



**OXFAM**

**PRIVATIZATION MECHANISMS  
IN PRIMARY AND SECONDARY  
EDUCATION IN THE  
DOMINICAN REPUBLIC  
EXPLORATORY STUDY**

# CREDITS

Privatization Mechanisms in Primary and Secondary Education in the Dominican Republic  
Exploratory study

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# GLOSSARY OF ACRONYMS

**AOP** - Annual Operational Plan

**AINEP** - Association of Private Educational Institutions

**APMAE** - Parents and Friends of the School Association

**BCRD** - Central Bank of the Dominican Republic

**CED** - Dominican Conference of Bishops

**CODUE** - Dominican Confederation of Evangelical Unity

**DGII** - Tax Office

**EDUCA** - Business Sector Action for Education

**IDB** - Inter-American Development Bank

**IDEC** - Dominican Initiative for a Quality Education

**INABIE** - National Institute for Student Welfare

**JEE** - Extended School Day

**MEPYD** - Ministry of Economy, Planning and Development

**MINERD** - Dominican Republic Ministry of Education

**NPOs** - Non-profit Organizations

**PPPs** - Public-Private Partnerships

**UDIEP** - Association of Private Educational Institutions



# PREFACE

In the past few decades, privatizing public services as a strategic objective has been a systematic priority of governmental economic policies. In almost every country in the world, state enterprises involved in production, trade and basic services have been privatized to varying degrees and levels of formality. In the case of the Dominican Republic, for example, the wave of privatization was promoted using the euphemism “Capitalization of Public Companies.”

In the spirit of the “Washington Consensus” and its anchor institutions, the World Bank (WB) and the International Monetary Fund (IMF) supported the privatization policy that championed “market return” as an organizing social paradigm that is believed to represent a new civilizing stage for humanity and, therefore, transcends the economy by entering into the political arena and culture in general. From this point of view, it became essential to conduct a reform process that would adjust the State, the institutions and political life in general to the logic of the neo-liberal model that was being established. This approach inspired the process known as “the Modernization of the State in the Dominican Republic.”

As a result, the State was stripped of its role as the main promoter of social and economic activity in order to bring the market to the forefront, while the social fabric was dominated by new values: individualism, consumerism, hedonism and the commodification of everything. Meanwhile, competition between everyone against each other displaced the sense of solidarity and human dignity and became a new common purpose.

This was the context for an unusual and multi-faceted boom in the private sector’s involvement in education and for increased tensions between the public and private sectors.

In Latin America and the Caribbean, institutional weakness and high levels of corruption in public administration were contributing factors to the neo-liberal rhetoric that encouraged privatization processes in the education sector. The argument that was used claimed that education systems were facing a “crisis of efficiency, effectiveness and productivity,” a “crisis of quality” that reflected the “structural incapacity of the State to administer social policies.” The crisis of school productivity, from the neo-liberal point of view, reflected the “crisis of centralism and the bureaucratization of the interventionist State.”

According to this argument, the public nature of education and the State monopoly in this sector are supposedly responsible for driving schools' inevitable "competitive inefficiency." The central tenet was that schools were in crisis because they did not meet the competitive criteria that ensured access to educational services based on the "merits" and "individual effort" of the "users" of the system.

This led to calls for the system of "prizes" and "punishments" to reward or penalize "individual" actions and decisions to be institutionalized. According to this scenario, the "best succeed" and the "worst fail." Thus, in order to tackle the education crisis, instead of investing more resources, the imperative was for more "efficient spending." A major crusade was launched to convince people that the central problem was the State's inability to manage, along with society (by relying on the State's false promises) and the unions, which were portrayed as being jointly responsible for the schooling crisis.

This narrative sought to justify the need for educational reforms that ultimately were aimed at taking education out of the realm of policy and placing it firmly in the marketplace. This shift, as suggested by Gentili (1996), transforms education from a human right into a commodity. Therefore, the possibility of consuming it is individual, according to the "merit and capacity of the consumers."

The notion of citizenship loses substance in that the individual's action is re-evaluated, as, according to the neo-liberal approach, they can "choose," "opt" and "compete" "freely" for access to a commodity, in this case, education. Schools are no longer conceived as spaces for social cohesion, education loses its democratizing purpose, and its humanist vision is displaced by the fundamentalist vision of the market. This opens up new opportunities for the ruling class: on the one hand, it consolidates the educational system's role in ideological control and social reproduction, while on the other hand, it gives free rein to profit in the sector. As a result, large transnational corporations involved in the education business, such as Pearson or Zuckerberg Education Ventures, just to name a few, have established themselves in more than one hundred countries. In 2016, Education International stated that education was "valued" globally at US\$4.9 trillion and projected to reach US\$6.3 trillion by 2020.

The privatization of education has been the subject of a great deal of research and reflection at both global and regional levels; however, there has been relatively little discussion and study on the subject in the Dominican Republic. Therefore, this publication by Jorge Ulloa C., presented by Oxfam in the Dominican Republic, in which he outlines the main findings of an exploratory study on the *"Current Mechanisms of Privatization in Primary and Secondary Education in the Dominican Republic,"* is particularly timely and ethically justified.



In his detailed journey through the historical development of public and private education in Latin America and the Caribbean, the author highlights the pedagogical ideal that predominated at the time of its foundation, the conditions and circumstances under which public education emerged and evolved, the influence of the Church, as well as several paths followed by educational privatization processes in the region as a whole, and in the Dominican Republic in particular.

The author highlights the complexity of these education privatization processes that may be explicit in some cases or less obvious in others.

This phenomenon is reflected in education provision, funding, ownership of educational institutions, private delivery of basic educational services such as curriculum or syllabus development, development and implementation of standardized tests, outsourcing of services, public-private partnerships, and adoption of business practices, behaviors, values and logic in the management and organization of education systems. The straightforward language and depth of the author's approach to the subject cut through a complicated issue, making it easier to understand and more enjoyable to read.

This exploration of the research describes the metamorphosis that has taken place in Dominican private education and manages to unravel and expose, in sharp relief, the tangled web of interests that surrounds the phenomenon of educational privatization. It succeeds in revealing the invisible threads that have been weaving this process in the country. By delving into the mechanisms, networks and legal structures, the author identifies evidence of forms of privatization, both exogenous and endogenous, in the country's primary and secondary education.

In his search, Jorge Ulloa C. travels from what he calls "private lifelong education," which refers to religious schools and some secular schools (whose essential purpose was not profit-based but philosophical), to the apparatus that drives the current privatization processes. Corporate interests are involved in the latter, as well as their purpose of reproducing the social order.

The author submits the joint management agreements between the Ministry of Education and religious bodies, the State's budgetary allocations to private entities, the MINERD scholarship program for individuals, educational tax expenditure and the current version of public-private partnerships to rigorous analysis. The author identifies privatization models that are still in use in the country's pre-university education in these five mechanisms, as well as the adoption of the "skills-based learning" approach.

The findings of this exploratory study make a significant contribution to understanding the dynamics and the subtlety with which the privatization of public education usually takes place and

its impact on economic-social, cultural, and gender inequalities, upon which it invites us to reflect.

The results reveal that privatization is incompatible with the demand for social inclusion and equal opportunities, in the same way that the humanist approach to education is incompatible with training students for the market. Inequality, exclusion and linking educational goals to the marketplace are inherent to the logic of privatization. In this regard, the author clearly states that, while public education in itself is not a guarantee of the full right to education, it is undoubtedly a precondition for achieving it. Jorge Ulloa C. explains unequivocally why private education contains the seeds of social segregation, and the way it is created and promoted. Consequently, he takes a stance in defense of public, universal and free education.

With this new publication, Oxfam in the Dominican Republic is consolidating its track record in social research and making a major contribution to the processes of reflection and discussion of an issue of national interest that has gained much ground in the country but, despite its strong impact on the reproduction of inequality, has been given little or no space in the public agenda, and therefore urgently requires analysis and debate. Congratulations on the publication of “Privatization Mechanisms in Primary and Secondary Education in the Dominican Republic”!

*María Teresa Cabrera*

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Salazar, Manuel. [2018]. “Reforma-Revolución. Nueva Transición Democrática.” [Reform-Revolution. New Democratic Transition].

Gentili, Pablo. (1996). “El Consenso de Washington y la crisis de la educación en América Latina.” [The Washington Consensus and the Educational Crisis in Latin America]. <https://www.plagios.org/wp-content/uploads/2017/08/Anexo-18.-El-Consenso-de-Washington...-Gentili-1996.pdf>

# INTRODUCTION

The main objective of this research is to establish an evidence base regarding current educational privatization processes at both primary and secondary levels<sup>1</sup> and their impact on political, economic, cultural and gender inequalities.

Access to quality education contributes to reducing inequalities and poverty by helping to build social cohesion and bringing about genuine democratization processes. Therefore, public schools act as a social redistribution mechanism by applying policies focused on minority groups or on groups with additional vulnerabilities that require greater educational support.

The low levels of coverage and quality traditionally reported in the Latin American region have made the educational sector a fertile ground for private interests. The problem, however, lies in the implications in terms of the social exclusion that follows when education becomes a commodity, especially in societies with high levels of socio-economic inequality.

The Dominican Republic's Ministry of Economy, Planning and Development (MEPyD) and its positioning as a highly prominent economic agent that channels a considerable proportion of the Dominican State's social spending, has also made it a target of interests.

While the proposal to privatize primary and secondary education does not appear to be considered an urgent issue or threat as far as public opinion is concerned, there is no doubt that the mechanisms being employed for privatizing education are becoming increasingly subtle and sophisticated. These new approaches can operate jointly both from within the public entities themselves as well as being simple discursive methods that on the surface appear benign.

Privatization processes include a whole range of mechanisms, networks and legal structures that ultimately go way beyond merely allocating public assets to individuals: these are delegated roles that should be the sole responsibility of the State.

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1. These were originally known as "Basic" and "Middle" levels in Law 66-97, but were renamed "Primary" and "Secondary" levels in Ordinance 03-2013. This new ordinance also changed the structure of both levels and moved the "Seventh" and "Eighth" grades of Primary school to "First" and "Second" grades of Secondary school.

In order to gather evidence about ongoing privatization processes, it was essential to understand the current tensions between the private and public sectors in Dominican education: namely, the historical and recent evolution of both these sectors, their regional context and ongoing debates on models and paradigms.

This exploratory study sets out the evidence on educational privatization models in the Dominican Republic identified through four mechanisms: joint management agreements between the Ministry of Education of the Dominican Republic (MINERD) and religious bodies; State budgetary allocations to private entities such as current transfers to Non-Profit Organizations (NPOs) and scholarships/grants to individuals; educational tax expenditure, through income tax deductions; and the ongoing validity and promotion of Public-Private Partnerships (PPPs).

This study focuses on the four-year period between 2015 and 2018. Many of the variables are analyzed from a historical perspective, although in some cases it was deemed necessary to focus exclusively on the 2012-2013 period, because this was the year when there was a “rupture” or shift in budgetary allocations following the implementation of the requirement to invest 4% of the GDP in pre-university education as set out in General Law 66-97 on Education.

# NOTES ON THE METHODOLOGY

For the purpose of this study, a combination of methodologies was used to examine the possible privatization mechanisms in the most diverse shapes and forms in which they usually operate.

## DOCUMENT REVIEW

- We studied the regional and local bibliography on the subject.
- The current legal framework was analyzed, as well as the agreements and arrangements between the Ministry of Education and a number of religious bodies.

## REVIEW OF PRIMARY STATISTICAL SOURCES

- By studying household surveys, we identified differences between public and private school students using indicators that were sensitive to gender, socio-economic conditions and location.
- Information from public and private educational establishments was crosschecked.
- A comparison of socio-demographic indicators was carried out in order to show how social inequalities between students (and their households) are displayed, depending on whether they attend school in the public or private sector.

## BUDGET ANALYSIS

- The Ministry of Education's budget, together with that of its units were thoroughly scrutinized to identify items that indicated transfers to the private sector.

## CONCEPTUAL ANALYSIS

- The starting point for this research was the theoretical perspective of "State Capture," which recognizes how public policies are captured by the elites in order to exert control over the phenomenon's underlying economic interests and the political channels that facilitate it. State capture analysis applied to a specific public policy implies 'tracing' its origin in terms of the processes that gave rise to it, i.e. its formulation, with the identification of the public actors that intervened and their links to potential power groups that might benefit from its implementation.

# CHAPTER I.

## Contextual and conceptual framework in Latin America and the Caribbean

### 1.1 BIBLIOGRAPHICAL BACKGROUND

Although private education and privatization processes have been studied at a regional level in a number of Latin American countries, very little research has been carried out on the subject in the Dominican Republic.

One of the first in-depth studies on the subject was carried out by Murray and published in 2005. *El colegio y la escuela: Antropología de la educación en la República Dominicana* [Private and Public School: The Anthropology of Education in the Dominican Republic]<sup>2</sup> tackles the subject from a market perspective that supports private schools.

In 2015, the Latin American Campaign for the Right to Education (CLADE) published a “Mapping of Trends in the Privatization of Education in Latin America and the Caribbean,”<sup>3</sup> which focused on the years 2005–2006 and 2011 and analyzed the legal frameworks in several countries in the region. This mapping exercise identified an increase in public sector enrolment in the Dominican Republic.

In its publication “Public-Private School Segregation in Latin America,” the Economic Commission for Latin America and the Caribbean (ECLAC)<sup>4</sup> used 1992, 2000 and 2011 as cut-off years for comparing the how public and private schools affect the reproduction of inequalities. They devised two indicators, dissimilarity and isolation, for this purpose, in order to show how the division between public and private schools defines socio-economic differences by isolating students within groups with similar characteristics. In the case of the Dominican Republic, the figures showed increases in public-private school segregation in the 1990s and a small decrease in the following decade.

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2. Murray, Gerald F. (2005). “El colegio y la escuela. Antropología de la educación en la República Dominicana.” Santo Domingo.

3. Campaña Latinoamericana por el Derecho a la Educación. (2015). “Mapeo sobre Tendencias de la Privatización de la Educación en América Latina y el Caribe.”

4. ECLAC. Social Development Division. (2014). “La segregación escolar público-privada en América Latina. 2014.”

Below we can find many references and, occasionally, data in other national and international reports on education, in which the subject of the private sector is addressed, but not as a central problem and without an emphasis on viewing it as a dynamic process.

## 1.2 HISTORICAL PERSPECTIVE ON PUBLIC AND PRIVATE EDUCATION

Historically, the concept of public education has been associated with three ideas: centralization, universality, and free education. The first two appear to provide a more direct reflection of the will of a historical grouping, the capitalist class, which with a certain degree of awareness of its own purpose was striving to ensure its control of a social and cultural action that is increasingly imperative and sensitive; that the free nature of education will lead to mass acceptance of the State's educational offer.

In Latin America during the colonial period (from 1492 to the beginning of the wars of independence in 1810), where political, economic and cultural power was closely linked to the power of the Church, the main purpose of school-based education was of a doctrinal and "civilizing" nature as part of the global power network.

The republics that were founded after gaining independence have experienced constant tension between ancient cultures, their education, which cannot be eradicated in one fell swoop, and national projects: between the modern and the traditional. The new social and cultural elites (largely a continuation of the "Creole" colonial elites) were forced to organize state-based education systems, which were as new as they were precarious in all areas. Public education emerged as an urgent need in the consolidation of these nations. As Ossensbach (1993) states, "*The incorporation of education into the sphere of political action has undoubtedly made it part of the process of consolidating the State, and its analysis helps to identify certain specific aspects of the internal process of State formation.*"<sup>5</sup>

The creation of new educational systems, however, could only be achieved with the involvement of the Church, not least because of its experience, power and quasi-monopoly on formal educational systems during that period. The emergence of these new mechanisms for promoting formal education took place in line with the development of legal frameworks and the institutionality that was made to govern these very States.<sup>6</sup> In the early Latin American republics, political power was

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5. Ossensbach S., Gabriela. (1993). Estado y Educación en América Latina a partir de su independencia (siglos XIX y XX). Revista Iberoamericana de Educación. [The State and Education in Latin America since Independence (19th and 20th centuries). Ibero-American Journal of Education].

6. In the 19th century, a series of Concordats were signed between the Church and several new Latin American states. Naturally, they included educational matters, especially the prerogative for teaching the Catholic faith, as well as financial support. See Osuchowska (2014).

organically linked to the structures of the Church. It is worth mentioning that even during that period, education was far from being an economic venture in its own right for the Church or any private individual who could offer it as a service.

Educational establishments founded and run by religious institutions, as well as secular or what we would call private schools were in a certain sense also “public,” because they were open – formally – to students from all social classes without charging any fees.

But genuinely private education eventually arrived on the scene, as national education systems expanded and as part of that growth process. According to Gentili (2011), *“The conditioned expansion of national education systems in Latin America expresses, perhaps, the result of a perverse barter whose roots are anchored in deeply undemocratic societies: the powerful seem to have accepted that the masses have a right to education, as long as the system is weakened as an institution capable of guaranteeing that students stay on and, with it, that right. In addition to staying, to have the right to education you also have to ‘belong’.”*<sup>7</sup>

Verger, Moshetti and Fondevila (2017) list several “paths towards educational privatization.”<sup>8</sup> “One such path would be “Educational privatization as part of the structural reform of the State.” This preference for private education has naturally been supported and defended by many States and their governments, driven by supposedly free market economic and social policies. The case of Chile seems to be paradigmatic: under the military regime (1974-1990), and since then, public education has been gradually given more space and now occupies more than 50% of the entire formal education system.”<sup>9</sup> Some rulers’ thoughts on the subject, under the guise of concern for the plight of the most disadvantaged, has reached the point of outright disregard for public education.

Another reason would be *“Privatization as incremental reform,”* which can be understood, as explained by Verger et al (2017) *“to have derived as a result of the cumulative effect of a series of gradual changes, usually adopted at the sub-national level and, to a certain extent, disconnected from each other.”*<sup>10</sup>

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7. Gentili, Pablo. [2011]. “Pedagogía de la igualdad. Ensayo contra la educación excluyente.” Siglo XXI Editores. Page 91. [The pedagogy of equality. Essay against exclusionary education].

8. Verger, Antoni; Mauro Moshetti y Clara Fondevila (2017). La privatización de la educación en América Latina. Una cartografía de políticas, tendencias y trayectorias. Pages 5 and 6. [The privatization of education in Latin America. Mapping policies, trends and pathways].

9. Sistema de Información de Tendencias Educativas en América Latina (SITEAL). Cobertura relativa de la educación pública y privada en AL. [Information System on Educational Trends in Latin America (SITEAL) Relative coverage of public and private education in Latin America]. [http://archivo.siteal.iipe.unesco.org/sites/default/files/siteal\\_dato\\_destacado\\_sector\\_de\\_gestion\\_20140325.pdf](http://archivo.siteal.iipe.unesco.org/sites/default/files/siteal_dato_destacado_sector_de_gestion_20140325.pdf)

10. Verger, A., Moshetti, M. y Fondevila, C. Op. Cit. Page 5.



A third path, illustrated in the Dominican Republic, Peru and Jamaica, consists of “Privatization ‘by default’ and the emergence of low-cost private schools”, and is caused “*by the State’s inaction or limited capacity to respond to a growing demand for education.*”

In the fourth path, the authors identify “*historical public-private partnerships*” and the Dominican Republic, along with Argentina, is also mentioned as an example; they are described as the “*result of a stable cooperative relationship between the Church and the State.*”<sup>11</sup> In privatization through disaster (conflicts, natural emergencies), the study points to Nicaragua, El Salvador, Honduras and Guatemala.

CLADE’s mapping of private education trends in the region identified an increase in private education enrolment between 2005-2006 and 2011, as well as in the speeches in support of introducing market logic within public schools.<sup>12</sup>

The privatization of primary and secondary education, under these ideological concepts, did not occur during the first neo-liberal waves of the 1980s. In fact, they only began to appear in several Latin American countries in the 1990s.

Between 2004 and 2014, the region experienced the greatest increase in private student enrollment, with almost 5% of all primary school students moving from state schools to private schools. In absolute terms, this is equivalent to an exodus of more than three million children from one sector to another. To make matters worse, there is no empirical evidence that this change will be accompanied by any improvements in educational quality. According to UNESCO figures, Latin America and the Caribbean (LAC), as well as being the region with the highest percentage of primary school students attending private schools, this figure is almost twice the world average.

The highest rate of students attending private institutions was reached in 1995, with 25%. In subsequent years this percentage decreased to 19% in 2003. It then increased again to 21% in 2010.<sup>13</sup> At present, the average private sector share in primary education in LAC is approximately 30%.<sup>14</sup> In that same category, the Dominican Republic is below the regional average with 23.2%.<sup>15</sup>

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11. Op. Cit. Page 7.

12. CLADE. (2015). Mapeo sobre Tendencias de la Privatización de la Educación en América Latina y el Caribe. [Mapping Trends in the Privatization of Education in Latin America and the Caribbean].

13. Dominican Republic Ministry of Education. Ten-Year Educational Plan 2008-2018. Page 18.

14. UNESCO. Situación Educativa de América Latina y el Caribe: Hacia la educación de calidad para todos al 2015. [Educational Situation in Latin America and the Caribbean: Towards quality education for all by 2015] Page 75.

15. Op. Cit. Page 75.

### 1.3 THE RIGHT TO EDUCATION AND ITS PRIVATIZATION

The defense of public, universal and free education is one of the pillars of any contemporary debate that advocates for concepts such as inclusion, equal opportunities or democratic relations. In fact, the very notion of citizenship is basically inconceivable without the guarantee of an education that reaches everyone:

*The public's civic-political awareness is achieved through the embodiment of a citizen's right: the right to education. Therefore, (...) this right includes everyone and, in no way can it be an exclusive right, let alone should it become a commodity."* (Laval, 2004; Sandel, 2012, quoted by Angulo, 2016).<sup>16</sup>

In this regard, public education is a condition, although not a guarantee in itself, for the full right to education. The fulfillment of this right is also determined by the conditions, intentions and policies with which the State itself takes on responsibility for education. Even so, in order to guarantee the right to an education on equal terms, a set of social policies is required aimed at eliminating these inequalities in a number of areas that go beyond the education system in the strictest sense.

*"If social differences have a greater or lesser influence on students' educational progress, we can expect to find differences between them due to their social background. Only by leveling out social differences, a task that is not the direct responsibility of the education system, or by developing intervention strategies that mitigate the effects of social inequalities in the field of education, will it be possible to achieve a more profoundly egalitarian objective."*<sup>17</sup>

The privatization of education can take many different and sometimes subtle forms. Ball and Youdell (2007) have provided us with the distinction between what they call exogenous privatization (*of* public education)<sup>18</sup> and *endogenous* privatization (in public education).<sup>18</sup> In the first case, the public sector opens up spaces for private profit through various modalities, ranging from public education as an arena for achieving private economic benefits to the supply of education by the private sector with public subsidies, or public subsidies for demand from the standpoint of policies based on family choice. *"We are referring here to financing strategies, with public funds, either from private schools (totally free or shared financing), or from public schools contracted out to private sectors"* (Wells, 1998).

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16. Angulo Rasco, J. Félix. (2016). "La Escuela Pública: Su Importancia y su Sentido Coordinador." [The Public School: Its Importance and Coordinating Role] [http://aufop.com/aufop/uploaded\\_files/revistas/14637439687.pdf](http://aufop.com/aufop/uploaded_files/revistas/14637439687.pdf)

17. Marchesi, Álvaro. (200) "Un sistema de indicadores de desigualdad educativa. Revista Iberoamericana de Educación." [A system of indicators of educational inequality. Ibero-American Journal of Education. ] No. 23. May-August 2000.

18. Ball, Stephen & Youdell, Deborah. (2007). "Hidden Privatisation in Public Education." Institute of Education, University of London.

Privatization can therefore take place while the apparently public status of school institutions is nominally and formally preserved. As explained in CLADE's mapping exercise:

*"It is a question of taking the nature of the provider (public or private) into account, and not just the fact that the service is free. This model also includes the transfer of public funds to private entities to subsidize their maintenance costs or the payment of teachers."*<sup>19</sup>

In endogenous privatization processes, on the other hand, market values are imported into the public education sector:

*"Many authors call this idea 'managerialism,' in other words, the application of private market management methods and principles in educational establishments, or at the higher levels of the public education system. The objective is to introduce competitive mechanisms in the field of public education, in its institutions and stakeholders (students, teachers, administrators), on the premise that the search for inputs and clients in an educational 'market' would be an inducement for efficiency in resource allocation, thus improving educational results."*<sup>20</sup>

**The introduction of the so-called skills-based education paradigm in the country fits into this privatization model.** From the very beginning, this proposal did not conceal its alignment with specific corporate visions: ultimately, it is about turning curricula, classrooms, teachers, and students into educational systems, mechanisms designed to serve as a central function of the business and production world. It is about teaching and learning skills, namely knowledge and competencies that enable successful and efficient integration to the economic enterprise, both to existing ones and to the ones that each subject undertakes.<sup>21</sup>

In the Dominican Republic, where the Ministry of Education has adopted the above-mentioned model [Ordinance 01-2018]<sup>22</sup>, seven 'competences' or skills are mentioned, some of which would seem to apply as such only by pushing the semantics of the Spanish language to the limit: ethical and civic competence, environmental and health competence, self-esteem and personal development.

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19. CLADE. Mapeo sobre Tendencias de la Privatización de la Educación en América Latina y el Caribe. [Mapping Trends in the Privatization of Education in Latin America and the Caribbean] 2015. Pages 17 and 18.

20. Op. Cit. Page 14.

21. Given that such a model and the language in which it was written had to provoke serious objections due to its clear economicism, incompatible with any feasible educational concept, an attempt has been made to gradually fill the term competition and its derivatives with fairly broad meanings, more easily assimilated to the comprehensive concept of education.

22. Consejo Nacional de Educación (National Educational Council). Ordinance 01-2018. Retrieved from <http://www.educando.edu.do/portal/wp-content/uploads/2018/06/ordenanza-1-2018-Educacion-de-Adultos.pdf>

However, beyond a simple set of terminologies, the adoption of the so-called “skills-based approach” already presupposes, on the one hand, the overtly corporate language of expression that should resonate in the consciousness of educators and learners; combined with this, the pedagogical processes themselves, including assessment processes, will be geared to providing “skills” that must be “demonstrated” especially through “know-how.” It is inevitable that the whole process will revolve around the idea of “efficiency,” which leads to “productivity.”

Far from considering these concepts as negative for a society, what must be avoided is that public education machinery should be market focused and casts aside other human qualities that are not necessarily related to efficiency and productivity.

In order to continue with Verger et al.’s notions on privatization: “privatization in education is especially evident in the greater involvement of private actors in the provision and funding of educational services, rather than in changes in ownership of educational institutions. *Therefore, privatization results from the implementation of diverse and complex mixed provision and funding schemes, which tend to involve the private sector and lead to a redefinition of the roles and responsibilities traditionally taken on by the State.*”<sup>23</sup>

It is therefore rather naive to believe that the privatization of public education will always be presented as part of a simple and straightforward model that can be easily identified as a sale or transfer of schools to private companies.

## 1.4 TRENDS AND PARADIGMS IN EDUCATIONAL PRIVATIZATION

This study is based on the premise that private education contains the seeds of social segregation. It is created by and for social segregation: it creates it and empowers it. Its *raison d’être* is primarily determined by the existence of sectors that demand it for its very nature of being economically and culturally different. This condition is defined in what has been described as a *habitus* (Bourdieu).<sup>24</sup>

Knowledge, tastes, and especially interests will lead certain sectors to prefer and seek out an education that will be passed on to their peers and which will differentiate them from “inferior” sectors. Modern societies create natural markets for private education.

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23. Verger, Antoni; Mauro Moshetti y Clara Fondevila (2017). Manual para el estudio de la privatización de la educación, [A Handbook for Studying the Privatization of Education] p. 8. Universitat Autònoma de Barcelona.

24. “A *habitus* is defined as a system of durable and transferable dispositions – structured structures predisposed to work as structuring structures – that incorporate all past experiences and function at each moment as a structuring matrix of the perceptions, appreciations and actions of the actors vis-à-vis a situation or event and which it contributes to produce.” Bourdieu, Pierre.1972), *Esquisse d’une théorie de la pratique*, page 178. Droz. Geneva, Paris.

However, this education would fall short of its purpose of accentuating inequality if it did not also, and especially, have the potential to consolidate, expand and strengthen social differentiation. The idea is to guarantee or at least simulate an education of “higher” quality, creating a *social and cultural capital* that confers advantages precisely on the overt presumption that it is a completely different level of education.

Such a presumption, undoubtedly justified in certain cases, has been established as common sense in many societies, as explained by Angulo (2016). “What usually happens is that many families embrace the myth that anything that is free is of poor quality and anything that is expensive or has a price and therefore has to be paid for, is of good or much better quality. This reasoning not only cancels out the potential of rights and entrenches and legitimizes the market, while also abdicating its commitment to the citizenry, by trading it for that of the client.”<sup>25</sup>

Defending education as a service subject to the free market implies the rejection of the idea of education as a right, which is enshrined in the Declaration of Human Rights “at least with regard to elementary and fundamental instruction.” (Art. 26).

The commercialization of education is often seen as a natural consequence of the failure of free public education. “The failure of state education, combined with the shift in emerging economies from agriculture to jobs that require at least a modest education, has caused excessive growth in private education. According to the World Bank, about one fifth of primary school children in developing countries are enrolled in private schools, twice as many as twenty years ago. (...) Governments tend to see education as the state’s responsibility. Teachers’ unions don’t like private schools. NGOs tend to be ideologically opposed to the private sector.” (The Economist, August 2015).

The fact that private education can coexist with public education is not being denied. However, the facts and a large number of studies appear to support that neither the law, let alone equality of opportunity in education, can be guaranteed by the “free” market; they cannot even be properly accommodated since, by definition, the blind market is the very setting for favoring some and harming others. Only through the regulation that public authorities are required to implement, will it be possible to consider the ideal of education for true equality of opportunity. The ideal of inclusive

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25. Angulo Rasco, J. Félix. (2016). “La escuela pública: su importancia y su sentido coordinador.” [Public school: its importance and its coordinating role].

education, which can be linked to a decisive practice of mixed schooling, involves understanding the public sphere itself as a potential for inclusion.<sup>26</sup>

We assume that certain services aimed at ensuring the common well-being of the population as a whole, such as health, education, drinking water and sanitation services, are so essential to the very life of a society, especially in the case of societies with fiscal limitations, that interference by private actors must be reduced to the bare minimum, almost without exception, due to the risk of failing to meet objectives. This is because, according to market logic, profit is automatically a priority that displaces social goals such as reducing inequalities.

In addition, the dynamic of private enterprise in itself implies that in order to create a service (as in the case of education) the production costs, such as infrastructure, materials, teacher salaries, and the system's administrative expenses would no longer have to be counted without including a good proportion of private profits. This means that education has a higher social cost, which in turn implicitly leads to higher levels of socio-economic inequality.

Mass-market private education, geared toward the pursuit of higher profits, will seek to reduce teachers' salaries, save on materials and infrastructure, and increase fees to the highest level that families can afford. This simply implies excluding anyone who can't afford it.

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26. This is not to say that it is not also a natural environment for the reproduction of economic, cultural and political elites. Even in countries with strong public education systems that are considered even more prestigious than private educational institutions (France, Finland, Norway), the reproduction of elites by the public education system will also be ensured: other mechanisms and social and cultural conditions will favor this reproduction from school performance itself: availability of economic and cultural means, higher cultural levels of parents and relatives, etc. In countries with limited development of formal democracy, such as the Dominican Republic, the capture of State institutions by the elites, in order to use them for their own purposes, is even greater and more evident (See Cañete A, Rosa, 2018. "Democracias capturadas: El gobierno de unos pocos." [Captured Democracy: Government for the Few. Executive Summary: Luis Bonilla. OXFAM]).

## CHAPTER II.

# Public and Private Education in the Dominican Republic

According to Murray (2005)<sup>27</sup>, the large-scale growth of schools that commercialize education at pre-school, primary and secondary levels in the Dominican Republic began in the 1970s.

The author attributes this to “a very local and very specific socio-political and educational crisis that followed the death of Trujillo in 1961. After this date, the country suffered (...) some 25 years of an educational decline that has still not been alleviated...” (p. 7).

According to Murray, public schools “functioned” during the dictatorship. They certainly functioned, albeit in the sense that they were useful for the system that understood the reproduction of the social, cultural and political model in the regime led by Rafael Leonidas Trujillo (1930-1961).<sup>28</sup>

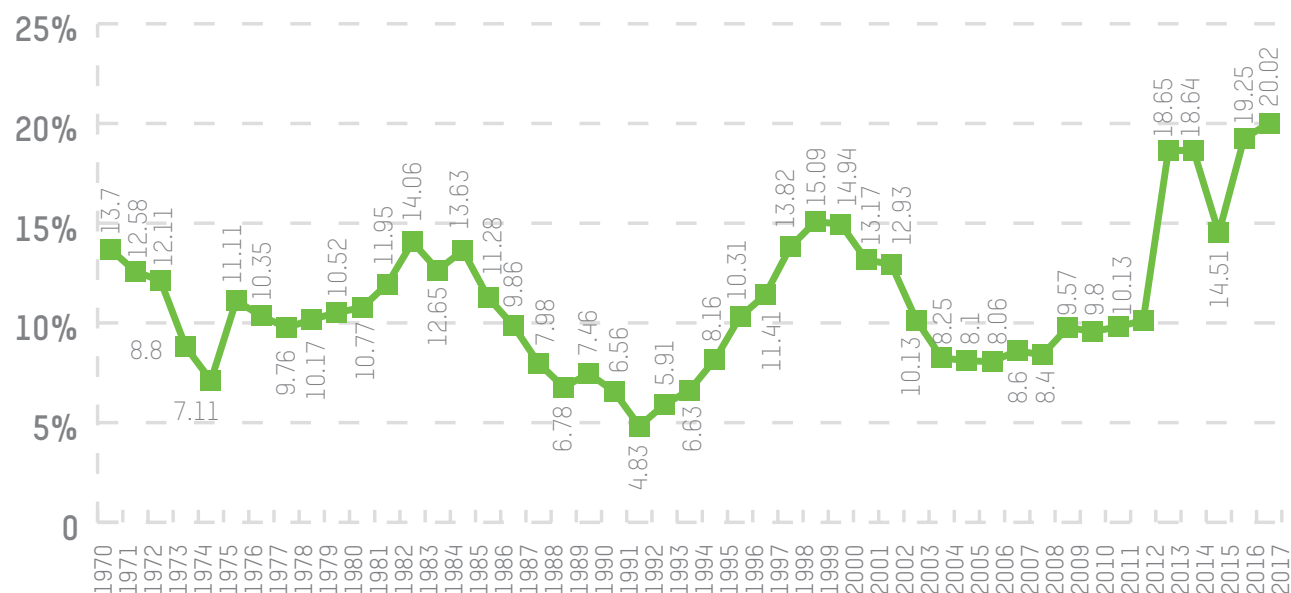
It also seems undeniable that this deterioration in the education system has encouraged the growth of private schools at all levels. The author blames this decline on trade unionism and teachers’ strikes, while acknowledging that the budget allocated by the State to pre-university public education (pre-school, primary and secondary) during the period was extremely low, ranking among the countries that assigned less than 2% of their Gross Domestic Product (GDP) to this sector.

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27. Murray. (2005).

28. Ulloa, L. (2001). Estado, Iglesia y educación en la República Dominicana [State, Church and Education in the Dominican Republic] (1930-1986).

FIGURE 1 | THE EDUCATION BUDGET IN THE DOMINICAN REPUBLIC AS A PERCENTAGE OF THE NATIONAL BUDGET, 1970-2017.



Source: Own design based on statistical information from MINERD. 1970-2017.

The boom in the establishment of private schools in the country included the opening of schools that were clearly tailored to satisfy the demands of the upper and middle classes. Some of these schools are bilingual; there's an increasingly defined trend among traditional religious schools, especially Catholic schools, towards commercialization, as well as the even larger scale creation of small and medium sized private schools, especially in Santo Domingo's poor neighborhoods and urban sprawls. Murray estimated that in 2000 there were at least 2,500 private schools in the country, most of which educated "the children of the poor, not the rich" (Murray, p. 2). 26).

In 2018, the Dominican Republic's Ministry of Education registered a total of 11,296 schools throughout the country, including 3,710 private schools and 211 semi-official schools<sup>29</sup>. Both types of schools make up 34.7% of the total.<sup>30</sup>

29. According to the Dominican Institute for Education Quality Assessment and Research (IDEICE) "the semi-official sector is made up of public schools run by a variety of associations, most of which are religious, and which do community work that could be linked to students staying longer at school." IDEICE, (2016). *Uso alternativo de datos administrados del Sistema de Gestión de Centros para estimar la deserción escolar: Propuesta de diseño de algoritmo para generar indicadores a nivel de Centro Educativo agregable a nivel Distrital y Regional*. [Alternative use of managed data from the School Management System to estimate school dropout: Proposal for the design of an algorithm to create indicators at the school level that can be aggregated at the district and regional levels] Page 8. This is the most official definition that could be found, as it was not found in any law, ordinance or resolution from MINERD.

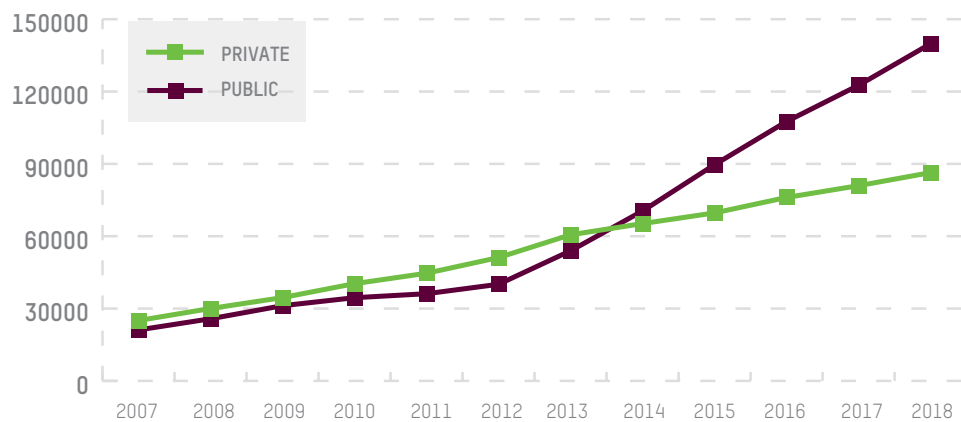
30. Retrieved from: <http://www.ministeriodeeducacion.gob.do/transparencia/presupuesto/ejecucion-ministerio-de-educacion-y-funcion-educacion/listados>



The total number of public schools is 7,375. There has been a significant decrease in the number of both private and semi-official schools, which can reasonably be attributed to the application of 4% of the GDP to the Education sector since 2013 and the implementation of the Extended School Day. The same thing happened with student numbers: “When comparing the 2016-2017 school year with 2014-2015, a decrease of 66,074 students was noted in private schools.”<sup>31</sup>

## 2.1 THE EVOLUTION OF PUBLIC AND PRIVATE EDUCATION BETWEEN 2007 AND 2018

FIGURE 2 | CONTRIBUTION TO GDP FROM “TEACHING” AS AN ECONOMIC ACTIVITY. 2007-2018. IN MILLIONS OF RD\$



Source: BCRD. 2007-2018.

From a macroeconomic perspective, the Dominican education sector has clearly evolved in recent years. We can use the Central Bank’s calculation of GDP by economic sector for this purpose. The “Market Teaching” category refers to the total value of education services provided by the country’s private schools and universities. Intermediate consumption includes all the expenses incurred in acquiring the supplies used for providing the service. The figures for the “Value Added” category include employee salaries, other taxes on production, gross operating surplus and capital expenditure.<sup>32</sup>

Figure 2 is a vivid illustration of the change in investment in public education, which began to be felt with the 2013 budget. Just one year after the State started allocating 4% of GDP to the sector, the public education curve intersects with and overtakes the private education curve. By 2018, public education as an economic activity already represents 170% of private education.

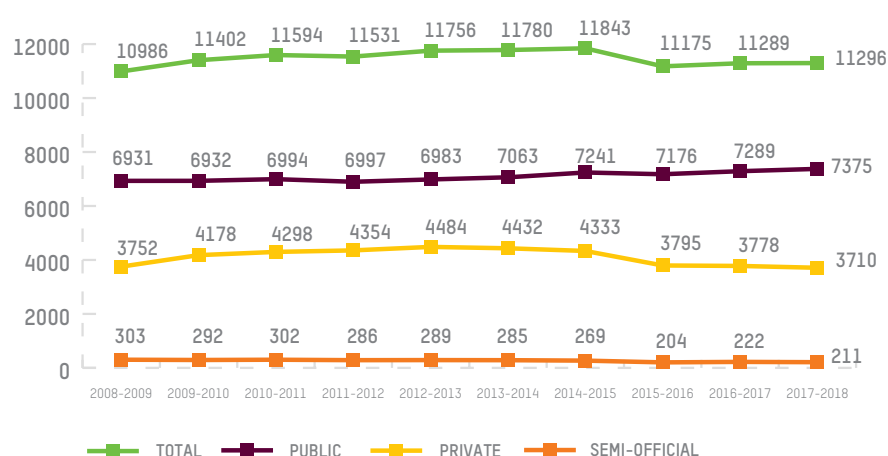
31. El Dinero. 14th June 2017

32. BCRD. National Accounts. Methodological document. 2007.

A report by the Dominican Initiative for Quality Education (IDEC) points out that the total decrease of 4.7%<sup>33</sup> in private school enrollment between the 2012-13 and 2015-2016 school years is mainly due to the allocation of 4% of the GDP for education. More specifically, the increase in public school coverage and the Extended School Day has provided new advantages for families, such as childcare on working days and school lunches.

In this case, the extended school day succeeded in offering and addressing family as well as educational needs, with a strong effect on time management and parenting, because for many parents it solves the problem of the differences between school and work schedules.

**FIGURE 3 | EVOLUTION OF THE NUMBER OF SCHOOL FACILITIES BY SECTOR 2008-2018**



Source: Own design based on statistical information from MINERD. 2008-2018.<sup>34</sup>

Another way of analyzing the ten-year period from 2008 to 2018 is to use the formal categories that divide schools into public, private and semi-official. Figure 3 shows the trends of the cumulative total of educational facilities, which peaked between the 2012-2013 school years, when 4,484 private schools were registered.

From that year onwards, the number of private schools gradually began to decline, reaching 3,710, slightly lower than at the beginning of the decade in question. One factor that explains the drop in the number of schools is related to the total number of private schools (especially religious schools) that have formally changed from private to being registered as public.

33. Dominican Initiative for a Quality Education (IDEC). (2017) "Follow up and Monitoring Report" (Spanish). Page 10.

34. So-called "semi-official" schools account for a minority of the country's educational establishments. They represented less than 2% of the total in 2018. The semi-official adult training centers "Radio Santa María" has 83 schools, 40% of which are semi-official. The rest are mainly schools that are affiliated to religious non-profit organizations and associations and, to a lesser extent, foundations that work with people with disabilities. Some examples of schools that work with people with disabilities and special needs are the Alternative Center for Deaf-Mute People, the National Shelter for the Physically Disabled, and the Puerto Plata Special Rehabilitation Center.

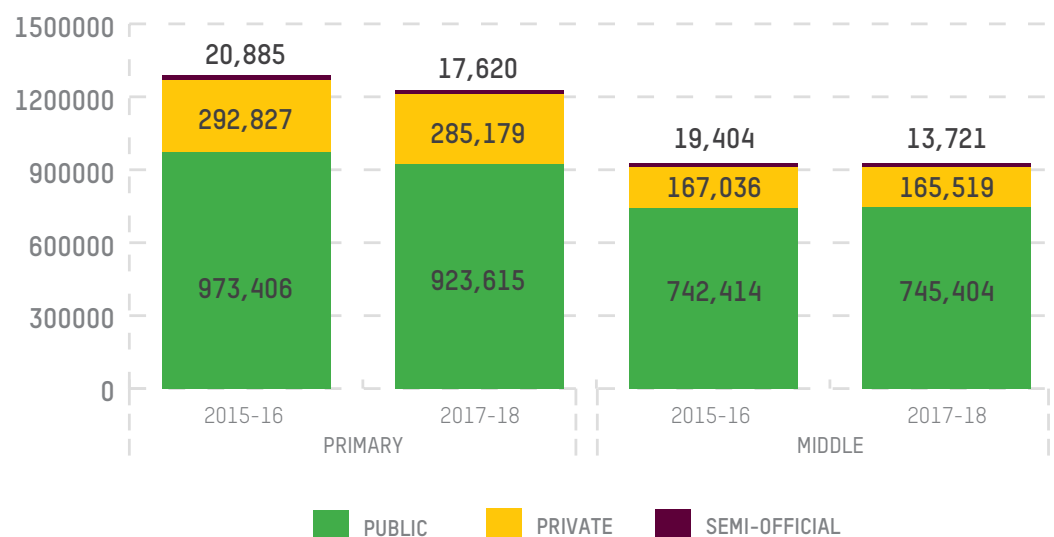
On the other hand, the number of public schools did not grow significantly following the legal allocation of 4% of the GDP to public pre-university education; this growth does not appear to be in line with the policy of building new schools. This could be due to the compensatory effect of merging sites where more than one school was operating, due to the implementation of the Extended School Day (JEE in Spanish).

In terms of total public-school enrollment, it is more consistent with the fact that there has been no progress in the net coverage rate of primary and secondary levels in the Dominican Republic during the period being studied.<sup>35</sup>

The reduction in the total number of students as seen in Graph 4 can also be explained, to some extent, by the demographic trend that shows a decrease in the population between the ages of 6 and 17 between 2015 and 2017, due to the relative aging of the population.<sup>36</sup>

When we calculate the relative change for each educational sector, the semi-official sector at the primary level has reduced its absolute and relative participation, while the public sector has only reduced by a few tenths of a percent from 75.6% to 75.3%. Meanwhile, the private sector grew by 0.5% and now accounts for 23.2% of primary school enrollment. At middle school level, the semi-official sector has undergone the greatest reduction during this period; the private sector has also decreased and there has been a small increase in public sector enrollment.

**FIGURE 4 | NUMBER OF STUDENTS BY LEVEL AND SECTOR 2015-2018**



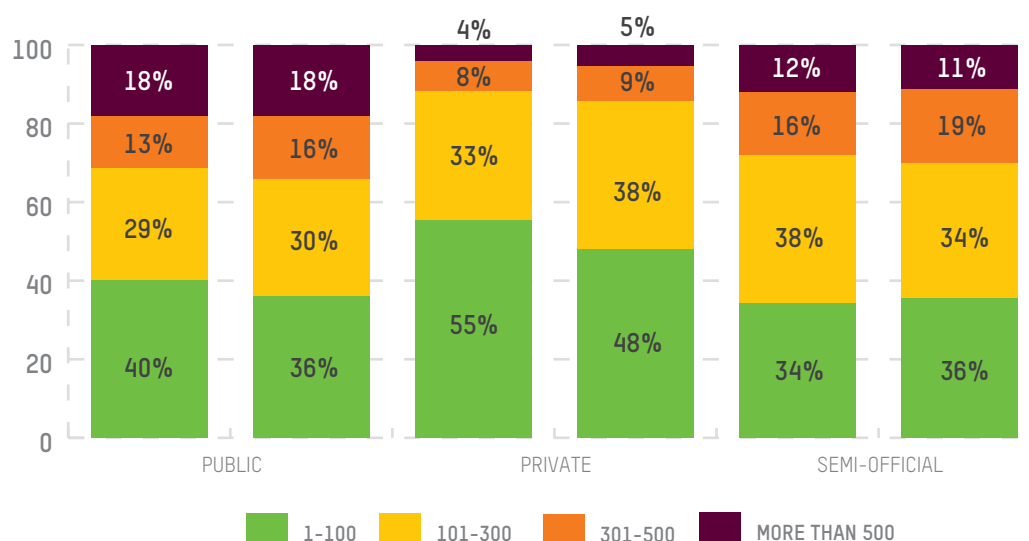
Source: Own design based on statistical information from MINERD. 2015-2018

35. MINERD Annual Statistical Report: 2015/16 and 2017/18.

36. According to the population projections published by the National Statistics Office (ONE), the population between the ages of 6 and 17 is estimated to decrease by approximately 13,000 people. And National Statistics Office (ONE). Population by calendar year, according to sex and age, 2010-2020

Between 2012-2013 and 2016-2017, the number of private schools fell by 664, in net terms. It is worth mentioning that the proportion of small private schools with fewer than 100 students has changed, going from more than 55.3% of schools to 48.1% (Figure 5). A similar reduction can be seen in the public sector, where the percentage of small schools has fallen from 40% to 36%. This is linked to the poor viability of these schools, especially private schools, which find it difficult to comply with MINERD regulations and still be profitable, while providing a not particularly good quality of education.<sup>37</sup>

FIGURE 5 | SCHOOLS ACCORDING TO NUMBER OF STUDENTS BY SECTOR 2012-2017



Source: Own design based on statistical information from MINERD. 2012-2017

## 2.2 THE DOMINICAN STATE AND PRIVATE EDUCATION. LEGAL FRAMEWORK.

Education is enshrined as a right in the Constitution of the Dominican Republic: “Every person has the right to a comprehensive, quality, permanent education, on an equal footing and with equal opportunities (...).” “The State guarantees free public education and declares it compulsory at the preschool, primary and secondary levels.” (Art. 63 of the Constitution of the Dominican Republic).

In the spirit of this recognition, Article 4 of the Dominican Republic’s Organic Law on Education (Law 66-97) establishes, among other points, that: “Education is a permanent and inalienable human right. To ensure its fulfillment, every individual has the right to a comprehensive education that allows him/her to develop his/her own individuality and to carry out a socially useful activity;

37. Retrieved from <https://eldia.com.do/mas-de-3-mil-colegios-privados-desaparecen-en-ultimos-4-anos/>

*appropriate to his/her vocation and within the requirements of the national or local interest, without any discrimination on the grounds of race, sex, creed, economic and social position or any other kind; b. Everyone has the right to participate in cultural life and to enjoy the benefits of scientific progress and its applications; (...)."*

However, article 199 of Law 66-97 expressly commits the State to providing material support for private education: *"With the aim of supporting the initiatives of individuals who seek to promote the education of the Dominican population, the following tax incentives are established: a. Donations made by companies to non-profit institutions, dedicated to educational activity, research and the promotion of technological innovation, will be exempt from income tax up to five percent (5%) of net taxable income. For the exclusive purposes of this law, Article 287, paragraph i) of Law No. 11-92 of May 16, 1992 is amended; b. It is exonerated from any type of customs duty as well as from the Sales Tax (ITBIS) the importation and sale of educational materials and equipment, texts and supplies required for educational and teaching activities at pre-university level."*

The Regulations for Private Educational Institutions, approved by the National Education Council (as an Ordinance) in 2000, states:

*"The right of organizations and individuals to establish educational establishments is recognized, as long as they meet the requirements set out in the Education Act No. 66-97, the provisions deriving thereof and these Regulations, and are subject to State supervision, through the Ministry of Education. b) Private educational institutions are conceived as bodies that work with the State to provide education to the people in sufficient quality and quantity. As a result, they must receive support and assistance from official bodies; and c) Private educational institutions, even when users pay for their services, are of a social nature. Therefore, the emoluments they receive must reflect that status.."*

The document is not explicit about the *"social nature"* of private schools. However, it does state that: *"they must receive support and assistance from official bodies."* Part of this State support is specified in the aforementioned article 199 of the Organic Law: exemptions for donations as well as imports of articles used in educational activities.

The category of private schools includes schools that belong to specific religious denominations, which can be privately owned as well as belong to a macro institution (such as the Conference of Bishops or the Roundtable for Dialogue and Christian Representation). Thanks to a series of agreements that will be outlined below, some of these schools have become state-funded. Others

retain their private status.

The Concordat signed between the Dominican State and the Holy See in 1954 is particularly significant. Several education-related provisions are outlined in this document, but for the purpose of this exploratory study the most important provision is contained in Article XXI: “The Dominican State guarantees the Catholic Church full freedom to establish and maintain, under the dependence of the Church Authority, schools of any type and grade. In view of the social usefulness that they provide to the Nation, the State will protect them and will also try to help them by means of subsidies.”<sup>38</sup>

For the purpose of this study, it is essential to make the distinction between education that was originally private (life-long) and all the processes of converting public schools into private –either partly or completely– i.e. privatization processes.

## 2.3 SPECIFIC PRIVATIZATION PROCESSES IN THE DOMINICAN REPUBLIC

All the above enables us to draw some conclusions and explanations about the process of privatization of education in the Dominican Republic. It is apparent that the country has gone through several phases and modalities when it comes to private education:

1. The conversion of old and traditional schools, particularly Catholic schools, into private schools, which until then had not been motivated by profit and could only be considered “private” insofar as they were not state-run but schools sponsored by religious institutions. However, they also required some sort of payment, in addition to the subsidies that in many cases they received from the state, especially after the signing of the Concordat. These schools were turned into profit-making mechanisms when education became a lucrative enterprise. This commercialization took place without leaving behind any religious purpose or membership of a religious institution. Examples of these schools include Quisqueya, San Luis Gonzaga, De La Salle, Santo Domingo, Loyola de Santo Domingo and Colegio Santo Domingo. This process occurred in parallel with the rise of the expressly commercial private schools since the 1970s. The traditional foundation and existence of religious schools is explained to a large extent by the fact that the Church inherited a relatively superior educational culture, apart from its need to reproduce its own educational vision based on religious principles.
2. The proliferation of schools that were specifically founded as private schools, many of them with religious affiliations, but privately owned. This proliferation peaked in the 1970s and 1980s. Large, medium and small schools were founded. Some of the latter have recently

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38. Luis Ulloa Morel (2001). Estado, Iglesia y educación en la República Dominicana [State, Church and Education in the Dominican Republic]. (1930-1986).

disappeared due to their inability to compete with the public sector after the application of 4% of GDP for the education sector and subsequent increases in teacher salaries,<sup>39</sup> as well as the implementation of the Extended School Day (JEE).<sup>40</sup>

**3.** The move from schools affiliated to religious institutions to be financed by public funds ("joint management"). This took place after the application of 4% of the GDP to Education; however, they still have the power to charge tuition fees.

**4.** More subtle and indirect privatization models: exogenous and endogenous. The former consists of a more intensive approach to the application of Law 66-97, in terms of the 4% for Education, as of 2013. There are, consequently, selective benefits to private sectors, school suppliers, etc. The latter involves the adoption of the language and objectives of the business world, especially with the so-called paradigm of skills-based education and of the influence of mechanisms created by the business world with the aim of influencing public education policies such as EDUCA (Business Action for Education) and the INICIA Foundation.

Obviously, the schools expressly aimed at the elites, including religious schools, are in themselves explicit mechanisms for the social and cultural reproduction of the higher income strata. This is part of their cycle, as it keeps them apart from impoverished sectors while paying for their continuity as elites. But privatization in and towards the public sector is of great value to the elites insofar as it puts the public sector at the service of the corporate sector and the continuity of the social model: it reproduces their values while also making profits.

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39. Retrieved from <https://www.diariolibre.com/actualidad/el-sector-privado-ha-perdido-muchos-profesores-que-se-han-ido-al-publico-1B13306925>

40. Retrieved from <https://eldia.com.do/mas-de-3-mil-colegios-privados-desaparecen-en-ultimos-4-anos/>

# CHAPTER III.

## Privatization mechanisms in the Dominican Republic

The following sections will analyze: a) the budget items identified within MINERD that record transfers to private sector entities; b) expenditure and tax deductions through the education sector; c) Public-Private Partnerships (PPPs) for the education sector; and d) agreements between MINERD and religious bodies.

### 3.1 TRANSFERS FROM MINERD TO THE PRIVATE SECTOR

#### 3.1.1. CURRENT TRANSFERS TO NON-PROFIT ORGANIZATIONS AND TO THE PRIVATE SECTOR

Privatization mechanisms such as public funding of non-profit organizations (NPOs) and public funding of scholarships for students to attend private schools are outlined here.

**The public nature of education is largely determined by the origin of the investment, in other words, by who is funding it.** Between 2008 and 2013, public funding from the Ministry of Education averaged 79%, while domestic and foreign loans funded 20% and donations 1%. In contrast, from 2014 to 2018, the percentage of pre-university education paid for with general funds from the national budget increased to 97%, while loans represented only 3% and donations less than 1%.<sup>41</sup> In 2017 and 2018 alone, direct public funding already stood at 99%.

Reviewing the Ministry of Education's budget execution by sub-account in terms of expenditure (as shown in Figure 6), allows for the identification of current transfers through which the Government provides subsidies to different non-profit entities, as well as to private sector companies.

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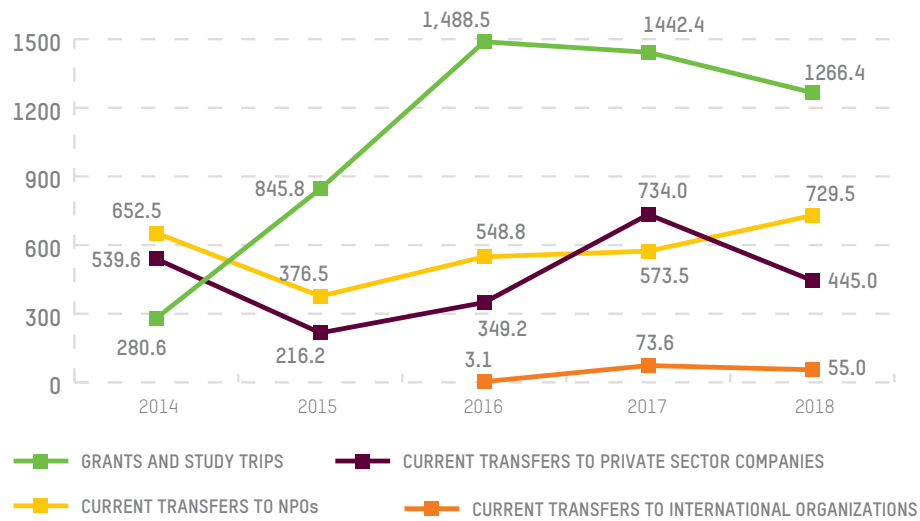
41. DIGEPRES. Budget execution 2008-2013 and 2014-2018.

42. The MEPyD figures, when adding up the lists of non-profit organizations receiving current transfers, are lower than the items executed according to DIGEPRES.

43. RD\$445 million invested in the private sector divided by RD\$35.4 million invested in vocational technical education. DIGEPRES. Budget executions 2014-2018.



FIGURE 6 | CURRENT TRANSFERS FROM MINERD - IN MILLIONS OF RD\$

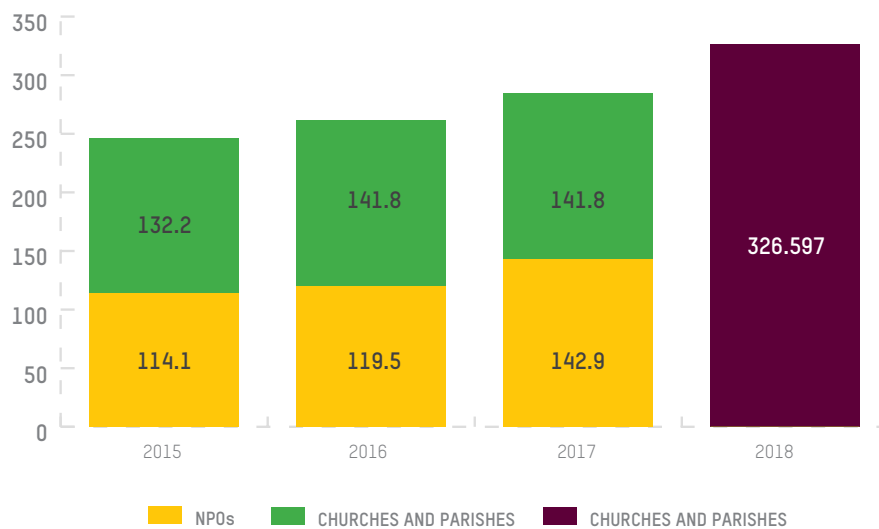


Source: Own design based on information from DIGEPRES. 2014-2018

Figure 6 shows how the amount of current transfers as subsidies to non-profit organizations has increased. As far as current transfers to private sector companies are concerned, although there was a reduction in 2018 compared to the previous year, the overall trend is towards an increase. In 2018 they were almost twice as high as in 2015<sup>42</sup>.

**In 2018, transfers to private companies were worth 12 times as much as the sum invested in vocational education.<sup>43</sup>**

FIGURES 7 | AOP TRANSFERS TO NPOS AND CHURCHES AND PARISHES. 2015-2018 - IN MILLIONS OF RD\$



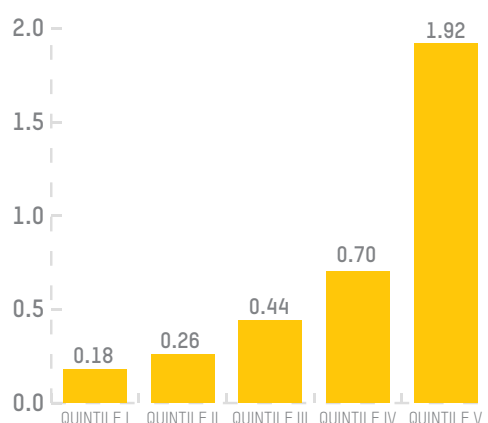
Source: Own design based on information from DIGEPRES. 2014-2018

The total value of transfers to non-profit organizations (excluding churches and parishes)<sup>44</sup> increased by 4% from 2015 to 2016 and by 20% from 2016 to 2017.<sup>45</sup> During these years, the total number of MINERD beneficiary associations increased from 170 in 2015 to 175 in 2016, for a total of 203 in 2017.<sup>46</sup>

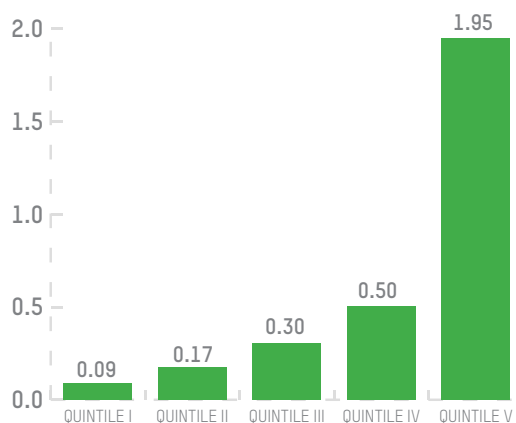
The list of beneficiary institutions includes several polytechnics and NGOs whose work focuses indirectly on education, such as health, sport and community development. Just to mention a few examples, it includes “Centro de Salud Divina Providencia” [Divine Providence Health Center], “Junta de Vecinos Don Bosco” [Don Bosco Neighborhood Association], and “Sociedad Dominicana de Investigadores Agroforestales” [Dominican Agro-Forestry Researchers Association].

On the other hand, transfers to churches and parishes grew by 25% in the two years from 2015 to 2017. The data for the number of churches is only broken down for 2017, when a total of 236 received transfers from MINERD.

**FIGURE 8 | DISTRIBUTION OF NPOS BY QUINTILES ACCORDING TO TRANSFERS RECEIVED, IN MILLIONS OF RD\$**



**FIGURE 9 | DISTRIBUTION OF CHURCHES AND PARISHES BY QUINTILES ACCORDING TO TRANSFERS RECEIVED, IN MILLIONS OF RD\$**



Source: Own design based on statistical information from MEPyD. 2018.

44. In the budget document for transfers to NPOs published by the MEPyD, churches and parishes appear as one subtotal of the nonprofit organizations; the other subtotal is the NPOs in the strictest sense.

45. For 2018, both the allocation amounts and the list of NPOs and parishes are mixed, which makes it impossible to disaggregate them. This whole series of years reveals significant inconsistencies in the way the statistics are presented.

46. Institutions were taken at random from the lists of beneficiary NPOs by MINERD as of 2017 and searches were made of the 2018 transfers to find out if the reduction in the total was due to a decrease in the number of parishes or NPOs.

Annual allocations for each non-profit organization averaged RD\$687,000 between 2015 and 2018. In 2017, the one-fifth part that received the most was three times the average. In other words, of the 203 NPOs on MINERD's list, the top 40 earned almost RD\$2 million per year, compared to the average RD\$700,000 in assistance. The top 10 received 28% of the total transfers to NPOs.<sup>47</sup>

When we repeat the same breakdown exercise in the case of Churches and Parishes, we find that the top 10, out of a total of 232, received 32% of these transfers.<sup>48</sup> The top quintile averaged almost RD\$2 million and the overall average was RD\$ 600,000.

In general, this can be described as a relatively slanted structure where significant sums could make a difference if channeled into the budgets of schools currently in need of resources.

### **3.1.2. GRANTS TO ORGANIZATIONS AND INDIVIDUALS: ASSISTANCE AND DONATIONS TO INDIVIDUALS, SCHOLARSHIPS AND STUDY TRIPS**

The Dominican Republic does not have a voucher system as such to subsidize private education for families, unlike other countries in the region.<sup>49</sup> However, there is a scholarship program run by the Ministry of Education (MINERD) for study in private schools.

MINERD's Institutional Report for 2017 states that "806 scholarship students were supervised in 94 private schools where they are studying in the Santiago and Santo Domingo regions."<sup>50</sup>

According to the National Institute for Student Welfare (INABIE), the body that implements this program, these scholarships are "*...a benefit granted to a student to study free-of-charge in a private school. (...) With the aim of contributing to the improvement and academic excellence of students who come, preferably, from families with limited economic resources, providing access and equal educational opportunities to the school population.*"<sup>51</sup>

The previous paragraph gives the reader the impression that INABIE clearly recognizes the quality of private education. The Report does not provide information on the overall cost of this program, nor which schools are the beneficiaries or the selection criteria for these schools. At the same time, it appears contradictory that this should be a way of "providing access and equal opportunities," when the scope of these scholarships is small, just 806 students, compared to the school population.

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47. The ten include the Salesian Polytechnic Industrial Institute, the Salesian Agronomic and Technical Institute (IATESA), Alianza ONG (NGO Alliance), and several leading development institutions, as well as other Christian foundations.

48. The ten that receive the highest amount of resources include the Dominican Confederation of Evangelical Unity, several provincial Dioceses, and other Christian entities.

49. CLADE. Mapeo sobre Tendencias de la Privatización de la Educación en América Latina y el Caribe [Mapping Trends in Educational Privatization in Latin America and the Caribbean]. 2015.

50. MINERD. Institutional Report 2017.

51. Retrieved from: <http://inabie.gob.do/index.php/servicios/programa-de-servicio-social/becas-escolares>

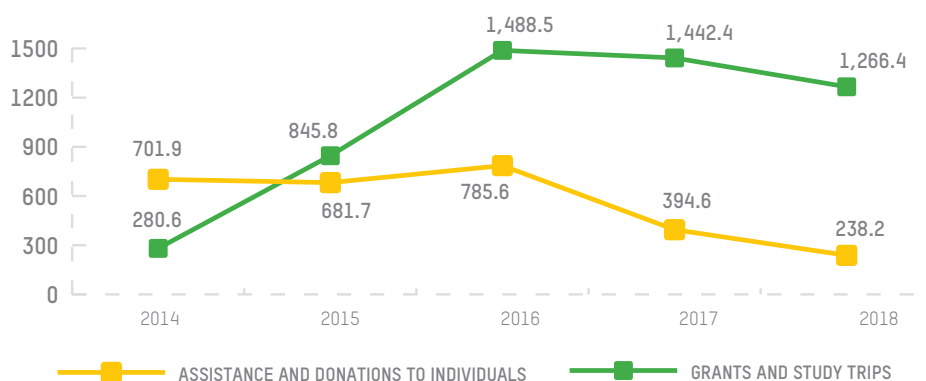
Another problem that arises is that the actual grant application process is biased in terms of access to those to whom it is awarded, since the call and its application are made online, which in itself excludes many families of the neediest students.

These scholarships would make more sense for exceptional cases of individuals who have difficulty in accessing public school or whose attendance at the school is justified by educational provision that the State is unable to provide (some cases of specialist or technical education, etc.).

The requirements section states that *“The applicant families must be willing and/or able to accept the rules, philosophy and other requirements established by the school for which they are applying for the scholarship.”*<sup>52</sup>

Expenditure on these grants can be found in MINERD’s budget items “Assistance and Donations to Individuals,” which reports the execution of the target expenditure by sub-account. As illustrated in Figure 10, this item has decreased in recent years, from an average of RD\$723 million between 2014 and 2016 to RD\$238 million in 2018 (a 66% reduction), although a clear increase in the trend of spending on scholarships and study trips is noted, which includes funding teacher training scholarships.

**FIGURE 10 | BUDGET LINES FOR SUBSIDIES TO ORGANIZATIONS AND INDIVIDUALS GRANTED BY MINERD. IN MILLIONS OF RD\$.**



Source: Own design based on statistical information from DIGEPRES. 2014 -2018

**In 2018 the budget for Scholarships and study trips was eight times greater than for Research and Development for Education.<sup>53</sup>**

52. Retrieved from: <http://inabie.gob.do/index.php/servicios/programa-de-servicio-social/becas-escolares>

53. RD\$1,266 million invested in scholarships and travel divided by RD\$156.3 million invested in research and development. DIGEPRES. Budget executions 2014-2018.

### 3.2 EXPENDITURE AND TAX DEDUCTIONS THROUGH THE EDUCATION SECTOR

As highlighted in the Oxfam report *"Fiscal Autopsy: Evaluation of the Dominican Government's Expenditures and Income to Guarantee Rights,"*<sup>54</sup> one of the major problems for establishing public policies aimed at a fairer society in the Dominican Republic is the limited fiscal capacity of the Dominican State. This is an ongoing barrier to achieving educational goals and a new fiscal arrangement that redistributes the tax burden in order to collect more taxes from people who can afford to pay them is still pending.

One of the features of the current tax system is a shortfall fueled by relatively high tax expenditure, which is partly based on the excuse of not taxing sectors identified as strategic for development. The tax exemption applicable to individuals, generally heads of household, is also considered a tax expense, which means a tax saving equivalent to the cost if it were taxed as an additional consumption good.

Part of the tax expenditure is directed towards services that are considered basic. Education in the Dominican Republic is exempt from Sales Tax (ITBIS) at all levels. In 2018, it was estimated that the State will not receive RD\$11.83 billion in direct taxes on education, that is, 10% of all ITBIS tax expenditures.

The second largest tax deduction for the education sector is tax expenditure through income tax, with some RD\$73 million. Other deductions in the categories of Selective Consumption Tax and Use of Goods and Licenses, only totaled around RD\$3.1 million.<sup>55</sup>

Indirect taxes have the greatest impact on families, especially in lower income households. Not taxing education as a service is considered a tax expense that contributes to a more progressive revenue structure, given that this is a basic service. As well as school fees, this includes other educational goods and services such as the purchase of school supplies and books. As in any discussion about tax equity, the counterpart to families is the business community, which benefits indirectly by being able to provide services at lower prices than if they included ITBIS.

Since 2010, there has also been a tax expenditure item for education in the shape of an income tax deduction based on the total annual household spending on education, which includes university education expenses. These are accounted for as general exemptions for individuals, and in 2018 they represented one tenth of the income tax expense for this item.

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54. Jovine, Rafael. (2019). "Autopsia fiscal: evaluación de los gastos e ingresos del Gobierno dominicano para garantizar derechos" [Fiscal autopsy: evaluation of the Dominican Government's expenditures and revenues to guarantee rights]. Oxfam Dominican Republic. Page 8.

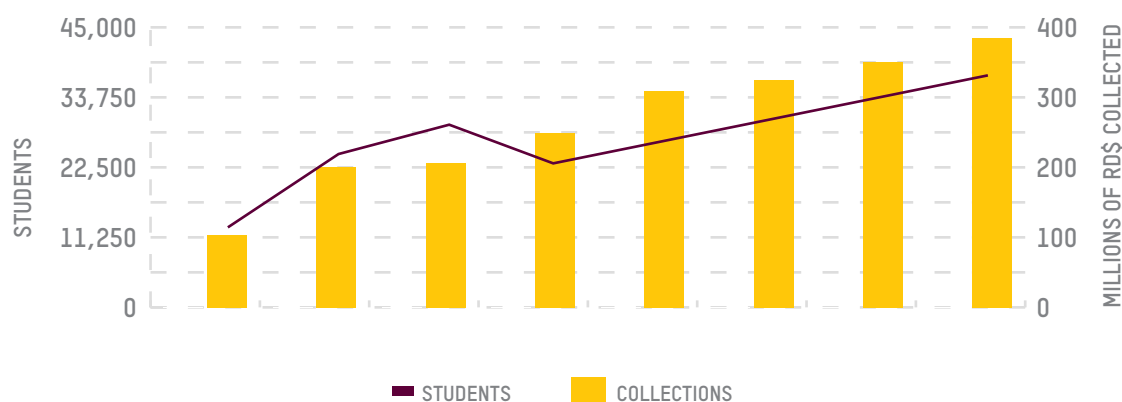
55. DGII. Tax expenditure estimates. 2018. Page 22

For financial income, the corresponding rate is applied on the gross amount of income received, while for educational expenses, it is calculated based on the amount granted for this purpose in the previous fiscal year.<sup>56</sup>

Law 179-09 on the deduction of educational expenses was passed as one of the measures taken by the Dominican State in order to encourage investment in education while increasing people's actual salaries.<sup>57</sup> Through this law, it was established that wage earners, professionals and independent workers who file income tax returns could consider expenses incurred for personal education and that of their direct non-salaried dependents as income exempt from this tax.

Although the number of beneficiaries of this category of tax spending on education remains low in comparison to the total number of Dominican students at all levels, the trend is growing steadily over time (Figure 11).

**FIGURE 11 | EVOLUTION OF BENEFICIARIES AND COLLECTIONS. 2010-2018**



Source: Own design based on statistical information on tax expenditure, DGII. 2010-2018

The total number of beneficiaries has quadrupled in less than 10 years, with an average growth of more than 10% year-on-year. However, the average per capita deduction has been decreasing, going from RD\$9,900 in 2010 to RD\$7,650 in 2018. Although as a monthly sum it does not appear to be a large amount (approximately RD\$630), this figure is higher than other educational incentive grants

56. Retrieved from: <https://dgii.gov.do/publicacionesOficiales/estudios/Documents/2018/Estimaci%C3%B3n-del-Gasto-Tributario-2018.pdf>

57. Law 179-09.

such as the Bono Escolar Estudiando Progreso (BEEP) which provides RD\$250 to RD\$500<sup>58</sup> per month for students in extreme poverty.<sup>59</sup>

In 2018, the beneficiaries of this deduction were 16.1% of students at the preschool level, 37.6% at primary level, 23.7% at secondary level, 20.7% at university level and 1.8% at technical level.

Geographically, 60.2% of the total declarations are from the National District, 22% from the province of Santo Domingo and 8.5% from Santiago.<sup>60</sup> The remaining provinces have received very few of these tax benefits. This is explained by the concentration of private schools in the country's largest cities.

When the information is disaggregated by sex, 56% of the individuals who reported these educational expenses were women. This data can be interpreted in a number of ways: on the one hand, it could be linked to the number of single mothers who pay for their children's schooling. According to the Oxfam report "*Do taxes influence inequalities between men and women?*"<sup>61</sup> income tax in the Dominican Republic is gender-biased because women are more likely to work (4.6%) in salaried jobs subject to higher tax rates than men. This deduction could represent positive targeting of women, but in order to be certain, it would need to be evaluated against other variables.<sup>62</sup>

The 10 institutions that reported receiving the largest refunds included six private universities and four well-known bilingual schools.<sup>63</sup> For example, one of the institutions was the Carol Morgan bilingual school, whose approximate fee per student in 2016 was over RD\$70,000 per month.<sup>64</sup> This is equivalent to more than six times the country's legal minimum wage. Apart from the debate on educational quality in this case, these figures show the extent to which this is an education for the elite, where a significant part of the cost of the fee is actually a factor in protecting and separating

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58. Retrieved from: <http://www.adess.gob.do/subsidios-sociales/subsidios-administrados/>

59. Although the motivation and target audience for this tax incentive policy is quite different from that of conditional transfers, the analogy is valid inasmuch as both are public incentive mechanisms for education. The big difference is that one involves an incentive to pay for private schooling while the second aims to provide the material conditions for access to public education to the most marginalized sectors.

60. These percentages also include pre-school and university levels. Educational costs report 2017 DGII. Page 22.

61. Rodríguez, Corina & Itriago, Deborah. (2019). Do taxes influence inequalities between men and women? Oxfam International. Full version in Spanish, page 47. <https://oxfamilibrary.openrepository.com/bitstream/handle/10546/620852/rr-taxes-influence-gender-inequality-lac-200819-es.pdf?sequence=4&isAllowed=y> Executive summary in English: <https://oxfamilibrary.openrepository.com/bitstream/handle/10546/620852/rr-taxes-influence-gender-inequality-lac-200819-summary-en.pdf>

62. In order to contextualize the data, we would need to find out what percentage of the individuals to whom income tax is applied are women.

63. 1. PUCMM; 2. APEC University; 3. INTEC; 4. Carol Morgan School; 5. UNIBE; 6. UNPHU; 7. New Horizons Bilingual School; 8. CE Lux Mundi; 9. St. Patrick School of Santo Domingo; 10. Educación Integral, SRL.

64. Retrieved from: <https://m.elcaribe.com.do/2016/09/05/hay-colegios-con-tarifas-mas-costosas-que-cursar-una-carrera-universitaria/>

social classes. Education is therefore becoming a luxury service whose funding, albeit indirect, by the State reinforces inequalities.

Eighty-nine percent of all tax benefits in 2017 went to the top half of those filing the highest income tax returns, over RD\$852,000 per year.<sup>65</sup> This tax-spending model tends to be regressive because it ends up benefiting higher-income families. Mexico has implemented a similar tax deduction since 2010 and it has a regressive structure, with up to 57% of the tax benefit in the area of education being appropriated by the richest 20%.<sup>66</sup>

In the case of the Dominican Republic, there also appears to have been regressive growth in recent years. From 2014 to 2018, the number of students who benefited increased by 33%, while tax relief increased by 68% and the State received RD\$316 million for this purpose in the last fiscal year alone.

Therefore, it can be said that it indirectly encourages a monetary flow that instead of entering the public treasury ends up in the hands of the owners of the private schools. It also encourages, albeit unintentionally, high tuition costs in the country's most expensive private schools, as it enables them to be sustainable.

### **3.3 PUBLIC-PRIVATE PARTNERSHIPS (PPPS) FOR THE EDUCATION SECTOR**

As part of the evolving debate that is based on the premise that the challenge of improving education is too great and significant for the State to meet by itself, a number of international organizations are promoting a variety of public-private partnership programs.<sup>67</sup> These include the World Bank and the Public-Private Partnerships Paradigm (PPP) as a way of increasing school coverage, including through the deregulation of the sector.<sup>68</sup>

Other promoters in the country include the World Bank, the Inter-American Development Bank (IDB), the United States Agency for International Development (USAID), and the Spanish Agency for International Development Cooperation (AECID).

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65. DGII. Educational costs report 2017 Distribution data on beneficiaries are disaggregated according to income quintiles. Due to the way inequalities are structured in the DR, this level is insufficient because of the large differences in income within the top 20%. In other words, this quintile includes both taxpayers with a high capacity to pay and employees who would be more likely to fall into the middle class category. In order to effectively measure how these deductions are impacting on inequalities, greater levels of disaggregation are required.

66. Retrieved from: <https://ciep.mx/la-educacion-privada-gasto-tributario-con-esquema-regresivo/>

67. EDUCA. Educational Progress Report 2015. Page 30.

68. K.M. Bous and J. Farr (2019) False Promises: How delivering education through public-private partnerships risks fueling inequality instead of achieving quality education for all. Oxfam International Briefing Paper. Page 5.



This is, to a large extent, the mission of certain civil society groups focused on education, always in partnership with business groups: instead of privatization (in its classic formats at least), these mechanisms are geared at intervening in public education to ensure that it best serves the reproduction of the social system and therefore the maintenance and strengthening of its elites. Once they have enough private schools for educating their own children, the elites only have to ensure that the subordinate classes can also produce individuals who are willing to serve them and, in some cases, become part of them.

At public sector level, MINERD's Ten-Year Plan already proposed, *"to increase the number of schools sponsored by public and private national and international institutions and organizations to 2,000."* This point is unclear and can be interpreted as an incentive for the proliferation of jointly managed schools, because it does not specify whether the sponsorship involves obtaining funds or the actual administration of the schools.<sup>69</sup>

Strategy 03.1.3 of MINERD's institutional Strategic Plan for 2017-2020 states that *"the development of multi-sector Technical and Vocational Education and Training (EFTP in Spanish) policies in all areas that MINERD develops, promoting effective partnerships with the public, private and trade sectors, which will encourage their involvement in the implementation, monitoring and evaluation of programs and their results in order to ensure their relevance."*

The IDB's definition of a PPP refers to *"a long-term contract between a private party and a public entity to provide a public asset or service, in which the private party takes on significant risk and management responsibility."*<sup>70</sup>

According to the MEPyD, Public-Private Partnerships for Sustainable Development (PPPSD) *"are voluntary, collaborative and formal relations between public institutions and one or more entities from the private business sector, civil society, universities or international development agencies. These partnerships are designed to bring together the will, resources and capacities of the actors involved in order to contribute to the priority Sustainable Development Goals for the Dominican Republic with a shared vision and commitment, and thus achieve a greater impact and be more effective in achieving them."*<sup>71</sup>

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69. MINERD. 10-Year Educational Plan Page 83.

70. Inter-American Development Bank. (2013). Washington, D.C.

71. MEPyD. (2018). Public-Private Partnerships for Sustainable Development.

This paradigm goes beyond the paradigms of social responsibility, in which companies generally restrict themselves to transferring resources by sponsoring social projects, and seeks to make them the providers and joint managers of these services, as well as obtaining benefits.<sup>72</sup> One business incentive for investing in education is to be able to benefit from some of the tax advantages derived from the current taxation framework.<sup>73</sup>

In other words, in the Dominican Republic, in recent years, both the highest levels of the private sector and the recommendations of international creditor organizations such as MINERD itself have come together to promote these partnerships.

A bill on Public-Private Partnerships is currently being debated in Congress, submitted by the Presidency and promoted by the National Business Council (CONEP), the Dominican Republic's main coordination body for large businesses. The bill is aimed at providing a legal framework for the formation of multiple PPPs in various sectors of the economy.<sup>74</sup>

In this same vein, we can consider a series of projects, plans and cooperation agreements for the implementation of these partnerships for promoting technical-vocational secondary education.

A key actor in this process has been the Inter-American Development Bank (IDB), which was the initial funder of the "Strengthening the quality and expansion of technical and vocational education" project. This Alianza NEO-RD Project is the Dominican version of the regional New Jobs and Opportunities (NEO) project that the IDB has been developing and funding in Latin America since 2012.<sup>75</sup> The main executor in the country is EDUCA, Business Action for Education.

This type of initiative is aimed at rapidly integrating young people into the labor market. *"These activities enhance the skills of graduates in order to match them with employers who can identify talent for their companies."* *"NEO-RD, 66% continue their studies and over 37% have been placed in a job, where 55% of these young people who are working receive a salary equal to or above the minimum wage."* However, by a process of simple elimination, these figures imply that 45% of these jobs were at or below the minimum wage level.<sup>76</sup>

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72. EDUCA Public-private partnerships in social sectors: Lessons learned from the Dominican experiences.

73. Retrieved from: <http://www.educa.org.do/2019/09/04/educa-lanza-observatorio-de-la-inversion-privada-en-educacion/>

74. Presidency of the Dominican Republic. (2019). Legislative Bill on Public-Private Partnerships.

75. Recuperado de: <http://www.educa.org.do/proyecto/neo-rd/>

76. Retrieved from: [https://www.jovenesneo.org/Portals/13/Images/NEO/SW\\_Recursos/cc77c48f-c171-4dfa-acef-8cd5188e2e0d\\_Booklet%20NEORD%20ALIANZA.pdf](https://www.jovenesneo.org/Portals/13/Images/NEO/SW_Recursos/cc77c48f-c171-4dfa-acef-8cd5188e2e0d_Booklet%20NEORD%20ALIANZA.pdf)

The latest updates to the university education curriculum suggest that the State has started to adopt some of the rhetorical features of the business world. *“It is based on training high school graduates with the necessary skills in line with the prevailing needs in the employment sector.”*<sup>77</sup>

Some special contract programs for inserting young people into the labor market are often proposed but they don’t include any social protection provisions and/or salary reduction. While these policies can yield positive results in terms of job creation, regional and global experience shows that these jobs tend to be insecure as well as low-paid.<sup>78</sup> In other words, the need for workplace inclusion cannot be used as an excuse for reducing rights. Therefore, there must be controls based on social interests so that these outcomes can be truly positive.

### **3.4 AGREEMENTS BETWEEN MINERD AND RELIGIOUS BODIES**

As mentioned in Chapter I on the history of education in the Dominican Republic, the Catholic Church has been involved in the design, teaching, and management of education in both public and private sectors.

The Concordat between the Dominican State and the Holy See has provided the ideal framework for ensuring this level of influence. However, with a series of agreements between several religious bodies in recent years, as well as the Catholic Church obtaining even more decision-making power over education, new actors are also appearing.

We have categorized three types of agreements: first, the bilateral agreements between a range of religious educational institutions and the MINERD signed in the years immediately following the implementation of 4% of the GDP as the annual budget of the ministry (2013, 2014 and 2015). As part of this phase we will also examine two agreements that each included several schools, such as the one with the Salesian Community and the one with the Diocese of San Juan de la Maguana.

The second group is the Framework Agreement between the Dominican Conference of Bishops and MINERD through which 131 Catholic schools were formally transferred to the public sector.

Finally, agreements with Evangelical bodies such as the framework agreement with the Roundtable for Dialogue and Christian Representation and the Dominican Confederation for Evangelical Unity (CODUE).

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77. Retrieved from: <https://listindiario.com/la-republica/2017/06/19/470754/navarro-gestiona-alianza-publico-privada-para-convertir-liceos-en-politecnicos>

78. International Labor Organization (ILO). (2015). “What do we know about First Time Employment policies in Latin America?” Regional Office for Latin America and the Caribbean. Page 35.

The following sections outline the scope and main commitments undertaken by the State as part of these agreements.

### **3.4.1 DIRECT AGREEMENTS BETWEEN MINERD AND CATHOLIC SCHOOLS**

Since the assignment of 4% of the GDP as the annual budget to pre-university education in the Dominican Republic, religious schools and the State began to establish joint management agreements. Through these agreements, these schools, which had up until then been private, would be financed by public funds and would abide by the internal regulations of the Ministry of Education (with exceptions established in each agreement), while retaining management by the religious authorities.

These agreements also allow management posts in religious schools to be exempt from being subject to a formal recruitment process.<sup>79</sup> Although the Catholic tradition of maintaining members of its hierarchy in administrative positions is understandable, it actually reveals the incompatibility between the management model of Catholic institutions and the demands for transparency and openness required of any public institution in a democratic state.

On the positive side, it is worth mentioning that these agreements open up opportunities for low-income families to have access to some schools with a tradition of good quality education, especially in the case of some polytechnics.

One of the main benefits for the State in these cases is the right to use the facilities. However, it also includes an apparent legal trap when it comes to the construction and extension of facilities, such as new classrooms, and the money spent on renovating the schools. When these agreements expire, it is not clear what will happen to the State's investments in school buildings when they revert to private management.

Other common points set out in these agreements:

- The power to choose employees, although they must be approved by the Ministry.
- They surrender the right of usufruct for the duration of the agreement.
- In some cases, it commits MINERD to paying any debts that the schools may already have incurred.

The Inter-institutional Cooperation Agreement between MINERD and the Diocese of San Juan de la Maguana was signed in 2014. It covers 30 schools in the southwestern provinces of Azua, Elías Piña and San Juan de la Maguana. It establishes that the State is committed to adapting the

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<sup>79</sup> Framework Cooperation Agreement between the Ministry of Education of the Dominican Republic and the Dominican Conference of Bishops (CED). 2015.

educational infrastructure, build new classrooms and cover all operating costs, as well as providing all additional resources as required. It also specifies that MINERD will provide transfer facilities for priests appointed to the schools and establishes the possibility of the Diocese recommending the appointment of missionaries for educational purposes.

The Inter-institutional Agreement between MINERD and the Salesian Community commits the ministry to transferring funds for operating expenses, and in the second article, to covering living expenses. In 2015, these transfers alone totaled RD\$144 million for all its polytechnics. They committed to removing the monthly fee for tuition to guarantee “free, non-exclusive, quality education.” However, Article 4 of the agreement states that the Ministry agrees that the Salesian Society and the Parents and Friends of the School Association will “coordinate mechanisms to obtain eventual resources to guarantee the stability and quality of the service, which will be done in an extraordinary and voluntary manner.”<sup>80</sup> The agreement does not explain what kind of mechanisms it refers to. But it could eventually lead to charging fees.

Beyond the fact that it is free of charge, agreements like the one with the Salesian Community still maintains the “selection” of the student body as a school management role, which will be coordinated by the Salesian Society, according to the document. This allows for the possibility of certain biases that are inherited from the private origins of these educational institutions, such as non-inclusive selection of students that mainly retains their students from previous years who can afford to pay the fees.

### **3.4.2 AGREEMENTS SIGNED BETWEEN THE MINISTRY OF EDUCATION OF THE DOMINICAN REPUBLIC (MINERD) AND THE DOMINICAN CONFERENCE OF BISHOPS (CED)**

In 2017, following a series of agreements signed between the Ministry of Education of the Dominican Republic (MINERD) and the Dominican Conference of Bishops, a total of 131 schools run by bishoprics, congregations and other Catholic institutions were taken over financially by the Dominican State.<sup>81</sup> In fact, the Framework Agreement signed by both institutions in 2015 had already established that the Ministry would “pay the payroll of administrative, teaching and support staff with the same benefits and obligations that apply to employees under the Ministry.”<sup>82</sup> The sum of money involved in these agreements has not been made public. Neither is it made clear to what extent the above-mentioned

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80. Addendum I to the Framework Cooperation Agreement between MINERD and the Salesian Community. No. 0692. 14th August 2014.

81. Retrieved from: <https://enlacedigital.com.do/site/index.php/nacionales/item/620-listado-de-colegios-catolicos-que-pasan-al-sector-publico>

82. Framework Cooperation Agreement between the Ministry of Education of the Dominican Republic and the Dominican Conference of Bishops (CED). 2015.

schools can continue to receive some level of payment from users, in addition to being State-funded. However, we were able to ascertain that, at least in a large number of cases, so-called “joint management” has reduced but not completely eliminated fees.

The Ministry of Education now funds these schools through three types of transfers: The first two are transfers to school boards and the polytechnic boards, to cover the monthly operating costs of the premises. On the other hand, the transfers to non-profit organizations are aimed at “*subsidizing the diocese, parish or religious institute for their running costs (...) by way of compensation (...), as long as they carry out educational work in their own establishments that are being used by MINERD.*” In this respect, the legal concept for compensation is equivalent to a payment of rent for the facilities. According to the same article (7.2), these sums will be based on property valuation criteria that will be stipulated before signing each agreement.

Article 8 of the MINERD-CED Framework Agreement establishes that if the Ministry makes any significant investments (without specifying the amount) in real estate on Catholic campuses, these must be maintained for educational purposes. In other words, it establishes that any new infrastructure provided by the State will be used for education, but it is not clear what type of education, whether public (and free) or private, is involved. Therefore, this clause could be used in such a way that, if the agreements were to expire, the new buildings would still be owned by the Church and would not necessarily have to be used for public education.

A “MINERD-CED Management Unit” was set up to oversee the stipulations of the agreement, and the Ministry covers its operating costs.

An article entitled “Partnership between the Ministry of Education and private schools benefits parents” (it clearly refers to schools with religious affiliations), explains that “*As part of the agreement, owners of private schools are given three years to gradually lower the fees to zero, because the Ministry of Education will cover the school’s administrative costs, including the teachers. However, principals are given free rein to make agreements with the parents’ association to set a minimum fee, to raise funds and to provide better service. Before signing, the school infrastructure is assessed, as well as the teachers’ planning.*”<sup>83</sup> The article also gives the example that “*Before the agreement, parents of students in the Sagrado Corazón de Jesús Salesian school, in Villa Juana, used to pay a monthly fee of RD\$ 1,000. The fee is now RD\$ 600 and they are implementing the extended school day.*”

Finally, as with the other revised agreements, the nature of education is defined by “*the beliefs of the Catholic faith, based on the Gospel of Jesus Christ and the moral doctrine of the Catholic Church.*”

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83. Retrieved from: <https://gobierno.lasnoticias.do/2018/11/08/alianza-ministerio-de-educacion-con-colegios-privados-beneficia-a-padres/>

### 3.4.3 AGREEMENT WITH THE ROUNDTABLE FOR DIALOGUE AND CHRISTIAN REPRESENTATION (2017)

In the same year, 2017, the Ministry signed an agreement with the Roundtable for Dialogue and Christian Representation for the transfer of 134 schools that used to belong to Evangelical churches to the public sector.<sup>84</sup>

According to the document, these included: a) Evangelical educational institutions with establishments owned by the churches and fully managed in their funds by the Ministry. b) Schools built by the Ministry and handed over to the Round Table for Dialogue to be managed according to *the beliefs of the Christian faith*.<sup>85</sup>

One of the commitments that the Ministry undertakes in the agreement is *“to transfer the funds... as well as all the expenses derived from supporting the entities that own the educational establishments included in the agreement.”* This wording allows MINERD to transfer funds to subsidize the “owner entities,” according to the previous paragraph; they can be the churches themselves, which opens the way for the State to directly fund Evangelical churches.

In February 2019, MINERD also reached a similar agreement with the Dominican Confederation of Evangelical Unity (CODUE).<sup>86</sup> This agreement established that the Ministry of Education would provide the necessary resources for the operation and development of the Evangelical schools that come under CODUE.<sup>87</sup> They do not specify the number of schools or students that would be covered by the agreement, but they do speak of making the most of educational and technical resources for the improvement of the educational system *“with a commitment to adding value in terms of knowledge, action and the highly influential nature in the country’s Evangelical community, through 25% coverage in pre-university education.”*<sup>88</sup> It was established for a period of at least 10 years.

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84. Retrieved from: <https://www.diariolibre.com/actualidad/educacion/colegios-evangelicos-pasan-al-sector-publico-YN8384199>

85. Framework Cooperation Agreement between the Ministry of Education of the Dominican Republic and the Round Table for Dialogue and Christian Representation of the Dominican Republic (2017).

86. Retrieved from: <http://www.ministeriodeeducacion.gob.do/comunicaciones/noticias/ministro-de-educacion-andres-navarro-firma-acuerdo-con-codue-para-que-colegios-evangelicos-pasen-al-sector-publico>

87. The CODUE agreement document was requested from MINERD via the Single Web Portal for Requests for Access to Public Information (SAIP), but a response was provided through the agreement with the Roundtable for Dialogue.

88. Retrieved from: <https://codue.org/ministerio-de-educacion-3/>

TABLE 1. JOINT MANAGEMENT AGREEMENTS BETWEEN MINERD AND SEVERAL RELIGIOUS ENTITIES<sup>89</sup>

FRAMEWORK AGREEMENTS AND CONVENTIONS	DATE	VALID FOR	FEES	MANAGEMENT	SCHOOLS
Bishopric of La Vega, Centro Pontón	2014	25 years	Free	Religious community	1
Archbishopric of Santiago /Synergies Cares Foundation	2013	1 year renewable	Non-specific	Mixed	1
Padre Fantino Comprehensive Training Center	2014	5 years	Non-specific	Religious community	1
Congregation of the Missionary Sisters of the Sacred Heart	2014	10 years	Free	Mixed	1
Inter-institutional Bishopric of our Lady of Altagracia	2014	25 years	Free	Religious community	1
Loyola Polytechnic Institute	2014	4 years	Free	Religious community	2
La Hora de Dios	2014	10 years	Non-specific	Mixed	1
Salesian Community	2014	5 years	Free after 2016	Religious community	11
Diocese of San Juan de la Maguana	2014	5 years	Free	Mixed	30
Dominican Conference of Bishops	2015	Undefined	Free but not all	Religious community	131
Round Table for Dialogue and Christian Representation	2017	10 years	Free	Mixed	32
Dominican Confederation of Evangelical Unity (CODUE)	2019	Undefined	Undefined	Mixed	Undefined

89. We asked MINERD for the number of schools by sector according to religious denomination. They responded as we were completing this research and the data provided did not specify exactly what the total referred to. This is why this figure was not included in the analysis. See Annexes.



The final balance in terms of privatization in these agreements, as summarized in Table 1, is quite ambiguous: on the one hand, the State has access to the use of private bodies (many of which are entirely of public origin and were handed over to religious bodies)<sup>90</sup>, while on the other hand, it delegates and assigns a series of administrative roles to individuals.<sup>91</sup> In any case, in recent years, it has become clear that a framework has been created that has given both Catholic and Evangelical churches access to the public budget for their maintenance under the premise of providing educational services.

The 2018 budget contains an item on “Church joint management agreements” with an allocation of RD\$246 million.<sup>92</sup> Instead of responding to the Educational Pact’s call to “*promote a national debate on secular teaching and/or the treatment of religion in education as a State commitment*,”<sup>93</sup> these agreements extend the denominational nature of education in the country, which undermines the aspiration that education should also be based on principles of universality.

**In 2018, transfers to parishes were worth 34 times the sum invested in gender equality education.<sup>94</sup>**



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90. This includes almost all the country’s major polytechnics.

91. Verger, Antoni; Mauro Moshetti and Clara Fondevila (2017). La privatización de la educación en América Latina. Una cartografía de políticas, tendencias y trayectorias [The privatization of education in Latin America. A mapping of policies, trends and pathways]. Page 46.

92. This figure does not include investments in infrastructure or current expenditure for the maintenance of schools under the agreements.

93. Social and Economic Council (CES). (2014). National Pact for Educational Reform in the Dominican Republic Page 12.

94. RD\$246 million invested in joint management agreements divided by RD\$7.1 million invested in gender equality. DIGEPRES. Budget executions 2014-2018.

# CHAPTER IV.

## Privatization and State capture in education

The introduction of public policies that lead to privatization processes does not happen spontaneously. In order to achieve these objectives, the groups that see themselves as beneficiaries must use a set of mechanisms to successfully implement these policies in the required direction and purpose. These mechanisms can be described as ways for economic elites to ensure that their privileges are expanded or maintained.<sup>95</sup>

**The concept of “state capture” developed by Oxfam describes the phenomenon as follows:**

*“State capture is the exercise of unfair influence by economic and political elites, in order to make laws and governments work in line with their interests and priorities, and to the detriment of the general interests of the population. These actions contribute to widening the inequality gap and harm democracy.”<sup>96</sup>*

In other words, for a public policy to be distorted toward anything other than the pursuit of the common good, there must be interests that are pursuing it, and these interests must be protected by some kind of political or economic power.

Table 2 summarizes the privatization mechanisms and the public policies that lead to this, according to their respective promoters as identified in the research.

The actors behind these phenomena of capture can be summarized as: private schools, business groups and churches and religious bodies.

The most widely used mechanisms for capturing some public education policies include lobbying and the creation of favorable legal frameworks, such as direct agreements with the Ministry of Education (Table 2).

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95. Cañete Alonso, Rosa. “Democracias Capturadas: el gobierno de unos pocos.” Oxfam, 2018. Captured Democracies: Government for the Few. Executive summary in English <https://www.oxfam.org/en/research/captured-democracies-government-few>

96. Oxfam International. “La captura del Estado y el aumento de la desigualdad en Latinoamérica y el Caribe.” [State Capture and the Increase in Inequality in LAC] 2018. <https://www.oxfam.org/en/node/11271>

TABLE 2. EDUCATION PRIVATIZATION MECHANISMS IN THE DOMINICAN REPUBLIC

MECHANISM	PUBLIC POLICY	PROMOTERS	EFFECTS
<b>PUBLIC-PRIVATE PARTNERSHIPS</b>	PPP Law <sup>97</sup>	Government, MINERD / CONEP / IDB, WB	Eventual increase of business sector participation in decision making on education
	NEO-RD Project <sup>98</sup>	IDB / EDUCA	Implementation in 28 polytechnics
<b>PUBLIC EXPENDITURE</b>	Transfers NPOs	NPOs	Cost of RD\$729.5 million (2018) for the State <sup>99</sup>
	Transfers to parishes	Churches and parishes	
	Grants to individuals	MINERD	Hundreds of beneficiary students, but at the cost of monetary transfers to private schools.
<b>JOINT MANAGEMENT AGREEMENTS WITH SCHOOLS</b>	CED Framework Agreement	Dominican Conference of Bishops	Less state control of the fulfillment of their educational policies. Privileged legal status as they are protected both by the public system and by the advantages that the agreements grant them.
	Round Table and CODUE Agreement	Evangelical churches	
	Other bilateral agreements (including agreements with the Salesians)	Religious bodies not covered by the framework agreements	
<b>TAX EXPENDITURE</b>	Law 179-09	DGII / private schools	Incentive for private education. Reduction in revenues and in the State's fiscal capacity. More than RD\$300 million deducted in taxes

Source: Own design. 2020.

Budgetary policy is one of the clearest examples of State capture when it comes to education. The National Budget has the status of a legal framework and several decision-making spaces in public institutions are involved in its formulation process, right up to the National Congress where it is debated and approved.

97. MEPyD. (2018). Public-Private Partnerships for Sustainable Development.

98. EDUCA website. <http://www.educa.org.do/proyecto/neo-rd/>

99. MEPyD. Transfers to NPOs 2018

TABLE 3. STATE INVESTMENT FIGURES LINKED TO PRIVATIZATION MECHANISMS

CURRENT TRANSFERS FROM MINERD TO NON-PROFIT AND PRIVATE ENTITIES		RD\$
<b>PRIVATE SECTOR (2018)</b>		<b>445,000,000</b>
NPOs and Parishes (2018)		729,381,912
Sub-total		1,174,381,912
<b>GRANTS TO ORGANIZATIONS AND INDIVIDUALS</b>		
Assistance and donations to individuals (2018)		238,200,000
Grants and study trips (2018)		1,266,400,000
Sub-total		1,504,600,000
<b>TAX EXPENDITURE</b>		
ITBIS exemption private schools		11,830,000,000
Income tax deductions for schools		73,000,000
Income tax deduction for families for spending on education (2018)		316,000,000
Deductions in the categories of Selective Consumption Tax and Use of Goods and Licenses		3,100,000
Sub-total		12,222,100,000
<b>JOINT MANAGEMENT AGREEMENTS</b>		
Joint management agreements with the Church		246,000,000
Sub-total		246,000,000
<b>TOTAL</b>		<b>15,147,081,912</b>

Source: own design based on information from DIGEPRES. 2018

As summarized in Table 3, four types of transfers to the private sector are set out in the MINERD budget, representing a total of RD\$15,147 million in 2018: current transfers to non-profit and private entities, subsidies to organizations and individuals, tax expenditures and joint management agreements.



## STATE CAPTURE IN AGREEMENTS WITH RELIGIOUS BODIES AND GENDER POLICIES

MINERD Departmental Order No. 33-19 is aimed at promoting non-sexist education in order to “overcome the levels of inequality between boys and girls, which contributes to the promotion of violence.”<sup>100</sup> The Round Table for Dialogue, as well as the Dominican Conference of Bishops, openly confronted the Ministry’s policies. They used media campaigns and public demonstrations, often by simply misrepresenting what was being said, in order to reverse the order.<sup>101</sup>

*“The Ministry’s initially firm defense of the maintenance of the rule was later overturned and the minister issued Resolution No. 07-2019 on June 27th, which basically includes the churches and other institutions in the advisory commission and establishes the need for agreements to be adopted unanimously, without setting final deadlines for the adoption of the gender policy design.”<sup>102</sup>*

Campaigns of this kind diminish the strength and delay the introduction of policies that could contribute to reducing systematic gender-based violence in the Dominican Republic. On the other hand, they also reduce the chances of putting scientific sexual education on the curriculum to address problems such as underage pregnancies and their impact on school dropout rates.

In either case, the worst affected groups are girls and teenagers, because this delays the introduction of policies that contribute to their empowerment through the ability to make their own decisions about fertility.<sup>103</sup>

This is an example of how, when the State relinquishes roles, it can undermine the achievement of its own goals, and it provides us with an example of why an education that really seeks to attack fundamental inequalities must be secular in nature, with no religious affiliation.

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100. Retrieved from: <http://www.ministeriodeeducacion.gob.do/media/banners/095b18af7150607375ca8f9942497846f4ace5590rden-departamental-no-33-2019-2pdf.pdf>

101. Retrieved from: <https://www.ced.org.do/comunicado-ante-la-orden-departamental-no-33-2019-del-minerd-sobre-politica-de-genero/>

102. IDEC. 4th IDEC Follow-up and Monitoring Report - First semester 2019. Page 82.

103. Retrieved from: <http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/ED/pdf/gmr2013-thematic-notev2.pdf.pdf>

# CHAPTER V.

## Dominican education and social segregation

Social inequalities are made up of a range of cross-cutting strands, which means that they can constitute a form of cumulative punishment. When exclusion factors combine within the same social group or in an individual, violations of their rights can increase dramatically. One example of this is poverty and rural conditions in the country, given that regions that are more remote from large urban centers have limited access to State public policies aimed at redressing inequities. The same applies to other demographic factors such as gender or age.

These inequalities are often reflected in the access and quality of virtually every aspect of families' daily lives. This research set out to analyze how wide these differences are according to each sector, both private and public, and identified five types of gaps: geographical, socio-economic, infrastructure and gender, and school attendance.

### 5.1 GEOGRAPHICAL GAPS

The shortage of classrooms in the Dominican education system, especially since the population explosion of the last few decades, has resulted in overcrowded classrooms. In response, many schools had to provide multiple sessions or even run more than one public school, often using the same teaching staff, which also led to the proliferation of small, very poor quality private schools in poorer neighborhoods.

The private education sector has a more varied offer. The difference that we can find in educational quality is comparable to the difference in the socio-economic conditions of the families enrolled, as well as in the tuition fees. In other words, some private sector schools are of much lower quality than the public sector average, as well as schools with high quality standards, so it is incorrect to assume that there would be a direct correlation between the fees charged by schools and the quality of the education they are providing.

TABLE 4. NUMBER OF SCHOOLS BY SECTOR, ACCORDING TO GEOGRAPHICAL AREA. 2015.

SECTOR						
PUBLIC			PRIVATE		SEMI-OFFICIAL	
AREA	SCHOOLS	SECTIONS	SCHOOLS	SECTIONS	SCHOOLS	SECTIONS
Total	7,241	103,690	4,333	47,508	269	2,748
Rural	3,849	40,730	312	3,226	38	319
Urban	3,392	62,960	4,021	44,282	231	2,429

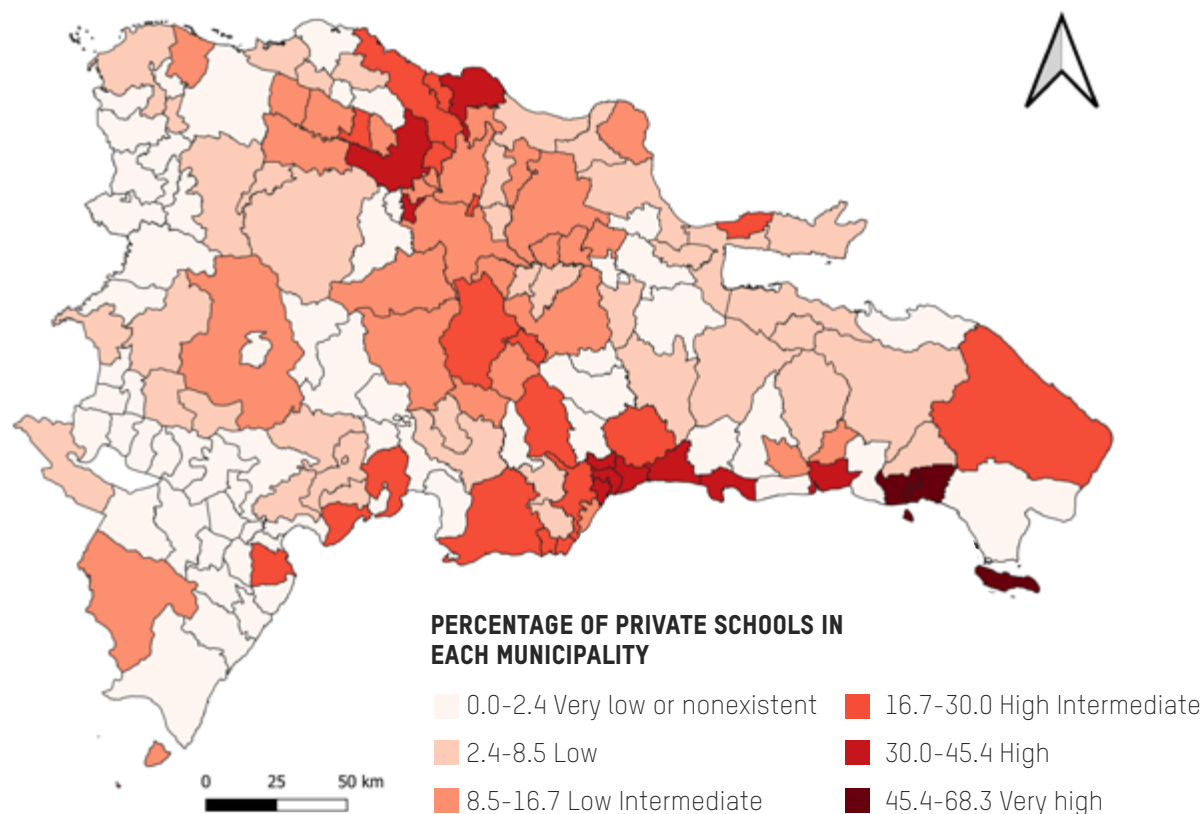
Source: Own design based on information from DIGEPRES. 2018.

As shown in Table 4, the number of public schools is almost equally distributed between rural and urban areas. In the case of private schools, 92.8% were located in urban areas, which means that private education in the Dominican Republic is closely linked to cities. According to the Demographic and Health Survey (ENDESA), 90.4% and 92.7% of primary and secondary school enrollment in rural areas of the country in 2013 was in the public sector. Although there is only one private school for every 12 public schools in rural areas, in urban areas this ratio is practically one private school for every public school. Lower density and lower family income levels go some way toward explaining the lower numbers of private schools in these areas.

At first glance, Map 1 shows the municipalities on the Santo Domingo-La Altagracia and Santo Domingo-Puerto Plata routes. These routes coincide with the Dominican Republic's two main highways, which are also the geographical axes of the country's largest cities, where most of the economic activity takes place.

The country's southern region has the lowest proportion of students in private schools, with less than 5% of enrollment in private schools for the 2014-2015 school year. The map shows some correlation between the provinces with more private schools and the level of urbanization. Thus, in the provinces with the country's main urban areas (the National District, Santo Domingo, and Santiago) the proportion of students in private schools increases to one out of every three.

MAP 1. PROPORTION OF PRIVATE SCHOOLS COMPARED TO TOTAL SCHOOLS BY MUNICIPALITY, 2018.



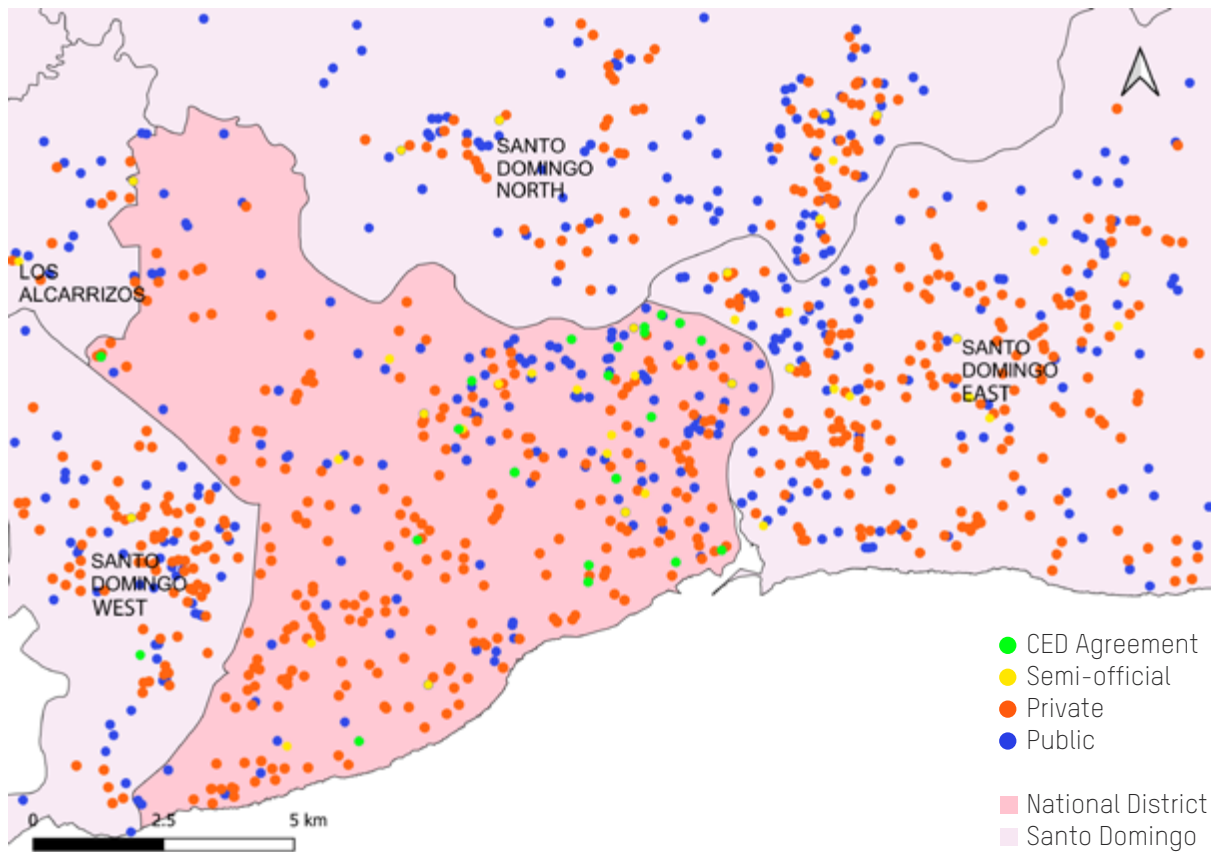
Source: Own design based on information from MINERD. 2018.

59.1% of all private schools in the country are in the Metropolitan region, which includes the provinces of Santo Domingo and the National District and is home to about 40% of the entire population. Other areas with a relatively high percentage of private schools are the tourism-focused municipalities in the provinces of La Romana, La Altagracia and Puerto Plata, as well as the municipality of Las Terrenas in Samaná province. In the cases of La Romana and La Altagracia, this may be linked to the higher concentration of wealth and luxury residences in tourist areas, for both foreigners and locals, and the resulting demand for a private education that is exclusive from the rest of the population.

Map 2, which shows the location of the schools in all parts of the city, clearly shows high density levels in the southeast of Santo Domingo North, northwest of Santo Domingo East and northeast (District 3) of the National District.



MAP 2. PROPORTION OF PRIVATE SCHOOLS COMPARED TO THE TOTAL NUMBER OF SCHOOLS BY MUNICIPALITY. 2018.



Source: Own design based on information from MINERD. 2018.

Some of these areas include some of the most populated yet highly impoverished neighborhoods in greater Santo Domingo. Although in 2014 the overall poverty rate for the entire National District was estimated at 26.7%, it was 43.7% in the 3rd Constituency.<sup>104</sup> The very low number of public schools in the 1st Constituency of the National District, with the lowest percentage of people living in poverty in the country (7.5% in 2014), is also evident.

Another fact worth mentioning is that most of the jointly managed schools covered by the agreement between MINERD and the Dominican Conference of Bishops (CED) are also located in the 3rd Constituency of the National District.

104. National District Municipality. (2017). Territorial Diagnostic of the National District. Page 139. Retrieved from: [http://adn.gob.do/pot/2-DOCUMENTOS-BASE/2.5-\[DN\]-Diagnostico-Territorial.pdf](http://adn.gob.do/pot/2-DOCUMENTOS-BASE/2.5-[DN]-Diagnostico-Territorial.pdf)

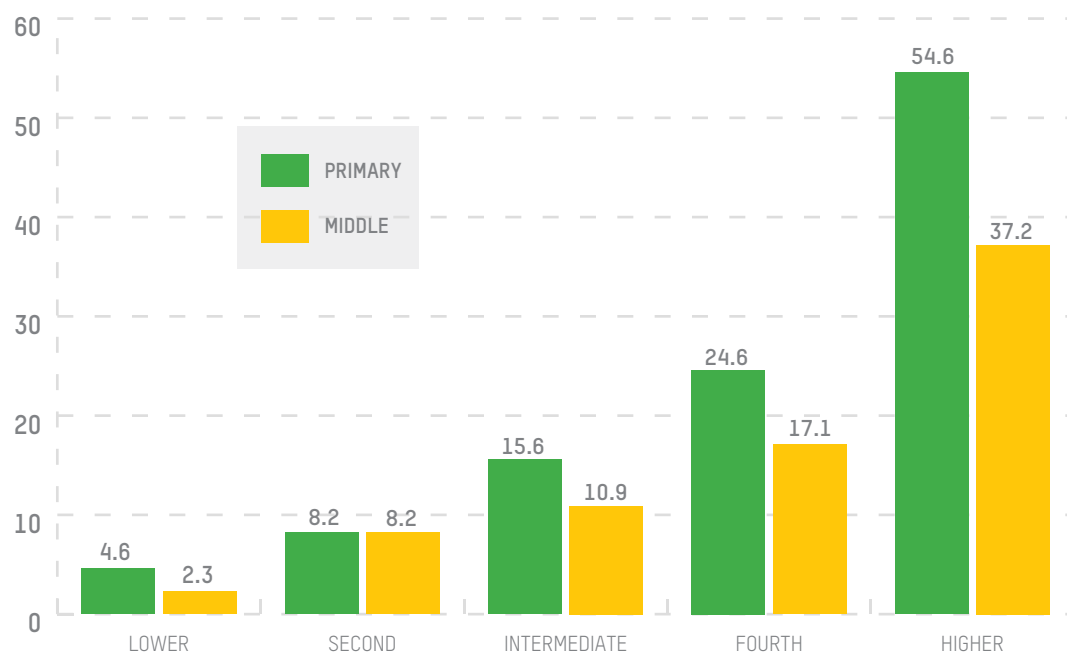
One interpretation would be that these schools cater to a low to medium economic level clientele, which are also subject to competition from public schools in the area. Therefore, this supports the assumption that the reason for the transfer to public joint management through the MINERD-CED Framework Agreement is that these schools were less profitable.

## 5.2 SOCIO-ECONOMIC GAPS

As socio-economic schisms deepen, in order to establish a baseline for classifying households, the following trends were identified for 2013 (Figure 12), the year when the authorities began assigning 4% of GDP to education:

- The proportion of children, adolescents and young people studying in private sector institutions increased as family income levels rose.
- In the top quintile, the private sector even overtook the public sector at primary level (54.6%), with 37% for secondary.<sup>105</sup>

FIGURE 12: PERCENTAGE OF STUDENTS IN PRIVATE SCHOOLS ACCORDING TO FAMILY WEALTH QUINTILES. 2013



Source: Own design based on data from ENDESA 2013.

105. Once again, the limitations of dividing inequalities by wealth quintiles in the Dominican Republic are evident. Even in the top 20%, private education is in the minority at secondary level, so an in-depth analysis of socio-economic differences between public and private students would require a greater level of disaggregation of family categories by income.

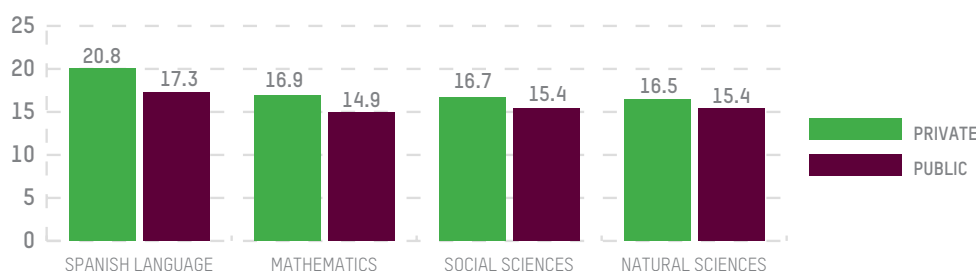
Socio-economic gaps are the key factors. One indicator, for example, could measure school dropout rates, which are 7% in the highest wealth quintile but are four times as high (28%) among the poorest quintile.<sup>106</sup>

A study by the Economic Commission for Latin America and the Caribbean (ECLAC) on social segregation levels caused by separating students from the public and private sectors in Latin America reveals a guiding principle on how the separation between public and private education reproduces social inequalities.<sup>107</sup>

In the case of the Dominican Republic, along with the regional average, they revealed an increase in the rate of isolation among the poorest quintile in 2000 compared to 1990, and in 2011 compared to 2000.<sup>108</sup> As for the rate of disparity, the country recorded an increase in the 1990s, when it rose from 0.158 to 0.201, and then decreased moderately to 0.170 during the first decade of the 21st century.

The Dominican Republic has remained above the regional average, rising from 0.151 to 0.162 to 0.167 during the periods in question.<sup>109</sup> In any case, the final balance suggests that the gap between the public and private education systems was increasing, along with the fundamental differences between social classes.

**FIGURE 13: AVERAGE SCORES ON THE NATIONAL EXAMINATIONS FOR 8TH GRADE IN 2015 BY SUBJECT. SCORING BASED ON 30 PTS**



Source: MINERD. Results of the National Exams by school. 2016-2018<sup>110</sup>

106. Retrieved from: [https://www.education-inequalities.org/countries/dominican-republic/indicators/eduout\\_upsec/#?dimension=all&group=all&age\\_group=leduout\\_upsec&year=2014](https://www.education-inequalities.org/countries/dominican-republic/indicators/eduout_upsec/#?dimension=all&group=all&age_group=leduout_upsec&year=2014)

107. ECLAC. Social Development Division. (2014). "La segregación escolar público-privada en América Latina. 2014" [Public-private school segregation in Latin America].

108. "The disparity and isolation rates require the division of students into groups according to their socio-economic level: poor and non-poor according to whether or not they belong to the first quintile of the distribution of family per capita income, and they are classified according to the type of educational establishment they attend (state or private)." "The Isolation Index can be interpreted as (...) the likelihood that a member of the minority group (in this case poor students) will attend an establishment with another member of their group." ECLAC (2014) Pages 10, 11.

109. "The disparity rate captures the degree of similarity of the segregation issue and reflects the proportion of students from the minority group, classified in this case as poor, who should move from one type of school to another in order to achieve a homogeneous distribution of students among all schools." Pages 11, 20.

110. MINERD. Results of the National Examinations by school. 2016-2018

The available evidence suggests that the increase in public spending on education has not had a significant impact on net enrollment (in 2016, 30% in pre-school, 95% in elementary, 63% in middle school). In other words, there is still a gap in school attendance, especially in pre-school and middle school, which again puts the lower socio-economic classes at a disadvantage. In 2014, the net enrollment rate at secondary level was 86.9% for the richest socio-economic quintile but only 47% for the country's poorest quintile.

In general, when describing educational quality in the country as measured by different indicators such as higher scores on standardized tests by students in private schools, the gap between the public and private sectors is evident (Figure 13).

Although the differences between scores by sector are not negligible, this data actually reveals the differences between levels of educational quality, as well as the differences in the students' background conditions.

In other words, by enjoying better socio-economic conditions, the average student attending a private school will also come from a more favorable background that also includes other more intangible factors (such as social capital) that will influence the outcomes.

Table 5 shows the percentage of students whose households have access to a range of basic services, depending on the education sector they attend.

The fact that these differences exist has several direct implications on how we understand the qualitative gaps that are then assessed when defining the sectors. I.e., it makes sense to point out the disparities in indicators such as National Examination scores between students in public and private schools, because of the very different baseline conditions.

**TABLE 5. COMPARISON OF HOUSEHOLD MATERIAL CONDITIONS 2015.**

<b>ATTENDS SCHOOL</b>	<b>HOUSEHOLD WITH COMPUTER</b>	<b>PUBLIC WATER SUPPLY</b>	<b>PUBLIC LIGHTING/ ELECTRICITY</b>	<b>PAVED STREETS</b>	<b>HOUSE NEEDS REPAIR</b>
Public	21.5	71.8	77.1	59.9	48
Private	53.6	89.9	90.2	81	20.9
Semi-official	52.8	86.3	82	71.8	25.9

*Source: BCRD National Workforce Survey. 2015.*

Whether or not a home has a computer can make a key difference when it comes to access to information, yet children, adolescents and young people in the Dominican Republic who attend public sector schools are on average less than half as likely to have a computer at home compared to their peers who attend private or semi-official schools.

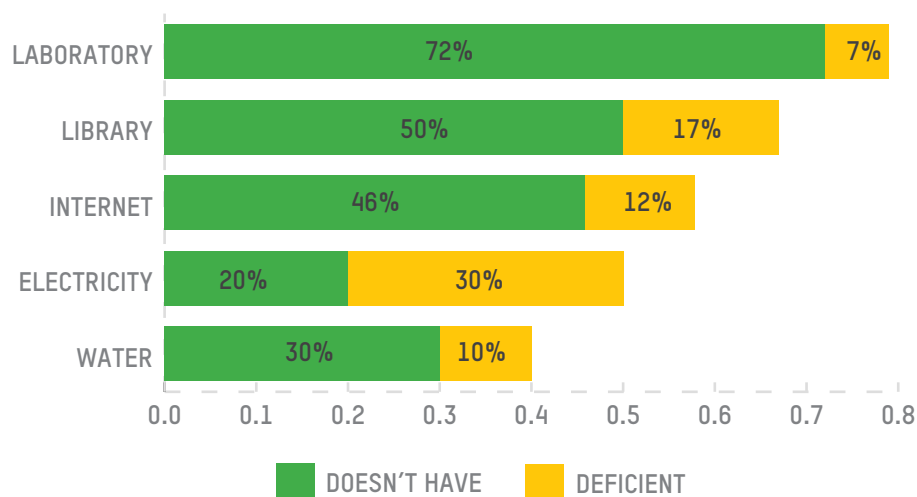
There are also significant differences in access to basic services such as water, public lighting, and quality of housing and street paving.

**The income tax exemptions for paying for private education alone were higher than the budgeted amount for qualifying schools with technological tools and equipment during 2018. Educational tax expenditure was placed above the amount spent on construction, expansion and refurbishment of facilities during the same year.<sup>111</sup>**

### 5.3 INFRASTRUCTURE GAPS

Figure 14 shows basic infrastructure provision in the country's public schools. As can be seen, less than half of these schools are equipped with educational facilities such as libraries and computer or natural science laboratories.

**FIGURE 14 | SERVICE PROVISION/BASIC INFRASTRUCTURES IN PUBLIC SCHOOLS, 2019**



*Source: Study on conditions at the beginning of the 2019-2020 school year<sup>112</sup>*

111. RD\$180.5 million. MINERD. Annual Operational Plan (POA in Spanish) 2018. Pages 12 and 98.

112. Dominican Teachers Association (ADP). Study on conditions at the beginning of the 2019-2020 school year.

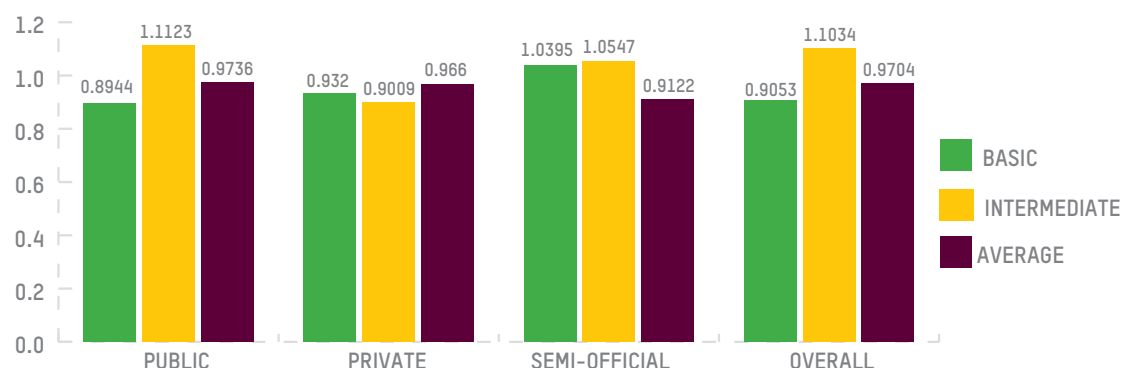
Only half of them have Internet connections, while 20% to 30% do not yet have basic services such as an Internet connection or running water. Despite the fact that no systematized information on private schools is available, the figures for public schools do not seem difficult to exceed; in fact, MINERD itself imposes all these infrastructural requirements as a condition for authorizing the establishment of [private] schools.

## 5.4 GENDER AND SCHOOL ATTENDANCE GAPS BETWEEN THE PUBLIC AND PRIVATE EDUCATION SECTORS

Gender gaps in education are one of the more subtle reflections of the way in which gender roles begin to affect girls and boys during childhood and adolescence.

Among girls and adolescent females, the main factors that affect school attendance are teenage pregnancy and domestic work, while dropping out of school because of the need to earn money is a much more common reason for boys and adolescent males.<sup>113</sup>

**FIGURE 15 | GENDER PARITY RATE IN PRE-UNIVERSITY ENROLMENT BY SECTOR, AVERAGE 2013-2018**



Source: Own design based on information from MINERD. 2013-2018.

The gender parity rate in enrollment (Figure 15) shows the number of girls enrolled for each boy. 1.00 means that the ratio is completely even; if it is lower it means that there are more boys than girls and vice versa.

113. The National Demographic and Health Survey (2013) asks about the reasons for non-attendance at school, with the following pattern of results: “‘Needs to work’ is the reason given by 67% of males and only 6% of females; apart from the reason ‘because of pregnancy’, the reason ‘because I have to do the housework’ is mentioned almost exclusively by females (28% for females and less than one per cent for males). ENDESA, (2013).” Page 31. Limited disaggregation according to sex makes it difficult to explain these gender differences. Although the data are not disaggregated by sector, the percentages of each of these reasons are more prevalent in the poorest quintiles, so it can be inferred that students who attended public schools are more strongly affected.

In the 2017-2018 school year, boys outnumbered girls by 2.7%. This is not a very significant difference if we consider the fact that the population gap in this age group is 1% more boys than girls. At the same time, however, it is misleading, since the real gaps can be found when the figures are disaggregated according to educational level.

Between 2013 and 2018, on average, for every 100 boys at the primary level of the educational system, there were only 90 girls.<sup>114</sup> In contrast, the opposite was the case at secondary level, where for every 100 boys and adolescent males enrolled, 110 girls were registered during the period in question. This disparate relationship is linked to gender roles.

One explanation for this would be that males are more likely to start working as soon as they end their childhood, which often leads them to drop out of school, although girls and female adolescents are also affected because of the impact of leaving school due to teenage pregnancy.<sup>115</sup>

Adolescents in public schools are much more likely to drop out of school if they are male compared to girls and boys in private schools.

It is worth highlighting that the gaps are wider at both primary and secondary levels in the public sector, because the factors that lead to students dropping out of school are more common.

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114. Approximately 4% of this difference can be explained by the population imbalance – there are more boys than girls in the Dominican Republic. ONE. Population projections 2010-2020.

115. 115 MINERD. Students enrolled by level, according to region and district. 2015-2018

# CONCLUSIONS AND RECOMMENDATIONS

Privatization is not being directly promoted, even by organizations that have traditionally promoted neo-liberal policies. Euphemisms such as liberalization or capitalization of public enterprises are not being promoted either, due to the still recent failure of the most aggressive privatization policies in the region. In brief, “privatization” has negative connotations and even its promoters are aware of this.

Classifying the types of privatization processes and mechanisms as “endogenous” and “exogenous” makes it easier to identify the different levels at which these processes operate, which enables us to examine more subtle and often unnoticed forms of privatization as well as traditional and direct forms. Overall, we found a body of evidence that shows that the Dominican State has been delegating roles in terms of its responsibility for guaranteeing inclusive education to private entities.

However, the phenomenon of educational privatization in the country, with the growth in levels of private enrollment, is not the main problem. The direct argument about privatization as a solution to the problems of pre-university education is not expressly considered by Dominican public opinion.

As we have noted, most of the private schools that have gradually disappeared are smaller (and possibly lower quality) institutions, which can be explained by the competition created by the construction of new schools, the benefits of the Extended School Day for families, the school breakfast programs and the impossibility of complying with MINERD regulations.

Throughout this exploratory study, the sophistication of these mechanisms and the new narratives used to present them were verified. One of the main conclusions that can be drawn is that although the source of funding is public, management is moving towards private bodies.

Several distortions of education spending through MINERD were also identified, such as current transfers to non-profit organizations that do not necessarily fulfill an educational role. Transfers to NPOs are not by definition negative; however, they can represent a way of diverting roles among state agencies. The funding of churches and parishes through this type of transfer merits particular attention. Funding should only be transferred to entities that work directly with the Ministry on educational matters.



Although it benefits hundreds of families, the policy of granting scholarships to individuals to study in private schools sends a message to society that is confusing at the very least. Apart from the total cost, national scholarships are tantamount to stating that quality education cannot be provided by public schools and that the best way for MINERD to reward deserving students is by paying them to attend a private school. At the same time, greater transparency is needed on the real cost to the treasury of funding such scholarships.

The public-private partnerships for promoting Vocational Technical Schools do not, at present, pose a threat of privatization in the sense of extraction or pursuit of profit from secondary schools. This mechanism is more likely to have been driven by utilitarian rhetoric, which promotes training for the market. It is difficult to reject initiatives that on paper only aim to contribute to educational improvements by objecting to the kind of language that is used.

The nature of universal public education tends to have too many incompatibilities with market logic for it not to be affected in its goals by the introduction of other objectives, such as the chances of obtaining a source of cheap labor in the average student body. Public-private partnerships require considerable scrutiny to ensure that the private factor does not affect common interests. The purpose of public education is first and foremost to train citizens, rather than employees and customers.

The aspiration to a truly secular education, which relegates religion to the private sphere, far from being an ideological whim, is considered to be a requisite for promoting essential public education policies.

The best example of this is the way in which these partnerships can work against the implementation of pending and much-needed policies such as sex education and non-sexist instruction. The joint management agreements between MINERD [and other entities] raise many doubts as to the real cost to the State, but mainly because of the failure to guarantee free and universal education.

These agreements leave many areas open to interpretation when it comes to the involvement of churches in education. The limits of public funding in terms of the necessity of resources for the maintenance of these partnerships, i.e., the real additional cost of joint management, are also unclear.

They also create uncertainty about the fate of future State investments, such as the expansion of educational establishments, after the eventual termination of these agreements. Because of all the facilities provided to the co-signatory religious bodies, it can be said that these agreements constitute a boost for the Concordat with the Catholic Church, as well as the framework for the inclusion of Evangelicals in public education policies.

In turn, while education tax expenditure through income tax deductions may help to fund the immediate education needs of a segment of the population, it is also true that: (a) they are generally more taxable; (b) opportunities to raise resources needed by the public education system itself are lost.

The need to strengthen tax systems to the extent that they can fund public services such as education is recognized, taking into account tax structures and how they can play a role in supporting the most disadvantaged sectors. Income tax deductions for educational expenses, as they are designed, are a way in which the Dominican State indirectly funds payment for private educational institutions.

A comparison of the features of student households by educational sector confirmed the major socio-economic differences that put private school students at an advantage compared to their public school peers; the same gaps are evident when comparing quality through the results of the National Examinations. These inequalities could also be observed nationwide, with a higher percentage of private schools in urban areas with lower poverty levels. These results, although predictable, also show how the gap between public and private schools serves as a way of reproducing and exacerbating inequalities.

Despite persistent attempts from across society to address challenges such as meeting the targets set in the National Development Strategy (END in Spanish) by 2030, education is in a deficit situation in terms of the levels of investment that should be assigned according to law.

A comprehensive fiscal pact would be needed to ensure that the State meets its obligations in the coming years.<sup>116</sup> This is another reason that adds to the urgency for making a real shift towards improving the quality of the public education system in the Dominican Republic, given that we are now heading towards a more pronounced social divide. The impact on inequalities goes beyond the qualitative differences that can be found in one sector or another.

Schools must be public because children and young people should not start their relationship with education as mere clients. In order to get to the point where Dominican public schools become synonymous with quality, real opportunities will have to be opened up for children who currently have less than or next to nothing.

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116. See graph with projections in Annexes.

## RECOMMENDATIONS

This exploratory study was focused on collecting evidence of ongoing privatization processes in primary and secondary education in the Dominican Republic. Other aspects of the issue that were not covered by this research may also be relevant.

Given the importance of the subject matter and the limited specialized bibliography in the Dominican Republic, various areas of research are proposed that derive from the findings and limitations of this paper.

One of the mechanisms initially proposed for this study was the role of private institutions in the public school teacher training process. However, the subject matter developed into a study on university education. Accordingly, we recommend that private universities should be involved in training public school teachers, through agreements between these institutions and the Ministry of Education, as an area for future research.

Another mechanism that was initially considered was MINERD's policy for purchasing and contracting goods and services. At an early stage of this study, we looked at aggregate figures on State suppliers but were unable to extract conclusive evidence. The volume of purchases and contracts involves evaluating thousands of contracts, which would require in-depth work using techniques such as auditing.

This study does not examine corruption as a mechanism for privatization. However, this, in effect, is generally inherent to these processes, since it allows for the accumulation of capital while degrading the quality of public education. It therefore serves as a platform for the reproduction of the narratives that feed these processes. We recommend continuing and strengthening citizen monitoring exercises on the execution of public investment in education, taking into account the development of indicators on transparency and the effectiveness of public spending between services paid for by the State and received by the student body.

## **WITH REFERENCE TO THE MECHANISMS THAT HAVE BEEN EXPLORED, WE RECOMMEND:**

- Carrying out comparative research between public and private school facilities and their actual capacity to comply with the established curriculum. While this research has revealed clear indications of the differences in socio-demographic characteristics between the student bodies in each sector, there is a need to study the qualitative differences in terms of public and private educational provision.
- Conducting a survey on the actual free status of the Dominican education system, with an emphasis on arbitrary charges such as for examinations, registration or other services. This should take into account the fact that one of the limitations of the scope of this study was the verification of the free nature of the schools that should not be charging, such as public schools, public schools covered by agreements and the semi-official schools, as established in the agreements themselves.
- Evaluating the agreements between MINERD and various religious bodies in budgetary and administrative terms, with a special focus on the balance in terms of gaining power to define educational policies such as gender policies.
- Finally, we propose linking the subject of privatization of public education with a comprehensive study of future prospects for public services in light of the expansion of private markets in the Dominican Republic.



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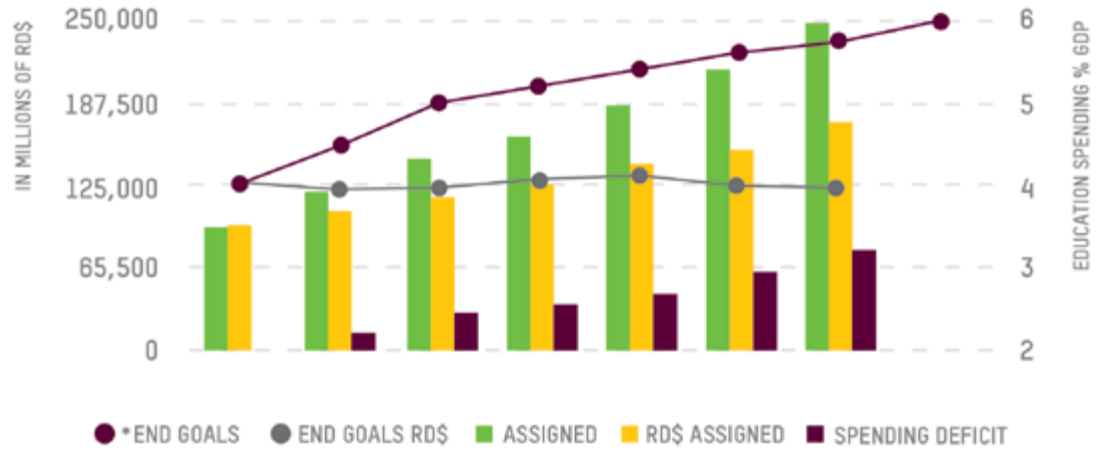
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# ANNEXES

## ANNEX 1 | HYPOTHETICAL EDUCATIONAL SPENDING DEFICIT 2013-2020, BASED ON THE NATIONAL DEVELOPMENT STRATEGY SPENDING GOALS



\* END: National Development Strategy

Source: Own design based on information from DIGEPRES and the Central Bank 2013-2020

## ANNEX 2 | MAIN ACTORS IN THE DOMINICAN EDUCATIONAL SECTOR

SECTOR	ENTITY	DESCRIPTION	OBJECTIVES/ INTERESTS	SCOPE	CURRENT STATUS
<b>PÚBLICO</b>	Ministry of Education and its dependencies	Main stakeholder and executor of pre-university education policy. Relationship with all other stakeholders.	Implement education policy	RDS\$150 billion budget. 7,375 schools	High political, social and economic relevance, especially since the last few years
<b>PRIVADO</b>	EDUCA Business Sector Action for Education	Business sector educational foundation	To be a decisive actor in the definition of educational policies	Direct participation in educational policy decision-making	Various projects such as NEO-RD. Research on education
	INICIA Foundation	Educational foundation run by a large Dominican business group	Influencing education policies, especially teacher training	Various teacher training programs	Cooperation agreement with MINERD in 2011, ratified in 2016
<b>NG</b> <i>(non governmental)</i>	Dominican Conference of Bishops	Catholic Church, Catholic schools and other affiliated bodies	Maintenance and expansion of educational spaces	132 schools	Concordat between the Church and the Dominican State. Agreement with MINERD in 2016.
	Round Table for Dialogue and Christian Representation	Evangelical churches	Continue to gain space in the educational sector	30 jointly managed schools	Agreement with MINERD in 2017
	NPOs	A range of bodies	Community support work	More RDS\$700 million in subsidies to 2018	Transfers from the State
<b>EXTERNAL</b>	World Bank	International accreditation bodies	Maintain stability and transnational economic hegemony	Capacity to influence and finance public policies	Little activity since 2016 regarding education in the DR
	IDB	International accreditation bodies	Development loans	PPP Promotion	NEO-RD Project. Loans.

Source: Own design. 2020.

## ANNEX 3 | NUMBER OF SCHOOLS BY RELIGIOUS AFFILIATION, ACCORDING TO SECTOR

SECTOR	RELIGIOUS AFFILIATION	SCHOOLS WITH NO RELIGIOUS AFFILIATION	GRAND TOTAL
PUBLIC	255	26	281
PRIVATE	55	11	66
SEMI-OFFICIAL	16	2	18
Grand total	326	39	365

Source: MINERD. Office of Information Analysis and Prospective Studies. Department of Inter-institutional Relations. Department of Information System Administration (SIGERD). Academic year 2018-2019 - November.





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