MOE Programs Benefiting from World Bank Support

Additional Financing to the Decentralizing Funding for Schools Project (DFSP) and Inclusive Access to Quality Education Project (IAQE)

Environmental and Social Management Framework
Draft for Consultation
January 2019

Ministry of Education
Myanmar
Table of Contents

1  Introduction and objective ........................................................................................................... 7

2  Proposed project objectives and design ....................................................................................... 7

2.1  Financing ................................................................................................................................. 8
2.1.1  School Improvement Support Program .............................................................................. 8
2.1.2  Stipends ............................................................................................................................ 9
2.1.3  Public Financial Management .......................................................................................... 9

2.2  Teachers and Human Resource Management ......................................................................... 9
2.2.1  Mentoring and cluster ..................................................................................................... 10
2.2.2  Early Grade in-service training ...................................................................................... 10
2.2.3  Peace and Inclusive Education in-service training .......................................................... 10

2.3  Non-Formal and Alternative Education .................................................................................. 11

2.4  Ethnic Basic Education Providers .......................................................................................... 11

2.5  Rakhine state .......................................................................................................................... 12

3  Legal, Sectoral and Institutional Context ..................................................................................... 13

3.1  Legal and Policy Framework .................................................................................................. 14
3.1.1  The 2008 Constitution .................................................................................................... 14
3.1.2  Other education-related laws include: .......................................................................... 14
3.1.3  Laws on ethnic groups .................................................................................................... 15
3.1.4  Laws on Land Acquisition ............................................................................................. 16
3.1.5  Laws on Environmental Protection ................................................................................ 18

3.2  Education Sector Review ......................................................................................................... 18

4  Applicable World Bank Operational Policies ............................................................................ 21

5  Description of Potential Project Risks and Impacts .................................................................. 22

6  Implementation Arrangements .................................................................................................... 24

7  Monitoring Arrangements ............................................................................................................ 26

7.1  Activities, Responsibilities, and Content .............................................................................. 26
7.2  Rakhine ................................................................................................................................... 28

7.3  Use of data ............................................................................................................................. 28

8  Grievance Mechanism ................................................................................................................ 29

8.1  Prior Practices ....................................................................................................................... 29

8.2  Improved Grievance Redress Mechanism .......................................................................... 29
8.2.1  Principles ....................................................................................................................... 29
8.2.2  Protocols and procedures .............................................................................................. 30

9  Consultations ............................................................................................................................... 32
9.1  AF for DFSP ..........................................................33
9.2  IAQE .....................................................................34
9.3  Disclosure and Consultations on the ESMF .............................................35
10  Budget for Implementing ESMF .................................................................35
11  Description of Annexes .........................................................................36
12  Annex A: Community Participation Planning Framework .......................37
   12.1  Objective and Policy Framework ...........................................................37
   12.2  Principles ............................................................................................38
   12.3  Key Findings and Recommendations from the Social Assessment ..........39
   12.4  Eligibility, Targeting and Protocol and Procedures for Free, Prior and Informed Consultation and Participation .................................................43
       12.4.1 Participation at the community level ..............................................43
       12.4.2 Eligibility and targeting communities (schools/center/institutions) within townships ..........................................................46
       12.4.3 Targeting townships within States and Regions ................................49
   12.5  Implementation and Monitoring Arrangements ....................................51
       12.5.1 Implementation arrangements .......................................................51
       12.5.2 Monitoring arrangements ..............................................................52
       12.5.3 Capacity Building of Key Stakeholders .............................................53
   12.6  Grievance Redress mechanisms ..........................................................53
   12.7  Rakhine .............................................................................................53
13  Annex B: Resettlement Policy Framework ................................................55
   13.1  Objective and Policy Framework ...........................................................55
   13.2  Principles ............................................................................................55
   13.3  Eligibility and Protocols and Procedures of Voluntary Land Donations ..........................................................56
       13.3.1 Eligibility ......................................................................................56
       13.3.2 Protocol and Procedures ...............................................................57
   13.4  Implementation and Monitoring Arrangements ....................................58
       13.4.1 Implementation arrangements .......................................................58
       13.4.2 Monitoring ...................................................................................60
       13.4.3 Funding .......................................................................................60
   13.5  Grievance redress mechanisms ...........................................................60
   13.6  Rakhine .............................................................................................61
   13.7  Myanmar Legal Framework on Land Acquisition ................................61
14  Annex C: Voluntary Land Donation Form ...............................................1
15  Annex D. Environmental Code of Practice ............................................3
## Abbreviations

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>ADRA</td>
<td>Adventist Development and Relief Agency</td>
</tr>
<tr>
<td>AE</td>
<td>Alternative Education</td>
</tr>
<tr>
<td>AE-QASF</td>
<td>Alternative Education Quality Assurance Standards Framework</td>
</tr>
<tr>
<td>AF</td>
<td>Additional Financing</td>
</tr>
<tr>
<td>ATEO</td>
<td>Assistant Township Education Officer</td>
</tr>
<tr>
<td>BETF</td>
<td>Bank-Executed Trust Fund</td>
</tr>
<tr>
<td>BMY</td>
<td>Buthidaung, Maungdaw, and Yathedaung</td>
</tr>
<tr>
<td>CESR</td>
<td>Comprehensive Education Sector Review</td>
</tr>
<tr>
<td>CPD</td>
<td>Continuous Professional Development</td>
</tr>
<tr>
<td>CSO</td>
<td>Civil Society Organization</td>
</tr>
<tr>
<td>CBO</td>
<td>Community Based Organization</td>
</tr>
<tr>
<td>DAE</td>
<td>Department of Alternative Education</td>
</tr>
<tr>
<td>DBE</td>
<td>Department of Basic Education</td>
</tr>
<tr>
<td>DEO</td>
<td>District Education Officer</td>
</tr>
<tr>
<td>DFSP</td>
<td>Decentralizing Funding to Schools Project</td>
</tr>
<tr>
<td>DLI</td>
<td>Disbursement-linked Indicator</td>
</tr>
<tr>
<td>DTEO</td>
<td>Deputy Township Education Officer</td>
</tr>
<tr>
<td>DTVET</td>
<td>Department of Technical and Vocational Education and Training</td>
</tr>
<tr>
<td>DWT</td>
<td>Daily Wage Teacher</td>
</tr>
<tr>
<td>EAO</td>
<td>Ethnic Armed Organization</td>
</tr>
<tr>
<td>EBEP</td>
<td>Ethnic Basic Education Provider</td>
</tr>
<tr>
<td>EGMA</td>
<td>Early Grade Math Assessment</td>
</tr>
<tr>
<td>EGRA</td>
<td>Early Grade Reading Assessment</td>
</tr>
<tr>
<td>EGT</td>
<td>Early Grade Teaching</td>
</tr>
<tr>
<td>EiE</td>
<td>Education in Emergencies</td>
</tr>
<tr>
<td>EU</td>
<td>European Union</td>
</tr>
<tr>
<td>FM</td>
<td>Financial Management</td>
</tr>
<tr>
<td>HR</td>
<td>Human Resource</td>
</tr>
<tr>
<td>HRM</td>
<td>Human Resource Management</td>
</tr>
<tr>
<td>IAQE</td>
<td>Inclusive Access and Quality Education</td>
</tr>
<tr>
<td>ICT</td>
<td>Information and Communication Technology</td>
</tr>
<tr>
<td>IDP</td>
<td>Internally Displaced Person</td>
</tr>
<tr>
<td>M&amp;E</td>
<td>Monitoring and Evaluation</td>
</tr>
<tr>
<td>MOE</td>
<td>Ministry of Education</td>
</tr>
<tr>
<td>MoU</td>
<td>Memorandum of Understanding</td>
</tr>
<tr>
<td>NCA</td>
<td>National Ceasefire Agreement</td>
</tr>
<tr>
<td>NER</td>
<td>Net Enrollment Rate</td>
</tr>
<tr>
<td>NESP</td>
<td>National Education Strategic Plan</td>
</tr>
<tr>
<td>NFE</td>
<td>Non-formal Education</td>
</tr>
<tr>
<td>Acronym</td>
<td>Full Form</td>
</tr>
<tr>
<td>---------</td>
<td>-----------</td>
</tr>
<tr>
<td>NFME</td>
<td>Non-formal Middle School Education</td>
</tr>
<tr>
<td>NFPE</td>
<td>Non-formal Primary Education</td>
</tr>
<tr>
<td>NFPE EP</td>
<td>NFPE Equivalency Program</td>
</tr>
<tr>
<td>NGO</td>
<td>Nongovernmental Organization</td>
</tr>
<tr>
<td>NYEC</td>
<td>National Youth Education Certificate</td>
</tr>
<tr>
<td>PDO</td>
<td>Project Development Objective</td>
</tr>
<tr>
<td>PFM</td>
<td>Public Financial Management</td>
</tr>
<tr>
<td>SA</td>
<td>Social Assessment</td>
</tr>
<tr>
<td>SIF</td>
<td>School Improvement Fund</td>
</tr>
<tr>
<td>SIP</td>
<td>School Improvement Plan</td>
</tr>
<tr>
<td>SISP</td>
<td>School Improvement Support Program</td>
</tr>
<tr>
<td>SITE</td>
<td>School-based In-service Teacher Education</td>
</tr>
<tr>
<td>SQASF</td>
<td>School Quality Assurance Standards Framework</td>
</tr>
<tr>
<td>SQIC</td>
<td>School Quality Improvement Committee</td>
</tr>
<tr>
<td>SQIP</td>
<td>School Quality Improvement Plan</td>
</tr>
<tr>
<td>SREO</td>
<td>State and Region Education Office</td>
</tr>
<tr>
<td>TA</td>
<td>Technical Assistance</td>
</tr>
<tr>
<td>TCSF</td>
<td>Teacher Competency Standards Framework</td>
</tr>
<tr>
<td>TEO</td>
<td>Township Education Office</td>
</tr>
<tr>
<td>TLC</td>
<td>Temporary Learning Center</td>
</tr>
<tr>
<td>TVET</td>
<td>Technical and Vocational Education and Training</td>
</tr>
</tbody>
</table>
1 INTRODUCTION AND OBJECTIVE

In the years to come, the World Bank (WB) will provide technical and financial support to the implementation of several Ministry of Education (MOE) programs, components and activities of the National Education Strategic Plan (NESP). This support will be channeled through the Decentralizing Funding to Schools (DFSP; under implementation since 2014 and having been granted additional financing to continue to provide support and increase scope and scale) and the Inclusive Access to Quality Education project (IAQE; under preparation and expected to be effective in June 2019).

MOE programs benefiting from WB support will include the School Improvement Support Program (SISP; including transfer of budget to schools to cover operational expenses as well as minor and major repairs of infrastructure), the Student Stipends program (SSP) to poor and vulnerable students, teacher professional development (including framework, mentoring, and specific in-service training activities), assessment of learning outcomes of students in early grades, non-formal education services, working towards partnerships with ethnic basic education providers, and management of public finance and human resources.

For the DFSP, a Community Participation Planning Framework CPPF was prepared and disclosed in April 2014. It focused on the first MOE programs implemented with support from the WB, namely the School Improvement Support Program (SISP; previously called “School Grants”) and the Student Stipends Program (SSP). The CPPF, which is part of the ESMF, was thereafter revised in 2016 to reflect lessons learned and additional MOE programs to be supported through the additional financing to DFSP, namely the teacher mentoring and cluster support program. The present document is another comprehensive revision of the initial document, further updated to reflect new lessons learned and experiences, to cover new MOE programs to be supported through the IAQE project, to better mitigate risks around access to quality education services by all groups, including but not limited to all populations living in Rakhine State, and especially in the state’s three northern townships of Buthidaung, Maungdaw and Yathedaung (BMY), and to ensure that all activities are done in an environmentally and socially sustainable manner. The social assessment report for the project was also revised and expanded, and informs the revision of the ESMF.

2 PROPOSED PROJECT OBJECTIVES AND DESIGN

The DFSP’s original objective beginning in 2014 was “to help improve and expand Myanmar’s School Grants Program and Student Stipends Program.” The updated objective under the AF for 2018-2021 is “to improve inclusiveness of school funding management and enhance support to teachers’ professional development while increasing transition rates of poor and at-risk students.” Support to MOE programs through the AF for the DFSP program is in the form of a $54 million grant.

DFSP comprises four components: (i) Expansion and Improvement of the School Improvement Support Program (SISP); (ii) Expansion and Improvement of the Student Stipend Program (SSP); (iii) Capacity

---

1 In March 2013, wide-ranging consultation with key stakeholders including, but not limited, to ethnic minorities took place to share and get feedback on the original OGs for SISP and SSP.
Improvement Support to Strengthen Monitoring and Implementation of Programs which comprises the Early Learning Program (ELP), and (iv) the Teacher Mentoring and Cluster Support Program (TMSCP). Currently, some programs under the DFSP, such as the School Improvement Support Program (SISP) are operating in every school in every township country-wide, while other programs are operating in select schools in select townships, such as the stipend program which is currently implemented in 55 townships. To mitigate risks around social inclusion and discrimination in the country in general, eligibility for AF funding under the SISP and SSP will be more restrictive while all schools and education officials will remain eligible for support under the TMSCP and capacity improvement activities.

The IAQE project is comprised of $180 million in funding ($80 million in grants and $100 million in credit). The IAQE is expected to be implemented over four school years, beginning in 2019–2020 and ending in 2022–2023. The primary objectives are “to improve equitable access to, and quality of, basic education delivered through formal, non-formal and complementary institutions and providers”. This will be achieved through four program components: a) improving quality and inclusion in formal basic education schools; b) improving access to education for marginalized children; c) strengthening public financial management system and capacity; d) technical assistance.

For the purposes of this social assessment, subcomponents in both projects fall under the following categories of MOE programs to be supported: Financing; Teacher and human resources management; non-formal education/alternative education; ethnic education providers; and assistance to Rakhine state. All supported programs are aligned with different strategies and chapters of the NESP. These categories are addressed individually below.

2.1 Financing

The financing category includes WB support to public financial management reforms (planning and budgeting), school improvement funding, and individual student stipends. While these MOE programs receive ongoing WB support as part of the existing DFSP, the new funding (AF DFSP and IAQE) extends WB support to MOE’s student stipends program (SSP) and school improvement support program (SISP) through top-up school improvement funding and linkage with quality standards and initiate support to larger public financial management reforms in the sector.

2.1.1 School Improvement Support Program

Since 2009-2010 and with support from the World Bank from 2014 onwards, a nationwide School Improvement Support Program (SISP) is providing a transparent, reliable and flexible source of resources to all government and monastic basic education schools, reaching all 48,000 government-sanctioned and registered monastic basic education (primary, middle, and high) schools.

Through the AF DFSP, nationwide school improvement funding will continue to be supported. The yearly amount of School Improvement Funding (SIF) ranges between US$250 and US$15,000 per school depending on student enrollment and funds are managed by the schools in line with a School Improvement Plan (SIP) and budget prepared in collaboration with a SIF committee and publicly disclosed on school notice boards. The SIF is a key part of ensuring access to free and compulsory primary education as it greatly decreases the need for parents to contribute to basic school operational costs.
Through the IAQE, schools in about one-third of all townships in Myanmar (about 15,000 formal government schools) will be eligible for top-up funding. This will allow for 3 million students to benefit from attending better-financed and better-planned schools. Top-up funding will average US$1000 per school and target the most disadvantaged schools. Major repairs and upgrading of school facilities which are currently managed outside of the SISP framework will now be allowed. Schools will be able to secure funding for major repairs and the IAQE will support strengthening of training and engineering support and actions to mitigate the risk of incentives to bend the rules to access the funds raise concerns on the quality of planning for land use and construction, as well as completeness and structural soundness of the facilities.

2.1.2 Stipends

Stipends are currently being paid to close to 200,000 (in 2017-18) poor students to reduce poor households’ financial burden and resulting (demand-driven) drop-outs. This is a significant increase from the MOE’S previous stipend program which reached 11,000 students in 2014. The AF DFSP extends the stipend program to two additional townships in Rakhine state (which have yet to be selected). The two additional townships receiving student stipends in Rakhine state will have uniform coverage, meaning the program will be available to all schools and all students.

2.1.3 Public Financial Management

Through the IAQE project, the WB will support the strengthening of PFM institutional capacity and systems in the education sector, aligned with PFM reforms of MOPF, through specific improvements in planning and budgeting, budget execution and reporting, and internal control and oversight. Institutional strengthening and capacity development will include an initial mapping of the horizontal and vertical financial management functions, the preparation of a PFM assessment and debottlenecking analysis and process-driven road map, and the development and delivery of a basic PFM curriculum for all budget and finance officers (on both national and subnational levels). In planning and budgeting, efforts will focus on the gradual introduction of a multiyear performance-based approach, which will involve expanding the scope of the NESP planning platform and current e-submission of the budget templates as well as designing links between planning and budgeting for the consolidation of output-based budget information. On budget execution and reporting, the bulk of the work will support the strengthening of the existing MOE accounting system in alignment with MOPF reforms.

2.2 Teachers and Human Resource Management

There are nearly 350,000 basic education teachers in Myanmar and, their training, competencies, and practices vary widely and are unevenly distributed in key dimensions such as townships, urban/rural, category of schools, etc. Substantial progress is being achieved on pre-service teacher education reforms (upgrade of the Education Colleges (ECs) from 2-year diploma to 4-year degree awarding institutions, drafting of a Teacher Competency Standards Framework (TCSF), etc.) but progress on in-service training has been slower. Currently teachers only get ad-hoc, sporadic in-service professional development and there is a lack of cohesive framework: materials (courses, modules) are available but the mechanism for harmonizing them for wider usage and ties to career progression and promotion are missing. Because of
the promotion system leading to the assignment of less experienced and less qualified teachers in lower grades and because of literature shows that gaps in achievement in early grades tend to be magnified over time, disparities in teacher’s competencies are likely to have the most lasting impact on children in early grades.

DFSP and IAQE will support MOE in strengthening the skills, motivations and performance of basic education teachers through mentoring and in-service training (including on peace and inclusive education and early grades literacy and numeracy) as well as through continuous professional development linked to human resource management reform.

2.2.1 Mentoring and cluster

The mentoring element of the Teacher Mentoring and Cluster Support Program (TM CSP) targeting teachers with less than four years of experience was successfully launched and piloted in 40 townships in 2016–17, then expanded to an additional 40 and 70 townships in 2017–18 and 2018–19, respectively, for a total of now 150 participating townships in 2018–19. Over the duration of the AF, the program scope will continue to expand, ultimately covering all townships in 2020–21.

The additional funding also provides support for school clusters that meet regularly bringing teachers together to discuss a variety of learning and teaching issues, and Cluster Improvement Funds (CIFs) to provide food, transport, and materials for selected clusters. Clusters of 4-8 schools (on average) in each area are not limited to government schools and will include teachers from complementary basic education providers such as EBEPs and monastic schools.

2.2.2 Early Grade in-service training

The early grade in-service training (EGT) program, informed by MOE’s early grade learning assessments and pilot of an early reading intervention, will train teachers and head teachers on strategies and methods to effectively promote literacy and numeracy in children from different backgrounds and ethnicities. The program will train teachers and head teachers on interactive teaching methods and skills, best-practices pedagogical strategies, use of languages, strategies to promote literacy/numeracy-enhancing environment, use of formative/classroom-based assessments, etc. It would also provide trainees with scripted lessons and activity booklets and specific teaching and learning material. The content of the program would be delivered through (i) face-to-face training in township-level multiplier training and review workshops, cluster meetings, and in-school visits, (ii) an online learning platform (accessible on computer and mobile), and (iii) in State/Region level seminars where most performing Early Grade teachers would present success stories and challenges.

2.2.3 Peace and Inclusive Education in-service training

The peace and inclusive education (PT) program will train teachers, head teachers, and parents on topics including peace, addressing interpersonal and community conflict, psychosocial wellness, human rights (and child rights), cultural and gender sensitivity, tolerance, non-discrimination, and so on. Specific content and strategies will be informed by prior and ongoing experiences such as the peace education resources for teacher training developed with support from the United Nations Educational, Scientific, and Cultural Organization (UNESCO), training module on child rights developed by the MOE for the
mentors, and other resources and experiences of CSOs (including those participating in the Education for Peace Working Group).

2.3 NON-FORMAL AND ALTERNATIVE EDUCATION

The non-formal education subcomponent will support scaling up supply of the non-formal education (NFE) services through government and innovative public-private partnerships with accredited alternative education (AE) providers (NGOs, CSOs, etc.). In consultation with relevant stakeholders, MOE will develop a framework for the MOE’s Department of Alternative Education (DAE) to have contracts with non-state alternative or non-formal education providers, establish accreditation mechanisms for AE providers, and to expand the scope of services provided and managed directly by DAE.

WB financial support will allow DAE to provide grants to outside alternative education providers for their services. The AE partners will be responsible for managing the entire value chain supporting the service they are providing, including teachers/facilitators; premises/location; carrying out enrollment campaigns to attract students; and delivering quality teaching using the approved MOE curriculum, teaching/learning materials, and using appropriate mode/language of instruction. The AE providers will receive an implementation grant between MMK 25,000 and MMK 35,000 per month per student from the DAE to cater to all associated expenses and their teachers/facilitators will undergo compulsory training by MOE-/DAE-sanctioned entities.

Applying a two-tier model (AE provided by the Government or AE providers) to most effectively address the issue of high out-of-school children, especially in marginalized states and regions such as Shan, Chin, and Rakhine, and townships will allow the MOE/DAE to effectively increase supply where local providers currently do not exist or are of an insufficient standard, and in more hard-to-reach areas. About 77,000 students will benefit from quality and accredited accelerated non-formal education (NFE) programs delivered in the targeted townships. The priority areas for the expansion will be in disadvantaged communities within the targeted townships of this operation with the highest number of children (a) having never been to school, (b) dropping out of their local (formal) primary schools, (c) lacking access to a formal primary school, and (d) having been displaced by conflict.

The DAE will also develop/expand the national exam and certification system. Learners who graduate from either the DAE’s or AE’s non-formal education programs will be issued an MOE-recognized completion certificate to enable them to either continue their education pathway to formal schools or enroll in other AE programs or enter the labor market.

2.4 ETHNIC BASIC EDUCATION PROVIDERS

With WB support, the MOE will also embark on structured dialogue to inform potential partnership with ethnic education providers. This program is informed by past experiences as well as deliverables from the ongoing preparatory study. Future support will allow for the continued facilitated dialogue between the MOE, EBEPs, and other stakeholders (including the large religious schools’ network) to develop

---

2 The NFE classes will be delivered in a range of existing infrastructure, such as community libraries (established and supported by local communities), community halls, and existing primary schools.
appropriate roadmaps toward establishing a minimum and coherent unionwide education framework (one system with several systems) to promote and protect children’s access to quality education even in the middle of political and armed conflicts.

Establishing formal partnership mechanisms (roadmaps) between the EBEPs and MOE will contribute to equitable access to quality education for children in Myanmar. However, this will require agreements on ways for state and non-state providers (EBEPs) to interact and work together on a common (or at least connecting) platform of mutual respect and understanding. Currently, the MOE and complementary providers engage in various forms (formal/informal) of collaboration and levels of interaction but none have so far reached the level of formal partnership agreements.

The partnership framework would be operationalized via the roadmaps, and the MoE and complementary providers (EBEPs and religious schools) would design and pilot selected initiatives for partnerships, coordination and cooperation. The topic of the pilots may include (i) CPD activities for teachers/leaders, (ii) equivalency in core curriculum (aligned with jointly agreed upon national quality standards) and space for local curriculum (languages, culture, history), (iii) innovative funding arrangements, and (iv) certification mechanism to recognize students’ education achievement and credentials. Finally, MOE and complementary providers would take the dialogue one more step forward to develop the coherent and Union wide partnership framework (which may include, for example, agreements on core curriculum, standards, language, teachers, quality assurance, accreditation, certificate, transfer, funding, etc.) and to ensure recognition of the role of non-state providers in states and regions education development plans. If a successful partnership is defined and realized, about 70,000 students will benefit from quality education delivered through EBEPS partnering with the MOE.

2.5 Rakhine State

The approach for implementing MOE programs benefiting from WB financial and technical support in Rakhine state will be slightly different from other states and regions. In terms of targeting, to minimize social tension and in light of the high needs in Rakhine state, otherwise targeted MOE programs will adopt a full state approach for SISP, teacher in-service training (PT and EGT), and non-formal education. Furthermore, two new townships in Rakhine will join the student stipends program and implementation will differ from other states and regions in that it will be uniform coverage of all schools and all students receiving school stipends.

While the repatriation timeline for Muslim³ refugees from Rakhine State currently in Bangladesh is unknown, in the Northern Rakhine State townships of Buthidaung, Maungdaw and Yathedaung (BMY), WB support will enable the DAE and/or AE local partners in getting ready to systematically offer the NFE classes to returnees (when repatriation happens) to accelerate reintegration in the formal system. The NFE classes could serve as a platform for returnees to catch up (accelerated learning programs provided by nongovernment entities, for a transition period) and complete formal education to the level they would have without the displacement. The local AE providers everywhere, but especially in Rakhine, will be required to meet certain minimum standards around inclusion and languages to be accredited and receive

---
³ In line with the Kofi Annan Advisory Commission report on Rakhine State (2017), we neither use the term “Bengali” nor “Rohingya” but refer to this population as “Muslims” or “the Muslim community in Rakhine”. This does not include the Kaman Muslims in Rakhine or other Muslims in the country.
implementation grants. Specific content will also be designed to meet the needs of youth, of all communities including returnees and remaining Muslim, Rakhine and other ethnic groups in the state.

The EGT and PT will be implemented in BMY in similar ways to other parts of the country, while addressing constraints specific to the state. The content and pedagogical tools will be designed to be applicable for contexts where early grade students do not speak Myanmar as a first language and for teachers with low levels of education and teacher training qualifications. This is relevant for many remote ethnic areas of Myanmar as well as BMY where the lack of trained local teachers is important and the use of Myanmar language outside Rakhine ethnic communities is rare. Finally, teachers in the Temporary Learning Centers (TLCs) for internally displaced persons (IDP) camps of selected townships will be eligible and encouraged to complete the training, which is relevant for BMY and other states with IDP camps. The same is true of teachers in other non-state community/religious schools.

A map of townships where different program activities operate and will operate (if information is available) can be found in Annex E.

3 **LEGAL, SECTORAL AND INSTITUTIONAL CONTEXT**

Myanmar gained independence from the British empire in 1948, but long-standing grievances from over a century of colonial rule\(^4\) continue to impact contemporary dynamics. There is a widespread perception that the British colonial administration privileged certain groups over others. When negotiations for the formation of the independent state of Burma were held, efforts were made to bring all of the territory of British Burma, much of which had previously enjoyed considerable autonomy, into the independent state of Burma. While the compromise known as the Panglong Agreement was reached in 1947, following independence civil war broke out on multiple fronts between multiple political and ethnic armed organizations (EAOs). In some areas of the country, with the exception of some ceasefire periods, armed conflict has continued for the past 70 years.

The ongoing armed conflict, coupled with international isolation and desire for continued autonomy in frontier areas, has led to large swathes of the country, particularly in Shan, Kachin, Karen and Mon states where Myanmar government services currently (or until very recently) do not reach. Students in these areas rely on ethnic basic education providers (EBEPs) or monastic or other religious schools where available.

In 2011, the country embarked on a range of political, economic and administrative reforms, and since then *successfully* held national democratic elections (November 2015), which saw a landslide victory for the National League for Democracy (NLD). The second democratic elections since the transition began are scheduled for 2020.

The Nationwide Ceasefire Agreement (NCA), between the Myanmar Government and 10 EAOs, has initiated a political dialogue aimed at resolving many issues, including decentralization of service delivery to subnational levels of the Government. Education was not one of the services discussed in-depth as part of the NCA. Due to this, there is still an absence of formal partnership mechanisms between the MOE and

---

\(^4\) Myanmar was annexed to British India in stages, with Arakan and the Tenasserim conquered in the First Anglo-Burmese War 1824-1826, Pegu (including Yangon) in 1852, and Upper Burma in 1885.
EBEPs and, as a result, an absence of formal recognition of ethnic students completing grades/levels with the EBEPs.

One of the key political issues both in the NCA and nationwide is that of decentralization. Education is highly centralized in Myanmar and part of the issue in creating a framework for partnership between the MOE and EBEPs is the need for a one-size fits all approach, which would not be able to fully take into account local dynamics and differences amongst EBEPs.

3.1 LEGAL AND POLICY FRAMEWORK

3.1.1 The 2008 Constitution

The fundamental law of Myanmar is the Constitution of 2008, which serves as the foundation for Myanmar’s democratic transition. The Constitution of 2008 describes the obligations and duties of the Union with regard to education and establishes the right of all Myanmar citizens to education. Most importantly, in clause 366, the Constitution describes its obligation to citizens regarding their right to education (Chapter 8: Citizens, Fundamental Rights and Duties of Citizens):

Article 366. Every citizen shall, in accord with the educational policy laid down by the Union: a) have the right to education; b) shall be given basic education which the Union prescribes by law as compulsory; c) have the right to conduct scientific research, explore science, work with creativity and write, to develop the arts, and conduct research freely [with] other branches of culture.

Notably, supporting compulsory primary education is one the duties of a citizen set forth by the Constitution, and the Government of Myanmar is obliged to implement the free and compulsory primary education system. More importantly, the government is required by the Constitution to enact necessary law to ensure that citizens have the opportunity participate in matters related to the education system.

3.1.2 Other education-related laws include:

The National Education Law of 2014 (amended in 2015) delineates the type of education in Myanmar (primary, vocational and higher education), the type of schools, sets up the National Education Commission which is responsible for education policy but not management, and firmly places universities under the Ministry of Education, but allows them to be independent and self-administered. The law allows for the language of teaching to be English and/or Burmese at all levels and Burmese and an ethnic language at primary level and places the expansion of ethnic language teaching in higher grades at the behest of division and state governments. It also allows for non-formal education (NFE), Technical and Vocational Education Training (TVET), Special Education and Distance Education. It also allows for

---

monastic schools. Notably and controversially, the law does not allow for student or teacher unions. The National Education Law mandates 12 years of education following kindergarten.

**Basic Education Law of 1964** (repealed in 1973, amended in 1989) that currently mandates the education system as 5 years of primary-level education, followed by 4 years of lower secondary-level education, and 2 years of upper secondary-level education. A new draft Basic Education Law to repeal and replace the 1973 law was sent to parliament in January 2018.

**University Education Law of 1973** (amended in 1998) that mandates ministries in 13 specific sectors (currently 13) to manage universities in their sector, allows for arts and sciences universities and professional institutions. Limits degree granting at the tertiary level to institutions formed in compliance with this law.

**Private Education Law of 1984 and 2006** which prohibits teachers in public schools from practicing fee-based teaching after school hours,

**Technical Agricultural and Vocational Education Law of 1974** (amended in 1989) governs the activities of the Department of Technical and Vocational Education.

**Private School Registration Law of 2011.** The law allows for registration of private schools provided they teach the MOE curriculum, which they can supplement with other courses. Private schools cannot be established with foreign aid or with the aid of a foreign organization nor can they be missionary schools. However, in 2018 the Myanmar Investment Commission issued a notification allowing foreign investment in private schools, including 100 percent foreign ownership.

**Private Education Law (Draft).** Drafting of a new Private Education Law began in 2015 and has yet to be completed. Upon enactment the law will revoke the 2011 Private School Registration Law and the 1984 (2006 amended) Private Education Law.

### 3.1.3 Laws on ethnic groups

According to the 2014 census, Myanmar has a population of 51.4 million. While ethnically disaggregated data from the census are not yet available, estimates suggest that the Bamar are the largest ethnic group, comprising around two-thirds of the population, with a large number of ethnic groups accounting for about one-third. The majority Bamar population mainly lives in the central and delta parts of the country (divided into seven administrative Regions) while the ethnic groups live mainly, though not exclusively, in the mountainous border areas (roughly corresponding to the country’s seven States: Kayah, Kayin, Kachin, Chin, Mon, Rakhine, and Shan). Main minority groups include Shan, Kayin, Rakhine, Chin, Mon, Kachin, and Kayah. These eight “ethnic races,” including the majority Bamar, are subdivided into 135 officially recognized ethnic groups and belong to five linguistic families (Tibeto-Burman, Mon-Khmer, Tai-Kadai, Hmong-Mien, and Malayo-Polynesian); there are no population figures for ethnic group.

According to Chapter 1, clause 22 of the 2008 Constitution of Myanmar, the Union Government of Myanmar is committed to assisting in developing and improving the education, health, language, literature, arts, and culture of Myanmar’s “national races.” It is stated, that the “Union shall assist:
• To develop language, literature, fine arts and culture of the National races;
• To promote solidarity, mutual amity and respect and mutual assistance among the National races;
and
• To promote socio-economic development including education, health, economy, transport and communication, [and] so forth, of less-developed National races.”

The Ethnic Rights Protection Law (The Comprising of Pyi Thu Hluttaw and Amotha Hluttaw (Pyi daung su Hluttaw) Law No.8, 2015), 24th February 2015. This law provides definitions of ethnic groups, Ministry, Union minister, Ministry of State or Region, State or Region minister, roles and responsibilities of the Ministry of Ethnic Affairs in ethnic affairs which means to promote sustainable socio-economic development that is including language, literature, fine arts, culture, customs and traditions of the national races, religious, historical heritages, peace and the included opportunities in 2008 Constitution of Myanmar. The constitution provides equal rights to the various ethnic groups included in the national races and a number of laws and regulations aim to preserve their cultures and traditions. This includes the establishment of the University for the Development of the National Races of the Union which was promulgated in 1991 to, among other things, preserve and understand the culture, customs and traditions of the national races of the Union, and strengthen the Union spirit in the national races of the Union while residing in a friendly atmosphere and pursuing education at the University. However, the list of recognized ethnic groups has not been updated since 1982.

Since independence, there have been recurring conflicts between the Government and a number of ethnic armed groups over a range of issues, including relating to greater autonomy, recognition of cultural rights, and governance of natural resources. The Government’s peace initiative, launched in 2011, has seen the conclusion or renewal of a number of ceasefire agreements with some ethnic armed groups, although conflict continues in several areas, including in Kachin State, northern Shan State, and Rakhine State. Following a number of bilateral ceasefire agreements between the Government and ethnic armed groups, some ethnic groups have been granted authority over political and economic affairs in their areas, which in some cases are sizeable. Social and other public services were developed by ethnic authorities, often with support from NGOs, and are still operating in several areas. Under the current government, a free media is developing, and ethnic parties and associations are politically active. Civil society organizations also play an active role.

3.1.4 Laws on Land Acquisition

The 2008 Constitution grants the union government ultimate ownership of all land and natural resources within the country’s national territory, whether located above-ground, sub-soil or underwater. However, it also provides for ownership and protection of private land property rights. There are over 30 laws governing land use, with more than 20 different government departments responsible for land administration.6

At a framework level, a National Land Use Policy offers a vision to harmonize existing laws but needs to be followed up by applicable laws, rules, and regulations. The National Land Use Policy was drafted in 2016 after an extensive 2-year consultation process with various stakeholders and is largely seen as a

---

6 Open Development Myanmar, Land (June 20, 2016).
framework in line with international good practice. It assures equitable land access for smallholders and landless people, with consideration of customary tenure and gender equality. It identifies issues related to internally displaced people, who previously left their land due to conflict, and acknowledges their right to return and to restitution although with certain limitations. The National Land Use Policy has not yet been followed by any applicable legislation, leaving the document as a broad vision statement.

The 1894 Land Acquisition Act remains the legal basis for land acquisition in Myanmar. The 1894 Act states that the government will acquire or occupy lands for public purpose. The Act sets procedures for land acquisition and compensation. Section 23 determines suitable amounts of compensation to be made for affected persons when the government acquires the land. The Act and associated Land Acquisition Rules (1932) further outline relevant procedures for notice periods, objections of interested persons to acquisition, methods of valuation of land, temporary land occupation, court processes and appeals, and acquisition of land for companies and economic development.

There are two laws newer than the 1894 Land Acquisition Act that govern land issues in rural areas:

- The Farmland Law (2012) stipulates the right to farm as well as the right to sell, mortgage, exchange, lease, or donate the land held under a land use certificate issued by the local farmland management committee at the township level. The law divides “farmland” into multiple categories — low land (paddy land), upland (ya), silty land (Kaing Kyun), hill-side land (taung-ya land), perennial crops land, nipa palm land (dani), garden land or horticultural land, and alluvial land — with different types of land subject to differing rules administered by different government agencies (at times, with overlapping jurisdiction). The Department of Agricultural Land Management and Statistics (DALMS), the General Administration Department and the Central Committee for the Management of Vacant, Fallow and Virgin Lands are all responsible for the farmland. Amendments to the law are under discussion in Parliament.

- The Vacant, Fallow and Virgin Land Law (2012) legalizes land concessions of “unused” land to investors or companies for commercial cultivation; it is widely viewed as legitimizing the taking of land from farmers who use the land without official documents. Under the law, land designated as vacant, fallow, or virgin by the government can be converted to commercial agricultural use, with concession rights given to a company. If the company has not used the land for a certain amount of time, the land reverts to the government. Farmers without documents, who have produced crops on such lands for a certain period, can use The Farmland Law (2012) to obtain a land use certificate in order to change the land use from vacant to farmland with all the attendant rights. In application, farmers face various difficulties obtaining land use certificates, and a recent amendment to the law requesting that everyone had to obtain land use certificates to prove legal status within a very limited time frame attracted some criticism.

---

7 National Land Use Policy, (The Republic of the Union of Myanmar, January 2016).
8 Myanmar Center for Responsible Business (MCORB), 2017, Legal and Policy Analysis of the Myanmar Oil Palm Sector.
9 Taung-ya is a system shifting cultivation. The practices consist of land preparation for tree plantation, growing agricultural crops for 1 to 3 years after the tree plantation and moving on to another area to repeat the cycle.
10 Legal Review of Recently Enacted Farmland Law and Vacant, Fallow and Virgin Lands Management Law (Forest Trends, November 2012).
A gap analysis between Myanmar law and World Bank policies is included in Annex 2, as part of the Resettlement Policy Framework (RPF), even though no involuntary land acquisition under the project will be eligible.

3.1.5 Laws on Environmental Protection

Myanmar’s environmental and social legislation includes the Environmental Conservation Law 2012; Environmental Conservation Rules 2014; the Environmental Impact Assessment Procedures and guidelines. The 2012 Conservation Law provides a general mandate for the former Ministry of Forestry and Environmental Conservation (MOECAF), the actual Ministry of Natural Resources and the Environmental Conservation, to implement environmental conservation policies, prescribe environmental quality standards, hazardous waste and waste management and pollution control produce an Environmental Assessment System. The 2012 Conservation Law also gives MOECAF the mandate to protect cultural resources. The EIA rules and procedures were approved in December 29th, 2015. The EIA procedures specifically stipulate type and size of activities requiring environmental assessment (EA) (EIA/IEE/EMP), content of the EA, review and approval process, monitoring, etc. Given a small scale rural infrastructure to be supported under the project, it is unlikely that sub-project will require IEE/EIA under this notification. There are also other laws with environmental policy implications such as the 1992 Forest Law and a number of international laws and conventions that Myanmar has ratified.

3.2 Education Sector Review

Myanmar’s basic education services are delivered through both government and non-government education systems/providers. The MOE is the largest provider of education services (formal education) in Myanmar, accounting for 83 percent of public spending in the sector, but there is also a sizable non-government sector (complementary education) delivering (mostly primary) education services. The largest non-state basic education provider categories are religious schools (mostly monastic—Buddhist—but also some Christian and Islamic) and non-Bamar ethnic groups.

The government has identified education and poverty alleviation as key drivers to support the democratic and peace-building process and to achieve the national goal of Myanmar becoming a Middle-Income Country by 2030. In the education sector, achievement of these objectives is framed by the National Education Strategic Plan (NESP), which came out of the Comprehensive Education Sector Review (CESR) which began in 2012. The NESP provides a ‘roadmap’ for sector-wide education reforms over five years (2016-2021) that would dramatically improve equitable access to quality education for students at all levels of the national education system. It also emphasizes the need for education benefits to be shared among broad segments of the population, and for excluded groups not to be left behind.

As a testament to the Government’s education priority, public funding for education has significantly increased, on a yearly basis, between 2011–2012 when the government made primary education free and compulsory, and 2016–2017. It went from MMK 310,000 million (about US$230 million equivalent) in

---

11 The remaining 17 percent is managed by 14 other ministries providing vocational and higher education services with their own budgets. For example, the Ministry of Health runs and finances health-related universities. (World Bank. 2015. *Myanmar Public Expenditure Review 2015: Realigning the Union Budget to Myanmar’s Development Priorities.*)
2011–2012 to more than MMK 2,177 million (about US$1.4 billion equivalent) in 2018–19. This commendable increase reflects growth in education budgets that outstripped spending in other sectors (except economic affairs, general public services, and defense). Nevertheless, public education spending, as a percentage of Government expenditure (at around 8.7 percent) and as a percentage of GDP (at around 2.2 percent), remains considerably lower than in neighboring and comparator countries.

In recent years, Myanmar made significant progress in access to basic education, but dropout rates and the number of out-of-school children and youth remain significant. The primary net enrollment rate (NER) increased from 88 percent in 2009–2010 to 93 percent in 2014–2015, while it went from 53 percent to 55 percent at the secondary level and to 58 percent and 27 percent in middle and high school respectively.\(^\text{12}\)

Until recently, the overall governance of basic education in Myanmar was characterized by highly centralized and nontransparent decision making. With the establishment of free primary education in 2009–2010, requiring the provision of operating funds to schools, the MOE launched a program to transfer funding (grants) to schools through Township Education Offices (TEOs). A basic framework for the amounts and flow of funds was established, but the initiative lacked a formal program with objectives, descriptions of responsibilities, performance indicators, provision for monitoring, or manuals and training to explain how the program is to be implemented. Other challenges included the absence of clarity on how SIPs will become a key planning tool in this context and the limits to schools’ ability to use the resources where their needs are the greatest.

Since 2014, the DFSP has supported Myanmar in strengthening the transfer of funding to schools (initially called school grants and now SISP) by (a) giving school head teachers and communities a greater say in how resources are spent; (b) providing a transparent, reliable, and flexible source of resources to schools; and (c) encouraging parents to be involved in their allocation. This has been a powerful signal from the MOE and the Government that education is a priority, aimed at easing that financial burden on households, at the availability of more learning materials in classrooms, and, ultimately, at better learning outcomes.

**Non-formal basic education** is defined as accelerated learning programs, aligned with the official MOE curriculum, delivered outside regular school hours by Government or nongovernmental institutions leading to the acquisition of core competencies comparable to formal education. Non-formal primary education (NFPE) classes have been offered since 2007 and non-formal middle school education (NFME) classes are being piloted (since 2016, with support from UNICEF).\(^\text{13}\) Although the 2014 National Education Law explicitly allows for NFE provided by CBOs and NGOs, the alternative education (AE) sector is substantially underdeveloped considering the need and demand nationwide, particularly in the poorest and conflicted townships.

An estimated 2.7 million children between ages 5 and 26 (about 23 percent of children and youth) in 2015-2016 have either never enrolled in school or have dropped out of the formal education system in Myanmar. These children often reside in the most marginalized and conflict-affected townships and areas. But school attendance also correlates with income: 6 out of 10 children starting grade 1 drop out before the end of middle school and among families belonging to the bottom 40 percent of the consumption

\(^{12}\) MOPF and World Bank (forthcoming).

\(^{13}\) UNICEF is currently conducting an evaluation of the NFME pilot program which will inform the future roll-out and scale-up.
distribution, this figure is 7 out of 10. The dropout rates are high for both boys and girls and differences in dropouts across richer and poorer households dwarf gender gaps. In addition to drop out rates or lack of school attendance, only about one-third of students sitting for the matriculation exam pass.

The MOE’s intention is to provide realistic and achievable pathways for out-of-school and marginalized children, including those displaced by conflict or natural disasters, to enter/reenter the (formal) education system or enter the labor market equipped with recognized education achievements and necessary basic skills. In the NESP, alternative and NFE programs are proposed as strategies to reach these marginalized children, in the short to medium term.

The two current AE programs, under the responsibility of the newly formed DAE, are (a) the NFE targeting out-of-school children and youth and (b) the summer basic literacy and functional literacy program for youth and adults. Non-Formal Primary Education (NFPE) classes have been offered since 2007 and Non-Formal Middle School (NFMS) classes have been piloted since 2016 by the MOE (with support from UNICEF). In addition to the Government-provided NFE services, many NGOs (including international NGOs, United Nations agencies, representatives of civil society and philanthropical entities) offer AE opportunities to out-of-school children. The MOE NFE programs currently include the NFPE and a pilot of NFME. Currently, an NFPE graduate must enter the formal system for a year, to complete grade 5, and then pass the regular grade 5 exam to obtain a primary education certificate. There is no approved certificate issued after completing NFPE level 2.

The key challenges currently facing the NFE program include the lack of access for the majority of out-of-school children and youth who are working either full- or part-time (including home-based work), poor quality of classes resulting in low pass rate and re-enrollment into the formal school system, lack of relevance for students and their parents leading to sporadic attendance and dropouts, lack of attention to incorporating life and employability skills, and difficulties in obtaining approved certificates recognizing achievements and credentials.

Complementary basic education is defined as education services, some of which are aligned with the official MOE curriculum while most are not, delivered during school hours by institutions not fully sanctioned by the MOE such as TLCs in IDP camps’ learning areas and ethnic education or religious providers, including monastic schools under the purview of the Ministry of Religious Affairs and Culture.

Some EAOs hold large areas of territory, which in some cases have never been controlled by the Central Government, and operate parallel, state-like agencies, delivering a range of services, including education. Some EAOs and other ethnic organizations have strong reservations about interacting with the Central Government and prefer to stay autonomous from state control and serve their own communities.

Kayin, Mon, Kayah and Kachin Ethnic Armed Organizations (EAOs) began running their education service delivery in their respective States in various forms in the years following the 1962 military coup when all schools were nationalized. Curriculum and school facilities were all managed by the respective EAOs and/or subordinate entities of the EAOs. Their schools were set up in their control areas where MOE and other government civil servants have no access and are not allowed to travel without permission by the respective EAOs.
Different EBEPs and State based education providers provide education services to over 300,000 children, with well-established systems operating (by EAO controlled EBEPs) in Karen, Mon, Kachin, and Kayah States, among others, as well as a wide diversity of community schools, some of which are networked and/or supported by a range of NGOs, CSOs, Faith Based Organizations, or local ethnic/cultural organizations. There are also a significant number of temporary learning centers (TLCs) in IDPs camps in Rakhine and elsewhere or serving returnees (from Thailand, for example).\textsuperscript{14}

Meanwhile, increases in Government spending on education and new ceasefires have recently allowed the MOE to reach new populations in ethnic areas, with the consent of the EAOs, including in “mixed” schools, particularly in Mon and Karen States. While offering communities many potential benefits, many ethnic education stakeholders consider that the MOE expansion has been poorly managed and is sometimes perceived as intrusive, leading to a range of political and administrative challenges.

Many ethnic nationality communities are striving for a more devolved system of locally owned education provision. Research shows that ethnic nationality demands differ widely with regard to the core aspects of these provisions (varying from accepting the Government curriculum, to expecting some locally relevant content, to having their own locally based curriculum and teaching purely in the mother tongue, through mother tongue based to bilingual provision, or even having ethnic languages taught as a second language). These demands are correlated with the level of conflict in which they live.\textsuperscript{15}

While some conflict-affected communities (for example, Mon, Karen, and Kachin) have developed very systematic and wide-ranging education provision run by local education departments, other communities have relied on religious institutions to provide language courses in the summer or after school (for example, PaO, Chin).

Most of the major ethnic systems (EBEPs) have their own policies, management, curricula, learner assessment frameworks, and teacher recruitment, training and professional development strategies. A political dialogue aimed at resolving many issues, including decentralization to subnational levels of service delivery such as education was initiated by the NCA between the Myanmar Government and eight ethnic armed organizations (EAOs), but has yet to pay dividends.

The key challenge is that most students attending non-state education institutions have difficulties transitioning to other systems, or having their credentials recognized. Recognition of credentials from EBEP and transfer between systems is one of the most pressing issues for inclusive access to education.

\section*{4 Applicable World Bank Operational Policies}

The projects trigger the following World Bank Operational Policies: Environmental Assessment (OP 4.01), Indigenous Peoples (OP 4.10), and Involuntary Resettlement (OP 4.12).

\textsuperscript{14} It is estimated that there are roughly 100,000 refugees still in Thailand and the United Nations High Commissioner for Refugees also estimates that as many as 15,000 have already returned outside the formal channels.

\textsuperscript{15} South and Lall (2016). \textit{Schooling and Conflict: Ethnic Education and Mother Tongue-based Teaching in Myanmar}. The Asia Foundation. Available at: https://asiafoundation.org/resources/pdfs/SchoolingConflictENG.pdf
**OP 4.01: Environmental Assessment.** This policy requires the environmental assessment of investments proposed for World Bank financing to help ensure that they are environmentally sound and sustainable. The depth and type of analysis depends on the nature, scale, and potential environmental impact of the proposed activities. The environmental assessment process takes into account the natural environment (air, water, and land), human health and safety, social aspects (involuntary resettlement, indigenous peoples, and cultural property), and trans-boundary and global environmental aspects. Given that sub-projects will be identified by during implementation and are expected to be small infrastructure activities, a framework approach will be followed as outlined in this ESMF, utilizing Environmental Codes of Practice (ECoPs) included in Annex 4.

**OP 4.10: Indigenous Peoples.** The policy is applicable since ethnic group communities would be present in the project areas of influence. The project will continue having consultations, conducting local social assessments and reaching out to potentially excluded groups at the village level. Free, prior and informed consultations will be conducted with villagers, including ethnic groups, leading to broad community support for proposed sub-projects. The key principles, processes and procedures are described in the CPPF in Annex 1.

**OP 4.12: Involuntary Resettlement.** Most sub-projects financed under the project support small scale civil works to repair, rehabilitate, and expand schools, and are unlikely to require acquisition of private land or loss of private assets. However, since sub-projects are developed on a community driven basis, minor land acquisition or loss of assets cannot be fully ruled out. For this reason, OP 4.12 is triggered. Sub-projects that will require involuntary land acquisition will not be eligible under WB financing. Any school funding request will be screened for land-related impacts with a view to avoiding involuntary land acquisition. The RPF in Annex 2 provides guidelines for voluntary land donation in case this is needed.

### 5 Description of Potential Project Risks and Impacts

Potential risks and impacts were identified by stakeholders in the preparatory design consultations in 2017-2018 and in periodic monitoring and evaluation, spot checks, and social assessments of existing programming under the DFSP. As much as possible program design has focused on mitigating the identified risks.

**Potential risks and impacts associated with oversight by SIF committee of ‘major repairs’.** The rehabilitation, renovation, and expansion of the existing schools raise health and safety risks and labor and working conditions risks during construction, including risks of child labor. Initial knowledge and oversight of these issues are expected to be weak but will be mitigated through targeted training and capacity building and the contracting of engineering support in all townships benefiting from the expanded funding stream.

**Potential risks and impacts associated with land acquisition.** The rehabilitation, renovation, and expansion of existing schools may require minor land acquisition. Government practice often involves acquiring such land through ‘voluntary land donation’ without adequate safeguards for affected persons to refuse donations. This presents a risk of involuntary land acquisition without compensation. The Resettlement Policy Framework (RPF) for the project includes a protocol for voluntary land donation.
Risks associated with decision making regarding school improvement funding (SISP): Decision/power over how the school should spend the funding is delegated to a school committee. As per guidelines and instructions from the MOE, the committee should bring together the head teacher, teachers and parents; and parent members should be representative of the composition of the catchment area and some of them should be women/mothers. Based on available evidence, school committees are on average 35 percent women including female teachers, but this proportion varies, and no data is currently available to quantify the ethnic composition.

Difficulties in having the required representativeness on the school committee may be explained by language barriers, adult literacy rates, gender roles in certain culture/ethnic/religious groups, or economic constraints (unavailability to attend meeting because of job/work). For example, in northern Rakhine townships, many head teachers of schools attended by both Rakhine and Muslims report having difficulties getting Muslim women to come and participate in school committees. Non-representative school committees have the potential to be captured and to give power (over school resources) to certain groups. As such, expenditures may be better aligned to the need of that group and disproportionately benefit students from a particular population. To mitigate this risk disbursement of SISP and SSP will be contingent on the prior review of the school level social/vulnerability assessment data and report on outreach and inclusive consultations in addition to adherence to a policy of non-discrimination by school heads.

Risks associated with the School Stipend Project (SSP): The authority to assign stipends quota to schools is delegated to a township committee and selection of students is delegated to the school committee. As for SISP, if the committees are not representative to balance everyone’s interest, this power could be captured. The risks here is higher than in SISP since the key decision is on selecting specific beneficiary schools and students.

If schools in certain areas/communities should receive a quota but are excluded, this could create tensions between communities. If students from certain ethnic groups are unfairly selected, or bias in selection is perceived, this could also create tensions within communities. Finally, before the selection, the application process could be captured and effectively render some students “ineligible” to the program by not offering them the opportunity to apply.

Risks associated with potential exclusion of vulnerable groups of children, including ethnic minorities, from education services. As EBEPs are not included in SISP and SSP, opportunities for stipends and better school environments may draw children in areas with both EBEP and MOE schools away from EBEPs. This may put further financial pressure on EBEPs that serve children in areas where EBEP schools are the only option. It may also disadvantage monolingual parents or parents who are not literate in Burmese as their option may only be the EBEP school with decreased funding as students head to better-financed MOE schools.

While EBEPs are allowed to participate in clusters in TMCSP, if teachers from EBEPs are intentionally left out of clusters or discriminated against in cluster meetings this could further exacerbate the exclusion of ethnic minority students from quality education as their teachers would not benefit from the cluster support. To mitigate this risk, special care will be given to ensure that teachers from non-state schools are
invited to attend cluster-level activities. This will ensure that some of the benefits will be indirectly transferred to students in non-state schools.

In addition, the selection of townships to be targeted under the program could lead to preferential targeting of particular groups and intentional or unintentional exclusion of others. This will be mitigated with predetermined and transparent indicators and the participation of the World Bank representative in the consultations around selection of townships. The risk for exclusion of religious minorities and girls will be mitigated through the use and monitoring of inclusion of the SQASF and AE-QASF standards as well as specifically including religious school networks in consultations.

**Risks associated with expansion of programs to TLCs.** Risks around making the TLCs eligible for programing including EGT and PT and TMCS, include incentivizing/supporting/making the IDP camps permanent and overlapping and duplicating the work of other development partners (DPs). TLCs are not currently eligible for SSP, SIF or SISP support as they are not MOE recognized. TLCs in IDP camps established after August 2017 will not be eligible for WB financial support.

**Risks associated with continued, expanded or renewed conflict.** Given the challenges around the ongoing peace process and the historical context, the risks that current armed conflicts will continue or expand and that new conflicts will (re-)emerge is important. Increased difficulties in reaching conflict-affected areas means that a significant group of marginalized children will be left out. The perception of selective targeting of specific groups could lead to exacerbation of conflict.

Research has shown that conflict affects attitudes towards government education and Burmese language education. EBEPs and communities reliant on EBEPs may be less incentivized to collaborate or dialogue if there is continued, increased or renewed conflict.

While the increased funding will largely target formal and non-formal (government-provided/financed) education services as well as complementary providers, including the EBEPs, monastic, and other religious schools, not all types of education providers will have access to all types of programs. SISP and SSP (in selected townships) may exacerbate conflict since only government schools (and registered monastic schools) will (or are eligible to, in the case of SSP) benefit from this funding while financial needs of non-state schools and their students are potentially important.

### 6 Implementation Arrangements

Implementation of this ESMF is organized at the Union, State/Region, township, and school/centers/community levels. The roles and responsibilities of the different levels are summarized below.

a) **Schools and NFE/AE centers**: Schools and NFE/AE centers as well as the communities they serve are the ultimate beneficiaries of the supported programs. Schools and NFE/AE centers are responsible for establishing a representative and inclusive School Quality Improvement Committee (SQIC) or Alternative Education Quality Improvement Committee (AE-QIC) and relevant sub-committee (e.g. to manage implementation of the SSP) who will assess school's and/or center’s need and prepare the school/center improvement plan, including the Community Participation Plans, in consultations with the school/centers catchment areas. This committee will
be chaired by the School/center Head and comprise as members teachers from the school and representative of the communities. Its capacity will be strengthened, trained, and advised as needed by TEOs and other relevant technical experts. It will supervise implementation of programs and ensure it is done according to OGs, including element relevant to this CPPF.

For civil works, again, if the SQIC determines that upgrading, rehabilitation and expansion of the school facilities is a priority for the given school year, they will be required to establish a subcommittee responsible for oversight and management of the civil works (SQIC-CV). This subcommittee will comprise members from the school and communities and will be strengthened, trained, and advised as needed by the contracted engineers and/or TEOs. It will supervise the implementation of the civil works in accordance with the ECOP in Annex 3 and report regularly to the larger community and parents about progress in implementation. The SQIC-CV is also responsible for preparing the request for funding through the major repairs funding stream which includes ensuring that all edibility criteria and conditions for voluntary land donation (if needed) as laid out in the RPF in Annex 2. The SQIC-CV will therefore ensure that no physical land transfer occurs before the voluntary land donation form is signed by the affected household(s), and that any civil works are done in accordance with the ECOP.

b) **Township:** At the township level, the Township Education Officer (TEO) assume primary responsibilities for day-to-day implementation of WB-supported MOE programs including this ESMF. Each TEO will receive support from technical experts and from the Union level departments (DBE, DAE, DERPT, DM&E-R) on issues including compliance with safeguards, financial management, procurement, monitoring and evaluation, grievance management and others.

c) **State/Region:** State and region education offices (SREO) will be responsible for overseeing implementation of programs, including this ESMF, in their townships. They will also facilitate the selection of townships for the targeted programs through inclusive consultations of stakeholders in their state/region.

d) **Union:** Implementation and compliance with the ESMF ultimately lays with DBE and DAE which is responsible for implementation of the supported programs. DBE and DAE will also be responsible for regularly reviewing implementation progress, as reported by the decentralized authorities or observed through monitoring visits, to identify issues of non-compliance or potential negative impacts of programs requiring actions to be remediated, minimized or mitigated. DBE and DAE will officially report on the status of the implementation of and compliance with the ESMF to the WB annually as part of MoE’s reporting on program implementation. They will also immediately notify the WB on any evidence of possible non-compliance with this ESMF and negative impact of the programs as well as on actions taken in every such case.
7 Monitoring Arrangements

Throughout the implementation of WB-supported MOE programs, several mechanisms will be used to monitor and evaluate processes and outcomes including compliance with the OGs in general and with this ESMF, as well as any negative impacts that may arise.

7.1 Activities, Responsibilities, and Content

As an integral part of implementation arrangements, MOE will lead the following monitoring activities:

Administrative data: Each program will be implemented according to detailed protocols and responsibilities described in program operational guidelines (OGs). These OGs will include processes and forms for compiling program information at different level and specify the responsibilities, format and frequency for reporting this data. Union level staff of DAE, DBE, and DERPT will compile the submitted data and prepare summaries highlighting trends, achievements, and challenges.

For example, detailed sociodemographic and ethnic composition of school catchment areas and enrollment collected through the local social assessment process described in the CPPF will be captured in a form to be filled at the school-level, entered in a database at the TEOs which will automatically create a township-level report. TEO will then submit this data to DBE and send a copy to the SREO who will also be provided with a tool to create their own state/region-level report. Along with this disaggregated data, schools will also report in a form provided to this effect on the consultations and outreach activities (number, participants, feedback received, etc.). Administrative data on compliance with other aspects of the CPPF, with the RPF, with the ECOP, and from the GRM process will also be compiled using specific forms and reporting format and compiled and summarized at the Union level.

Progressively and to the extent possible, some of the forms to be filled in by schools or education offices will be made available through smart phone-based applications. This aims to move away from an exclusively paper-based approach and to reduce the burden of data entry of Union and decentralized offices. Data entry burden at townships increases continuously and is unsustainable and detracts effort from the real job of oversight and guidance. Currently, the paper printing cost of one round of national survey costs around 20,000 dollars. The cost of using phone-based approaches will be a fraction. The use of a digital app will also improve timeliness, granularity, credibility, transparency of the data and reduce errors potential.

a) Inspection, monitoring and quality assurance. As part of their regular inspection/monitoring visits to all schools, the TEO team will confirm compliance with key elements of this ESMF using a specifically designed checklist and reporting format. Furthermore, additional quality assurance and monitoring of the compliance with the RPF and ECOP will be carried out by the contracted townships engineers who will review documents, visit civil works sites at key milestone in the implementation, and be in a position to receive feedback from the school and the wider
community. Union level staff also undertake monitoring visits to townships and schools. On these occasion, to the extent possible, the visit aim will include assessing and reporting on compliance with this ESMF.

b) Joint monitoring visits. Twice a year, MOE will organize and lead monitoring visits in a sample of schools from a team made up of representatives from key departments (DBE, DAE, DM&E-R, DERPT) and donor partners (DPs). The visit will assess achievement and challenges in project implementation, including compliance with this ESMF, as well as investigate selected questions meant to gather a deeper understanding of issues coming out of other monitoring activities.

To complement MOE’s work (and carry-out its role as supervision entity), the WB will lead the following monitoring activities:

c) Qualitative assessment, process monitoring and spot-checks. Visits to schools/centers, TEOs, and SREOs by an external agent recruited by the WB will be carried-out on a continuous basis throughout each year of implementation. The spot-checks aim to compare administrative data collected by MOE per (a) above information gathered at the schools/centers and in education offices. The process monitoring aims to identify protocols or procedures that do not work well (due to misunderstanding, lack of capacity, inadequate design, etc.) and to gather comments and feedback from community member, parents, as well as school/center, township, and state/region staff with regards to the implementation and perceived positive and negative impacts of programs. The qualitative assessment is designed to dig deeper into specific questions identified as crucial at the outset or as being problematic in earlier rounds or other monitoring activities. All of these will provide detailed insights into how the programs are being implemented and ensure that issues, including with regards to this ESMF, are identified early. During the visits, information will be collected through reviews of documents and forms, key informant interviews, focus groups, as well as observations of classes, meetings, training, etc.

d) Quantitative surveys. Every year, different quantitative surveys managed by a recruited survey firm will rolled-out in sample of schools, centers, households, communities, etc. These surveys are designed to rigorously measure final and intermediate outcome variables as well as inputs and outputs that captures the quality and scope of program implementation and could potential explain observed outcomes. The sample and methodology for these surveys will be designed, to the extent possible, to allow for rigorous identification of impacts that can be attributed to specific WB-supported MOE programs.

e) Phone-based snapshots. Starting in 2019, a smart-phone based data collection app will be downloaded by all school heads on their phone (or the phone of one of their teachers) to fill-in short questionnaires aimed at gathering simple but useful information regarding their schools and the implementation of WB-supported MOE programs. Written and video instructions will be shared through facebook and viber. Guidance and technical support will be available from a focal person at the TEO and trained agent in an externally recruited call center. This monitoring will be progressively transfer to MOE.
f) **Financier supervision visits.** On a bi-yearly basis, a team form the WB and donor partners will carry-out their own supervision and monitoring visits. On this occasion, the team will be provided with a checklist of key elements to investigate which will include checks on compliance with this ESMF using screening forms prepared for this purpose. The team will also investigate specific qualitative questions according to their internal processes and requirement.

g) **Phone-based beneficiary engagement survey.** To complement the rest of the activities, beneficiary engagement surveys will be carried-out through phone calls and text messages. Through this mean, school heads, member of SQIC/AE-QIC, parents, community members, etc. will be reached and asked, among other things, “satisfaction”-type of questions. This method will allow to expand the reach of external monitoring activities to communities, schools and centers country-wide and particularly in remote and conflict areas that are more difficult to cover through in-person visit.

Beyond assessing efficiency and compliance with processes and protocol, the above monitoring activities will include an important focus on social inclusion and equity and explore issues such as access to education by different populations; accuracy of the school-level social/vulnerability assessment; composition of parent-teachers’ associations and other school committees, of participants to consultations/meetings on programs, and of stipend applicants and beneficiaries in comparison to demography (ethnic, gender, and citizenship status) per village/village tract; presence and impacts of segregation of the student population within schools in mixed communities on implementation of the programs; challenges related to deployment of and support to teachers in various areas. To the extent possible, data collected will be disaggregated by gender, location, and ethnicity/disability/income level

### 7.2 Rakhine

All of the above monitoring activities will include Rakhine townships, schools, centers, and communities. However, given the social risks around implementation in this state, monitoring in the state will be more intensive with regards to the number of schools, centers, communities, and townships covered and number of indicators collected. There will also be questions which will be investigated in more details such validity of social assessment data, adherence to principles of non-discrimination and inclusion, coverage of different groups through consultation meetings and outreach, use of language, etc.

### 7.3 Use of Data

All reports and data sets will be filed at the Union-level and accessible for review and analysis on a need-basis. With technical support from the WB, all data and information collected through the above activities will carefully analyzed on a bi-yearly basis to track achievement, progress towards results target on outputs and outcomes, highlight key challenges, understand positive and negative impacts, identify lessons learned and design recommendations for improvements. These analyses will be shared and discussed in bi-yearly meetings (monitoring and evaluation group, technical working group, and steering committee meetings) to identify and decide on modifications to program design and key activities to be carried-out in the following 6 months to improve implementation of programs, including this ESMF.
Information specifically gathered through the MOE-led monitoring activities will be summarized and presented in the MOE annual status report. This will include a summary of achievement, an update on relevant results indicators, and a summary of compliance on key elements of this ESMF such as local assessment and consultations, voluntary land donations, negative impacts, and grievances. Timeline submission of this report, in a format and with content acceptable to the WB, is a condition for disbursement under both DFSP and DLI.

8 GRIEVANCE MECHANISM

8.1 PRIOR PRACTICES

An internal (to the MoE) monitoring and reporting mechanism is currently used in the case of grievances and complaints. Communities are expected to submit feedback and complaints about the programs to school head, township, district, or state/region officials, or to the Central Government (DBE, State Counsellor Office, Parliament, and so on).

Monitoring information indicates that those with concerns or complaints usually go to the classroom teachers or the school head. If the concerns or complaints are resolved at this level, the case is not officially recorded or reported. The complaints are officially recorded if it reaches the MOE at the Union level. In 2017–18, 96 cases were recorded within the budget section of the Department for Basic Education. Most of the complaints came from township auditors through their audit reports while some emanated from the communities. The MoE handled the cases with disciplinary measures by management teams (demotion, transfer, or strong warning) and ineligible expenditures were reimbursed according to Financial Rules and Regulations (as indicated by auditors).

The current system is working to some degree but reporting and access could be improved. Furthermore, monitoring data indicates that parents consider the strengthening of the feedback/grievance mechanism valuable.

8.2 IMPROVED GRIEVANCE REDRESS MECHANISM

8.2.1 Principles

MOE is committed to strengthening the grievance redress mechanism (GRM) for the programs relevant to this ESMF as well as all for other MOE programs. Complaints and grievances will be dealt with using the MOE grievance redress mechanism (GRM) to ensure that programs are implemented transparently and accountably, that voices of poor and marginalized groups are heard, and that issues and grievances raised are resolved effectively and expeditiously. Any stakeholders including parents, other community members, contractors, MOE staff, authorities, and other involved parties may file a grievance if they consider that their right to information is interfered, inappropriate intervention by an outside party is found, fraud and corruption have taken place, the rights and entitlements granted in this ESMF are violated, or that any of the WB supported programs’ principles and procedures have been violated.
Improvements to the GRM will focus on:

a) **Wider dissemination:** Information on the GRM will be summarized on posters to be hung in all schools and pamphlets to be distributed during all school-level and townships level consultations meeting (including consultations relevant to the implementation of this ESMF), on MOE’s website and facebook page, through radio and TV spots, and through text message sent to school and townships committees to motivate further sharing with the community they represent as well as to parents.

b) **Increased number of channels or ways to submit feedback and complaints:** It will be possible to submit feedback and complaints in-person at different levels (school, townships, state and regions, union), individually or in the context of consultation meetings, in writing through letter/suggestion boxes place in all schools/communities or letters/emails sent to key addresses at the state/region or union level, and by phone using a hotline number.

c) **More systematic recording and handling of complaints:** Detailed processes for reviewing, recording, escalating, resolving, and reporting grievances/feedback will be included in OGs of the different programs as well as training material for all education officials playing a role in implementation arrangement of this ESMF. In 2018-19, a first review of the OGs to describe the strengthened GRM was prepared and officials trained. OGs are being further reviewed based on lessons learned and education officials will be trained on this improved version at the beginning of the 2019-20 school year. At the Union level, a focal point will be assigned to systematically compiling information received, as per guidelines, from the different levels and producing a bi-yearly report on grievances received and actions taken. Key issues will be made public on MOE website and facebook page.

### 8.2.2 Protocols and procedures

Detailed protocols and procedures of developed, which will be integrated into the program OGs, are as follows. The grievance handling system is divided into six steps a) dissemination; b) intake, c) sorting, d) verification, mediation and resolution and follow-up; e) improvements to program implementation; and f) Public disclosure and annual reporting.

a) **Dissemination.** Dissemination of the GRM will be supported by an information campaign, OGs, and training programs. Community members in programs’ schools/centers will be informed of the GRM and contact details will be shared at public meetings on multiple occasions. Brochures/pamphlets and posters that describe the program, MOE’s policy on non-discrimination and “no child left behind” and the grievance protocol and procedures will be developed (some already exist) and posted on school notice boards, advertised on local radio/TV, distributed to community members. Local languages will be used to the extent possible to ensure that all stakeholders, including ethnic language speakers, understands and have access to the GRM.

b) **Intake.** Feedback and complaints related to MOE programs can be submitted either in-person, in writing, or by phone. There is no charge for filing a grievance.
(i) **In person.** School and NFE/AE centers committees will be the first tier of the GRM to receive, address, and record the complaints and feedbacks. Two focal points, one men and one women, of the SQIC and AE-QIC will be empowered to receive verbal grievances and work with school headmasters to address them. The focal points must be fair, respectful and able to keep confidentiality. The aggrieved person can directly contact the focal points to submit their grievances or share it publicly during one of the school or NFE/AE centers meetings.

(ii) **In writing.** Written feedback and complaints can be placed into a special letter box or sent by letter or email to one of the several available addresses. A letter box for this purpose will be located at safe but easily accessible spot (school, village administrative office, monastery, church, etc.). The location of the box will be identified at the beginning of the school year consultation meeting with participation the wider community (see Annex 1 describing the CPPF). ATEOs will be responsible for opening the letter box during their monitoring school visits, solving the issues in ATEO capacity and compile the complaints/feedbacks in a format and report back monthly. Letters to the Ministry of Education, Office Building (13), Nay Pyi Taw; the SREO, a relevant member of parliament, the office of the State Counsellor, or emails can be sent to dpsoffice@moe-mm.com.

(iii) **By phone.** A call can be placed to a “hotline” number which will be publicly disseminated. To start with, the “hotline” number will connect the aggrieved person to a call center financed by the WB on behalf of the MOE. This responsibility will be progressively transferred to MOE.

c) **Sorting.** Feedback and complaints received at different levels and through the various available channel will be sorted to determine appropriate actions to be taken. Both anonymous and non-anonymous feedback and complaints will be compiled and reported on according to location and nature of the complaints. In-person grievances received at a given level will be compiled and the report prepared by the relevant focal point. All reports will be submitted to the Union MOE departments on a bi-yearly basis. Phone-based complaint will be systematically recorded by the call center using an electronic template designed for this purpose. They will be submitted to MOE on a monthly basis. Grievances submitted to MOE website and facebook page will be compiled by the Union level focal point. Actors outside of the MOE, i.e. by a member of parliament or the office of the State Counsellor, will be requested to share information related to the grievance with MOE, if deemed appropriate.

d) **Verification, follow-ups, mediation and resolution.** All complaints will be subject to verification and follow-up. Township or state/region or union MOE officials, as appropriate, will verify if grievances submitted are valid, and identify solutions if grievances are found to be valid. Verification normally includes site visits, a review of documents, a meeting with the complainant (if known and willing to engage), and a meeting with those who could resolve the issue.

When the aggrieved person is known and willing to engage, follow-ups will be more extensive (than in the case of anonymous complaints). The contacted body (committee or education offices)
having received the complaint may meet and discuss matters raised by aggrieved persons, or
mediate between parties to the conflict for mutually agreeable resolutions. They may also provide
assistance to aggrieved persons to escalate the grievances to a higher level. For example, if the
complaint is submitted to one of the SQIC focal point but satisfactory resolutions cannot be found
at this level, the issue will be elevated and referred to the TEO. The contacted body will
communicate the timeframe and the course of action to aggrieved person within 2 weeks of
receipt of the grievance. The contacted body will communicate the decision made and the actions
taken in writing or verbally to the aggrieved person (if known) or in the next consultations meeting
(if unknown). If the action proposed is considered unsatisfactory, the aggrieved person may file a
new grievance, which will be handled at the next higher level.

All grievances, including anonymous cases, shall be responded to within 30 days and resolved
within 90 days from the time the grievance was originally received. Focal points and education
officials will receive training in the provisions of this ESMF and keep records of grievances received
and actions taken. For specific actions, the MOE will continue to use the sanction procedures
stipulated in chapter 6 “managing to curb offences” of the MoE administration and inspection
guidelines. In principle, a final decision will be made by the newly formed MOE “Feedback,
suggestions and complaints committee”, chaired by DG DBE and composed of MOE senior
officials. Responsibilities of this committee will be detailed in the program OGs.

- **e) Improvements to program implementation.** All grievances received through the different
  channels as well as information gathered through verification visits will be reported on a bi-yearly
  basis. These reports will to inform MOE’s decisions on how program implementation, and
  compliance with the ESMF, can be improved upon. The content of these reports will be
  summarized and discussed on bi-yearly basis at the program’s monitoring and evaluation groups,
technical groups and steering committee meetings, where decisions on how to improve program
  implementation to reduce the risks and issues highlighted through these complaints.

- **f) Public disclosure and annual reporting.** Summary of grievances will be disclosed publicly, but
  anonymously, on the MOE website. The MOE union departments will post on the website a bi-
  yearly snapshot of the GRM including the number, location, nature of the grievances received and
  acted on. A summary of grievances will also be reported on in the annual reports prepared by
  union MOE. These reports will include information on grievance resolution and trends: number,
geographic location, nature, number of cases resolved at each level, type of resolution, average
time taken to resolve a grievance, etc.).

## 9 Consultations

Consultations with stakeholders regarding the WB’s support for the MOE programs since 2014 have been
extensive in terms of number of participants, geographic reach, type of engagement and number of
evaluations, spot checks, discussions, social assessments and consultations. Public consultations with a
wide range of stakeholders (including CSOs and NGOs) on the original DFSP design (focusing on SISP and
SSP) were held in Yangon and in Nay Pyi Taw, in February and March 2014 and an open-door presentation
on DFSP achievements so far and AF design was held in Yangon in 2017. State/Region level consultations
to select townships for SSP in all States and Regions in March 2015 and similar ones will take place in Rakhine State in 2019. Workshops, focus group discussions, and key informant interviews were conducted across the country, and particularly focused on ethnic states in 2018 for consultations around extended and new support. The WB also engaged extensively with development partners through coordination groups involved in ethnic education and alternative education as well as the Rakhine INGO initiative.

Findings, lessons learned, and recommendations found in this SA come directly from consultations with relevant stakeholders regarding implementation of previous elements of the DFSP such as the SSP or SISP. Feedbacks gather through the consultations regularly fed into improvements to the protocol and process of programs implementation. Lessons learned and recommendations also come from extensive consultations with stakeholders during the design of the IAQE and AF DFSP over the past two years. The following section explains the sources of data and type of consultations included in the SA.

9.1 AF FOR DFSP

For support to the school stipend program (SSP), education directors at the township level organized consultations and meetings in their areas with state/region prime ministers and social ministers, and invited MPs, departmental representatives, township education officers, religious leaders, CSOs and ethnic leaders in all 55 townships where the program is implemented. Township education officers (TEOs) then selected 3 communities for initial consultations on the stipend program based on local social assessments conducted in 2015. Communities selected were the township’s poorest, a mixed community and a single ethnicity community. All township consultations were in Myanmar language with TEOs assigned as translators where needed. Following the social assessments, committees for the implementation of the township school stipend were formed. Township level committees include head teachers, township level officers and CSO/NGO representatives. Generally, these committees had low ethnic and religious diversity but a high percentage of women.

Free, prior, and informed consultations held in all townships with vulnerable groups, including ethnic minorities, indicated strong appreciation and broad community support for both the SSP and SISP. There were no signs of discrimination against religious or ethnic minorities in the implementation of the programs.

Respondents for the 2016-17 school year SA reported that despite the stipend amount being relatively small, the program has shown positive signs of enabling students from poor families who face financial and other difficulties to enroll in school and stay in school. Stipend money has helped vulnerable families to cover student costs for school uniforms, an umbrella, shoes, school texts, notebooks and other supplies, lunches, snacks, and transportation. Respondents also mentioned that getting an education was important for children. However, consultation with stakeholders revealed that poor and vulnerable groups, including ethnic minorities, often face greater challenges than just financial ones in enrolling their children in school and supporting them while they complete their education. A rapid conflict assessment also highlighted several areas where there are intra-community and intercommunity tensions generated by the presence of armed groups in some states where conflict is ongoing.

Key stakeholders include the MOE and other government agencies and officials, township education officers, State/Region education directors, communities, parents, students, and teachers. NGOs and CSOs have also been included since 2014 as stakeholders in ongoing consultations regarding the DFSP.
Monitoring and evaluation reports from the DFSP project show broad level support from stakeholders and significant interest in program expansion. Stakeholders expressed broad support and interest in project expansion in terms of amount of funding, geographic reach, and number of beneficiaries.

9.2 IAQE

In addition to ongoing consultations with parents, students and local school board members, for the new project elements in the IAQE, some new stakeholders were consulted, particularly EBEPs, EAOs, state parliaments, ethnic political parties, ethnic language and culture committees, and NGOs and CSOs involved in non-formal education provision. Consultations with this group of stakeholders on program impacts, activities and design included workshops, key informant interviews, and focus group discussions (FGDs). Consultations held in Kachin, Kayin, Mon, Shan (Central, Northern, Eastern and Southern), and Kayah states included a minimum of 20 interviews per location and a minimum of 3 FGDs with community members and parents, with some consultations, like Central Shan State including up to 17 FGDs. In Chin state, a State level workshop was held in Hakha in August 2018 with 50 participants.

Throughout 2018, most of the major EAOs and all the largest EBEPs were consulted about the programs, its potential benefits and adverse impacts, its design and needed mitigation measures. Generally, EBEPs have shown interest in collaboration with MOE and with each other. Some have requested more support in interacting with the MOE, others have requested more of a focus on language. As part of the project consultations, some EBEPs have held meetings directly with the MOE, others have indicated interest in doing so. For others, particularly in areas of ongoing conflict, it is unlikely that meetings will be able to be held before the project commences – this will be revisited during the project period.

In Mon State, consultations were held with the leadership of the New Mon State Party (NMSP) and the Mon National Education Committee (MNEC), head teachers from the Mon National Schools (MNS), Mon State Members of Parliament (MPs), representatives of Mon political parties, Mon CSOs and the Mon Literature and Culture Committee.

In Kachin State, consultations were held with the Kachin Education Consortium (KEC), Kachin Education Foundation (KEF), Kachin Independence Organization Education Department (KIO-ED), three local Literature and Culture Committees, two Kachin State MPs, and representatives from ethnic political parties from Kachin State.

In Karen State, discussions were held with the Karen State Education Department (KSED); the Karen Education Department (KED); Karen Women’s Organization; Karen National Union (KNU)/Karen National Liberation Army (KNLA)/Peace Council; Seventh-day Adventist Schools; Pa-O Literature and Cultural Committee (PLCC); and Karen National Democratic Party (KNDP).

In Shan State, consultations were held with with EAOs, EBEPs, CSOs, ethnic political parties. Those consulted include: Parami Development Network, Shan Literature and Culture Association, Shan State Progressive Party (SSPP) Education Department, PNO, PNLO, members of the PaO SAZ Leading Body, PaO MPs, the PaO Education College principal, head teachers in schools serving PaO communities, and a PaO Monastic School head monk. Representatives of minorities within minority ethnic groups were also consulted including representatives of the Khun Tai, Lahu, Wa, Danu and Intha.
In Kayah State, the Karenni National Progressive Party (KNPP), Kayah State Peace Monitoring Network (KSPMN), Literature and Cultural Committees, the Karenni National United Joint Committee (KNUJC) and local CSOs, schools and township education offices were consulted.

In the design of the MOE program supported through the IAQE, the MOE greatly benefited from feedbacks and suggestions gathered in consultations (i) with partners and CSO in forum such as the Sub-Sector Working Groups (SSWG) and the Education, Technical and Vocational training Sector Coordination Group (ETV-SCG); (ii) with decentralized officials, State government officials, and community members, especially in Rakhine State where MOE Union level staff including several DGs have made numerous visits since August 2017; and (iii) with specific development partners\(^\text{16}\) working closely with EBEPs.

MOE programs’ design also benefited from feedback and suggestions compiled by the WB based on discussions held at the Education in Ethnic States and Regions (EESR) Coordination Group\(^\text{17}\), a presentation at the Alternative Education CSO coordination group, facilitated by myMe (an AE organization) on the 3\(^{rd}\) of April 2018 which was attended by 39 CSO AE providers, WB frequent meetings and consultations with representatives from UNHCR, UNICEF and the Rakhine INGO Initiative convened by Save the Children to discuss in detail the situation and challenges in Rakhine with special attention to BMY and the situation of IDPs, discussions with members of the Education in Emergencies Coordination Group.

Geographic distribution of the consultations had can be seen in green in the map provided in Annex E.

### 9.3 Disclosure and Consultations on the ESMF

MOE has disclosed the ESMF on its website on January 25, 2019. Following disclosure, consultations were held in Yangon, Naypyidaw, Rakhine State and Shan State during the weeks of February 11 and February 18.

[Following information will be added after the consultations: Number of participants at each location, languages used in each consultation, key issues raised during consultations]

### 10 Budget for Implementing ESMF

The implementation of the ESMF will be integrated into program implementation. Capacity building to TEOs on the ESMF and the safeguards requirements will be done through integrating these procedures into the standards operational guidance for TEOs and including these in the standard annual training curriculum delivered by MOE to all TEOs. MOE is in the process of incorporating ESMF, RPF, CPPF, ECOP and grievance requirements into the operational procedures and training curriculum, and will have these ready before the next school year, starting in May. Given the integration of ESMF measures into project design and general operational cycle of MOE, no additional, specific costs are expected for the implementation of the ESMF.

---

\(^{16}\) These include: MEC, EU, DfID, the Australian Embassy (AusAID), UNESCO, ADB, UNICEF, ADRA, DANIDA and others.

\(^{17}\) The members of the coordination group are: Myanmar Education Consortium (MEC), ADRA, PACT, Save the Children, DFID, World Education, PLAN, The Royal Danish Embassy, VSO, EU, the Australian Embassy, World Vision International, Norwegian Peoples Aid, UNICEF and Norwegian Refugee Council.
11 Description of Annexes

Annex A: Community Participation Planning Framework. The Community Participation Planning Framework (CPPF) provides the MOE with the operational framework to ensure that WB-supported programs are transparent, fair, and participatory through free, prior and informed consultations and enhanced community involvement resulting in broad community support. The Bank’s OP 4.10 policy applies to most MOE programs benefiting from ongoing and future WB support because they will be implemented in areas where ethnic minorities (as defined in OP 4.10) that meet the eligibility criteria of the Bank OP 4.10 are present.

Annex B: Resettlement Policy Framework. The Resettlement Policy Framework (RPF) provides the summary of policies, processes, procedures and implementation and monitoring arrangements regarding land acquisition under the WB-supported MOE program of civil works. It aims to ensure that any negative impacts related to implementation of these civil works are avoided, minimized and properly managed. It includes a protocol for voluntary land donation. No expansions requiring involuntary land acquisition or physical relocation of households is eligible for WB financing.

Annex C. Voluntary Land Donation Form. This form will be used by MOE to document all instances requiring voluntary land donation. It aims to screen for eligibility criteria, for example, noting that no one can donate more than 5% of their land. It provides affected people with the knowledge that they can choose not to donate their land and they can submit grievances to the grievance system. It requires confirmation by male and female head of households.

Annex D. Environmental Code of Practice. The Environmental Codes of Practice for civil works under the project is prepared to establish in-house best environmental management practices and specifications relating to project development, construction and management. It contains a template for Environmental and Social Management Plan which each sub-project will complete and implement using detailed information of site-specific environmental and social impacts/ issues, mitigation measures, monitoring and institutional arrangements before, during and post construction phases. The ECOP both sets out the environmental management system for civil works and the duties and roles for implementing this system.

Annex E. Maps and List of Townships. These maps and list indicate how townships eligible for funding under the program were selected after a needs assessment, ranking and consultations.
12 ANNEX A: COMMUNITY PARTICIPATION PLANNING FRAMEWORK

12.1 OBJECTIVE AND POLICY FRAMEWORK

In the years to come, the World Bank (WB) will provide technical and financial support to the implementation of several Ministry of Education (MOE) programs, components and activities of the National Education Strategic Plan (NESP). This support will be channeled through the Decentralizing Funding to Schools (DFSP; under implementation since 2014 and having been granted additional financing to continue to provide support and increase scope and scale) and the Inclusive Access to Quality Education (IAQE; under preparation and expected to be effective in June 2019).

MOE programs benefiting from WB support will include the School Improvement Support Program (SiSP; including transfer of budget to schools to cover operational expenses as well as minor and major repairs of infrastructure), student stipends to poor and vulnerable students, teacher professional development (including framework, mentoring, and specific in-service training activities), assessment of learning outcomes of students in early grades, non-formal education services, working towards partnerships with ethnic basic education providers, and management of public finance and human resources.

This Community Participation Planning Framework (CPPF) aims to ensure the following:

a) **Free, prior and informed consultations and participation:** Poor and vulnerable groups, including but not limited to ethnic minorities, are afforded meaningful opportunities to participate in planning and oversight of implementation of activities that affects them, including geographical targeting and selection of programs areas when relevant;

b) **Benefits:** Poor and vulnerable groups, including but not limited to ethnic minorities, are given opportunities to receive culturally appropriate benefits;

c) **Negative impacts:** Any project impacts that adversely affect poor and vulnerable groups, including but not limited to ethnic minorities, are avoided or otherwise minimized and mitigated.

This CPPF is fully consistent with and responsive to the Bank’s relevant policy (WB OP 4.10 Indigenous Peoples)[18]. The CPPF development was informed by (i) lessons learned in the context of the ongoing DFSP including as it relates to the prior CPPF (prepared for the original DFSP), (ii) assessments, extensive consultations with ethnic basic education providers, representatives of ethnic groups, civil society,

---

[18] The OP 4.10 aims to achieve the following objectives: (a) Affected ethnic groups are afforded meaningful opportunities to participate in planning that affects them; (b) They are given opportunities to receive culturally appropriate benefits; and (c) Any project impacts that adversely affect them are avoided or otherwise minimized and mitigated.
development partners and other relevant education stakeholders carried-out during preparation of the IAQE project, and (iii) MOE’s and other partners’ experience in supporting and implementing similar activities. Key findings and recommendations are presented in the updated Social Assessment report\(^{19}\) and briefly summarized below. A record of the extensive stakeholder engagement and consultations for the preparation of the project, social assessment and the CPPF can be found in Annex X.

The original CPPF for the DFSP was prepared and disclosed in April 2014\(^ {20} \). It focused on the first MOE programs implemented with support from the WB, namely the School Improvement Support Program (SISP; previously called “School Grants”) and the Student Stipends Program (SSP). The CPPF was thereafter revised in 2016 to reflect lessons learned and additional MOE programs to be supported through the additional financing to DFSP, namely the teacher mentoring and cluster support program. The present document is therefore the third version of the CPPF, which was further updated to reflect new lessons learned and experiences, to cover new MOE programs to be supported through the IAQE project, and to better mitigate increase risks around access to quality education services by all groups, including but not limited to all populations living in Rakhine State, and especially in the state’s three northern townships of Buthidaung, Maungdaw and Yathedaung (BMY).

**12.2 PRINCIPLES**

The principles outlined in the WB Policy on Indigenous People were adopted in preparing this document. Therefore, this CPPF aims to ensure that the all WB-supported MOE programs will be implemented in a socially equitable and sustainable manner and in line with the WB’s OP 4.10.

Specifically, the following principles will govern implementation of the WB-supported MOE programs regarding participation of poor and vulnerable groups including, but not limited to, ethnic minorities:

a) **Operational Guidelines.** All program operational guidelines (OGs; new and revised) will be aligned with this CPPF as well as shared and updated in consultations with key stakeholders in the country (including but not limited to ethnic minority communities). Detailed protocols, procedures, and implementation arrangements of the CPPF are and will continue to be spelled out in the program OGs.

b) **Information and language:** The public in general, students, and their parents are and will continue to be informed widely and regularly of the protocols and procedures described in this CPPF. Content will summarize relevant elements of the CPPF and OGs and highlight, among others, the “no child left behind” and “no discrimination” policy of the MOE. Relevant local languages (to the extent possible) as well as highly visual design will be used in the dissemination of this information.

\(^{19}\) Decentralizing Funding to Schools Additional Financing Project and Inclusive Access and Quality Education Project Social Assessment (January 2019).

\(^{20}\) In March 2013, wide-ranging consultation with key stakeholders including, but not limited, to ethnic minorities took place to share and get feedback on the original OGs for SISP and SSP.
c) **Conflict sensitivity:** Implementation of programs and consultations will be carried out in a manner appropriate to context, considerate of sensitivities, promoting intercommunal dialogue and social cohesion, and based on “do no harm” principles.

d) **Local Social Assessment:** A local Vulnerability/Social Assessment (SA) process will be conducted by all supported schools, NFE centers, and AE providers to identify groups of people whose socioeconomic standings or ethnic background in local communities may subject them to risk of exclusion from the WB-supported MOE programs. Free, prior, and informed consultations will be conducted as part of this SA process with communities leading to their broad support to the programs.

e) **Community Participation Plans.** Community Participation Plans (CPPs) – called “outreach” or “action plans” in OGs – will be developed by the schools, NFE centers, and AE providers, summarized by TEOs, and submitted to the relevant Union level MOE departments. They will then be reviewed annually, and updated as needed, in line with the provisions of this CPPF.

f) **Targeting:** Selection criteria of townships, schools, and students (in the case of targeted programs and activities) will be informed by evidence and available data as well as local knowledge through inclusive consultations.

g) **Grievances:** Mechanisms currently in place to collect and address grievances, accessible to affected people, are being reviewed and strengthened.

h) **Capacity:** The capacity of MOE to manage environmental and social impacts in general, and to manage implementation of this CPPF in particular, will be strengthened. Township level officials (TEO and NFE focal points) will be trained to increase cultural awareness of issues related to ethnicity, religion and marginalization. CPPF procedures and additional training content is being and will be included in the annual training materials used by MOE before the next school year, starting in May 2019.

i) **Monitoring:** Qualitative monitoring, quantitative surveys, beneficiary assessments, spot-checks etc. focusing among other things on societal dynamics and ethnic groups, women, and the most vulnerable groups, using focus group discussions and key informant interviews will be carried-out to monitor the implementation of this CPPF.

### 12.3 Key Findings and Recommendations from the Social Assessment

The CPPF development and procedures are informed by (i) lessons learned in the context of the ongoing DFSP including as it relates to the prior CPPF (prepared for the original DFSP), (ii) assessments, extensive consultations with ethnic basic education providers, representatives of ethnic groups, civil society, development partners and other relevant education stakeholders carried-out during preparation of the IAQE project, and (iii) MOE’s and other partners’ experience in supporting and implementing similar
activities. Key findings, lessons learned and recommendations are presented in detail in the updated Social Assessment report and briefly summarized below.

**School Grants Program.** In terms of access and inclusion, there is low social risk for the school grants program as all government and registered monastic schools in the country are eligible for and receive the grant. Remoteness of schools presents additional transportation, labor and purchasing costs for school renovations however, and this additional cost is not fully reflected in the disbursement allocation. WB support under IAQE will expand funding to more remote areas and less-well performing schools in order to address this. While training manuals and operational guidelines have been developed to increase inclusion and accountability, implementation is not uniform. In the 2017-2018 school year, 75% of schools publicly disclosed the School Improvement Plan (SIP) amounts and expenditures by category.

**Local Social Assessments.** Monitoring and evaluation reports found that consultations by the township level committees, while successful, could have been improved in the areas of making the committees themselves more inclusive and reaching out to harder-to-reach, poor and vulnerable households. Having representatives from religious, ethnic, CSO and other communities would further improve outreach.

**Student Stipends.** The existing school stipend program was found to be generally successful in identifying and reaching at-risk students, but due to budget allocations, covers only 16% of townships, a small portion of schools in each township and a small number of eligible students per school. As there remain large numbers of students in need that could benefit from the program, there is significant scope and demand for expansion. Another issue is that the increase in education access for impoverished children does not include the most vulnerable as school facilities remain inaccessible for children with special needs and disabilities. Lastly, parental literacy rates and fluency in Burmese could also affect students’ access to stipends. In the monitoring and evaluation assessment from 2018, about a third of parents interviewed noted that they needed assistance in completing the forms required to apply to the program. In response, the revised CPPF puts more emphasis on mapping of hard-to-reach students, outreach activities to them in person and assistance with filling out applications.

**Conflict Sensitivity.** World Bank funding for government schools (as opposed to ethnic education) could contribute to tensions based on claims to locally relevant education in terms of language and curriculum. In response, IAQE will support dialogue between MOE and ethnic basic education providers. This will help to ensure that ethnic basic education providers can continue to improve the quality of their services and receive technical assistance in negotiations and partnership agreements with MOE.

**Mentoring and Teacher Training.** Language of trainings and communications may be a barrier for some ethnic teachers, especially with the use of technical or new terms. Budget for mentors who need to travel to remote areas for training should factor in travel time and costs, as this various widely in townships, depending on road conditions and seasons, and conflict.

---

21 Decentralizing Funding to Schools Additional Financing Project and Inclusive Access and Quality Education Project Social Assessment (January 2019).
Rakhine. The social risks posed by expanding programming and funding for education projects in Rakhine state, and particularly in Buthidaung, Maungdaw, and Yethedaung/Rathedaung (BMY) are specific due to the long history of communal tensions, discrimination based on ethnic and religious identity, tensions between the state and the union government, and recent extreme violence, dispossession and displacement. SISP, TMCSP and capacity improvements are already underway in BMY. The SSP will not be extended to BMY in its current iteration, but two townships in Central Rakhine will be selected for universal coverage. In Rakhine more broadly, shortages of teachers and qualified teachers are a major concern. Teacher mentors are not able to travel for mentoring due to safety concerns in many instances. Muslim IDP children in central Rakhine most commonly attend temporary learning centers, which are not currently included in SSP or SISP, but making TLCs eligible for financing risks making ISP camps and arrangements more permanent. Outside of camps, long distances to the closest middle and high schools combined with restrictions of movement leads to high drop-out rates and low completion rates. The formula of determining school grants under SISP may need to be re-evaluated for use in BMY, as significant decrease in population and reliance on TLCs may impacts available funding for schools. While proof of citizenship is not generally required when registering or enrolling in schools, other forms of identification may still be required, causing barrier to access. Lastly, Rakhine has the largest gender disparity for access to education among children country-wide. In particular, targeted interventions for Muslim girls are needed. Adherence to principles of non-discrimination and inclusion will be central to all activities in Rakhine.

Table 12.1 Recommendation Areas and Recommendations from the Social Assessment

<table>
<thead>
<tr>
<th>Area</th>
<th>Recommendations</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Country-wide</strong></td>
<td></td>
</tr>
<tr>
<td>Inclusive measures for children and parents with disabilities</td>
<td>• The MOE should use the local school social assessments to determine the number of disabled parents or children accessing the school or who would like to access the school and what types of needs are in the area. This data should be taken into account when preparing the SIP and budget to increase accessibility for students and parents.</td>
</tr>
<tr>
<td></td>
<td>• The MOE should increase stipends for students with disabilities so that they can purchase learning aids, mobility aids, or use particular forms of transport to/from school. These students could be identified through the local social assessment.</td>
</tr>
<tr>
<td>Access to SSP for households and parents with low levels of literacy</td>
<td>• To target out of school children and/or parents with low levels of literacy for student stipends, local assessments and outreach beyond the school should be done by the MOE. This could be achieved through working closely with religious centers, 100 Household Heads, CBOs, NGOs or village heads. Current reliance on TEOs relies on the MOE hierarchy and may not reach households that are not already in contact with the MOE in some way.</td>
</tr>
<tr>
<td></td>
<td>• To ensure that parents who are illiterate or with low levels of literacy in Myanmar are able to access applications for stipends as part of outreach to disadvantaged communities the MOE should help schools and TEOs to establish one-stop shops where parents can orally complete the form with assistance and ask questions about the program.</td>
</tr>
<tr>
<td>Inclusive stipend allocation and disbursement</td>
<td>• The MOE should arrange for stipend payment for students receiving stipends who are affected by migration and move to a township without SSP during the school year.</td>
</tr>
<tr>
<td></td>
<td>• Stipend provision should be linked to attendance but de-linked from academic performance so that it is not contingent on passing the year-end exam and continues to reach students at highest risk of leaving school.</td>
</tr>
</tbody>
</table>
| **Transparency and inclusivity of SIF and SISP** | • The MOE should require schools to publish SIF amounts and expenditures by category in order to be eligible for further SIF.  
• The increase in funding to weak and remote schools in target townships based on performance under SISP should be closely monitored for impact and potential misreporting.  
• Development partners should partner with MOE or schools in particular townships or districts to assist in upgrades to school sanitation. |
| **Inclusivity in TMCSP** | • TEOs should arrange for alternative locations for mentoring and clusters under TMSCP in conflict-affected areas to increase attendance and safety. This may mean targeting conflict-affected areas for increased CIF support to bring teachers to safe alternative locations or initiating a robust distance or virtual mentorship program.  
• In school clusters where there are multiple ethnic groups and languages, including school clusters that include teachers from EBEPs bilingual or multilingual teachers, mentors or ATEOs should be available to assist comprehension of particularly technical or otherwise demanding trainings. |
| **Rakhine State** | • The MOE should create a rapid response mechanism to conduct school level social assessments and monitoring so that funds, improvements and training are not further delayed to areas affected by Muslim repatriation.  
• When and if repatriation occurs in BMY, funding for SIF 2.0 B (major repairs) in BMY should be revisited on a case-by-case basis as schools’ needs could change quickly.  
• A re-design of the formula for determining SIF in Rakhine to increase assistance to smaller schools or schools in more remote areas or further from a competing high school or middle school, may help to ensure that students are not dropping out due to cost of transportation or fears about security, particularly for girls. |
| **Decreasing risk of gender-based exclusion** | • MOE should collect data disaggregated by gender, religion, household income, disability status and ethnicity at the school and township level.  
• Where gender disaggregated data shows girls are dropping out of school at higher rates than boys, the student selection process at the school level should lead to more girls benefiting from stipends.  
• As we know that gender parity in school enrollment in Rakhine state decreases dramatically between primary and middle school, girls should be targeted in the stipend program prior to the transition from primary to middle school. |
| **Inclusivity of TMCSP** | • Robust virtual or distance teacher training and professional development modules should be created well in advance of implementing TMSCP. A robust and structured distance training program will decrease the risk that the excuse of fear or security becomes a means of excluding Muslim teachers and by extension Muslim communities from the TMSCP.  
• Travel bans in Rakhine state should be lifted for educational purposes both for personnel and students to allow students and teachers to reach schools.  
• Bilingual or local teachers should be hired as mentors where possible to fill gaps in competencies, linguistic skills, and increase the practice of non-discrimination. |
| **Decreasing risk of exclusion of** | • MOE schools and AE providers should never require identity cards or papers like birth certificates, household registrations or NRCs for school registration, stipend allocation or transfer or promotion to higher grades. If ID is necessary, multiple forms of alternative ID |
those without identity documents | should be accepted. Compliance with this at the school and NFE/AE center level should be monitored carefully and strong actions taken in case of non-compliance.

- As citizenship scrutiny cards (CSCs) are not required for school registration, they should not be required for matriculation or graduation from higher education either.

12.4 ELIGIBILITY, TARGETING AND PROTOCOL AND PROCEDURES FOR FREE, PRIOR AND INFORMED CONSULTATION AND PARTICIPATION

All WB-supported programs relevant for this CPPS are implemented in all States and Regions. Protocols of this CPPF are divided into three sections: (a) Targeting townships within States and Regions (see section 1.4.3); (b) Targeting communities within townships (see section 1.4.2); (c) Free, prior and informed consultation and participation at the community level (see section 1.4.1).

Townships targeting, where relevant, will be completed prior to the launch or scaling-up of programs. Targeting of communities within townships and targeting at the community level will be carried-out during implementation. Protocols and procedures for the above three sections are described below and detailed versions of protocol under (b) and (c) will be integrated into the program OGs.

During implementation, lessons learned regarding compliance with this CPPF emanating from the monitoring activities will informed revisions and updates of OGs so that implementation is improved while remaining in line with this CPPF.

12.4.1 Participation at the community level

All formal schools. Protocols and procedures to ensure community participations in programs implemented in formal schools are structured in three main steps: (a) Initial Consultations; (b) Local Social Assessment; and (c) Outreach plan for Minority and Hard-to-reach. They are described in more details below.

(a) Initial consultations. The School Head (SH) and School Quality Improvement Committee (SQIC), which will comprise of a representative and inclusive sample from the community, will organize a consultation meeting, prior to the start of every school year, with parents and other diverse stakeholders of their school catchment areas including minority representatives and potentially excluded groups to inform about overall MoE programs. Community members will be notified of the consultation meetings sufficiently early enough, in a manner and language that is accessible to all, and small groups discussions will be conducted to maximize, to the extent possible, the opportunities for all to provide input.

During this meeting, the SH, with help of a translator if needed, will inform community members about MOE reforms and programs relevant to their schools. In order to confirm that the school meets the non-discrimination eligibility criteria, the meaning of the MOE’s policy of “no child left behind” and “no discrimination” must be discussed. Any student-level targeting processes (relevant only to the Stipends program in the currently participating 55 townships) will also be
covered. Feedbacks from participants on the potential adverse and positive effects of MOE programs will be identified and measures to avoid, minimize or mitigate negative impacts and enhance positive benefits proposed.

A briefing kit will be prepared in advance and distributed to all SHs to ensure consistency of the messages delivered while providing room for local relevance. A summary of the information will also be shared through pamphlets in all relevant languages and with strong visual elements distributed on the occasion. Agenda, attendance, strategies to address the presence of participants non-fluent in the Myanmar language, and feedbacks and measures proposed will be recorded.

(b) Local Social Assessment. The objective of the social assessment is to identify marginalized and minority (including but not limited to ethnic minorities) population or households who are at risk of not being aware of the MoE programs. Because of this lack of awareness, these groups or households are unlikely to benefit from WB supported MOE programs given that their children are at risk of not enrolling or of dropping out early as because of their minority or ethnic status, their religion, their language, their migrant status, their citizenship status, etc. The social assessment process will be carried-out through the gathering of data, following a pre-defined questionnaire provided in the OGs, in consultations with the community.

The second part of the initial consultation meeting in (a) will be reserved to carry-out this social assessment process. The purpose of the exercise will be explained and the questionnaire will be completed with inputs from community participants. The questionnaire will include the screening for the presence of different groups (ethnic, religious, migrants, etc.) in the school catchment area. Socioeconomic conditions and participation in community decision making processes of the different groups and, if they are represented at the meeting, their perspectives on the overall MOE reforms and programs will be assessed. Baseline information on the demographic, socioeconomic, and cultural characteristics of the population of the school catchment areas and of students in the school will be gathered.

(c) Planning and Implementing Outreach Activities. Based on the findings of local SA process and initial consultations, SH and SQIC will define strategies and actions to reach out, ideally in-person, to those families or groups identified as being at risk of being excluded. The objective of the outreach activities will be to fill-in the identify gaps and ensure all the identified groups are made aware of the MOE programs and encourage to participate in education opportunities. The pamphlet distributed in the initial consultations should also be distributed to groups reached through these activities.

In the case of schools having been assigned a stipend quota, one of the objective will be to ensure that all households with children who could continue or re-enroll in school as a result of the possibility of receiving a Stipend are aware of the program and encourage to apply. Application to the Stipends program should be available during the outreach activity and filled-in together with the interested parents.
The results of the SA, outreach strategies and actions carried out, and feedback received along with mitigation measures when relevant will be recorded in the school-level Community Participation Plans (CPPs). More precisely, the CPPs will include the following:

- A summary of the vulnerability/social assessment process and results.
- Parameters of the outreach activities carried out including participants, location, timing, language and the need for translator(s), supporting material, etc. Unless, the security situation does not allow, outreach is expected to be in-person. Guidance on content and format of outreach activities will be included in the OGs.
- A summary of the feedbacks on programs received in the context of the initial consultations and outreach activities with the marginalized and minority groups and households identified through the SA.
- A framework for community participation in oversight of the implementation of programs at the school level, most notably the modality for representation on the SQIC and communication with the larger communities including consultations for the selecting beneficiaries (in the case of stipends) and reporting on progress, expenditures, results.
- Description of potential negative impacts, if any, on any members of the community and measures to avoid or mitigate them and other specific decisions regarding implementation which led to broad community support for the programs.
- Mechanisms and benchmarks for monitoring, evaluating, and reporting on the implementation of the CPP.

(d) Accessibility and Disclosure of CPPs/SIPs. The school-level CPP will be part of the School Improvement Plan (SIP). Funding for implementation of the CPP will be budgeted for along with other activities of the SIP and funded through the school budget. SIP, including the CPP, will be available to the community for review at the school. A summary of the key actions under the SIP as well as the budget will be posted on the school public notice Board.

Detailed information gathered through social assessment as well as the CPPs themselves will be submitted to the Township Education Officers (TEOs), as part of the SIP, prior to the school receiving the first disbursement of SIF and SSP. These reports will be kept by the TEOs. TEOs will also compile all information in the social assessment in specially designed data entry template which will be automatically provide them with an overview of their townships situation. This data will then be submitted to State and Region Education Officers (SREOs) in a CD (with copy to the District Education Officers (DEOs)) and then consolidation of township summaries will be submitted by SREOs to the Department of Basic Education (DBE) at the union level.

**Stipends schools only (except in new Rakhine townships).** Every year, new grade 5 students in schools assigned a quota (see below) must be selected for inclusion in the Stipends program. Given that evidence indicates that the process is reasonably effective, the process will closely follow, with some small modifications, as described in prior CPPF and current OGs. In selected schools, the program targets poor students who are at high risk of not reenrolling or of dropping out due to financial constraints. The community will be informed about the stipends program through the initial consultations meeting, the distributed pamphlet and the outreach activities. Parents of students in eligible grades, in this case only
grade 5, will continue to be encouraged to apply for the stipend by filling out a simple application form asking about indicators correlated with poverty such as asset ownership, housing characteristics, breadwinner’s job status, etc. Assistance will be provided to parents who may have difficulty submitting the application due to literacy, language or other reasons. Teachers will also continue to be asked to fill out five questions on observable characteristics of their students such as whether or not he/she has the correct uniform or supplies to complement the information provided by parents. After this step, the stipend subcommittee of the SQIC, the SQIC-SSP, will rank students based on the information provided and selects students up to the allocated quota. The ranking of the students will be discussed in future consultations (as listed in the CPP of the given schools) so that participant can use their knowledge of the student, her family, and her socioeconomic status to adjust the rankings to ensure that the neediest students receive the stipend. The SQIC-SSP will then communicate the result of the selection process to all applicants’ households. The list of applicants and selected students will be available for review at the school (but not posted publicly for privacy reasons). Applicants will also be informed that they have the right to complain, using the GRM, if they believe the selection result or process was unfair or carried-out without following the agreed upon process.

12.4.2 Eligibility and targeting communities (schools/center/institutions) within townships

Eligibility. Within the targeted townships, all schools officially recognized by the MOE (that is, government and monastic schools as well as official non-formal education centers and eventually recognized partner alternative education institutions) as well as temporary learning centers (TLCs) and ethnic basic education providers (EBEPs), who express interest, will be eligible for technical support by the MOE and WB\(^{22}\).

To mitigate risks around social inclusion and discrimination in the country in general, eligibility for the school improvement fund (SIF), the Student Stipends program (SSP), and alternative education (AE) grants to partner non-state AE providers will, however, be more restrictive.

a) Government schools, registered monastic schools, and AE centers. For all schools and NFE/AE centers officially recognized by the MOE (including registered monastic schools), additional eligibility criteria for being eligible to financial supported through both the DFSP and the IAQE project) will be used. The eligibility criteria are as follows:

   (a) **Nondiscrimination.** The school head and teachers of each eligible school must commit (for that school year) to non-discriminatory practices (regardless of citizenship status, gender, ethnicity, religion, language, disability, and so on) in the context of enrollment and attendance as well as for in-school and in-classroom practices. As indicated below, this commitment will be confirmed through the messages of no-discrimination and “no child left behind” communicated in school-level consultations and presented on the pamphlets distributed to all groups in the school catchment area.

---

\(^{22}\) This includes design and roll-out of the School Quality Assurance Standards Framework (SQASF), Teacher Competency Standards Framework (TCSF), Alternative Education Quality Assurance Standards Framework (AE-QASF), teacher training, and other capacity-building and TA activities.
(b) Inclusive consultations. Each eligible school is required to carry-out the consultations, local social/vulnerability assessment, outreach activities as well as to prepare and implement their community participation plan as described above.

Schools and NFE/AE centers which do not meet these criteria, will not be eligible for WB financial support through the SIF, stipends and operational grants to NFE/AE centers.

b) Ethnic Basic Education Providers. Transfer of funding through SIF or SSP to non-state schools managed by Ethnic Basic Education Providers (EBEPs) will be eligible once a partnership agreement between MOE and a given EBEPs is effective. It is not possible to further narrow this down at this stage given that moving towards the development and effectiveness of partnership agreements with different EBEPs is an integral part of the IAQE project.

c) Temporary Learning Centers. TLCs in IDPs camps are currently not eligible for SIF support because they are not officially recognized by (despite receiving some in-kind support from) the MOE\(^{23}\). Risks around making the TLCs eligible include incentivizing/supporting/making the IDP camps permanent and overlapping and duplicating the work of other development partners (DPs).

Over the last year, the Education in Emergency (EiE) network of partners providing support to TLCs has been able to increase engagement with the MOE, bridging the EiE Humanitarian-Development Nexus by aligning the EiE interventions with the ongoing MOE-led reforms and engaging with the DPs and donor members of the Education Development Partners Coordination Group (EDPCG). This includes progress in integrating the MOE in the national and regional EiE groups and the expressed commitment from the Government of Myanmar to partially support education in the IDP sites.\(^{24}\) As the EiE sector strengthens its engagement with the MOE at the national level, discussions for the MOE’s ownership of the EiE leadership will continue to be explored. The MOE have started supporting some EiE activities, although it is not systematic nor comprehensive. These include partial coverage of volunteer teachers’ stipends, training of nongovernmental organization (NGO) staff in the new grade curricula for KG and grade 1, facilitation of the primary year-end examinations, and some provision of the required textbooks and joint monitoring visits.

If/after they are officially recognized, a review process will be held to determine eligibility of TLCs in IDP camps established before August 2017. This process will include a case-by-case review informed by discussions with relevant stakeholders including the MOE, members of the EiE network, and UN agencies as well as consultations with parents and communities residing in the

---

23 Provision of school improvement fund also requires accountable and auditable expenditure and failure for due diligence by TLCs may create issues and tension from which MoE would like to be cautious.

24 In November 2017, the MOE appointed an EiE focal point person within the Planning Section at the Department of Basic Education (DBE), with whom the EiE sector coordinator is working closely. Since then, the EiE sector has been invited to participate in the quarterly MOE-led subsector working groups (SSWGs) for basic education and AE. There has also been a commitment from the DBE and the EiE focal person to participate and co-facilitate/facilitate the EiE sector meetings on a quarterly basis, with the EiE meetings being hosted by the MOE in Naypyitaw every six months. The EiE strategy 2018–2020 outline was presented to the MOE during an EiE meeting in May and was co-chaired by the MOE.
relevant camps. TLCs in IDP camps established after August 2017 will not be eligible for WB financial support.

**Targeting.** Among eligible communities, targeting will only take place for (a) identifying participating schools under the Student Stipends program (except in the two new Rakhine townships where no school selection will be carried-out) and (b) identifying the location of the new non-formal education (NFE) and alternative education (AE) centers.

In all townships, informed by the data from the social assessment and information in the CPP received from schools, TEOs will organize a yearly township-level consultation meeting with representatives of diverse stakeholders present in the townships, with a strong focus on representatives of minority and marginalized groups. The general purpose of the meeting will be to strengthen the messages communicated by the schools in their consultations and outreach activities and to gather additional feedback on potential impacts and implementation.

Depending on the townships (i.e. for townships selected to participate in the two above-mentioned programs), the purpose and the protocol of the township level consultations will be expanded.

(a) **Ranking schools and assigning stipends quotas.** In the ongoing 55 Stipend townships, school selection has already taken place in line with the prior CPPs prepared for the WB support under the DFSP. However, modifications of list of schools selected (i.e. to which quota is assigned) in every given year of implementation, including under the AF DFSP, are allowed. In case of modifications to the quota assignment (i.e. selection of benefiting schools) the process will remain as described in the prior CPPF and current OGs. However, since evidence indicate that compliance of townships in assigning quota to schools based on need varies, more capacity building and support will be provided to relevant TEO team. The process is as follows.

Schools in selected townships are selected based on measures of poverty and low educational performance, which proxy for the share of poor students in the school. Due to a lack of reliable administrative data at the school catchment area level, the information used to construct these measures will be extracted from the school-level social assessment data and CPPs. Furthermore, the SH head of each potential school in selected townships will continue to be required to fill out a school characteristics (SC) form and submit it to the Township Education Office (TEO). The SC includes complementary indicators such as the share of students who occasionally miss school, the share of students who have no uniform or uniform in bad condition, etc. The ranking of schools will be carried out by a township stipends committee. This committee will aggregate inputs to make a composite score which will then be used to rank schools from most to least needy. The committee ranking of schools will be presented in the township-level consultation meeting. Discussions on potential modification to reflect local knowledge will be discussed and agreed upon at the meeting.

The ranking and quota allocation to schools will be publicly available and posted at the TEO. All SH and community members will be informed, through official communication and school-level consultations and outreach activities that they have the right to complain, using the GRM, if they
believe the selection result or process was unfair or carried-out without following the agreed upon process. Attendance to this township-level meeting will also be recorded.

Recognizing the sensitivities in Rakhine around targeting of communities and the important needs for support of all communities, there will be no school selection in the two new Rakhine townships where this program will be implemented.

(b) Non-formal and alternative education. Financial support to the alternative education (AE) sector under the IAQE aims to improve the quality and increase the scale of non-formal education (NFE) and AE service provision. With townships, this will be accomplished through the opening of new NFE centers managed by DAE and of new AE centers management by non-state AE partners. To maximize the social benefits, ensure free and informed participation, and minimize adverse impact of the program, DAE focal points in the Township Education Office will use the opportunity of the township-level consultation meeting to gather information on demand for NFE/AE services and potential partners as well as feedback on preferred location and modalities of the new services.

Assessment and geographical distribution of demand or needs for NFE/AE services within the townships will be informed by the analysis of the social assessment data gathered by schools and submitted to the TEOs. From this analysis, an overview of characteristics and location of school-age children not participating in formal schooling should emerge. Through the discussions with participants to the meeting, a list of potential non-state providers (completing the list already compiled by DAE) will be compiled. Finally, proposed modalities of services will be presented and discussed with participants to gather feedback, identify potential impacts, and propose mitigation measures and improvement to local implementation strategies.

Outcomes of the meeting and attendance in the meeting will be recorded. This report will be submitted to DAE, with a copy to SREOs.

Evidence of broad community support to the MOE programs, at the school and township level, is expected to result from the processes described above. Where broad community support is not ascertained, notification will be sent to DBE and decision on how to move forward will be made and documented.

12.4.3 Targeting townships within States and Regions

Targeting and selection of townships within State and Region is relevant in the context of the scaling-up of the SSP in Rakhine State (supported under the AF DFSP) as well as for the implementation of the top-up school improvement funding, in-service training, and non-formal/alternative education programs (supported under the IAQE project). In the unlikely case where MOE chooses to replace some of the current Stipends townships with new ones, a re-ranking of townships following the same process as described below for Rakhine State selection of new Stipends townships will inform the identification of townships to be phased-out and those to be phased in in other regions and state. Being intrinsically system-wide, there will be no townships selection for PFM and HRM programs. Regarding partnerships, all townships where Ethnic Basic Education Providers (EBEPs) are delivering education in a systematic way
will be automatically included in the activities, to the extent that this is feasible and accepted by all parties, so no selection will be taking place.

The following townships selection procedures will be followed.

a) **Indicators and need-based ranking.** Data sets of township-level socioeconomic and education indicators (relevant each program and for which data are available at this level of disaggregation) have been prepared. Indicators used vary according to the programs to better capture their different objectives.

i. **Top-up school improvement funding and in-service training.** The indicators used will be the (a) shares of students in schools with no library, no electricity, no drinking water, and no toilet; (b) enrollment rates in primary, middle, and high schools; (c) shares of students in remote and difficult to access schools; (d) infant mortality rates and child malnutrition; and (e) a multidimensional deprivation index (including health, education, other services such as electricity, and so on).

ii. **Non-formal and alternative education.** The indicators used will be the (a) number of children out-of-school, working, and having never attended schools, per age group (in each township); (b) infants, under 5, and maternal mortality rates, as well as child malnutrition and immunization rates; and (c) a multidimensional deprivation index (including health, education, other services such as electricity, and so on).

iii. **Stipends in Rakhine.** The indicators used will be the (a) transition rates from primary to middle school and from middle to high school of students and average retention (including grade 1-4); (b) share of students in schools with no library, no electricity, no drinking water, and no toilet; (c) shares of students in remote and difficult to access schools; (d) infant mortality rates and child malnutrition; and (e) a multidimensional deprivation index (includes health, education, other services such as electricity, and so on).

Using the values taken by these indicators, a ‘need’ index which is a weighted sum of dummy variables indicating if a township is worse off than the average township-level indicators was computed. Then, townships were ranked based on this index to help prioritization and selection.

b) **Share of townships in a given State/Region.** To maximize country-wide equity of the selection process outcome while minimizing political sensitivities around not including certain states or regions, for all states/regions except Rakhine, the ‘need’ index was also used to systematically determine the share of townships to be selected in the given states/regions so that those with higher average ‘need’ indexes end up with a higher share of selected townships.

In Rakhine, except for Stipends where only two townships will be selected per project design and budget constraints, to reduce the risk of creating more social tension, recognize limitations of the census data in that state, and account for the comparatively low education outcomes and high
poverty levels even before the events of August 2017, a whole state approach is followed. In other words, except for the Student Stipends program (and the civil work portion of the top-up school improvement funding program), all townships in Rakhine are automatically targeted and no township selection will take place.

c) **Pre-ranking and pre-selection.** As indicated above, townships were ranked according to the value of the ‘need’ index. The highest ranked predetermined proportion of townships is said to be ‘pre-selected’. The list and maps illustrating the need index and the result of this “pre-selection” are provided in Annex X.

d) **Consultations and final ranking/selection.** In all states and regions, inclusive consultations will be held to validate indicators, weights and resulting index and to improve upon the ranking using qualitative evidence and local knowledge about township needs. The consultations will be driven by available data (i.e. will make extensive use of the indicators and resulting need index) but will allow for some modifications to the ranking based on these consultations. Any modifications to the ranking because of the consultations will be documented in the minutes of the meeting, reviewed and filed. Furthermore, consultations will be used to assess feasibility constraints and risk (for example, in conflict-affected or contested areas) and apply basic principles of supporting inclusion and peace and not strengthening exclusion dynamics. Feasibility constraints and risks, as well as other objectives such as rigorous evaluations of impacts, will inform the phasing-in timeline of prioritized townships.

Following instructions by DBE and DAE, these consultations will be organized and facilitated by SREOs who will have previously been introduced to and trained on the data and process. The meetings will be chaired by states/regions social minister and participants will include local government, members of parliament, GAD, CSOs and NGOs, community Elders, Ethnic and Religious Leaders, and school heads, as well as observers from DBE and DAE and the WB. The invitation list will be agreed upon in advance (to be reviewed and approved by the Union-level MOE and WB) and detailed records (attendees; minutes) will be maintained.

### 12.5 IMPLEMENTATION AND MONITORING ARRANGEMENTS

#### 12.5.1 Implementation arrangements

Implementation of this CPPF is organized at the Union, State/Region, township, and school/centers/community levels. The roles and responsibilities of the different levels are summarized below.

e) **Schools and NFE/AE centers:** Schools and NFE/AE centers as well as the communities they serve are the ultimate beneficiaries of the supported programs. Schools and NFE/AE centers are responsible for establishing a representative and inclusive School Quality Improvement Committee (SQIC) or Alternative Education Quality Improvement Committee (AE-QIC) and relevant sub-committee (e.g. to manage implementation of the SSP) who will assess school’s and/or center’s need and prepare the school/center improvement plan, including the CPP, in
consultations with the school/centers catchment areas. This committee will be chaired by the School/center Head and comprise as members teachers from the school and representative of the communities. Its capacity will be strengthened, trained, and advised as needed by TEOs and other relevant technical experts. It will supervise implementation of programs and ensure it is done according to OGs, including element relevant to this CPPF.

f) **Township:** At the township level, the Township Education Officer (TEO) assume primary responsibilities for day-to-day implementation of WB-supported MOE programs including this CPPF. Each TEO will receive support from technical experts and from the Union level departments (DBE, DAE, DERPT, DM&E-R) on issues including compliance with safeguards (including this CPPF), financial management, procurement, monitoring and evaluation, GRM and others.

  g) **State/Region:** State and region education offices (SREO) will be responsible for overseeing implementation of programs, including this CPPF, in their townships. They will also facilitate the selection of townships for the targeted programs through inclusive consultations of stakeholders in their state/region.

h) **Union:** Implementation and compliance with the CPPF ultimately lays with DBE and DAE which is responsible for implementation of the supported programs. DBE and DAE will also be responsible for regularly reviewing implementation progress, as reported by the decentralized authorities or observed through monitoring visits, to identify issues of non-compliance or potential negative impacts of programs requiring actions to be remediated, minimized or mitigated. DBE and DAE will officially report on the status of the implementation of and compliance with the CPPF to the WB annually as part of MoE’s reporting on program implementation. They will also immediately notify the WB on any evidence of possible non-compliance with this CPPF and negative impact of the programs as well as on actions taken in every such case.

12.5.2 **Monitoring arrangements**

Throughout the implementation of the WB-supported MOE programs, several mechanisms will be used to monitor compliance with the CPPF, including social assessment, consultations, targeting, payments, etc. and any negative impacts that may arise.

These mechanisms include:

h) Regular inspection visits by the TEO team to all schools and NFE/AE centers, with participation of DBE and DAE Union level staff as needed, will include reviewing compliance with the CPPF;

i) Joint monitoring visits to a sample of schools and NFE/AE centers from team made up of representatives from Union MOE departments (mainly DBE, DAE and DM&E-R) and donor partners (DPs) will be carried-out twice a year in a sample of schools to assess performance in project implementation as well as compliance with environmental and social safeguards including this CPPF;

j) Monitoring, qualitative assessment, and spot-checks visits will be carried-out on a continuous basis throughout the year by external agent recruited by the WB;

k) Beneficiary assessments and satisfaction surveys will be carried-out through calls and text
messages to members of the SQIC, township-level committee, and communities; and

I) WB’s own supervision visits to schools which will include monitoring safeguards compliance will be carried-out on a regular basis.

Data from the above exercises will be disaggregated by geographical location, gender, type of schools/centers, and to the extent possible by ethnicity of beneficiaries.

More details on the monitoring of compliance with safeguards, including this CPPF, are provided in main text of the ESMF.

12.5.3 Capacity Building of Key Stakeholders

Capacity building of key stakeholders is and will continue to be weaved into regular capacity building and training sessions (including initial training, refresher, and review workshops) on the implementation of programs as described in OGs. These training includes presentation of key principles, protocol and procedures, and implementation and monitoring arrangements of this CPPF. The capacity building modules will continue to be based on rich findings of the monitoring activities and develop in collaboration between the MOE and WB to adequately integrate lessons learn and address identified issues and bottlenecks. The WB is continuously helping to ensure inclusion of CPPF elements in the MoE’s training of TEOs, TGSCs and school headmasters, and participated, to the extent possible, in training sessions. The same approach will be continued over the years to come.

12.6 Grievance Redress Mechanisms

Complaints and grievances in general, and regarding Civil Works and application of this CPPF in particular, will be dealt with using the strengthened MOE GRM to ensure that activities are implemented transparently and accountably, that voices of poor and marginalized groups are heard, and that issues and grievances raised are resolved effectively and expeditiously.

The key principles and protocols for implementation of the GRM are described Annex X. Detailed processes and procedures will be described in the WB-supported Programs Operations Guidelines (OGs) and will be made publicly available at the village/school level, including through pamphlets, posters, other visual materials, as well as text message in all relevant local languages (to the extent possible).

12.7 Rakhine

Given the situation in Rakhine State, which differs per areas, this CPPF applies differently to the three Northern townships of Buthidaung, Maugdaw and Yathedaung (BMY) and other central and southern townships.

(a) Buthidaung, Maungdaw and Yathedaung. In BMY, the eligibility criteria for schools and CPPF requirements will be heightened as described below.

(i) Because of the controversial reconstruction in BMY since the events of August 2017, prior review and no objection by DBE and the WB of the school-level social
assessments and CPPs will be required before funds can be received and activities implemented.

(ii) Careful and extensive monitoring of the inclusive communication of the messages around non-discrimination and “no child left behind” policy, no matter the ethnicity, religion, gender, citizenship status, disability, etc. verbally and in writing in pamphlet through consultations and outreach will be carried-out.

(iii) Unrestricted access to all project sites for the WB team and/or external agent(s) recruited by WB to carry-out enhanced supervision and monitoring of implementation, including in-person visits, phone-based surveys and assessment, will be required to continue disbursement.

(iv) TLCs in IDP camps established after August 2017 will not be eligible for funding from the WB projects (DFSP or IAQE).

(b) **Other townships.** For existing schools located in other Rakhine townships, the same principles, conditions, protocols and procedures of this CPPF as in other regions or state will apply. However, monitoring of the compliance with this CPPF and potential negative impacts of the civil works activities will be enhanced through the larger sample of schools to be visited by the external agents recruited by the WB and the WB team itself as well as in the context of cell-phone based beneficiary assessments.
13 ANNEX B: RESETTLEMENT POLICY FRAMEWORK

13.1 OBJECTIVE AND POLICY FRAMEWORK

In the years to come, the World Bank (WB) will provide technical and financial support to the implementation of several Ministry of Education (MOE) programs which are also components and activities of the National Education Strategic Plan (NESP). In particular, as part of subcomponent 1.1 of the Inclusive Access and Quality Education (IAQE) project, school-managed civil works involving upgrading, rehabilitation and expansion of existing government schools (major repairs) under the Department of Basic Education (DBE) raises concerns related to adverse impacts of potential land acquisition.

Civil works such as those which will benefit from the WB financial support through the major repair funding stream channeled to the schools may, under certain circumstances, result in loss of private land. The likelihood of this occurring is low given that only the upgrading, rehabilitation and expansion of existing schools, which already own land, will be financed. It is expected that most expansion works will use lands adjacent to existing schools infrastructure, already belonging to the school. No new schools will be constructed using WB financing. If loss of private land occurs, the impact will also likely be minor, given the small size of the works, and all affected people would directly benefit from the investments that would lead to such a loss.

This Resettlement Policy Framework (RPF) provides the summary of policies, processes, procedures and implementation and monitoring arrangements regarding land acquisition under the WB-supported MOE program of civil works. It aims to ensure that any negative impacts related to implementation of these civil works are avoided, minimized and properly managed. It includes a protocol for voluntary land donation. No expansions requiring involuntary land acquisition or physical relocation of households is eligible for WB financing.

This RPF therefore lays down the principles and objectives, eligibility criteria, legal and institutional framework, protocols and procedures for voluntary land donation and participation of affected people and grievance procedures, which will guide how loss of land that may result from the implementation of the civil works would be avoided, minimized and mitigated.

This RPF is fully consistent with and responsive to the WB relevant involuntary resettlement policy (OP 4.12 Involuntary Resettlement). It was developed based on assessments and preparatory activities carried-out during preparation of the IAQE project, and considerations for the experience of the MOE and other partners in financing and implementing similar activities in the sector.

13.2 PRINCIPLES

The principles outlined in the WB Policy on Involuntary Resettlement were adopted in preparing this document. Therefore, this RPF aims to ensure that the school-managed civil works program benefiting
from WB financing will be implemented in an environmentally and socially sustainable manner and in line with the Bank’s OP 4.12.

Specifically, the following principles will govern the program implementation regarding the loss in private land:

a) Loss in livelihoods associated with or caused by the project should be prevented and, where unavoidable, minimized and fully compensated;

b) Environmental and social benefits should be enhanced wherever possible and potential negative environmental and social impacts should be avoided, minimized and mitigated;

c) Anyone residing in, gaining income from, or having tenure rights over land that will be affected by school-managed civil works program financed through the IAQE is free to donate (or not), temporarily or permanently, land without regard to their tenure status or ethnic background;

d) Economic and physical displacement should be avoided. Physical relocation of households is not allowed;

e) The size of the impact should be very minor. Civil Works designs will be adjusted or alternative locations will be sought if any household may lose more than the specify share of the productive land asset specified in the protocol below;

f) Implementation of civil works will commence only after voluntary donation processes is fully completed;

g) The capacity of MOE to manage environmental and social impacts in general, and to manage implementation of this RPF in particular, will be strengthened.

Principles and procedures outlined in this RPF will be included in MOE Operating Guidelines and yearly training curriculum.

13.3 Eligibility and Protocols and Procedures of Voluntary Land Donations

It is expected that all civil works impacts will be addressed through voluntary donation without any significant or long-term impact on livelihoods. Anyone whose livelihood will be adversely impacted will be free to refuse to donate portion of their land, and alternative siting or design will be sought.

13.3.1 Eligibility

Schools requesting MOE-WB support for civil works (major repairs) must confirm their current land ownership situation as well as indicate location of civil works and confirmation of voluntary land donation as needed. In other words, schools will be required to attach to their request for funding a copy of the form 105 of the school from the land revenue department (land mapping) which confirms that ownership of the land on which the school is currently located is uncontroversial and provides the size of the current school area. If new land is necessary, the procedures of this RPF apply and confirmation of the voluntary land donation should also be included in the request.

Community members who benefit, directly (parents) or indirectly (other community members), from the school-managed civil work activities will be allowed to donate land to the school without compensation. Only voluntary land donation is allowed under this RPF. No involuntary land acquisition or physical relocation of households is allowed. If affected people are unwilling to donate land without compensation,
or if the process to confirm voluntary land donations described below cannot be followed, the proposed civil works will be ineligible for WB financial support.

13.3.2 Protocol and Procedures

The following protocol and procedures will govern voluntary donations of land. These can also be interpreted as conditions for the civil works activities to be approved and to receive funding.

a) Informed consent and grievance redress mechanism: Voluntary donations are an act of informed consent and affected people (legal owners or occupants/users) are not forced to donate land with coercion or under duress or misled to believe that they are obliged to do so, without regard to the ethnic background or legal status of their land occupancy. Therefore, potentially affected people will be fully informed that they have the right to refuse to donate land and that a grievance redress mechanism (GRM) is available to them through which they can express their unwillingness to donate. People will be encouraged to use the GRM if they have questions or inquiries, either in writing or verbally and adequate measures will be in place to protect complainants. This information will be summarized in a pamphlet in all applicable local languages (to the extent possible) and distributed in all participating communities.

b) Eminent domain: Voluntary donations will be allowed only if the civil works activity can technically be implemented in another location than where it is planned. If the activity is location-specific by nature, land acquisition associated with such activity cannot be considered as voluntary; rather, it is an act of eminent domain. In such cases, the proposed civil works will be ineligible for WB financial support.

c) Impact size: Voluntary donations are allowed only for very minor impacts that meet the following criteria:
   o The households contributing land will benefit directly (parents) or indirectly (other community members) from the activity;
   o The total size of productive land owned by the affected household is more than 300m2;
   o The impact is less than 5 percent of the total productive land owned or used by said household;
   o No one will be physically relocated.

d) Temporary donation: If land is donated temporarily, e.g. for storage of construction material, the land will be reinstated to the original state after the completion of civil works.

e) Mechanism for consulting with affected persons and confirmation of the voluntary nature of the donation:
   o Schools are responsible to establish a representative School Quality Improvement Committee (SQIC), comprising of school officials and a representative sample of community members, who will assess the schools need and prepare a school improvement plan. If the participatory improvement plan prioritizes an activity that requires private land, the subcommittee of the School Quality Improvement Committee
for civil works (SQIC-CV) will confirm through a face-to-face meeting that the affected people are indeed freely agreeing to donate land without compensation. This consultation should be done in a free, prior and informed manner, in a language that is accessible to affected people. After verbal confirmation, the SQIC-CV will fill-in, in collaboration with the affected people, the voluntary donation form. All living heads of the affected household, i.e. both the husband and the wife if alive, will sign two copies of the form in the presence of the SQIC-CV. The minutes of this meeting, including the voluntary donation form and the confirmation that all conditions for voluntary donations in this RPF are met, will be attached to the request for funding.

- The Township Education Officer (TEO) then reviews and approves the signed voluntary donation form and keeps one original for review by MOE and the World Bank. The affected household keeps another original signed form. The TEO then attaches to the school’s funding request for civil works, a copy of this form (along with all other required documents including a copy of form 105) prior to submitting it to MOE.
- The contracted engineers will be responsible for reviewing and confirming that the voluntary form donation and a copy of form 105 were appropriately submitted and filed at the TEO prior to confirming eligibility of the school for the Civil Works support.

f) Conditional start of civil works: Implementation of civil works involving voluntary donations starts only once the funding request is approved (and therefore after the signed voluntary donation form and copy of form 105 has been submitted to and reviewed by the TEO). Furthermore, as per country’s land guidelines, the civil works will only start after the confirmed land donation is “activated” (adequately transferred in land records). This is done through the confirmation that (i) form 39 (if the land donated has crops) and (ii) the revised Form 105 which executes and documents the land donation, has been filed. The contract engineers will be responsible to confirm that this step is completed prior to the starts of the works.

13.4 IMPLEMENTATION AND MONITORING ARRANGEMENTS

13.4.1 Implementation arrangements

Implementation of this RPF are organized at the Union, State/Region, township, and school/community levels. The roles and responsibilities of the different level are summarized below.

i) Schools: Schools and the communities they serve are the ultimate beneficiary of the civil works program. Schools are responsible to establish a representative School Quality Improvement Committee (SQIC) who will assess the schools need and prepare a school improvement plan. If the SQIC determines that upgrading, rehabilitation and expansion of the school facilities is a priority for the given school year, they will be required to establish a subcommittee responsible for oversight and management of the civil works (SQIC-CV). This subcommittee will comprise members from the school and communities and will be strengthened, trained, and advised as needed by the contracted engineers and/or TEOs. It will supervise the implementation of the civil works and report regularly to the larger community and parents about progress in implementation. The SQIC-CV is also responsible for preparing the request for funding through
the major repairs funding stream which includes, as described above, ensuring that all edibility criteria and conditions for voluntary land donation (if needed) as laid out in this RPF are met. The SQIC-CV will therefore ensure that no physical land transfer occurs before the voluntary land donation form is signed by the affected household(s) and reviewed and approved by the TEO.

j) **Township:** At the township level, the TEO assume primary responsibilities for implementation of WB-supported civil works. Each TEO will receive technical support from contracted engineers on issues related to capacity building and quality assurance of civil works, including compliance with this RPF, and from the Union level Department of Basic Education (DBE) of MOE on issues including financial management, procurement, monitoring and evaluation, GRM and others. The TEO will review and ranked, based on quality and needs as assessed with support from the contracted engineers, the funding request received from the schools. Incomplete requests, including those missing the documents stipulated in this RPF, will be ineligible and not ranked. The ranking and requests will be submitted by the TEOs to the SREOs.

The contracted engineers will be responsible for providing technical support to schools and TEOs and confirming that all protocols and procedures at the school level are carried out with due diligence and efficiency and in accordance with the relevant Operations Guidelines (OGs), this RPF and the ESMF. The contracted engineers will support TEO in ranking the funding request and monitor the implementation of the conditions for voluntary land donation including preparation and submission of the required forms and plans included in the funding request. After/if the request is approved, the contracted engineer will monitor activation of the voluntary donation of land and will notify DBE that the proposed civil works is ready for implementation. The implementation of Civil Works involving voluntary land donation will start only once this confirmation is given.

k) **State/Region:** State and region education offices (SREO) will be responsible for contracting the engineers tasked with providing technical support and quality assurance for the implementation of civil works in selected townships. They will therefore be responsible to ensure that recruited firm or individuals have the required skills and qualifications, including appropriate strategies to be communicate with all communities in their language, to support and monitor the implementation of this RPF.

l) **Union:** Implementation and compliance with the RPF ultimately lays with DBE which is responsible for civil works in government schools. DBE is responsible to transfer funding to top-ranked schools which have submitted complete funding request once readiness for implementation is confirmed by the contracted engineers. DBE is also responsible for regularly reviewing implementation progress, as reported by the decentralized authorities or observed through joint monitoring visits, to identify issues of non-compliance or potential negative impacts of the civil works program requiring actions to be remediated, minimized or mitigated. DBE will notify the WB on any notification of non-compliance with this RPF and negative impact of the civil works programs as well as on action taken in every such case.
13.4.2 Monitoring

Throughout the implementation of the civil works and after completion, several mechanisms will be used to monitor compliance with the RPF, including informed voluntary donation, and any negative impacts that may arise.

These mechanisms include:

m) Confirmation of compliance and quality assurance by the contracted townships engineers in schools benefiting from MOE-WB support for civil works who will review documents (as indicated above) and regularly visit school sites and be in a position to receive feedback;

n) Regular inspection visits by the TEO team to all schools which will include, when relevant, verifying informed voluntary donation;

o) Joint monitoring visits, twice a year in a sample of schools, from team made up of representatives from DBE and Donor Partners (DPs) to assess project implementation, including compliance with safeguards and this RPF;

p) Monitoring and spot-checks carried-out on a continuous basis throughout the year by external agent recruited by the WB;

q) Beneficiary assessment through calls and text messages to member of the SQIC and communities; and

r) WB’s own supervision visits to schools which will include monitoring safeguards compliance.

More details on the monitoring arrangements of compliance with safeguards, including this RPF, are provided in the main text of the ESMF.

13.4.3 Funding

Any involuntary land acquisition that would require compensation will be not eligible under the project. Therefore, no costs are expected in relation to this. The implementation of the RPF is otherwise integrated into project design through making voluntary land donation a pre-condition to any funding request that need to be submitted from communities. Capacity building to TEOs on RPF and other safeguards requirements will also be done through integrating these procedures into the standards operational guidance for TEOs and including these in the standard annual training curriculum delivered by MOE to all TEOs. MOE is in the process of incorporating RPF, CPPF and grievance requirements into the operational procedures and training curriculum and will have these ready before the next school year, starting in May. Given the integration of RPF measures into project design and general operational cycle of MOE, no additional, specific costs are expected for the implementation of the RPF.

13.5 Grievance redress mechanisms

Complaints and grievances in general, and regarding Civil Works and application of this RPF in particular, will be dealt with using the strengthened MOE GRM to ensure that activities are implemented transparently and accountably, that voices of poor and marginalized groups are heard, and that issues and grievances raised are resolved effectively and expeditiously.
The key principles and protocols for implementation of the GRM are described in the main text of the ESMF. Detailed processes and procedures will be described in the WB-supported Programs Operations Guidelines (OGs) and will be made publicly available at the village/school level, including through pamphlets, posters, other visual materials as well as text messages in all relevant local languages (to the extent possible).

13.6 RAKHINE

Given the situation in Rakhine State following the event of August 2017, which differs per areas, this RPF applies differently to the three Northern townships of Buthidaung, Maugdaw and Yathedaung (BMY) and other central and southern townships. Application of this RPF in Rakhine is defined as follows.

a) **BMY.** Because of the controversial reconstruction in BMY since the events of August 2017 and given the lack of information on land use prior to August by communities which were displaced, the WB-supported civil works (major repairs) program raising potential regarding land will not be implemented in these townships. Therefore, this RPF is not relevant to schools located in BMY.

b) **Other townships.** Existing schools located in other Rakhine townships will all be eligible to submit a funding request for updating, renovating and expanding their school facility. This RPF therefore fully applies in those cases. Principles, conditions, protocols and procedures of this RPF will be the same in these townships. However, monitoring of the compliance with this RPF and potential negative impacts of the civil works activities will be enhanced through the larger sample of schools to be visited by the external agents recruited by the WB and the WB team itself as well as in the context of cell-phone based beneficiary assessments.

13.7 MYANMAR LEGAL FRAMEWORK ON LAND ACQUISITION

Activities that require involuntary land acquisition will not be eligible for project financing.

However, a summary of applicable national laws that govern eminent domain and land acquisition are included below as reference and for comprehensiveness.

- Constitution of Myanmar (2008);
- Environmental Conservation Law (2012);
- Environmental Conservation Rules (2013);
- EIA Procedures (2015);
- Land Acquisition Act (1894);

The Land Acquisition Act (1894) has provisions for land acquisition for public purposes. Section 6 states that “that any particular land is needed for a public purpose, or for a company, a declaration shall be made to that effect”. Section 23, sub-section 1 states that compensation will be determined by a number of factors including “the market value of the land at the date of the publication of the notification”. Though
vulnerable groups are not specifically mentioned, Section 32 of the Constitution of Myanmar (2008) states that the Union will “care for mothers and children, orphans, fallen Defence Services personnel’s children, the aged and the disabled”. Section 356 of the Constitution of Myanmar (2008) further states that “The Union shall protect according to law movable and immovable properties of every citizen that are lawfully acquired.

The World Bank states that economic development requires, to varying degrees, providing infrastructure and facilities that improve livelihoods and well-being through the expansion of economic opportunities. The Bank investment projects must pass the litmus test of its own environment and social safeguards polices and the borrower country for a sub-project to receive funding. These safeguards policies help decision-makers to identify, avoid, minimize or mitigate harms to people and their environment. The Bank safeguards policies also require borrower governments to address specific environmental and social risks as a prerequisite to obtaining Bank financing for development projects.

At present, the school renovations or expansions are expected to be small scale infrastructure projects that are often on existing school lands. The sub-projects are not known ahead of time, but are only known once preferences are provided in funding requests.

The 1894 Land Acquisition Act provides principles, mechanisms, and procedures of expropriation, and defines fair and just compensation for the construction, rehabilitation, or expansion of public physical infrastructure that are deemed to be in the public and national interests. The Act also describes processes and procedures of resettlement induced by public physical infrastructure expansion projects.

The Land Acquisition Act (1894) has some consistency with the main principles of the Bank’s Involuntary Resettlement (OP/BP 4.12) policy and the OP/BP 4.12 will be adopted by the Myanmar sub-projects for required land acquisition and resettlement.

However, there are some gaps between the national regulatory framework and the Bank’s policy on Involuntary Resettlement (OP 4.12).
Table 1. Gap analysis between Myanmar Legal Framework and the World Bank Operational Policy 4.12.

<table>
<thead>
<tr>
<th>Subjects</th>
<th>OP 4.12</th>
<th>Myanmar Law</th>
<th>Gap/Project Measures</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1. Policy Objective – Livelihood Restoration</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Policy objectives / livelihood restoration</td>
<td>PAPs (Project Affected Persons) should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of Project implementation, whichever is higher</td>
<td>EIA Procedures (2015) Section 102(b): The Project Proponent shall bear full legal and financial responsibility for: PAPs until they have achieved socio-economic stability at a level not lower than that in effect prior to the commencement of the Project, and shall support programs for livelihood restoration and resettlement in consultation with the PAPs, related government agencies, and organizations and other concerned persons for all Adverse Impacts.</td>
<td>The project will ensure that any voluntary land donation will not adversely impact livelihoods of affected persons. Persons whose livelihoods may be adversely impacted will have an opportunity to refuse to donate land.</td>
</tr>
<tr>
<td>Subjects</td>
<td>OP 4.12</td>
<td>Myanmar Law</td>
<td>Gap/Project Measures</td>
</tr>
<tr>
<td>----------------------------------------------</td>
<td>----------------------------------------------</td>
<td>-----------------------------------------------------------------------------</td>
<td>------------------------------------------------------------</td>
</tr>
<tr>
<td><strong>2. Eligibility – Land Tenure</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
| Support for affected households who have no recognizable legal right or claim to the land they are occupying | Compensation for the loss of structures and other assets on the land, plus resettlement assistance to all project affected persons to achieve the policy objective (to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher) | National Land Use Policy (2016) Chapter 3, Section 16: In carrying out land information management:  
  - Legitimate land tenure rights recognized by the local community, including individual, household, collective and communal, whether or not they have been registered, recorded and mapped, shall be recognized, protected, and registered in accordance with laws.  
National Land Use Policy (2016) Part VIII, Section 66: When preparing and revising customary land use maps and records of ethnic nationalities, the responsible government departments and organizations shall do the following:  
  - Formally recognize and protect the customary land tenure rights and related local customary land management practices of ethnic groups, whether or not existing land use is registered, recorded or mapped. | The project will ensure that any voluntary land donation will not adversely impact livelihoods of affected persons. Persons whose livelihoods may be adversely impacted will have an opportunity to refuse to donate land. |
<table>
<thead>
<tr>
<th>Subjects</th>
<th>OP 4.12</th>
<th>Myanmar Law</th>
<th>Gap/Project Measures</th>
</tr>
</thead>
</table>
| **3. Compensation** | **Methods for determining compensation rates** | Compensation for lost land and other assets should be paid at full replacement cost | **Land Acquisition Act (1894), Section 23:** In determining the amount of compensation to be awarded for land acquired under this Act, the Court shall take into consideration:  
▪ the market value of the land at the date of the publication of the notification under section 4, sub-section (1);  
▪ the damage sustained by the person interested by reason of the taking of any standing crops or trees which may be on the land at the time of the Collector’s taking possession thereof;  
▪ the damage (if any) sustained by the person interested, at the time of the Collector’s taking possession of the land, by reason of severing such land from his other land;  
▪ the damage (if any) sustained by the person interested, at the time of the Collector’s taking possession of the land, by reason of the acquisition injuriously affecting his other property, moveable or immoveable, in any other manner, or his earnings; and | **National Land Use Policy (2016) Part V, Section 40:** When amending or newly enacting relevant laws, rules and procedures, they shall be in conformity with National Land Law and based on the following: Shall describe effective, consistent and fair valuation system when providing compensation and relocation for people affected by land acquisition | Only voluntary land donation that fulfill the criteria set in this RPF will be eligible under the project. Therefore, no determination of compensation is expected. |
### 4. Consultation & Disclosure

<table>
<thead>
<tr>
<th>Subjects</th>
<th>OP 4.12</th>
<th>Myanmar Law</th>
<th>Gap/Project Measures</th>
</tr>
</thead>
<tbody>
<tr>
<td>Consultation and disclosure</td>
<td>Participation in planning and implementation, specially confirming the eligibility criteria for compensation and assistance, and access to Grievances Redress Mechanisms</td>
<td>EIA Procedures (2015) Article 13: The Project Proponent shall: &lt;ul&gt;&lt;li&gt;a) arrange for appropriate public consultation through all phases of the IEE and EIA process as required by Articles 34, 50, and 61; and&lt;/li&gt;&lt;li&gt;b) disclose to the public in a timely manner all relevant Project-related information in accordance with this Procedure except that which may relate to National Security concerns as informed by the Ministry.&lt;/li&gt;&lt;/ul&gt;</td>
<td>Extensive consultation and participation will be conducted at every stage of the project (selection and prioritization of school repairs, ensuring that land donation is voluntary) in accordance with the CPPF, the RPF and project design.</td>
</tr>
<tr>
<td>EIA Procedures (2015) Article 34: The Project Proponent shall undertake the following public consultation process in regard to an IEE Type Project: &lt;ul&gt;&lt;li&gt;a) Immediately upon commencement of the IEE, disclose relevant information about the proposed Project to the public and civil society through the Project or Project Proponent’s website(s) and local media, including by means of the prominent posting of legible sign boards at the Project site which are visible to the public, and comply with technical guidelines issued by the Ministry; and&lt;/li&gt;&lt;li&gt;b) arrange the required complement of consultation meetings as advised by the Ministry, with local communities, potential PAPs, local authorities, community-based organizations, and civil society, and provide appropriate and timely explanations in press conferences and media interviews.&lt;/li&gt;&lt;/ul&gt;</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
EIA Procedures (2015) Article 50:  
As part of the [EIA] Scoping, the Project Proponent shall ensure that the following public consultation and participation process is carried out: 

a) disclose information about the proposed Project to the public and civil society through posting on the Project or Project Proponent’s website(s) and local media, including by means of the prominent posting of legible sign boards and advertising boards at the Project site which are visible to the public; and 

b) arrange the required complement of consultation meetings as advised by the Ministry, with local communities, potential PAPs, local authorities, community-based organizations, and civil society, and provide appropriate and timely explanations in press conferences and media interviews. 

National Land Use Policy (2014) Article 37: 
Fair environmental and social impact assessments: 
When drawing and implementing the project for land allocation and resettlement, the persons to be relocated shall be consulted systematically and shall be able to participate in person.
<table>
<thead>
<tr>
<th>Subjects</th>
<th>OP 4.12</th>
<th>Myanmar Law</th>
<th>Gap/Project Measures</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>5. Grievance Redress Mechanism</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Procedures for recording and processing grievances</td>
<td>Grievance redress mechanism should be under Government Officials Responsibilities for handling grievances with clear procedures for recording and processing grievances</td>
<td>Myanmar has taken actions recently to provide non-judicial grievance mechanisms to the public however it is of limited applicability</td>
<td>Grievances from PAPs (in connection with the implementation of the RPF, as well as general project implementation) will be handled by an accessible and functioning grievance mechanism at the community, township, region/state and union level.</td>
</tr>
<tr>
<td><strong>6. Monitoring &amp; Evaluation</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Monitoring and evaluation</td>
<td>Internal and external monitoring are required</td>
<td>Not included.</td>
<td>MOE will conduct monitoring and provide reporting on voluntary land donations through different modalities as defined in the RPF.</td>
</tr>
</tbody>
</table>
# 14 Annex C: Voluntary Land Donation Form

<table>
<thead>
<tr>
<th>Region / State:</th>
<th>Township:</th>
<th>Village tract:</th>
<th>Village:</th>
<th>School</th>
<th>School ID:</th>
<th>Engineer:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Name of land owner:</th>
<th>NRC Number:</th>
<th>Parents of student: Y/N</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sex:</td>
<td>Age:</td>
<td>Occupation:</td>
</tr>
<tr>
<td>Address:</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Description of land that will be taken by the school upgrading, renovation or expansion:</th>
<th>Area affected (sq meter)(^{25}):</th>
<th>Total landholding area (sq meter)</th>
<th>Ratio of land affected to total land held(^{26}):</th>
<th>Map code, if available:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Length (meter)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Width (meter)</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Description of annual crops growing on the land now and project impact:</th>
<th>Type of tree/crop</th>
<th>Number of trees/Area of crops</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Trees that will be destroyed</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Fruit trees</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Trees used for other economic or household purposes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Mature forest trees</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Other significant crops grown in donated land.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Total: trees (#)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- crops (area)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Describe any other assets that will be lost or must be moved to implement the civil works:

<table>
<thead>
<tr>
<th>Value of donated land and other asset (if any):</th>
<th>Confirm affected people do not need to be physically relocated? (Yes/No)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

\(^{25}\) This number needs to be more than 300 square meters.

\(^{26}\) This ratio needs to be lower than 5 percent.
By signing or providing thumb-print on this form, the land user(s) or owner(s) confirms that (a) they met with the School Quality Improvement Committee and that they were informed, on this occasion, that the contribution is absolutely voluntary and that a phone number, location of the letter box, and name of people to contact in case of concerns were share with them and (b) they agree to contribute land to the school for implementation of the proposed civil works. The contribution is voluntary. If the land user or owner does not want to contribute his/her land to the school, he or she should refuse to sign or provide thumb print.

Date:............................

School Quality Improvement Committee representative’s signature

Date:............................

Affected persons signature
(both husband and wife if alive)
15 ANNEX D. ENVIRONMENTAL CODE OF PRACTICE

15.1 CONTEXT AND SAFEGUARDS ISSUES

15.1.1 Context

Since 2014, the Decentralizing Funding to Schools Project (DFSP) has supported MOE in strengthening the transfer of funding to schools by (a) giving school head teachers and communities a greater say in how resources are spent; (b) providing a transparent, reliable, and flexible source of resources to schools; and (c) encouraging parents to be involved in their allocation. The program’s implementation was successful, amongst others in (a) making implementation more consistent by introducing well-defined program objectives and performance indicators clearly laid out in guidelines; (b) increasing the number and type of schools receiving school grants, covering all public schools and monastic schools; (c) increasing the size of school grants; and (d) simplifying the budget lines available and increasing flexibility in the use of these lines by the school. However, results also indicated that further improvements are needed. First, the funding formula according to school size alone does not account for variation in per student cost and needs for schools of the same size and leaves remote and weaker schools disadvantaged; nor does it allow for the fact that some schools have better facilities than others. Second, the current list of eligible expenditures, despite being larger than before, still imposes some undue constraints on the spending autonomy of schools, especially with regard to school equipment or infrastructure (currently not allowed or limited by a ceiling in the case of minor maintenance). Third, despite the grant amount and budget being posted on the school notice board in most schools, the level of parent involvement in the decision-making process is highly variable.

With regard to major repairs and upgrading of school facilities, schools are currently able to secure funding, through the Township Education Offices (TEO), for small works by submitting a request against the ‘major repairs and maintenance’ budget code, which has an upper limit of MMK 10 million (about US$7,600). However, the lack of training and mentoring of schools which are selected for funding on facilities planning and management raises questions on the quality of planning for land use and construction, as well as completeness and structural soundness of the financed facilities. Furthermore, the restriction of allowed works to be managed by the schools in the ‘major repairs and maintenance’ (< MMK 10 million) category does not allow for new works. It was observed in the field that schools find a way around this rule to meet needs which involves putting up a structure at low cost and with no financial support and then using the category to ‘upgrade’ it. Because they commence without a design, this results in buildings that are not structurally engineered. Finally, where school-managed works are allowed, the provided engineering support is limited, expected to come mostly from the Township Quality Assurance Committee (TQAC). However, the TQAC depends on the advice of engineers from either the Ministry of Commerce or the Department of Rural Development, who are fully engaged in their own projects and do not have time to undertake designs, visit sites, or otherwise provide the necessary quality control.

Through component 1 of IAE, the World Bank (WB) will support needs-driven infrastructure investments by MOE into schools in response to specific infrastructure requests and proposals from schools. It will provide funding to schools to manage, in close participation with the community, maintenance and repair to clear the maintenance backlog, make major renovations and upgrades, and construct complementary facilities such as latrines and new classrooms with a focus on kindergarten and/or to achieve student-to-class ratio targets. To do so, the MOE will build on its recent experience in delegating civil works management to the schools, with support of the communities, when the cost was low, and/or local
tradespersons and contractors were nonexistent, and center-based contractors were not interested or were too expensive. Once a decision is made to apply for such funding at the school level, a specific sub-committee of the School Quality Improvement Committee for civil works will be established to prepare the request and, if approved, manage the funds and related procurement, following a set of pre-specified new rules to strengthen financial and procurement integrity and transparency. This sub-committee will comprise members from the school and communities. Local tradespersons and contractors will be contracted to carry out the works alongside volunteers from the community. They are known by reputation and can be selected accordingly through a transparent process. Local materials and methods will be used, but the works plans and drawings will be designed and provided by the Department of Basic Education (DBE) to ensure that minimum standards are met. These plans will allow for local choices for non-structural materials to account for local availability and markets. Revisions to the current mechanism (minor works funding stream) for funding school-based facility works will include (a) establishing clear and transparent needs-based criteria to assess requests coming from schools, (b) amending procurement rules to allow school-managed major repair works as long as it is community supported and the cost is under MMK 10 million, and (c) putting in place the appropriate technical (engineering) monitoring and support mechanism at the decentralized township level.

15.1.2 Key Environmental Safeguard Issues

The project will be limited to minor civil works that will not cause significant environmental impacts. Environment-related risks stem primarily from small scale civil works involving upgrading, rehabilitation, or expansion of existing school facilities, and occupational and community health and safety during civil works. These risks are readily managed through standard operating procedures and good construction practices.

Potential adverse impacts associated with school civil works may include occupational and community health and safety arising from air pollution caused by dust and other air emissions, noise and vibration generated by construction equipment and trucks, solid waste generation and disposal, lack of and inconsistent use of personal protective equipment (PPE), and traffic safety. There is also a risk of the use child labor during construction. Other risks are associated with hazardous building materials such as asbestos containing materials, and paints used on school buildings.

Since the project is not expected to have any major environmental impacts it is classified as Category B under the World Bank categorization, requiring only partial environmental assessment. The project will involve civil works where locations will not be identified prior to appraisal. Potential construction impacts are expected to be minor, site-specific, and reversible in nature, and for which mitigation measures can be readily identified. No negative indirect or long term impacts are anticipated. Taking into consideration the type, location, sensitivity and scale of planned civil works and the characteristics and size of potential impacts, preparation of an Environmental Codes of Practice (ECOP) is considered the most appropriate environmental safeguard instrument for this project. In preparing this ECOP, reference was made to applicable World Bank operational policies and procedures, general guidelines for ECOP preparation, and national school construction guidelines27.

Rigorous application of this ECOP will ensure that any adverse impacts caused by civil works are avoided or minimized. Specifications to address environmental issues, including construction dust and noise

control, waste management and disposal, site management, and occupational and community health and safety measures covered in this ECOP will be included in tradesperson and contractor bidding documents and/or in guidance provided to community committees in carrying out school civil works.

15.2 **Applicable National Laws and World Bank Safeguard Policies**

15.2.1 **Myanmar Environmental Regulations and Guidelines**

Environmental assessment requirements are set out in the Environmental Impact Assessment (EIA) Procedure (2015). Projects involving small scale civil works are not specifically identified in Annex A – Categorization of Economic Activities for Assessment Purposes of the EIA Procedure. Neither an EIA report or environmental management plan is required for planned school renovation activities under the project. Instead an ECOP is considered appropriate to the nature of planned civil works.

The EIA Procedure and supporting EIA General Technical Guidelines provide that projects should comply with international good practice as detailed in the World Bank Group Environmental Health and Safety Guidelines. Additionally, projects are subject to national Environmental Quality Emission Guidelines (2015) which cover air emissions, waste water, noise levels, and odor. Occupational health and safety covers general facility design and operation, physical and chemical hazards, personal protective gear, and accident and disease monitoring. Similarly, community health and safety guidelines include water quality, structural safety of project infrastructure, life and fire safety, traffic safety, disease prevention, and emergency preparedness and response.

15.2.2 **World Bank Safeguard Policies Triggered**

OP/BP 4.01 Environmental Assessment is triggered for this project. Given the small scale of civil works, the project is categorized as ‘environment’ Category B. It is anticipated that proposed civil works involving the upgrading, rehabilitation, and expansion of schools will be typically confined to existing school premises. There are likely to be some concerns relating to inconvenience or nuisance (e.g., dust, noise, and construction waste) to surrounding areas during construction. These potential impacts are regarded as minor, site-specific, and reversible in nature, and for which mitigation measures can be readily identified. Given the small scale and nature of school civil works it is considered appropriate to prepare ECOP to address any potential adverse environmental impacts.

No other environmental safeguard policies are triggered. Specifically, OP/BP 4.04 Natural Habitats is not triggered since civil works will occur at existing school sites situated in or near towns, and as such will not cause any degradation of natural habitats. Similarly, the project will not degrade critical forest areas as defined under OP/BP 4.36 Forests. The project will not involve any procurement of pesticides nor cause increased pesticide use as defined under OP 4.09 Pest Management. No significant impacts on physical cultural resources are anticipated as defined under OP/BP 4.11 Physical Cultural Resources. This ECOP includes information about the procedure for obtaining clearance from responsible authorities if physical cultural resources are affected and includes provisions for addressing chance finds should they occur. The project will not involve international waterways as defined under OP/BP 7.50 Projects on International Waterways or be located in any known disputed areas as defined under OP/BP 7.60 Projects in Disputed Areas.
15.3 IMPLEMENTATION AND MONITORING ARRANGEMENTS

15.3.1 Institutional Responsibility for Civil Works Oversight

Civil works implementation will be led by the DBE in close collaboration with the Department of Education Research, Planning, and Training (DERPT). Monitoring of civil works will be carried out by township, district, and state / regional level monitoring and evaluation staff for primary, middle, and high schools respectively as part of their regular inspection and monitoring duties. Training on monitoring of school-managed civil works will be carried out by local (township level) engineering firms contracted by states/regions.

Specific implementation arrangements relating to civil works are:

a) DBE will develop and disseminate new guidelines, building on the School Quality Assurance Standards Framework (SQASF) including school planning and construction manuals, and supervise the contracting process of local engineering firms to provide support and carry out quality control of works.

b) DERPT will participate in the development of new guidelines, building on the SQASF.

c) State and Regional Education Offices will recruit, train, and deploy quality assurance teams at the state / regional, district, and township levels; manage state and regional quality assurance teams in training schools/committees on SQASF and the school quality improvement process; train District Education Offices (DEO) and TEOs; and invite contracted engineering firm to provide necessary inputs to major school improvement works.

d) DEOs will manage quality assurance teams at the district level in training schools / committees on SQASF and the school quality improvement process, and invite contracted engineering firms to provide necessary inputs to major school improvement works.

e) TEOs will manage quality assurance teams at the township level on SQASF and the school quality improvement process, assess technical aspects (including cost estimates) of funding requests, provide engineering quality control and guidance, and establish representative community-level monitoring groups to monitor achievement of standards.

f) Schools will be aware of and request support from TEOs and locally contracted firms for implementation of major repairs as needed.

15.3.2 Operational Performance and Institutional Capacity Development for Managing Civil Works

Civil works involving upgrading, rehabilitation and expansion of existing schools raises both health and safety, and labor and working conditions risks during construction. Initial knowledge and oversight of these issues by management and supervisory units is expected to be weak, but will be mitigated through targeted training and capacity building and the contracting of engineering support in townships. An additional concern associated with planned civil works relates to potential land acquisition and the government practice of often acquiring such land through ‘voluntary land donation’ without compensation. This represents a risk of involuntary land acquisition without compensation. The RPF for the project includes a protocol for voluntary land donation.

The institutional capacity to supervise school civil works and implement environmental safeguard measures varies depending on the nature of civil works being undertaken. Site visits by World Bank safeguard specialists to two primary schools in Bago and Pyinmana that had recently undergone
reconstruction and upgrading under current MOE programs (with no support from WB) identified that supervision of civil works by parent-teacher associations and school committees, DBE, and townships was inadequate. Irregular supervision focused on checking materials quality and craftsmanship. Typically, participation of an engineer was limited to major civil works. The quality of construction was lower when accomplished by the community as compared to local tradespersons and contractors. With regard to environmental safeguards, the supervisory personnel were not knowledgeable of safeguard instruments or implementation practices. Only rudimentary occupational and community health and safety precautions were being taken and it was not clear whether the simple ECOP under the DFSP was being applied.

Recommended measures to address the aforementioned deficiencies include: (i) consistent application of the new school construction guidelines, (ii) building capacity at the township level on monitoring of good construction practice and safeguards implementation, and (iii) regular monitoring of construction work. As part of this effort World Bank environmental and social safeguard specialists, who are based in Yangon and Bangkok, will provide regular implementation support to the MOE in applying the ECOP.

15.4 ENVIRONMENTAL CODES OF PRACTICE

15.4.1 Purpose of Preparing Environmental Codes of Practice

The purpose of formulating ECOP for school civil works is to ensure worker and public health and safety, improve working conditions, prevent and control air, noise and water pollution, and protect the environment. This is accomplished through the formulation of a set of detailed, technically feasible and operational countermeasures for potential adverse effects relating to civil works, and specifying the responsibilities of tradespersons and contractors, and management and supervisory units for implementing occupational and community health and safety, and environmental protection measures during construction. The ECOP both sets out the environmental management system for civil works and the duties and roles for implementing this system. Measures described in this ECOP should be implemented in conjunction with school construction guidelines (footnote 1), with the ECOP focusing on environmental protection and occupational and community health and safety while the guidelines focus on school building planning, design, construction and maintenance.

Specific measures contained in this ECOP to achieve the aforementioned objectives are summarized in Table 3.1. Provisions to be implemented, proportional to the scope of planned civil works (i.e., minor repairs and upgrading, medium size rehabilitation and expansion), are expanded upon in the following section.

15.4.2 General Requirements for Environmental Codes of Practice for School Civil Works

Guidance covered in this section is applicable to all aspects of civil works preparation and implementation:

- Tradespersons and contractors must follow relevant regulations relating to civil works and cooperate with local authorities to ensure full compliance with such requirements.
- Management and supervisory units should ensure that ECOP provisions are communicated to tradespersons and contractors and made part of their obligations.
- Tradespersons and contractors must abide by the ECOP and any other requirements specified by the management and supervisory units.
- Tradespersons and contractors should be directed by the management and supervisory units and actively cooperate with these units during the period of civil works.
- Tradespersons and contractors should designate persons to ensure implementation of the ECOP during the entire construction period.
- Construction workers should receive training on occupational and community health, and safety and environmental protection.
- Prior to commencing civil works, tradespersons and contractors should communicate with the public in the vicinity of schools to inform them of the scope and timing of civil works and the mitigation measures to be taken. Tradespersons and contractors should provide a contact person and phone number so that the public is able to make complaints and offer suggestions. All opinions and questions from the public should be recorded, and timely answers given to questions raised by the public.
- Management and supervisory units, and tradespersons and contractors should conduct a joint inspection in and around school sites prior to commencement of civil works to identify site-specific measures to be implemented during civil works. Aspects to be considered are important vegetation and trees within the school site and vicinity, potential to cause significant impacts on surrounding residences, proximity of hospitals and pagodas that might be affected by civil works noise and dust, deterioration of quality of nearby water bodies, and disruption of municipal services.
- Construction sites should be clearly marked and enclosed with temporary fencing and barriers to ensure both worker and public safety. Site access should be restricted to workers and warning signs displayed to inform the public of hazards.
- If municipal services such as water and electric power need to be interrupted due to civil works, notice should be given at the construction site and to affected residents, indicating the duration of service interruption.
- For any non-minor environmental or human health impacts arising from failure to comply with measures specified in the ECOP, tradespersons and contractors must respond in a timely manner, including immediately taking corrective measures, informing the management and supervisory units, recording the incident, and formulating preventative measures to avoid the reoccurrence of similar incidents.

15.4.3 Environmental Quality Control

Environmental protection measures should be implemented during civil works to ensure that applicable guidelines\(^\text{28}\) for ambient air, noise, and surface water are met. Effective measures for prevention and control of atmospheric, noise, water, and solid waste pollution, and improvement of environmental sanitation should be in place during civil works. Such measures should encompass (as appropriate to site-specific requirements) dust prevention, air emissions and noise reduction, waste water treatment, solid waste and domestic garbage handling, dedicated toilet and washing facilities for workers, and worker canteen and temporary accommodation.

a) Changes in Air Quality. Sources of dust from civil works include those produced by vehicles coming to and from a construction site, storage of building materials on site, earthworks, demolition works, construction activities such as concrete and mortar mixing, and solid waste and garbage handling. Corresponding dust control measures in the ECOP are:

- Use of existing roads in and around school sites.
- Covered storage of building materials (e.g., fine particulate and granular) on site, and shielding of handling operations.
- Dust minimization measures when conducting concrete and mortar mixing.
- Sprinkling of water for dust suppression around sites.
- Use of covered vehicles for transportation of materials to/from sites and facilities to wash vehicles exiting sites.

Harmful air emissions from construction sites are mainly from exhaust gas emitted by trucks and machinery, and solid waste and garbage disposal. Corresponding emission control measures in the ECOP are:
- Prohibiting burning of all kinds of construction wastes.
- Regularly maintaining trucks and construction machinery.
- Limiting the idling of trucks at construction sites.

b) Changes in Ambient Noise Levels. Noise generation during civil works is mainly from trucks and construction machinery, and construction activities (e.g., material cutting, hammering). Corresponding mitigation measures in the ECOP are:
- Working hours should generally be limited to the period 08:00-18:00 but additional restrictions may be imposed in permits for work on weekends and work being undertaken in close proximity to hospitals, pagodas and residences.
- Depending on site-specific conditions and proximity of construction to active classrooms, construction involving high noise should be scheduled outside of class times.
- Choose construction machinery and equipment with low noise levels (e.g., electric rather than diesel generators).
- Regularly maintain construction machinery and equipment to minimize noise levels.
- Effective shielding and enclosure measures should be adopted for noisy construction machinery and equipment.
- The speed of vehicles transporting materials should not exceed 20 km/h when entering construction sites, and avoid excessive use of horns.

c) Changes in Surface Water Quality. Waste water generated during civil works mainly comprises construction waste water and worker domestic sewage, with construction waste water comprising waste water from concrete mixing and vehicle washing areas. Improper handling and disposal of petroleum and chemicals also poses a risk. Corresponding discharge control measures in the ECOP are:
- Establish control measures to prevent waste water from moving off site and impacting receiving waters.
- Waste water from construction activities (e.g., concrete mixing) and vehicle cleaning areas should be screened to remove particulates and either re-used for dust suppression on-site or released to municipal sewage systems.
- Proper on-site handling and storage of petroleum and chemicals. Disposal of used oil and left-over solvents to off-site facilities.
- Waste food from canteens should be stored in closed containers and disposed of at municipal landfills.
- Temporary toilet facilities should be maintained and regularly emptied by a sanitary disposal provider.
d) Changes to Areas of Natural Habitat. Given that civil works will typically be undertaken within existing school premises, no impacts to natural habitats are anticipated. For instances where school premises will be expanded beyond existing grounds the ECOP provide that:

- All recognized natural habitats in the immediate vicinity of civil works will not be damaged or exploited.
- A survey and inventory should be made of large trees in the vicinity of the construction activity, large trees should be marked and cordoned off and their root system protected, and generally any damage to trees avoided.
- Adjacent wetlands and streams should be protected from construction site run-off with appropriate erosion and sediment control features.
- There should be no borrow pits, quarries, or waste dumps in adjacent areas.

e) Solid Waste Management. Solid waste produced during construction includes building waste and domestic garbage, with building waste comprising broken mortar and concrete, metal and composite material roofing, removed wood and new wood cut-offs, and building material packaging. Corresponding mitigation measures in the ECOP are:

- Establishing a covered storage area on site, with construction and domestic waste being stored separately.
- Different wastes produced during demolition and construction should be separated, with reusable and renewable materials recovered.
- Upon completion of civil works all remaining solid waste should be completely cleared and disposed of at off-site facilities.

Particular attention should be given to the handling and disposal of asbestos and asbestos containing materials (ACM) present in existing school buildings since exposure to asbestos fibers represents a significant human health risk. Although the extent of asbestos present in school buildings is as yet undetermined guidance is provided in the ECOP in case ACM are found during construction. Available guidelines on best practice for ACM removal and disposal should be followed in cases where asbestos is encountered. Use of ACM should be prohibited in new construction.

15.4.4 Changes Involving Loss of Physical Cultural Heritage

Proposed civil works sites are not expected to yield archaeological, paleontological or cultural findings of any significance since civil works will typically occur within existing school premises. However, there remains a possibility for (as yet undiscovered) sites of local cultural significance and archaeological relics.

The steps for applying the chance find procedure included in the ECOP are:

- Stop construction in the area of the chance find.
- Delineate the discovery site or area.
- Secure the site to prevent any damage or loss of removable objects.
- Notify the management and supervisory units who, in turn, will notify the responsible authority.
- The responsible authority assesses the significance and importance of the find according to various criteria, including aesthetic, historic, scientific or research, social and economic values.

---

- The responsible authority decides on how to handle the finding (e.g., changes in the site layout, conservation, preservation, restoration or salvage).
- Construction work should resume only after permission is given from the responsible authority.

The aforementioned chance find procedure should be included as a standard provision in construction contracts. During construction the management and supervisory units should monitor compliance with this procedure relating to any chance find encountered.

15.4.5 Occupational and Community Health and Safety

Preventative measures relating to occupational and community health and safety included in the ECOP include:
- Warning signs or instructions should be displayed at places around school sites vulnerable to occupational hazards.
- Regularly conduct occupational health training for workers and guide workers in proper installation of accident prevention measures (e.g., barriers to prevent falls) and the correct use of PPE.
- Tradespersons and contractors should provide safety helmets, face and eye protection, safety harnesses, and safety shoes appropriate to the type of activity in which workers are engaged.
- Tradespersons and contractors should adopt low noise equipment and reduce on-site mechanical noise on site. When operating or working in the vicinity of high noise generating machinery and equipment, workers should wear hearing protection.
- In workplaces with toxic or harmful gases, workers should wear respirators.
- In workplaces with high dust levels, workers should wear dust masks.
- When conducting welding operations, workers should wear protective masks or safety googles, gloves and other protective gear.

In addition to community health and safety provisions relating to air quality, dust, noise, and water pollution detailed in other sections, the ECOP contains guidance on securing of construction sites by tradespersons and contractors and regulation of construction-related traffic involving:
- Sign posting, warning signs, barriers and traffic diversions displayed both inside and in the vicinity of school sites that are clearly visible and which warn students and the public of potential hazards.
- Traffic management systems and worker training, especially for site access and near-site heavy traffic. Provision of safe passages and crossings for pedestrians where construction traffic interferes with their movement.
- Adjustment of working hours to local traffic patterns, avoiding major traffic activities during school time and heavy road use hours.
- Active traffic management by trained and visible staff at the site if required for safe and convenient passage of students and the public.
- Ensuring safe and continuous access to school buildings, office facilities, shops, and residences.

Another issue is relevant to communities’ concerns core labor standards. In particular, child labor use is not allowed at construction sites, with a child being defined as a person under the age of 18. A child

30 Comparable guidance is provided in school construction guidelines (footnote 1) on requirements for contractors to explain risks to students, restrict access to construction sites, keep students away from delivery vehicles, and involving the school administration in monitoring site safety.

31 ILO. 1976. Convention Concerning Minimum Age for Admission to Employment. Minimum Age Convention No. 138,
under the age of 18 but over the age of 14 may be employed or engaged only if the work is not hazardous and it does not interfere with the child’s education and is not harmful to the child’s health or physical, mental, spiritual, moral or social development. When children over the age of 14 are to be employed, the employer should conduct an appropriate risk assessment before work commences and conduct regular monitoring of health, working conditions, and hours of work.
<table>
<thead>
<tr>
<th>TOPIC</th>
<th>ASPECT</th>
<th>MITIGATION MEASURES</th>
</tr>
</thead>
</table>
| General Conditions            | Notification and good practice commitments | - Notify local authorities of planned civil works.  
- Acquire all required construction permits.  
- Post public notifications at accessible locations, including the site of planned civil works.  
- Carry out all work in a safe and orderly manner designed to avoid or minimize impacts on neighboring residents and the environment. |
| Environmental Quality Control | Dust / air quality          | - Utilize existing roads on and off site for construction vehicle movements.  
- Keep roads and paths free of debris to minimize dust.  
- Cover construction materials storage areas.  
- Suppress dust around construction site through regular water spraying and/or installation of dust screen enclosures.  
- Do not permit open burning of construction and other waste material on site.  
- Regularly maintain construction vehicles and machinery to minimize air emissions.  
- Discourage excessive idling of construction vehicles on site.  
- Cover materials while being moved in construction vehicles off site. |
|                               | Noise                       | - Construction noise should be limited to times agreed to in construction permits, but should generally only occur between 08:00 and 18:00.  
- Choose construction machinery and equipment with low noise levels.  
- During operations generators, air compressors and other powered mechanical equipment should be shielded, and equipment placed as far away from residential areas as possible.  
- Regularly maintain construction vehicles and machinery to avoid noise emissions.  
- Minimize construction vehicle speeds and use of horns. |
|                               | Water pollution             | - Establish control measures such as hay bales and/or silt fences to prevent waste water from moving off site and impacting receiving waters.  
- Before being discharged to municipal sewers, waste water should be treated (e.g. removal of particulate matter and petroleum, pH adjustment) in order to meet the minimal quality criteria set out by national guidelines on effluent quality. |
| Sanitary facilities during construction | Construction sites must be equipped with a toilet for workers.  
- Temporary toilets should be located at least 30 meters from existing wells or drinking water sources.  
- Temporary toilets should be regularly emptied and removed at the completion of construction by a sanitary disposal provider. |
| Natural Habitat | Protection of natural habitat | All recognized natural habitats in the immediate vicinity of a construction site should not be damaged or exploited.
- For large trees in the vicinity of construction, mark and cordon off with a fence and protect their root systems. Generally avoid any unnecessary damage to trees.
- Adjacent wetlands and streams should be protected from construction site run-off, with appropriate erosion and sediment control features.
- There should be no borrow pits, quarries or waste dumps in adjacent areas. |
| Solid Waste Management | Waste management during construction | Construction wastes should be separated into general refuse, organic, liquid and chemical wastes by on-site sorting and stored in appropriate containers.
- Tradespersons and contractors should minimize waste generation.
- Construction waste should be collected and disposed properly off site by a qualified provider.
- Records of waste disposal should be maintained as proof of proper management.
- Whenever feasible tradespersons and contractors should reuse and recycle appropriate and viable materials (except asbestos). |
| Asbestos management | If asbestos or ACM are found at a construction site they should be clearly marked as hazardous waste.
- When possible the asbestos should be appropriately contained and sealed to minimize exposure.
- Prior to removal, if removal is necessary, ACM should be treated with a wetting agent to minimize asbestos dust.
- Asbestos must be handled and disposed of by experienced professionals.
- If ACM is to be stored temporarily, it should be securely placed inside closed containers and clearly labelled.
- Removed ACM must not be reused. |
<table>
<thead>
<tr>
<th>Physical Cultural Heritage</th>
<th>Historical structures and artifacts, and chance finds</th>
</tr>
</thead>
</table>
|                           | - If a school building is a designated historical structure, very close to such a structure, or located in a designated historical district, notify and obtain permissions from responsible authorities.  
- Ensure that provisions are put in place so that artifacts or other possible chance finds encountered during excavations or construction activities are noted, responsible authorities contacted, and construction work suspended or modified to account for such finds. |

<table>
<thead>
<tr>
<th>Occupational and Community Health and Safety</th>
<th>Worker safety</th>
</tr>
</thead>
</table>
|                                             | - Appropriate sign-posting of construction sites should inform workers of rules and regulations to be followed.  
- Occupational health and safety training should be conducted regularly and reinforced by supervisory staff at construction sites.  
- Workers’ PPE should comply with industry good practice (i.e., always hard hats and safety shoes, and as needed protective masks, safety glasses, hearing protection, and harnesses).  
- Tradespersons and contractors should adopt low noise equipment and reduce mechanical noise at construction sites. |
|                                             | - Tradespersons and contractors should ensure that any lighting of a construction site and its perimeter is sufficient to ensure the safety of workers and other pedestrians. Lighting should be located and orientated so as not to cause intrusion to adjacent residences or distract passing vehicles. |

<table>
<thead>
<tr>
<th>Traffic and pedestrian safety</th>
</tr>
</thead>
</table>
| - Construction sites should be fully enclosed to protect the public and students and deter unauthorized entry. Temporary safety fences should be appropriately high above ground level.  
- Tradespersons and contractors should put in place a traffic management system and conduct worker training to ensure safe public passage and to minimize traffic disruption by construction vehicles.  
- Where reasonably practicable all loading and unloading of construction vehicles should be within the site boundary. Deliveries and collections should be scheduled to coincide with normal working hours.  
- Access to and from construction sites should be organized to allow vehicles to enter and leave the site in a forward gear. When necessary a gate marshal should be deployed to ensure the safety of pedestrians using adjacent public footpaths.  
- Working hours should be adjusted to take into account local traffic patterns, avoiding major transport activities during school time and heavy road use times.  
- Tradespersons and contractors should ensure safe and continuous access to school buildings, office facilities, shops and residences. |
Map 16.1 WB support to MOE programs by townships (2018 – 2021)

**KEY**

- **SISP/SIF/TMCSP Only (Country-wide programs)**
- **SSP**
- Pre-selected townships*: SIF (operations) and SIF (major repairs) and Teacher CPD, EGT and PT under IAGC
- Pre-selected townships*: NFE and AE under IAGC

*These townships were pre-selected by the WB but are not necessarily where programs will be rolled out as this will be based on consultations and a township selection process.
Map 16.2. 2017-2018 IAQE and DFSP consultations by township