



**ADALAH POSITION PAPER**

**May 2015**

**Inequality of Opportunity in Early Childhood Education:  
The case of 3- and 4-year-old Palestinian Arab children in Israel**

Education professionals widely acknowledge that the early years of a child's life are crucial for his/her holistic development. Attendance by 3 and 4-year old children in preschools provide them with opportunities to develop learning skills, build their self-confidence and advance their social and emotional abilities. The Israeli Ministry of Education, in its many statements, recognizes the importance of early childhood education and its major effects on the child and his/her family's lives.

While almost all Israeli Jewish children enter the educational system at the age of 3, many Palestinian Arab children, especially Bedouin children living in the Naqab (Negev) desert in the south of Israel, are not integrated into any educational framework at this age. This early absence, arguably contributes to their later lower educational attainment. **According to Adalah's records, around 75% of 3- and 4-year-old Bedouin children – citizens of Israel – do not attend or have access to preschools.**

***Early Childhood Education and the Law***

The Compulsory Education Law (1949) provides that children of compulsory age are “entitled to free elementary education at an official educational institution.” In recognition of the importance of early childhood education, Amendment 16 to the Compulsory Education Law, enacted *more than thirty years ago* in 1984, lowered the age of free and compulsory education from 5 years to 3 years. However, the government constantly postponed the full implementation of Amendment 16. It provided preschool education only in certain localities with lower socio-economic rankings.

In 2012, after a summer of public protests and the establishment of the Trajtenberg Committee, which was tasked with formulating a new socio-economic agenda, the government issued Resolution 4088. This resolution reaffirmed the need for the government to implement Amendment 16 and to supply free preschool education for children starting from age 3. It also required the state to designate public funds to build the classrooms required.

Amendment 16 is expected to enter into force starting from next school year, 2015-2016. Parents will also be obligated to send their children to schools starting from the age of 3. As this change brings good news for many parents, as it removes the financial burden of sending their 3- and 4-year-old children to private preschools, the State has still not provided any answers to the grim situation facing Arab schools and Arab children. For them, there is a severe shortage in the needed educational frameworks and resources allocated by the state.

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## ***Inequality of Opportunity in Education***

According to Ministry of Education data, in the years 2010-2014, the number of Arab children in preschools throughout the country was significantly lower than that of Israeli Jewish children.<sup>1</sup> For example:

- In 2010, only 60% of 3-year-old Arab children attended preschool, as compared to almost 70% of Jewish children. By 2014, while almost 90% of Jewish children attended preschool, less than 75% of Arab children were registered.
- In 2014, around 95% of 4-year old Jewish children attended preschools, whereas only 85% of Arab children attended preschools.<sup>2</sup> The percentages of Bedouin 3- and 4-year-old children who attended preschool are much lower, standing at only 25%.<sup>3</sup>

The reasons behind these gaps in preschool attendance between Israeli Jewish and Arab children can be attributed to the Ministry of Education's negligence regarding the needs of Arab children. There is a severe lack of educational frameworks, as well as a lack of access to them, and unequal allocation of resources, including inadequate funding.

### The lack of preschool frameworks and access to them

**Adalah found that around 75% of 3- and 4-year old Bedouin children in the Naqab do not attend preschools.** Table 1 below shows the numbers of 3- to 5-year-old children registered in an educational framework, as compared with their total number, in both school years 2012-2013 and 2013-2014. The main reasons behind the stark disparities are **shortages in preschools** and **lack of transportation** to already existing ones.

According to data provided by the two Regional Councils of Al Qassoum and Neve Midbar in the Naqab, which are responsible for providing Bedouin residents with education, **there were only 73 preschools in both Regional Councils** for 3-4 year old children and 73 kindergartens for 5-year-old children as of April 2015.<sup>4</sup> These 73 preschools are based almost exclusively in recognized villages and are supposed to serve the estimated 9,200 3- and 4-year old children in the Naqab. With an estimated number of 30 children per classroom, the Regional Councils still need to provide over 200 classrooms in order for all children to be able to attend an educational framework.

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<sup>1</sup> See the State Comptroller's Report on the implementation of the education reform and reducing the gaps in early childhood education, Annual Report 65C (2015). Available in Hebrew at: [http://www.mevaker.gov.il/he/Reports/Report\\_290/5045ba10-eab6-401d-baf0-b95553fa1da4/65C-215-ver-3.pdf](http://www.mevaker.gov.il/he/Reports/Report_290/5045ba10-eab6-401d-baf0-b95553fa1da4/65C-215-ver-3.pdf).

<sup>2</sup> Ibid. p. 888.

<sup>3</sup> Based on Adalah's data. See Table 1 of the report.

<sup>4</sup> In March 2015, Adalah sent a letter to the Ministry of Education and the two Regional Councils of Al Qassoum and Neve Midbar in the Naqab, demanding that they provide 3- and 4-year old Bedouin children with access to preschools, either by providing more classes in all villages or transportation to close and available preschools. See Adalah Press Release from 4.3.2015, available in Hebrew at: <http://www.adalah.org/he/content/view/8473>.

The Regional Councils responded that they are subject to the Israeli planning and building laws, that they may not give permits to build preschools in the unrecognized villages, and that the regulations of the Ministry of Education do not allow the provision of transportation for 3-4 year old children because of safety and budgetary concerns. To date, there is no response from the Ministry of Education.

**Table 1: Percentage of registered Bedouin Children in the educational system**

Age	2012-2013			2013-2014		
	Total No. of children in the age group	Registered in the education system	Percentage registered	Total No. of children in the age group	Registered in the education system	Percentage registered
3-4	9,126	2,299	25.19 %	9,491	2,364	24.90%
5	4,500	1,737	38.6%	4,745	1,963	41.36%
	13,626	4,104	30.11%	14,236	4,327	30.39%

Outside of the Naqab, the numbers of Arab children registered for preschools around the country are higher and the available facilities are better, but remain problematic as compared to those available to Israeli Jewish children. According to the Al-Tufula Center, for instance, **the Arab local authorities are missing around 1050 preschools, where the average number of children in each classroom is 30.**<sup>5</sup> This raises concern that many parents are unable to register their children in a proper preschool and that many children are unable to fulfill their right to education.

The 2015 State Comptroller's Report shows that there are significant gaps between the number of requests submitted to the Education Ministry for opening preschools in Arab towns and villages, and the actual number that were approved. The government-planned Arab Bedouin town of Hura in the Naqab, for example, submitted requests for 13 preschools between the years 2012-2014 but only four preschools or 30% of those requested were approved.<sup>6</sup> Thus, many children in that town have no preschool educational framework.

Unequal allocation of resources and funding

While Israeli **Jewish children attend preschools 35 hours/week (6 days a week), Arab children attend preschools 30 hours/week (5 days a week).** This means that Israeli Jewish children, from the start, have more educational hours and opportunities than Arab children.

Differences in budget allocation are also a problem. The State Comptroller's report indicates that the **Ministry of Education transfers only NIS 693 per-child to Arab local authorities, while it transfers NIS 807 per-child to Jewish local authorities for educational needs.**<sup>7</sup> Therefore, Arab children receive unequal resources, at least 16% less than Israeli Jewish children. Such unequal treatment amounts to discrimination.

Many professionals believe that differential budgeting in education is a necessary step towards narrowing the gap in educational attainment between Israeli Jewish and Arab children, especially by investing more resources in the education of children from disadvantaged backgrounds, which mostly include Arab children. While the previous government introduced such a program in 2014, many commentators are concerned with the new government's perceived lack of intent in implementing this program.<sup>8</sup>

<sup>5</sup> See the Al-Tufula Center Report on Kindergartens and Preschools, January 2014, available upon request in Arabic at: <http://www.altufula.org/media-eng/>.

<sup>6</sup> Supra note 1, p. 889.

<sup>7</sup> Ibid, p. 891.

<sup>8</sup> In May 2015, Adalah sent a letter to the Attorney General demanding information as to whether the government intends to continue implementing the differential budgeting plan, as some field experts have

## Conclusions and Recommendations

Despite the well-recognized importance of early childhood education, including by the passage of new laws, many Palestinian Arab children in Israel still face numerous obstacles preventing them from attending preschools. This early deprivation of educational frameworks, arguably, leaves them lagging behind their peers across the country in educational attainment.

With Amendment 16 expected to enter into force in the 2015-2016 school year, Adalah stresses that the Education Ministry is taking insufficient steps to eliminate the gaps between 3- and 4-year-old Arab and Jewish children entitled to an equal right of education and right to equal educational opportunities.

In order to tackle these problems, Adalah recommends that the MOE take the following measures:

- Allocate the needed financial resources for new preschools for Arab children.
- Allocate equal resources, such as equal weekly hours, for Israeli Jewish and Arab schools.
- Take affirmative action measures, and adopt and implement differential budgeting, mainly in schools in the Arab education system.
- Aim at significantly increasing the number of Bedouin children attending preschools and fulfilling their right to education starting from the age of 3.
- Raise awareness among parents regarding the importance of early childhood education and assist in the process of registration, taking into account the special needs of the Palestinian Arab community in Israel.

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expressed concern that the new Education Minister, Naftali Bennett, will allocate the budgets to the Israeli Jewish religious schools (that are already the most funded sector) instead. Letter in Hebrew on file with Adalah.