



Falling between the Cracks

Student Dropout and the Shortage of Classrooms in East Jerusalem

Annual Update

August 2015

(Revised English version, December 2015)

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Report Summary

Since 2001, following petitions filed by hundreds of parents in East Jerusalem, along with Ir Amim and other NGOs, there have been active judicial proceedings concerning the grave shortage of classrooms for Palestinian children in East Jerusalem. Over the past decade, Ir Amim has undertaken ongoing monitoring to assess the progress of classroom construction in East Jerusalem; until 2011, in parallel to petitions filed by Ir Amim. Since the High Court of Justice ruling in February 2011 (HCJ 5317/08, 3843,5185/01, and 5373/08 Abu Libdeh¹) the organization has issued annual education reports.

In the Abu Libdeh ruling, delivered in February 2011, the Supreme Court determined that the tremendous shortage of classrooms in the official school system in East Jerusalem constitutes a violation of the constitutional right to education for the children of East Jerusalem. The Court demanded that the Jerusalem Municipality and the Ministry of Education establish the necessary infrastructure within five years, by 2016, to absorb all children in East Jerusalem whose families elect to enroll them in the official school system. The Court also ruled that in order to realize the Compulsory Education Law, the state must underwrite the tuition of any student who is unable to secure a spot in the official education system and who is consequently forced to enroll in one of the

¹ HCJ 5373/08 *Abu Libdeh v. Minister of Education* (granted February 6, 2011).

recognized but unofficial schools operating in East Jerusalem. The term “recognized but unofficial” refers to those schools that are licensed and funded by the Ministry of Education but are privately operated and charge tuition.

This education report is the last one to be published before the expiration of the five-year grace period granted to the Jerusalem Municipality and the Ministry of Education to absorb all students in East Jerusalem who choose to study in the official school system. The authorities themselves admit that they have fallen far short of the Supreme Court’s expectations. Accordingly, this year’s report (like last year’s) will focus on the shortage of classrooms and the pace of classroom construction in East Jerusalem. The report will also describe the severe discrimination in dropout prevention resources targeted to Palestinian students in Jerusalem – a phenomenon naturally exacerbated by the shortage of classrooms.

All of the data presented in this report are official figures produced by the relevant municipal authorities. This data contradicts statements issued by the Municipality’s Spokesperson’s Office, which despite Ir Amim’s requests has offered no explanation for the discrepancies.

Summary of Report Findings

- According to figures in the Jerusalem Education Authority² (JEA)’s yearbook for the school year 2014-2015 (5775), 89,543 students from age 3 through high school studied in the Arab education system in Jerusalem (official and recognized but unofficial). This figure represents 36 percent of all students in Jerusalem in official and recognized but unofficial education.
- According to the response of the head of the JEA’s Arab Education Division, the figures are slightly different from those in the yearbook, and the total number of students in Arab education (official, recognized but unofficial, and private) is 104,567, as per the following breakdown:

	Number of students	Percentage of total students in Arab education system
In official Arab education system	43,654	41.7%
In recognized but unofficial Arab education system	43,647	41.7%
In private Arab education system	17,266	16.5%
Total students in Arab education system in East Jerusalem	104,567	

² [JEA Yearbook 5775](#) (in Hebrew)

Private Arab education includes private institutions administered by the Waqf, United Nations Relief and Works Agency (UNRWA), and other bodies.

- According to the director of the JEA's Arab Education Division, the Central Bureau of Statistics (CBS) puts the number of Palestinian children in East Jerusalem (pre-school through 12th grade or 3-18 years of age) at 127,198. In other words, compared to the JEA's own figures, the status of 22,631 Palestinian children in East Jerusalem is unknown. It is reasonable to assume that some of these students study outside Jerusalem, but such a large discrepancy demands a thorough investigation by the relevant authorities.
- The dramatic growth in the number of students in recognized but unofficial schools in the Arab education system is alarming. In the 2001-2002 school year, the number of students in these schools was approximately 2,000, while last year the figure had risen to 43,647. In other words, the number of students in recognized but unofficial schools in East Jerusalem has increased by a factor of almost 22 over a period of 14 years. During the same period, the number of students in official municipal schools increased from 31,100 to 43,654 (an increase of 40 percent). The growth in recognized but unofficial education is due in part to private schools adopting the status of "recognized but unofficial" school in order to secure state funding. In other instances, new schools have been established from the outset as recognized but unofficial institutions. Only a small part of the growth in the number of recognized but unofficial schools can be attributed to parents deliberately selecting this option as a source of higher-quality education. The dominant factor is the emergence in recent years of numerous associations that have moved in to fill the vacuum in the education system in East Jerusalem. By and large, these schools do not offer any content beyond the most basic curriculum. Many of the schools are located in overcrowded buildings that do not meet basic standards, lack air-conditioning and heating, are not equipped with laboratories or libraries, and generally provide a poor standard of education.
- According to the JEA, the shortage of classrooms in East Jerusalem for Palestinian students is 1,600: 600 required to replace non-standard classrooms, 600 classrooms "intended for natural growth and the transfer of students from recognized but unofficial education," and an additional 400 classrooms for children aged three and four years.
- To these municipal figures must be added the number of missing classrooms based on the figure for the number of Palestinian students in Jerusalem provided by the CBS, as distinguished from the JEA's lower

numbers. Based on the JEA calculation of one classroom for 35 students, there is an additional shortage of 647 classrooms.

- Regarding the number of classrooms required for the transition from recognized but unofficial education: on the basis of the Supreme Court ruling (Abu Libdeh – see above), the Municipality must provide classrooms for students who currently attend school in the recognized but unofficial system and who cannot transfer to the official education system due to insufficient placement options. The JEA claims that some 200 classrooms are sufficient for this purpose. Ir Amim strongly questions the reliability of this figure, in light of the overall figure of almost 1,700 classrooms in the official education system. However, for the sake of caution and in the absence of additional data, Ir Amim will adhere to the figure proposed by the JEA.
- The JEA’s calculations must be regarded as minimum estimates, according to which, together with the shortage of classrooms in accordance with CBS figures, the **total shortage of classrooms is 2,247**:

Shortage of classrooms	
Non-standard classrooms	600
Shortfall of classrooms (including those required to replace recognized but unofficial classrooms)	600
Classrooms for 3-4 year olds	400
Additional classrooms needed according to CBS figures	647
Total	2,247

- In September 2015, 38 new classrooms constructed by the Municipality are due to open [since the initial publishing of this report in Hebrew, it has been confirmed that all 38 have been opened]. A further 44 classrooms are in the process of being constructed, while 168 are in the planning stages and 259 are in the preliminary stages, not yet in the formal planning process. The total number of classrooms in all planning stages is 509, a significant increase (35 percent) over last year’s figure of 378 classrooms.
- The Municipality will rent 68 additional classrooms over the coming year.
- From 2001 through the opening of the 2015-2016 school year, 476 classrooms have been constructed.
- The pace of construction averages 36 classrooms per year. This figure fails even to keep pace with the rate of population growth (which in itself requires the construction of some 63 new classrooms each year).

- During Mayor Nir Barkat’s tenure (one and a half terms in office), a total of 219 classrooms have been constructed in East Jerusalem.
- Two positive developments reflect an apparent commitment to classroom construction on the part of the Municipality: establishment of an Arab Education Division within the Municipality in April 2015, and the formation of a Classroom Construction Administration within Moriah, a quasi-public development company headquartered in the Jerusalem Municipality.
- As of September 2012, the dropout rate in East Jerusalem was 13 percent of the total number of students, compared to 2.6 percent in general post-elementary education in Israel as a whole, 4.6 percent in Arab post-elementary education in Israel, and one percent in West Jerusalem. Most students drop out during high school. A full 36% of children in East Jerusalem do not complete 12 years of education.
- On June 29, 2014, the government adopted “Government Resolution No. 1775: Plan to Increase Personal Security and Socioeconomic Development in Jerusalem for the Benefit of All Residents.”³ The decision doubled the Ministry of Education’s dropout prevention budget from NIS 2.7 million to NIS 5.4 million over five years. According to the response from the director of the Arab Education Division, the budget allocated for dropout prevention programs in accordance with the government decision is NIS 600,000 for 2015, a figure presumably additional to the identical line item in the municipal budget. This amount is far below what is required. According to a calculation made two years ago by the JEA, a sum of NIS 15 million would be required immediately to reduce dropout levels.
- Substantial discrepancies can be seen between West and East Jerusalem in terms of number of dropout prevention programs:
 - In general education in Jerusalem, 21 regular dropout prevention programs are in operation, compared to eight programs in the Arab education system.
 - Of 45 educational institutions in Jerusalem operating programs by the Education and Welfare Services Division of the Ministry of Education, only four are in East Jerusalem.
 - In the 2014-2015 school year, 63 schools operated “regular matriculation track” (“Mabar”) classrooms. Only three of these schools are located in East Jerusalem.

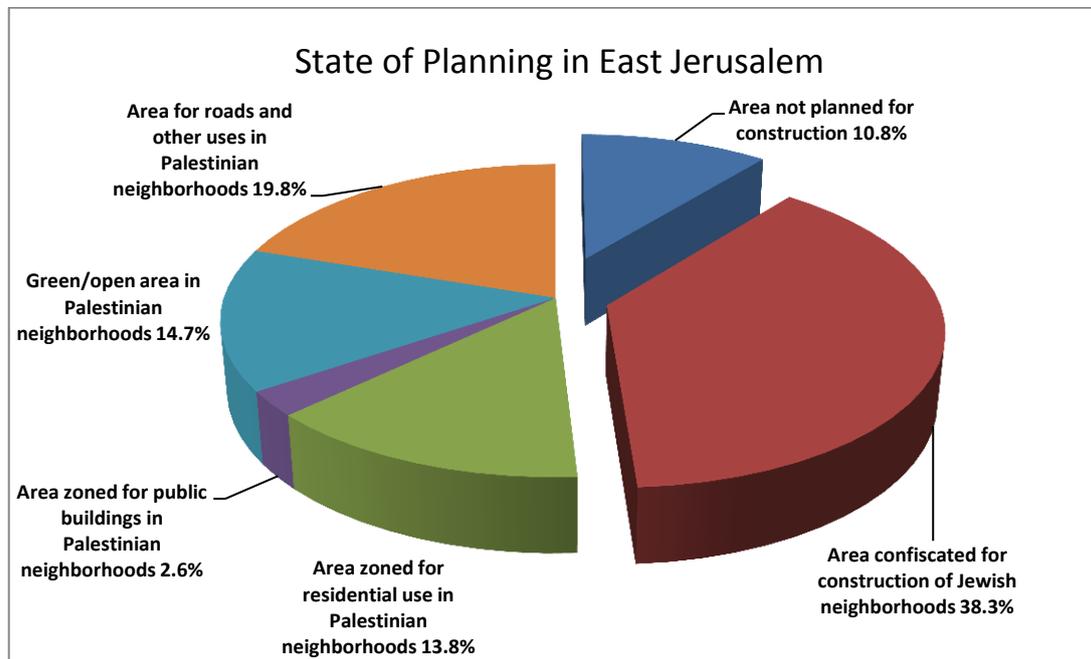
³ Government Resolution 1775, *Plan to Increase Personal Security and Socioeconomic Development in Jerusalem for the Benefit of All Its Residents*, 29 June 2014.

- Of 39 “Challenge” program classrooms run this year, just five are in East Jerusalem.
- Five institutions in Jerusalem are run under the auspices of youth training programs, under the authority of the Ministry of Economy. Four of these are situated in West Jerusalem and intended for the general population. While a vocational school for girls was established in Beit Hanina during the 2014-2015 school year, the school is intended for students who wish to take the Israeli matriculation examinations, rather than the Palestinian *tawjihi*. The girls’ school provides an example of how Israeli policy is used to exploit Palestinian parents’ educational aspirations for their children in order to further political goals.
- In West Jerusalem, 11 alternative study frameworks provide solutions for some 1,100 students. In East Jerusalem there are only two schools intended for youth at risk.

This report also discusses the petition submitted by Ir Amim, in cooperation with the Parents Committee in Jabel Mukabber and additional parents, against the Jerusalem Municipality and the Ministry of Education regarding the authorities’ opposition to the opening of a high school for boys in the neighborhood. Finally, the report examines the education related section of the government’s five-year plan adopted in accordance with the above-mentioned government decision of June 2014.

The gaps reviewed in this report have intolerable repercussions for tens of thousands of children who have no place in the official educational system and are forced to study in recognized but unofficial institutions. In most cases, this situation affords only a substandard level of education, in an overly congested environment; in all too many cases, resulting in a complete dropout from the education system. The Jerusalem Municipality and Ministry of Education claim that the shortage of classrooms is attributable to a lack of available land for the construction of schools in East Jerusalem. While there is, in fact, a dearth of available land, as noted in previous reports, the classroom shortage is directly linked to discriminatory planning policies applied by the Israeli authorities in East Jerusalem.

According to outline plans, the area zoned for public buildings for Palestinians in East Jerusalem comprises just 2.6 percent of the total land in the area:⁴



In order to overcome the shortage of classrooms, a dramatic change is required in the allocation of land for the construction of public buildings for the Palestinian population in East Jerusalem. In light of current land zoning policies in East Jerusalem and the rate of classroom construction (which, as noted, is failing to keep pace even with natural population growth), it seems probable that the shortage of classrooms will continue to increase for the foreseeable future.

⁴ Figures from Bimkom, Planners for Planning Rights (based on land zoning applying at the end of 2012).

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I. Introduction

Over a period of some ten years, beginning in 2001, legal proceedings were brought against the Jerusalem Municipality and the Ministry of Education concerning the grave shortage of classrooms for Palestinian students in East Jerusalem. Dozens of petitions were submitted by hundreds of parents and by several Israeli NGOs, including Ir Amim.

In February 2011, the Supreme Court ruled in HCJ 53732/08 Abu Libdeh⁵ that the enormous shortage of classrooms in the official education system in East Jerusalem constitutes a violation of the constitutional right to education for the students of East Jerusalem. The Court demanded that the Jerusalem Municipality and the Ministry of Education prepare within five years (by 2016) to absorb all students in East Jerusalem who elect to study in the official system. The Court further established that in order to implement the Compulsory Education Law, the state would be required to cover the tuition of any student for whom no spot is available in the official system, and who is therefore obliged to study in one of the unofficial institutions that operate in East Jerusalem.

Regrettably, and as the director of the Arab Education Division in the Jerusalem Municipality admits,⁶ the authorities have fallen far short of fulfilling the obligations imposed on them by the Supreme Court.

Since 2001, Ir Amim has monitored the pace of classroom construction in East Jerusalem – through 2011, in the framework of its court petitions and since the Supreme Court rulings of February 2011 (HCJ 5317/08, HCJ 5185/01,3843, and the above-mentioned NCJ 5373/08 Abu Libdeh), in the form of annual education reports. All of the data presented in this report have been verified through reference to official statistics from the relevant municipal authorities. Before publication, a draft copy of the report was sent to the head of the JEA, Moshe Tur-Paz, and to the director of the Arab Education Department, Lara Mubariki, for comment. Ir Amim has received no responses from either as of the date of publication. The figures presented herein substantively contradict the statements of the Municipality's Spokesperson's Office, which despite Ir Amim's requests has provided no explanation for the discrepancies.

This report is the last to be published before expiration of the five-year period granted to the Jerusalem Municipality and the Ministry of Education to absorb all students from East Jerusalem who choose to study in the official education system. Accordingly, the report maintains a focus on the shortage of classrooms

⁵ HCJ 5373/08 *Abu Libdeh v. Minister of Education* (granted February 6, 2011), submitted by the Association for Civil Rights in Israel.

⁶ During a conference of the Jerusalem Institute, "Between East and West – Equality and Inequality in Jerusalem," 6 July 2015.

and the pace of construction of classrooms in East Jerusalem, as well as severe discrimination in attention to dropout rates among students in East Jerusalem – a phenomenon naturally exacerbated by the shortage of classrooms.

The massive shortage of classrooms in East Jerusalem is the root cause of many other problems, including disproportionately high dropout rates. Moreover, there is a vast gap between the number of dropout prevention programs for the Palestinian population in East Jerusalem and students in West Jerusalem, as detailed below.

The gaps reviewed in this report have intolerable repercussions for tens of thousands of children who have no place in the official educational system and are forced to study in recognized but unofficial institutions. In most cases, this situation affords only a substandard level of education, in an overly congested environment; in all too many cases, resulting in a complete dropout from the education system.

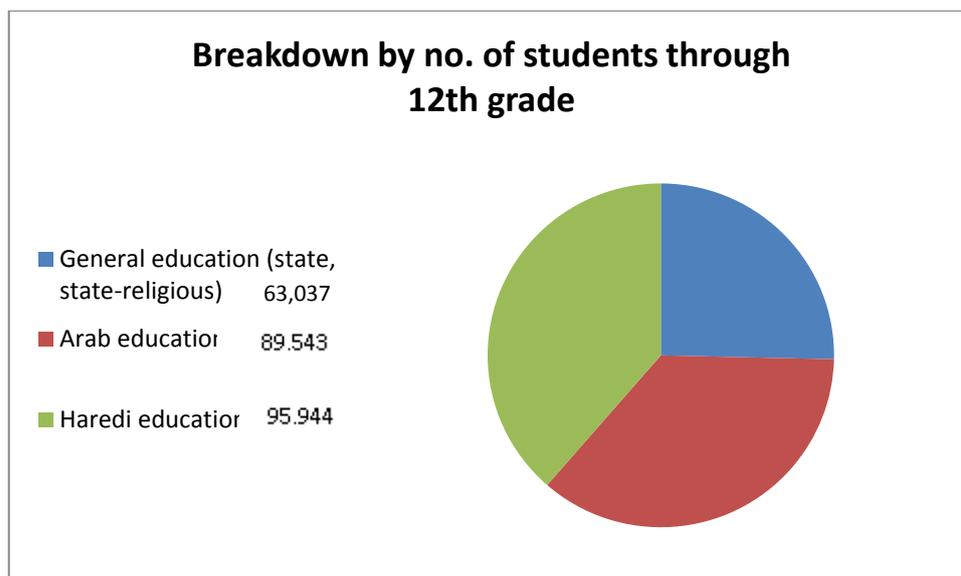
II. Statistics

A. Overview – The Number of Students in Arab Education in Jerusalem

According to the figures in the Jerusalem Education Authority (JEA)'s yearbook, the total number of students in the municipal Arab education system in Jerusalem (official and recognized but unofficial⁷ schools) was 89,543 for students age three through high school⁸ (see below for data on number of students obtained directly from a representative of the JEA). This figure represents 36 percent of the total number of students in Jerusalem enrolled in the official and recognized but unofficial educational systems.

⁷ “Recognized but unofficial” schools are owned and managed by private bodies (profit or not-for-profit). They operate under a license from the Ministry of Education and with its recognition, and they receive partial funding from the Ministry of Education and local authorities (in this case, the Jerusalem Municipality). Local authorities inspect the schools on a limited basis and schools are permitted to screen students (but not to discriminate against them) and to collect payment from parents. The education minister recently introduced regulations significantly reducing the budget for recognized but unofficial schools.

⁸ [JEA Yearbook 5775](#) (in Hebrew)



From JEA Yearbook 5775 (students in official and recognized but unofficial education)

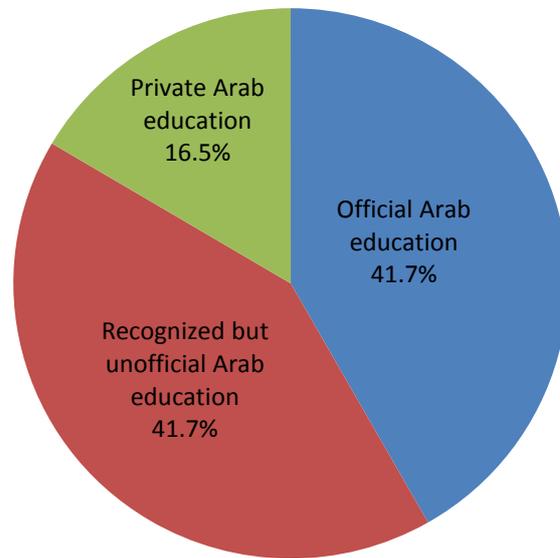
According to a letter from the director of the Arab Education Division of the JEA, Ms. Lara Mubariki,⁹ actual figures differ slightly from those published in the yearbook. Following JEA statistics, the total number of students in the Arab education system (official, recognized but unofficial, and private) is 104,567, as per the following breakdown:

	No. of students	Percentage of total students in Arab education
Official Arab education	43,654	41.7%
Recognized but unofficial Arab education	43,647	41.7%
Private Arab education	17,266	16.5%
Total students in Arab education in East Jerusalem	104,567	

Private Arab education includes institutions run by the Waqf (the Muslim religious authority), United Nations Relief and Works Agency (UNRWA), and other bodies.

⁹ Received in a response from the Municipality dated 19 August 2015, in accordance with a freedom of information request submitted by Ir Amim.

Distribution of students in Arab education in East Jerusalem



In her reply to the freedom of information request submitted by Ir Amim, the head of the JEA's Arab Education Division also compared the number of children in the system to the CBS figures for children aged 3-18. According to her response, CBS figures indicate that the total number of children in East Jerusalem, kindergarten age through grade 12 (3-18 years), is 127,198. Comparing this figure to the JEA's own data, there is a difference of 22,631 Palestinian students, whose educational status is unknown. The discrepancy is even larger if the comparison is based on the CBS figures for those students aged 3-19 years (not all students complete 12th grade while still age 18).

According to the response from the director of the JEA's Arab Education Division, the JEA's figure for registered children does not include children who attend private kindergartens, for whom the JEA does not keep data. Ms. Mubariki also notes that "the Jerusalem Municipality collects figures for students from the official municipal education system. In the case of the recognized but unofficial system, the schools forward a report to the Municipality once a year, but not all the schools do so, and accordingly some of the figures are taken from the Ministry of Education. The figures for the private system are received from the Palestinian Authority and we cannot vouch for their accuracy. The figures for the number of children in each cohort are taken from the Interior Ministry's population database, which to the best of our knowledge does not provide an accurate picture of the number of residents in East Jerusalem."

B. An Alarming Rise in the Number of Students in Recognized but Unofficial Arab Education

The dramatic growth in the number of students in recognized but unofficial Arab schools is alarming. During the 2001-2002 school year, the number of students in these schools was approximately 2,000;¹⁰ by last year, it had risen to 43,647. In other words, the number of students in recognized but unofficial schools in East Jerusalem has increased by a factor of almost 22 over a period of 14 years. During the same period, the number of students in official municipal schools increased from 31,100 to 43,654 (an increase of 40 percent). The growth in recognized but unofficial education partially owes to private schools adopting the status of “recognized but unofficial” in order to secure state funding. In other instances, new schools are established from the outset as recognized but unofficial institutions.

As noted in Ir Amim’s 2012 report,¹¹ only a small part of the growth in the number of recognized but unofficial schools can be attributed to parents deliberately selecting this option as a source of higher-quality education. The dominant factor in this equation is the emergence in recent years of numerous associations that have moved in to fill the vacuum in East Jerusalem’s educational system. By and large, these schools do not offer any content beyond the most basic curriculum. Many of the schools are located in overcrowded buildings that do not meet basic standards, lack air-conditioning and heating, are not equipped with laboratories or libraries, and generally provide a poor standard of education.

C. Shortage of Classrooms

- According to the JEA, the number of missing classrooms in East Jerusalem for Palestinian students currently totals 1,600:¹²

* **600 classrooms needed to replace sub-standard or rented classrooms¹³**

¹⁰ Jerusalem Institute for Israel Studies, *The Arab Education System in Jerusalem*, 2011 (in Hebrew).

¹¹ Ir Amim and Association for Civil Rights in Israel, *Failed Grade – East Jerusalem’s Failing Education System*, August 2012.

¹² Municipality’s response dated 19 August 2015 to freedom of information request submitted by Ir Amim.

¹³ The JEA standardizes its data from 820 substandard or rented classrooms to 600, i.e. applying the Ministry of Education’s student-classroom ratio, 600 classrooms are needed to accommodate all of the children in the 820 substandard classrooms. From the

- * **An additional 600 classrooms “intended for future natural growth and for the transfer of students from the recognized but unofficial system and the private system to the municipal system”**

The State Comptroller’s report for 2008 stated that the shortage of classrooms for students in East Jerusalem was approximately 1,000.¹⁴ According to the JEA’s numbers the shortage of classrooms has only grown.

- **A shortage of 400 classrooms for children aged 3-4 should be added to the total.** A government decision adopted in January 2012, following the release of the Trachtenberg Commission’s report, established that free education must be provided to children aged 3-4 years.

According to the JEA’s figures, an additional 400 classrooms are missing for students in this age range:

Age	Children in cohort	Classrooms required	Existing classrooms			Shortfall	Shortfall including rented classrooms and transfer from recognized but unofficial classrooms
			Standard	Rented	Recognized but unofficial		
Age 3	Approx. 8,000	230	--	--			*Approx. 400
Age 4	Approx. 8,000	230	34	29	245	152	
Age 5	Approx. 8,000	230	32	28	175	--	
Total	Approx. 24,000	690	66	57	420	152	

- **Additional number of missing classrooms according to the CBS figures:** As noted above, a comparison of the number of Palestinian children in Jerusalem according to the CBS figures and the number of children as reported to the JEA suggests that the educational status of 22,631 Palestinian children in Jerusalem is unknown. According to the basis of the JEA calculation of one classroom for 35 students, this number can be extrapolated to an **additional shortage of 647 classrooms**.
- **Missing classrooms to accommodate transfer of students from the recognized but unofficial education system:** According to the Supreme Court ruling (Abu Libdeh, see above), the classrooms required to absorb

Municipality’s response dated 19 August 2015 to the freedom of information request submitted by Ir Amim.

¹⁴ State Comptroller, *Annual Report 59B for 2008*, May 2009, p. 624 (in Hebrew).

students currently attending recognized but unofficial schools due to the lack of space in the official system are also to be denoted as missing classrooms. Recognized but unofficial schools charge tuition and in many cases deliver a substandard level of education. Many students attend these schools due to the lack of any alternative rather than by choice.

According to JEA figures, the total number of classrooms in the recognized but unofficial system is 1,694. As previously noted, the JEA projects that an addition of 600 classrooms is sufficient both for natural growth and for the transfer of students from the recognized but unofficial system. In the past, the JEA has estimated population growth at approximately 6% a year, reflecting an annual increase of approximately 2,200 in the number of children in the education system.¹⁵ According to JEA calculations, based on a ratio of 35 children per classroom, an estimated 63 additional classrooms is required each year.

In previous years, an addition of 400 classrooms was required to meet the shortfall due to natural population growth. If the JEA projects that an addition of 600 classrooms is sufficient *both* for natural growth and for the transfer of students from the recognized but unofficial system, it apparently takes the position that some 200 additional classrooms will be sufficient for the transition of students from the recognized but unofficial system. Ir Amim seriously questions the reliability of this estimate, given that the recognized system has a total of some 1,700 classrooms. Further, Ir Amim is unaware of any efforts underway by the JEA to examine parental preferences on a broad-scale basis as expected of the authorities following the Supreme Court ruling. In the absence of any other figures, Ir Amim estimated in a previous report that the total number of classes in the recognized but unofficial system reflects a shortage. In this report, solely for the sake of conservatism and in the absence of other figures, Ir Amim has adopted the JEA figures.

Accordingly, JEA estimates must be regarded as minimal evaluations. According to these assessments, together with the shortage of classrooms shown by CBS figures, **the total shortage of classrooms in East Jerusalem is 2,247.**

Number of Missing Classrooms	
Non-standard classrooms	600
Missing classrooms (including those needed to replace recognized unofficial classes)	600
Classes for the 3-4 year age group	400
Additional classrooms based on CBS figures	647
Total	2,247

¹⁵ Conversation with the assistant to the head of education in East Jerusalem in the JEA, 25 August 2014.

III. Classroom Construction – 2015

As can be seen in Appendix A (on the basis of data collected from the JEA and the Public Buildings Division of the Jerusalem Municipality, and as confirmed by relevant officials), in September 2015, 38 classrooms constructed by the Municipality are due to open. In addition, the Municipality will rent 68 new classrooms,¹⁶ bringing the total number of new classrooms to 106. It is important to emphasize that rented classrooms are located in residential buildings that were not intended to serve as schools and are often inappropriate for serving the function. As a result, these classrooms and the buildings themselves often fail to afford appropriate physical conditions for learning.

In addition, 44 classrooms are in the construction process; 168 classrooms are in the planning stages; and 259 classrooms are at preliminary stages, prior to introduction in the formal planning process. The total number of classrooms in all stages of construction, including the 38 constructed by the Municipality, is 509. This number constitutes a significant increase (35 percent) over last year's figure of 378 classrooms.

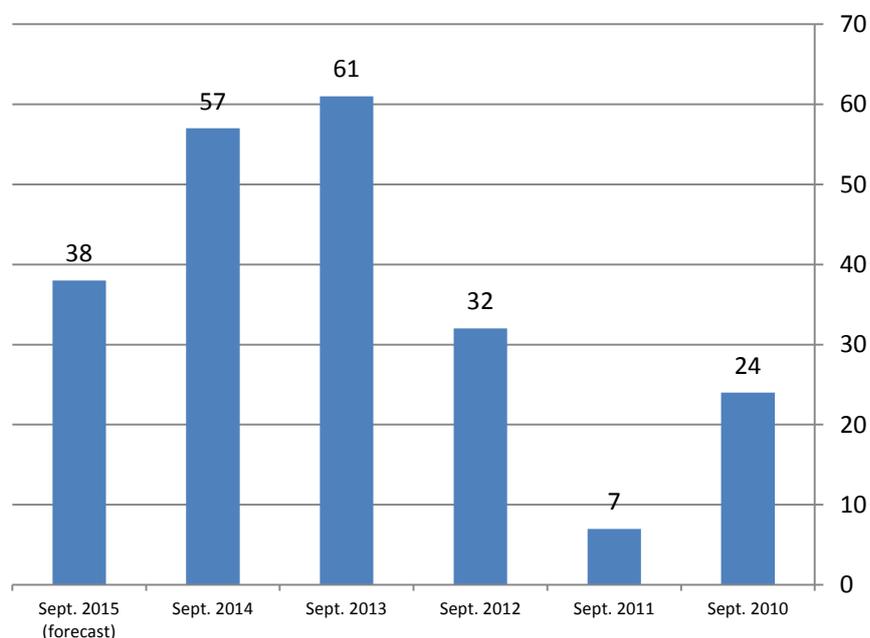
IV. Pace of Classroom Construction – 2001-2015

According to Ir Amim's annual monitoring, **from 2001 through the opening of the 2015-2016 school year, 476 classrooms were built:**

Number of Classrooms in Development					
At beginning of school year	Completed	Under construction	Planning and implementation	Location of land and confiscation stages	Total in all stages
2001 – Sept. 2009	257				
Sept. 2010	24				448
Sept. 2011	7	89	193	86	375
Sept. 2012	32	85	173	84	374
Sept. 2013	61	75	110	147	393
Sept. 2014	57	56	157	108	378
Sept. 2015 (forecast)	38	44	168	259	509
Total completed classrooms	476				

¹⁶ Reply of the assistant director of education in East Jerusalem to Ir Amim, 21 August 2014.

Number of Classrooms Opened at Beginning of School Year, 2010-2015



Jerusalem Mayor Nir Barkat has often commented that, compared to prior administrations, under his leadership the Municipality is investing considerable resources in the education system in East Jerusalem and is narrowing the gaps, particularly in terms of construction of classrooms to reduce the shortage. The Municipality claims that “in recent years several new schools, including some 400 classrooms, have been built in East Jerusalem.”¹⁷ This figure is indeed accurate if the Municipality defines “recent years” as the past 14 years. To date, during Barkat’s one and a half terms in office, the total number of classrooms constructed in East Jerusalem has been only 219.

The pace of construction averages 36 classrooms a year. This figure is insufficient even to keep pace with the rate of population growth, which requires the addition of 63 new classrooms a year. However genuine the mayor’s intentions, at the present rate the Municipality will fail even to reduce the shortage of classrooms, which will only continue to increase each year.

¹⁷ Response of the Ministry of Justice, including the response of the Municipality, to Ir Amim’s report *Uprooted in Their City*, 31 May 2015.

Spotlight: *The Connection between Classrooms and Dropout Rates: The Petition Filed by Ir Amim and the Jabel Mukabber Parents' Committee*

On July 27, 2015, **Ir Amim, the Central School Committee of the Village of Jabel Mukabber**, and additional parents of students in the neighborhood filed an administrative petition through Attorney Itai Mack¹⁸ against the Jerusalem Municipality and the Ministry of Education. The petition challenges the decision not to open an official municipal school for boys in the neighborhood in a building rented by the Committee for this purpose.

As detailed in the petition, and as is the case in other Palestinian neighborhoods in East Jerusalem, the neighborhood of Jabel Mukabber suffers from a chronic shortage of classrooms, with high school age boys in particular lacking sufficient accommodations. Every year, some 300 boys complete their studies at the junior high school. Over the years, only some 120 boys each year have managed to secure a place in Sakhnin High School, a recognized but unofficial institution and the only high school in Jabel Mukabber. An additional 180 boys who complete junior high school each year are left with no solution. Regrettably, experience shows that boys put in this position are likely to drop out of school. This year parents refused to register their sons at Sakhnin High School due to serious complaints about the standard of education provided by the school. As the beginning of the new school year approaches, some 300 boys in the neighborhood have no proper framework for their high school studies.

In light of the crisis, and after extensive efforts, the neighborhood parents' committee managed to locate a neighborhood building that could serve as a boys' high school. With the committee's mediation, the Municipality reached a rental agreement with the owners and renovated the building to make it suitable for use as a municipal educational facility by September 1, 2015. To the surprise of the parents and the committee, it emerged that the Municipality does not intend to use the new facility to provide additional classrooms, but instead plans to use it to replace an existing institution serving neighborhood girls.

The committee and many parents of both boys and girls in the neighborhood oppose the Municipality's plan, which effectively amounts to a game of "musical chairs" at the end of which boys who complete junior high studies in the neighborhood will still be left without any route for advancement. Experience suggests that the resulting damage will be irreversible. The chances that classes of boys who complete their junior high studies will wait for a solution to be

¹⁸ [Adm.Pet. 53159-07-15](#) (in Hebrew).

provided and then complete their educations are virtually nil. The vast majority of boys who drop out of school will never return to the education system.

The petitioners clarified that the neighborhood parents' committee is also engaged in an ongoing struggle to influence the Municipality to improve educational frameworks in Jabel Mukabber for both girls and boys. The committee considers boys' and girls' education to be equally important to the present and future of the neighborhood. To support their case, they note that the vast majority of girls in the neighborhood complete high school, and some of them have gone on to university studies. The grades achieved by girls in the neighborhood in their final examinations are higher than the average for students in East Jerusalem and the West Bank. As detailed in the petition, the game of "musical chairs" planned by the Municipality will harm both neighborhood boys and girls, the latter of whom will be forced to go to school farther from home.

It is unclear why the Municipality is insisting on its plan for the use of the new premises. Possibly, it seeks to avoid opening a new official school and incurring its attendant financial obligations. It is also possible, as detailed in the petition, that the Municipality is basing its decision on outrageous and irrelevant security considerations.

In light of the severe shortage of classrooms in East Jerusalem and the high dropout rate (36 percent of children in East Jerusalem do not complete 12 years of studies, the highest proportion of students in Israel), the petitioners argued that the respondents' decision not to open an official high school for boys in the neighborhood violates their right to education and equality in education and is unreasonable in the extreme.

Regrettably, Judge Nava Ben-Or rejected the petition in limine due to a delay in its submission, despite the fact that the delay was caused by efforts to secure an agreement between the Parents' Committee and the Municipality, which continued up until the filing of the petition. The judge also rejected the substance of the petition and ruled that the municipal plan is reasonable. This ruling is inconsistent with the reality on the ground: hundreds of boys of high school age will continue to drop out of school, while girls will also drop out due to their forced transfer to the new building. The parents and the Parents' Committee have notified the Municipality that the school year will not open in the neighborhood until an agreed upon solution is found to the crisis in the local education system.

V. Highest Dropout Rates in Israel and Severe Discrimination in the Provision of Dropout Prevention Programs

One of the most serious results of the shortage of more than 2,200 classrooms in East Jerusalem is the extremely alarming dropout rate of students from the school system. As noted in previous publications,¹⁹ the dropout rate among all students reached 13 percent in 2012,²⁰ compared to a dropout rate of 2.6 percent in general post-elementary education in Israel, 4.6 percent in Arab post-elementary education in Israel,²¹ and one percent in West Jerusalem. Most of the dropout occurs during high school, but cumulative dropout over the course of education translates to 36 percent of children in East Jerusalem failing to complete 12 years of school.²²

The poverty rate among the Arab population in Jerusalem is 75.4 percent, with 83.9 percent of children living in poverty.²³ This staggering figure, together with the rising dropout rate, demands heightened investment in education in general, and in dropout prevention in particular. Despite the compelling need, alternative educational frameworks intended to reduce dropout rates, such as special programs run by the Education and Welfare Division of the Ministry of Education and the JEA that deliver a comprehensive response to the problem in West Jerusalem, operate only on a limited basis, if at all, in East Jerusalem.

On June 29, 2014, the government adopted “Resolution No. 1775: Plan to Increase Personal Security and Socioeconomic Development in Jerusalem for the Benefit of All Its Residents.”²⁴ The decision doubled the Ministry of Education’s dropout prevention budget from NIS 2.7 million to NIS 5.4 million over five years.²⁵ According to a calculation prepared by the JEA in 2012, a sum of NIS 15

¹⁹ Ir Amim and the Association for Civil Rights in Israel, *The Failing Education System in East Jerusalem – Annual Update*, August 2013.

²⁰ Tzachi Golan, head of Individual Care in the JEA, *Strengthening Perseverance and Retention of Students in the Municipal Education System in East Jerusalem*, 24 September 2012, p. 1 (in Hebrew).

²¹ Central Bureau of Statistics, [Israel Statistical Yearbook, Table 8.33](#) (in Hebrew).

²² Presentation “The Education System in East Jerusalem – Challenges and Tasks,” presented at a roundtable meeting in the JEA on 27 June 2013, p. 6.

²³ Miri Endeweld et al., *Scale of Poverty and Social Gaps 2013*, National Insurance Institute, November 2014, p. 37.

²⁴ Government Resolution 1775, *Plan to Increase Personal Security and Socioeconomic Development in Jerusalem for the Benefit of All Its Residents*, 29 June 2014.

²⁵ Appendix B to Government Resolution 1775 – *Budget Tables*.

million would be required immediately in order to reduce dropout levels.²⁶ According to the response from the director of the Arab Education Division,²⁷ the budget allocated for dropout prevention programs in accordance with the government decision is NIS 600,000 for 2015, a figure presumably additional to the identical line item in the municipal budget. The total budget, then, is just NIS 1.2 million.

Substantial discrepancies can be seen between West and East Jerusalem in terms of the number of dropout prevention programs:

- General dropout prevention programs in Jerusalem: 21 general programs are in operation in the general education system in Jerusalem, compared to eight programs in the Arab education system.²⁸
- Programs of the Education and Welfare Services Division of the Ministry of Education (“Shahar”), including Regular Matriculation and Challenge program classes,²⁹ “Ometz” classes,³⁰ and the Alternative Learning Space (“Maleh”) program³¹ provide additional funding for participants. According to the Ministry of Education’s response to Ir Amim’s inquiry on this matter, Shahar classes only operate in schools where students take the Israeli matriculation examinations. Since most of the high schools in East Jerusalem prepare students for the Palestinian *tawjihi*, it is not possible to run these programs in the vast majority of cases.

²⁶ Conversation with Ms. Lara Mubariki, deputy director of the JEA for the Arab sector, and Mr. Tzachi Golan, head of Individual Care in the JEA, 24 April 2013.

²⁷ Received in a response from the Municipality dated 30 July 2015 in accordance with a freedom of information request submitted by Ir Amim.

²⁸ Response received from the Ministry of Education on 13 May 2015 to our request dated 15 January 2015.

²⁹ Ministry of Education, Pedagogic Authority – Education and Welfare Services Division, Department for Education Centers and Challenge Classes, *Challenge for Matriculation in the Education Centers – Guidelines and Procedures for Operation for the School Year 2013-2014*, (2013) (in Hebrew); Ministry of Education, Pedagogic Authority – Education and Welfare Services Division, *Mabar – Regular Matriculation Track: Booklet of Procedures and Evaluations for Opening Regular Matriculation Classes* (in Hebrew).

³⁰ Ministry of Education, Education and Welfare Services Division, [Ometz Program - Senior-High Matriculation Classes \(1999-2000\)](#) (in Hebrew).

³¹ [About Maleh - Alternative Learning Space](#)

As a result:

- Of 45 educational institutions in Jerusalem operating programs by the Education and Welfare Services Division of the Ministry of Education, only four are in East Jerusalem.
- In the city's general education system, 123 Shajar classes operated with 2,471 students, compared to 41 classes and 785 students in the Arab education system.
- 63 Regular Matriculation classes operated in high schools in the city, of which only three were located in East Jerusalem.
- Of 39 "Challenge" program classrooms, only five were in East Jerusalem.
- Frameworks under the auspices of the Ministry of Economy: The Ministry operates the network of vocational training schools in Jerusalem. Five institutions currently operate as part of the Youth Training system, of which four are situated in West Jerusalem and intended for the general population. During the 2014-2015 school year, a vocational school for girls was established in Beit Hanina.³² According to the tender, the school is intended for students who opt to take the Israeli matriculation examinations rather than the Palestinian *tawjihi*,³³ demonstrating how Israeli policy is used to exploit Palestinian parents' educational aspirations for their children in order to advance political goals, with damaging results.
- In West Jerusalem, 11 alternative study frameworks offer solutions to some 1,100 students. In East Jerusalem there are only two schools intended for at-risk youth.³⁴

These enormous gaps demonstrate extreme institutional discrimination and the serious violation of East Jerusalem Palestinian students' right to education. Ir Amim plans to issue final letters preceding legal action, in cooperation with the Clinic for Law and Education Policy at the Faculty of Law of the University of Haifa, regarding the serious discrimination in allocation of programs for combating dropout in East Jerusalem.

³² *Ministry of Economy Director-General's Order 1.4: Opening Vocational Schools – Allocation for the 2014-2015 School Year for the Arab Sector (Girls) in East Jerusalem*, 30 June 2014 (in Hebrew).

³³ Reply of the Ministry of Economy to a freedom of information request submitted by Ir Amim, 16 November 2014.

³⁴ Conversation with Tzachi Golan, head of Individual Care in the JEA, 16 June 2013.

Spotlight: The Treatment of Education in the Government's Five-Year Plan

On June 29, 2014, the government adopted "Resolution 1775: Plan to Increase Personal Security and Socioeconomic Development in Jerusalem for the Benefit of All Its Residents."³⁵ As part of the decision, the government allocated an additional budget of NIS 94.5 million over four years for police enforcement, as well as NIS 200 million (only part of which constituted an additional allocation) over five years for socioeconomic development in East Jerusalem. Of this sum, approximately NIS 47 million over five years was assigned for education, professional education, and higher education. NIS 18 million – over 38 percent of the sum allocated for education – was earmarked for enhancing Israel's control in East Jerusalem, contrary to the needs and desires of the Palestinian community.

Before the Oslo Accords, Palestinian schools in East Jerusalem operated according to the Jordanian curriculum. Since the signing of the agreements some 20 years ago, East Jerusalem has implemented the curriculum of the Palestinian Authority. The arrangement is verified not only in the political agreement signed by the two sides, but also derives from the right to education as defined by international law, including numerous international treaties that have been signed and ratified by the State of Israel and which emphasize the right of each community to a curriculum consistent with its heritage, identity, and culture.

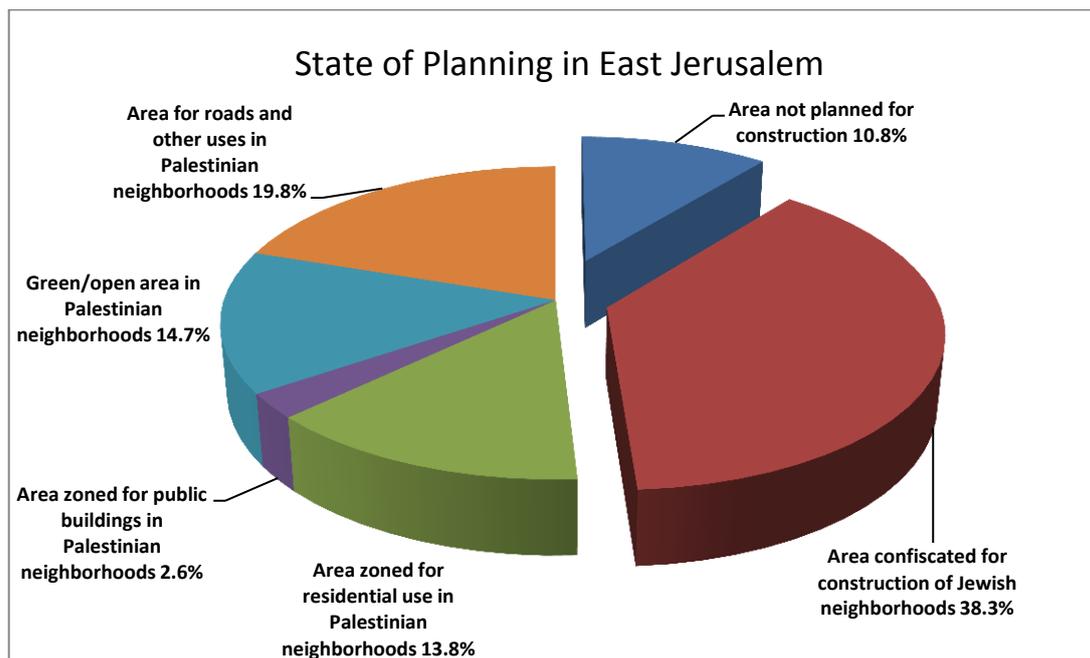
By way of example, the government decision to utilize part of the education budget as a means of increasing the number of Palestinian students taking the Israeli matriculation examination can be expected to encounter fierce opposition. Similar attempts by Israel 48 years ago led the Palestinian community to launch a general strike of the education system until Israel reversed its decision. Such actions are a severe violation of Palestinian residents' right to education.

Moreover, the government budget makes no mention of the acute shortage of classrooms in East Jerusalem, and ignores the fact that many negative socioeconomic indicators, including the grave dropout rates, are primarily attributable to this shortage. Regarding dropout programs, as detailed above, the plan provides for the investment of just NIS 5.4 million over five years, only half of which constitutes an additional allocation. According to the JEA's figures, an immediate infusion of no less than NIS 15 million is required to reduce the dropout rate.

³⁵ Government Resolution 1775, "Plan to Increase Personal Security and Socioeconomic Development in Jerusalem for the Benefit of All Its Residents," 29 June 2014.

VI. The Root of the Problem: Discriminatory Planning

The Jerusalem Municipality and the Ministry of Education attribute the shortage of classrooms to a lack of available land for the construction of schools in East Jerusalem. While there is, in fact, a dearth of available land, as noted in previous reports, the classroom shortage is the direct result of discriminatory planning policies applied by the Israeli authorities in East Jerusalem. According to outline plans, the area zoned for public buildings for Palestinians in East Jerusalem comprises just 2.6 percent of the total land in the area:³⁶



In order to overcome the shortage of classrooms, a dramatic change is required in the allocation of land for the construction of public buildings for the Palestinian population in East Jerusalem. In light of current land zoning policies in East Jerusalem and the rate of classroom construction (which, as noted, is failing to keep pace even with natural population growth), it seems probable that the shortage of classrooms will continue to rise for many years to come.

The first sign of a change in policy can be seen in the District Planning and Building Committee's approval of a plan for the neighborhood of a-Sawahara. The plan is currently categorized as a master plan, meaning that actual construction is contingent on the submission of detailed plans developed in accordance with the master plan. In June 2015, the Local Planning and Building

³⁶ Figures from Bimkom, Planners for Planning Rights (based on the land zoning applying at the end of 2012).

Committee approved a plan to establish an education campus in Jabel Mukabber. Although it may take years to realize – and many stages before completion - the decision to allocate additional land for the construction of schools is a welcome step in the right direction. Two additional Municipality actions over the past year may also lead to positive change: one, establishment of the Arab Education Department within the JEA in April 2015 and two, the formation of a Classroom Construction Administration within the Moriah Development Company, embedded in the Jerusalem Municipality.

Despite these signs of progress, more must be done not only to advance construction but also to renounce plans that militate against construction opportunities and undermine Palestinian neighborhoods as a whole. The Jerusalem Municipality should abandon its insistence on establishing a national park on the slopes of Mt. Scopus, in an area that could be zoned for the construction of schools for the A-Tur neighborhood. It should also act to ensure that the limited land reserves available for the construction of public buildings in East Jerusalem are used to construct schools, not to establish Jewish settlements within Palestinian neighborhoods. It recently emerged that a plan to establish a military college in A-Tur has been abandoned. The Municipality would be well advised to utilize this land to establish an educational campus for children from the A-Tur and A-Sawaneh neighborhoods. Finally, the Municipality should invest in the development of additional official educational institutions rather than placing children in recognized but unofficial schools that fail to meet proper educational standards.



This publication was produced by Ir Amim (Registered Association) as part of a joint project with WAC-MAAN, the Workers Advice Center, for the promotion of the socioeconomic rights of the residents of East Jerusalem. We would like to thank the European Union, the Embassy of Norway in Israel, and the Moriah Foundation for their support. Ir Amim is responsible for the content of the publication, which should not be considered to reflect the positions of the above-mentioned supporting bodies.

Project name	Institutional code	UBP no.	No. of classrooms	Neighborhood	Type of building	July 2015
Preschool in Shuafat, plot 29 (adj. to plot 12)	978239	3456A	2	Shuafat	Preschool	In final stages of construction, occupancy planned to commence Sept. 2015
Elementary school in A-Tor, plot 3	353607	3085	12	A-Tor	School	Opened May 2015
Coed elementary school in Beit Safafa	359828/13802 67	3855	24	Beit Safafa	School	In final stages of construction, occupancy planned to commence Sept. 2015
Total classrooms			38			
Expansion of elementary school in Shuafat, plot 12	353458	3456A	18	Shuafat	School	Construction status, expected occupancy Sept. 2016
Shuafat boys' high school - additional classrooms	148155	3456A/I	12	Shuafat	School	In construction
Isawiyya girls' junior-high school - additional classrooms	193003	2316	12	Isawiyya	School	In construction. Work expected to be completed in six months
Al-Sala'a preschool - Jabel Mukaber	5000375	2683A/B	2	Jabel Mukaber	Preschool	Construction commenced but confiscation problems have now been encountered.
Total classrooms			44			
Wadi Joz preschools	978866/19993 05	3533	2	Wadi Joz	Preschool	Construction due to begin after delays when the Antiquities Authority found graves. An arrangement has recently been reached and it has been agreed that the area will be cleared. Within the school area a building is being built for the Hanoar Ha'oved Vehalomed youth movement. Tender expected to be published Sept. 2015.
Wadi Joz elementary school	3194/1023633	6320	18	Wadi Joz	School	As above - single compound with preschools adjacent to elementary school. Tender expected to be published Sept. 2015.
Coed high school in Beit Safafa - expansion of existing school	148056	1760	18	Beit Safafa	School	Nearing publication of tender and commencement of construction.
A-Thuri girls	118299	1864A	6	Abu Tor	School	Tender published.
Shuafat preschools		7611	6	Shuafat	Preschool	In planning. Together with planning orders 636, 637, 644 and 647, the goal is to form a cluster of preschools enabling construction in stories and an increase in the no. of classrooms (as noted in no. of classrooms column). Currently in approval

						stage with the Education and Finance Ministries.
Shuafat preschools		7619	12	Shuafat	Preschool	See planning order 635 above
Shuafat preschools		7620	6	Shuafat	Preschool	See planning order 635 above
Shuafat preschools		7618	12	Shuafat	Preschool	See planning order 635 above
Shuafat preschools		7621	6	Shuafat	Preschool	See planning order 635 above
Preparatory for girls 1st-9th A-Tor	118299	4640	9	A-Tor	School	Plans approved by Education Ministry and now await building permit
Girls' high school Sur Baher	5002964	2302x	8	Sur Baher	School	Plans approved by Education Ministry and now await building permit
Boys' elementary school Isawiyya		2316	8	Isawiyya	School	Plans approved by Education Ministry and now await building permit
Boys' comprehensive school Beit Hanina	5011341	7159B	24	Beit Hanina	School	Beginning planning stage
A-Sala'a elementary school, plot 1		2683A	18	Sawahareh	School	Plans approved by Education Ministry and now await building permit
Sharafat - plot 2, A-Salaam special education school		4552	15	Sharafat	School	Instead of special education school in Beit Safafa. Confiscation proceeding completed and planning commenced.

Total classrooms

168

Project name	Institutional code	UBP no.	No. of classrooms	Neighborhood	Type of building	July 2015
A-Sala'a elementary school, plot 1		2683A	8	Sawahareh	School	Still waiting for approval from the Waqf. Draft program received. Under attention of director-general of the Municipality
School in A-Tor, plot 2		4904A	24	A-Tor	School	No progress due to opposition in the neighborhood.
Coed school in Wadi Qadum - Silwan, plot 7		2668	24	Silwan	School	Confiscation proceeding continues. Prioritized for compensation from Finance Ministry. Legal proceedings due to illegal construction
Boys' elementary school Sheikh Jarrah		8620	24	Sheikh Jarrah	School	Land confiscated and transferred to Municipality. No progress due to conflict over a parking lot.
Abu Tor - plot G100 - elementary school		5222A	18	Abu Tor	School	Confiscation proceedings under sections 5,7. Requires eviction of illegal construction from the plot. In legal proceedings.
Preschool in Abu Tor - plot 29A		5222A	4	Abu Tor	Preschool	Plot includes trees to be uprooted and an access road must be built.
Preschool and school in Beit Hanina - plot 1		6671	30	Beit Hanina	School and preschool	Plot includes illegal construction.
Preschool and school in Shuafat		3974	21	Shuafat	School and preschool	Trees are to be uprooted in the plot.
Preschools in Isawiyya		2316	18	Isawiyya	Preschool	Three different plots, all of which include illegal construction.
Special education school Sheikh Jarrah		2591	10	Sheikh Jarrah	Special educ. school	Part of the plot is occupied by two buildings.
Preschool in Sheikh Jarrah		3386	6	Sheikh Jarrah	Preschool	
Preschool in Sheikh Jarrah		2591	4	Sheikh Jarrah	Preschool	
Preschool in A-Tor		AM/9	12	A-Tor	Preschool	Difficulties encountered in surveying. Residents will not allow surveyors to enter.

Preschool in Jabel Mukaber - plot 34		8815	12	Jabel Mukaber	Preschool	
Preschools in Sawahareh / Um Tuba, plots 10, 11		2683A	12	Sawahareh	Preschools	Soccer pitch on part of plot 10
Preschool in Sur Baher / Um Tuba, plot S-3		2302A	4	Sur Baher / Um Tuba	Preschool	Difficulties encountered in surveying.
Preschool in Sur Baher / Um Tuba, plot S-4		2302A	4	Sur Baher / Um Tuba	Preschool	Difficulties encountered in surveying.
Preschool in Sur Baher / Um Tuba, plot S-2		2302A	12	Sur Baher / Um Tuba	School	Difficulties encountered in surveying.
Preschool in Sur Baher / Um Tuba, plot S-20		2302A	6	Sur Baher / Um Tuba	Preschool	
Preschool in Sur Baher / Um Tuba, plot S-13, 201		2302A 13768	6	Sur Baher / Um Tuba	Preschool	Plot includes a building serving as a private school, constructed with a permit and not slated for demolition.

Total classrooms **259**

Summary	
Projects completed and expected to be completed by Sept. 2015	38
In construction	44
In planning	168
In JEA and confiscation	259
Total	509