

**STOP  
CHILD LABOUR**

**START  
EDUCATION**



**GENERAL SIR JOHN KOTELAWALA  
DEFENCE UNIVERSITY  
INTAKE XXXVII**

**HIGHER EDUCATION OPPORTUNITIES  
AND  
RIGHT TO EDUCATION  
IN SRI LANKA**

**Stop  
Politicization  
of  
Universities**

**SYNDICATE - 11**

RESTRICTED

**DS COMMENTS**

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**COVER SHEET**

1. TOPIC – HIGHER EDUCATION OPPORTUNITIES AND RIGHT TO EDUCATION IN SRI LANKA
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3. MILITARY DS – Lt WSM WEERASUNDARA
4. SYNDICATE LEADER – O/C SLN NUWANCHANA
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2	5924	O/C	PNS	JAYANIDU	MBBS
3	5867	O/C	HMUT	HERATH	ENG
4	5882	O/C	GAP	JAYASHAN	ENG
5	5989	O/C	SLN	NUWANCHANA	LLB
6	6002	F/O/C	AA	HAMEED	LLB
7	5987	O/C	LANV	GUNARATHNE	LLB
8	5991	O/C	MRS	ASENIYA	LLB
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**DECLARATION**

We declare that this not incorporate, without acknowledgement, any material previously submitted for a degree or a diploma in any university and to the best of our knowledge and belief, it does not contain any material previously published and written by another person or ourselves except where due reference is made in the text. We also hereby give consent for our dissertation, if accepted, to be made available for photocopying and for interlibrary loans, and for the summary to be made available to outside.

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**DEDICATION**

We dedicate this dissertation to our families, friends, Officers, Instructors, and all those who supported us, gave us encouragement and provided insight throughout this study project. We also pay special gratitude to our loving parents without whom we would not be here today. We appreciate all the Squadron Commanders, Troop Commanders and all other Military Officers who were always behind us, guiding us on the right path forward and encouraging and showing us that anything is possible with hard work and integrity.

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**AIM**

The aim of this project is to provide awareness and sufficient education on the “Higher Educational Opportunities and Right to Education in Sri Lanka”.

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## **CHAPTER 1**

### **INTRODUCTION**

1. Higher education is tertiary education leading to award of an academic degree. Higher education, also called post-secondary education, third-level or tertiary education, is an optional final stage of formal learning that occurs after completion of secondary education.
2. Sri Lanka is one of the developing countries in the Asia. It is true that we the Sri Lankans have reached the 98% literacy rate which is the highest in Asia Pacific Region.
3. Still, we cannot be happy with the targets achieved so far. We have almost achieved target to ensure all girls and boys to complete free equitable and quality education. The Educational Authorities of Sri Lanka are highly committed to provide with a better education from primary level to university level equally for all the nationalities.
4. In 1943, Dr C. W. W. Kannagara the Minister of Education, introduced the Free Education Bill in the State Council. After much debate, it was approved for implementation on 1 October 1945. It has benefited generations of students and has enabled Sri Lanka to succeed in achieving the Millennium Development Goal of Universal Primary Education.
5. Higher education in Sri Lanka has been supported the numerous prominent pirivenas during the pre-colonial times. The origins of the colonial university system in Sri Lanka dates back to 1921 with the University College which was established at the previous premises of Royal College Colombo affiliated to the University of London.
6. Right to education is mirrored in article 26. Universal Declaration of Human Rights that states, "Everyone has the proper to education. Education shall be free, a minimum of within the elementary and elementary stages. education shall be obligatory. Technical and skilled education shall be created typically out there, and better education shall be equally accessible to any or all on the idea of advantage. Education shall be directed to the complete development of the human temperament and to the strengthening of respect for human rights and elementary freedoms. It shall promote understanding, tolerance, and friendly relationship among all nations, racial or non-secular teams, and shall more the activities of the United Nations for the upkeep of peace. folks have a previous right to settle on the type of education that shall incline to their youngster.



7. Education consists of formal institutional directions. Generally, international instruments use the term during this sense and therefore the right to education, as protected by international human rights instruments, refers primarily to education in an exceedingly slender sense. The 1960 United Nations Educational Scientific and Cultural Organization Convention against Discrimination in Education defines education in Article 1(2) as: "all varieties and levels of education, (including such) access to education, the quality and quality of education, and therefore the conditions underneath that it's given.

8. The right to education has been recognized as a personality's right in an exceedingly range of international conventions, together with the International Covenant on Economic, Social and Cultural Rights that acknowledges a right to free, required primary education for all, associate obligation to develop instruction accessible to all or any, especially by the progressive introduction of free instruction, further as associate obligation to develop equitable access to educational activity, ideally by the progressive introduction of free educational activity.

## **CHAPTER 2**

### **OVERVIEW OF HIGHER EDUCATION IN SRI LANKA**

9. As a part of the broader Ministry of Higher Education and Highways, the Sri Lankan Ministry of Higher Education focuses on higher education issues. However, only two universities and one institute are directly under the Ministry's control. Rather, most administrative tasks in higher education are delegated to the University Grants Commission (UGC), an organization under the Ministry whose official functions are to "plan and coordinate university education, allocate funds to Higher Educational Institutions, maintain academic standards, and regulate the administration and admission of students to HEIs."

10. The Higher education institutions under the University Grants Commission are required to adhere to a regional quota system.

- Admission policies vary by discipline, but in many fields 55 percent of admitted Students must have studied for the last three years in the district in which the institution is located.
- 40 percent of seats are allotted for "all-island" students, i.e. those who have studied in another of Sri Lanka's 25 districts.
- An additional five percent quota is normally reserved for students from one of Sri Lanka's 16 economically disadvantaged districts.

11. In addition to the institutions under the Ministry of Higher Education and the UGC, higher education is administered by other governmental institutions in Sri Lanka. For instance,

- The 'General Sir John Kotelawala Defense University' falls under the purview of the Ministry of Defense.
- The Ministry of Vocational & Technical Training and Ministry of Skills Development and Vocational Training run the 'University of Vocational Technology' (UNIVOTEC) and the Ocean University of Sri Lanka, respectively.
- The Aquinas College of Higher Studies is registered with the Tertiary and Vocational Education Commission of Sri Lanka.

## **2.1 THE LADDER OF HIGHER EDUCATION IN SRI LANKA**

### **2.1.1 ADMISSIONS**

12. The university admissions procedure in Sri Lanka is quite difficult. Students passed the General Certificate of Education Advanced Level examinations in 2012 at a rate of about 60%. This group was admitted to a university in only 17 percent of cases, according to the University Grants Commission. Universities need a minimum of 30 percent on the general paper, as well as passing grades in all three stream-related subjects in a single test session in order to be admitted. As a result of their A-Level examination results, students are classified and admitted based on a standardized scoring system.

13. Sri Lanka's Ministry of Higher Education offers a variety of scholarships to help students pay for school materials and other expenditures. According to a recent government initiative, university students can now get interest-free loans to buy laptops worth 100,355.70 LKR or less under a "laptop loan scheme."

### **2.1.2 PRIVATE HIGHER EDUCATION**

14. The number of private higher education providers in Sri Lanka is increasing as a result of the capacity problems at public universities. According to the UGC's website, 11 non-state colleges have degree-granting status, while six non-state institutions have recognized programs. As of 2014, the total number of students enrolled at non-state colleges was estimated to be around 69,000. For the most part, admittance to private institutions is dependent on A-Level scores, however admission standards may be less strict than at public institutions.

15. Private education at the higher level is a contentious issue. A protest against Sri Lanka's only private medical school, the South Asian Institute of Technology and Medicine (SAITM), was held in 2017 by thousands of students, trade unions, and government doctors. In May, SAITM paused new student enrolment at the government's request while it awaited a Supreme Court ruling that will determine whether graduates of the institute can receive medical degrees from the government.

16. After demonstrations, the Sri Lankan government has rolled back private education efforts on more than one occasion in the past. Teachers and students were outraged when the government attempted to legitimate private education in 2013. protesters felt that government

should put more resources into public education rather than leaving it to private sector, especially since that could entail a reduction in free education opportunities.

### **2.1.3 OPEN AND DISTANCE LEARNING**

17. Through a grant from the Asian Development Bank of \$60 million, the Ministry of Higher Education began the Distance Education Modernization Project in 2003. Through the project, the Open University of Sri Lanka hoped to promote distance education, particularly online education, and modernize its capacities. Even though Sri Lanka's tertiary enrollment rates have increased significantly since then, they remain below the ministry's goals due to the fact that online degrees are not yet regarded as highly as traditional ones. In 2015, 345,744 domestic students were enrolled in distance education programs, while just 125,121 students were enrolled in traditional programs across all universities and institutes under the UGC.

## **DEGREE SYSTEM**

### **2.2. UNDERGRADUATE EDUCATION**

18. There are a variety of Diploma and Bachelor's degree programs available in Sri Lanka (SLQF). Degrees such as the Bachelor of Arts (BA) or Bachelor of Science (BSc) are rated at level 5 of the SLQF and require three years of full-time study (90 credits) after the A-Levels.

19. However, honors degree programs that require four years of study fall under the level 6 of the SLQF (120 credits). At least one year (30 credits) of advanced-level study is required, and the fourth year is usually dedicated to research or a thesis. Graduates with a good grade point average may be eligible for admission to PhD programs if they meet specific criteria. BA (Honors) and BSc (Honors) degrees can also be acquired through one-year programs after a three-year general degree.

#### **2.2.1 POSTGRADUATE AND HIGHER RESEARCH DEGREES**

20. Sri Lanka offers a wide range of master's degrees. Research is often not required in courses of one year's duration (30 credits, level 9) unless to satisfy credit requirements linked to independent study. Master's degrees (level 10), on the other hand, are normally two years in length and require independent study for a minimum of 15 credits, along with courses on research technique. There are stiffer admissions requirements for level 8 programs compared to those for level 7 programs, such as a bachelor's degree with a 3.0 GPA or higher.

21. The Master of Philosophy (level 11) is a two-year research degree that does not need any coursework. A bachelor's degree with honors is normally required for admission (or a postgraduate diploma). Those who have earned a Master of Philosophy degree, or a level 10 master's degree have the option of enrolling in doctoral programs that last at least three years. As a terminal research degree achieved through dissertation study, the Doctor of Philosophy is the most granted degree.

22. There are also postgraduate certificates (at least 20 credits, SLQF Level 7) and diplomas awarded by universities, in addition to masters and doctoral degrees (at least 25 credits, SLQF level 8). However, they can also be used to complete master's degree programs that have not yet been completed.

Higher Education Grading Scale			
HOME GRADE	WES GRADE CONVERSION	PERCENTAGE	DEGREE CLASSIFICATION
A+	A	70 - 100%	First
A	A		
A-	A-		
B+	B+	55 - 69%	Second Upper
B	B		Second Lower
B-	B-		
C+	C+	40 - 54%	Pass
C	C		
C-	C-		
D+	D+	30 - 39%	N/A
D	D		
F	F		
		0 - 29%	

Source: WES and NOOSR. Grading scales vary by institution.


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wenr.wes.org 

Figure 1: Higher Education Grading Scale

23. In addition to authorized private institutions, there are a number of unregistered providers that circumvent the lengthy and costly government recognition procedures by taking advantage of a regulation loophole that permits them to operate by pursuing affiliation with international universities. Under present law, affiliated colleges can freely enter into franchise and validation agreements to offer degree programs in conjunction with overseas providers, while the UGC does not accept the final degrees given by foreign institutions. 4,518 students enrolled in unregistered higher education institutions in 2015, with the majority of them pursuing business-related degrees.

**CHAPTER 3**

**HIGHER EDUCATION OPPORTINUIES IN SRI LANKA**

**3.1 TYPES OF INSTITUTIONS WHAT MAKE HIGHER EDUCATION OPPORTUNITIES IN SRI LANKA**

24. The Sri Lanka has a literacy rate of 92% which is higher than that of many developed countries in the world. It has the highest literacy rate in Asia. The educational opportunities and free education have leads to this in Sri Lanka among other countries.

There are many types of Universities and Institutions in Sri Lanka which give higher education opportunities to Sri Lankan students as well as foreign students also.

We can divide them into different types as follows,

- State universities
- Other Government Universities
- Degree Awarding Institutions
- Vocational Training Centers
- Higher Educational Institutes and Degree Awarding Institutes

3.1.1 State universities

25.

University	No. of Faculties *	No. of Institutes	Total Undergraduates **	Total Postgraduates	Total Academic Staff
University of Colombo (UoC)	9	7	10,918	12,649	605
University of Peradeniya (UoP)	9	3	10,561	7,623	822
University of Sri Jayawardenepura (UoSJP)	7	1	11,841	2,091	591
University of Kelaniya (UoK)	7	3	10,446	3,801	563
University of Moratuwa (UoM)	5	1	7,343	3,847	344
University of Jaffna (UoJ)	10	1	9,102	651	430
University of Ruhuna (UoR)	10	0	7,030	544	508
Open University of Sri Lanka (OUSL)	5	1	24,346	7,912	223
Eastern University of Sri Lanka (EUSL)	8	0	4,596	172	151
South eastern University of Sri Lanka (SEUSL)	6	0	4,270	338	243
Rajarata University of Sri Lanka (RUSL)	6	0	4,675	321	211
Sabaragamuwa University of Sri Lanka (SUSL)	5	0	4,194	154	160
Wayamba University of Sri Lanka (WUSL)	6	0	3,527	435	134
Uva Wellassa University of Sri Lanka (UWUSL)	4	0	2,254	3	110
University of Visual and Performing Arts (UVPA)	4	0	2,217	96	301
Higher Education Institutes					270
<b>Total</b>	<b>101</b>	<b>17</b>	<b>117,320</b>	<b>40,637</b>	<b>5,666</b>

Source: University Grants Commission (2018) p.1-18

\*Including faculties in affiliated campuses

\*\*Including students of affiliated institutes / Campuses but excluding external students

Figure 2 : Internal data of Sri Lankan universities

26. There are currently seventeen universities in Sri Lanka, which are established under the authority of the University Grants Commission. All the following universities are recognized bodies with university status (University charter) under Universities Act No.16 of 1978.

27. If University Grants Commission controls funding and appointments of these Universities. The prominent ones are University of Colombo, University of Peradeniya, University of Kelaniya, University of Sri Jayawardhenapura University of Moratuwa and University of Ruhuna.

### **3.1.2 OTHER GOVERNMENT UNIVERSITIES**

28. Other Government Universities which are established by Acts of Parliament of Sri Lanka. These universities are not recognized bodies with university status or university charter under Universities Act No.16 of 1978.

- Ministry of Defense -The General Sir John Kotelawala Defense University (KDU)
- Ministry of Higher Education - Buddhist and Pali University of Sri Lank Bhiksu University of Sri Lanka
- Ministry of Vocational & Technical Training -University of Vocational Technology
- Ministry of Skills Development and Vocational Training - Ocean University of Sri Lanka
- Ministry of Education - National Institute of Education (NIE)

### **3.1.3 DEGREE AWARDING INSTITUTIONS**

29. In recent years, with amendments to the University Act, a few institutes have been given permission to grant their own degrees: The most prominent is the government-owned Sri Lanka Institute of Information Technology.

- Institute of Surveying and Mapping
- Sri Lanka Institute of Information Technology (Guarantee) Limited
- Sri Lanka Institute of Development Administration
- National Institute of Social Development



3.1.4 VOCATIONAL TRAINING CENTERS

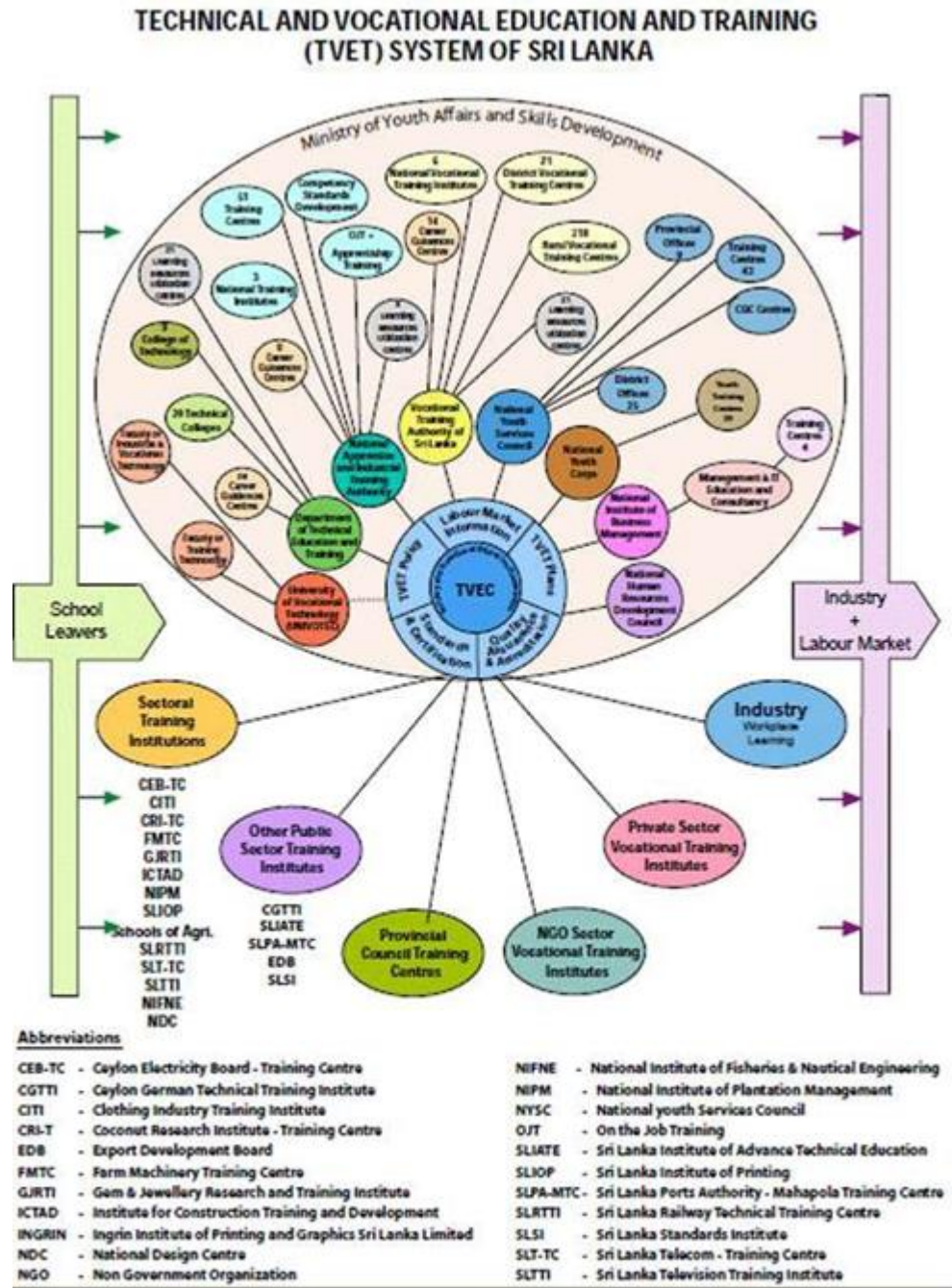


Figure3 :Technical and Vocational Education System

30. Vocational education and training in Sri Lanka are managed by the Tertiary and Vocational Education Commission of the Ministry of Vocational & Technical Training. Training includes course-based curriculum at vocational technical training centers and apprenticeship at private or public organizations. Higher education in vocational fields could be achieved through several universities. The National Vocational Qualifications Systems in Sri Lanka (NVQSL) provides a structured seven levels of qualifications from Level 1 to Level 7. Vocational education and training is carried out for degree level at the Open University, Sri Lanka and the University of Vocational Technology, as well as at diploma level at 37 technical colleges, Sri Lanka Institute of Advanced Technological Education and the Sri Lanka School of Agriculture.

**3.1.5 HIGHER EDUCATIONAL INSTITUTES AND DEGREE AWARDING INSTITUTES**

31. Exercise Several colleges, specialist institutes and private companies are recognized as degree awarding Institutions in Sri Lanka.

- Aquinas College of Higher Studies
- Colombo International Nautical and Engineering College
- Horizon Campus
- Saegis Campus Nugegoda
- Institute of Chartered Accountants of Sri Lanka
- Institute of Surveying and Mapping
- Institute of Technological Studies
- KAATSU
- National Institute of Business Management (NIBM)
- National Institute of Social Development
- National School of Business Management Limited (NSBM)
- SANASA Campus
- South Asian Institute of Technology and Medicine
- Sri Lanka Institute of Development Administration
- Sri Lanka Institute of Information Technology
- Sri Lanka Institute of Nanotechnology
- Buddhist Academy
- Esoft Metro Campus (Private) Limited
- International College of Business and Technology
- Sri Lanka Technological Campus

## **3.2 GOVERNMENT AND NON-GOVERNMENT HELP TO HIGHER EDUCATION**

### **3.2.1 GOVERNMENT**

32. One country Provide the free education in the world. There are only few countries in the world which offer the free education. Among these countries Sri Lanka is a special because it offers free education from primary level to university level.

Laptop Loans – BOC  
PEOPLE'S BANK

#### **3.2.1.1 SCHOLARSHIPS**

33. One of the main activities of the Ministry of Higher Education is providing opportunities for the Sri Lankans to follow Undergraduate and Postgraduate courses in various fields in foreign countries. In selection of candidates, to have openness and transparency, as well as to select the best applicants, applications are called through an advertisement, which is published in the website of this Ministry and the News Papers. Qualified applicants are interviewed by a panel of experienced University Lecturers. Selected best applicants are nominated for the final selection which is done by the respective scholarship agency. There are two types of Scholarships,

- Foreign
- Local

### **3.2.1.2 MAHAPOLA SCHOLARSHIP**

34. The Mahapola Higher Education Scholarship Trust Fund (Mahapola Trust Fund or the Mahapola Scholarship) is an educational trust fund created and operated by the Government of Sri Lanka. It was Established by Lalith Athulathmudali. Three types of Financial Assistance are available for Undergraduates,

- Mahapola Scholarship
- Bursary
- Endowed Scholarships

35. Washington, May 12, 2017 — The World Bank Board of Directors today approved \$100 million in financing to support Sri Lanka's higher education sector. This new initiative will help increase enrollment in priority disciplines, improve the quality of degree programs and promote research and innovation in the education higher sector.

### **3.2.1.3 MINISTRY OF EDUCATION**

36. The Higher Education Sector of Ministry of Education (MOE) a very important role to play in many areas and especially in the area of organizing and directing the higher education system. The MOE develops partnerships with international universities for two-way information exchange and to increase opportunities for scholarships for overseas study for Sri Lankans.

### **3.2.1.4 UNIVERSITIES**

37. The Sri Lankan law on publicly financed universities, the University Grants Commission controls 17 Sri Lankan universities and other educational institutions, as higher education institutions.

### **3.2.1.5 SLIATE**

38. The SLIATE is a statutory body operating under the purview of the Ministry of Higher Education and is one of the leading higher educational institutions in Sri Lanka.

39. SLIATE has been focusing on fostering Advanced Technical Education at post-secondary level. It is mandated to establish Advanced Technological Institutes (ATI) in every province for technological education. At present it manages and supervises 11 ATIs and 7 ATI Sections. Its Chief Executive Officer is the Director General while each ATIs and ATI sections are headed by a Director and an Academic Coordinator respectively.

### 3.2 **NON – GOVERNMENT**

40. Sri Lanka Association of Non- State Higher Education Institutes (SLANSHEI).

### 3.3 **CURRENT ISSUES OF HIGHER EDUCATION SECTOR IN SRI LANKA**

#### 3.3.1 **COVID 19**

41. We can all see in the media that students who have primary education and come to higher education are facing many problems today. Now we see that, these problems with corona virus are increasing more than ever. Students who come to higher education to win their life may not even have to transportation. Not only that they have to overcome their higher education in the midst of various difficulties, students who enter the University for higher education sometimes come and there are times when they do not have the facilities to stay there. So, they have to find their accommodation outside of university. It is very sad to say that those who complete their higher education in the midst of such difficulties are unable to choose a job according to their degree.

#### 3.3.2 **THE LACK OF SUFFICIENT FUNDS**

42. The lack of sufficient funds is other main problems in the development of higher education. Outlay for education in 5 year plans has been decreasing. Due to insufficient funds most educational institution lack science equipment, infrastructure and libraries etc. Due to this reason, desired result cannot be achieved. On the other hand, the biggest problem facing education and is the lack of innovation and mobility in higher education. Therefore, number of private and public factors college and universities have turned in to massive private businesses.

### 3.3.3 **LANGUAGES PROBLEMS**

43. The monopoly over higher education by the state, and its provision in local languages has resulted in the mismatch of the education system with world realities. Increasingly globalized and private sector markets want individuals with strong interpersonal, transferable skills, and English language, apart from specialized expertise in some discipline. The Sri Lanka universities do not inculcate such skills in their graduates.

### 3.3.4 **STUDENT DEBT**

44. Another major problem in higher education is the ever increasing student debt crisis. Most of the students are taking longer than even to pay off those loans. This situation is both unsustainable.

45. Sri Lanka Association of Non- State Higher Education Institutes (SLANSHEI) is an umbrella organization formed in the year 2016 through the initiation of seven leading private institutes working for a common set of goals aimed at addressing the needs of the non-state higher education sector in the country. The seven founding members comprised of Sri Lanka Institute of Information Technology (SLIIT), Colombo International Nautical and Engineering College (CINEC), Horizon Campus (HC), Asian Pacific Institute of Information Technology (APIIT), Chartered Accountants of Sri Lanka (CA Sri Lanka), Aquinas and South Asian Institute of Technology and Management (SAITM). Apart from these institutes, Saegis, KIU and Gateway Graduate School have currently gained its full membership.

## **CHAPTER 4**

### **RIGHT TO EDUCATION**

#### **4.1 HISTORY**

46. Education in Ceylon encompasses a history of over 2300 years. it's believed that the Sanskrit language was delivered to the island from North Republic of as a results of the institution of the Buddhism in the reign of King Devanampiya Tiss from the Buddhist monks sent by Emperor Asoka of India(*A history of education in Sri Lanka / by Uditha Devapriya / Medium, no date*).

47. Since then associate degree education system evolved based mostly round the Buddhist temples and pirivenas (monastic colleges), the latter primarily supposed for priesthood (even to the present day) and better education. proof of this method is found on the Mahawamsa and Dipavamsa, the Chronicle of Lanka that deals with the history of the island from the arrival of Prince Vijaya and his followers within the sixth century before Christ(*History of Education in Sri Lanka / K12 Academics, no date*).

48. With the starting time of the colonial expansion on the island, 1st within the coastal provinces so interior, Christian missionary societies become active in education(K.L.V. ALAGIYAWANNA, no date). The Anglican Church's monopoly of state colleges and in education over following the Colebrooke Commission got wind of by nation administration.

#### **4.1.1 THE PIRIVENS EDUCATION IN CEYLON**

49. By 100 CE, a pirivena painted one in all the best levels of education in Sinhalese communities, and was the foremost common centralized institution on the island.

50. Unprecedented The term springs from the Pali word for 'living quarters', concerning however these establishments were geared toward teaching clergymen and monks on the island. it's principally distinctive to Ceylon however like universities found in earth Asian country.



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51. The Mahavihara and Abhayagirivihara, commissioned through royal patronage from around three hundred BCE, were among the primary instructional establishments to adopt this method of education.

52. A standard system of colonial colleges were begun by nation supported the recommendations of the Colebrook Commission in 1836(*History of Education in Sri Lanka / K12 Academics*, no date). this is often considered the start of the government's schooling system within the island.

53. Some of those colleges were related to the Protestant denomination. These included S.Thomas' College Mount Lavinia and Trinity College Kandy. The education in vernacular schools was for the most part free thanks to government grants to hide the price of teaching and local philanthropists providing the buildings, instrumentality and also the books. Colebrook settled that everyone government colleges be out of prim.

#### **4.1.2 THE WAY TO THE FREE EDUCATION**

54. For in 1938 the education system in Ceylon was created formally free following the granting of universal franchise in 1931. The Minister of Education, late Hon. Dr. C.W.W. Kannangara, and also the government Committee of Education including members such as H. W. Amarasuriya took the initiative in establishing free education(Vicente *et al.*, 2019).

55. In 1942 a special committee was appointed(Lindsay, Wedell and Dockrell, 2020) to watch the education system and, among the suggestions that followed (Vicente *et al.*, 2019)

- Build offered to all or any kids a decent education freed from charge, so Education ceases to be a trade goods purchasable solely by the urban affluent.
- Build national languages the media of instruction in situ of English so Opportunities for instruction, remunerative employment open solely to little range of the urban affluent, would become offered to others further.
- Make sure that each kid is given instruction within the faith of his/her oldsters.
- Shield lecturers from exploitation by managers of faculties  
build adequate provision for class.

#### **4.1.3 UNIVERSITIES**

56. The University of Ceylon was established on one July 1942 by the Ceylon University Ordinance No. twenty of 1942.

57. Act No. one of 1972 resulting during an additional centralized administration and additional direct government management.

58. Creation of separate universities when the Universities Act No. 16 of 1978(University Grants Commission, 2009). even if new universities of freelance identities were created, the govt. maintained its direct management and centralized administration through ' the University Grants Commission.

59. Late Hon. Lalith Athulathmudali as Minister of Education developed associate degree initiative to develop the upper education of the country within the Eighties, the Mahapola Fund, established by him provided scholarship and much-needed instauration to instruction establishment to the present day.

#### **4.1.4 IMPACT OF THE 1972 CONSTITUTION AND THE 1978 AMENDMENT ON THE RIGHT TO HIGHER EDUCATION IN SRI LANKA**

60. Several Acts of Parliament have influenced the establishment of universities. Acts of Parliament

- University of Ceylon (Amendment) Act No. 32 of 1956
- Vidyodaya University and Vidyaraja University Act No. 45 of 1958
- Higher Education Act No. 20 of 1960
- University of Ceylon Act No. 01 of 1972
- Universities Act No. 16 of 1978 (This Act established the University Grants Commission and the

61. University Service Appeals Board. Translated into six Independent Universities No. 1, 1972 January 1, 1979).

62. There are currently 15 Universities in Sri Lanka established under the authority of the University Grants Commission

- University of Peradeniya (Central Province)
- University of Colombo (Western Province)
- University of Ruhuna (Southern Province)
- University of Sri Jayewardenepura (Western Province)
- University of Kelaniya (Western Province)
- University of Moratuwa (Western Province)
- university of Jaffna (Northern Province)
- Eastern University, Sri Lanka (Eastern Province)
- South-Eastern University of Sri Lanka, Oluvil (Eastern Province)
- Rajarata University (North Central Province)
- Sabaragamuwa University of Sri Lanka (Sabaragamuwa Province)
- Wayamba University of Sri Lanka, Kuliypitiya and Makandura (North-western Province)
- Uva Wellassa University (Uva Province)
- University of the Visual & Performing Arts (Western Province)
- Open University of Sri Lanka (distance education)

#### **4.1.5 THE SRI LANKA UNIVERSITY (1972)**

63. This University of Sri Lanka was a state university in Sri Lanka. It was established in 1972 by merging our universities to form the only university from 1972 to 1978. The University is based in Colombo, Peradeniya, Sri Jayewardenepura, Kelaniya, Moratuwa and Jaffna. The university was dissolved in 1978 and became an independent university of six universities.

#### **4.1.6 UGC AND UNIVERSITY SERVICE APPEALS BOARD (1978)**

64. The Universities Act No. 1 of 1972 made the administration of universities more formalized by me. The Universities Act No. 16 of 1978 established the University Grants Commission and the University Service Appeals Board.

65. If The main role of the University Grants Commission is to formalize the planning and coordination and administration in accordance with national policies and to maintain standards.

66. The power to remove and appoint Vice Chancellors was vested in the President in consultation with the Ministry of Higher Education and the University Grants Commission.

67. Older UGC is empowered to create and award Higher Scholarships, Scholarships International Southern, Aid Scholarships, Medals, and other prizes.

#### **4.1.7 CURRENT PROVISION IN 1978 CONSTITUTION**

68. legal provisions in 1978 constitution towards the right to education, Modern education system in Sri Lanka was brought about with the integration of Sri Lanka in to the British Empire in the 19th century and it falls under the control of both the Central Government and the Provincial Councils with some responsibilities lying with the Central Government and the Provincial Council having autonomy over others.

69. The Constitution of Democratic Socialist Republic of Sri Lanka does not have separate provision for right to education as a Fundamental Right.

70. Art 27(2) (h) of The Directive Principles of State Policy and the Fundamental Duties is the main provision with regard to right to education which reads as follows, “*the complete eradication of illiteracy and the assurance to all persons of the right to universal and equal access to education at all levels.*” This article should be read along with Art 12(1) under Fundamental rights and Art 21 under Part IV.

71. We can identify the 'Universal Declaration of Human Rights' which has adopted in 1948 as the first international legal instrument that recognizes education as a human right. Under the Article 26, The Human Right Declaration states that 'Everyone has the right to education'. Usually it has a great political and moral force but has no legal obligation. Accordingly, in many treaties which have adopted by the United Nation reaffirm the right to education. There are many treaties and declarations which affirming the 'Right to Education' can be found in the Human Right Charter.

#### **4.2 TREATIES**

- Article 13 and 14 of International Covenant on Economics
- Article 28 and 29 of Convention on the Rights of the Child
- Article 10 of Convention on the Elimination of All Forms of Discrimination against Women
- Article 5 and 7 of Convention on the Elimination of All Forms of Racial Discrimination
- Article 24 of Convention on the Rights of Persons with Disabilities
- Article 22 of Convention relating to the Status of Refugees
- Article 18 of international Covenant on Civil and Political Rights

##### **4.2.1 DECLARATIONS**

- Universal Declaration of Human Rights
- Declaration on the Rights of Persons Belonging to National or Ethnic Religious and Linguistic Minorities
- Declaration on the Rights of Indigenous Peoples

#### **4.3 INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL, AND CULTURAL RIGHTS**

72. The International Covenant on Economic, Social, and Cultural Rights (ICESCR) is one of the most crucial treaties within the UN legal stands. Article 13 deals with the right to education. It recognizes the universal privilege to education without prejudice of any kind and sets forward a framework to fulfill the full fulfillment of this right, determining: free compulsory prominent education, most accessible and susceptible minor education by the developed overture of free education, identical entry to higher education established on potential, criteria to literacy and integrity modification. This article ascertains also the freedom of parents to assign the kind of education they prefer to provide to their children and the independence to solidify and oversee educational foundations, in unity with the least norms laid down by the region. Article 14 pertains to the deficit of the state to obtain a plan of litigation to conserve independent necessary elementary education if it has not yet been discovered.

##### **4.3.1 CONVENTION ON THE RIGHTS OF THE CHILD**

73. The Convention on the Rights of the Child (CRC, 1989) relates to children under 18. It recognizes education as a formal right for every kid founded on proportional recourse (United Nations Human Rights, 1996). Article 28 assures exempt critical major education for all; evolved free inferior schooling that should, in any prosecution, be usable and susceptible to all; and accessibility to higher education established on potential. It comprises the deficit of the supervision to take principles evaluating school attendance and career. It enables international coalition in principles cited to education, in regional, the elimination of ignorance and illiteracy and allows to scientific and specialized knowledge. Article 29 analyzes the motives of education and discerns the freedom of parents to appoint the kind of education they expect to put on to their kids and the independence to solidify and authorize scholastic institutions, in accord with the slightest laws laid down by the administration.

#### **4.3.2 CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN**

74. The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW, 1979) (United Nations Human Rights, 1979) founds a global ordinance of liberties for women. Article 10 assures their privilege to education. It emphasizes gender equivalence endowing every woman with similar privileges as those of men in the area of education, from pre-school to higher specialized education. It infers passage to education, odds in employment and vocational recommendation, scholarships or different study pensions, policies of proceeding education (adult learning), and the deduction of illiteracy. It also furnishes for the contraction of any gender stereotyping theory of the positions of men and women at all grades and in all patterns of education.

#### **4.3.3 CONVENTION ON THE ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION**

75. The International Convention on the Elimination of All Forms of Racial Discrimination (ICERD, 1965) prohibits racial discrimination in the enjoyment of human rights (Schwelb, 1966), including economic, social and cultural rights. Article 5 guarantees the right to education of everyone, without distinction as to race, color or national or ethnic origin. Article 7 encourages states to take measures to combat prejudices, which lead to racial discrimination in the field of teaching and education and to promote understanding, tolerance and friendship among nations and racial or ethnical groups.

#### **4.3.4 CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES**

76. The Convention on the Rights of Persons with Disabilities (CRPD, 2006) applies to persons with disabilities and reaffirms that all persons with all types of disabilities must enjoy all human rights and fundamental freedoms (Kelly, 2020). It clarifies and qualifies how all categories of rights apply to persons with disabilities and identifies areas where adaptations have to be made in order that persons with disabilities can effectively exercise their rights, as well as areas where their rights have been violated, and where protection of rights must be reinforced. Article 24 recognizes the right of persons with disabilities to education, without discrimination and on the basis of equal opportunity, the state having the obligation to ensure an inclusive education system at all levels and lifelong learning.



77. The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICMW, 1990) seeks to prevent and eliminate the exploitation of migrant workers throughout the entire migration process by providing a set of binding international standards to address the treatment, welfare and human rights of both documented and undocumented migrants, as well as the obligations and responsibilities on the part of sending and receiving states. This Convention guarantees for each child of a migrant worker, the basic right of access to education on the basis of equality of treatment with nationals of the state even in cases of irregular migrant situation. It provides other rules for migrants and their families, in the field of education, and assures parental freedom in the moral and religious education of their children. Articles 12.4, 30, 43, and 45 guarantee the right to education. This Convention has a very low number of ratifications.

**CHAPTER 5**

**SUGGESTIONS TO INCREASE HIGHER EDUCATION  
OPPORTUNITIES & RIGHTS IN SRI LANKA**

78. **Improving graduate education-** Colleges and universities need to reconfigure graduate programs to better prepare aspiring professors for teaching. As late as two or three generations ago, majorities of new Ph.D.'s, at least in the better graduate programs, found positions where research was primary, either in major universities, industry or government. Today, however, many Ph.D.s find employment in colleges that are chiefly devoted to teaching or work as adjunct instructors and are not expected to do research.

79. **For-Profit** - Exclude for-profit schools, together with covert for-profit schools masquerading as non-profit, from federal help programs unless they need incontestable their price to students through inflated student earnings and that they trust, a minimum of partly, on non-federal sources of funding.

80. **Campus Climate** - Ensure safe and comprehensive field climates freed from harassment and violence, as well as molestation, gender-based harassment and violence, and alternative sorts of harassment and violence supported race, national origin, religion, disability, or any combination thence, and make sure that field programs, policies, and practices area unit comprehensive, equitable, fair, and advance the protection and well-being of all students.

81. **Rethinking the undergraduate curriculum-** The present structure, with its stress on the key and its embrace of distribution needs and in depth electives, was introduced by analysis universities and designed a lot of to satisfy the interests of a research-oriented school than to attain the varied aims of a decent collegian education. The obvious remedy is to incorporate the non-tenure-track instructors World Health Organization frame a majority of the teaching school in information reviews.

82. **Civil Rights Enforcement** - Ensure sturdy implementation and social control of civil rights laws across all postsecondary establishments that settle for federal funds and guarantee federal funds solely go towards establishments that don't discriminate supported race, color, national origin (including faith, language, ethnic characteristics, and immigration status), sex (including physiological state standing, family standing, sexual orientation, and gender identity), disability, or age.

**CHAPTER 6**

**CONCLUSION**

83. It isn't required in the event that we see a significant obstruction and imprint in the lawful structure of Sri Lanka under the right of individuals to perceive the right to training under the Fund Mental whenever it has turned into the objective of public essential schooling. The United country intends to propel its objective of giving a quality schooling at all levels. With the investment of 62 in the Development Agenda after 2015, conversations have been held capably between the states. The handout on the UNESCO plan calls attention to that sexual orientation based brutality sabotages the right to training in schools and represents a significant test to accomplishing sex balance in instruction, antagonistically influencing young ladies' investment and their tutoring. That. The reason for this plan is to give a common freedoms way to deal with training by regarding instruction as a basic liberty of the young lady kid. Each part of training, including the instructive climate, the educating and learning measure, government strategy, school administration and instructor support, should be considered according to a rights viewpoint. Conquering the primary boundaries to decent quality training is fundamental for the acknowledgment of the right to schooling for all.

84. Given the significance of the plan. The plan additionally centers around the cooperation of all partners in instructors, understudies, multilateral offices, common society associations, and so forth, perceiving their job in the execution of instructive rights. The plan likewise centers around statement, adaptability and agreement. With its execution, South Asian neighbors should do an amazing job to improve quality instruction, including capable residents for later.

85. The Sri Lanka plans to advance its goal of providing a quality education at all levels. Every aspect of education, including the educational environment, must be considered from a rights perspective. Overcoming the structural barriers to a good quality education is essential for the realization of the right to education for all. The SAARC Ministerial Conference on Education in Delhi recently adopted the Delhi Declaration 64, which includes education, quality improvement, use of information and communication technology in education. There should be a political consensus.

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