in the DRC are based. This chapter is structured around two points, specifically: (i) the essential content of the pertinent legal texts and (ii) the summary of the analysis of these laws carried out during participative consultations and in the workshops.

There are several laws and regulations that relate in some way to school fees in the Democratic Republic of the Congo, including the Constitution, the National Education Law, ministerial decrees and provincial decrees. Of these, this study focused on two types of documents deemed essential, specifically:

- The National Education Law, Title VII, Chapter II on the financing of national education
- The provincial decrees that set and announced the school fees for the 2005-2006 school year in the provinces of Equateur and South Kivu.

It is important to clarify that the present analysis focuses on those elements of these legal texts that relate to school fees in particular and to the education system financing in general.

1. The National Education Law and the Provincial Decrees with regard to the Financing and Management of School Institutions

1.1. The National Education Law

The fundamental document which governs education in the DRC is the National Education Law (the *Loi Cadre d'Enseignement National*) of September 1986¹⁵. Title VII, Chapter II of this law presents provisions relative to education financing. The most important elements of these provisions speak to the financial resources of the education institutions (schools), the budgets of the education institutions, and parents' financial contributions.

a. Financial Resources of Education Institutions

According to the provisions of the National Education Law in effect, the budget of public education institutions is integrated in the general budget of the State or the decentralized administrative entities. The National Education Law calls for public education institutions to benefit from financing coming from several sources, including state subsidies but also – and explicitly – contributions from students' parents and local income generation activities as well as contributions from other donors. The sources of financing of school institutions depend on the nature of these institutions, whether they be public education institutions, institutions created by the state and privately managed (as in the case of the religious networks' *écoles-conventionnées*) or private institutions.¹⁶

¹⁵ DRC, National Education Law (*Loi Cadre de l'Enseignement National*) Number 86/005 of 9/22/1986.

¹⁶ It should be noted that the National Education Law uses the term "public" at times without specifying whether this refers to

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For public education institutions (that are not *écoles-conventionnées*), the sources of financing called for by the National Education Law are: government subsidies from the Executive Council and decentralized entities, contributions from parents, the products and revenue resulting from the institutions' self-financing endeavors, contributions from Congolese businesses, contributions from national and international organizations, and gifts and bequests.

For institutions created by the state and managed by private physical people or legal entities (*écoles-conventionnées*), the sources of financing called for in the law are: government contributions from the Executive Council and decentralized entities, contributions from individuals and legal entities responsible for the management of the schools; contributions from parents, the products and revenue resulting from the institutions' self-financing endeavors, contributions from Congolese businesses, contributions from national and international organizations; and gifts and bequests.

For authorized private education institutions, the sources of financing provided under the law are: contributions from the founder or the school, be it an individual or legal entity; contributions from parents; products and revenue resulting from the institutions' self-financing endeavors, and gifts and bequests.

In addition, the existing National Education Law stipulates that there are a number of expenditure categories that must be covered by the State. According to the law, the State and decentralized administrative entities are required to provide the finances to cover the expenses linked to: (a) school construction and equipment; (b) payment of the teaching, administrative and scientific personnel; (c) and pedagogical and logistical equipment.

As an alternative source of financing, the existing National Education Law stipulates that public education institutions have the obligation of creating and developing self-financing (income generating) activities. In addition, the National Education Law grants advantages to businesses that contribute to the expenses of public schools, advantages consisting of tax reduction in accordance with regulatory standards. In the same vein, the National Education Law calls for any individual or legal entity managing or organizing a public school to benefit from tax breaks and reduced customs charges for the importation of goods serving for the needs of this institution.

b. Provisions concerning an Educational Institution's Budget

The National Education Law calls for the school institution's budget to be managed by the principal under the control of the SMC. In practice, however, it appears that this provision is not often respected given that SMC plays only a figurehead role in most schools and the decisions concerning the schools' finances often are made by the principal alone or by the school system management office (provincial inspectorate or religious network coordination office) to which the school reports.

standard public (i.e. non-*conventionnée*) or *école conventionnée* supported by church networks but also considered to be state schools. As much as possible, this report has made an effort to clarify between the two categories of "public" (or official, registered "*mecanisée*") schools; however, when it is difficult to interpret the spirit of the law in this respect, the term "public" is used in this section to respect the language used in the law even though this term in reality is rarely used without distinguishing between the type of public school.

There is also the fact that in most of the schools consulted for this study, there exists no clearly defined written budget specific to the school and accessible to the public. School financial management remains the exclusive domain of the school principal and management office. The issue of school budgets was debated at length in the consultations and workshops; in the following pages, the study will return to this question in order to present the reflections and opinions related to school budgets as formulated by the stakeholders who participated in the workshops.

Again according to the National Education Law, a public education institution's budget should include expenditures for construction, acquisition and maintenance of school facilities and materials; payment of the teaching, scientific, technical and administrative personnel; and social funds such as for student medical care and dormitories. The credits intended to cover public school expenditures for construction, and major repairs and equipment are to be provided from the central government's or decentralized administrative entities' capital budget, and the credits intended for the payment of public school staff are to be provided from the standard (i.e. non-capital) budget of the central government or decentralized administrative entities.

Hence, based on this analysis, it appears that the National Education Law provides that the responsibility for financing public education institution expenditures (construction or major repairs, equipment and salaries) returns to the state at the central or provincial and local level (i.e. via decentralized administrative entities). In practice, however, the state has become increasingly removed from this responsibility. In reality, the parents are currently the ones who finance the largest share of education system expenditures because of the fee policies and practices currently instituted at the school level.

b. Setting the Rate of Parental Contribution

According to the provisions of the existing National Education Law, it is the central government that has the authority to set each year the rate of parents' contributions to public education institution expenses. For private institutions, the parents' contribution rate is set by the institutions in conjunction with the state and the parents' representatives.

In reality, many other entities at different levels of the education system currently set school fees, in addition to that set by the central government. Respecting the spirit of the existing law at least in part, the central government does require that all parents of students pay the national per-student school tax (*minerval*), currently set by the Central Administration at 100 Congolese francs. Thus, the *minerval* remains the one and only direct financial contribution called for by law for the parents of students. The reality is quite different because the parents' contribution via several other kinds of fees has become the principal source of financing for school institutions.

The existing National Education Law also stipulates that the books and conventional school supplies intended for the individual use of the students are the parents' responsibility. In this way, these costs can be considered additional "indirect" or non-fee costs required of parents to support their children's education. Thus, in addition to direct school fees required of parents, households are also spending additional funds on things such as supplies and student transport.

1.2. The Provincial Decrees

a. Typology of the School Fees Announced in Provincial Decrees

At the beginning of the academic year, a decree from the central ministry sets the national school tax fee, or *minerval*. Following this decree, the provincial-level authorities release their own decrees that echo the decisions of the central ministerial decree relative to the *minerval* and in addition announce other school fees and rates to be instituted for the entire province in question. The fees set by each province include the insurance premium, maintenance fees, periodic operation fees, printing fees, and fees for participating in the elementary school completion exams.

b. Setting and Distribution of School Fees

The provincial decrees set the amounts of school fees to be applied at all schools of the province for the school year to which they refer. For each fee set by the provincial governor, the decree announces the intended allocation of funds resulting from this fee, giving the predetermined shares of these funds going to each respective entity in the education system. In addition, the provincial decrees limit the types of school fees that the schools can apply at their level.

c. Determination of the Collection Deadlines for Shares Reserved for Management Offices

The provincial decrees also determine the deadlines the school principals must respect for depositing shares of in-coming funds reserved for their respective school system management offices. Generally, the decrees insist on the entire payment of the *minerval* by January 31 at the latest (or the end of the first trimester of the given school year). As for the other fees, the provincial decrees determine the deadlines for receipt specific to the province in question.

2. Analysis of the Laws and Regulations relating to School Fees

The analysis of the school fees laws and regulations centers around three principal factors: the overall assessment of the features of the existing National Education Law; the advantages that these existing laws and regulations provide for the education system; and the implications that follow from the application of these laws and regulations, notably in terms of access to education, education quality and financing policy.

2.1. Overall Assessment of the Features of the Laws and Regulations

a. The National Education Law

The National Education Law establishes the state's primacy as the organizing power for education, and appears not to consider partnership as a strategy for education system management but rather solely as a finance strategy. In addition, it is important to remember that this law and resulting system was designed during the totalitarian period of the Popular Movement of the Revolution (MPR, or *Mouvement Populaire de la Révolution*) Party-State. As such, the law in many ways is no longer reflects changes and current developments such as

the new Constitution and the advent of a multi-party political system. Because of this, the law still reflects the politicization of education as designed to serve the ideals of the MPR Party-State. In addition, the National Education Law is nearly silent on teachers' rights and obligations given that nowhere in the entire text are teachers' rights and obligations clearly mentioned.

One of the significant weaknesses of the National Education Law is the fact that it does not include accompanying application measures that are needed to operationalize and enforce the law. As it stands now, the law includes provisions that should normally be supported and clarified by such application measures; the absence of these measures is among the causes of ambiguity in the statutes and obstacles in putting the legal provisions into use.

b. Provincial Decrees

The Provincial decrees contain both exacerbating and mitigating elements with regard to school fees. First, they delineate strict school fee collection deadlines and do not take into consideration the realities faced by schools, such as the low rate and slow rhythm of school fee collection. Stipulations such as the requirement that the *minveral* must be received in its entirety in the first trimester is an example, especially considering that many parents do not have the capacity to pay school fees in one lump sum right when the year begins. However, provincial decrees also contain provisions that, if enforced, would lighten the weight of school fees. For instance, these decrees prohibit the assessment of certain fees such as those for school operating costs, enrollment, confirmation of re-enrollment, admission to the next grade and unofficial evaluation fees.

The provincial decrees also appear contradictory to the extent that, in their role providing provincial regulation, they prohibit assessing *frais de motivation* for teachers, fees that in reality are charged in the provinces.

2.2. Advantages of Laws and Regulations Providing for Schools, Students and Parents of Students

The analysis of the legal texts made it possible to identify some advantages these texts provide to schools, students and parents of students with regard to limiting school fees. The following narrative gives a short summary of these advantages relative to the National Education Law and provincial decrees.

a. The National Education Law

According to Article 99, the National Education Law gives a significant advantage to public education institutions by calling for the integration of school budgets into the general budget of the central state or decentralized entities. Other advantages are those concerning sources of financing provided in the provisions of Article 100 for public institutions and *école conventionnées*, notably the public subsidies, income generating activities, support from national and international organizations, support from national businesses, and gifts and bequests.

In the provisions of Article 101, the law calls for the involvement of the state or its decentralized entities in managing the affairs of public institutions, in particular for providing expenditures concerning (i) construction, school repair and equipment (ii) payment of the teaching, administrative and scientific staff (iii) fees for school building rents, maintenance and operating costs, and (iv) pedagogical and logistical equipment.

In Article 103, the law grants an advantage in terms of tax exemption to businesses that contribute to covering the expenses of public educational institutions. The provisions of Article 105 of the law assign the SMC the right to control the school's budget. The provisions of Article 108 stipulate that the credits intended for construction, major repair and equipment for public education institutions are provided in the state's or decentralized entities' capital budget as a function of the general education development plan.

The provisions of Article 109 provide in the state's or decentralized entities' ordinary budget credits intended for the payment of the staff of public education institutions. The provisions of Article 104 provide for advantages for individuals and legal entities managing public schools that are slated to enjoy lower or exempted tax or customs duties for imports serving school needs.

b. Provincial Decrees

Provincial decrees have the advantage of regulating the fixation, management and allocation of school fees. This regulation relates specifically to the definition of the types of fees as well as the rates applying to them, to fund allocation, and to restrictions in the creation of other fees. The advantage in requiring the regulation of school fees at the provincial level resides in the fact that it should guarantee near homogeneity of the fee policies and practices over the full extent of the province while avoiding chaotic fee fixation by the schools or other territorial district. In addition, the fact that several fees are set at the decentralized level creates an opportunity for stakeholder lobbying at these lower levels and in general a greater participation in decision-making concerning these fees.

The provincial decrees also call for the elimination of some other fees, in particular the teacher *motivation* fees, school operation fees, enrollment fees, re-enrollment fees, confirmation fees, fees for admission in upper-class, and unofficial evaluation fees. In practice, unfortunately, some of these fees have not in reality been eliminated. This is the case for the *frais de motivation* teacher payment fees, among others.

The provincial decrees also grant, for all public school staff, an exemption from the *minerval* for the legitimate or recognized children attending public schools. In addition, for the same children, the decrees allow for school staff to pay other fees at only half of the normal rate, or, in some cases, to not pay at all. This conforms to Article 20 of Presidential Decree Number 91-232 of August 15, 1991 invoked in the provincial decrees.

Finally, the fact that provincial decrees stipulate that school fees are set and must be paid in Congolese francs is considered as adding value to the national currency. However, this advantage is limited given that the elementary school completion exam fees are set in American dollars.

3. Some Implications of the Laws and Regulations for the Education System

The analyses conducted with communities, schools and partners regarding the laws and regulations related to school fees also addressed implications stemming from the application of these laws and regulations on school financing, access to education, and education quality. The essential implications resulting from the debates and consultations are summarized as follows.

a. The National Education Law

The fact that the National Law explicitly allows for parental contributions to finance schools for which the rate is set each year by the state (Article 111) brought about, during the period of multilevel crisis in the DRC, the phenomenon resulting in the nearly complete takeover of financial support for the education system by the parents. The fact that the law requires public schools to create and develop income generation activities (Article 102) results in an ambiguous situation by where this mandating of school self-financing simultaneously appears to justify the shirking of state responsibility for the same schools. The lack of application and enforcement of provisions in the law that are actually favorable to limiting school fees and improving education management inhibits the performance of the system and constitutes missed opportunity to be regained.

b. Provincial Decrees

The process of determining the school fee rates and the amounts themselves hardly appears to take into consideration the economic context surrounding the difficulties that the parents experience in paying the fees. This is especially true for the advent of fees to take the TENAFEP exam, which are set in U.S. dollars (\$3) and constitute an additional burden imposed without having consulted local actors such as school staff and parents. These exorbitant school fees are one of the principal causes of dropout and low primary completion rates.

The failure to enforce the elimination of certain fees, in particular the *frais de motivation* teacher payment fees, make the weight of school fees borne by the parents even heavier. The short length of the payment schedule for school fees at the management offices creates conflicts between the principals and the leaders of these management offices¹⁷. The fact that many school fees are intended for allocation to higher levels of the system and that there are strict regulations prioritizing payment of collected fees to the management offices results in fewer funds being left for the school itself. In this way, school fee-generated funds rarely support improvements at the school level.

In summary, the school fee allocation system shows that, on the one hand, the support for the entire education system rests on the fees which parents and communities pay and on the other hand the schools also count primarily on fees for their own financial resources. This pushes the school leaders to develop harsh and sometimes pitiless mechanisms for collecting fees, resulting in negative consequences for the quality of education, children's access to

¹⁷ For a fuller explanation of this subject, see section V.2 Shares Collection Policies by the Management Offices.

schooling, and conflicts generated between the stakeholders and partners in the education system¹⁸.

Finally, the study revealed that the legal and regulatory texts related to school fees are not sufficiently well-known. All stakeholders consulted recommended creating a policy of making these texts widely known in order to improve understanding of the school fee policies in the DRC.

¹⁸ These aspects are developed in sections IV.1 and IV.2 taking up the school fee collection practices and procedures, and the consequences of these practices and procedures.

IV. TYPES, FIXATION MECHANISMS, AND ALLOCATION OF SCHOOL FEES

The document analysis, participative consultations and all other discussions conducted in the context of the study’s workshops made it possible to identify the types of school fees charged in the DRC and in the two target provinces in particular, analyze the mechanisms for setting these fees and rates, and examine the allocation of funds resulting from these fees. The presentation of results of this analysis is organized around three items, specifically: (1) types, objectives and periodicity of school fees; (2) level and weight of school fees; and (3) mechanisms for fixing the rates for school fees and allocation of school fee funds.

1. Types, Objectives and Periodicity of School Fees

Table 5 below shows the different types of the most common school fees in the DRC and in the two target provinces of the PAGE project examined during the study.

Table 5: General Nomenclature of School Fees

Fee/Charge	Purpose	Frequency
National school tax fee (<i>minerval</i>)	Originally a tax to cover the administrative charges of the Ministry of Education; since 1997, the State share returns to the public Treasury as a general tax	Annual
" <i>frais de motivation</i> " teacher payment	Contribution of parents toward teachers’ salary	Quarterly
School insurance premium	Students’ insurance	Annual
School promotion fee	To cover the expenses for meetings (at the provincial level) of teachers and representatives of the provincial administration	Annual
Printing fees	Expenditures for identity cards and completion of studies certificates	Annual
Examination fees	Fee for end of elementary school exam	Collected during sign-up for the exam
Periodic operations fee	For special expenditures	as needed

Source: Inspired by RESEN

Table 5 shows that each type of fee is set and assessed for a well-specified objective and according to a particular collection frequency.

- The *minerval* has been assessed since 1997 for the purpose of supplying the public treasury as a general tax to be paid by parents of students on a per-student basis. Earlier it was assessed as a tax serving to cover the administrative costs of the Ministry of Education. The frequency of assessment is annual.
- The *frais de motivation* are collected for the purpose of serving as the parents’ contribution to the teachers’ compensation. It serves to supplement registered (*mécanisé*) teachers’ salaries, and also pay the non-registered (*non-mécanisé*) teachers salaries. The payment of this type of fee is done quarterly.

- The insurance premium serves for school insurance. It is assessed annually.
- The promotion fee serves to cover the expenses of meetings, at the provincial level, of teachers and representatives of the provincial administration. They are assessed annually.
- Printing fees serve as expenditures for identity cards, completion of studies certificates and identification sheets. They are assessed annually.
- The examination fees serve to finance the organization and holding of the end of elementary school exams. They are assessed during enrollment for the exam.
- Periodic operation fees are raised according to immediate needs of the school as determined in practice by the principal, serving to finance the schools' special expenditures.

It should be pointed out that in addition to the general nomenclature for fees, there are several specificities for each province, sometimes marking a difference in the nomenclature for the fees from one province to another.

2. Mechanisms for Setting School Fees and Allocation of School Fee Funds

The mechanisms for fixing the rate of school fees and for allocating the funds resulting from them are different from one province to another. They are in large part inspired by provincial decrees which vary from one province to another. The examples coming from the provinces of Equateur and South Kivu demonstrate certain differences while also showing the great complexity in the setting and distribution of several different types of fees for a given province.

2.1 Equateur Province

The provincial decree setting school fees for the 2005-2006¹⁹ school year in Equateur province provided the following stipulations:

- The annual rate for the *minerval* is set at 100 Congolese francs per student for all educational levels. It is received in its entirety during the first quarter by the school principal against return of a receipt, on the basis of the list of students' names (Article 1).
- The school insurance premium is mandatory and set at 50 Congolese francs per National Education student at the Elementary, Secondary and Professional levels; it is received and paid to the national insurance society (SONAS, *Société Nationale d'Assurance*) by the school principal in the first quarter, accompanied by the list of students' names; the members of the administrative and teaching staff of school institutions subscribe to their insurance policy individually, in particular the civil liability insurance (Article 2a, b and c).

¹⁹ Equateur Province order number 2010/0103/CAB/PROGOU/EQ/YMY/2005 of 11/21/2005 concerning setting school fees.

- The technical fees are set at 300 Congolese francs per quarter and per student regardless of the student's subject specialization. Maintenance fees are set at 200 Congolese francs per year and per student for all levels. The allocation of technical and maintenance fees are determined by the Provincial Committee of the EPSP. Meeting fees for School Promotion are set at 50 Congolese francs per student (Article 3a, b, c and d).
- The rates of operational cost fees to support the running of the public school system's management offices are set at 200 Congolese francs per year and per student in Elementary and Maternal Education and 300 Congolese francs per student in Secondary Education. The price of the student report card is set at 100 Congolese francs per student, assessed and paid to the management office the first quarter. Each student pays 70 Congolese francs in the first quarter to purchase a student card. Each student purchases identification sheets at the school for 280 Congolese francs (Article 4).
- The allocation of the public education management offices operations fee is done in the following manner (Article 5):
 - *For registered public schools managed directly by the state:* 50% for the Sub-Division (*Sous-Division*); 18% for the Provincial Division (*Division Provinciale*); 8% for the Principal Provincial Inspection Office (IPP, *Inspection Principale Provinciale*); 4% for the provincial SECOPE office; 3% for the teachers' pension office (PRS, *Pension de Rente et Survie*); 3% for the National Service for Student Identification (SERNIE, *Service National de l'Identification des Élèves*); 3% for the local cluster inspection office (*Inspection Pool*); 2% for the ANAPECO; 2% for the local SECOPE branch; 2% for the local PRS branch; 2% for the local SERNIE branch; et 3% for the school.
 - *For registered public schools managed by religious associations/networks (écoles-conventionnées):* 50% for the sub-provincial level religious network coordination office (*Sous-Coordination*); 18% for the provincial network coordination office (*Coordination Provinciale*); 4% for the Provincial Division (*Division Provinciale*); 4% for the IPP; 3% for provincial SECOPE office; 2% for the national network coordination office (*Coordination Nationale*); 2% for the SERNIE; 2% for the network's Parents Association; 2% for local cluster inspection office (*Inspection Pool*); 2% for the local PRS branch; 2% for the local SERNIE branch; 2% for the Sub-Division; 2% for the PRS provincial branch; et 2% for the local SECOPE branch; and 3% for the school.
- The deadline for payment of these operations fees is set as January 31, 2006 (Article 7).
- The deadline for payment of the *minerval* is set as December 31, 2005 (Article 8).
- School principals are required under penalty of disciplinary sanctions to pay the fees intended for the different management offices on time (Article 9).

The Equateur provincial decree also anticipates periodic operations fees intended for repairing the school and acquisition of instructional material. These fees are generally set by the parents' committees upon proposals from the principal under the guidance of the Provincial Division Head or their representative for public schools and under the guidance of the Provincial Coordinator or their Representative for *écoles-conventionnées* (Article 11).

The decree also states that the fees for participation in evaluation tests and for the organization of state exams will also be proposed by the Provincial Committee of the EPSP and will be the subject of other decrees (Article 13). According to information received directly from the Equateur *Proved*, the fees for participation in the TENAFEP are set at 3000 Congolese francs per student²⁰.

2.2. South Kivu Province

The provincial decree²¹ setting school fees for the 2005-2006 school year in South Kivu province provide the following stipulations.

- The nomenclature for school fees relating to parents' contribution to the operation of both public and private schools includes (Article 1):
 - *For public schools (standard and conventionnée)*: the *minerval*, the school insurance premium, the evaluation fees, the school document fees, the technical fees only for Technical and Professional Education specializations.
 - *For authorized private schools*: Beyond the fees listed above, the rate for the parents' share in authorized private school institutions' expenses are set by the school's managers in coordination with the state's Local Representative and the parents' representative under the provisions of Article 114 of the National Education Law Number 86-005 of September 22, 1986.
- Apart from the authorized fees given above, the assessment of any other fee is strictly prohibited; this refers to *frais de motivation* teacher payment fees, school operations fees, enrollment fees, reenrollment fees, confirmation fees, fees for admission to higher class levels, and unofficial evaluation fees (Article 2).
- The annual rate for the *minerval* is set at 100 Congolese francs per student per year in all public and authorized private schools at the maternal, elementary, secondary and professional level. It is to be received in its entirety by the end of the first quarter by the school principal, against submission of a receipt on the basis of the list of students' names and paid by January 31, 2006 at the latest (Article 3).
- According to the decree, the *minerval* is allocated according to the following shares: 50% or 50 Congolese francs are paid to the account of the Public Treasury; 10% or 10 Congolese francs returns to the school and is used to set up and/or maintain the sanitary or environmental conditions of school institution; 7% or seven Congolese

²⁰ Number collected from schools and confirmed by Proved during interviews with the study team.

²¹ South Kivu province Order number 01/CAB/GP-SK/2006 of 1/13/2006 concerning setting school fees for the operating period 2005-2006 in the public and authorized private schools.

francs are paid to the Provincial Commission of the EPSP and managed in conformance with the circular number MINEPSP/CABMIN/0809/2003 of November 8, 2003 from His Excellency the Minister of the EPSP; 7% or seven Congolese francs are paid to the Provincial Principal Inspection of the EPSP for training actions; 5% or five Congolese francs are paid to the Ministry of EPSP for organizing the meetings of the National Commission for School Promotion; 1% or one Congolese franc goes back to the Parents Association. Finally, 20% or 20 Congolese francs are paid to the operation of the public and authorized private schools' management offices, the breakdown of which is as follows:

- Standard public schools: Sub-Division – 10 Congolese francs per student; Provincial Division – 10 Congolese francs per student;
 - *Ecoles-conventionnées* public schools: Direct manager – 10 Congolese francs per student; Provincial Coordination – 6 Congolese Francs per student; Provincial Division – Congolese Francs per student;
 - Authorized Private Schools: Manager – 10 Congolese francs per student, ASSONEPA private school association – 6 Congolese francs per student, Provincial Division – 4 Congolese Francs per student.
- The staff of the maternal, elementary, secondary and professional public schools benefit from an exemption from the *minerval* for their legitimate or recognized children attending public schools and up to half off other school fees for the same children, in conformance with Article 20 of Ordinance number 91-232 of August 15, 1991 (Article 4).
 - The annual school insurance premium is mandatory. It is received and paid to SONAS by the school principal in the first quarter, accompanied by a list of students' names (Article 5).
 - The fees related to the organization of evaluations (TENAFEP) and state exams are to be covered by the candidates (Article 6).
 - The costs of school documents for all public and authorized private schools are set as follows per student by national education at all maternal, elementary, secondary and professional levels: identification sheet (70 Congolese francs), report card (100 Congolese francs), and student card (70 Congolese francs). The fees for identification sheets, report cards and student cards are assessed during the first trimester of the 2005 2006 school year (Article 7).

2.3. Summary of Distribution and Mechanism for Setting School Fees

Table 6 on the following page presents a review of the mechanisms for setting fees by category along with the actors involved in setting them. Note that cases where student's parents and other community actors are listed theoretically, decisions in reality are not always made with effective participation of these actors.

Table 6: Mechanisms for Setting and Actors Involved by Type of Fee

Type of fees	Mechanisms for Setting and Actors Involved		
	Set by	Procedure for Setting	Actors Involved
National school tax fee (<i>minerval</i>)	The government through the Ministry of EPSP	The Minister of EPSP takes and signs a decree	The Central Government
<i>Frais de motivation</i> teacher payment	The general assembly of the community parents in agreement with school leaders. For Catholic <i>écoles-conventionnées</i> , instead of the general assembly of parents, there is a parish council in which all the parents take part.	The school leadership calls the general assembly of parents for discussing in determining the amount of the fees.	- Parents' General Assembly -Parish Council (for the Catholic <i>écoles-conventionnées</i>) -School Leadership
Periodic operation cost fee	According to school principal's decision	The Parents' Committee gets together with the school leadership	- School Leadership - Parents' Committee
Security guard fees	<i>same</i>	<i>same</i>	<i>same</i>
Construction and maintenance fees	Governor of the province by provincial decree	The EPSP provincial committee gets together with the head of the EPSP Provincial Division who in turn makes a proposal to the governor of the province	- Governor of the Province - EPSP Provincial Committee - EPSP Provincial Division
School Promotion	<i>same</i>	<i>same</i>	<i>same</i>
TENAFEP Fees	<i>same</i>	<i>same</i>	<i>same</i>
Printing (cards, report cards, SERNIE sheet)	<i>same</i>	<i>same</i>	<i>same</i>
Insurance	Minister of the EPSP	SONAS makes a proposal to the Minister of the EPSP	- SONAS - Minister of the EPSP

The above table includes the following information:

- The *minerval* is set by the central government through the Ministry of EPSP which takes, signs and publishes a decree. In this way the central government is the principal player involved in setting the *minerval*.
- The fee for teacher “motivation” is set by the general assembly of community parents in agreement with school leaders. The method is such that the school leadership calls for the general assembly of parents in order to discuss the amount of fees to be applied. It should be noted that in the Catholic *écoles-conventionnées* the parish council in which all parents take part plays the role of general assembly of parents. Thus, the actors involved in setting up motivation fees are the general assembly of parents, the parish council (for the Catholic *écoles-conventionnées* in particular) and the school leadership.
- Periodic operations fees are set by the school principal who makes a decision for that purpose. The procedure is such that the Parents' Committee gets together with the school leadership. This procedure is the same for security guard fees. The actors involved here are the school leadership and the parents' committee.

- Construction and maintenance fees are set by the governor of the province by means of a decree. The procedure is such that the EPSP provincial committee gets together with the head of the EPSP Provincial Division who in turn makes a proposal to the governor of the province. The actors involved are the Governor of the Province, EPSP Provincial Committee and the EPSP Provincial Division. This mechanism and procedures are the same for school promotion fees. The same applies to the fees for the TENAFEP exam and printing fees.
- The insurance premium is set by the Minister of the EPSP by means of ministerial decree. The procedure is such that the SONAS insurance office gets together with the Minister of the EPSP to whom it makes a proposal. The actors involved are therefore the Minister of the EPSP and SONAS.

The table below demonstrates the manner in which school fees are distributed at three levels (local, provincial and national level) among the different institutions involved.

Table 7: Distribution of the Fees by Type

Type of fees	Assignment/Allocation
National school tax fee (<i>minerval</i>)	Public Treasury: 50% Management Offices: 30% School: 20%
"Frais de motivation" teacher payment	School for teachers: 100%
System operations fees	School: 25% Management office and/or Provincial Inspection: 75%
Security guard fees	School: 100%
Construction or maintenance fees	Management Office (for <i>écoles-conventionnées</i>) or School (for public schools) 100%
Student Card	Provincial Inspection: 100%
School Promotion	Sub-Division Office: 100%
SONAS	SONAS: 100%
Report card	Management Office for <i>écoles-conventionnées</i> or Provincial Inspection: 100%
SERNI card	Provincial Inspection: 100%
TENAFEP	EPSP Provincial Division: 100%

- The school is located at the local level, the management offices at the provincial level and the public treasury at the national level.
- The "management office" refers either to: (i) for *écoles-conventionnées*, the provincial coordination office for each religious network, (ii) for public schools, the provincial inspectorate.
- The national school tax fees (*minerval*) are distributed according to a share which allocates 50% to the public treasury, 30% to the management offices and 20% to the school.
- 100% of the *frais de motivation* remain at the school and are used for teachers' salaries.
- The system operations fees are distributed according to a share which grants 25% to the school and 75% to the management offices of the different school networks for the *écoles-conventionnées* and to the Provincial Inspection for standard public schools.
- Security guard fees remain entirely at the school and are used to pay the school's security or watchmen.

- Construction or maintenance fees are allocated 100% to the management offices for *écoles-conventionnées* or to the school for public schools. For *écoles-conventionnées* the management offices decide on the management of construction fees.
- Printing fees for student cards are entirely paid to the provincial inspection; school promotion fees are entirely sent to the EPSP provincial subdivision office.
- Insurance premium fees go 100% to SONAS whereas printing fees for the bulletins go in their entirety to the management offices for *écoles-conventionnées* and the provincial inspection for public schools.
- Fees for the SERNIE cards (student identification cards) are allocated 100% to the provincial inspection whereas the fees for TENAFEP are entirely allocated to the EPSP provincial division.

2.4. Limits to the Involvement of the Stakeholders in Setting School Fees

The interviews and consultations held during this study revealed a number limits to the involvement of the stakeholders in the process of setting school fees.

a. The Interference of Churches in Setting and Managing Teacher *Frais de Motivation*

The task of setting *frais de motivation* for supplementing or covering teachers' salaries normally falls to the school principal after meeting with the parents' association. However, for *écoles-conventionnées*, study participants noted that the parish priests and the church pastors had acquired the habit of inserting themselves in the process of both setting and managing the teacher *frais de motivation*. According to the study's findings, the parents and principals who denounce this interference but who for the most part are loyal to the churches to which their school belongs nonetheless find themselves sanctioned by the priests and/or pastors.

b. Discrimination Suffered by Parents during the Consultation Meetings for Setting Teacher *Frais de Motivation*

During the study interviews and discussions, parent and community participants denounced a discriminatory practice in the procedure for setting teacher *frais de motivation*. This practice consists of the following: when it comes to organizing the consultative meeting with the the local parents' associations in order to set the *frais de motivation*, some principals give the invitation to a set number of parents who are more favorable to the principal and who are financially able to accept a higher rate without difficulty. The consultative assembly meeting is held with this limited number of parents and the other parents are only informed of the decisions after they are already made; under these conditions, the majority of parents are obliged to suffer the consequences of decisions in which they have not taken part. The notion of a quorum for holding this assembly is very rarely observed.

c. The Effective Noninvolvement of Local Partners (Rural Communities)

Parents and other local community members also severely criticized the process of setting fees at the provincial level. According to the existing system, the provincial education committee organizes consultations to determine the fee rates they will propose to the governor of the province, who then signs the decree announcing these fees. The parents and

local community members argued that the provincial consultation meetings do not take into account the economic realities of rural areas (which represents the majority of the province's territory) because the education actors present at these gatherings are not representative of the wider population. Instead, the actors who take part in the consultations are from urban areas (major towns in the provinces) and the economic realities considered are solely those of the urban environments where the provincial institutions are headquartered.

3. Amounts and Weights of the School Fees

Given that the type of school fees assessed in the provinces can differ from one province to the next, the following presents the type of school fees separately by target province.

3.1. Equateur Province

As illustrated in Table 9 and Chart 5 on the following pages, the fees paid by parents in Equateur province are those related to: the teacher *frais de motivation*, student identification card, school promotion, motivation fees, insurance, report cards, construction, SERNI card, and periodic maintenance fees. For one school year, students from first to fifth grade in Equateur each pay on average 3327 Congolese francs (\$8 U.S.); those in sixth grade pay 6327 Congolese francs (\$15 US). Compared to the annual GDP per inhabitant for the province estimated at \$25²², the school fees for one student represent 60% of the GDP.

The highest fees are the *frais de motivation* and the TENAFEP fees. *Frais de motivation* vary from one school to another because they are set at the school-community level. On average, for students from first to fifth grade, motivation fees alone represent on average 71% of all fees, whereas for students in sixth grade they represent 38% of all fees. TENAFEP fees represent on average 46% of all fees for a sixth-grade student. School fees are the principal source of financing for the schools, but the reliance on parents poses a problem because in reality the collection rate for the school fees is low. In the schools visited in Equateur, the average collection rate was 53% of the expected fee income; in the worst case, one school reported a collection rate of 28%²³.

Considering the actual collection rate for fees in general, there is reason to wonder how parents who are incapable of paying fees during an entire year would be capable of paying the TENAFEP fees in full at the end of the year. These exam fees are nearly equal to the amount of all other fees together. (Total other fees equal 3327 CF on average, and the TENAFEP fee equals 3000 CF). Interviews with communities revealed the lengths to which parents of sixth grade students go so that their children can take these exams, including selling produce and livestock at very low prices; borrowing money at interest rates over 50%; and mortgaging valuable assets to neighbors, often resulting in the loss of the assets following the inability to honor the commitments. All of this has the consequence of increasing the poverty level of already very poor households.

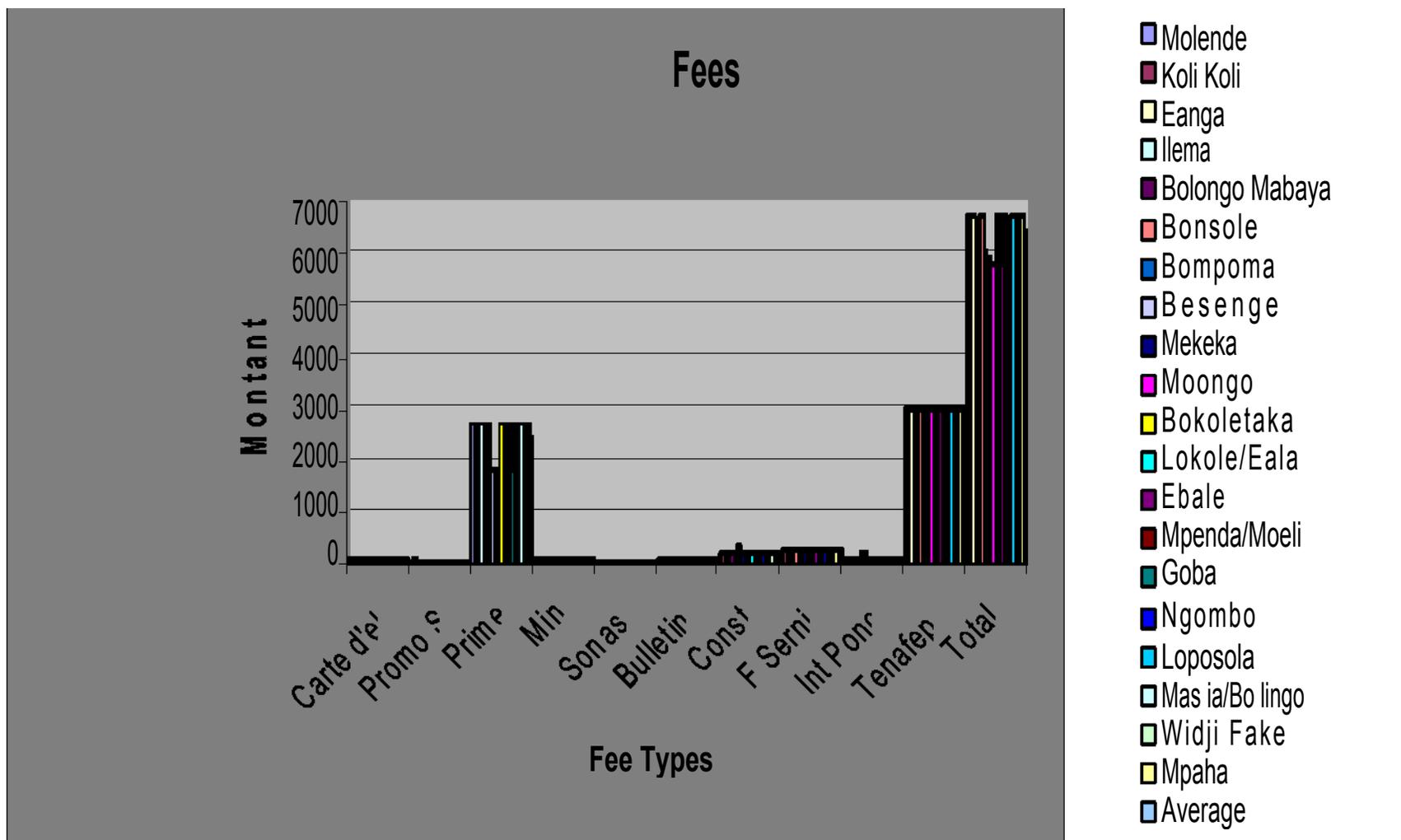
²² PNUD, Rapport du développement humain durable de la RDC.

²³ The calculated collection rates are for the 2004-2005 school year. It was calculated by dividing the total receipts collected on the school fees over the total expected receipts and multiply the result by 100.

Table 8: Types, amounts of fees required from parents per student per year (in Congolese francs) and collection rate, Equateur

Type of fees	Student card	School Promotion	Frais de Motivation Teacher Payment	Minerval	SONAS	Report Card	Construction	SERNI Sheet	Periodic Operation	Sub-total	TENAFEP	Total	Collection rate (%)
Molende	70	50	2700	100	50	100	200	280	100	3650	3000	6650	69
Koli Koli	70	100	2700	100	50	100	200	280	100	3700	3000	6700	75
Eanga	70	50	2700	100	50	100	200	280	100	3650	3000	6650	48.5
Ilema	70	50	2700	100	50	100	200	250	100	3620	3000	6620	47
Bolongo Mabaya	70	50	2700	100	50	100	200	280	100	3650	3000	6650	53
Bonsole	70	50	2700	100	50	100	200	280	100	3650	3000	6650	51
Bompoma	70	50	1800	100	50	100	350	280	200	3000	3000	6000	28
Besenge	70	50	1800	100	50	100	200	280	200	2850	3000	5850	46
Mekeka	70	50	1800	100	50	100	200	280	100	2750	3000	5750	53.6
Moongo	70	50	1800	100	50	100	200	280	100	2750	3000	5750	40.9
Bokoletaka	70	50	2700	100	50	100	200	280	100	3650	3000	6650	62
Lokole/Eala	70	50	2700	100	50	100	200	280	100	3650	3000	6650	33.5
Ebale	70	50	1800	100	50	100	200	280	100	2750	3000	5750	87
Mpenda/Moeli	70	50	2700	100	50	100	200	280	100	3650	3000	6650	32
Goba	70	50	1800	100	50	100	200	280	100	2750	3000	5750	40
Ngombo	70	50	2700	100	50	100	200	280	100	3650	3000	6650	50
Loposola	70	50	2700	100	50	100	200	280	100	3650	3000	6650	67
Masia/Bolingo	70	50	2700	100	50	100	200	280	100	3650	3000	6650	60
Widji Fake	70	50	2700	100	50	100	200	280	100	3650	3000	6650	56
Mpaha	70	50	2700	100	50	100	200	280	100	3650	3000	6650	57
Average	70	52.5	2430	100	50	100	207.5	278.5	110	3398.5	3000	6398.5	53.1
% of total fees 1st – 5th grade	2	1.5	71.5	3	1.4	3	6.2	8.3	3.3	100	-		-
% of total fees 6th grade	1	0.8	38.7	1.5	0.7	1.5	3.2	4.2	1.6	-	46.8	100	-

Chart 5: School fees paid in the schools visited in Équateur Province



Finally, the low fee collection rate raises an important question: what is happening if the parents are being asked to finance the vast majority of the education system when in reality they are nearly incapable of paying the fees? How are schools and the education system really financed – or is the reality simply that they continue to be woefully underfunded despite the share of fees the parents are able to pay? Another question concerns the principals: how do they manage to pay the fees intended for their respective management offices despite their schools’ low collection rates? As was discovered during the study, school-communities employ a number of practices, such as alternative financing mechanisms, to fund schools and the education system. A presentation of these practices is the subject matter of the second section of this chapter.

3.2. South Kivu Province

Table 9 and Chart 6 below list the types of fees most commonly paid by the parents for children in the schools targeted by the PAGE project in South Kivu, and the rate of actual fee collection by school.²⁴ These fees are: the *frais de motivation* teacher payment, national school tax fee (*minerval*), insurance, report card, construction, TENAFEP, and security guard fees. It is important to note that even though the fees are expressed in Congolese francs, they are not all paid in this currency. In some schools, the rates for the *frais de motivation*, construction fees and TENAFEP are set in U.S. dollars but can be paid in Congolese francs at the exchange rate prevailing on the day of the payment.

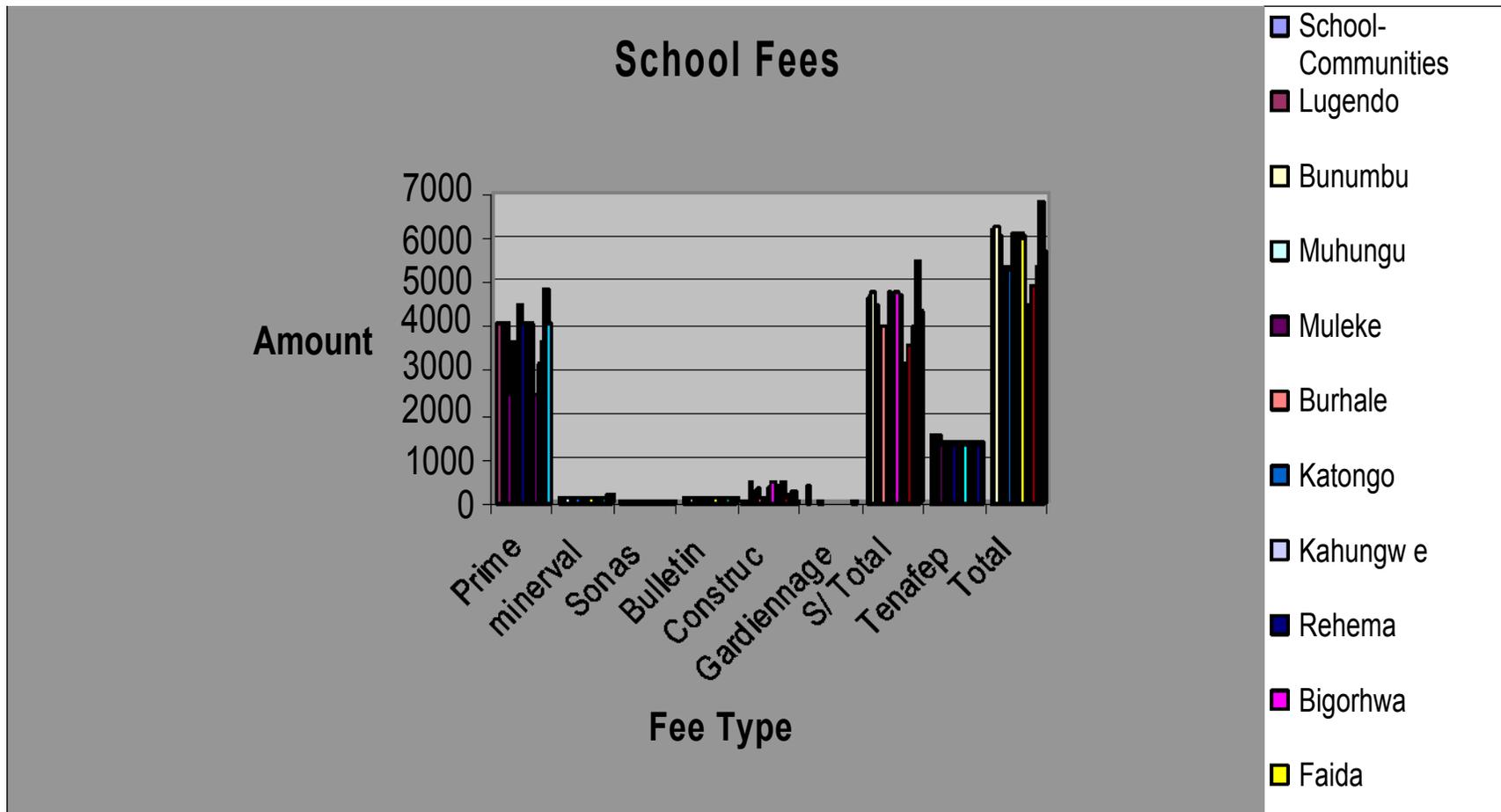
²⁴ The data available to us for South Kivu concern 16 schools instead of 20, due to logistic and security constraints.

Table 9: List of fees required from parents per student per year (in Congolese francs), South Kivu

Type of fees	<i>Frais de motivation</i> Teacher Payment	<i>Minerval</i>	SONAS	Report Card	Construct ion ²⁵	Security	S/Total	TENAFEP	Total	Collect ion
Lugendo	4050	100	50	100	0	360	4660	1520	6180	60%
Bunumbu	4050	100	50	100	450		4750	1520	6270	50%
Muhungu	4050	100	50	100	180		4480	1520	4380	60%
Muleke	2430	100	50	100	300	50	3030	1350	5350	60%
Burhale	3600	100	50	100	100	50	4000	1350	5350	60%
Katongo	3600	100	50	100	100		3950	1350	5300	60%
Kahungwe	4500	100	50	70	50		4770	1350	6120	60%
Rehema	4050	100	50	100	1800/fam (360)		4660	1350	6010	80%
Bigorhwa	4050	100	50	100	2250/fam (450)		4750	1350	6100	60%
Faida	4050	100	50	100	1800/fam (360)		4660	1350	6010	60%
Ihimbi	2430	100	50	100	1350/fam (270)		2950	1350	4300	80%
Kashongelere	2430	100	50	100	2250/fam (450)		3130	1350	4480	70%
Cibanda	3150	100	50	100	150		3550	1350	4900	65%
Shaliro	3600	100	50	100	150		4000	1350	5350	65%
Mulambula	4860	150	50	90	1350/fam (270)	25	5445	1350	6795	40%
Ushindi	4050	150	50	100	-		4350	1350	5700	30%
Average	3684	106	50	97	227	121	4195	1381	5577	60
% of total fees 1st – 5th grade	87%	2	1	2	5	2	100	-	-	-
% of total fees 6th grade	66	1	0,5	1	4	2	-	24	-	-

²⁵ These fees are given per family, we made an estimate per student by taking an average of five elementary school students per family

Chart 6: School fees paid in the schools visited in South Kivu Province



In addition to the fees for taking the TENAFEP exam, which are only required of students in sixth grade, all other fees are required of students in every class. With the intention of reducing the fee burden on parents, some schools charge construction fees by household as opposed to per student. This is the case in the following primary schools: Rehema, Bigorhwa, Faïda and Kashongolere in the community of Ihimbi.

In general, the average amount of school fees paid by students from first to fifth grade comes to 4195 Congolese francs (\$10 U.S.). Sixth grade students pay 5577 Congolese francs (\$13 U.S.) Compared to the annual GDP per inhabitant per province estimated at \$67²⁶, school fees for one student represent 19% of the GDP in South Kivu.

Frais de motivation for teachers represent 87% of the fees for students from first to fifth grade and 66% of the fees for the sixth grade. The *frais de motivation* alone constitute more than half of the total fees in this province. The TENAFEP fees represent 24% of the fees paid in sixth grade.

It emerges from this table that four types of fees have identical amounts in all the schools. This relates to the *minerval*, SONAS, report card fees and, with only a few exceptions, the TENAFEP fee. The constancy and uniformity of these fees are likely linked to their institutionalization either by the religious network coordination bodies, or by the provincial EPSP office itself. The amounts of the *frais de motivation* and construction fees, however, vary with the school. In theory, these two types of fees are determined by the general assembly of parents based on proposals from Parents' Committee officers and the SMC. Thus, these fees are susceptible to considerable variance; in the community of Lugendo, for example, the monthly rate of *frais de motivation* teacher payments averages around \$3 U.S. whereas in the other communities' schools this rate is less than or equal to the equivalent of \$1 U.S.

The findings regarding school fee charges in South Kivu again raise important questions with regard to actual fee collection. In the case of PAGE-targeted schools in this province, collection rates between schools are marked by a large disparity. Over all the schools for which data are available, no school collects the total amount of expected school fees based on enrollment figures; 15% of schools reach 70% or 80% of the total amount of the expected fee income and 58% of the schools targeted achieve 60% or 65% while the rest of the schools collect an even smaller percentage. On average, the fee collection rate is 60% for all schools. Once again, these collection difficulties suggest the extent of the financial difficulties that families are facing when attempting to pay school fees.

3.3 Comparative Analysis of the Two Provinces

A comparative analysis of the findings from each of the two PAGE-targeted provinces provides insight into the similarities and differences that can arise between provinces in the DRC with regard to the type and amount of fees charged and the rate of actual fee collection. Among points of comparison, the following can be noted:

²⁶ PNUD, op.cit.

- The amount of fees charged is lower in Equateur than South Kivu. The difference is more significant for the *frais de motivation* teacher payments. The difference, ranging from 300 to 4000 Congolese francs between these two provinces represents a significant disparity. Given that the *frais de motivation* are set at the discretion of school administrators ostensibly in consultation with parents, it appears that the fee setting process in the school system is marked by a lack of coordination. Even in consideration of the particularities of each province, such disparity raises the question of equity between different populations within a single country.
- The nomenclature and list of fees differs from one province to another. In Equateur province, fees for school promotion and the SERNI cards exist that are not found in South Kivu, and inversely in South Kivu security guard fees exist but are absent in Equateur. At this level, the question of system regulation or coordination is again raised.
- The school fee collection rate is low in both provinces, but is lower in Equateur than South Kivu – namely 53% as compared to 60%, respectively.

In sum, the findings of these provincial analyses raise a paradox: school fees are considered to be the principal source of school financing in the DRC, but given that the actual collection rate for these fees is low, it would seem that depending solely on these fees would lead to the extinction of these schools. Considering that despite this low collection rate schools continue to operate, it appears that schools and their communities may have developed alternate financing mechanisms that allow them to ensure their own survival. The following section presents such policies and practices as reported by school staff and community members during the field research.

It is first important to note that it is only since the beginning of the 2005-2006 school year that officially recognized and registered (*mécanisée*) schools have benefited from the HIPC subsidy of 87,000 Congolese francs (\$193 U.S.). As previously noted, this initiative originates from the World Bank-supported Social Fund and the funds are finance school operational and maintenance expenses and to therefore eliminate the operating fees charged to parents.²⁷

It is also important to mention that according to interviews with the teachers' unions²⁸, the *frais de motivation* teacher payment fees ostensibly eliminated in the 2004-2005 school year were replaced by teacher transportation fees in several schools. These unions report that these new fees are higher than those previously set for "motivation" fees.

²⁷ Declaration of the school directors during participative consultations in the schools visited in Équateur and South Kivu provinces.

²⁸ Interviews with SYECO and SYNECAT on April 15 and 21 2006.

V. COLLECTION OF SCHOOL FEES AND ALTERNATIVE SCHOOL FINANCING MECHANISMS

School fee collection practices constitute one of the most important elements of the school fee issue in the DRC. The consultations and discussion conducted with the education system's stakeholders at all levels made it possible to closely examine questions around these practices and processes. The research also included discussion of the consequences that result from these practices. The results of this investigation are presented in this chapter.

1. School Fee Collection Practices and Processes at the School Level

Because of parents' poverty, many students do not pay their school fees or pay them late. At the same time, fees constitute the schools' most essential funding source. This is why schools resort to strict practices and processes for collecting school fees from students and parents. Among these, the most common observed in the schools studied are the practices of expelling students and withholding report cards and grades.

1.1 Some Common Practices and Processes

a. Expelling Students

Expulsion is a practice consisting of making access to the classroom conditional on the payment of school fees. This practice occurs during very specific periods according each school's respective procedures and a process that usually includes the following steps.

- 1. Written warning to the parents:** When the fixed payment deadline has passed or is nearing, the principal sends a notice to the parents of the students whose payments are not complete and up-to-date. The purpose of the notice is to warn the parents that if payment is not received by the given deadline, these children will be forbidden from coming to school.
- 2. Intimidation consisting of denouncing the name of non-paying students:** In certain schools, when the parents who received the warnings have not responded with payment, their child or children will be denounced publicly. The school administrators will visit each of classrooms to read off the names of the students who have not paid their fees, denouncing them before their classmates. This practice incites the children to demand their parents to pay their fees and even to refuse themselves to go to school until the parents pay.
- 3. Actual expulsion of students:** The actual expulsion of students is the last step of the process. This takes place as a last resort and at that time, the principal will expel the students until they pay their fees in full. Faced with such pressure, some parents go to the school to plead with the administration to admit their children in class by promising to pay by a given date. The principal assesses such cases individually who will decide to refuse or accept the parents' pleading on behalf of their children.

b. Withholding Report Cards and Grades

Some schools allow children who have not paid the school fees to continue attending class but demand full payment of the fees before releasing report cards and exam grades. This practice often takes place at the end of the school year. At this point, parents do not know whether their children have passed and are compelled to pay the school fees to obtain their children's results and report cards. This practice sometimes takes place throughout the school year during the publications of the quarterly exam results. Parents then cannot access their children's exam grades until they pay the entirety of the fees required for the given quarter.

c. Prevention from Participating in Exams

Several schools allow children who are not up-to-date with school fee payments attend school but make taking quarterly or end-of-year exams conditional on the payment of all of the fees corresponding to the period in question.

d. Making the Parents' Committee Responsible for Fee Collection

During the participative consultations conducted for this study, it was noted that some school administrators ask the Parents' Committee officers, representing the parents' association, to conduct fee collection. In this case, the committee members themselves contact the parents directly in order to persuade them to settle their children's school fee accounts.

e. Making Parents Aware of the Negative Effects of Repeated Expulsion of Children

Raising parental awareness of the negative effects of missing school is done at the time of the parents' associations' general assembly and also at church during mass or worship. In this case, the SMC members explain to the parents the toll that expulsion can take on student learning. This kind of awareness-raising aims to make parents see the necessity of paying their children's school fees in full and on time.

1.2. The Consequences of School Fee Collection Practices and Methods at the School Level

The application of the fee collection practices and methods presented above lead to a number of negative consequences and, much more rarely, to limited positive outcomes. These effects are detailed in this section.

a. Consequences of Expelling Students

According to the community members themselves, expelling students is the most effective way to significantly increase the school fee collection rate. Many parents pay faced with this consequence, making it possible for the school to increase its cash holdings. However, the same communities voiced recognition of a number of harmful consequences related to the practice of expulsion. Among these consequences, those cited most frequently are:

- **The low learning levels of expelled children.** A child who is expelled for a period and who then returns to school once her parents have paid her fees does not benefit from any makeup course. The classes that she missed during the entire period of her absence

constitute an irretrievable loss in her learning process. The child feels the consequences of this loss both with regard to her success during that school year as well as for the remainder of her learning period. This poses a serious problem with regard to the quality of teaching and learning within schools.

- **Dropout and related trauma:** Many students who are expelled from school when their parents do not pay their fees never return. In this case, either the parents no longer feel capable of paying the fees and ask the children to remain at home until the next year, or the children have been traumatized by this experience and refuse to return to the school. Expelling students due to the non-payment of fees therefore contributes to the observed increase of school dropout rates and decreased school completion rates in the DRC.
- **Conflict between education stakeholders:** Expelling students sometimes creates conflict between the parents and the school administrators. These conflicts emerge when the parents fail to persuade the principal to make an exception and exempt their children from expulsion.

b. Consequences of Withholding Report Cards and Grades

- **The inability of parents to monitor their children's academic performance:** When school administrators withhold a child's report card and grade during the school year and more specifically at the end of a quarter, parents who are not capable of paying the fees are prevented from tracking their child's academic performance because they do not know how s/he is doing. These parents are left to monitor their child's progress blindly, without knowing if the child is learning well or not, or needs to study more in a given subject, or if s/he is on track for passing quarterly or final exams.
- **Obtaining forged report cards:** In addition, when the child's report card is withheld at the end of the school year, some if not many parents incapable of paying fees make arrangements for enrolling their children in another school the following year. They do this by illegally paying for their report cards (presumably from the school administrators directly at a price lower than the total amount of fees due) or paying to have them made by forgers who have developed an entire market network for this type of client.
- **Teacher corruption:** Certain parents who wish to know their children's grades end up paying their class' teacher to clandestinely give them access to the grades. This encourages a culture of corruption and the fraudulent acquisition of grades.

c. Consequence of the Prevention from Participating in Exams

Preventing students from participating in exams discourages many children who are dedicated during the quarter or year and who, because of school fees, find themselves deprived of the right to take exams. Failure to take exams, especially final exams, can also result in the inability to pass into the following grade, resulting in grade repetition. This

consequence can ultimately result in families having to pay even more in fees as they are forced to try to pay for the same school grade more than once for the same child.

d. Consequence of Making the Parents' Committee Responsible for Fee Collection

Making the Parents' Committee responsible for school fee collection sometimes leads to complicity between the committee and the school administration, and favoritism toward some parents. In the whole, this practice appears to be ineffective for the schools. When committee members behave harshly towards parents during the process of fee collection, this results in conflicts between the parents' committee and the general members of the parents' association. In this case, parents accuse the committee members of being corrupted by the school's principal and of serving their own interest instead of defending that of the parents. Such situations can result in damaging the cooperative dynamic in parent associations and committees.

e. Consequences of Making Parents Aware of the Negative Effects of Repeated Expulsion

Raising parental awareness during parents' associations' meetings and also in the churches during services sometimes proves to be effective. Some communities suggested that for some parents, failure to pay is not directly linked to poverty. Instead, it might be due to other latent reasons that might be revealed in an in-depth sociological study. The possible alternative reasons for non-payment as expressed by study participants include the lower importance that some parents accord to children's schooling, in particular that of girls; participants also cited the need to use children's labor for economic purposes, especially during peak seasons (i.e. for agriculture, fishing and gathering).

f. Phenomenon of Favoritism Towards "Good Payers"

To maintain the necessary level of income at the school, children whose parents pay fees on time are strongly favored. For instance, it was reported that teachers and administrators often spare such children from disciplinary sanctions and even give them inflated grades so as not to lead them to change schools. This phenomenon seriously affects the quality of education within schools.

In sum, the practices of expelling students, withholding report cards and grades, blocking participation in examinations (to cite only a few negative consequences) encourages the development of serious inequalities among students and children in general. Children from poor families who are victims of these measures feel bullied and frustrated. This frustration contributes to reduced student motivation and, ultimately, school dropout and reduced primary school completion rates.

Many school-communities are aware of the harmful consequences discussed above and as a result have developed alternative financing mechanisms in order to generate additional resources for the school instead of depending solely on school fees.

2. School Fee Collection Practices and Methods Instituted by Management Offices

2.1. Some Policies and Practices Identified

The allocation of funds generated by school fees is backed by a collection policy developed by the school system management offices. This policy is developed on the basis of the rules of the game as defined by the provincial decrees setting school fees and determining the payment and collection deadlines or periods. In review, the management office collection policy work as follows:

- The *minerval* is received from the school principal in its entirety during the first quarter and by December 31 at the latest; upon delivery of the funds the office issues a receipt based on the list of the names of all of the school's registered students.
- The school insurance premium is received and paid to SONAS by the school principal in the first quarter, accompanied by the list of students' names; the members of the school administrative and teaching staff subscribe to their own insurance policy (notably civil liability insurance) individually.
- Periodic school operations fees are received by the principal if they are deemed necessary and according to an arrangement with the parents' association.
- The student report card fees are received and paid to the management office during the first quarter.
- The fees for the student card are paid the first quarter of the year.
- The fees for the identification card are paid the first quarter of the year.
- The one-time system operations fees are paid to the management offices no later than January 31 of the year.
- TENAFEP fees are collected before the exam date; sitting the exam is conditional on the full payment of these fees.

In addition, the provincial decrees specify that the school principals are required, under penalty of disciplinary sanctions, to pay the fees intended for the different management offices at the appropriate time.

2.2. Some Implications for the Professional Relations Compared to the Collection of Shares for the Management Offices

The method of collecting the different shares of funds generated by school fees gives rise to a conflict that the research team discovered during the participative consultations and that it has named the "law of enrollment." Debated and explored in depth during the provincial workshops, this phenomenon is summarized as follows.

At the beginning of the school year, principals make a declaration of the size of the school's enrollment, or number of registered students. During collection and/or inspection process conducted by the management offices according to the deadlines for collection and distribution described above, the inspection agents or collectors (generally also the inspectors) require school principals to pay the expected share for the management offices based on the school enrollment declared at the beginning of the school year. In other words, the principal is required to hand over the full amount as per the enrollment numbers rather than the amount actually collected to date based on the number of children who have paid. This is true despite the fact that the number of those who pay on time is far below the number of students enrolled at the beginning of the school year. Regardless, the system management officers (inspectors or religious network coordinators) still seek to recover the full amount of expected fees due from the schools and to obtain this full amount by the end of the first quarter.

Generally, principals see themselves obligated to empty their respective schools' coffers in order to pay this full amount. They subsequently fall back on the parents, sometimes by soliciting their solidarity in contributing one-time payments aiming to replenish the coffers in order to meet the management office's demands and also keep enough funds on hand to meet urgent needs of the school. Otherwise, principals put pressure on parents to force collections (such as by strategies of expelling students, withholding grades and report cards, etc.). The field research also revealed that some management offices will withhold from the principal's and teachers' salaries a sum equivalent to the amount of the fees not received at the time of collection.

In order to increase the pressure on school administrators, inspectors brandish the provincial decrees declaring that principals are required under penalty of disciplinary sanctions to pay the fees intended for the different management offices on time. For standard public (*non-conventionnée*) schools, the sanction most feared by principals and brandished by inspectors is the transfer of the principal to another school where the working and environmental conditions are more difficult.

The interviews and other research also revealed that one of the principal motivations behind the initiation of income-generating activities in schools is the anticipation of this phenomenon of the "law of enrollment" and the desire to take measures to protect the school against it.

3. Alternative School Financing Mechanisms

To counter the insufficiency of financial resources coming from school fees, several schools, if not the majority, have taken initiatives to develop alternative financing mechanisms. These initiatives generally consist of conducting income-generating activities (IGAs). In addition to the IGAs themselves, the schools also turn to similar mechanisms. Before detailing these additional mechanisms, it is important to first explain the way IGAs themselves work.

3.1. Income-Generating Activities

The IGAs initiated by school-communities in the sectors of animal husbandry, agriculture and fishing have two principal sources of seed funding:

- a. **The parents' associations who, to financially support the schools, organize community initiatives, in particular community fields and gardens whose income come from harvests sold.** These cases are observed in the communities where there was a general climate of understanding and good collaboration between the principals (or the SMC if it existed) and parents' associations. In these communities, there is regular and healthy communication between the parents' association and the school principal. In these cases, the community became aware that school matters are everyone's business. The key to the success of such a collaboration appears to be the openness that the principal manifests towards the parents and/or the entire community.

In the school-communities where IGAs become a true alternative financing mechanism, the practice of expelling students appears to be considerably lower. In some school-communities such as Moongo in Equateur province, the IGAs make it possible for a certain number of Pygmy children to enroll and stay in school despite the enormous difficulties that their parents experience in paying fees. In this case, the school has found a way through IGAs to allow students to stay in school and take exams while paying fees slowly and in small installments as they are able to.

- b. **The financing of the IGAs through the school's own funds.** In this case, the principal and/or SMC uses a portion of the school's own funds generated from school fees to initiate an IGA for the school. This practice essentially creates a rotating fund that can enable to reduce difficulties associated with financing the school.

The research also revealed that school-communities who develop IGAs can encounter major technical difficulties, especially when these activities are conducted in the agricultural sector. Such difficulties arise from factors such as a lack of expertise in given agricultural practices, severe weather disruptions, and poor planning. This is why, during the national workshop held in Kinshasa, education stakeholders and partners recommended a partnership between the Ministry of EPSP and Ministry of Agriculture in order to provide agronomic expertise in order to lend technical support the IGAs initiated by the schools.

3.2. Other Mechanism Similar to Income-Generating Activities

The study also uncovered other alternative mechanisms of financing similar to IGAs, but implemented more frequently on an individual or ad hoc basis. The most common of these practices identified include the payment of school fees in kind and compensation fees payment with physical labor.

- a. **Payment of School Fees in Kind:** the practice of paying in kind for school fees has several variations, categorized generally as: (i) parents offering goods to the school administrators in lieu of paying cash for the fees, and (ii) parents who own property and loan their land or forest to the school for use in lieu of paying school fees. In this case, it is either the school as an institution or individual administrators and teachers that benefit from the land.

When a parent trades pays in kind in lieu of cash for school fees, it is the principal who benefits from this good and then in turn makes pays the equivalent value in cash for the school fees on behalf of the child concerned. This is a case of the principal taking charge of that child's case in exchange for in kind compensation. Members of the school-community consulted reported that this practice can be the source of several conflicts. For instance, the principal, by avarice, can find him or herself in a situation where s/he has agreed to take care of several students but being ultimately incapable of paying the school fees for all at the moment of the financial inspections conducted by the inspectors or the school networks' management offices. Several cases were reported in which the principal denied having made such commitments, especially as the commitment is often made verbally.

- b. **The Compensation of Fees with Child or Parent Manual Labor:** In some cases and in some schools, children involved in school fee payment disputes are required to do manual labor (for example, work in the teacher's field) to compensate for missing school fees. This compensation is often in lieu of payment of the *frais de motivation* that are generally the most costly of all fees and serve to cover or supplement the teacher's salary. In these cases, the teacher is authorized by the school to negotiate alternative compensation using student manual labor.

Some members of the school-communities consulted themselves argued that this practice contradicts the law, which prohibits child exploitation. However, the practice continues and is apparently wide-spread. In particularly egregious cases, school administrators have themselves made money from student labor; in one example, it was reported that a local businessman has merchandise transported by a group of students during class hours as per a standing arrangement with the principal by where the businessman then pays for this labor in cash to the principal.

In other situations, parents also perform physical labor in lieu of paying cash for children's school fees. In examples cited by study participants, parents work in the school's or teacher's fields and cut wood or straw for rehabilitating school buildings.

- c. **Community Work to Compensate for Construction or other Periodic Fees:** To renovate the school or construct new buildings, the construction or other periodic fees are charged. The study found several cases of school-communities where parents, or even the whole community, reach a compromise by where they conduct this rehabilitation or construction as a group in lieu of paying the cash that would have been expended for this same purpose and that several parents would not have been able to pay.

d. Joint and Voluntary Redistribution of Salaries to Support Non-Registered Teachers:

The current configuration of the education and civil service system has resulted in three classes of teachers: (i) “seated” (*assis*) teachers who hold official teaching positions and have reached retirement age but who do not retire because the system has been incapable of providing their pensions; (ii) “standing” (*debout*) teachers who are generally young people to whom the “seated” teachers have ceded their classes or some hours of classes while retaining their “seated” and therefore paid post; (iii) non-registered (*non-mecanisé*) teachers who the school recruits to supplement the staff but who do not receive a salary because they are not recognized by the system and do not have a matriculation number. During the research it was reported (and demonstrated with school records) that within a single school, the teachers and administrators may make arrangements such that the “seated” and “standing” teachers that receive a salary from the state, however minimal, accept to receive a smaller portion of additional compensation from the *frais de motivation* so that the *non-mecanisé*, non-salaried teachers can receive a greater portion of these funds.

In general, community members consulted contended that community participation around IGAs is one of the most important immediate solutions necessary for assure the schools’ survival. At the same time, these same communities deplored the absence of a written budget forecast in many school-communities, which constitutes a handicap both for regular tracking of expenditures incurred and receipts obtained and also for general transparency in the management of the schools’ finances.

Below are some examples from the research findings of alternative financing mechanisms or means of mobilizing non-monetary resources on behalf of the school and/or the payment of fees to the higher levels of the system.

- In Equateur province, parents of Koli-Koli Primary School students cleared a plot for a school garden and at Bolongo Primary School parents and other community members entirely renovated the school’s buildings.
- In South Kivu province, community members supporting Lwami Primary School raised rabbits and managed a school garden. The income from these initiatives made it possible to cover the report cards fees for all students and all school fees for a number of war orphans. At Crisem Primary School, a school canteen was established to cover some school operating costs and to assist orphaned children.

VI. SUMMARY OF THE POSITION OF THE PRINCIPAL EDUCATION SYSTEM STAKEHOLDERS THE ON THE ISSUE OF SCHOOL FEES

During the interviews and participative consultations, the research team sought to poll the principal stakeholders involved in the education system administration in the DRC on the question of school fees. In review, the principal stakeholders groups include the government, the churches, parents and their associations, and teachers and their unions. It is important to specify the government, parent and teacher opinions were acquired directly through interviews and focus group discussions, while the position of the religious networks was confirmed by documentary research (notably with documents such as the Memorandum from the Bishops of the Catholic Church).

With regard to the question of free primary education, the survey of education system stakeholder perspectives uncovered a serious latent conflict emerging between the education different actors. This chapter presents a summary of the stakeholders' positions and explores these conflicts of interest between actors but also identifies possible opportunities for solidarity around the issue of school fees.

1. Stakeholder Positions

1.1. The Government's Position

Since February 2006, members of the PAGE project team have met on numerous occasions with actors from the government on the subject of school fees, and more specifically with officials from the Cabinet and General Secretariat of the Ministry of the EPSP. An interview was held with the Minister and several others with the members of the General Secretariat; further interviews took place with the Representative of the General Secretariat of the EPSP, the political adviser for the Ministry of the EPSP and the director of the Ministry of the Budget Ministry during the April 2006 Nairobi School Fee Abolition workshop sponsored by UNICEF. According these discussions, the government's position at that time was moving in the direction of school fee elimination. This position is supported by the government's official new policy that declaring free universal basic education, as expressed in Article 43 of the new Constitution. With that official policy established, the biggest challenge for the government is determining how to finance universal primary education such that parents no longer have to pay fees.

It is important to note that since this study was conducted, there has been a change in Congolese government, most notably in the appointment of new ministers – including for the MEPSP and relevant finance ministries – and the election of several new members of parliament. For this reason, it is too early to determine what the position of the new government agents will be with regard to school fees.

1.2. The Churches' Expressed Position

The position of the churches on the issue of education in the DRC and more specifically on the question of school fees is generally dictated by the leadership of the Catholic Church through the National Conference of Bishops of the Congo (CNEC). In fact, it was the CNEC that originally recommended in the 1990s that parents pay *frais de motivation* to teachers in order to keep schools open as an intermediary or temporary solution. Having remarked that this practice had become structural and widespread with harmful consequences, a few years later the CNEC made a declaration requesting that parental payment of *frais de motivation* be eliminated. The current position of the churches is best expressed in the 2004 Bishops' Memorandum that declares: "The State has the obligation to resume its traditional responsibility of supporting teachers' salaries."²⁹

1.3 The Parents' Expressed Position

Parents are organized around two types of structures: the Parents' Committees and the Parents' Associations. The Parents' Committees exist for each school and consists of officers that represent the parents whose children study within that school. These committees, through the intermediary of the general assemblies, are all part of the Parents' Associations. In the DRC, the Parents' Associations at the school-community level are associated with federations of Parents' Associations who have representation in the capital. As detailed previously, the oldest among them is ANAPECO; because of recent laws liberalizing development of unions and increasing the freedom of association in the DRC, the other parents' associations were born: the APEC for the Catholic network, APEP for the protestant network, and APEK for the Kimbanguists network.³⁰

On the whole, the Parents' Associations are in favor of the ultimate goal of eliminating school fees and making primary school free and universal. They deplore the state's abandonment of its responsibilities for education financing; this "abandonment," they say, is what led to parents taking over education financing regardless of their own poverty. Therefore, the Parents' Associations plead (again) for a significant reduction of school fees through state take-over of teachers' salaries. According to them, if the state continues to not act in the face of this situation, the only thing left to do will be to declare that parents have become the owners and employers of the schools because they are the schools' principal financiers.

The parents' associations also report that school fees are set at a preparatory meeting for the beginning of the school year convened by the Minister of EPSP, often with the support of UNICEF, but that this meeting is often held late (in August), when there is not much time to negotiate. In addition, the parents' associations declare that they were one of the primary forces behind the idea of the creation of the Education Promotion Fund (FPE), for which they wish to quickly see an adequate structure organized and competent leaders named.

²⁹ CNEC. *Mémoire des Évêques de l'Église catholique de la RDC au Ministère de l'Enseignement primaire, secondaire et professionnel*. Kinshasa, July 3, 2004.

³⁰ With the advent of these new groups, the *école-conventionnées* now have their own parents' associations; interviews with the parents' associations suggested that ANAPECO has lost many members due to the emergence of these *école-conventionnée* school parents' associations.

In response to accusations coming from the SY.E.CO teachers' union,³¹ ANAPECO denied that parents' associations benefit from a share of fee funds by a clandestine arrangement between the associations and the school principals. In their response, ANAPECO explained that because the association was established and is recognized by presidential decree, the association is legitimately eligible for an annual payment equivalent to one Congolese franc of students' *mineroal* payment. As this share of the funds is normally collected by the parents' committee in each school, the recently-formed *écoles-conventionnées* associations have automatically assumed this same practice that is, however, reserved for ANAPECO. Aside from 1% of the *mineroal*, the parents' associations depend on member dues set at 100 Congolese francs per month for APEC and 500 Congolese francs per month for ANAPECO.

1.4. The Teachers' Expressed Position

Teachers are organized around unions in order to defend their interests. The school fees question directly affects teachers because of the *frais de motivation* required from parents to supplement or lack of salary that the state has difficulty in paying.

The teachers' unions consulate include both SY.E.CO and SYNECAT. As previously mentioned, SYECO was created first, whereas SYNECAT came into existence five years ago. The two work in close collaboration and several union declarations and memoranda for teachers have been prepared and signed jointly. During the interviews for this study, the teachers' unions cited the following implications related to parental takeover of school fees:

- When parents do not pay the school fees for their children regularly, teachers do not receive their salary supplements or coverage regularly, reducing their motivation.
- Children whose parents pay school fees on time are considered the "dairy cows" for the operation of the school. They are favored, teachers make it easy for them to advance to the next class, and even when they are poorly behaved they are not sanctioned in the same manner as all other students; all of this is to keep paying children at the school. This discrimination creates frustration among students and contributes to lowering the quality of the education system.

The teachers' unions also noted that they have stated their position several times in union declarations and memoranda, and that their position can be summed up by the following statement:

The state must take over the teachers' salaries and pay the schedule allocation of \$208 US to the bailiff and \$2080 US to the Secretary-General in conformance to the third step of the Mbudi agreement of February 12, 2004.³²

Among the results of its fight in favor of improving the teachers' situation, SYECO claims that its actions have resulted in the appointment of teachers to permanent (*mecanisé*) posts and also, as ANAPECO claimed, in the creation of the FPE fund. Because of this

³¹ Interviews with SYECO, May 2006.

³² Memorandum from the teachers' unions on address to Transition Parliament dated February 16, 2005.

appointment to permanent positions, teachers became fully committed agents of the state³³. Thus, apart from the salary payment question, the teachers' unions also hope for the rehabilitation of the Training Institute for Elementary and Secondary Education Staff (*Institut de Formation des Cadres de l'Enseignement Primaire et Secondaire*) at Kisangani in order to improve the quality of education through teacher professional development. The unions maintain that the improvement of socio-professional conditions must go hand-in-hand with the strengthening of their capacities.

2. The Conflict between Stakeholders in the Education System over the School Fees Question

The participative consultations conducted for this study suggest that on the whole, there exists a crisis of trust between the education system's principal stakeholders regarding the question of school fees. This analysis reveals a number of nuances and alternative considerations with regard to stakeholder positions as compared to the positions that they themselves express.

The meetings with the Parents' Associations³⁴ suggest that teachers have a complex and conflicted position regarding school fees: teachers unions demand the elimination of *frais de motivation* so that the state will assume its responsibility to pay teacher salaries in full; at the same time, however, these teachers in the meanwhile continue to demand these fees from parents. For the Parents' Associations and its associated members, if the teachers were aware of the suffering that the parents undergo because of the school fees burden, they should continue to conduct their struggle with the government for the payment of their salaries.

The interviews with the teachers³⁵ revealed the perception that parents' associations profit from the school fees. Despite ANAPECO's denial, it seems that there may in fact be some arrangements in which the principals pay a share of the school fees funds to the parents' associations and that these funds might constitute the principal resources which support the operation of said associations. It follows from this that the elimination of school fees could lead to the disappearance of the parents' associations financing and, because of this, their real position on school fees question could be very lukewarm. The big question that arises is whether the parents' interests would be in opposition with those of the associations that purportedly represent them.

With regard to the government, state promises to pay teachers' salaries are not being kept. The teachers, aware of the fact that the state has yet to keep its word, continue to require that parents support them while the unions argue for the elimination of this support. Parents consider teachers to be fickle and acting in contradiction with the principle that they profess in their declarations. To parents, teachers concentrate all of their pressure on the parents instead of directing it towards the government that, in principle, has the responsibility of paying the salary of its employees. In turn, the teachers accuse the parents' associations of themselves profiting from school fees. Furthermore, school principals accuse the inspectors of not having any concern for the schools' survival because they require full payment of their

³³ SY.E.CO. *Rapport d'Activités, Exercice 2005*, p 2

³⁴ Interviews with Association des Parents d'Élèves et Étudiants du Congo (ANAPECO) in Kinshasa.

³⁵ Interviews with Syndicat des Enseignants du Congo (SY.E.CO) in Kinshasa.

share due on the basis of the enrollment numbers declared by the schools and not according to the actual rhythm of payment.

In sum, there appears to be considerable tension and latent conflict between the different stakeholders within the system. Since the school fees question involves the issue of teachers' salaries in particular, it should be the subject of a dialogue between the stakeholders that moves beyond a simple debate between the government on one side and the other stakeholders on the other side. It is critical to overcome this crisis of trust by overcoming blame and coming together to address the challenges and finding solutions through a real commitment at all the levels of the system.

VII. RECOMMENDATIONS AND PERSPECTIVES FOR THE FUTURE

This study is not solely concerned with conducting a situational analysis of school fees in the DRC but also collecting the perspectives, opinions, and recommendations of education system stakeholders with regard to the possible solutions that could bring about positive change in the country's school fee policies and practices. These recommendations include actions to be taken in the short, medium and long-term.

To improve the education financing system, it is important in the short term that *each of the actors actually play the role assigned to them*. For example, the SMC must play its role as the instrument for overseeing school financial management. This implies that additional efforts are needed to raise awareness so that the principals, communities and decision-makers understand the necessity of allowing parents to participate through the SMC in the effective and efficient management of the school. Raising this awareness will also need to lead principals and school system management offices understand the for school budget preparation and for making this written budget accessible to the parents as a tool for community involvement in the management of the school. It is therefore necessary to reinforce the capacities of the SMCs in the area of budget design and management. The principles of transparency, good governance and democracy must therefore be introduced right away into the schools, where the principals will have to work in collaboration with the parents' associations.

In addition, given the current context surrounding increasingly democratic processes in the DRC and the advent of the Third Republic and installation of democratically-elected institutions at the national, provincial and local levels *it is indispensable to ensure that provincial and local actors are involved in the administration, management and control of the schools*. It is important that the central power effectively delegate a part of the responsibilities for inspecting and managing the schools to the provincial and local administration.

As for public subsidies arising from HIPC funds, in the short term, it is important that the communities be sufficiently informed of the origin and objective of these funds in order to avoid misunderstandings which have led some communities to no longer participate at all in the work of renovating schools with the idea that the principals had received sufficient funds and no further community participation was necessary. Awareness and information campaigns are for this reason indispensable in the short term.

The criteria for granting subsidies should be reviewed, in particular so that these subsidies also benefit schools that are not yet registered (mecanisée). Study participants also called for increasing the amount of the subsidies so as to benefit all schools (including those that are not yet registered) and also to eliminate the one-size-fits-all nature of the amount allocated regardless of actual school needs. In particular, the rate of funds allocated should be modified so as to be more proportional to the number of classes and students in each school. Participants also called for increasing the school's management autonomy of the public subsidies by reducing interference from SECOPE.

Income-generating activities—if they are well conceived and managed—could help lessen the burden of school fees borne by parents. If the activity is well planned, it could generate alternative financial resources to support the improvement of teaching and learning at the school. Also, reforms in the practices related to setting and collecting fees would help to protect children and their families against the worst forms of abuse, and to promote access to and consistent attendance at school.

It was also noted that the school insurance premium is mandatory and it is regularly paid by students' parents. Unfortunately, most of the cases of claims which arise are hardly covered by SONAS. The questions raised on this subject during the debates and interviews revealed that the students' parents judge that they are paying this insurance premium for nothing. For this reason, study participants proposed that *it is critical to establish a mechanism making it possible for parents to subscribe directly with SONAS to an insurance policy for their children without going through the schools.* According to the communities, this would make it possible to limit the room for graft by certain principals who do not in reality turn over the insurance fees to SONAS. It is also recommended that SONAS create branches in the rural zones to avoid potential transportation expenses which would be incurred by the school before reaching the insurer.

In addition, it was observed that printing fees such as student cards are paid by the parents each year but that these printed items are not delivered or are only delivered at the end of the year at the time when they are no longer useful for anything since their validity has expired. For this reason, parents propose that *school documents should be printed locally.*

Furthermore, certain local stakeholders recommend modifying the school fee allocations by *increasing the share of funds allotted to the schools.* Stakeholders also proposed initiating *a progressive collection/payment system considering the collection rhythm at the school level.* This would make it possible to avoid requiring the amount due from the schools according to their enrolment numbers without considering the fact that school fee payments actually take place over the whole year. This readjustment will avoid schools cutting into their own finances at the beginning of the school year.

For the networks of *écoles-conventionnées*, *there is a need for standardizing the shares intended for the management offices in order for the coordination offices level to assume the responsibility of paying them.* This suggestion was specifically formulated by the Catholic *écoles-conventionnées.*

Concerning laws and regulations, it was brought up that National Education Law's statute requiring parental contributions to public schools are in contradiction with the Constitution, which stipulates that elementary education is free and mandatory. Furthermore, the DRC has ratified international agreements guaranteeing free and mandatory elementary education. *It is therefore indispensable to revise the National Education Law in order to adapt it to the current legal environment.* It is for this reason that there is an urgent necessity to apply the new provisions of the Constitution concerning free and universal elementary education. Apart from updating the laws and regulations, **it is imperative to prepare and adopt accompanying measures for specifying the mechanisms for application and enforcement of these laws.**

In the long term, the only sustainable solution to the issue of school fees in the DRC is for the government to assume its responsibility by adequately financing the public education system. This is a matter of revamping the country's tax and finance system in order to allocate a larger share of the government's budget to the education sector. Consequently, this public financing will make it possible for the state to assure the entire payment of registered teachers' salaries and regularize the situation of the "*non-mecanisée*" teachers. Because the *frais de motivation* teacher payments, which still exist under other names, constitute the largest proportion of fees borne by the parents, the total coverage of teacher salaries by the state would be a very important first step towards the abolition of school fees.

CONCLUSION

This situational analysis of school fee policies and practices in the Democratic Republic of the Congo has no pretension of having exhaustively investigated all of the questions related to school fees. The elements raised here result from consultations conducted in a sample of communities and schools in the provinces of South Kivu and Equateur; documentary analysis; and participative discussions with education system stakeholders, partners and decision-makers at the national, provincial and local levels. Thus, the information presented in this report is the result of an objective and impartial effort to discern the different issues related to school fees in the Congo and to clarify the positions of the different stakeholders with regard to school fee policies and practices.

In sum, the results of this study reveal the following:

The actual public expenditures per student in the DRC went from \$109 in 1980 to \$4 in 2002, representing a drop of 97% in continuing expenditures. This demonstrates that there is a large public financing deficiency for the education sector with the near total takeover of the financing of the whole education system by parents as a consequence. The school fee policies and practices that have developed in the schools following this public financing insufficiency are essentially such that the payment for teacher salaries, security services, and school construction and maintenance – in brief the expenditures that make it possible for a school to operate – are covered by the students' parents through a long list of fees regardless of the parents' own poverty.

In addition to the fact that these fees constitute a real financial burden, parents have difficulty doing anything about it. Despite the fact that parents are the principal providers of the funds that support the operation of the education system's operation and that several fees are set at the local level, parents are marginalized from the decision-making processes to set, allocate and manage the fees.

Thus the overall amount of the school fees was found to equal \$15 for Equateur and \$13 for South Kivu. In Equateur, the GDP per inhabitant is \$25; meaning that fees for one student represents 60% of the GDP per capita in the province whereas in South Kivu, where the the GDP per inhabitant is estimated to be \$67, school fees for one student represents 19%.

In the list of school fees, the highest are the *frais de motivation* teacher payments and the TENAFEP exam fees. In Equateur, for students from first to fifth grade, the *frais de motivation* alone represent on average 71% of all the fees, whereas for students in sixth grade they represent 38% of all fees. The TENAFEP fees represent on average 46% of all the fees for a sixth grade student. In South Kivu, the *frais de motivation* represent 87% of the fees for elementary school students from first to fifth grade and 66% of the fees for the sixth-grade class. The TENAFEP fees represent 24% of the fees paid in sixth grade.

Although the school fees are the principal source of financing for the schools, their payment by the parents poses a problem because in reality the collection rate for the school fees is low. In the schools studied in Equateur, this rate is 53% on average and in the schools studied in South Kivu this rate is 60% on average.

Faced with this situation, the school-communities have developed several mechanisms for assuring the survival of the schools and the continuation of their children's education. This involves practices and policies at two levels: efforts to increase the fee collection and finding alternative means to make up for the insufficiency of funds generally caused by the low collection rate. To increase their ability to cover the fees they are required to hand over to higher levels of the system and pay for their own expenses, schools have developed harsh collection strategies. These mechanisms include suspending and expelling students and withholding exam grades and report cards, all measures that have undesirable consequences on education quality and access to education.

The mechanisms for supplementing the insufficiency of school fee funds often include income-generating activities conducted either by the individual initiative of the principal or by the joint initiative of the principal and the community. These mechanisms also include payment of fees in kind and compensation with the child and parental labor or use of parents' material and land resources.

In addition to low fees collection rates, school-communities are also faced with the phenomenon of the "law of enrollments" by which inspectors require principals to pay the share of the fees to the provincial and central institutions not as a function of the rhythm of the payment of the fees but as a function of the enrollment declared at the beginning of the school year. This phenomenon empties the school's coffers and forces the principals to request additional contributions from the communities. Some schools practice income-generating activities to balance out the "law of enrollments."

The fact that the education system in the DRC continues to operate despite all the difficulties shown in this study demonstrates that the population is determined to find a solution in order to provide education to all the children. At this moment, the DRC in fact has several opportunities for resolving the school fees question. The government has subscribed to the Education For All objective by declaring basic education free and mandatory. In addition, the current political transition in the country and the new government's expression that education is a priority sector for the country's development constitute major opportunities to be exploited. Finally, international development partners such as UNICEF, the World Bank, the United Kingdom's Department for International Development and USAID are also disposed to support reforms needed to reduce school fees; this intent is demonstrated by a number of initiatives already underway.

In conclusion, all of these opportunities offer hope that the abolition of school fees in the DRC is possible. Such reforms will be a critical element in the renewal of the education system which, in turn, constitutes an crucial factor for securing sustainable peace and a better future for the country.

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APPENDICES

APPENDIX A. List of Schools in the Study Sample

Equateur	South Kivu
<i>Molende</i>	<i>Lugendo</i>
<i>Koli Koli</i>	<i>Bunumbu</i>
<i>Eanga</i>	<i>Muhungu</i>
<i>Ilema</i>	<i>Muleke</i>
<i>Bolongo Mabaya</i>	<i>Burhale</i>
<i>Bonsole</i>	<i>Katongo</i>
<i>Bompoma</i>	<i>Kahungwe</i>
<i>Besenge</i>	<i>Rehema</i>
<i>Mekeka</i>	<i>Bigorhwa</i>
<i>Moongo</i>	<i>Faida</i>
<i>Bokoletaka</i>	<i>Ihimbi</i>
<i>Lokole/Eala</i>	<i>Kashongelere</i>
<i>Ebale</i>	<i>Cibanda</i>
<i>Mpenda/Moeli</i>	<i>Shaliro</i>
<i>Goba</i>	<i>Mulambula</i>
<i>Ngombo</i>	<i>Ushindi</i>
<i>Loposola</i>	
<i>Masia/Bolingo</i>	
<i>Widji Fake</i>	

APPENDIX B. Guide for Participative Consultations

General Methodological Approach

The technical advisor and the education policy specialists from the PAGE Project form the research team for the participative consultations with the stakeholders, partners and communities forming part of the education system in the Democratic Republic of the Congo.

The consultations are done at three sites and each member of the education policy team assumes the responsibility of leading and organizing the participative consultations at their site of involvement according to the directions below.

The consultations are done by groups of stakeholders in a focus group but to help enrich the data, some information can be sought by individual consultations with resource people who did not participate in focus group exchanges for individual reasons.

The analysis of the education system stakeholders made it possible to identify the principal categories of stakeholders who could provide key information on the school fee policies and practices. The stakeholders are: the stakeholders from the government and more specifically from the Ministry and General Secretariat of the EPSP, stakeholders from the international and national organizations operating in the education support sector, middle managers from the EPSP provincial divisions, parents' associations, principals, community leaders, teachers' unions, school network management offices, and community leaders.

Instructions and Framework for the Participative Consultations

In each site, the consultations will be done according to a framework containing the subjects and matters on which the interviews will have to focus.

The leader of each site organizes the interviews following a specific schedule arranged over a period of time extending from March to June 2006.

At the national level, the interviews take place in the city of Kinshasa whereas in the two provinces, the interviews will take place in the major cities and in the rural environments where the school communities targeted by the PAGE project are located.

For each category of stakeholders, the lead researcher for the site addresses an invitation message to the key resource people who are part of the category. This invitation consists of organizing a meeting for exchange on the school fee policies and practices specific to the realities of the site, school and community involved.

For each category of stakeholders, the interviews will have to be oriented to the following subjects:

- a) Consultation with the parents' associations
 - Identify the types and amounts of the fees required from the parents for each student
 - Discuss the level of the parents' involvement in the setting mechanisms and procedure along with school fee management at the national, provincial and school levels.
 - Exchange on the parents views about the question of free school fees.
 - Identify different actions taken by the parents to assure the survival of the schools in which their children study.

- Exchange on the operation, organization and financing sources of the parents’ associations as a structure
 - Poll the position of the parents’ associations on the question of free school fees.
 - Bring up the history of the total care for the school institutions by the parents and communities
- b) Consultation with the school principals
- Identify the types and amounts of the fees paid by the students
 - Discuss the procedures for setting each fee, who is involved, at what level and what degree of involvement
 - Discuss the financial difficulties which the school experienced and the mechanisms developed by the school to ease these financial difficulties
 - Measure the school fee collection rate
 - Identify the school fee collection practices and their implications for the school finances and also the education quality
 - Exchange on the subject of the collection procedures and mechanisms for the shares for the management offices and also the implications for the schools’ finances and relations with the management offices
- c) Consultations with the community leaders
- Bring up the financial difficulties with which the school-communities are confronted
 - Analyze the types of actions taken by the communities to assure the survival of the school institutions
- d) Consultations with the teachers’ unions
- Exchange on the financial difficulties the schools have to pay the teachers and the strategies developed to ease it
 - Analyze the advantages and drawbacks of these strategies
 - Discuss the teachers position concerning the question of free elementary education
 - Exchange on the different union actions taken by the teachers in order to improve their salary conditions
 - Identify the consequences of the teachers salary treatment on education quality
- e) Consultations with the school networks’ managers
- Exchange on the subject of the level of involvement of the school networks’ managers on the mechanisms and procedures for setting and distributing school fees
 - Identify the school fee policies and practices developed in different school networks together with their implications for education quality and access to education

APPENDIX C. National Workshop Terms of Reference and Program

Objectives

1. Introduce the PAGE Project in particular its Education Policies part dealing with school fees
2. Share the results of the PAGE school fees situational analysis
3. Give the participants the opportunity to share their responses to the report and contribute to its enrichment
4. Share and exchange with the participants the next steps of the PAGE program in Education Policies dealing with school fees specifically the research-action, pyramidal series of forums and the support of a National Commission for the Abolition of School Fees together with working groups on school fees.
5. Exchange on the partnership of the participants from the education sector and the next steps with respect to school fees in the DRC.

Terms of Reference for the Work in Groups

1. Review the content of the relevant chapter
2. Discussion
3. Draw up a list of comments
4. Reflections on the questions brought up by the report (last chapter) Draw up a list of other questions for future research particularly linked to the designated theme

Day's Agenda

- 8:30: Arrival of the Participants
- 8:40: National Anthem
- 8:45: Presentation of the workshop's agenda
- 8:50: Welcome and official opening of the workshop
1. EDC
 2. USAID
- 9:00: Introduction of the participants
- 9:30: Presentation of the PAGE Project
1. PowerPoint, 10 min (Rebecca)
 2. Questions and answers
- 10:00: Coffee Break
- 10:15: Overview of the PAGE DRC school fees situational analysis report:
Presentation and questions-answers for clarification
- 11:15: Work in groups by theme
- Group 1: General context of national policies for school fees in the DRC
- Group 2: School fee practices and policies in the school-communities
- Group 3: Perspective for the futures
- 12:30: Meal
- 13:30: Return to full session of the work in groups, part A: Thematic content
- 15:00: Coffee Break
- 15:15: Return to full session of the work in groups, part B: Future research
- 16:00: Introduction and discussion on PAGE program intended for a pyramidal series of forums covering school fees
- 16:30: Discussion about National Commission for Abolition of School Fees and provincial workgroups
- 17:00: Closure of the workshop and national anthem

APPENDIX D. Provincial Workshops Terms of Reference and Program

1. CONTEXT AND JUSTIFICATION

Of all the ills which gnaw at base education in developing countries, school fees are the most dreaded; they block even thousands of children from access to education or continuing with their schooling. However, several actions have been started with a view to abolition of school fees in many countries. In the Democratic Republic of the Congo, this question concerning the abolition of school fees has however only been debated a short time; it still requires efforts for raising awareness in all the stakeholders of the education domain in view of an effective solution.

In this perspective, during the period from March 23 to May 11, 2006 the PAGE Project conducted an exploratory study on school fees. It is now considering presenting the results to its partners during a workshop. This workshop should be a framework for debate in order to enrich and color these results, but also an opportunity to evaluate the necessity of creating a group for continuing dialogue on the school fee problems in our schools.

2. OBJECTIVES

Two broad objectives are set for this workshop, each including three specific objectives.

General objective 1: Enrich the research report and define strategies for raising awareness about school fees

The three specific objectives relative to this first general objective are:

1. collect the maximum detailed information on school fee practices and policies in the province
2. bring up the effects of school fee policies on the effectiveness of school management and children's learning
3. identify future research questions or domains in the areas of school fees and school financing

General objective 2: introduce the idea of establishing a continuing discussion group about school fees

The three specific objectives relative to this second general objective are:

1. define the reference terms for the continuing discussion group on the school fees problem
2. prepare a project plan for informational radio broadcasts on school fee questions
3. prepare a project plan for a pyramidal series of forums and future discussion questions

3. EXPECTED RESULTS

1. identification of the merit and shortcomings of the study report
2. establish the items necessary for its modification
3. raise awareness of all the participants in the education sector on the necessity of abolishing school fees and identification of subsequent strategies in view of the schools' survival
4. designate the members of the continuing discussion group on the school fees problem
5. formulate the assumptions for future study on school fee problem

The training will take place at in Bukavu on August 30 and 31 2006. It will be led by the PAGE Education Policy Team.

4. PARTICIPANTS

Categories of participants in the provincial workshops:

1. The directors of the 20 community schools: 20 directors
2. A parents committee representative for each school 20 representatives
3. Community representative per PAGE community: 7 representatives
4. An ANAPECO representative
5. An APEC representative
6. An APEP representative
7. An APEK representative
8. A Provincial Coordinator for the Catholic Schools
9. A Provincial Coordinator for the Kimbanguist Schools
10. A Provincial Coordinator for the Protestant Schools
11. A Provincial Coordinator for the Islamic Schools
12. The Pool Head Inspector
13. The ProvEd
14. - Governor of the Province
15. The Mayor of the Province Capital City
16. The Prosecutor for the Republic
17. Representatives of the international organizations participating in the education sector

5. METHODOLOGY

After the presentation of the study results, the remainder of the work will continue in the forum on the basis of the following themes:

Theme 1: Knowledge of Laws and Regulations Concerning Finances and School Fees by Community Schools

- Identify the different text of laws serving as sources for setting school fees
- Bring up in the different texts the things which need to be improved and/or adapted
- Make concrete proposals in the sense of adapting and improving laws and regulations directly linked to financing schools in general and school fees in particular
- Relative to the theme, formulate questions or subjects on which future studies should focus

Theme 2: Types of school fees and decision-making mechanisms in the setting of fees:

- Identify all the types of fees and amounts per student for the 2005-2006 school year
- Explain (in detail) the way in which each type of fee is set
- Bring up the things needing to be improved in the fee setting procedure (for each fee type)
- Made concrete proposals (resolutions) in the sense of a future improvement of the decision-making mechanisms and procedures for setting school fees (for each type of fee)
- Relative to the theme, formulate questions or subjects on which future studies should focus

Theme 3: Collection of Fees and Alternative School Financing Mechanisms:

- Explain how school fee collection is done in the schools (mechanisms and policies) by determining the strategies which make it possible to settle the problems of non-payment of the fees
- Evaluate the rate of school fee collection in the community schools (based on the 2005-2006 school year)
- Explain the policies and strategies applied by the schools and communities as alternative financing mechanisms to assure the schools' survival when faced with insufficient funds coming from school fees
- Give three detailed examples of the practices per school which were a success and say how the success was made possible.
- Give three detailed examples of the practices per school which did not bring success and say why success was not possible.
- Relative to the theme, formulate questions or subjects on which future studies should focus

Theme 4: Management of School Fees, Relations with the Management Offices and Public Subsidies

- Explain how the distribution of school fees is done by specifying the share for each recipient out of the amount of each fee type (prepare a distribution table with shares)
- Explain the policies for collection of shares by the management offices (deadlines, collection procedures) and their implications on school finances
- Make suggestions on the manner for improving these procedures
- Comment on the public subsidies (the amount, frequency and procedures, the share of the schools' budget which they represent)
- Relative to the theme, formulate questions or subjects on which future studies should focus

Theme 5: Reflection on Establishing Continuing Awareness Raising Activities

- Reflect on the structure of the continuing school fees discussion group
- Evaluate the need for radio broadcasts on school fees
- Plan for the pyramidal series of forums on school fees

The participants will then be distributed in workgroups according to the criteria which come from the Leading Team's discretion. The results obtained at the end of the working groups will be discussed adopted in the full session. A global synthesis will be prepared at the end.

7. AGENDA

First Day

- 08:00 – 08:30: *Welcoming, participants settle in, submission of work material*
- 08:30- 09:00: *Official opening ceremony*
- 09:00 – 10:00: *Knowledge of school fee situational analysis report: reading and critiques*
- 10:00 – 10:20: *Coffee Break*
- 10:25 – 11:25: *Knowledge of Laws and Regulations Concerning Finances and School Fees by Community Schools*
- 11:30 –12:15: *Types of School Fees and Decision-Making Mechanisms in the Setting of Fees (part 1)*
- 12:15 – 13:15: *Lunch break*
- 13:20 – 16:30: *Types of School Fees and Decision-Making Mechanisms in the Setting of Fees (part 2)*
- 16:30-16:45: *Evaluation of the day*

Second day

- 08:30 –1 0:00: *Collection of Fees and Alternative School Financing Mechanisms (part 1)*
- 10:05 – 10:25: *Coffee Break*
- 10:30–11:00: *Collection of Fees and Alternative School Financing Mechanisms (part 2)*
- 11:05 – 12:10: *Management of School Fees, Relations with the Management Offices and Public Subsidies (part 1)*
- 12:15 – 13:15: *Lunch break*
- 13:20 – 14:00: *Management of School Fees, Relations with the Management Offices and Public Subsidies (part 2)*
- 14:05- 15:00: *Reflection on Establishing Continuing Awareness Raising Activities (part 1)*
- 15:05 – 15:15: *Coffee Break*
- 15:20 – 16:20: *Reflection on Establishing Continuing Awareness Raising Activities (part 2)*
- 16:20– 17:00: *Evaluation of the workshop*

APPENDIX E. Provincial Workshop Facilitator's Guide

Theme 1: "Knowledge of Laws and Regulations Concerning Finances and School Fees by Community Schools:" 1 ½ hour

A. Read these different law texts (attached) and prepare your report according to the instructions below (10 minutes)

Directions:

1. Bring up the advantages according to you of each of the laws whose copies are in front of you for the schools and the students' parents (20 minutes)
2. Bring up the implications that each law in its actual intent has for the elementary education system (20 minutes)
3. Bring up the aspects of this law that in your eyes needs an improvement and specify how to conceive of this later (20 minutes)
4. Formulate two research subjects that the theme under analysis inspires in you (10 minutes)

B. Bring up the references to other legal and/or regulator texts that you know on the subject of school fees (10 minutes)

Theme 2: Types of school fees and decision-making mechanisms in the setting of fees: 1:40

Look at the catalog of school fees currently required in South Kivu and comment on them according to the following directions

Directions:

1. Referring to the 2005-2006 school year specify for each type of fee and for each community school the means for getting it: amount, due date, receiving agent, case for possible exceptions (15 minutes)
 - a) For each fee type describe the mechanism for setting the amount required by identifying for each case the stakeholders (institutions) involved in it.
 - b) Specify how the institutions mentioned in item a are in fact involved in this mechanism (30 minutes)
2. For each fee type and for each school bring up the limits of the mechanism for setting the amount required and consequently propose concrete items for its potential improvement (30 minutes)
3. How do you assess the impact of school fees on the students' learning process (15 minutes)
4. Bring up two research subjects that the theme under analysis inspires in you (10 minutes)

Theme 3: Collection of school fees and alternative school financing mechanisms: 1:40

Read the document “*Extract of some examples of school fee policies and practices in elementary schools*” and take inspiration from it to react to the following directions.

Directions:

1. Generally, as a collection strategy, the schools proceed with expelling students.
 - a) Explain simply how this strategy is put to use in your respective schools (who, when, how and frequency)
 - b) Evaluate and comment on the effects of this strategy in each of your respective schools and communities (30 minutes)
2. Apart from expelling students, you have certainly tried other school fee collection strategies
 - a) Explain these strategies and say how they are put to use
 - b) Evaluate and comment on the effects of this strategy in each of your respective schools and communities (30 minutes)
3. Faced with insufficient funds coming from the school fees, schools are most often lead to fall back on alternative financing practices for their activities:
 - a) give three examples of ones which were a success in the case of your respective schools and experiences and say how the success was made possible
 - b) give three examples of ones which did not succeed in the case of your respective schools and experiences and say why success was not possible (30 minutes)
4. Formulate two research subjects that the theme under analysis inspires in you (10 minutes)

Theme 4: Management of school fees, relations with the management offices and public subsidies: 1:40

Basing it on the content of the school fee decree, develop your report by following the directions below.

Directions:

1. Read the document “the decree on school fees,” and
 - a) In the table bring out the allocation for each school fee type. Prepare a similar table for the fees not involved with the decree.
 - b) Concerning your school’s financial needs, say whether these different allocations are suitable; if not propose and objectively justify a better allocation (30 minutes)
2. Read “the extract of some realities related to the collection of shares” and take your inspiration from it for explaining the management offices’ mechanism for share collection (stakeholders and respective roles, deadlines, collection procedures, implications for schools’ finances, etc.). Critique this mechanism and make concrete proposals for improving it (30 minutes)
3. Comment on the public subsidies (origin, path and conditions for acquisition, amount, frequency and the share that they represent in the schools’ budget). Critique this mechanism and make concrete proposals for improving it (30 minutes)

Formulate two research subjects that the theme under analysis inspires in you (10 minutes)

APPENDIX F. List of Workshop Participants

1. National Workshop on School Fee Policies and Practices in the Democratic Republic of the Congo at the Bondeko Reception Center of Kinshasa/Attendance list (not including media and PAGE project and other EDC/DRC staff)

#	Structure/Organization	Name	Function
1	Ministère des Affaires Sociales	KAPATA	Director
2	USAID	JUPITER-JONES Jill	Education Program Director
3	USAID	Darfour NDAKAKANU	USAID Education Specialist
4	IRC	HOYAUX Anne Claire	Grants Officer
5	UNICEF	WAKUMU Béatrice	Education Officer
6	DFID	AMISI Wa Lika Augustin	
7	CTB	MUDIAYI Jean Luc	P.O.
8	CRS	MAHULA Joseph	Project Officer
9	War Child UK	KASONGO Sébastien	Project Assistant
10	ANAPECO (Association Nationale des Parents D'Élèves et Étudiants du Congo)	WANYAKU	1 st Vice President
11	ANAPECO (Association Nationale des Parents D'Élèves et Étudiants du Congo)	KINTU Roger	2 nd Vice President
12	APEC (Association des Parents d'Écoles Conventionnées Catholiques)	KIPULU	Representative
13	SYECO (Syndicat National des Teachers du Congo)	KISOLOKELE André	Secretary
14	Coordination des Écoles Conventionnées Catholiques	PELENGA Marc	Sub-Region Coordinator
15	Coordination des Écoles Conventionnées Protestantes	MANGU Joachim	Chief of Staff
16	Coordination des Écoles Conventionnées Kimbanguistes	N'GOTO VUBU	Urban Coordinator
17	FOLECO/GTZ/COPEMECO	WETU Daniel	Sub-Region Coordinator
18	FONAMODEV	KAM Firmin	Gen. Sec.

2. Provincial Workshop on School Fee Policies and Practices in the Democratic Republic of the Congo held at the Bwindi Training Center in Bukavu October 18 to 19, 2006/ Attendance list

PARTICIPANTS					
#	Name	Postname	Sex	Organization Or School	Function
1	Firmin RUGAMBWA	RUTERANYA	M	SY.E.CO. IS.K.	Provincial Secretary
2	Félicien CIRHIBUKA	NKULWE	M	Coord. Des E.C.I.	Secretary
3	MUZIGIRWA	MUKE	M	AGES/ Logendo	Coordinator
4	KIBAMBE	NGOIE	M	SECOPE	Assistant
5	MBALO	KILANGU HANEFU	M	RHUD/C.E.I.P. Soc. Civ.	Coordinator
6	KIBONGHE	BIN MBENGU	M	Coord. Prov. ECP/SK	Agent
7	BRAHIMU	SALEH	M	Ss-Div. EPSP	Agent
8	MWAMBA	BITOLU AMAZANI	M	Coord. Nat. E.C.I.	Agent
9	MAKELELE	MAHANO	M	E.P. Luzira	Coordinator
10	MUTEKULWA	MUSOBOKESWA	M	E.P. Tchofi	Director
11	BYANSIRA	MUDUMBI	M	E.P. Sikaitcheffi	P.C.P.
12	DUNIA	RUKEBANYA	M	E.P. Bigohwa	Director
13	SHAMAVU	NDUFU	M	E.P. Bigohwa	P.C.P.
14	KILONGO	KYALEMANIMA	M	Coord. Kimbanguiste	Res. Cons. E.C.K.
15	AKILI	KAGUKU	M	E.P. Faida	Director
16	MANZI	MUHINDO	M	E.P. Sinai/Tchofi	Director
17	FENDE	KASAKWE	M	E.P. Kashongolere	Director
18	BAGUNDA	BAKULIKIRA	M	E.P. Ihimbi	Director
19	MUHINDO	KATOTO	M	E.P. Kashongolere	P.C.P.
20	MWEZE	CIBANGUKA	M	E.P. Tchofi Kalehe	Pres. COPA
21	MIRINDI	RUBUGA	M	E.P. Faida	P.C.P.
22	MUHIMUZI	FUNDIKO	M	E.P. Rehema	P.C.P.
23	MIRUHO	NABIRU	M	E.P. Rehema	Director
24	Gervais MUNAZI		M	E.P. Ihimbi	P.C.P.
25	BAHATI	MIRIMBA	M	E.P. Luzira	P.C.P.
26	LUSHOMBO	KARHANGA	M	E.P. Kambehe	Mang. Com. Leader
27	BANYWESIZE	MUTALI	M	E.P. Miti	Pres. of Parents Com.
28	BASHIZI	MUDAKUMIRWA	M	E.P. Miti	D.P.
29	MANENO	BIHEMBE	M	E.P. Kambehe	Director
30	BANYWESIZE	BYAMUNGU	M	E.P. Mumoshi	Director
31	CISIRIKA Gustave	BAKULIKIRA	M	E.P. Nyamurhuza	Director
32	MASIRIKA	KALERE	M	E.P. Kambehe	President
33	GANYWAMULUME	BIHEMBE	M	E.P. Nyamurhuza	President
34	MBAKA	CHISHUNYA	M	E.P. Mumosho	C.P.
35	BARHISHI	BAKULIKIRA	M	E.P. Miti	1er V.-Pres. Parents
36	BAHIGE	MULINGA	M	E.P. Karundu	Director
37	Faustin MUSARAZA	BARUME	M	E.P. Ifendu	Teachers Representative
38	Emertienne NKU	M'BUHENDWA	F	E.P. Muleke	C/Parents
39	ZIHALIRWA	LUKUNGULA	M	E.P. Muleke	President of the C.C.
40	Aly AKILI	MALA	M	A.I.D.D.H.	Assistant Coordinator
41	Deo BAHASHAHASHA	CHINIGI	M	E.P. Ifendula	President des Parents
42	Désiré KATURUBA		M	ADMR/CODELU/Luhuno	Ass. Coord.
43	NACHIBI	RUTEBUKA	M	E.P. Burhuza	D.P.
44	MUTALI	NIGANDA	M	E.P. Karundu	President of Parents Com.
45	ZIHINDULA	KAZIGE	M	E.P. Lubanza	Pres. of the Parents Com.
46	Donatien NGANDA		M	E.P. Burhuza	President of Parents Com.
47	KARUME	KALINGA	M	E.P. Ifendula	Director

48	KURHEBWA	BIN MALUMA	M	E.P. LUBANZA	Director
49	BASHOMEKA	CIRANVU BENJA	M	E.P. Bunumbu	Director
50	KAMHUMBA	LUMAMBA PANDA	M	Division E.P.S.P.	Chef de Bureau
51	RAHMAT	KATUNDA	F	Société Civile	Treasurer
52	Déo KAVUHA	LUKUYE	M	E.P. Muhungu	President des parents
53	NTIBANYUKA	BABWIRIZA	F	E.P. Lugendo	D.P.
54	BUKOLOLE	LULIGULU	M	E.P. Lwangu	D.P.
55	KAVENA	KANYWENGE	M	E.P. Lwangama	President des Parents
56	MASUMBUKO	SEKAYOGA	M	E.P. Muhungu	Director
57	NYAMULINDA	MUBULANYI	M	AGES asbl	President of the C.A.
58	Gustave	MURHABAZI	M	E.P. Lugendo	President of Parents Com.
59	ISHAMBA	RUHOGO	M	E.P. Ishungu	Pres. of the Parents
60	LUSHOKA	LUKAS	M	E.P. Mulungur	Director
61	CHAMBU	BARHAYINGANA	M	E.P. Mulungurhu	Pres. of the Parents
62	RUSANGIZA	SHEM NAKO	M	E.P. Joseph	VP Parents
63	MANDRA	NAZIBO	M	E.P. Masuza II	President of Parents Com.
64	KAMOSHO	RASHIDI	M	E.P. Katongo	Director
65	BWENYE	SAKUZA	M	E.P. Masuza II	D.P.
66	SAIDO	SENAHURUGU	M	E.P. Kahungwe	Director
67	ISSA	MBISO	M	E.P. Katongo	President of Parents Com.
68	DSENDE	LUUNDO	M	E.P. kahungue	President of Parents Com.
69	MAKELELE	LUKUNDULA	M	E.P. Butole	VP of Parents Com.
70	Jean Claude MAYALIWA	IDI	M	E.P. Joseph	Director
71	KULIMUSHI	BASHOMBOGOSIZE	M	ANAPECO	Provincial President
72	MASKINI	FAIZI	M	E.P. BUTOLE	Director
73	RUSAMBO	RUMWAZIRA	M	E.P. Eziomeloni	Director
74	JAJIJE	MAGWIRA	M	E.P. Eziomeloni	VP of Parents Com.
75	MACUMU	NTABOBA	M	E.P. Mubanda	Director
76	MULONDA	YILA KALONJI	M	E.P. Bangubamba	Director
77	Gilbert BANYWESIZE		M	E.P. Mula Mbula	Cons. of Tracking Com.
78	MUDERHWA	BISIMWA	M	E.P. Mulambula	Director
79	Gustave BAHAMA	M	M	E.P. Mana	Director
80	Fidèle BASHUBIRE	KASHEKE	M	E.P. Mubanda	P.C.
81	BUHERHWA	NSIMBA	M	E.P. Lwami	Director
82	MORISHO	NDOWEDJA	M	Cresco	P.C.A.
83	Joseph NEMEGABE		M	E.P. Mana	P.C.P.
84	KASIGWA	BANYWESIZE	M	E.P. Cirunga	R.D.P.
85	MUZUSANWABO	BIRINUANINE	M	E.P. Lwani	S.C.S.
86	TABIN	SAFARI	M	Crisem ASBL	Director
87	CIRHAKARHULA	MWHANZI MURHULA	M	E.P. Cirunga	President
88	Célestin CIRIMWAMI	NYALUHAZE	M	E.P. Cirunga	Res. Tracking com.
89	MATABARO	RUGAJO	M	E.P. Mulambula/Ush	School director
90	MIRINDI	MULIVUZA	M	IRC/PAGE	Manager

3. Provincial Workshop on School Fee Policies and Practices in the Democratic Republic of the Congo held at the Bakanjda Training Center in Equateur, September 27, 2006

#	PARTICIPANTS				
	Name	Postname	Sex	Organization Or School	Function
1	BOIMBO	IYOLO	M	LOFOSOLA	Director
2	BAKELE	NKUMU	M	Bonsole	Director
3	MAKILA	MABE	M	E.P. Bonsole	Parents Com.
4	MBANGI	BONGOL	M	E.P. Lofosola	C.C.E.
5	BOKETSHU	LOKWA	M	E.P. Lofosola	C.P.
6	Désiré NDJODJI		M	E.P. Lofosola	C.C.
7	MOMBONGA	LIKOBÉ	M	E.P. Bonsole	C.C.E.
8	BOKOLONGO	ELANDU	M	Bonsole Rive	C.C.
9	Franck BABUNGI		M	MDK	COPRO/E.C.P.
10	Matthieu MPUTU	B.	M	Djole	Representative de C.C.E.
11	Jean Faustin YOKO	LIKHE	M	Bolongo Mabaya	Representative CEE
12	MOTA	NEMBE TUA	M	Bongonde Centre	Representative C.C.
13	LOPUMBWA	IKOLI	M	Bongonde Centre	D.P.
14	NSAMBI	ILANGA	M	Bongonde Djole	Representative C.P.
15	INKIMO	ELOMBE	M	Bongonde Djole	D.P./Ngoba
16	ELIMA	LOBOLA	M	Bongonde Djole	Representative ECC
17	MPELA	BOBOLE	M	Bolongo Mabaya	Representative C.C.
18	MPUTSI	BONGONGO	M	Bolongo Mabaya	Representative C.P.
19	BOLISOMI	BILOKU	M	Bongonde Centre	C.P.
20	ITELA	YOKA	M	Bongonde Centre	C.C.E.
21	MBONGO	ELIMA	M	Bongonde	D.P. Bolongo kaba
22	Eugène NTIKALA		M	ONG PPF Bobala	Executive Secretary
23	Jean marc MPUTU	LOKOLE	M	CBFC/Equateur-Sud	
24	Théo MAKOMBO		M	S/Division MDK	
25	BONGOLE	BONYEMBE	M		Chef de Bureau
26	MBONDA	MUELE	M		Founder
27	LOMPOKO	ELIMA	M	C.C.E. WIDJEAKE	
28	Jean Pierre BOOLO		M	T.C. Moseya Bolongo	
29	WABI BOYANGA		M		Director
30	MONGHANI	BOSAKUBOKWA	M		Director
31	Théodore NTIKALA		M		President Parents Com.
32	NKUMU	NKINGA	M		
33	BOKALO	BONGOMBE	M		President Tracking com.
34	Bernard BOO		M		President of the Parent Com.
35	Vincent MOKA		M		Director
36	BUIMBO	IYOLO	M		Director
37	Désiré NDJODJI		M		C.C.
38	MANGOMBE	BIDIKI	M		Director
39	Frank BABUNGI		M	COPRO/ECP	
40	AZANGA	NSEKA	M	C.C.	
41	Jean Pierre BENKUTSU		M	C.C.E.	
42	YOKO	LIKOBÉ	M	C.C.E.	
43	ILONGA	ENYALA	M	C.C.E.	
44	BAKINA	ILONGA	M	Pres. Com. Parents	Director
45	Gérard BOSAMBAY		M		Director
46	MOHANGA	MBONGO	M	COPA	

47	MINZELE	MBEYA	F	C.C.	
48	BOKAKA	BONGONDO	M	Comité des Parents	
49	Marie NZIGIRE	SASI	F		Bourgmestre Wangata
50	Martine MALIMBA		F		Bourgmestre Mbandaka
51	Justin ELABELA		M		Cons. Cab. Governor
52	LUVUNU		M		Chef 54 Rgn
53	YOKA	YELA	M		Director E.P.
54	Faustin MEMBE		M		Director E.P.
55	MONGO	Y'ONTELE	M		Director E.P.
56	J.R. LOB'EPASILA		M	EDC/SIEEQ	
57	MBOYO	BONDE	M	ECK/Eq.	
58	Julie NTELA	BENKABA	F	Comité des Parents	V/President
59	MONGHANI	BOSAKU	M		Director
60	MOMBA	NZENSALE	M		Founder
61	BWANGA	NKUMU	M		Manager
62	MOLA	TOLO	M	Comité des parents	President
63	BOIKA	MONGU	M	Comité des Parents	President
64	BAKELE	NKU	M		Director
65	LIANDO	MBENGA	M		Director
66	EMPENGE		M		P.C.
67	NGENGE	MWANZA	M		Director
68	MAPUAZANI		M	E.P. Lobole	Teacher
69	Célestin NYAKISI		M	Comité des Parents	President
70	BEKOSA ISSA		M	C. Crédit	
71	MFUTU		M	C. DIGEST	
72	YANDO	MOLE	M	C.C.E.	
73	IFUSA	BONKOLE	M	P.C.P.	
74	ILANGA		M	P.C.P.	
75	MALENZE	BOKELI	M	P.C.P.	
76	NKANGA	BIKELE	M	C.C.	
77	MONZOI	MPESI	M	C.C.E.	
78	MPETI	ELOMBE	M		D.P.
79	BUKA	BOYABA	M	P.C.P.	
80	NSAA		M	C.C.E.	
81	MBOYO	YAMBEUMBU	M	C.C.	
82	MAGBAINGE	MORE	M	IPPAP/EQ.1	
83	Eugène NTIKALA		M	OPF/ONG-BOBALA	
84	MO NGENGE		M	E.P.S.P. Provincial Division	Proved Advisor
85	NSAMBI	ILANGA	M	E.C.P. du Comité	
86	J.M. MPUTU LOKOE		M	CBFC/EQ.	Coordinator
87	EKOI NGOLO IYLA		M	E.P. Eanga	Adj. Dir.
88	EBONGIE	NSAMBI	M	E.P. Ilema	
89	NKUMU	NKINDA	M		
90	MBOYO	LIONGO	M	C.C.E.	
91	BOYENGA		M	C.C.E.	
92	MUKOBO	MASELI	M		Inspector
93	Jean Marie BASELE		M	OREBO	
94	MAKONGO		M	P.C.P.	
95	MINDOMBA		F	C.C.	
96	KWAKINZI		M		Parent
97	BOKOLONGO	ELANGU	M	C.C.	
98	MOMBONGA	LIKOBÉ	M	C.C.E.	

99	EYAYA	ASUBUZA	M	S/P MDK	
100	Robert MONDONDO		M	Fraternité	Coordinator
101	Aimé MOSENGO		M	Justice	
102	LOKELA	ENYEKA	M	SECOPE	
103	MBANGI	DOBOLU	M	ANAPECO	
104	LIANDJA	LONGANYA	M	APEC	
105	Gabriel LOYMI		M	C.C.E.	
106	YELA	MPEMBE	M		Director
107	MPUTU	BOONZO	M	C.C.	
108	BOLA	NTIKALA	F	C.P.	
109	MBOYO	APALA	M		Director
110	MPIA	MAMBE	M	C.P.	
111	EPILI	LOKENGI	M	P.C.P.	
112	ITEDJI	ELONJA	M		Director
113	BOTELI	MPOPA	M	P.C.P.	
114	MBAMBI	KONGUE	M	C.C.E.	
115	BOKETSHU	LOKWA	M	P.C.P.	
116	KOYO	IYELI	M	C.C.	
117	LOLEKA	NTALA	M	P.C.P.	
118	MPUTU	BOTUELE	M		Director
119	BOVELE	MBENGAMA	M	P.C.P.	
120	MUNZANKU	BELOMBE	M		Director

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USAID/DRC

Jill Jupiter-Jones, Education Team Leader

198 Isiro Avenue
Kinshasa/ Gombe
D.R. Congo
Tel: +243 081.555.4430
Email: jjupiter-jones@usaid.gov

EDC/PAGE

Rebecca Cusic, Chief of Party

Tel: +243 081.023.7831
Email: rcusic@edc.org

Philippe Ngwala Malemba, Education Policy Advisor

Tel: +243 081.021.4806
Email: pngwalamalemba@edc.org

Kinshasa office:

c/o USAID/DRC
198 Isiro Avenue
Kinshasa/ Gombe
D.R. Congo

EDC/International Education Systems Division

Helen Boyle, Project Director

Email: hboyle@edc.org

Jennifer Swift-Morgan, A. Project Director/Policy Technical Advisor

Email: jswiftmorgan@edc.org

Washington office:

1000 Potomac NW, Suite 350
Washington, DC 20007 USA
Tel: +1 202.572.3700
Fax: +1.202.298.6038

<http://ies.edc.org>
