



# FIFTY YEARS OF NEGLECT: EAST JERUSALEM EDUCATION REPORT

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Written by **Aviv Tatarsky** and **Oshrat Maimon**, Adv.

English translation: **Oren Haber**

English editing: **Betty Herschman**

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## I. Summary

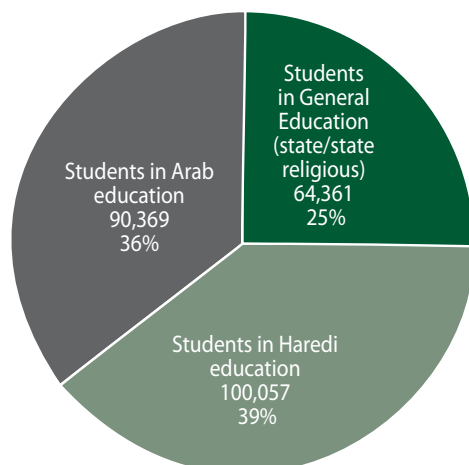
In recent years, the school system in East Jerusalem has been coping with a continued shortage of classrooms as well as the highest dropout rates recorded in data collected by Israel; while at the same time confronting the considerable stress being exerted, mainly by the Ministry of Education and the Ministry of Jerusalem Affairs, to impose the Israeli curriculum on the Palestinian national community in the city. The combination of neglected infrastructure and elaborate political attempts to influence content has left the school system in East Jerusalem in dire straits. Along with mounting pressure from the Israeli government, the disparities reviewed in this report have serious ramifications for tens of thousands of Palestinian children in East Jerusalem.

<b>Summary of data presented in report</b>	
Percentage of Palestinian students in the school system (official + recognized but unofficial), of total number of students in Jerusalem	36%
Percentage of Palestinian students in the official school system, of total number of Palestinian students in East Jerusalem	39.4%
Number of school-age Palestinian children who have “vanished” from Jerusalem Education Authority (JEA) statistics	16,702
Ongoing increase in the number of Palestinian students in recognized but unofficial education (versus official education) since 2001	More than 23 times as high
Number of classrooms lacking for children in East Jerusalem	2,557
Number of classrooms being built in East Jerusalem per year, on average	37
Number of classrooms needed per year to meet population growth in East Jerusalem	70
Percentage of East Jerusalem land zoned for public buildings for the Palestinian population	2.6%
Average annual dropout rate for Palestinian students in East Jerusalem	13%
Percentage of Palestinian students in Jerusalem who do not complete 12 years of schooling (=cumulative dropout rate)	33%
Number of Palestinian students from East Jerusalem who drop out of the education system every year	1,300

This report reviews the Jerusalem Municipality (hereinafter, “Municipality”)’s and government’s failure to build an adequate number of classrooms and their contradictory explanations regarding the construction lag in East Jerusalem. The report also explores Israel’s ongoing attempts to force Palestinian students to switch to the Israeli curriculum. While the authorities claim that the change of curriculum is for the benefit of students, we provide data showing that their situation would be improved by making the Palestinian matriculation certificate – which enjoys a high success rate and is accepted in the finest universities around the world – an accepted credential for academic institutions and workplaces.

## II. Distribution of East Jerusalem Palestinian Students in the School System

### A. Breakdown of Students in the Jerusalem School System, 2016/17 School Year<sup>1</sup>



### B. Breakdown of East Jerusalem Palestinian Students in the School System, 2016/17 School Year

	Number of students	Percentage of total number of students in Arab education
<b>Official Arab education</b>	43,494	39.4%
Recognized but unofficial Arab education <sup>2</sup>	46,875	42.4%
Private Arab education <sup>3</sup>	20,127	18.2%
<b>Total students in Arab education in East Jerusalem</b>	<b>110,496</b>	

1 Data from [Jerusalem Education Authority yearbook for 2016/17](#) [in Hebrew].

2 Official schools are run by the state and/or the local authority and receive 100% of their funding from the authorities. "Recognized but unofficial" schools are not state-owned, but rather owned by private bodies (profit or not-for-profit). They operate under a license from the Ministry of Education and with its recognition, and receive partial funding from the Ministry of Education and local authorities (in this case, the Jerusalem Municipality). Local authorities conduct school inspections on a limited basis.

3 This year, for the first time, the Jerusalem Education Authority (JEA) did not publish data for students learning in private education. This figure comes from the [response of the JEA to a Freedom of Information request by the Association for Civil Rights in Israel](#), March 20, 2017 [in Hebrew]. Private Arab education includes private frameworks run by the Waqf, UNRWA and others.

## C. “Vanished” Children

	Number of children
<b>Arab children in Jerusalem, preschool - grade 12 (ages 3-18), according to data from the Ministry of Interior<sup>4</sup></b>	127,198
<b>Total students in Arab education in East Jerusalem</b>	110,496
<b>Number of children unaccounted for (according to data from Ministry of Interior, JEA)</b>	<b>16,702</b>

A comparison between the data provided by the Ministry of Interior for the number of school-age Arab children in Jerusalem and the data provided by the Jerusalem Education Authority (JEA) for the total number of students in Arab educational institutions shows that 16,702 Palestinian children, who constitute 13% of East Jerusalemite children of compulsory education age, are not registered in a known educational institution and are therefore unmonitored by authorities in the education system.

## D. Ongoing Increase in Number of Students in Recognized but Unofficial Education

As noted in Ir Amim’s 2016 monitoring report, last year for the first time the number of students in recognized but unofficial education exceeded the number of students in the official education system. Despite what might have been expected following the High Court of Justice ruling in HCJ 5373/08 *Abu Libdeh*<sup>5</sup> case, not only has the trend continued, the disparities have grown wider. Most of the increase in the number of recognized but unofficial schools can be attributed to the rise of non-profit organizations that have moved in to fill the existing vacuum in the East Jerusalem school system. The schools managed by these organizations mostly offer a rudimentary curriculum; and many are located in overcrowded buildings that do not meet basic safety standards, lack air-conditioning and heating, are not equipped with labs or libraries, are insufficiently supervised, and overall provide a substandard level of education.

	2001/2 (Sept. 2001) <sup>6</sup>	2015/16	2016/17	Rate of increase since 2001
<b>Number of Arab students in official education</b>	31,100	43,074	43,494	1.4 times as high
<b>Number of Arab students in recognized but unofficial education</b>	2,000	43,102	46,875	23 times as high

4 From the **response of the JEA to a Freedom of Information request by the Association for Civil Rights in Israel**, March 20, 2017 [in Hebrew].

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

6 Jerusalem Institute for Policy Research, **The Arab Education System in Jerusalem**, 2011 [in Hebrew]. The year 2001 was used as the point of reference, since it was then that the first ruling was granted on the classroom shortage in East Jerusalem, in a petition filed by Ir Amim. HCJ 3834/01, 5185/01 Hamdan Badria et al. v. Jerusalem Municipality et al.

### III. Number of Missing Classrooms

According to the Municipality's response to a petition by [the Jerusalem Parents Association on the shortage of classrooms in Jerusalem](#) (HCJ 6183/16), there is a current shortage of 1,938 classrooms in East Jerusalem. This number should be added to the number of missing classrooms for "vanished" children (see below, based on a national average of 27 students per classroom):

Missing classrooms in East Jerusalem	
Classrooms needed to replace substandard classrooms	548
Number of classrooms needed for preschools	320
Number of classrooms needed to absorb students from recognized but unofficial and private systems, as well as to accommodate natural growth	950
Number of missing classrooms for students grades 9-12	120
Additional classrooms needed for children of compulsory education age not registered in the JEA system	619
<b>Total missing classrooms</b>	<b>2,557</b>

### IV. Pace of Classroom Construction: 2001-2017

According to data collected by Ir Amim from the Moriah Jerusalem Development Corporation and the Jerusalem Municipality's Public Buildings Division, 32 new classrooms are due to open at the start of the school year, beginning in September 2017. According to Ir Amim's annual monitoring, from 2001 through the start of the current school year, 550 classrooms have been constructed:

Number of classrooms in development					
At beginning of the school year	Completed	Under construction	Planning & implementation	Land identification/expropriation stages	Total across stages
2001-Sept. 2009	257				
Sept. 2010	24				
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	38	44	168	259	509
Sept. 2016	42	46	124	245	457
<b>Sept. 2017 (forecast)</b>	<b>32</b>	<b>35</b>	<b>266</b>	<b>131</b>	<b>464</b>
Total completed classrooms	550				

The rate of construction has remained consistent with last year's rate, standing at an average of 37 classrooms per year. Based on a natural growth estimate of three percent per year in East Jerusalem, the JEA estimates that some 2,000 students enter the education system every year, creating

demand for approximately 70 additional classrooms.<sup>7</sup> The average pace of construction is, therefore, insufficient even to keep up with the rate of population growth. If the current pace of construction is sustained, not only will the shortfall of classrooms not be reduced, it will continue to increase each coming year. It should be noted that the pace of construction during the administration of the current mayor is almost indistinguishable to the pace of construction in the years preceding his tenure. This means that despite the Court's ruling in 2011 and in spite of the mayor's declarations about a change of policy to reduce the classroom shortage, in practice there has been no change.

## V. Lag in Classroom Construction – Municipality and Government Failures

Until recently, the Jerusalem Municipality and the Ministry of Education attributed the growing shortage of classrooms to the lack of available land on which to build educational facilities in East Jerusalem. In fact, the scarcity in question is not an actual land shortage but rather a lack of land zoned for public buildings – a direct result of discriminatory planning in East Jerusalem. According to existing outline plans, the area planned for public buildings in Palestinian neighborhoods of East Jerusalem constitutes only 2.6% of all land in East Jerusalem.<sup>8</sup> During the many years of Nir Barkat's tenure as mayor, detailed plans have been approved for expanding Israeli neighborhoods – Givat Massuah, Malha, Gilo, Har Homa, Ramot and many others – and even establishing the prospective neighborhood of Givat Hamatos. Conversely, no detailed plan for significant development of a Palestinian neighborhood in the city has been approved during this period.<sup>9</sup>

Only in the past 18 months has the Municipality shifted blame, ascribing the delay in classroom construction to insufficient budgeting by government ministries. In its response to the Jerusalem Parents Association's petition, submitted in the summer of 2015,<sup>10</sup> the Municipality points to budgetary constraints as the singular obstacle to reducing the classroom shortfall and supports the Association's petition to compel the state to transfer the necessary funding to the Jerusalem Municipality.

The State, however, rejects the Municipality's claims about classroom construction in East Jerusalem. Subsequent to High Court of Justice rulings on previous petitions on this matter, the State argues that all requests by the Jerusalem Municipality to fund the construction of classrooms in East Jerusalem are accepted automatically and without need to satisfy the criteria on which funding for classroom construction is normally conditioned. According to a table presented by the State in section 11 of its supplementary response to the petition, in the course of 2017 the Jerusalem Municipality requested a budget for construction of just 286 classrooms in East Jerusalem, out of a total of 1,762 classrooms for which funding was requested.

In other words, the Jerusalem Municipality requested to allocate just 16% of its budget for classroom construction to East Jerusalem, despite the percentage of Palestinian students in Jerusalem being equal to 36% of the total number of students in the city and the percentage of missing classrooms in East Jerusalem constituting 55% of all missing classrooms.

The state maintains that despite all budgeting requests for classrooms in East Jerusalem being approved in principle, the Municipality failed to complete the budgeting process for even one of

7 From the Municipality's presentation to the Knesset Education Committee, February 1, 2016.

8 Data received from Bimkom – Planners for Planning Rights (based on land zoning in effect as of the end of 2012).

9 For more details, see new report by Ir Amim and Bimkom, "Deliberately Planned: A Policy to Thwart Planning in the Palestinian Neighborhoods of Jerusalem" (English version forthcoming), which describes how over the past 15 years attempts have been blocked to advance planning in Palestinian neighborhoods in Jerusalem.

10 HCJ 6183/16 *Jerusalem Parents Association et al. v. Ministry of Education et al.* (the latest decision dated July 30, 2017 determines that a joint meeting will be held by the State and the Municipality to resolve their differences. A supplementary response will be submitted by the state within 60 days).

these classrooms. Conversely, in the Jewish sector, the Municipality took the necessary steps to ensure funding for 384 classrooms. Not only, according to the State, do budgetary constraints not pose an obstacle to building classrooms in East Jerusalem, it is the Jerusalem Municipality that is holding back on advancing the construction of hundreds of classrooms for which approval has been granted.

The Municipality's response, submitted to the Court in July 2017, argued that the amount per classroom allocated in the State's budget did not conform to the true cost of building. It stated that the Ministry of Education budgets the cost of construction for one classroom at NIS 100,000, while a variety of factors make the actual cost of constructing classrooms in East Jerusalem higher:

- Added costs due to lack of infrastructure: "Infrastructure in East Jerusalem is not developed; and it is also necessary, in addition to building the schools, to build roads and sidewalks and to install electricity, sewage and water networks, and none of these are funded by the State."
- Added costs due to a shortage of lots zoned for public buildings: There are few lots zoned for public buildings in Palestinian neighborhoods, further constraining construction of schools and preschools. According to the Municipality, "the amount of land [zoned for public buildings] is less than half the amount customarily allotted in residential neighborhoods." The Municipality claims it is promoting 34 building plans for rezoning lots, and that there is a need for an additional NIS 10 million to promote such plans in the coming five years.
- Added costs due to construction constraints: The Municipality asserts that in response to the challenge of identifying land, it is attempting to use available land more efficiently. For example, it proposes building preschools in high-rise buildings. The cost of this building scheme, according to the Municipality, reaches NIS 1.7 million per classroom as opposed to NIS 1 million for a conventionally built classroom.

The Municipality argues that 86 classroom construction projects in East Jerusalem are being delayed due to the gap between the funding the Ministry of Education is willing to transfer and the actual cost of construction. Even according to the Municipality's version, it is unclear why it has failed to advance the construction of another 200 classrooms that apparently received approval in principle;<sup>11</sup> moreover, how these figures offer even an incomplete response to the shortage of more than 2,000 classrooms conceded by the Municipality.

It should not be necessary to determine which of these versions – the Municipality's or the Ministry of Education's – is sufficient to explain the acute failure to promote classroom construction in East Jerusalem. Responsibility for the failure rests with both. Without doubt, there is consensus as to the acute shortage. It should also be noted that Ir Amim's monitoring of other budget items has on more than one occasion exposed a failure by the Municipality to utilize funds that were transferred by government ministries for the purpose of providing services to the residents of East Jerusalem. At the same time, the consequences of planning discrimination and neglect of the Palestinian neighborhoods for 50 years of annexation cannot be left solely to the responsibility of the Municipality. There is a severe and ongoing failure for which the Israeli authorities are accountable and it is up to both bodies to resolve it.

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<sup>11</sup> The Municipality notes, in general terms, that the State gave budgetary approval for some of these classrooms only in the first half of 2016. Since then, more than a year has elapsed.



## VI. Student Dropout Rates

One of the results of the lack of classrooms in East Jerusalem is the alarming dropout rate among its students – the single highest dropout rate when compared to data on Israeli localities.

“The result of lack of construction is dropout. Unequivocally.”

Amnon Merhav, Director General of the Jerusalem Municipality,  
in a discussion of the Education Committee on February 1, 2016.

The dropout rate in East Jerusalem reaches 33%, meaning that 33% of students in the official system and the recognized but unofficial school system fail to complete 12 years of schooling. The average dropout rate remains steady at 13%.<sup>12</sup> By comparison, in 2015 the dropout rate was 1.6% in general post-elementary education, 1.5% in Hebrew post-elementary education and 1.9% in Arab post-elementary education.<sup>13</sup> Data provided by the Municipality show that in East Jerusalem, 1% of the students drop out in the transition to the 9<sup>th</sup> grade, 21% in the transition to Grade 10, 13% in the transition to Grade 11 and 9% in the transition to Grade 12. Every year, more than 1,300 students drop out of the school system in East Jerusalem.

Population	Poverty rate <sup>14</sup>		
	Families	Individuals	Children
Jerusalem – general	39.0%	46.5%	43.0%
Jews	22.2%	26.9%	39.7%
<b>Arabs</b>	<b>76.4%</b>	<b>76.0%</b>	<b>83.4%</b>

The poverty rate among the Palestinian population of Jerusalem as a whole stands at 76%; the poverty rate among children is 83.4%. The disturbing dropout figures, together with the staggering poverty rate, beg for an intensive investment in education, particularly in dropout prevention programming. Instead, there is clear discrimination in how the Municipality invests in dropout prevention programs in East and West Jerusalem.<sup>15</sup> According to the Municipality, the budget allocated for dropout prevention in East Jerusalem in 2017 is NIS 4.1 million.<sup>16</sup> According to calculations by the JEA's Individual Support Section, it would cost NIS 15 million per year to reduce the gap.

12 Knesset Education Committee, Shortage of classrooms in East Jerusalem, discussion held February 1, 2016.

13 Ministry of Education, **Facts and Figures 2016**, Table A.3, p. 31 [in Hebrew].

14 National Insurance Institute, **Poverty and Social Gaps in 2015 (December 2016)**, Table 10, p. 33 [in Hebrew].

15 For more on the query submitted on this matter by Ir Amim and the Law and Education Policy Clinic at the University of Haifa, see Ir Amim's **Education Report 2016**.

16 From the response of **the JEA to a Freedom of Information request by the Association for Civil Rights in Israel**, March 20, 2017 [in Hebrew]

## VII. Attempts to Force Adoption of the Israeli Curriculum

### A. Background

Today, schools in East Jerusalem use the Palestinian curriculum. Prior to the Oslo Accords, East Jerusalem students followed the Jordanian curriculum. When Israel annexed East Jerusalem in 1967, the government sought to replace the Jordanian curriculum with the program being used in Arab schools in Israel.<sup>17</sup> After the Palestinian public in East Jerusalem boycotted the official education system for two years – and after subsequent attempts to integrate elements of the curriculum used by Arab schools in Israel into the Jordanian curriculum also proved unsuccessful – the Israeli government reinstated the Jordanian curriculum. During the second half of the 1970s, the Jordanian curriculum was gradually reinstated in all municipal schools in East Jerusalem (first in post-elementary schools and later in elementary schools), with the addition of Hebrew studies from the third grade.<sup>18</sup> Under the Second Oslo Accord, the curriculum of the Palestinian Authority replaced the Jordanian curriculum and it has now been in use in East Jerusalem for more than 20 years. After completing the curriculum, students take the *tawjihi* – or Jordanian/Palestinian – matriculation exams.

The use of the Palestinian Authority curriculum in East Jerusalem is supported not only by the diplomatic agreement signed by both parties, but also by international law and in accordance with the right to education as recognized in numerous international treaties signed and ratified by Israel. The right of children in East Jerusalem to education consistent with their culture and national affiliation is also congruous with the basic right to education recognized in Israeli law; and with students' right to equality in education, enjoyment of liberty, and protection of identity. These rights not only impose an obligation on the State to refrain from violating their provisions, but also establish a positive obligation to act toward the realization of these rights.

### B. Attempts at Coercion – Political Motives under the Guise of Benefits

As part of events marking the fiftieth anniversary of the annexation of East Jerusalem, the government passed a resolution ostensibly aimed at “Reducing social-economic disparities in East Jerusalem.”<sup>19</sup> One of the two clauses of the resolution was devoted to the issue of the East Jerusalem school system. Critical indicators of reduced quality of education – the shortage of classrooms, funding, and teaching staff – received no mention in the resolution. In actuality, the clause was dedicated to increasing the application of the Israeli curriculum in East Jerusalem.

According to a presentation made by the Jerusalem Municipality to the Knesset Education Committee for Jerusalem Day, in the past four years the number of students in East Jerusalem who follow the Israeli curriculum has increased by a factor of 3.5: from 56 classrooms consisting of 1,400 Palestinian students in the 2013/14 school year to 200 classrooms with a total of 5,000 students in 2016/17. However, this number still refers to less than 5% of the total number of children of compulsory education age in East Jerusalem.

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17 Moshe Amirav, *Jerusalem Syndrome*, Sussex Academic Press, 2009.

18 Yuval Wargen, *The Education System in East Jerusalem: Classrooms and Curricula*, **Knesset Research and Information Center**, May 2010, p. 4 [in Hebrew].

19 **Government Resolution No. 2684**, dated May 28, 2017 [in Hebrew].

The Israeli authorities who have made shifting students to the Israeli curriculum a top priority maintain they are not forcing the change but rather responding to a growing demand from Palestinian families. According to these authorities, the primary motivation for adoption of the Israeli curriculum stems from the fact that the Palestinian matriculation certificate, the *tawjihi*, does not enable entrance to Israeli universities. An Israeli matriculation certificate, say advocates of change, will increase the range of employment options available to students from East Jerusalem and will better their economic situation.

Behind the guise of these seemingly positive intentions are heavy-handed political motives driven by an understanding of the current situation – in which about 95% of the students in East Jerusalem follow the Palestinian Authority curriculum – as an infringement upon Israeli sovereignty. The assertion that the Israeli curriculum paves the way to higher education does not conform to the fact that the success rate among 12th graders who study for an Israeli matriculation certificate in East Jerusalem stands at just 12%.<sup>20</sup> With such a meager success rate, it seems that increasing referrals for Israeli matriculation studies will not be enough to open the gates to the world of higher education or to improved employment options. Conversely, according to inquiries conducted this year with the Palestinian Ministry of Education, of the 4,408 Palestinian students in East Jerusalem who took the *tawjihi* examinations, a total of 67.3% of students tested in literature, and more than 95% of students tested in science, passed the examination successfully. In the 2011/12 school year, 98% of 12th graders following the *tawjihi* curriculum took the Palestinian-Jordanian matriculation examinations, and 62% of them earned a certificate.<sup>21</sup>

## C. Making Academic and Employment Tracks Accessible to *Tawjihi* Graduates

In the past, graduates of the East Jerusalem school system showed a preference for attending Palestinian universities in the West Bank. In the last decade, various developments – including construction of the Separation Barrier, which hampers movement between Jerusalem and the West Bank – have resulted in some Palestinian students in East Jerusalem electing to enroll in Israeli institutions of higher education. Since most of these institutions do not recognize the *tawjihi*, enrollment usually requires a year of study in a pre-academic preparatory program, with financial costs assumed by the applicant – this despite the *tawjihi* being recognized by top universities around the world according to Ir Amim's investigation.

If decision makers genuinely seek to improve the occupational situation of students in East Jerusalem, they should make academic and employment tracks accessible to *tawjihi* graduates. As an example, in the past year the Hebrew University for the first time opened its gates for direct admission based on *tawjihi* scores<sup>22</sup> in a number of fields after having conducted an examination verifying the probability of academic success based on the *tawjihi*.

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20 Ibid.

21 Amnon Ramon and Lior Lehms, **East Jerusalem, Summer 2014**, Jerusalem Institute for Israel Studies, p. 22 [in Hebrew].

22 Nir Hasson, **Hebrew University to Become First Israeli School to Recognize Palestinian Authority Test Scores**, Haaretz, March 3, 2017

## **VIII. After 50 Years of Neglect, Time for Recognition and Change**

An appropriately managed school system – not only satisfying criteria for suitable physical infrastructure but also connected to a community’s heritage, culture and national life – is a necessary condition for ensuring children’s futures and protecting the life of the Palestinian community in Jerusalem. Despite the Municipality having acknowledged last year, for the first time, the enormous shortage of classrooms in East Jerusalem, it remains caught up in an unrelenting blame game with the State. The latter, instead of assuming accountability for the state of education in its “unified” capital, takes measures to impose Israeli education on the Palestinian community while failing to invest resources in a physical infrastructure in a shocking state of disrepair. The steadily mounting data on missing classrooms, along with alarming dropout rates and abject poverty, demand that the Israeli authorities take urgent action to ensure the right of the Palestinian community in Jerusalem to a decent and culturally competent school system for its tens of thousands of children.



## **Ir Amim (“City of Nations/ City of Peoples”)**

**Ir Amim (“City of Nations” or “City of Peoples”)** is Israel’s longest standing NGO focusing on Jerusalem within the context of the Israeli-Palestinian conflict.

The mission of Ir Amim is to render Jerusalem a more equitable and sustainable city for the Israelis and Palestinians who share it and to help secure a negotiated resolution on the city through sustained monitoring, analysis, public and legal advocacy, public education and outreach to re-orient the public discourse on Jerusalem.



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27 King George St., P.O. Box 2239, Jerusalem 94581  
Tel: +972-2-6222-858 | Fax: +972-2-623-3696  
[www.ir-amim.org.il](http://www.ir-amim.org.il) | [mail@ir-amim.org.il](mailto:mail@ir-amim.org.il)