

Due Diligence Report

October 2014

VIE: Second Upper Secondary Education Development Project (USEDP II) – Ninh Thuan Province

Nguyen Du Upper Secondary School
Nguyen Hue Upper Secondary School
Ninh Hai Upper Secondary School
Pham Van Dong Upper Secondary School
Phan Boi Chau Upper Secondary School

Prepared by the Ministry of Education and Training, Socialist Republic of Viet Nam, for the Asian Development Bank.

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ACCRONYMS

ADB	-	Asian Development Bank
CPMU	-	Central Project Management Unit
EMs	-	Ethnic Minorities
MOET	-	Ministry of Education and Training
RP	-	Resettlement Plan
USEDP II	-	Second Upper Secondary Education Project
USS	-	Upper Secondary School

I. INTRODUCTION

1. The Ministry of Education and Training (MOET) is implementing the Second Upper Secondary Education Development Project (USEDP II, or the Project) in 33 provinces in Viet Nam, through Loan № 2929 – VIE (SF) from Asian Development Bank (ADB or the Bank). Under the Project, a total of 135 upper secondary schools (USSs) and six (6) pedagogical centers have been selected for assistance. In the screening and categorization for social safeguards under the Project, Category A subprojects are automatically excluded as Category C shall be prioritized for financing. The subproject USSs with minor impacts (Category B) may be considered subject to the preparation and implementation of a resettlement plan (RP) acceptable to ADB, as prescribed in 2009 Safeguard Policy Statement (SPS). The RP for Category B subproject shall be approved first by the Bank and downloaded at ADB website before implementation by MOET.

2. In **Ninh Thuan Province** at the North Central and Central Coastal Areas, five (5) USSs were selected for assistance under the Project, namely: (i) Nguyen Du Upper Secondary School; (ii) Nguyen Hue Upper Secondary School; (iii) Ninh Hai Upper Secondary School; (iv) Pham Van Dong Upper Secondary School; and (v) Phan Boi Chau Upper Secondary School. They are located in four (4) of the province's six (6) districts. As screened, they are all Category C subprojects both in Involuntary Resettlement and Indigenous Peoples categorization (**Attachments 1 to 5**), since no social impacts are expected inside the schools' premises. The Central Project Management Unit (CPMU) of USED P II has submitted this Due Diligence Report (DDR) for information of ADB and to secure its "No Objection" for the award of civil works contract for the construction of school facilities.

II. APPROACH AND METHODOLOGY IN DUE DILIGENCE

3. The CPMU has applied the selection criteria in evaluating the USSs included in the long list of potential beneficiaries. The criteria were developed during the PPTA. Given the large number of USSs and their geographic locations, the CPMU sent questionnaires to be filled-up by school officials in which responses were the basis for screening and selection in producing the final shortlist of USSs. The school officials of shortlisted USSs were then given two sets of questionnaires. The first set was used in gathering information on their proposed facilities and statistical data that justify their subproject proposal. Their proposals were then screened and the CPMU made the reasonable distribution of facilities that are urgently needed by them. The second set was aimed to validate if land acquisition shall be required. The staff and the Social Safeguards Specialists at the CPMU have visited the schools in Ninh Thuan Province to validate the information provided before this DDR was finalized.

III. THE PROPOSED FACILITIES

4. The five (5) USSs shall be provided with 40 regular classrooms at eight (8) classrooms per school. The construction of regular classrooms will follow the standard dimension as provided for in Decision № 37/2008/QĐ-BGDĐT (July 16, 2008) by MOET. The dimension of each classroom is as follows: length = 7.8 m and width = 9.9 m. Comprising the width is 7.5 m working area and 2.4 m for the corridor. Each classroom shall have a total area of 56.77 m².

IV. BRIEF PROFILE OF THE USSs

A. Nguyen Du Upper Secondary School

5. The school was established in 1975 at Thach Ha Village in Quang Son Commune near the center of Ninh Son District. It has been allocated with 46,838 m² of land by the government covered by Land Use Right Certificate №. AH 936541. More or less, 1,500 m² of the land, or 3.2%, are occupied by the school buildings. The school serves to students in six (6) communes. During the school-year 2013-2014, a total of 882 students were enrolled in the school that consisted of 433 males and 449 females. Comprising the total were 372 students from Grade 10, 238 in Grade 11 and 272 students in Grade 12. Almost all students are Kinh, sharing 98.1% of the school population.

6. While decline in enrolment was noted in the last five years, additional rooms are needed for the incoming students from lower secondary schools, especially Grade 9 who shall be promoted to Grade 10, plus the current students in Grade 10 who shall be promoted in the next grade level whose number is more than 40% of the student population. Present students in Grade 11 and Grade 12 share 27% and 31%, respectively. Using the latest statistics, Grade 10 with population of more than 400 students is 100 more than in Grade 11 and 200 students more than in Grade 12. Their education is handled by 38 teachers who are all graduates of universities, 12 have master degrees as two (2) are pursuing theirs. The school has 48 personnel, of which 10 are non-teaching personnel.

B. Nguyen Hue Upper Secondary School.

7. Built in September 1999, the school is located at Living Block No. 4 in Phuoc Dan Town near the urban area of Ninh Phuoc District. It occupies some 17,539 m² of land covered by Land Use Right Certificate №. BB 631570. About 2,520 m², or 14.4%, are used for school buildings. For the school-year 2013-2014, some 935 students were enrolled in this school, 475 are males and 460 are females. Of which, 424 students were from Grade 10, 305 in Grade 11 and 205 students were in Grade 12. The students from Cham ethnic minority share 67% as the Kinh were only 33% of the total student population.

8. Annual enrollment of upper secondary students in Nguyen Hue USS grew by an average of 3% during the last five years. The increase can be traced to high enrollment of students in Grade 10 which consistently share more than 50% of the school population. The school has 64 staff composed of eight (8) non-teaching personnel and 56 teachers of which 38 are males and 18 are females. Thirty one of the teachers are Kinh while 25 are from the ethnic minorities (EMs), all university graduates and two (2) have master degrees.

C. Ninh Hai Upper Secondary School.

9. The school was built in Khanh Hiep Village in 1975 under the jurisdiction of Khanh Hai Commune, Ninh Hai District. Its premises have a total land of 19,442 m² covered by Land Use Right Certificate granted by the Provincial Peoples' Committee of Ninh Thuan, through Decision №. 647/QĐ-UBND on 13 March 1999. Of the total lands, 4,800 m² (or 24.7%) are used for the school buildings. The school serves the students in 12 communes. For the school-year 2013-2014, a total of 1,585 students were enrolled, 583 are males and 1,004 are females. Comprising the school population are 560 students in Grade 10, 419 from Grade 11 and 610 students in Grade 12. The students belong from three ethnic groups, such as Kinh (83.5%), Cham (15%) and Khac (1.5%).

10. During the last five years, student enrolment is increasing by an average of 5.9% that prompt the school officials to request for additional classrooms from MOET. From 1,264 students in school-year 2009-2010, it rose to 1,585 in school-year 2013-2014. In all, the school has 75 personnel of which nine (9) are non-teaching staff and 66 are teachers.

Comprising the teachers are 28 males and 38 females, 64 are Kinh while two (2) are from the EMs. All teachers are educated in the universities with one (1) teacher has a master degree.

D. Pham Van Dong Upper Secondary School.

11. Established in 2003, Pham Van Dong USS is a relatively young school. It occupies a total area of 10,499 m² of lands in Phuoc Hau Commune covered with Land Use Right Certificate № AD 574967 and is located at the center of Ninh Phuoc District. About 4,800 m², or 45.7%, are used by school buildings. The school had a total enrolment of 1,034 students for school-year 2013-2014, consisting of 471 males and 563 females. Some 422 students were in Grade 10, 335 in Grade 11 and 277 students in Grade 12, who belong to two (2) ethnic groups, the Kinh (41%) and the Cham (59%).

12. In the last three (3) years, student enrolment in Pham Van Dong USS grows an average of 2.0%. This figure was a lot bigger if translated in nominal terms as it means that an average of 1,000 students are enrolling per school-year. And, by considering the promotion of current students in Grade 11 and Grade 10 and the incoming students from Grade 9 at the lower secondary schools, there could be a shortage of classrooms in the succeeding school-years. At present the school employs 63 teachers, 30 are males and 33 are females which equitably come from the Kinh and EMs. All have university education with two (2) teachers have already their master degrees as one (1) is pursuing for similar graduate course. The school has 11 non-teaching personnel.

E. Phan Boi Chau Upper Secondary School

13. Phan Boi Chau Upper Secondary School was constructed in 2010 at An Dat Village in Loi Hai Commune near the center of Thuan Bac District. The government has allocated some 10,430 m² of land but only 320 m², or **3.1%**, have been utilized for school buildings as of to-date. The school is relatively new but the school officials have anticipated that the school population will increase as indicated in the trend in enrolment during the school's initial three (3) years of operation. From 291 students in school-year 2010-2011, they increased to 412 in school-year 2013-2014 from students in six (6) communes. Comprising the students were 182 from Grade 10, 132 in Grade 11 and 98 in Grade 12. Of the total, 195 are males and 217 are females who belong to four (4) ethnic groups, like Kinh (39.6%), Cham (34.5%), Taglai (25.7%) and Hoa (0.2%).

14. As it is only four (4) years in operation, the school needs additional classrooms for the incoming students from lower secondary schools, plus the current students in Grade 10 which share 44% of the student population, who shall be promoted to the next grade level, based on enrolment in school-year 2013-2014. The school has 33 personnel, of which eight (8) are non-teaching staff while 25 are teachers, 15 are males and 10 are females. Fifteen teachers are Kinh as 10 are EMs who are all university graduates. Two teachers have master degrees.

V. ASSESSMENT OF SOCIAL IMPACTS

15. Social impacts arising from land acquisition are not expected in any of the five (5) selected USSs in Ninh Thuan Province. The school premises are enclosed with concrete or wood materials that protect them from encroachers, and neither a house nor structure of private person was allowed by the school administration. Given the total land requirements of the proposed facilities, they were assessed as to their impacts of land in the respective school premises.

- **Nguyen Du Upper Secondary School.** This school proposes for eight (8) classrooms. This means that a total area of 454.16 m² will be required based on the standard dimension of a classroom, at 56.77 m², as prescribed in MOET

Decision № 37/2008/QĐ-BGDĐT. This represents only **0.9%** of the 46,838 m² land the school occupies, and if added to the lands used by existing school buildings, the total shall only increase to 4.2%. Therefore, land acquisition is not required.

- **Nguyen Hue Upper Secondary School.** The required area of 454.16 m² for eight (8) classrooms is only **2.6%** of the 17,539 m² of lands owned by the school. Given the space requirement, the share of school building shall increase to 17.0 %. Land acquisition is not required for this subproject.
- **Ninh Hai Upper Secondary School.** The land requirement of eight (8) classrooms is equivalent to **2.3%** of the school's 19,442 m² land. When all the classrooms are finished, the lands occupied by school buildings shall increase to 27.0%, but land acquisition is not still required.
- **Pham Van Dong Upper Secondary School.** The 454.16 m² land for the eight (8) classrooms in this school represents **4.3%** of its 10,499 m² land. Once finished, all school buildings shall occupy 50.5% of the land. However, the school officials shall not resort to land acquisition given that they still have enough space in their school premises.
- **Pham Boi Chau Upper Secondary School.** This school has enough lands for additional eight (8) classrooms (see para. 13). Once finished, all the school buildings shall only occupy 7.4% of the 10,430 m² land of the school.

16. With the foregoing information, MOET requests for “No Objection” by ADB for the award of civil works contracts for the construction of 40 classrooms in Ninh Thuan Province.

Attachment - 1

Involuntary Resettlement Impact Categorization Checklist

Project: **Second Upper Secondary Education Development Project (USEDP II)**

Subproject: **Nguyen Du Upper Secondary School**

Province: Ninh Thuan District: Ninh Son (Quang Son Commune) CATEGORY: C

Probable Involuntary Resettlement Effects	Yes	No	Not Known	Remarks
Involuntary Acquisition of Land				
1. Will there be land acquisition?		✓		Civil works and rehabilitation shall be undertaken in school premises. .
2. Is the site for land acquisition known?		✓		Land acquisition will only happen if there is an expansion of school premises. But so far, there is no proposal for expansion.
3. Is the ownership status and current usage of land to be acquired known?				This is not applicable to the project since there is no expansion of school premises.
4. Will easement be utilized within an existing Right of Way (ROW)?		✓		The school has already an entrance and will not be touched by the construction of eight (8) classrooms at the .school premises.
5. Will there be loss of shelter and residential land use to land acquisition?		✓		Not a house or residential land shall be affected given the wide space of school premises.
6. Will there be loss of agricultural and other productive assets due to land acquisition?		✓		All civil works shall be undertaken in school premises. .
7. Will there be loss of crops, trees, and fixed assets due to land acquisition?		✓		Trees or crops of private persons shall not be affected. While there are some trees in school premises, it is unlikely that they shall be affected by the construction. ..
8. Will there be loss of business or enterprises due to land acquisition?		✓		Not a single business will be affected as all civil works and rehabilitation shall be done inside the school premises. .
9. Will there be loss of income sources and means of livelihoods due to land acquisition?		✓		The Project will rather create livelihood or employment in the locality due to construction of school rooms.
Involuntary Restrictions on land use or on access to legally designated parks and protected areas				
10. Will people lose access to natural resources, communal facilities and services?		✓		All civil works and rehabilitation shall be undertaken in school premises. .
11. If land use is changed, will it have an adverse impact on social and economic activities?				No current use of land will be changed and therefore there is no impact on the socio-economic activities of the people.
12. Will access to land and resources owned by the communally or by the state be restricted?		✓		Restriction to land resources of the community or by the state is unlikely.
Information on Displaced Persons				
Any estimate of the likely number of persons that will be displaced by the Project? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> Not applicable If yes, approximately how many? .				
Are any of the poor, female-headed households, or vulnerable to poverty risks? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> Not applicable				
Are any displaced persons from indigenous or ethnic minority groups? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> Not applicable				

Indigenous Peoples Impact Screening Checklist

Project: **Second Upper Secondary Education Development Project (USEDP II)**

Subproject: **Nguyen Du Upper Secondary School**

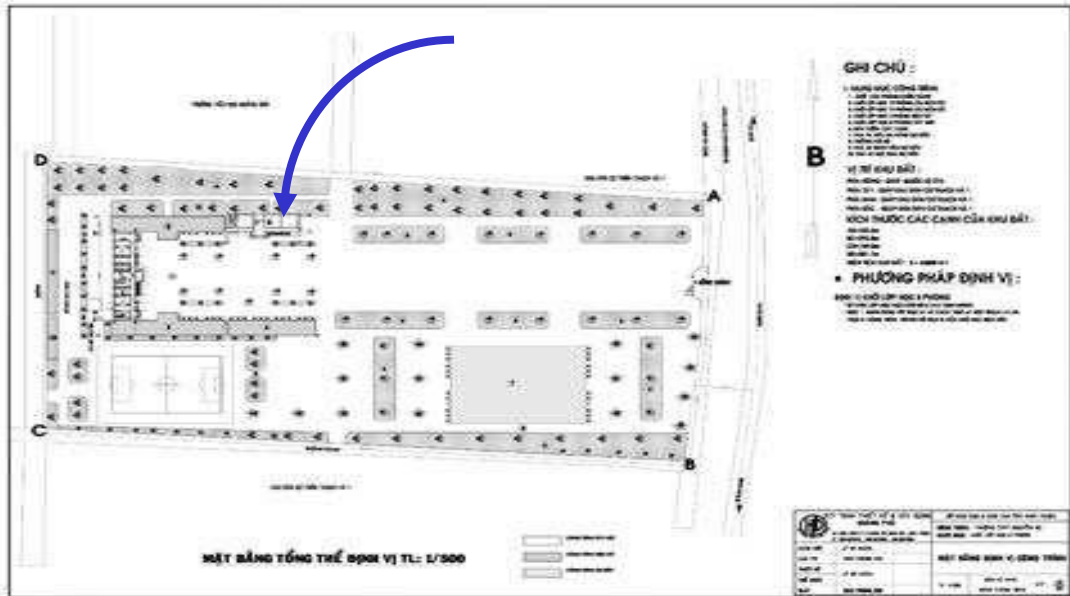
Province: Ninh Thuan District: Ninh Son (Quang Son Commune) CATEGORY: C

KEY CONCERNS (Please provide elaborations on the Remarks column)	YES	NO	NOT KNOWN	Remarks
A. Indigenous Peoples Identification				
1. Are there socio-cultural group present in or use the project areas who may be considered as “tribes” (hill tribes, schedules tribes, tribal peoples), “minorities” (ethnic or national minorities) or “indigenous communities” in the project area?		✓		The land is allocated solely for the school. If there are ethnic minorities, they are among students of the school pursuing their upper secondary education. .
2. Are there national or local laws or policies as well as anthropological researches/studies that consider these groups present in or using the project area as belonging to “ethnic minorities”, scheduled tribes, tribal peoples, national minorities, or cultural communities?	✓			Some students are children of ethnic minorities in Vietnam who are recognized by the Government. Their rights are embodied in the 2013 Constitution.
3. Do such groups self-identity as taking part of a distinct social and cultural group?	✓			They belong to the 54 different ethnic minorities in the country.
4. Do such groups maintain collective attachments to distinct habitats or ancestral territories and/or to the natural resources in these habitats and territories?		✓		The land being used by the school is exclusively for education purposes where the ethnic minorities has no collective attachments..
5. Do such groups maintain cultural, economic, social, and political institutions distinct from the dominant society and culture?	✓			Such groups maintain cultural, economic, social, and political institutions distinct from the dominant society and culture.
6. Do such groups speak a distinct language or dialect?	✓			Ethnic minority students and ethnic minority teachers speak dialects distinct from the mainstream society.
7. Has such groups been historically, socially and economically marginalized, disempowered, excluded, and/or discriminated against?	✓			Such groups are socially and economically marginalized due to their geographic location.
8. Are such groups represented as “Indigenous Peoples” or as “ethnic minorities” or “scheduled tribes” or “tribal populations” in any formal decision-making bodies at the national or local levels?	✓			Outside of the school, such groups are represented as “ethnic minorities” in formal decision-making bodies at the national or local levels.
B. Identification of Potential Impacts				
9. Will the project directly or indirectly benefit or target Indigenous Peoples?	✓			The students from indigenous communities will directly benefit from the Project in terms of improved quality of education.
10. Will the project directly or indirectly affect Indigenous Peoples’ traditional socio-cultural and belief practices? (e.g. child-rearing, health, education, arts, and governance)?	✓			The project shall only deliver quality education but will not impose changes in sociocultural practices of ethnic minorities.
11. Will the project affect the livelihood systems of Indigenous Peoples? (e.g. food production system, natural resource management, crafts and trade, employment status)		✓		The construction of classrooms will be done in school premises.
12. Are there socio-cultural group present in or use the project areas who may be considered as “tribes” (hill tribes, schedules tribes, tribal peoples), “minorities” (ethnic or national minorities) or “indigenous communities” in the project area?		✓		The sub-project area is inside the school premises.

KEY CONCERNS (Please provide elaborations on the remarks column)	YES	NO	NOT KNOWN	Remarks
C. Identification of Special Requirements <i>Will the project activities include:</i>				
13. Commercial development of the cultural resources and knowledge of Indigenous Peoples?		✓		There is no commercial development of cultural resources as the sub-project involves the construction of classrooms...
14. Physical displacements from traditional or customary lands?		✓		Physical displacement from traditional or customary lands will not happen in the sub-project area.
15. Commercial development of natural resources (such as minerals, hydrocarbons, forest, water, hunting or fishing ground) within customary lands under use that would impact the livelihoods or the cultural ceremonial, spiritual uses that define the identity and community of Indigenous Peoples?		✓		The activities in the sub-project area will involve the construction of eight (8) classrooms at the school premises.
16. Establishing legal recognition of rights to lands and territories that are traditionally owned or customarily used, occupied or claimed by indigenous peoples?		✓		The sub-project will only involve the construction of classrooms.
17. Acquisition of lands that are traditionally owned or customarily used, occupied or claimed by indigenous peoples?		✓		There is no acquisition of lands.

D. Anticipated Project Impacts on Indigenous Peoples

Project component/ activity/output	Anticipated positive effects	Anticipated negative effects
1. Construction of eight (8) classrooms at the school premises. It will follow the standard dimension as provided for in Decision 37/2008/QD-BGDDT (July 16, 2008). Each classroom shall have the following dimensions: length = 7.8 m and width = 9.9 m. Comprising the width is 7.5 m working area and 2.4 m for the corridor. The classroom shall have a total area of 56.77 m ² .	The provisions of new classrooms will accommodate the increasing number of upper secondary education students. It will also facilitate in providing quality upper secondary education to them.	None



Layout of Nguyen Du USS premises and the proposed location of classrooms.



Existing buildings of the school.

Attachment - 2

Involuntary Resettlement Impact Categorization Checklist

Project: **Second Upper Secondary Education Development Project (USEDP II)**

Subproject: **Nguyen Hue Upper Secondary School**

Province: Ninh Thuan District: Ninh Phuoc (Phuoc Dan Sub-town) CATEGORY: C

Probable Involuntary Resettlement Effects	Yes	No	Not Known	Remarks
Involuntary Acquisition of Land				
1. Will there be land acquisition?		✓		Civil works and rehabilitation shall be undertaken in school premises. .
2. Is the site for land acquisition known?		✓		Land acquisition will only happen if there is an expansion of school premises. But so far, there is no proposal for expansion.
3. Is the ownership status and current usage of land to be acquired known?				This is not applicable to the project since there is no expansion of school premises.
4. Will easement be utilized within an existing Right of Way (ROW)?		✓		The school has already an entrance and will not be touched by the construction of eight (8) classrooms at the .school premises.
5. Will there be loss of shelter and residential land use to land acquisition?		✓		Not a house or residential land shall be affected given the wide space of school premises.
6. Will there be loss of agricultural and other productive assets due to land acquisition?		✓		All civil works shall be undertaken in school premises. .
7. Will there be loss of crops, trees, and fixed assets due to land acquisition?		✓		Trees or crops of private persons shall not be affected. While there are some trees in school premises, it is unlikely that they shall be affected by the construction. ..
8. Will there be loss of business or enterprises due to land acquisition?		✓		Not a single business will be affected as all civil works and rehabilitation shall be done inside the school premises. .
9. Will there be loss of income sources and means of livelihoods due to land acquisition?		✓		The Project will rather create livelihood or employment in the locality due to construction of school rooms.
Involuntary Restrictions on land use or on access to legally designated parks and protected areas				
10. Will people lose access to natural resources, communal facilities and services?		✓		All civil works and rehabilitation shall be undertaken in school premises. .
11. If land use is changed, will it have an adverse impact on social and economic activities?				No current use of land will be changed and therefore there is no impact on the socio-economic activities of the people.
12. Will access to land and resources owned by the communally or by the state be restricted?		✓		Restriction to land resources of the community or by the state is unlikely.
Information on Displaced Persons				
Any estimate of the likely number of persons that will be displaced by the Project? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> Not applicable				
If yes, approximately how many? .				
Are any of the poor, female-headed households, or vulnerable to poverty risks? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> Not applicable				
Are any displaced persons from indigenous or ethnic minority groups? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> Not applicable				

Indigenous Peoples Impact Screening Checklist

Project: **Second Upper Secondary Education Development Project (USEDP II)**

Subproject: **Nguyen Hue Upper Secondary School**

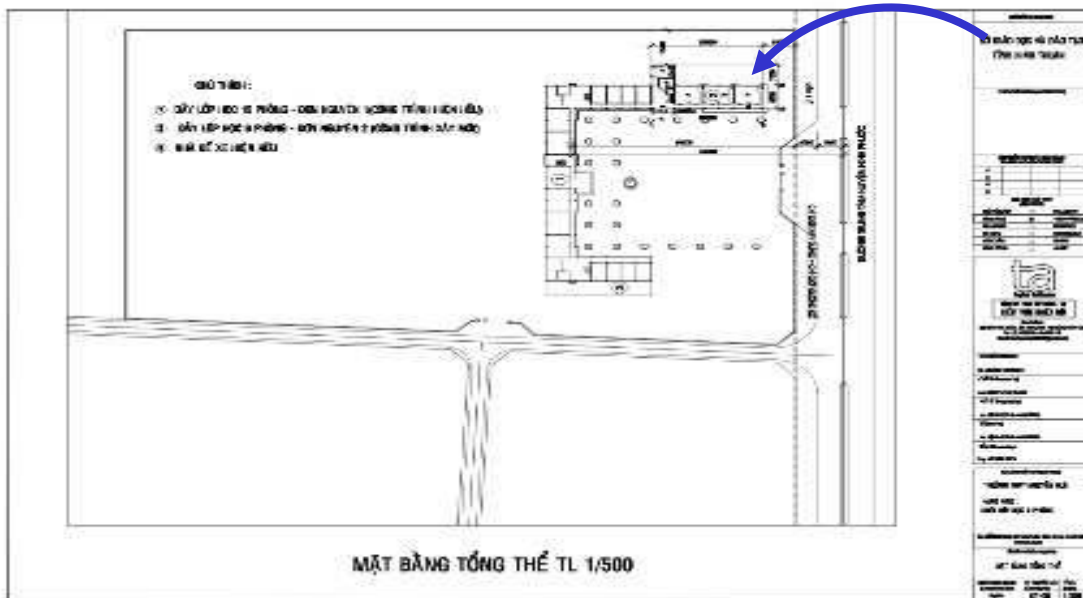
Province: Ninh Thuan District: Ninh Phuoc (Phuoc Dan Commune) CATEGORY: C

KEY CONCERNS (Please provide elaborations on the Remarks column)	YES	NO	NOT KNOWN	Remarks
A. Indigenous Peoples Identification				
1. Are there socio-cultural group present in or use the project areas who may be considered as “tribes” (hill tribes, schedules tribes, tribal peoples), “minorities” (ethnic or national minorities) or “indigenous communities” in the project area?		✓		The land is allocated solely for the school. If there are ethnic minorities, they are among students of the school pursuing their upper secondary education. .
2. Are there national or local laws or policies as well as anthropological researches/studies that consider these groups present in or using the project area as belonging to “ethnic minorities”, scheduled tribes, tribal peoples, national minorities, or cultural communities?	✓			Some students are children of ethnic minorities in Vietnam who are recognized by the Government. Their rights are embodied in the 2013 Constitution.
3. Do such groups self-identity as taking part of a distinct social and cultural group?	✓			They belong to the 54 different ethnic minorities in the country.
4. Do such groups maintain collective attachments to distinct habitats or ancestral territories and/or to the natural resources in these habitats and territories?		✓		The land being used by the school is exclusively for education purposes where the ethnic minorities has no collective attachments..
5. Do such groups maintain cultural, economic, social, and political institutions distinct from the dominant society and culture?	✓			Such groups maintain cultural, economic, social, and political institutions distinct from the dominant society and culture.
6. Do such groups speak a distinct language or dialect?	✓			Ethnic minority students and ethnic minority teachers speak dialects distinct from the mainstream society.
7. Has such groups been historically, socially and economically marginalized, disempowered, excluded, and/or discriminated against?	✓			Such groups are socially and economically marginalized due to their geographic location.
8. Are such groups represented as “Indigenous Peoples” or as “ethnic minorities” or “scheduled tribes” or “tribal populations” in any formal decision-making bodies at the national or local levels?	✓			Outside of the school, such groups are represented as “ethnic minorities” in formal decision-making bodies at the national or local levels.
B. Identification of Potential Impacts				
9. Will the project directly or indirectly benefit or target Indigenous Peoples?	✓			The students from indigenous communities will directly benefit from the Project in terms of improved quality of education.
10. Will the project directly or indirectly affect Indigenous Peoples’ traditional socio-cultural and belief practices? (e.g. child-rearing, health, education, arts, and governance?)	✓			The project shall only deliver quality education but will not impose changes in sociocultural practices of ethnic minorities.
11. Will the project affect the livelihood systems of Indigenous Peoples? (e.g. food production system, natural resource management, crafts and trade, employment status)		✓		The construction of classrooms will be done in school premises.
12. Are there socio-cultural group present in or use the project areas who may be considered as “tribes” (hill tribes, schedules tribes, tribal peoples), “minorities” (ethnic or national minorities) or “indigenous communities” in the project area?		✓		The sub-project area is inside the school premises.

KEY CONCERNS (Please provide elaborations on the remarks column)	YES	NO	NOT KNOWN	Remarks
C. Identification of Special Requirements <i>Will the project activities include:</i>				
13. Commercial development of the cultural resources and knowledge of Indigenous Peoples?		✓		There is no commercial development of cultural resources as the sub-project involves the construction of classrooms...
14. Physical displacements from traditional or customary lands?		✓		Physical displacement from traditional or customary lands will not happen in the sub-project area.
15. Commercial development of natural resources (such as minerals, hydrocarbons, forest, water, hunting or fishing ground) within customary lands under use that would impact the livelihoods or the cultural ceremonial, spiritual uses that define the identity and community of Indigenous Peoples?		✓		The activities in the sub-project area will involve the construction of eight (8) classrooms at the school premises.
16. Establishing legal recognition of rights to lands and territories that are traditionally owned or customarily used, occupied or claimed by indigenous peoples?		✓		The sub-project will only involve the construction of classrooms.
17. Acquisition of lands that are traditionally owned or customarily used, occupied or claimed by indigenous peoples?		✓		There is no acquisition of lands.

D. Anticipated Project Impacts on Indigenous Peoples

Project component/ activity/output	Anticipated positive effects	Anticipated negative effects
1. Construction of eight (8) classrooms at the school premises. It will follow the standard dimension as provided for in Decision 37/2008/QD-BGDDT (July 16, 2008). Each classroom shall have the following dimensions: length = 7.8 m and width = 9.9 m. Comprising the width is 7.5 m working area and 2.4 m for the corridor. The classroom shall have a total area of 56.77 m ² ..	The provisions of new classrooms will accommodate the increasing number of upper secondary education students. It will also facilitate in providing quality upper secondary education to them.	None



The layout of the Nguyen Hue and the proposed location of the classrooms.



The photo above is front view of the school as the photo below is the land for proposed classrooms.

Attachment - 3

Involuntary Resettlement Impact Categorization Checklist

Project: **Second Upper Secondary Education Development Project (USEDP II)**

Subproject: **Ninh Hai Upper Secondary School**

Province: Ninh Thuan District: Ninh Hai (Khanh Hai Sub-town) CATEGORY: C

Probable Involuntary Resettlement Effects	Yes	No	Not Known	Remarks
Involuntary Acquisition of Land				
1. Will there be land acquisition?		✓		Civil works and rehabilitation shall be undertaken in school premises. .
2. Is the site for land acquisition known?		✓		Land acquisition will only happen if there is an expansion of school premises. But so far, there is no proposal for expansion.
3. Is the ownership status and current usage of land to be acquired known?				This is not applicable to the project since there is no expansion of school premises.
4. Will easement be utilized within an existing Right of Way (ROW)?		✓		The school has already an entrance and will not be touched by the construction of eight (8) classrooms at the .school premises.
5. Will there be loss of shelter and residential land use to land acquisition?		✓		Not a house or residential land shall be affected given the wide space of school premises.
6. Will there be loss of agricultural and other productive assets due to land acquisition?		✓		All civil works shall be undertaken in school premises. .
7. Will there be loss of crops, trees, and fixed assets due to land acquisition?		✓		Trees or crops of private persons shall not be affected. While there are some trees in school premises, it is unlikely that they shall be affected by the construction. ..
8. Will there be loss of business or enterprises due to land acquisition?		✓		Not a single business will be affected as all civil works and rehabilitation shall be done inside the school premises. .
9. Will there be loss of income sources and means of livelihoods due to land acquisition?		✓		The Project will rather create livelihood or employment in the locality due to construction of school rooms.
Involuntary Restrictions on land use or on access to legally designated parks and protected areas				
10. Will people lose access to natural resources, communal facilities and services?		✓		All civil works and rehabilitation shall be undertaken in school premises. .
11. If land use is changed, will it have an adverse impact on social and economic activities?				No current use of land will be changed and therefore there is no impact on the socio-economic activities of the people.
12. Will access to land and resources owned by the communally or by the state be restricted?		✓		Restriction to land resources of the community or by the state is unlikely.
Information on Displaced Persons				
Any estimate of the likely number of persons that will be displaced by the Project? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> Not applicable				
If yes, approximately how many? .				
Are any of the poor, female-headed households, or vulnerable to poverty risks? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> Not applicable				
Are any displaced persons from indigenous or ethnic minority groups? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> Not applicable				

Indigenous Peoples Impact Screening Checklist

Project: **Second Upper Secondary Education Development Project (USEDP II)**

Subproject: **Ninh Hai Upper Secondary School**

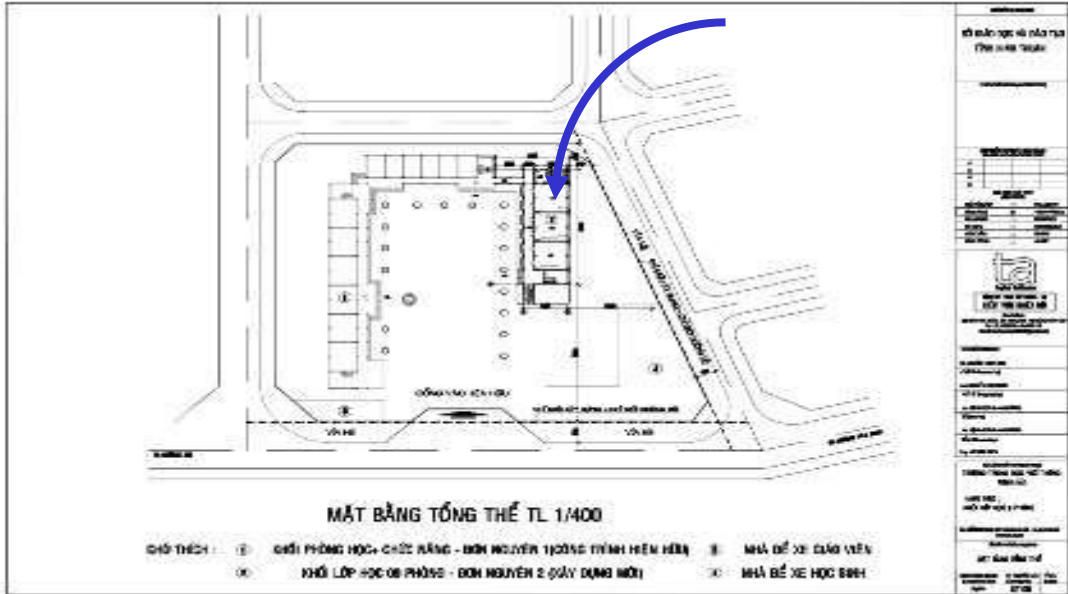
Province: Ninh Thuan District: Ninh Hai (Khanh Hai Sub-town) CATEGORY: C

KEY CONCERNS (Please provide elaborations on the Remarks column)	YES	NO	NOT KNOWN	Remarks
A. Indigenous Peoples Identification				
1. Are there socio-cultural group present in or use the project areas who may be considered as “tribes” (hill tribes, schedules tribes, tribal peoples), “minorities” (ethnic or national minorities) or “indigenous communities” in the project area?		✓		The land is allocated solely for the school. If there are ethnic minorities, they are among students of the school pursuing their upper secondary education. .
2. Are there national or local laws or policies as well as anthropological researches/studies that consider these groups present in or using the project area as belonging to “ethnic minorities”, scheduled tribes, tribal peoples, national minorities, or cultural communities?	✓			Some students are children of ethnic minorities in Vietnam who are recognized by the Government. Their rights are embodied in the 2013 Constitution.
3. Do such groups self-identity as taking part of a distinct social and cultural group?	✓			They belong to the 54 different ethnic minorities in the country.
4. Do such groups maintain collective attachments to distinct habitats or ancestral territories and/or to the natural resources in these habitats and territories?		✓		The land being used by the school is exclusively for education purposes where the ethnic minorities has no collective attachments..
5. Do such groups maintain cultural, economic, social, and political institutions distinct from the dominant society and culture?	✓			Such groups maintain cultural, economic, social, and political institutions distinct from the dominant society and culture.
6. Do such groups speak a distinct language or dialect?	✓			Ethnic minority students and ethnic minority teachers speak dialects distinct from the mainstream society.
7. Has such groups been historically, socially and economically marginalized, disempowered, excluded, and/or discriminated against?	✓			Such groups are socially and economically marginalized due to their geographic location.
8. Are such groups represented as “Indigenous Peoples” or as “ethnic minorities” or “scheduled tribes” or “tribal populations” in any formal decision-making bodies at the national or local levels?	✓			Outside of the school, such groups are represented as “ethnic minorities” in formal decision-making bodies at the national or local levels.
B. Identification of Potential Impacts				
9. Will the project directly or indirectly benefit or target Indigenous Peoples?	✓			The students from indigenous communities will directly benefit from the Project in terms of improved quality of education.
10. Will the project directly or indirectly affect Indigenous Peoples’ traditional socio-cultural and belief practices? (e.g. child-rearing, health, education, arts, and governance?)	✓			The project shall only deliver quality education but will not impose changes in sociocultural practices of ethnic minorities.
11. Will the project affect the livelihood systems of Indigenous Peoples? (e.g. food production system, natural resource management, crafts and trade, employment status)		✓		The construction of classrooms will be done in school premises.
12. Are there socio-cultural group present in or use the project areas who may be considered as “tribes” (hill tribes, schedules tribes, tribal peoples), “minorities” (ethnic or national minorities) or “indigenous communities” in the project area?		✓		The sub-project area is inside the school premises.

KEY CONCERNS (Please provide elaborations on the remarks column)	YES	NO	NOT KNOWN	Remarks
C. Identification of Special Requirements <i>Will the project activities include:</i>				
13. Commercial development of the cultural resources and knowledge of Indigenous Peoples?		✓		There is no commercial development of cultural resources as the sub-project involves the construction of classrooms...
14. Physical displacements from traditional or customary lands?		✓		Physical displacement from traditional or customary lands will not happen in the sub-project area.
15. Commercial development of natural resources (such as minerals, hydrocarbons, forest, water, hunting or fishing ground) within customary lands under use that would impact the livelihoods or the cultural ceremonial, spiritual uses that define the identity and community of Indigenous Peoples?		✓		The activities in the sub-project area will involve the construction of eight (8) classrooms at the school premises.
16. Establishing legal recognition of rights to lands and territories that are traditionally owned or customarily used, occupied or claimed by indigenous peoples?		✓		The sub-project will only involve the construction of classrooms.
17. Acquisition of lands that are traditionally owned or customarily used, occupied or claimed by indigenous peoples?		✓		There is no acquisition of lands.

D. Anticipated Project Impacts on Indigenous Peoples

Project component/ activity/output	Anticipated positive effects	Anticipated negative effects
1. Construction of eight (8) classrooms at the school premises. It will follow the standard dimension as provided for in Decision 37/2008/QD-BGDDT (July 16, 2008). Each classroom shall have the following dimensions: length = 7.8 m and width = 9.9 m. Comprising the width is 7.5 m working area and 2.4 m for the corridor. The classroom shall have a total area of 56.77 m ² ..	The provisions of new classrooms will accommodate the increasing number of upper secondary education students. It will also facilitate in providing quality upper secondary education to them.	None



Layout of the school and the proposed location.



Front view of Ninh Hai Upper Secondary School.



This is the picture of the land in the school premises where the classrooms shall be constructed.

Attachment - 4

Involuntary Resettlement Impact Categorization Checklist

Project: **Second Upper Secondary Education Development Project (USEDP II)**

Subproject: **Pham Van Dong Upper Secondary School**

Province: Ninh Thuan District: Ninh Phuoc (Phuoc Hau Commune) CATEGORY: C

Probable Involuntary Resettlement Effects	Yes	No	Not Known	Remarks
Involuntary Acquisition of Land				
1. Will there be land acquisition?		✓		Civil works and rehabilitation shall be undertaken in school premises. .
2. Is the site for land acquisition known?		✓		Land acquisition will only happen if there is an expansion of school premises. But so far, there is no proposal for expansion.
3. Is the ownership status and current usage of land to be acquired known?				This is not applicable to the project since there is no expansion of school premises.
4. Will easement be utilized within an existing Right of Way (ROW)?		✓		The school has already an entrance and will not be touched by the construction of eight (8) classrooms at the school premises.
5. Will there be loss of shelter and residential land use to land acquisition?		✓		Not a house or residential land shall be affected given the wide space of school premises.
6. Will there be loss of agricultural and other productive assets due to land acquisition?		✓		All civil works shall be undertaken in school premises. .
7. Will there be loss of crops, trees, and fixed assets due to land acquisition?		✓		Trees or crops of private persons shall not be affected. While there are some trees in school premises, it is unlikely that they shall be affected by the construction. ..
8. Will there be loss of business or enterprises due to land acquisition?		✓		Not a single business will be affected as all civil works and rehabilitation shall be done inside the school premises. .
9. Will there be loss of income sources and means of livelihoods due to land acquisition?		✓		The Project will rather create livelihood or employment in the locality due to construction of school rooms.
Involuntary Restrictions on land use or on access to legally designated parks and protected areas				
10. Will people lose access to natural resources, communal facilities and services?		✓		All civil works and rehabilitation shall be undertaken in school premises. .
11. If land use is changed, will it have an adverse impact on social and economic activities?				No current use of land will be changed and therefore there is no impact on the socio-economic activities of the people.
12. Will access to land and resources owned by the communally or by the state be restricted?		✓		Restriction to land resources of the community or by the state is unlikely.
Information on Displaced Persons				
Any estimate of the likely number of persons that will be displaced by the Project? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> Not applicable				
If yes, approximately how many? .				
Are any of the poor, female-headed households, or vulnerable to poverty risks? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> Not applicable				
Are any displaced persons from indigenous or ethnic minority groups? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> Not applicable				

Indigenous Peoples Impact Screening Checklist

Project: **Second Upper Secondary Education Development Project (USEDP II)**

Subproject: **Pham Van Dong Upper Secondary School**

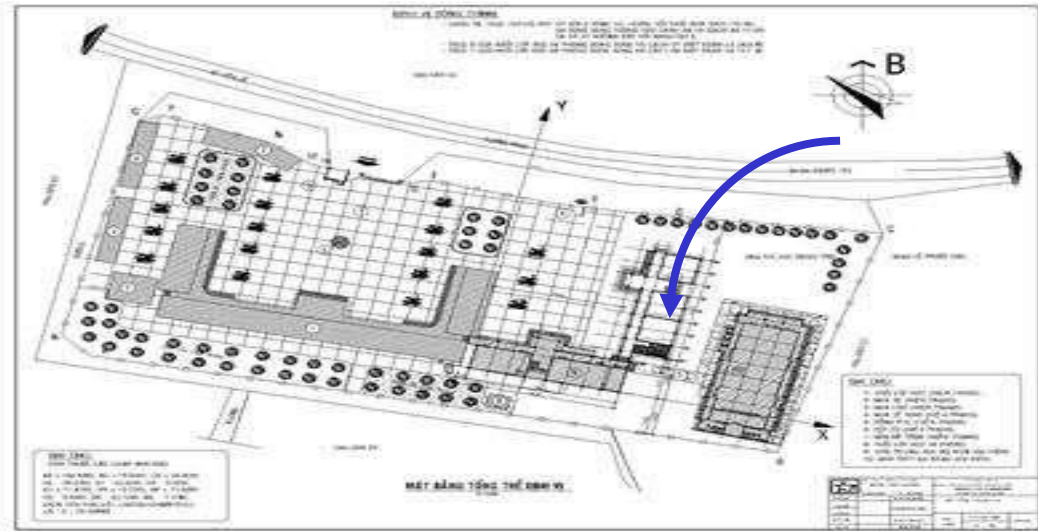
Province: Ninh Thuan District: Ninh Phuoc (Phuoc Hau Commune) CATEGORY: C

KEY CONCERNS (Please provide elaborations on the Remarks column)	YES	NO	NOT KNOWN	Remarks
A. Indigenous Peoples Identification				
1. Are there socio-cultural group present in or use the project areas who may be considered as “tribes” (hill tribes, schedules tribes, tribal peoples), “minorities” (ethnic or national minorities) or “indigenous communities” in the project area?		✓		The land is allocated solely for the school. If there are ethnic minorities, they are among students of the school pursuing their upper secondary education. .
2. Are there national or local laws or policies as well as anthropological researches/studies that consider these groups present in or using the project area as belonging to “ethnic minorities”, scheduled tribes, tribal peoples, national minorities, or cultural communities?	✓			Some students are children of ethnic minorities in Vietnam who are recognized by the Government. Their rights are embodied in the 2013 Constitution.
3. Do such groups self-identity as taking part of a distinct social and cultural group?	✓			They belong to the 54 different ethnic minorities in the country.
4. Do such groups maintain collective attachments to distinct habitats or ancestral territories and/or to the natural resources in these habitats and territories?		✓		The land being used by the school is exclusively for education purposes where the ethnic minorities has no collective attachments..
5. Do such groups maintain cultural, economic, social, and political institutions distinct from the dominant society and culture?	✓			Such groups maintain cultural, economic, social, and political institutions distinct from the dominant society and culture.
6. Do such groups speak a distinct language or dialect?	✓			Ethnic minority students and ethnic minority teachers speak dialects distinct from the mainstream society.
7. Has such groups been historically, socially and economically marginalized, disempowered, excluded, and/or discriminated against?	✓			Such groups are socially and economically marginalized due to their geographic location.
8. Are such groups represented as “Indigenous Peoples” or as “ethnic minorities” or “scheduled tribes” or “tribal populations” in any formal decision-making bodies at the national or local levels?	✓			Outside of the school, such groups are represented as “ethnic minorities” in formal decision-making bodies at the national or local levels.
B. Identification of Potential Impacts				
9. Will the project directly or indirectly benefit or target Indigenous Peoples?	✓			The students from indigenous communities will directly benefit from the Project in terms of improved quality of education.
10. Will the project directly or indirectly affect Indigenous Peoples’ traditional socio-cultural and belief practices? (e.g. child-rearing, health, education, arts, and governance?)	✓			The project shall only deliver quality education but will not impose changes in sociocultural practices of ethnic minorities.
11. Will the project affect the livelihood systems of Indigenous Peoples? (e.g. food production system, natural resource management, crafts and trade, employment status)		✓		The construction of classrooms will be done in school premises.
12. Are there socio-cultural group present in or use the project areas who may be considered as “tribes” (hill tribes, schedules tribes, tribal peoples), “minorities” (ethnic or national minorities) or “indigenous communities” in the project area?		✓		The sub-project area is inside the school premises.

KEY CONCERNS (Please provide elaborations on the remarks column)	YES	NO	NOT KNOWN	Remarks
C. Identification of Special Requirements <i>Will the project activities include:</i>				
13. Commercial development of the cultural resources and knowledge of Indigenous Peoples?		✓		There is no commercial development of cultural resources as the sub-project involves the construction of classrooms...
14. Physical displacements from traditional or customary lands?		✓		Physical displacement from traditional or customary lands will not happen in the sub-project area.
15. Commercial development of natural resources (such as minerals, hydrocarbons, forest, water, hunting or fishing ground) within customary lands under use that would impact the livelihoods or the cultural ceremonial, spiritual uses that define the identity and community of Indigenous Peoples?		✓		The activities in the sub-project area will involve the construction of eight (8) classrooms at the school premises.
16. Establishing legal recognition of rights to lands and territories that are traditionally owned or customarily used, occupied or claimed by indigenous peoples?		✓		The sub-project will only involve the construction of classrooms.
17. Acquisition of lands that are traditionally owned or customarily used, occupied or claimed by indigenous peoples?		✓		There is no acquisition of lands.

D. Anticipated Project Impacts on Indigenous Peoples

Project component/ activity/output	Anticipated positive effects	Anticipated negative effects
1. Construction of eight (8) classrooms at the school premises. It will follow the standard dimension as provided for in Decision 37/2008/QD-BGDDT (July 16, 2008). Each classroom shall have the following dimensions: length = 7.8 m and width = 9.9 m. Comprising the width is 7.5 m working area and 2.4 m for the corridor. The classroom shall have a total area of 56.77 m ² ..	The provisions of new classrooms will accommodate the increasing number of upper secondary education students. It will also facilitate in providing quality upper secondary education to them.	None



The school layout and the arrow pointing the proposed location of the classrooms.



Front view of the school.



Photograph of the land as proposed site of the eight (8) classrooms.

Attachment - 5

Involuntary Resettlement Impact Categorization Checklist

Project: **Second Upper Secondary Education Development Project (USEDP II)**

Subproject: **Phan Boi Chau Upper Secondary School**

Province: Ninh Thuan District: Thuan Bac (Loi Hai Commune) CATEGORY: C

Probable Involuntary Resettlement Effects	Yes	No	Not Known	Remarks
Involuntary Acquisition of Land				
1. Will there be land acquisition?		✓		Civil works and rehabilitation shall be undertaken in school premises. .
2. Is the site for land acquisition known?		✓		Land acquisition will only happen if there is an expansion of school premises. But so far, there is no proposal for expansion.
3. Is the ownership status and current usage of land to be acquired known?				This is not applicable to the project since there is no expansion of school premises.
4. Will easement be utilized within an existing Right of Way (ROW)?		✓		The school has already an entrance and will not be touched by the construction of eight (8) classrooms at the .school premises.
5. Will there be loss of shelter and residential land use to land acquisition?		✓		Not a house or residential land shall be affected given the wide space of school premises.
6. Will there be loss of agricultural and other productive assets due to land acquisition?		✓		All civil works shall be undertaken in school premises. .
7. Will there be loss of crops, trees, and fixed assets due to land acquisition?		✓		Trees or crops of private persons shall not be affected. While there are some trees in school premises, it is unlikely that they shall be affected by the construction. ..
8. Will there be loss of business or enterprises due to land acquisition?		✓		Not a single business will be affected as all civil works and rehabilitation shall be done inside the school premises. .
9. Will there be loss of income sources and means of livelihoods due to land acquisition?		✓		The Project will rather create livelihood or employment in the locality due to construction of school rooms.
Involuntary Restrictions on land use or on access to legally designated parks and protected areas				
10. Will people lose access to natural resources, communal facilities and services?		✓		All civil works and rehabilitation shall be undertaken in school premises. .
11. If land use is changed, will it have an adverse impact on social and economic activities?				No current use of land will be changed and therefore there is no impact on the socio-economic activities of the people.
12. Will access to land and resources owned by the communally or by the state be restricted?		✓		Restriction to land resources of the community or by the state is unlikely.
Information on Displaced Persons				
Any estimate of the likely number of persons that will be displaced by the Project? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> Not applicable				
If yes, approximately how many? .				
Are any of the poor, female-headed households, or vulnerable to poverty risks? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> Not applicable				
Are any displaced persons from indigenous or ethnic minority groups? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> Not applicable				

Indigenous Peoples Impact Screening Checklist

Project: **Second Upper Secondary Education Development Project (USEDP II)**

Subproject: **Phan Boi Chau Upper Secondary School**

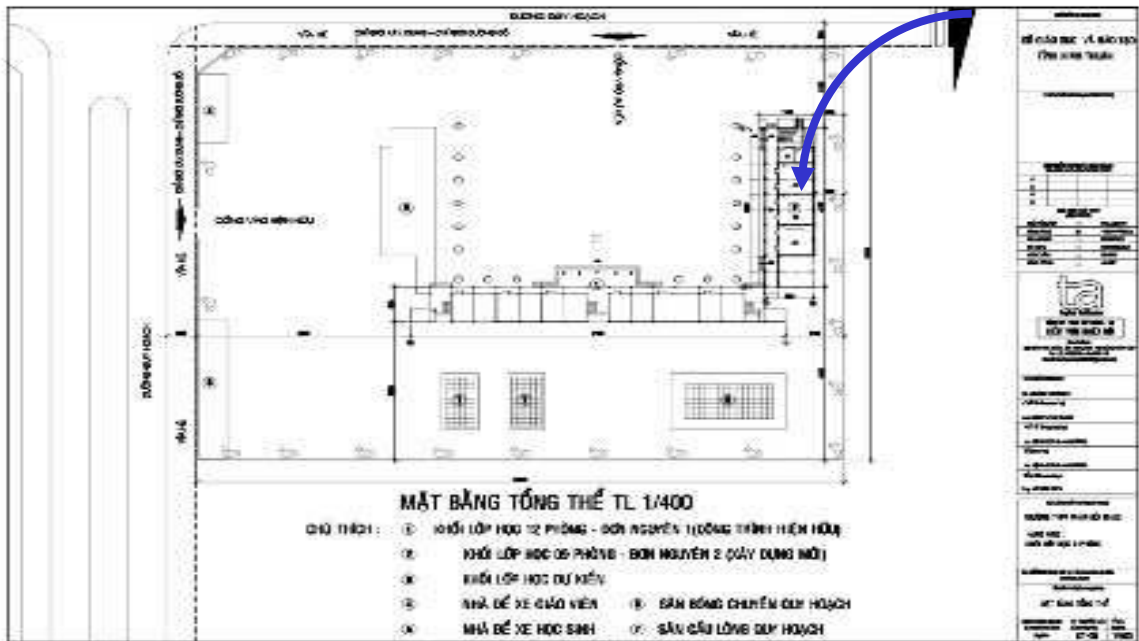
Province: Ninh Thuan District: Thuan Bac (Loi Hai Commune) CATEGORY: C

KEY CONCERNS (Please provide elaborations on the Remarks column)	YES	NO	NOT KNOWN	Remarks
A. Indigenous Peoples Identification				
1. Are there socio-cultural group present in or use the project areas who may be considered as “tribes” (hill tribes, schedules tribes, tribal peoples), “minorities” (ethnic or national minorities) or “indigenous communities” in the project area?		✓		The land is allocated solely for the school. If there are ethnic minorities, they are among students of the school pursuing their upper secondary education. .
2. Are there national or local laws or policies as well as anthropological researches/studies that consider these groups present in or using the project area as belonging to “ethnic minorities”, scheduled tribes, tribal peoples, national minorities, or cultural communities?	✓			Some students are children of ethnic minorities in Vietnam who are recognized by the Government. Their rights are embodied in the 2013 Constitution.
3. Do such groups self-identity as taking part of a distinct social and cultural group?	✓			They belong to the 54 different ethnic minorities in the country.
4. Do such groups maintain collective attachments to distinct habitats or ancestral territories and/or to the natural resources in these habitats and territories?		✓		The land being used by the school is exclusively for education purposes where the ethnic minorities has no collective attachments..
5. Do such groups maintain cultural, economic, social, and political institutions distinct from the dominant society and culture?	✓			Such groups maintain cultural, economic, social, and political institutions distinct from the dominant society and culture.
6. Do such groups speak a distinct language or dialect?	✓			Ethnic minority students and ethnic minority teachers speak dialects distinct from the mainstream society.
7. Has such groups been historically, socially and economically marginalized, disempowered, excluded, and/or discriminated against?	✓			Such groups are socially and economically marginalized due to their geographic location.
8. Are such groups represented as “Indigenous Peoples” or as “ethnic minorities” or “scheduled tribes” or “tribal populations” in any formal decision-making bodies at the national or local levels?	✓			Outside of the school, such groups are represented as “ethnic minorities” in formal decision-making bodies at the national or local levels.
B. Identification of Potential Impacts				
9. Will the project directly or indirectly benefit or target Indigenous Peoples?	✓			The students from indigenous communities will directly benefit from the Project in terms of improved quality of education.
10. Will the project directly or indirectly affect Indigenous Peoples’ traditional socio-cultural and belief practices? (e.g. child-rearing, health, education, arts, and governance?)	✓			The project shall only deliver quality education but will not impose changes in sociocultural practices of ethnic minorities.
11. Will the project affect the livelihood systems of Indigenous Peoples? (e.g. food production system, natural resource management, crafts and trade, employment status)		✓		The construction of classrooms will be done in school premises.
12. Are there socio-cultural group present in or use the project areas who may be considered as “tribes” (hill tribes, schedules tribes, tribal peoples), “minorities” (ethnic or national minorities) or “indigenous communities” in the project area?		✓		The sub-project area is inside the school premises.

KEY CONCERNS (Please provide elaborations on the remarks column)	YES	NO	NOT KNOWN	Remarks
C. Identification of Special Requirements <i>Will the project activities include:</i>				
13. Commercial development of the cultural resources and knowledge of Indigenous Peoples?		✓		There is no commercial development of cultural resources as the sub-project involves the construction of classrooms...
14. Physical displacements from traditional or customary lands?		✓		Physical displacement from traditional or customary lands will not happen in the sub-project area.
15. Commercial development of natural resources (such as minerals, hydrocarbons, forest, water, hunting or fishing ground) within customary lands under use that would impact the livelihoods or the cultural ceremonial, spiritual uses that define the identity and community of Indigenous Peoples?		✓		The activities in the sub-project area will involve the construction of eight (8) classrooms at the school premises.
16. Establishing legal recognition of rights to lands and territories that are traditionally owned or customarily used, occupied or claimed by indigenous peoples?		✓		The sub-project will only involve the construction of classrooms.
17. Acquisition of lands that are traditionally owned or customarily used, occupied or claimed by indigenous peoples?		✓		There is no acquisition of lands.

D. Anticipated Project Impacts on Indigenous Peoples

Project component/ activity/output	Anticipated positive effects	Anticipated negative effects
1. Construction of eight (8) classrooms at the school premises. It will follow the standard dimension as provided for in Decision 37/2008/QD-BGDDT (July 16, 2008). Each classroom shall have the following dimensions: length = 7.8 m and width = 9.9 m. Comprising the width is 7.5 m working area and 2.4 m for the corridor. The classroom shall have a total area of 56.77 m ² ..	The provisions of new classrooms will accommodate the increasing number of upper secondary education students. It will also facilitate in providing quality upper secondary education to them.	None



The layout of Phan Boi Chau Upper Secondary School and the proposed site of classrooms.



Front view of Phan Boi Chau Upper Secondary School.