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Carlos Navarro

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Mexico Enacts Constitutional Changes to Make High School Compulsory; Critics Wonder if Government Will Provide Necessary Funding

by Carlos Navarro

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In a rare show of harmony, Mexico's three major political parties and their allies agreed on changes to the Constitution that would make high school education compulsory for all Mexicans. The measure was approved overwhelmingly in both chambers of Congress and signed into law by President Felipe Calderón on Feb. 8. But critics point out that the measure amounts to simply a good wish unless the government makes good on a commitment to put the needed financial resources into education to improve quality, hire more teachers, and provide more tools to students.

The measure approved in both the Chamber of Deputies and the Senate, and ratified by 22 of the 32 state legislatures in Mexico, amends Articles 3 and 31 of the Mexican Constitution, inserting language that stipulates that all Mexicans have the right to free public education through upper secondary school, which is grades 10 to 12. Before the changes Mexico required schooling only through the lower secondary school, the equivalent of junior high school.

The initiative, first approved in the Chamber of Deputies in early 2011, states that the goal is to combat social inequality and improve the living conditions of the population. "The advances in education will contribute to raise the competitiveness and productivity of our national economy while at the same time providing more and better job opportunities and higher earnings for our youth," deputy education secretary Rodolfo Alfredo Tuirán Gutiérrez said in a communiqué published on the official presidential Web site.

"The new constitutional mandate will require enormous efforts, both from an investment and an organizational standpoint," said Tuirán Gutiérrez, who heads the high school division of the Secretaría de Educación Pública (SEP). "The changes will promote a deep transformation with positive consequences for Mexico, its citizens, and their families."

The changes went into effect upon publication in the federal register *Diario Oficial de la Federación* on Feb. 8. This was the seventh constitutional reform on education since 1917. "The changes...spell out the obligation of all Mexicans to ensure that their children attend classes to obtain a high school education," Tuirán Gutiérrez said.

Congress pats its own back

There were also myriad positive comments in Congress and promises to follow through with funding and other legislative actions. "This is a reform that has great implications for society," said Deputy Baltazar Hinojosa Ochoa of the opposition Partido Revolucionario Institucional (PRI). "We are talking about an opportunity for 2 million young people who have obtained a secondary school certificate but have not had the chance to move on to preparatory school."

There were similar statements from the governing Partido Acción Nacional (PAN). "We have to start to immediately implement this reform," said Deputy Francisco Ramírez Acuña, the floor

leader of the PAN in the lower house. "We have to make the fiscal changes that will give us greater resources [to devote to education]."

The center-left Partido de la Revolución Democrática (PRD) also offered unqualified support for the measure, which envisions expenditures of 450 billion pesos (US\$34 billion) over a 10-year period to help achieve the goal. "[With this reform], we have to guarantee in the next 10 years that every single young person is allowed to enroll in preparatory school," said PRD Deputy Armando Ríos Piter.

The Partido Nueva Alianza (PANAL), the party formed primarily by the leaders of the teachers union, the Sindicato Nacional de Trabajadores de la Educación (SNTE), gave the measure conditional support.

PANAL said the current and subsequent governments now have to follow up by allocating the appropriate funds in the budget and by committing to building the infrastructure needed to shore up the educational system. "[This change] assumes that measures will be put in place to eliminate the existing deficiencies in coverage and quality of the educational system," said PANAL.

Funding remains a concern

Similarly, Deputy Jaime Cárdenas Gracia of the Partido del Trabajo (PT) wondered why the Congress would take so long to make sure that the funding was in place to fully implement the constitutional mandate. "We think 10 years is too long to make this a reality," said Cárdenas Gracia.

Other critics also questioned whether education is actually cost-free for parents, even though language in the Constitution stipulates that schooling should be free of charge. The federal government assumes big-ticket costs such as teacher salaries and school construction. But in most areas, parents still have to pay fees to local schools to cover some operational costs. "Every educational institution has to use its own resources to function properly," Roberto Javier Peña López, a local teacher, wrote in the daily newspaper *El Porvenir*. "The costs of paper, copiers, printers, cleaning supplies, work tools, and other items must be covered."

"The federal Education Department does not provide a single peso to cover these costs, and that is why the funding must be provided by the school community," said Peña López.

Notably, a proposal was offered by the Partido Verde Ecologista de México (PVEM) in Congress that would have required the federal government to fund those costs. But the measure did not move forward. And some organizations like the Federación Nacional de Asociaciones de Padres de Familia (FENAPAF) have expressed skepticism about the PVEM proposal because of concerns that the federal government at present does not have the resources to assume those costs.

There are other local concerns regarding the new requirements that preparatory school be compulsory. Jorge Quintana Silveyra, education secretary in Chihuahua state, said the mandate would be very difficult to enforce unless there are ways to motivate the youth in the state. Recent statistics show that 30% of the high-school age population in Chihuahua did not enroll in preparatory school, and another 17% enrolled but dropped out. In an interview with *El Diario* daily newspaper, Quintana also suggested that the constitutional mandate is going to require expenditures by the state government.

Some critics wondered how committed President Calderón and Congress were to the effort. "If we want to continue filling the Constitution with good intentions, we are on the right path," said

nationally syndicated columnist Sergio Sarmiento, who noted that Calderón has pushed through more constitutional amendments than any of his predecessors. The amendments promoted by Calderón include measures proclaiming the right to food ([SourceMex, May 11, 2011](#)) and the elimination of the pocket veto ([SourceMex, Aug. 24, 2011](#)).

"The move to make high school compulsory will not ensure that more youth take advantage of this level of education nor will it ensure that a quality education is offered," added Sarmiento.

The columnist pointed to a similar initiative 10 years ago that required preschool education. "To date, this good intention has not been met, and there are no indications that it could happen in the near future," said Sarmiento.

Sarmiento went as far as to suggest that the initiative was simply an effort to raise Mexico's profile internationally. "What President Calderón and the deputies and senators want is to stand tall and affirm that Mexico is one of the few countries in the world where it is compulsory to obtain 15 years of instruction," said Sarmiento. "These politicians are not worried that the expansion of the mandate without new resources could further worsen the already poor level of education in our country."

The enactment of the constitutional changes came just days before the Organization for Cooperation and Economic Development (OECD) issued a report urging member nations, including Mexico, to invest more funds in education as a means to emerge from the global economic crisis. In particular, the OECD report recommended that member countries make greater efforts to keep students in school. Dropout rates varied from only 2% in South Korea to 58% in Turkey. Spain, Portugal, Italy, Greece, Iceland, and Mexico all had rates at or above 25%.

The report said the high number of school dropouts had contributed to the high rate of unemployment in many of the OECD member countries. This rate rose from 11 million in 2007 to 15 million in 2011, the report said. [Peso-dollar conversions in this article are based on the Interbank rate in effect on Feb. 15, 2012, reported at 12.87 pesos per US\$1.00.]

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