

Combating Inequality in Primary Education within Rural Areas - Is Legal Reform Necessary?

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Abstract

This article explores persistent educational inequality in primary education in rural areas of Malaysia and evaluates whether legal reform is necessary to achieve equal access to quality education. Although Malaysia recognises education as a fundamental right through constitutional provisions, statutory frameworks, and international human rights commitments, significant gaps remain between rural and urban schools. Through legal analysis, academic research, and insights gathered from non-governmental organisations and educators, the study identifies four main factors contributing to educational inequality: the digital divide, socioeconomic class, educational malpractice, and inadequate infrastructure. The findings show that existing government initiatives and policies, although beneficial, are often limited by inconsistent implementation and lack of accountability, leaving rural students at a continued disadvantage that affects long-term outcomes. This article argues for stronger legal safeguards, concludes that educational equity requires substantive reforms to protect the rights of rural students and ensure they receive such education on equal footing with their urban counterparts.

Keywords: constitutional law, rural education in Malaysia, education inequality, human rights, reform

1. Introduction

Malaysia is aligned with international agreements reinforcing education as a fundamental right. Notably, *Article 26 of the Universal Declaration of Human Rights (UDHR)* guarantees the right to free elementary education,¹ while *Article 28 of the United Nations Convention on the Rights of the Child (CRC)* mandates that primary education be compulsory and accessible to all on the basis of equal opportunity.² Furthermore, the *United Nations Sustainable Development Goal 4*, specifically *Target 4.1* calls for ensuring that all children complete free, equitable and quality primary education. Despite these commitments, there exists an abysmal challenge within Malaysia's educational landscape where rural schools face substantial limitations in access to quality education. This educational disparity leaves rural schools neglected and isolated in progress compared to their urban counterparts. Thus, it raises critical concerns about whether Malaysia's commitment to these global declarations is fully realised in its educational frameworks. Therefore, this article seeks to explore how constitutional measures can be leveraged to combat persistent inequality in rural primary education.

It is evident that schools in rural locations are at a distinct disadvantage compared to schools in the city. While urban schools enjoy the advantages of greater funds, modern infrastructure, and easy access to technology, rural schools grapple constantly to satisfy even the most basic educational needs. These challenges have adverse consequences on students' learning and overall school performance. As a result, students will have diminished opportunities to fulfil

¹ Universal Declaration of Human Rights, art 26.

² United Nations Convention on the Rights of the Child, art 28.

their maximum potential, placing their futures on the line. Unfortunately, these obstacles are frequently overlooked by the public, who may be unaware of the daily struggles rural education systems endure. Although rural schools face a plethora of challenges, this article will be focusing specifically on the issues of the digital gap, low socioeconomic class, educational malpractice, and inadequate infrastructure, as these factors represent the most immediate barriers to educational equity and have significant implications for academic development.

Despite existing legal frameworks, our survey findings under Appendix B shows 29.3% of respondents strongly agree that present policies remain futile as rural students all over Malaysia still face obstacles to obtain the high-quality education they deserve. To address these challenges, we propose targeted legislative reforms and strategic initiatives to ensure rural students receive an education that is on equal footing with their urban counterparts. The findings of this article aim to serve as a catalyst for change that will not only reshape the Malaysian educational landscape but also uphold fundamental human rights and foster social justice.

2. Methodology

This paper adopts a qualitative approach to examine the educational landscape in Malaysia. To provide a comprehensive evaluation, the research integrates existing legal frameworks alongside secondary sources such as journal articles, media reports, government policy documents, and commentaries.

A purposive sampling method was employed to select participants with specialised expertise and active engagement in educational advocacy and legal academia. This method was adopted to ensure the insights gathered were highly centred on the research objective and to provide practical perspectives on existing challenges within Malaysia's education system. Accordingly, in-person interviews were conducted with representatives from key non-governmental organisations (NGOs), namely the *Parent Action Group for Education Malaysia (PAGE)* and the *Melaka Action Group for Parents in Education (MAGPIE)*. Expert academic insight was further obtained through correspondence with *Dr. Heama Latha A/P Narayanan Nair*, a senior law lecturer at Taylor's University. The information gathered from these sources contributed to the analytical discussion presented in the article.

3. Background, Recent Reforms and Key Developments

3.1 Background

The combating of inequality in primary education in rural areas is a crucial element of social justice and human rights. The need to combat inequality in primary education within rural areas, as highlighted by *Marwan, Sumintono and Mislán*, arises from one of the main issues contributing to greater social and economic inequality in Malaysia, namely the disparity in

educational opportunities between urban and rural areas.³ Although in Malaysia, several legal frameworks, including statutes, constitutional provisions, and international conventions, are in place to address the inequality in primary education in rural areas, the effectiveness and efficiency of the frameworks have been a topic of ongoing debate. Therefore, an effective strategy to address these inequalities would be the implementation of reforms to effectively uphold their rights to education. This could prove to be a strong approach and may guarantee that students in rural areas receive an education on par with that of students in urban areas. To accomplish this objective, it is imperative to prioritise the equal distribution of resources, increase financial investments, and establish focused strategies, all of which will be discussed and explored in this article.

According to a study, a closer examination of the level of education of the 38 heads of families within the community of 'Orang Sungai' in Paitan, Sabah, thus demonstrates educational disparities. The majority of the people in the community had neither completed nor attended primary education at all. It has been stated that thirteen individuals (34.2%) completed their primary education and a small percentage (7, 18.4%) completed their secondary education. Whereas, regarding the spouse's level of education, the majority had neither attended nor finished primary school (29, 68.5%). Meanwhile, there was an equal distribution of those who have finished primary education (5, 13.2%) and secondary education (5, 13.2%).⁴

3.2 Current Legal Framework

3.2.1 Education Act 1996 (Act 550)

This legislation governs the provision of education in Malaysia. The two main goals of this Act are to achieve equality and equitable provision in the nation's educational system. According to *Abu Yazid Abu Bakar*, to achieve educational equality, the government and educators must provide all children equal access to school, regardless of socioeconomic status, gender, race, location, or physical or mental disability. On the other hand, equity in education emphasises that all individuals should be able to attain at least a minimum level of skills and social and personal circumstances do not obstruct realising educational potential.⁵

The foundations for the principles of equality, equity, and non-discrimination in education are preserved by Malaysia's *Federal Constitution*,⁶ which includes provisions safeguarding and promotion of educational rights. Specifically, *Article 12 of the Federal Constitution* provides that there shall be no discrimination against any citizen solely based on religion, race, descent, or

³ Ardi Marwan, Bambang Sumintono and Nora Mislán, *Revitalizing Rural Schools: A Challenge for Malaysia* (Universiti Teknologi Malaysia Press RMC 2012).

⁴ Mohd Suhaimi Mohamad and Manisah Binti Mohd. Ali, 'Inequality in Education: Experience of Critical Pedagogy and Community Engagement with Orang Sungai in Paitan, Sabah' [2017] 1(2) ASEAN Journal of Community Engagement 1.

⁵ Abu Yazid Abu Bakar, 'The Equal and Equitable Provision of Primary School Education in Malaysia: Issues and Challenges' [2022] 6(7) Journal of Positive School Psychology 2476.

⁶ Federal Constitution of Malaysia 1957.

place of birth concerning educational institutions.⁷ Therefore, this paper asserts that the Education Act aligns with Article 12 of the Federal Constitution by explicitly emphasising equality and equity, thereby reinforcing the government's constitutional obligation to provide fair and inclusive education for all Malaysians.

To execute equality and equitable provision into practice, *Section 29A of the Education Act 1996* specifies that children must be enrolled in preschool education by the age of six and complete six years of primary school. Non-compliance with this provision may result in a fine not exceeding five thousand ringgit or imprisonment for up to six months.⁸ This requirement highlights the government's commitment to ensuring that every child receives a fundamental level of education, bridging gaps in access, and reinforcing the nation's goal of an equitable education system for all. However, many issues arise when this mandate is not effectively implemented, which will be further discussed in this article.

3.3 Recent Reforms and Key Developments

Although Malaysia has not recently enacted constitutional amendments to specifically address educational inequality in rural areas, the government has concentrated on policy reforms to improve access and quality in education, addressing urban-rural disparities through national education policies and programmes. This can be seen in the allocation of RM2 billion to enhance educational facilities and financial support for rural schools. These reforms show a common approach focused on infrastructural development, digital inclusion, and targeted educational support.⁹ Thus, they represent the fundamental assumption that increasing access to learning opportunities and educational resources will reduce education inequality.

3.3.1 *The Malaysia Education Blueprint 2013-2025 as the Policy Framework.*

The Malaysia Education Blueprint 2013-2025 was launched as the main framework to transform the national education system from preschool to upper secondary education, guiding educational reform in Malaysia.¹⁰ The blueprint sets out five aspirations for a complete education system, which are access, quality, equity, unity, and efficiency. To achieve 'Education for All', it emphasises full access to education and reduces achievement gaps for equity, particularly between urban and rural areas. Several initiatives have been done by the government to enhance equity and reduce socioeconomic and geographical disparities, namely ICT integration in classrooms, financial support programmes, Special Education Needs

⁷ *ibid.*

⁸ Education Act 1996, s 29A.

⁹ Teach For Malaysia, 'Malaysia's Budget 2025: A Step Forward for Education' (Teach For Malaysia, 25 October 2024) <<https://teachformalaysia.org/malysias-budget-2025-a-step-forward-for-education/>> accessed 15 November 2024.

¹⁰ Ministry of Education Malaysia, *Executive Summary Malaysia Education Blueprint 2013 - 2025* (Ministry of Education, 2013).

initiatives, and programmes for Orang Asli communities, such as Kumpulan Wang Amanah Pelajar Miskin (KWAPM) and Kelas Orang Asli dan Pribumi (KEDAP).¹¹

The Blueprint reveals a shift from focusing solely on educational access towards addressing disparities in educational opportunities. Through initiatives such as ICT integration, financial assistance programmes, and targeted support for vulnerable communities, the government has sought to reduce barriers faced by disadvantaged students. However, poverty and socioeconomic background continue to influence educational outcomes in rural communities.¹² This suggests that while the Blueprint has expanded educational opportunities, improving access alone may be insufficient to eliminate persistent inequalities experienced by rural students.

3.3.2 Digital Inclusion as a Strategy for Educational Equity

A defining feature of the educational reforms launched is the increasing reliance on digital technology to reduce educational disparities between rural and urban communities. Initiatives such as Digital Educational Learning Initiative Malaysia (DELIMa), Maxis eKelas, and Pusat Internet 1 Malaysia collectively illustrate this strategy, although each programme addresses a different dimension of the digital divide.

DELIMa serves as the government's primary digital learning platform by providing students and teachers with access to educational resources, digital textbooks, and learning applications.¹³ By making educational content more readily available, this initiative aims to ease the financial burden on families, especially in rural areas by minimising the need for physical textbooks and supplies while also providing health benefits for students. This suggests that this digital learning platform enables students in rural areas to access high-quality educational content and digital facilities on par with those available to urban students, helping to bridge the rural-urban educational divide. However, DELIMa primarily addresses access to educational content rather than the broader conditions necessary for effective learning.

In contrast, Maxis eKelas adopts a more engagement-oriented approach by providing experiential learning through live tutorials, group learning, competitions, and access to digital content. While DELIMa focuses on ensuring access to educational resources regardless of location, eKelas emphasises active participation and interaction. The distinction between these initiatives suggests that educational inequality cannot be addressed solely through the provision

¹¹ Ministry of Education Malaysia, *Dasar Pendidikan Kebangsaan* (4th edn, Ministry of Education Malaysia 2017) 139-141.

¹² Mohd Mahzan Awang, Abdul Razaq Ahmad and Bennedine Albert Allang, 'Rural Education: How Successful Low-Income Students Received Socio-Educational Supports from Families, School Teachers and Peers?' [2021] 10(1) *International Journal of Academic Research in Progressive Education and Development* 311.

¹³ Bii Hui Hii and Muhammad Sofwan Mahmud, 'Teachers' Perception Towards DELIMa Learning Platform for Mathematics Online Teaching and Learning in Sibu District' [2022] 12(11) *International Journal of Academic Research in Business and Social Sciences* 1888.

of digital content. Effective learning also requires meaningful engagement with educational resources and opportunities to develop skills beyond classroom instruction.

Furthermore, Pusat Internet 1 Malaysia addresses a further dimension of the digital divide by focusing on internet accessibility and digital literacy within rural communities. Unlike DELIMa and eKelas, which operate on the assumption that students can access online learning environments, Pusat Internet seeks to establish the foundational infrastructure and digital competencies necessary for participation. In this respect, this initiative serves as an enabling mechanism that reduces the gap in access to and development of necessary digital skills between rural and urban areas,¹⁴ as well as supports the effectiveness of both DELIMa and eKelas.

3.3.3 Infrastructure Development and Educational Access

The School Solar Project in Sarawak reflects the government's efforts to address infrastructural barriers affecting rural education. Through the installation of hybrid solar systems in rural schools to provide electricity and lighting,¹⁵ the project illuminated 43 rural schools in Sarawak, providing a better learning environment for the students.¹⁶ By utilising solar power, this project will not only provide sustainable energy solutions but also address the challenges of ensuring reliable electricity infrastructure in remote areas. This initiative is important for ensuring that students in rural areas in the state of Sarawak have access to basic utilities and a conducive learning environment. The initiative also offers access to online learning resources, such as Massive Open Online Courses (MOOC) and other digital content, supporting self-directed learning and educational advancement.

As a result, infrastructure development and digital inclusion should be viewed as mutually dependent strategies. While programmes such as DELIMa and eKelas seek to expand educational opportunities through technology, their effectiveness is constrained where reliable electricity, internet connectivity and basic school facilities remain inadequate.

¹⁴ Malaymail, 'In Sarawak, 43 rural schools equipped with hybrid solar systems' (*Malaymail*, 21 October 2023) <<https://www.malaymail.com/news/malaysia/2023/10/21/in-sarawak-43-rural-schools-equipped-with-hybrid-solar-systems/97525#:~:text=KUCHING%2C%20Oct%2021%20%E2%80%95%20A%20total,involving%20seven%20districts%20in%20Sarawak>> accessed 17 November 2024.

¹⁵ Nantha Kumar Subramaniam, *Technology in Education: A Case Study on Malaysia* (UNESCO 2023).

¹⁶ *ibid.*

4. Key Issues to be Addressed through Reforms

4.1 The Digital Divide

Essentially, the digital divide is the gap between those with access to advanced technology and those without, notably affecting people in rural areas who are less inclined and less confident to engage in modern technology.¹⁷ In today's evolving digital environment, where technology influences all facets of life, students must develop digital literacy as a fundamental skill, especially at a young age. This skill allows students to tap into an extensive array of online materials, e-learning platforms, digital learning tools, and the capability to engage with others through various online communication platforms.¹⁸ Access to these resources can foster innovation and critical thinking skills, contributing to a more interactive and well-rounded approach to education.¹⁹ However, according to the Ministry of Education (MOE), it is reported that students in rural areas experience disadvantages in their ability to develop digital literacy skills, having less access to resources and opportunities than their urban peers.²⁰ This systemic failure is empirically supported by data collected in Appendix B. When surveyed on the main causes of educational gaps between rural and urban primary schools, 87.9% of respondents pointed to the limited access to technology.

An example of the effects of the digital divide was observed during the recent Malaysian Movement Control (MCO) amid the COVID-19 pandemic, which led to a significant increase in the use of digital tools. The nationwide lockdowns disrupted the education sector, forcing all schools to shut down and make an immediate transition to online learning.²¹ With the shift from face-to-face to online learning at home, students and teachers had no alternative but to adapt. This presented significant difficulties as many struggled to cope and fully engage in their studies due to limited access to digital devices and poor internet service.²² In a survey conducted by the Ministry of Education (MOE) between March and April 2020, 37% of students did not own digital devices, while only 15% owned personal computers, and 50% depended on smartphones.²³ While the surge to digitalisation poses benefits for some, it has highlighted

¹⁷ Hannah Jongebloed and others, 'The digital divide in rural and regional communities: a survey on the use of digital health technology and implications for supporting technology use' [2024] 17 BMC Research Notes <<https://doi.org/10.1186/s13104-024-06687-x>> accessed 17 November 2024.

¹⁸ ICDL, 'The Crucial Role of Digital Literacy in Shaping Tomorrow's Students' (ICDL, 24 October 2023) <<https://icdl.org/the-crucial-role-of-digital-literacy-in-shaping-tomorrows-students/>> accessed 18 November 2024.

¹⁹ Chanda Chansa Thelma and others, 'Digital Literacy in Education: Preparing Students for the Future Workforce' [2024] 11(8) International Journal of Research.

²⁰ Malaymail, 'Education Ministry admits gap in digital skills between rural, urban schools' (*Malaymail*, 30 April 2024) <<https://www.malaymail.com/news/malaysia/2024/04/30/education-ministry-admits-gap-in-digital-skills-between-rural-urban-schools/131622>> accessed 12 November 2024.

²¹ Wong Sin Yun, 'Challenges of COVID-19 Crisis on Malaysia's Education Sector' [2023] 9(1) EDUCATUM Journal of Social Sciences 37.

²² *ibid.*

²³ Justin Ong, 'Education Ministry: Over one in three students couldn't access online learning during MCO' (*Malaymail*, 16 July 2020)

challenges for rural students, restricting their ability to participate in online learning and exacerbating existing disparities in the education system.²⁴

Several governmental initiatives such as 1BestariNet and the 1Malaysia Netbook Project have emerged to provide students in rural areas with low-cost devices and internet services and were touted as a way to bridge the urban-rural divide. Despite these efforts, many students in rural areas still struggle significantly due to inadequate implementation of these initiatives and lack of maintenance.²⁵ Limited access to technology hinders educational equality, stressing the necessity of bridging the digital divide and providing students in rural areas with equal learning opportunities and experiences.

4.2 Socioeconomic Challenges

Poverty is a significant factor contributing to educational inequality, with students in rural areas often having lower socioeconomic backgrounds compared to their urban counterparts.²⁶ Research shows that economic stability influences academic success, as low-income families struggle to meet their children's educational needs, while high-income families have greater access to resources.²⁷ Therefore, rural students have restricted access to learning materials, including digital devices, textbooks, and private tutoring, which impairs academic achievement. Financial difficulties can lead to irregular school attendance, as children may need to work to support their families, and parents often lack the education or time to provide adequate support. Economic struggles extend the cycle of poverty, resulting in higher dropout rates and fewer prospects for postsecondary education.

The objective of government initiatives, such as the allocation of RM2 billion to enhance educational facilities in rural schools, is to address these issues. However, proper implementation is essential to ensure resources are utilised effectively and rural schools receive adequate support.²⁸ Currently, implementation efforts often fail because centralised policies apply a 'one-size-fits-all' approach, providing digital tools or resources without first addressing foundational infrastructure deficits in rural schools, such as unstable electricity and lack of broadband connectivity. Additionally, the inability of families to afford necessary educational resources and extracurricular activities further disadvantages rural pupils. While programs such

<<https://www.malaymail.com/amp/news/malaysia/2020/07/16/education-ministry-over-one-in-three-students-couldnt-access-online-learnin/1885005>> accessed 14 November 2024.

²⁴ Outreach International, 'The Digital Divide in Education: Bridging the Gap for Equal Learning Opportunities' (*Outreach International*, September 2024) <<https://outreach-international.org/blog/digital-divide-in-education/>> accessed 14 November 2024.

²⁵ Zairil Khir Johari, '1BestariNet will widen, not reduce, the urban-rural gap' (*DAP Malaysia*, 18 November 2014) <<https://dapmalaysia.org/en/38788/1bestarinet-will-widen-not-reduce-the-urban-rural-gap/>> accessed 21 November 2024.

²⁶ Siti Nurzahirah, 'Education Inequality' (*Charisma Movement*, n.d.) <<https://www.charismamovement.com/educationinequality#:~:text=Poverty%20is%20one%20of%20the,compared%20to%20their%20urban%20counterparts>> accessed 15 November 2024.

²⁷ Mohd Mahzan Awang (n 12)

²⁸ Teach For Malaysia (n 9).

as the Supplementary Food Plan (RMT) and the Underprivileged Student Trust Fund (KWAPM) provide cash assistance, they do not sufficiently mitigate the long-term consequences of poverty.²⁹

Targeted interventions are needed to address the negative effects of low socioeconomic status on education in rural Malaysia. These include expanding access to government funding, enhancing digital and infrastructure resources, and launching community-based projects to lower educational barriers and enhance general living conditions in rural areas. Programmes that offer mentorship and increase awareness of available scholarships may also help those students achieve better academic results.

4.3 Educational Malpractice by Teachers

The neglect of a teacher's duty stands as a barrier to equal access to quality education, particularly for students in rural areas. Professional dedication is crucial for educators to effectively handle challenges and remain committed to their responsibilities.³⁰ In the absence of passion for teaching, a teacher may quickly become bored and neglect their duty. As a result, this situation negatively impacts the teacher's quality and the outcome of the students.³¹ As illustrated in Appendix B, a significant 51.7% of 58 survey respondents identified the shortage of qualified and dedicated teachers as a primary cause of the educational gap between rural and urban primary schools, underscoring that educational malpractice is a widely recognised barrier.

The case of *Rusiah bt Sabdarin & Ors v Mohd Jainal bin Jamran & Ors* is relevant, where the plaintiffs, former students of SMK Taun Gusi Kota Belud, sued their previous English teacher and the school principal for the failure to provide the plaintiffs with English classes during 2017.³² The plaintiffs argued that the defendants violated *Section 19 of the Education Act 1996*, which imposes a duty on schools to prepare pupils for prescribed examinations. The High Court allowed the claim and held that the plaintiffs had proven on a balance of probabilities that the defendants breached the aforementioned statutory duty under the Act and also the common law obligations. Hence, the defendants were liable for breach of statutory duty and negligence. Moreover, the defendants had also failed to take reasonable steps to safeguard the plaintiffs' constitutional rights, under *Article 5(1)* read together with *Article 12 of the Federal Constitution*. The court in this case interpreted 'life' in *Article 5(1)* expansively, including rights to livelihood, quality of life, and education. The plaintiffs' constitutional right to receive education included the right to a teacher who attended classes to instruct and prepare them for the English language examination. Thus, the defendants had violated the said constitutional right. The plaintiffs were awarded damages by the court for the loss of the opportunity to obtain good results in English and the loss of a good opportunity in their lives to have a better education in the future.

²⁹ *ibid.*

³⁰ Mohd Rahimi A Rahman and Mohammad Faiz Ikhlās, 'Teacher Quality: Malaysian Teacher Standard' [2022] 12(7) International Journal of Academic Research in Business and Social Sciences 684.

³¹ *ibid.*

³² [2023] 12 MLJ 531.

This case highlights an institutional failure to uphold educational standards. Although it is not exclusive to teachers at rural schools, such negligence in teaching and administrative oversight hampers students' academic progress while deepening the educational inequalities faced by rural communities. When educators neglect their responsibility to consistently prepare their students and school leaders overlook these issues, it leads to a reduced quality of education and students are robbed of future opportunities.

4.4 Inadequate Infrastructure in Rural Schools

According to the results, one of the biggest obstacles in Malaysia is providing rural infrastructure.³³ In comparison to rural areas, which continue to be hindered by a lack of suitable infrastructure, urban areas are frequently associated with proper facilities or fundamental infrastructure.³⁴ When surveyed on the main drivers of educational inequality, 70.7% of 58 respondents pinpointed the lack of infrastructure, such as basic facilities and internet connectivity, as a root cause.

Learning environments are challenging due to frequently insufficient physical infrastructure, such as classrooms and essential utilities like electricity and water. Through programmes like the *Internet Desa Programme* and *Gerakan Desa Wawasan*, which aim to enhance infrastructure and raise digital literacy in rural regions, the Malaysian government has attempted to reduce this problem. Nonetheless, the problem's scope is still comprehensive and remedies are still being developed.³⁵ Inadequate infrastructure not only makes learning more difficult but also lessens the impact of educational initiatives meant to raise students' ICT and digital literacy. The *Smart Schools* initiative, for instance, brought ICT to many Malaysian schools, but rural schools have frequently fallen behind in terms of both digital and physical resources.³⁶

Another major problem is geographic isolation. Poor road infrastructure makes it difficult for students in rural areas to commute long distances to school. Transportation alternatives in places with challenging roads are frequently inconsistent, which may lead to irregular school attendance and disruptions in the classroom.³⁷ For many students living in remote locations, daily commuting is physically impossible due to poor access roads and extreme weather conditions, making school hostels a basic necessity to accommodate those who live quite far

³³ Mark Anak Edward Tuah, Peter Aning Tedong and Melasutra Binti Md. Dali, 'The Challenges in Rural Infrastructure Planning Governance in Sarawak' [2022] 20(5) Journal of the Malaysian Institute of Planners 391.

³⁴ Incham Manggat, Rajwani Zain and Zakiah Jamaluddin, 'The Impact of Infrastructure Development on Rural Communities: A Literature Review' [2018] 8(1) International Journal of Academic Research in Business and Social Sciences 637.

³⁵ Maniam Kaliannan, Shahniza Ismail and Nurul Inani, 'Urban-rural Technology Gap in Malaysia: An Exploratory Study' (Proceedings of International Conference on Public Policy and Social Science, UiTM Melaka Malaysia, November 2012).

³⁶ Azlin Zaiti Zainal and Siti Zaidah Zainuddin, 'Technology adoption in Malaysian schools: An analysis of national ICT in education policy initiatives' [2020] Digital Education Review <<https://files.eric.ed.gov/fulltext/EJ1301316.pdf>> accessed 15 November 2024.

³⁷ *ibid.*

from school and cannot travel regularly. Unfortunately, rural schools frequently suffer from insufficient or poorly maintained hostel facilities.³⁸ When hostels are dilapidated or lack basic amenities, students are left with no other option but to endure the exhausting daily commute or risk absenteeism.

Therefore, due to these compounding infrastructural factors, students in rural areas have less access to high-quality education, and this makes it difficult for them to attend regularly, focus on their studies, and take full advantage of their learning environment. A more comprehensive strategy is required to address these problems successfully, one that guarantees sustainable technological integration, dependable transportation, sufficient and safe hostel accommodations, and a strong system of educational assistance for rural communities, in addition to upgrades to the physical infrastructure. Additional funding and regional collaborations may lessen the obstacles rural students encounter in obtaining high-quality education.

5.0 Proposed Reforms

The proposed reforms are designed primarily to benefit primary school students in rural areas of Malaysia, who continue to experience socioeconomic and geographical disparities compared to their urban counterparts.

5.1 The Digital Divide

5.1.1 Mandatory Access to Digital Devices

To begin with, this article advocates inserting a statutory provision into the *Education Act 1996* that ensures mandatory access to digital devices. A precedent for such a reform exists within neighbouring ASEAN countries. For example, the Ministry of Education in Thailand previously executed a 'One-Tablet-Per-Child' (OTPC) project in 2012. This initiative was designed to expand knowledge beyond textbooks, especially for those in remote areas who lack access to basic learning materials. The Thailand government delivered approximately 800,000 tablets to Grade 1 primary school students nationwide, loaded with over 336 learning objects, including e-books, educational videos, and interactive content.³⁹ In Malaysia, the government acknowledges the crucial role of ICT in promoting national growth, aiming to bridge the digital gap that exists between urban and rural students.⁴⁰

³⁸ Larissa Lumandan, 'While leaders squabble, pupils struggle with termites and floods' (*Free Malaysia Today*, n.d.) <<https://www.freemalaysiatoday.com/category/nation/2019/08/26/while-leaders-squabble-pupils-struggle-with-termites-and-floods>> accessed 15 June 2026.

³⁹ Ratchada Viriyapong and Antony Harfield, 'Facing the challenges of the One-Tablet-Per-Child policy in Thai primary school education' [2013] 4(9) *International Journal of Advanced Computer Science and Applications* 176.

⁴⁰ Mohd Razilan Abdul Kadir, 'Broadband Usage and Internet Diffusion Initiatives in Rural Areas: A Correlational Study' [2014] 8(23) *Australian Journal of Basic and Applied Sciences* 176.

However, rural areas remain disadvantaged in terms of access to technology. A recent example was during the 2021 budget announcement, where officials allocated 150,000 learning devices designed to assist underprivileged students who were unable to participate in online learning throughout the pandemic. However, the government had failed to successfully distribute the devices, with only 10% having been provided by June 2021.⁴¹ Nevertheless, recent developments suggest a renewed governmental commitment to improving digital access for students. In 2024, Deputy Prime Minister Ahmad Zahid Hamidi reiterated the Ministry of Education's aspiration to provide every student with a tablet device.⁴² He further stated that a phased rollout beginning in 2024 could enable the majority of students to receive tablets within the next four to five years.⁴³ These statements remain aspirational unless the government implements a statutory provision that enforces strict timelines for the distribution of digital devices and mandates the public disclosure of distribution data. Transparency and accountability can be enhanced among governmental bodies responsible for such initiatives to ensure that students in rural areas can engage in technology and fully immerse themselves in their education.

5.1.2 Standardise Digital Curriculum Integration

Furthermore, establishing a standardised approach to digital curriculum integration requires the development of a comprehensive and cohesive framework that promotes equitable access to digital learning opportunities for all students, irrespective of their location and socioeconomic background. However, as noted in an interview conducted with *PAGE Malaysia*, the effort to standardise technology in rural schools may face resistance due to a lack of ICT training for educators, as well as cultural differences and belief systems that significantly influence the effectiveness of digital integration.⁴⁴ The limited exposure to modern technological tools and resources among many rural educators may also impede their capacity to incorporate digital tools proficiently.⁴⁵ Therefore, the integration of technology in rural schools requires tackling long-standing concerns regarding its relevance to the community involved and access.

To overcome these obstacles, the government must allocate additional resources to schools, ensuring not only access to devices and ICT tools whenever needed but also implementing training programmes for educators to equip them with the necessary technological skills for teaching. This involves the familiarisation of e-learning platforms and digital tools. This effort can cultivate a more positive perspective, enabling educators to enhance their proficiency in

⁴¹ Teo Nie Ching, 'When will the 150,000 laptops promised in Budget 2021 be ready for students?' (*DAP Malaysia*, 19 January 2021) <<https://dapmalaysia.org/en/42546/when-will-the-150000-laptops-promised-in-budget-2021-be-ready-for-students/>> accessed 13 November 2024.

⁴² Malaymail, 'Digital Learning: Govt Aims to Provide Each Student with a Device, Implementation in Phases, Says DPM Zahid' (*Malaymail*, 16 May 2024) <<https://www.malaymail.com/news/malaysia/2024/05/16/digital-learning-govt-aims-to-provide-each-student-with-a-device-implementation-in-phases-says-dpm-zahid/134727>> accessed 18 June 2026.

⁴³ *ibid.*

⁴⁴ Interview with Datin Noor Azimah Abdul Rahim, Chairperson and Founder, *PAGE Malaysia* (7 November 2024).

⁴⁵ Azlin Zaiti Zainal (n 36).

integrating digital tools into their teaching and classrooms while remaining informed about new technological advancements.⁴⁶ Additionally, the government should also prioritise student readiness and provide support for students in adapting to a digital curriculum. By implementing programmes that utilise hybrid teaching approaches, incorporating both in-person and online learning, it enables students to adjust by combining the traditional classroom environment with digital resources.⁴⁷ Gradually, these initiatives promote the integration of a digital curriculum, empowering both students and educators to strengthen their confidence in navigating digital literacy.

5.2 Socioeconomic Challenges

A report by UNICEF revealed that students from economically disadvantaged families are highly likely to drop out of school compared to their peers. Alarming, 44% of girls and 34% of boys from low-income households fail to complete their primary education, perpetuating a cycle of poverty which education is meant to break.⁴⁸ A study revealed that an essential reason for this is due to the differing priorities and perceptions of parents from lower socioeconomic backgrounds.⁴⁹ These parents often view education as secondary to immediate economic survival, thrusting their children to take on responsibilities such as working or caring for younger siblings, contributing to high dropout rates in rural primary schools. In contrast, wealthier families view education as a critical investment, providing access to private tuition and supplementary materials that disadvantaged students cannot afford, further widening the educational divide.

To overcome this issue, the government must adopt a proactive and exemplary role in uplifting economically disadvantaged families. A key step would be to establish ambitious constitutional benchmarks ensuring equitable funding and infrastructure allocation across all rural schools in Malaysia. This effort can be supported by *Article 8(1) of the Federal Constitution*, which ensures equality before the law, and *Article 12(1)*, which guarantees equal access to public education. Additionally, a proposed independent constitutional body would regulate resource equity and provide recommendations on reallocating funds to underperforming schools.

The government must also allocate targeted funds for children from B40 families to address these financial barriers that frequently contribute to school dropouts. As illustrated by the United Nations, a way to ensure that funds are being equitably distributed is by implementing a

⁴⁶ Simin Ghavifekr and Wan Athirah Wan Rosdy, 'Teaching and Learning with Technology: Effectiveness of ICT Integration in Schools' [2015] 1(2) International Journal of Research in Education and Science 175.

⁴⁷ Nurshamshida Md Shamsudin and others, 'Closing The Divide: Insights into Cloud-Based Learning for Students in Rural Areas' [2023] 20(4) Journal of Social Sciences and Humanities
<<https://doi.org/10.17576/ebangi.2023.2004.38>> accessed 13 November 2024.

⁴⁸ UNICEF, *Addressing the learning crisis: An urgent need to better finance education for the poorest children* (UNICEF 2020).

⁴⁹ Osman Rani Hassan and Rajah Rasiah, 'Poverty and Student Performance in Malaysia' [2011] 3(1) International Journal of Institutions and Economies 61.

transparent tracking system that would monitor investments and outcomes in education in a disaggregated and systematic manner.⁵⁰

Additionally, it is equally important to teach parents from low-income households the importance of education. To successfully help parents with their children's education, the government can initiate programmes by collaborating with non-governmental organisations to conduct seminars or campaigns. Giving parents useful resources to help with schoolwork, test preparation, and scholarship knowledge is one example. By emphasising that education is not just a choice but a crucial means of ending the cycle of poverty, these programmes should seek to change attitudes and perceptions in these communities. This will enable parents to place greater importance on their children's education and actively promote school attendance above all else.

Not only that, the government must make it a statutory obligation to strengthen parent-teacher engagement through mandatory parent-teacher meetings and active participation in school activities. Such efforts would solidify trust, enhance collaboration, and provide parents with multiple support networks to overcome challenges in their children's education. Currently, while Malaysia implements collaborative initiatives, such as the 'Persatuan Ibu Bapa dan Guru' (PIBG), which has the mandate to build strong school-community bonds, they are frequently reduced to mere fundraising bodies rather than educational stakeholders.⁵¹ To achieve true equity, Malaysia must reform the existing PIBG framework to mandate active parental involvement. We can refer to Indonesia's legally mandated 'Komite Sekolah' (School Committee), which integrates parents, community members, education practitioners, teachers, and officials from the school foundations to actively advise on school policy, enforce institutional transparency, and facilitate schools to interact with society and local government.⁵² By amending the existing PIBG framework, it empowers lower-income parents to influence school policies that directly affect their children, allowing schools to adapt to local socioeconomic realities, such as addressing rural transportation barriers or establishing community-led learning support for children of working parents.

Ultimately, creating an equitable educational system requires a collective approach. The government should focus on enforcing constitutional benchmarks for resource allocation, providing targeted financial aid to lower-income families, and strengthening parental involvement. Simultaneously, NGOs should support these efforts by conducting awareness campaigns that equip parents with academic resources in recognising the long-term value of education. Finally, schools and PIBGs must go beyond fundraising activities and focus on

⁵⁰ United Nations, 'Financing Education' (*United Nations*, n.d.)

<<https://www.un.org/en/transforming-education-summit/financing-education#collapseFive>> accessed 30 November 2024.

⁵¹ Teach For Malaysia, 'The Power of Parents: Parental Involvement in Education' (*Teach For Malaysia*, 3 July 2024)

<<https://teachformalaysia.org/the-power-of-parents-parental-involvement-in-education/>> accessed 15 June 2026.

⁵² Nisa Felicia and Dhitta PS Ramli, *Accountability in Education Sector in Indonesia* (Country case study prepared for the 2017/8 Global Education Monitoring Report, UNESCO 2017)

<<https://unesdoc.unesco.org/ark:/48223/pf0000259539/PDF/259539eng.pdf.multi>> accessed 15 June 2026.

fostering active parent-teacher collaboration to strengthen engagement and ensure that the educational needs of disadvantaged students are effectively addressed. As expressed by *Dr. Che Hasniza Che Noh*, the involvement of all stakeholders ensures that no student is left behind, allowing equal and inclusive opportunities for everyone to succeed.⁵³

5.3 Educational Malpractice by Teachers

5.3.1 Enhance Legal Literacy Among Educators

Students' constitutional rights must be upheld by addressing the pressing issue of educational malpractice or teacher negligence. It is advocated that comprehensive training programmes to improve teachers' understanding of their legal responsibilities under the *Federal Constitution* and the *Education Act 1996* be implemented. A study revealed that over 90% of Malaysian educators lack basic knowledge of education laws.⁵⁴ Educators play a pivotal role in shaping the academic development of their students; thus, they must understand the legal framework relating to the profession. This includes legislation concerning education, a teacher's roles and responsibilities, employment policies, examination policies, and the school curriculum.⁵⁵

To achieve this, an 'Education Law and Ethics' module may be integrated into teacher training programmes. For example, most enter their teaching career by enrolling in the *Program Ijazah Sarjana Muda Perguruan (PISMP)*, also known as the Bachelor's Degree in Teaching by the Ministry of Education, which includes four years of training and an internship to qualify as an educator.⁵⁶ By implementing a module covering topics such as constitutional rights related to education, statutory obligations, and consequences of professional negligence, future teachers are empowered to fulfil their roles ethically. By investing in the legal literacy of educators, a more informed and responsible teaching workforce can be created.

5.3.2 Empowering Communities and Breaking the Cycle of Self-Investigation

Establishing secure and accessible channels is crucial to getting reports of instances where educational malpractice has happened. Subsequently, students, parents, administrators and fellow teachers must be encouraged to use those channels to tackle issues such as teacher absenteeism. For example, anonymous reporting systems can be created to allow the community to raise concerns about absenteeism or misconduct without fear of retaliation. This is particularly relevant considering a plaintiff witness, Nurhaizah Ejab in the case of *Rusiah bt Sabdarin & Ors v Mohd Jainal bin Jamran & Ors*, was intimidated at the level of the State

⁵³ Balkish Awang, 'Sponsoring Poor Students Will Yield Positive Results over Long Term – Experts' (*Bernama*, 21 April 2023) <<https://www.bernama.com/en/bfokus/news.php?id=2183525>> accessed 30 November 2024.

⁵⁴ Mohamed Ishak Abdul Hamid and Nik Azahani Nik Mohammad, 'Legal Literacy of Educators in Malaysia: An Empirical Study' [2018] 19(2) *International Journal of Business and Society* 187.

⁵⁵ *Ibid.*

⁵⁶ Government of Malaysia, 'Application for Admission to Program Ijazah Sarjana Muda Perguruan (PISMP), KPM' (*Malaysia Government Portal*, n.d.) <<https://www.malaysia.gov.my/portal/content/29595>> accessed 20 November 2024.

Education Department for refusing to comply with the school's orders to keep quiet about the systemic truancy by the defendant,⁵⁷ which was her colleague.⁵⁸

However, mere reporting channels may be insufficient to address the root of the problem. The *Tiada.Guru Campaign* has pointed out that a critical flaw lies in the procedural handling of such reports, as schools and the Ministry often investigate themselves.⁵⁹ According to the "Ministry's Guidance Against Absence Officers", Memo 15, Integrity Information by the Ministry of Education, the disciplinary process for addressing absenteeism is arguably straightforward. Within five days of a teacher's unexplained absence, the head of the department must report the incident, gather evidence, and submit the case to the Disciplinary Board under the Education Services Commission.⁶⁰ The timeline and procedure appear to be robust enough to rectify the issue. Even so, the systemic problem arises as the body tasked with investigating it is the same body which is responsible for the misconduct. This inherent conflict of interest thus creates a significant barrier to accountability. To resolve this, an independent oversight body must be established to handle such investigations and reports. Without such reforms, even the most well-thought-out policies and reporting mechanisms will fail to address the deeper systemic issues perpetuating the educational system, especially in rural areas.

5.4 Inadequate Infrastructure in Rural Schools

5.4.1 Proper mandatory infrastructure development to be provided for rural schools

In order to improve the education of children and ensure a better future for those in rural schools, amendments must be implemented to provide support. As proposed by *Dr. Heama Latha A/P Narayanan Nair*, it is advocated to insert a provision in the *Education Act 1996* that mandates proper infrastructure development for rural schools. Such a statutory guarantee is crucial to provide marginalised communities with access to a safe and fully equipped learning environment.⁶¹

This is due to the substantial disparity between urban and rural schools in terms of resources, infrastructure quality and learning environments. *Fatimah Kari* emphasises the significance of high-quality facilities in rural schools, asserting that the condition of the building directly impacts students' academic performance. It is stated that if nothing is done to enhance their

⁵⁷ *Rusiah bt Sabdarin* (n 32) .

⁵⁸ Gloria Jaymess, 'Truant teacher: Intimidated for refusing to collude, witness says' (*Malaysiakini*, 14 August 2024) <<https://www.malaysiakini.com/news/715491#friendshare-link-KoxcvFiZC-63929fcea3755bb4f281922db567e326-2a8b6402635c14d87c3469209250dbdbi1>> accessed 19 November 2024.

⁵⁹ *Tiada.Guru*, 'Definitive Guide by MOE Whistleblowers: Malaysia's Extreme Teacher Absenteeism Crisis' (*Tiada.Guru*, n.d.) <<https://tiada.guru/en/the-definitive-guide-to-malysias-extreme-teacher-absenteeism-eta-crisis>> accessed 20 November 2024.

⁶⁰ Ministry of Education Malaysia, 'Panduan Mengurus Pegawai THB Version JPA' (2017) <https://web.archive.org/web/20170715163606/https://moe.gov.my/images/KPM/BPM/Pekeliling/2017/Panduan_Mengurus_Pegawai_THB_version_JPA.pdf> accessed 20 November 2024.

⁶¹ Interview with Dr. Heama Latha A/P Narayanan Nair, Senior Lecturer II, Taylor's University (6 November 2024).

infrastructure, rural schools will continue to fall behind.⁶² Therefore, the *Education Act 1996* has to be amended, as it currently does not explicitly address this prevalent issue in rural schools.

Students in rural schools are suffering from inadequate infrastructure, including leaking roofs, rotting floors, poor lighting, dirty water and broken furniture.⁶³ Therefore, the Ministry of Education and the respective states have an obligation to allocate sufficient funding and to repair basic infrastructure for students to learn in a better environment. This is because without a suitable learning environment, students are unable to fully engage and concentrate in class, hindering their academic potential. It is essential to promote equality in education, ensuring rural students have access to high quality facilities on par with their urban peers.

6.0 Conclusion

In conclusion, the proposed recommendations aim to address the educational gaps between rural and urban Malaysia, focusing on ensuring quality and accessible education for primary students in rural areas, bridging the digital divide, strengthening educators' legal literacy, and upgrading school infrastructure. By taking these steps, this paper argues that students' constitutional rights must be upheld and that they should be equipped with the necessary resources and skills to thrive academically, irrespective of their location and socioeconomic status.

Currently, implementation efforts often fail because centralised policies apply a 'one-size-fits-all' approach, providing digital tools or resources without first addressing foundational infrastructure deficits in rural schools, such as unstable electricity and lack of broadband connectivity. The dissemination of educational content and the collection of feedback from a variety of stakeholders, including non-governmental bodies, academicians, parents, university students, and the public, have the ability to facilitate meaningful discussions on educational equity. The outcomes of these initiatives demonstrate the pressing need for institutional reform and shed light on the systemic issues impeding rural students' educational advancement. In doing so, a wider discussion is engaged regarding the significance of equitable educational opportunities, addressing the root causes of disparity in rural education and advancing the values of social justice and human rights. Viewed cumulatively, these initiatives not only tackle current educational issues but also advance long-term structural changes to bridge the gap between rural and urban education, ensuring a better future for all Malaysian children.

⁶² Ainaa Aiman, 'With UPSR scrapped, rural schools need better facilities' (*Free Malaysia Today*, 7 May 2021) <<https://www.freemalaysiatoday.com/category/nation/2021/05/07/with-upsr-scrapped-rural-schools-need-better-facilities/>> accessed 20 November 2024.

⁶³ Marwan (n 3).

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Appendices

Appendix A: Interviews

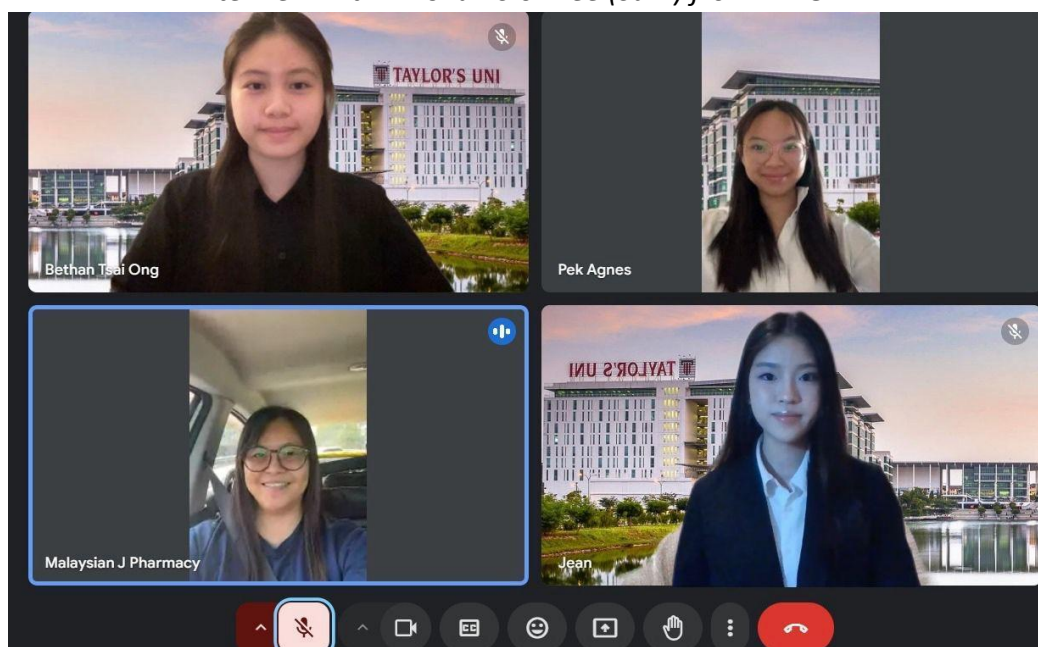
Interview with Datin Noor Azimah Abdul Rahim from PAGE Malaysia



Interview with Dr Heama Latha A/P Narayanan Nair



Interview with Dr Chan Siok Yee (Sam) from MAGPIE



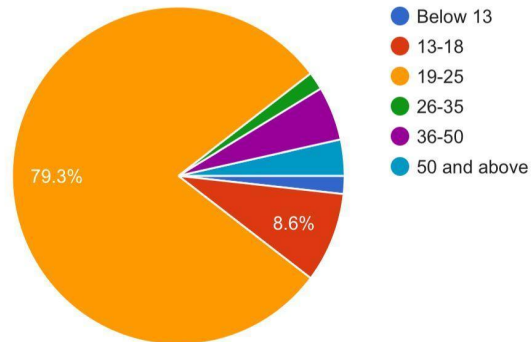
Appendix B: Survey

An online survey was conducted to determine the public's level of awareness regarding educational inequality in primary education in rural areas.

What is your age group?

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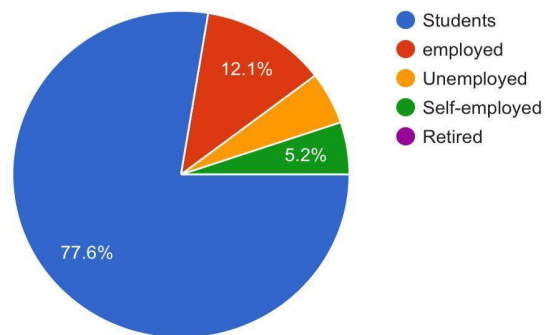
58 responses



What is your occupation?

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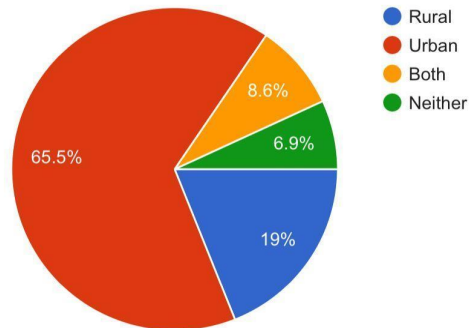
58 responses



Have you ever studied in a rural or urban primary school?

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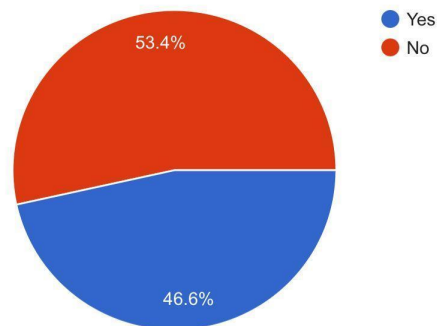
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Do you have any family members or close connections who studied in rural primary schools now?

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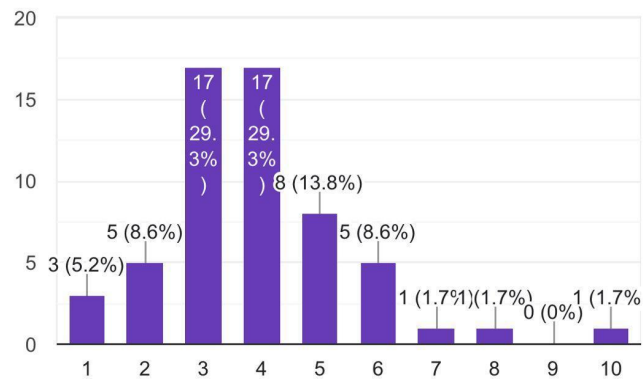
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How would you rate the quality of education in rural primary schools compared to urban primary schools?

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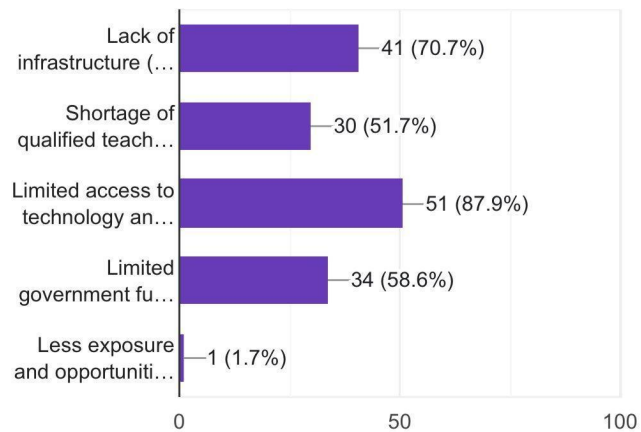
58 responses



What do you think are the main causes of educational gaps between rural and urban primary schools?

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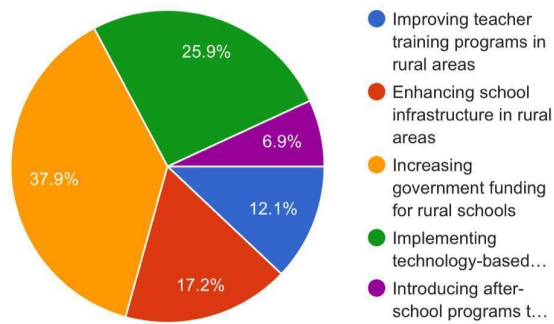
58 responses



Which measures do you believe would be most effective in reducing the educational gap in primary schools?

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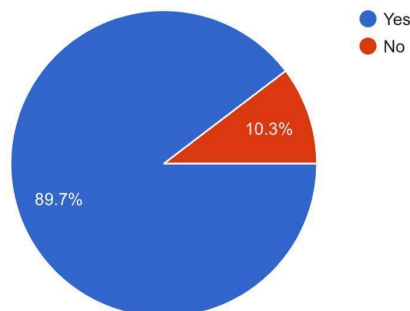
58 responses



Do you think technology (e.g., online platforms, e-learning) can effectively bridge the gap in primary education?

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58 responses



What is one specific change you would suggest to reduce the disparities in primary education?

58 responses

Better teaching methods

Develop the rural areas, make technology accessible for students to have better educational opportunities and resources for them to keep up with urban areas, which requires the funding of organisations no matter government or local authorities. With the help of technology I think students in rural areas can learn based on their paces and ability too so that they won't feel discouraged and lose interests in studying

Allocate resources to creating better teacher recruitment and training in smaller schools .

Using same teaching method with same infrastructure to make sure the same primary education in rural and urban area