



Kampala, Monrovia, Nairobi
1st March 2018

To: All current and prospective investors in Bridge International Academies

Subject: Public letter of concern to current or prospective investors in Bridge International Academies

Dear Investor or Donor Agency,

We, the undersigned group of 88 organisations, write to share with you the large body of independent evidence that raises serious concerns about the corporate practices and impact of Bridge International Academies (BIA), a commercial school company in which you are currently vested, or in which you may be considering investment.

We understand that investors in BIA, both public institutions and private organisations and individuals, have contributed financially to this company because of their desire to support and explore a new model to expand access to education in Africa and other regions. We appreciate this intention to make a contribution to improving education in developing countries, which is an urgent priority that we share.

However, a robust and growing body of independent evidence raises serious concerns about BIA’s corporate practices and the impact of their operations, and demonstrates that the company is neither contributing to positive disruption nor to meeting the global education goals. These concerns were documented in a statement signed by 174 civil society organisations from 50 countries in August, annexed for your reference. In particular, we would like to call your attention to **a series of concerning practices and associated legal and reputational risks for investors, including lack of transparency, poor labour conditions, and non-respect of the rule of law in host countries.** The annexed statement demonstrates, *inter alia*, BIA’s:

- Failure to comply with requests from the Ugandan Ministry of Education to meet its legal and educational standards, resulting in a decision of the High Court of Uganda to uphold the Ministry’s order to close all 63 BIA schools in Uganda. Following 18 months of dialogue with the company, the Government of Uganda confirmed in a statement made public on 6th February 2018 that it had decided earlier in the year not to allow BIA to open for the academic year 2018 for failing to meet standards

regarding the “safety and security of pupils”, to meet the requirements for licensing, and to submit full documentation for licensing;¹

- Failure to comply with the Kenyan Ministry of Education’s requests to register schools, use of unapproved curriculum, failure to meet standards for teacher certification, and other violations leading to a court-ordered closure of Bridge schools in Busia County, in Western Kenya, and numerous other court cases;
- Complicity in the arrest and detention without evidence of an independent researcher from the University of Alberta, Canada in Uganda;
- Legal action against the Kenya National Union of Teachers resulting in a gag order preventing the union from publicly mentioning BIA while awaiting trial. The legal action was for allegations of defamation, after the union published a study raising legitimate concerns about BIA. The application for interim injunction was eventually dismissed on 20th February;²
- Poor labour conditions, in particular for teachers, who are paid below the living wage (around 100 USD a month) for 60 or more hours of work per week; imposition of contractual obligations such as long-term non-compete clauses.

No improved learning outcomes could justify these practices. But evidence suggests that BIA schools are not providing a decent quality education. Recent reports have questioned BIA’s claims about improved examination results. The New York Times reported for instance that in preparation for the Kenya national exams, teachers said BIA asked some students to repeat a year, while “the rest were taken to a residential cram school and prepped for the test by teachers who flew in from the United States”.³ Other tactics, such as direct or indirect selection, could also impact the results.⁴ The recent independent evaluation of a pilot public-private partnership school program in Liberia, which includes Bridge Academies, indicates that BIA spent more than 13 times the Government spending per student and turned away children from schools to reduce pupil-teacher ratios, to reach artificially improved learning outcomes, though still only reaching low outcomes in absolute.⁵

Evidence further suggests that the poorest and most marginalised children are not able to access Bridge schools at all because of the high cost relative to family income, which has been calculated to be in reality significantly higher than what BIA claims.⁶ This means that Bridge does not deliver on its promise to reach families living on less than 2 USD a day, fails on its ambition to deliver cost-effective education, and threatens to deepen economic and social inequality and segregation. We question such a model which seeks to extract profit from the aspirations of poor parents, who sacrifice other basic needs to pay fees for an education of uncertain quality.

Recent statements from several UN and regional human rights bodies – including a report published in November by the African Commission on Human and Peoples’ Rights directly addressing concerns about BIA⁷ – have raised strong concerns about the unregulated expansion of school models such as Bridge International Academies, confirming the above

¹ Find the statement from the Government of Uganda: <http://bit.ly/2FSjib8q> and <http://bit.ly/2BHyVfF>, and the civil society analysis: <http://bit.ly/2BLNjL2>.

² See <http://bit.ly/2GxEyfm>

³ See <http://nyti.ms/2sUjZpm>.

⁴ As detailed in the annexed statement.

⁵ The evaluation is available at: <https://www.cgdev.org/publication/can-public-private-partnership-improve-liberias-schools>. See analysis in Steven J. Klees, “Liberia’s Experiment with Privatizing Education”, Working Paper 235, National Center for the Study of Privatization in Education, Teachers College, Columbia University (26 October 2017), available at <http://ncspe.tc.columbia.edu/working-papers/WP235.pdf>;

⁶ As detailed in the annexed statement.

⁷ See http://www.achpr.org/files/sessions/19th-ec/conc-obs/8th-11th-2008-2014/kenya_concluding_observations_8th_to_11th_periodic_report.pdf, paras. 37 and 53.

analysis. In April, and again in November,⁸ the UK Parliament's International Development Committee expressed specific concerns about BIA regarding the quality of education, relationship with governments, lack of compliance with government regulations, and high cost of fees.

In light of this significant body of evidence, the undersigned organisations **strongly recommend that you exit in the shortest possible time from your investment in Bridge**. We call on you to **fully discharge your legal due diligence obligations and responsibilities** by making no further financing commitments to Bridge schools, and by using any suspension or termination rights to withhold any planned disbursements and withdraw existing investments in Bridge International Academies where contractually possible.

Seven months after the annexed statement was published, we would welcome the opportunity to have a meeting with you at your earliest convenience in order to discuss this matter, and present the evidence from various independent sources, including journalists, governments, former BIA staff, independent experts, and civil society.

Sincerely yours,

Appendix. You will find the statement of evidence here: <http://bit.ly/biainvestors>.

Signatories

| Organisation | Region |
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| 1. ActionAid International | International |
| 2. ActionAid Liberia | Liberia |
| 3. Aide et Action | France |
| 4. All for Education!' National Civil Society Coalition | Mongolia |
| 5. Alliance of Government Workers in the Water Sector | Philippines |
| 6. American Federation of Teachers | United States of America |
| 7. Africa Network Campaign on Education For All (ANCEFA) | International |
| 8. Antarctic | Democratic Republic of the Congo |
| 9. Asia South Pacific Association for Basic and Adult Education (ASPBAE) | International |
| 10. Asociación Latinoamericana de Educación y Comunicación Popular | International |
| 11. Association Camerounaise pour la Défense des Droits de l'Homme des Libertés et du Bien être (ACADEHLIB) | International |
| 12. Association Française Pour un Enseignement Ambitieux et Humaniste (AFPEAH) | France |
| 13. Brazilian Campaign for the Right to Education | Brazil |
| 14. Bretton Woods Project | International |
| 15. Cameroon Education For All Network | Cameroun |
| 16. Campaign for Popular Education (CAMPE) | Bangladesh |
| 17. Campaña Argentina por el Derecho a la Educación (CADE) | Argentina |

⁸ See <https://dfidnews.blog.gov.uk/2017/11/21/idc-report-on-dfids-education-work/> and the analysis in <http://globalinitiative-escri.org/new-uk-parliament-report-finds-bridges-model-problematic-and-raises-questions-about-uk-funding/>.

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| 18. Campaña Latinoamericana por el Derecho a la Educación (CLADE) | International |
| 19. Campaña Peruana por el Derecho a la Educación | Peru |
| 20. Center of African Studies of the University of Porto | International |
| 21. CEPO/KASAI CENTRAL | Democratic Republic of the Congo |
| 22. CEPO-ONG | Democratic Republic of the Congo |
| 23. Child Rights International Network (CRIN) | International |
| 24. Cipe Consultores | Honduras |
| 25. Civil society Action Coalition on Education for All (CSACEFA) | Nigeria |
| 26. Coalicion Colombiana por el Derecho a la Educacion | Colombia |
| 27. Coalition des Organisations Mauritanienes pour L'éducation (COMEDUC) | Mauritania |
| 28. Coalition Éducation | France |
| 29. Coalition for Transparency and Accountability in Education (COTAE) | Liberia |
| 30. Construisons Ensemble le Monde | Democratic Republic of the Congo |
| 31. Corner House | United Kingdom |
| 32. CSC-Enseignement | Belgium |
| 33. DCI-Tunisia | Tunisia |
| 34. Defence for Children international - Ghana | Ghana |
| 35. Défense des Enfants International - Belgique | Belgium |
| 36. Economic & Social Rights Centre-Hakijamii | Kenya |
| 37. Equal Education | South Africa |
| 38. Equal Education Law Centre | South Africa |
| 39. FECASE | Cameroun |
| 40. Fédération Générale de L'enseignement de Base (FGEB) | Tunisia |
| 41. FERGET ASBL | Democratic Republic of the Congo |
| 42. Ficemea | International |
| 43. Foundation For Environmental Rights, Advocacy & Development (FENRAD-NIGERIA) | Nigeria |
| 44. FP CGIL | Italy |
| 45. Fundación Manatí para el Fomento de la Ciudadanía A.C. | Mexico |
| 46. Ghana National Education Campaign Coalition | Ghana |
| 47. Global Campaign for Education | International |
| 48. Global Campaign for Education-US | United States |
| 49. Global Initiative for Economic, Social and Cultural Rights (GI-ESCR) | International |
| 50. Global Justice Now | United Kingdom |
| 51. Global Peace and Development Organization | Liberia |
| 52. Human Dignity | International |
| 53. Initiative for Social and Economic Rights (ISER) | Uganda |
| 54. Jeunes et Femmes pour les Droits De l'Homme et la Paix (J.F.D.HO.P) | International |
| 55. Jeunesse et Emplois Verts pour une Economie Verte (ONG JEVEV) | Benin |

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| 56. Labour, Health and Human Rights Development Centre | International |
| 57. Les Anges du Ciel | Democratic Republic of the Congo |
| 58. Mouvement Anfass Démocratique | Morocco |
| 59. National Campaign For Education Nepal | Nepal |
| 60. National Coalition for Education (NCE) | India |
| 61. National Network for Education Reform (NNER) | Myanmar |
| 62. Natural Resources Alliance of Kenya (KeNRA) | Kenya |
| 63. Network for Public Education | United States |
| 64. Northern Territories Federation of Labour | Canada |
| 65. OBESSU - Organising Bureau of European Schools Student Unions | International |
| 66. Organisation Démocratique du Travail | Morocco |
| 67. Oxfam International | International |
| 68. Pakistan Coalition for Education | Pakistan |
| 69. Program on Human Rights and the Global Economy | United States of America |
| 70. Programa de Comunicación y Educación (CEA-FCS-UNC) | Argentina |
| 71. Public Services International | International |
| 72. Red de Educación Popular entre Mujeres de América Latina y el Caribe Repem | International |
| 73. Rede Lusófona pelo Direito à Educação (ReLus) - The Lusophone Network for the Right to Education | International |
| 74. RESDEN | Niger |
| 75. Réseau Ivoirien Pour La Promotion De L'education Pour Tous | Côte d'Ivoire |
| 76. RESULTS | International |
| 77. Right to Education Forum | India |
| 78. Right to Education Initiative | International |
| 79. Sikshasandhan | India |
| 80. SNEN | Niger |
| 81. Society for International Development (SID) | International |
| 82. Solidarité Laïque | France |
| 83. Spanish Coalition Global Campaign for Education | Spain |
| 84. Syndicat National Autonome de l'Enseignement Secondaire (SNAES) | Cameroon |
| 85. Syndicat National de L'enseignement Secondaire (SNES) | Mauritania |
| 86. Syndicat National des Agents de la Formation et de l'Éducation du Niger | Niger |
| 87. The East African Centre for Human Rights (EACHRights) | Kenya |
| 88. UNISON - The Public Service Union | United Kingdom |