

Shortage of Classrooms in East Jerusalem

Annual Survey

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Introduction

Since 2001, following petitions filed by hundreds of parents and a number of NGOs including Ir Amim, there have been active judicial proceedings concerning the grave shortage of classrooms for Palestinian children in East Jerusalem. Over the course of the past decade, Ir Amim has maintained consistent monitoring to assess the progress of classroom construction in East Jerusalem. Until 2011, monitoring has been conducted in parallel to petitions filed by Ir Amim; since the High Court of Justice ruling in February 2011 (HCJ 5317/08; HCJ 3843,5185/01) the organization has issued annual education reports.

In February 2011 the Supreme Court accepted a petition by the Association for Civil Rights in Israel (ACRI), ruling 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 East Jerusalem children 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 place in the official education system and who is consequently forced to enroll in one of the 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.¹

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

In previous reports, written together with ACRI, Ir Amim presented current data on classroom construction and other evidence of deep discrimination against East Jerusalem students, including figures on dramatically increasing dropout rates, the shortage of professional staffing positions (guidance counselors, drop-out counselors, etc.), disparities in administrative budgets and intervention in curricula. Ir Amim annually presents this data to the Jerusalem Municipality, the Ministry of Education and the Knesset Education Committee.

In light of the gap—which is narrowing but at an insufficient pace—and in view of the Supreme Court’s February 2016 deadline to close it, this year Ir Amim’s monitoring focuses on the number of East Jerusalem classrooms still to be allocated and analysis of the progress of construction in the last 13 years since the issue was first brought before the Court. Regrettably, despite its recognition of the severe shortage and despite the commitment of professionals in the Jerusalem Municipality, the pace of classroom construction is not keeping up with population growth and, as a result, the number of required classrooms is actually growing each year.

A summary of this year's monitoring data indicates:

- At least 8,100 East Jerusalem children are not presently enrolled in any known educational institution.
- A total of 3,055 classrooms is required to close the gap: 408 school classrooms, 330 kindergarten classrooms, 681 classrooms to replace existing substandard ones and another 1,636 classrooms needed for children attending unofficial schools due to insufficient slots in the public school system.
- In September 2014, 57 new classrooms are expected to open. Another 69 classrooms will be rented.
- From 2001 until the opening of the upcoming school year, the Municipality will have built a total of 438 classrooms, which amounts to a bare 14% of the number required to close the existing gap.

The dearth of classrooms is the crux of the educational crisis in East Jerusalem. High dropout rates and gaps in standard professional positions in schools may well be problematic in and of themselves, but these factors are undoubtedly related to the classroom shortage. It is hard to imagine a similar situation of children not having a proper physical place to study anywhere else under Israeli jurisdiction. The forecast is a grave one as we approach the five-year deadline the Supreme Court set for the Ministry

of Education and the Jerusalem Municipality to solve the shortage in the number of classrooms. The implications of this dire situation are intolerable for the thousands of children for whom there is no school to attend—certainly not near their homes—or whose parents are forced to pay thousands of shekels for unofficial or private schools, often of inferior quality compared to official state schools.

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Data

General: The Number of Students in the Arab Education System in Jerusalem

According to figures from the Jerusalem Education Administration (MANHI), in the 2013-2014 school year there were 103,391 students enrolled in the Jerusalem Arab education system from kindergarten through high school:

- Of that number, only 42,792 attended institutions belonging to the official education system (in 1,629 classrooms) and another 42,309 students went to unofficial schools (in 1,636 classrooms). Another 18,290 attended private schools run by the Waqf, UNRWA and others (in 791 classrooms).²
- The number of students in the official and unofficial education systems within the overall Arab educational system constitutes 38% of all students in Jerusalem.³
- The number of Palestinian children ages 3-4 in East Jerusalem is 20,000.⁴
- According to Central Bureau of Statistics figures for 2012, 111,500 Palestinian children aged 5-19 live in Jerusalem. **This means that at least 8,100 children are not presently enrolled in any known educational institution.**

The Number of Required Classrooms

According to the 2009 State Comptroller Report, there was a shortage of 1,000 classrooms for students in East Jerusalem.⁵ In the summer of 2012, the Municipality reported that the shortage stood at 1,100 classrooms.⁶ This number included 720 new classrooms needed to replace existing classrooms in substandard buildings and 400 new classrooms required to absorb children outside the system.

A calculation of the number of required classrooms should include the number of classrooms needed to replace existing substandard ones, the number of new classrooms needed, the number of kindergarten classrooms needed for students aged 3-4, and the number of classrooms needed for children enrolled in the unofficial education system because they are unable to obtain a space in the official school system:

² According to the number of students reported by the schools to MANHI. From a conversation with the deputy director of East Jerusalem education at MANHI (August 25, 2014).

³ **Jerusalem Municipality Educational Almanac 2013-2014** ([link](#)).

⁴ The Jerusalem Institute for Israel Studies, **Jerusalem Statistical Yearbook 2014**, Table 14/c ([link](#)).

⁵ State Comptroller, Report 59 for 2008, May 2009, p. 624.

⁶ The response of Deputy Mayor of Jerusalem Pepe Alalo to ACRI (July 17, 2012).

- **The number of substandard classrooms:** As for the current number of substandard classrooms, on August 25, 2014, the deputy director of East Jerusalem education at MANHI stated to Ir Amim that during the 2013-2014 school year there were 604 rented classrooms (standard and substandard) in East Jerusalem. Furthermore, according to the Municipality there are another 205 substandard classrooms in municipal buildings. Therefore, according to the Municipality there is a shortage of 809 rented/substandard classrooms (those that must be replaced by new construction). As far as the Municipality is concerned, because these classes are small—with fewer students than average—the shortage of standard classrooms actually stands at 681.

- **The number of newly constructed classrooms required:** In the summer of 2012, the system required the addition of 400 newly constructed classrooms. As will be apparent below, since the summer of 2012, 118 new classrooms have been constructed (at the opening of the previous school year the number was 61 and another 57 classrooms have been built since). Population growth is estimated at 6% a year, which translates into an increase of 2,200 new students entering the education system every year.⁷ Calculated on the basis of 35 children per classroom, an estimated 63 classrooms will be required each year to keep pace with the growing demand. Therefore, the number of new classrooms required today should be 408 (400 – 118 + 126).

- **The shortage of kindergarten classrooms:** This shortage is the direct result of failure to fully implement the government decision from January 2012, following publication of the Trachtenberg Committee Report, to provide free education to children ages 3-4. There are 20,000 children of this age group in East Jerusalem.⁸ As of September 2014, there is a shortage of 330 kindergarten classes.⁹ In West Jerusalem the government decision has been largely implemented and most children enjoy free education from the age of 3.

- **The number of classrooms in the unofficial education system:** According to the Supreme Court ruling in the aforementioned Abu Libdeh case, required classrooms also include those necessary to absorb children currently enrolled in the unofficial education system due to insufficient space in the official system. The current number of classrooms in the unofficial education system is 1,636. It cannot be assumed that all students

⁷ From a conversation with the deputy director of East Jerusalem education at MANHI (August 25, 2014).

⁸ The Jerusalem Institute for Israel Studies, **Jerusalem Statistical Yearbook 2014**, Table 14/c ([link](#)).

⁹ Response of deputy director of East Jerusalem education at MANHI to Ir Amim (August 24, 2014).

currently enrolled in the unofficial system would prefer to transfer to the official system, but since MANHI itself does not keep any alternative figures, there is little choice but to fall back on the aforementioned number.

According to the data, the total shortage of classrooms is estimated at 3,055 classrooms.

The number of required classrooms	
To replace substandard classrooms	681
New classrooms	408
Kindergarten classrooms	330
Classrooms in the unofficial education system	1636
Total	3055

Classroom construction – 2014

As Appendix A below indicates, at the beginning of the upcoming school year in September 2014, 57 new classrooms are expected to open. Within a year and a half the construction of 56 additional classrooms is expected to be completed. Buildings with a total of 157 classrooms are in planning and implementation stages and buildings with 108 classrooms are in initial stages of land identification and expropriation proceedings.¹⁰ The construction of no more than 378 additional classrooms is expected.¹¹

In addition, classrooms rented in residential buildings will open in the coming school year. In the 2013-2014 school year, 604 classrooms operated in East Jerusalem in buildings rented by the Municipality. An additional 69 classrooms are expected to be added this year¹² (see Appendix B below). Renting classrooms is a provisional solution.

“Due to the chronic shortage of classrooms, the Municipality has been exercising for many years a policy of ‘putting out fires’ in which it sets up mobile buildings and most frequently rents residential buildings and turns them into schools. Many of the rented buildings do not meet the accepted

¹⁰ Response of the head of the physical educational planning department at MANHI, Dana Polak, and the head of the public building division branch, Aharon Bin Nun to Ir Amim (July, 2014).

¹¹ Naturally, not all of the land at the initial planning stage will ultimately be used due to considerations in the expropriation process or other issues.

¹² Response of deputy director of East Jerusalem education at MANHI to Ir Amim (August 21, 2014).

standards as far as classroom size and outdoor space and basic sanitary conditions as well as ventilation, heat and air-conditioning."¹³

The Municipality must exercise its responsibility to provide education dedicated building.

Here it is important to conduct a careful examination of the figures the Municipality publishes in its announcement of the opening of new educational institutions in East Jerusalem at the beginning of the school year. Often, these statements are inaccurate. For example, at the beginning of the last school year, the Municipality announced that it had inaugurated "121 new classrooms built for the East Jerusalem school system." As it responded at the time, based on figures collected from professional parties in the Municipality itself, Ir Amim arrived at a different conclusion: the construction of only 61 classrooms. According to Ir Amim's investigation, of the 121 classrooms the Municipality announced as new, 24 did not open at the beginning of the year and another 24 were merely converted or rented.

The Pace of Classroom Construction 2001-2014

In 2001, the Jerusalem Municipality and the Ministry of Education undertook before the Supreme Court to build 245 classrooms by 2005, and in 2007 they committed to build another 400 classrooms by 2011. These commitments, already insufficient to fully alleviate the shortage of classrooms, were only partly satisfied: by the beginning of the school year in September 2011, only 257 of the promised 645 classrooms had been constructed.¹⁴

According to Ir Amim's annual monitoring, **from 2001 until the opening of the upcoming school year, the Jerusalem Municipality will have completed building a total of 438 classrooms.**

¹³ Yuval Wargen, "The East Jerusalem education system: Classrooms and curricula," Knesset Research and Information Center (May 2010), [Hebrew], p. 2.

¹⁴ Ir Amim and the Association for Civil Rights in Israel, "Failed Grade: The Education System in East Jerusalem", August 2010, p. 5
<http://www.acri.org.il/pdf/EJeducation2010en.pdf>.

Table 1: Classrooms in the Construction Cycle 2001-2014

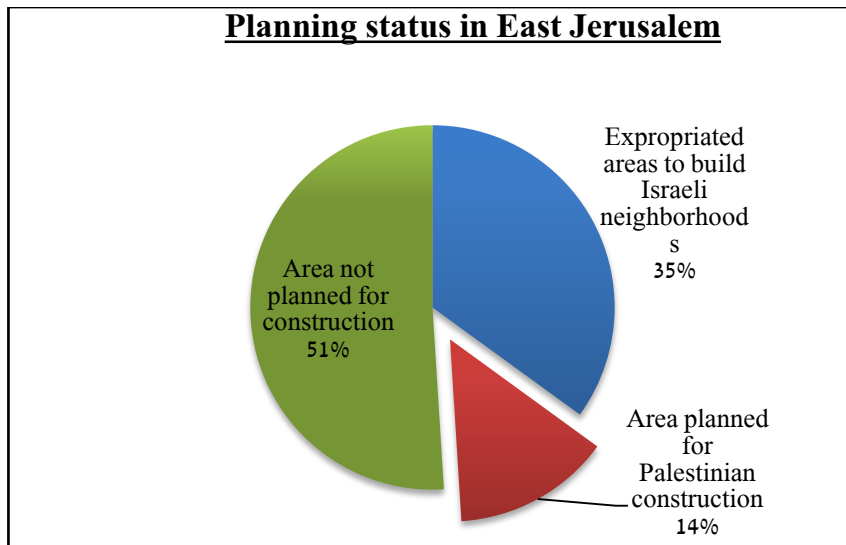
The number of classrooms in the construction cycle					
At opening of school year	Total at all stages	Completed	Under construction	In planning and implementation	In location and expropriation
2001-September 2009		257			
September 2010	448	24			
September 2011	375	7	89	193	86
September 2012	374	32	85	173	84
September 2013	393	61	75	110	147
September 2014 (forecast)	378	57	56	157	108

While the data shows an evident growth over the years in the number of classrooms opening each year, to date, the number of classrooms the authorities promised to build by 2011 has not been fulfilled; only 14% of the total number of classrooms required to reduce the existing gap have actually been built. As also emerges from the explicit statements of the head of MANHI to the Knesset Education Committee, there are no plans for a significant increase in construction.¹⁵

Conclusion

The Jerusalem Municipality blames the shortage of classrooms on a lack of available land upon which to build educational institutions in East Jerusalem. While that claim is accurate, the lack of land is largely attributable to the Israeli authorities' discriminatory application of planning policy in East Jerusalem. As demonstrated below, the area planned for Palestinian construction in East Jerusalem according to master plans amounts to 14% of the total land in East Jerusalem.

¹⁵ Moshe Tur Paz, addressing the Knesset education committee about the dropout rate in East Jerusalem on February 10, 2014: "Beyond the 400 classrooms under planning procedures, we are actually facing a barren desert."



Therefore, in order to overcome the so-called land shortage, the Jerusalem Municipality must act persuasively to rectify the discriminatory planning policy in East Jerusalem. It can do so by systematically mapping available land in cooperation with the various neighborhood committees. The city should incorporate educational priorities into decision making on land usage and submit master plans that convert unplanned spaces to planned areas. The Municipality should also act within its expected mandate—to serve for the benefit of the city’s residents—by opposing policies and plans for the creation of ‘national parks’ at the expense of plans which would benefit Palestinian neighborhoods and residents. Such was not the case in its promotion of the planned national park on the slopes of Mount Scopus, on land included in plans that designated construction of new schools, submitted by the adjacent Palestinian communities. The Municipality opted to enthusiastically support a national park on the site despite a previous understanding with the residents.

The Municipality should also avoid allocating scant available land to settlement projects inside Palestinian neighborhoods (such as the Glassman yeshiva compound in Sheikh Jarrah which, in February 2014, the Local Planning and Building Committee recommended for deposit of objections by the District Building and Planning Committee). The Municipality should also act to increase budgets for land expropriation. Lastly, in accordance with Ir Amim’s monitoring over the past year and figures provided by MANHI, additional budget allocations in the amount of NIS 50 million for land expropriation were received in 2014, by agreement with the Ministry of Finance. This budget has already been allocated by MANHI for various projects, which, in addition to the options under examination by the Municipality (to allow additional stories to

buildings intended for kindergarten classrooms, as well as projects currently in the planning stage) could lead to an addition of 151-201 new classrooms in East Jerusalem to the total planned today.¹⁶ It should be noted that it will take at least five years before those classrooms are operational. Nevertheless, this data indicates some creative potential for finding viable solutions, despite their failure to completely respond to the urgent existing need—a need that can only be answered by emergency actions requiring bold and committed policy change and political reforms of the city planning system.

¹⁶ Response of the head of the Physical Educational Planning Department at MANHI, Dana Polak, to Ir Amim (August 18, 2014).

Appendix A: Classrooms in construction cycle (as of July 2014)

Classroom construction monitoring in East Jerusalem July 2014								
Group	Number of planning provision	Project name	Institution code	TPS no.	No. of classrooms	Neighborhood	Type of Building	July 2014
Completed projects	592	Beit Hanina Comprehensive Girls School, Plot 10	347179	7469a	24	Beit Hanina	School	Finished and populated January 2014
	597	Kindergarten in A-Tur, Plot 5	978247	7463a	4	A-Tur	Kindergarten	Finished and populated January 2014
	598	Beit Hanina school for special education, lots 11a and 11b	347161	7643+7643a	15	Beit Hanina	School	In final stages of construction, projected opening September 2014
	608	Beit Hanina Kindergarten, Plot 11	990135	7462a	2	Beit Hanina	Kindergarten	In final stages of construction, planned opening September 2014
	609	Beit Hanina kindergarten, Plot 8	990168	7469	3	Beit Hanina	Kindergarten	In final stages of construction, planned opening September 2014
	610	Beit Hanina special education kindergarten, Plot 10	990143/2010582	7463	2	Beit Hanina	Kindergarten	In final stages of construction, planned opening September 2014
	611	Kindergartens in Shuafat, Plot 4	990119	6431	2	Shuafat	Kindergarten	In final stages of construction, projected opening September 2014
	613	Beit Hanina kindergartens, Plot 10	990150/2010589	8301	3	Beit Hanina	Kindergarten	In final stages of construction, planned entry September 2014
	614	Beit Hanina kindergarten, Plot 3	990127	6922	2	Beit Hanina	Kindergarten	In final stages of construction, planned entry September 2014
Total classrooms					57			
Projects under construction	593	Shuafat primary school, Plot 12	353458	3456a	18	Shuafat	School	Construction status, projected completion within 1.5 years
	594	Kindergartens in Shuafat, Plot 29 (adjacent to Plot 12)	978239	3456a	2	Shuafat	Kindergarten	Construction status, projected completion within 1.5 years
	596	Primary school in A-Tur, Plot 3	353607	3085	12	A-Tur	School	Construction status, projected completion end of 2014
	604	Co-ed primary school in Beit Safafa	359828/1380267	3855	24	Beit Safafa	School	Construction status, projected completion within one year
Total classrooms					56			
Projects in planning and implementation	585	Shuafat boys high school - addition of classrooms	148155	3456a/9	14	Shuafat	School	Tender issued, results awaited
	600	Wadi Joz kindergartens	978866/1999305	3533	2	Wadi Joz	Kindergarten	End of working plan, preparation for tender. Building for Noar Haoved youth movement under construction on school campus
	601	Wadi Joz primary school	3194/1023633	6320	18	Wadi Joz	School	Tender issued, results awaited
	602	Issawiyya girls middle school - Addition of classrooms	193003	2316	12	Issawiyya	School	Tender issued, results awaited
	607	Co-ed high school Beit Safafa - expansion of existing school	148056	1760	18	Beit Safafa	School	End of work plan; expected beginning of construction October 2014

Classroom construction monitoring in East Jerusalem | July 2014

Group	Number of planning provision	Project name	Institution code	TPS no.	No. of classrooms	Neighborhood	Type of Building	July 2014
	619	Al-Sal'a kindergarten - Jabel Mukabber	5000375	2683a/b	2	Jabel Mukabber	Kindergarten	Expropriation of Plot b completed budgetary allocation received. In planning stages expected completion of planning December 2014
	621	A-Turi for Girls	118299	1864a	6	Abu Tor	School	In planning stages expected completion of planning December 2014
	635	Shuafat kindergarten		7611	6	Shuafat	Kindergarten	Planning begun. Intended high rise construction
	636	Shuafat kindergarten		7619	12	Shuafat	Kindergarten	Planning begun. Intended high rise construction
	637	Shuafat kindergarten		7620	6	Shuafat	Kindergarten	Planning begun. Intended high rise construction
	641	Girls' preparatory 1-9 in A-Tur	118299	4640	9	A-Tur	School	Planning begun
	644	Shuafat kindergarten		7618	12	Shuafat	Kindergarten	Planning begun. Intended high rise construction
	645	Girls' high school Sur Baher	5002964	2302a	8	Sur Baher	School	Planning begun
	647	Shuafat kindergarten		7621	6	Shuafat	Kindergarten	Planning begun. Intended high rise construction
	648	Issawiyya boys' primary school		2316	8	Issawiyya	School	Planning begun
	649	Al-Sal'a primary school, Plot a		2683a	18	Sawahreh	School	Planning begun

Total classrooms 157

MANHI projects (before public building department) and in expropriation stage		Al-Sal'a primary school, Plot a		2683a	8	Sawahreh	School	Waiting for Waqf permission
		A-Tur school campus B		4904a	24	A-Tur	School	No progress because of neighborhood objections
		Mixed primary school in Wadi Qaddum - Silwan, Plot 7		2668	24	Silwan	School	Expropriation process continues; objections from the neighborhood. Prioritized for compensation from sum transferred from Treasury
		Sheikh Jarrah boys' primary school		8620	24	Sheikh Jarrah	School	Land expropriated and transferred to Municipality ownership. No progress because of dispute over parking lot
		Abu Tor Plot 100g, primary school		5222a	18	Abu Tor	School	Expropriation procedures under sections 5, 7. Requires evacuation of illegal construction from plot
		Sharafat, Plot 2, a-Salam school for special education		4552	10	Sharafat	School	Expropriation procedures under sections 5, 7. Existing special education school in Beit Safafa

Total classrooms 108

Appendix B - MANHI rentals in 2014 (as of August 2014)

Area	Until 2013-2014			Ahead of 2014-2015		
	Classrooms	Kindergarten classrooms	Special education kindergarten classrooms	Classrooms	Kindergarten classrooms	Special education kindergarten classrooms
Kufr Aqab	57	4		12	4	
Beit Hanina	41	8	38	30		
Shuafat	70	7				
Issawiyya	0	0				
A-Tur	84	3				
Sheikh Jarrah	39	0		6		
Wadi Joz	10	2	11			
City Center	42	0				
Old City	57	7				
Silwan/Ras al-Amud	13	6				
Abu Tor	40	5				
Sawahreh/Jabal Mukabber	33	8		8		
Sur Bahar	14	4				9
Um Tuba		1				
Beit Safafa		0				
Total	500	55	49	56	4	9
		604			69	