

Education and Corruption

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Executive Summary

This paper will draw on standard international definitions of ‘corruption’ and apply them to the education sector. It will define corruption in education, explain why it is important, and describe various types of corruption and their causes. Emphasis will be placed on the role of higher education institutions in educational corruption, but the paper will not limit itself to higher education. In the end the paper will suggest four categories of reforms designed to minimize the risk of educational corruption. These include reforms to: (i) educational structures, (ii) the processes of management and adjudication, (iii) the mechanisms of prevention and when wrongdoing occurs, (iv) the system of sanctions.

The Definition of Educational Corruption

The definition of education corruption derives from the more general set of corruption issues. Like other areas, it includes the abuse of authority for material gain (Anechiarico and Jacobs, 1996; Kalnins, 2001).¹ But because education is an important public good, its professional standards include more than just material goods; hence the definition of education corruption includes **the abuse of authority for personal as well as material gain.**

Why is it Important for a Nation to Be Free of Education Corruption?

Since the time of Plato, it has generally been understood that a key ingredient in the making of a nation/state is how it chooses its technical, commercial, and political leaders. In general it is agreed that no modern nation can long survive if leaders are chosen on the basis of the ascriptive characteristics, i.e. the characteristics with which they are born, race, gender, social status. On the other hand it is common for families to try to protect and otherwise advantage their own children and relatives. Every parent wishes success of his own child; every group wishes to see the success of children from their particular group. This is normal.

Schooling provides the mechanism through which these opposing influences can be carefully managed. It is the common instrument used by nations to ‘refresh’ the sources of its leadership. Economists have tried to estimate the sacrifice in economic growth if there is a serious bias in the selection of leaders (Klitgaard, 1986). It has been estimated that developing countries could improve their GNP/capita by five percentage points if they were to base their leadership upon merit as opposed to gender or social status (Pinera and Selowsky, 1981). In fact by some estimates, the economic benefit to developing countries of choosing leaders on the basis of merit would be three times more than the benefit accruing from a reduction in OECD trade restriction on imports (Kirmani, et. al., 1984).

Success in one’s schooling is one of the few background characteristics seen as necessary for modern leadership. Although it is possible for leaders to emerge through experience or just good fortune, nevertheless, getting ahead in schooling itself is seen as essential.

But what if schooling itself is not fair? What if the public comes to believe that the provision of schooling favors one social group? What if the public doesn’t trust in the judgment of teachers on student performance? What would happen if the process of schooling had been corrupted?

¹ The existence of corruption is not the only issue of importance. A separate but related question is the perception of corruption. According to data from Transparency International for instance, Romania ranks 69 (out of 91 nations) in terms of corruption perception; Uzbekistan ranks 71 and the Russian Federation ranks 79. See <http://www.transparency.org/>

The fact is that in a democracy, the public takes a very active interest in the fairness of its education system. If the public does not trust the education system to be fair or effective, more may be sacrificed than economic growth. It might be said that current leaders, whether in commerce, science, or politics, had acquired their positions through privilege rather than achievement. If the school system cannot be trusted, it may detract from a nation's sense of social cohesion, the principal ingredient of all successful modern societies (Heyneman, 2000a, 2002).

The Characteristics of An Education System Free of Corruption

A school system, which is free of corruption, is characterized by the following:

- Equality of access to educational opportunity
- Fairness in the distribution of educational curricula and materials
- Fairness and transparency in the criteria for selection to higher and more specialized training
- Fairness in accreditation in which all institutions are judged by professional standards equally applied and open to public scrutiny
- Fairness in the acquisition of educational goods and services
- Maintenance of professional standards of conduct by those who administer education institutions and who teach in them, whether public or private

Categories of Educational Corruption

Corrupted Functions

Selection

There is no nation in which the proportion of the age cohort attending at the end of the system is as large as it is at the beginning. Educational opportunity is shaped not like a rectangle, but like a pyramid. If one defines 'elite' as meaning only those who are able may enter, then all nations have education systems that have elite characteristics. Therefore, the question is not whether a system selects a few to proceed, since all nations must select. Rather, the question is how that selection is made.

Educators sometimes argue that certain kinds of selection tests techniques are 'better' than others. For instance some might argue that essay questions, or oral examinations are better than multiple-choice questions. This kind of discussion, when divorced from context, is spurious.

Three principles help determine the choice of appropriate selection techniques: (i) available resources, (ii) logistical challenges, and (iii) the level of public accountability. Maintaining the same standard of reliability, cost differences in grading an essay versus a multiple-choice question can be as much as 10:1. Moreover, as test-taking populations expand, the differences in costs will expand as well. The cost difference between grading an oral and a multiple-choice exam may be 10:1 if the number of test takers is 1000. But if the number of test takers is one million, the cost difference may be 100:1 (Heyneman, 1987).

The appropriate system in Sweden might be to have each teacher individually design and grade selection examinations. However, with about one percent of Sweden's education resources, about 100 times the number of university applicants, and an extensive geographical challenge, the appropriate system in China must be more standardized and machine gradable (Heyneman and Fagerlind, 1988).

A key difference among nations is not the kind of test used, but whether whatever technique is chosen can be corrupted. How selection is managed is deeply important for maintaining an equality of education opportunity. Since WWII the technology of administering examinations has changed radically in OECD countries, but in many parts of the former Soviet Union and other parts of the world, the technologies have not kept pace. Often, each faculty within each higher education institution administers examinations independently. Many examinations are delivered orally. And many can only be taken at the university where they are designed. This system of selection is unfair, inefficient, and low quality. *It is unfair* because examinations have to be taken where they are designed; those who cannot easily travel have less opportunity. The effect of this is to limit access to higher education to students who can afford to travel. *It is inefficient* because students must take a new examination for each institution to which they apply, and since they cannot do this at a single sitting, they must wait for a new test-taking occasion. This may delay their entry by a year or more. *It is of low quality* because questions designed by faculty who are isolated from modern labor markets. They use skills that are out of date and they design tests whose administration cannot be standardized. But the key issue is corruption.

Tests that are centrally scored can still be corrupted by leaks. In some parts of South Asia, questions are privately sold to high-paying candidates before the test is administered. Being more subjective and administered in private, oral examinations are even more open to corruption. As faculty salaries decline in value, and higher education institutions require alternative sources of income, bribery surrounding the admissions process can become a matter of routine. Candidates may even know how much a 'pass' will cost and be expected to bring the cash ahead of time. This may be the case for

instance, in the Russian Federation (World Bank, 1995; Heyneman, 1987;1988;1997; Plomp and Voogt, 1995; Xuequin, 2001).

Consequences of a corrupt selection system. The process of academic selection is the linchpin of any education system, and overall national cohesion. It represents the essence of the public good. If the system is corrupt or widely believed to be corrupt, little else in the education system can be successful. Inattention to corruption in selection will place all other aspects of a nation's economic and social ambitions at risk.

How to avoid corruption in selection: the case for an autonomous examination agency. Designing selection examinations is technically complex. It requires a high degree of professionalism, modern equipment, and staff with scarce technical skills who are able to garner high salaries in the private sector. Unless they are in very wealthy countries, few government ministries are able to perform selection functions well. The alternative is to create an autonomous agency, staffed with internationally recognized expertise, guided by public education standards and policies, but financed by modest fees to sit for the examinations themselves (Heyneman, 1987; 1988).

Corrupted Systems of Accreditation

The way in which institutions of higher education are publicly 'recognized' is through a system of accreditation. When all institutions were state owned and administered, the system was managed within the central ministries. In the 1990s two things have happened which have corrupted many systems of accreditation. First, because of the openness to new economic systems and new labor markets, higher education institutions have responded with a flowering of new degree programs. All of them need to be recognized. Second, the number of private institutions has blossomed, many of which claim to be as high in quality as the older, more established public institutions.

Both of these tendencies are positive and should be encouraged. The problem is not that there is private education. The problem is that the system of accreditation has not sufficiently changed in response to the new programs and institutions. In many instances accreditation committees remain in the hands of rectors of public institutions who may have an interest in preventing competition.

The higher education system of accreditation is often corrupt because the connection between higher education, and the system of 'licensing' professionals or 'certifying professionals' has not been reformed.² Whenever higher education institutions are associated with licensure and/or certification, the stakes for accreditation are high. Therefore the price – on the corrupted market – for accreditation is high.³

² The license allows a person to practice a given profession; certification allows a person to practice a specific specialization. For instance, a license may allow someone to practice medicine; certification may allow medical doctors to practice surgery.

³ For guidance on how to create a corruption free accreditation system contact the Center for Quality Assurance in International Education. www.inqaah.nl

Institutions that seek recognition of new programs, or private institutions which seek institutional recognition, often have to pay a bribe (Sadlak, 1994; Bogdanov, 2001). This places the nation at risk because an institution of low quality may be licensing individuals who may not be of sufficient professional standard. There are many instances of corrupted accreditation leading to poor medical schools, law schools, and programs of business and accounting. On the other hand, the correct response should not be to confine a nation only to old programs and traditional institutions. All nations need innovation in higher education in response to social and labor market challenges.

How can a nation encourage educational innovation and, at the same time, protect itself from poor quality higher education programs? The answer comes in two ways. First the process of accreditation must be liberalized. It should be simple and inexpensive for a new program and new institutions to operate. Control over quality should not be made at stage of accreditation.⁴

Second, the process by which individuals leave higher education and apply to practice or be certified in their professions should be separated from the higher education institutions themselves. No matter how excellent, no university should provide a license to practice medicine.⁵ The license to practice medicine should be made of a board of medical examiners that manages a system of testing to which all medical applicants must pass. Similar systems must be established for law, accounting, and others. Key to this new system is to allow many new higher education institutions to compete with one another. This will allow both low and high quality institutions to operate freely and at different prices. Having a variety of quality allows some low quality institutions to attract new students, to innovate, and to improve. Open competition may allow some institutions of high quality to slip in status and competitiveness. At the same time as this variation in quality occurs, the public is protected from malpractice by the rigor of the licensing and certification examinations. And because accreditation is no longer associated with a license to practice, the process of accreditation can be more liberal. And having a more open system of accreditation takes the pressure off it. The effect of this will be to eliminate graft and corruption in the process of accreditation.

⁴ In nations that have a wide variety of quality among accredited institutions, the function of accreditation changes. Instead of creating institutions of identical quality, it creates institutions with identical transparency in public accounting of their purposes, staffing, and results. The public is then free to choose a wide range of educational quality at different prices.

⁵ In other parts of the world with significant portions of the higher education in private hands, such as the United States, the process of licensing and certification is totally separate from higher education. A law degree from the University of Chicago or Yale will not allow anyone to practice law. For that, they and all others must sit for external examinations. It is the law examinations that weed out potentially low quality lawyers, not the law schools. Hence, there is no problem of bribery in the accreditation process.

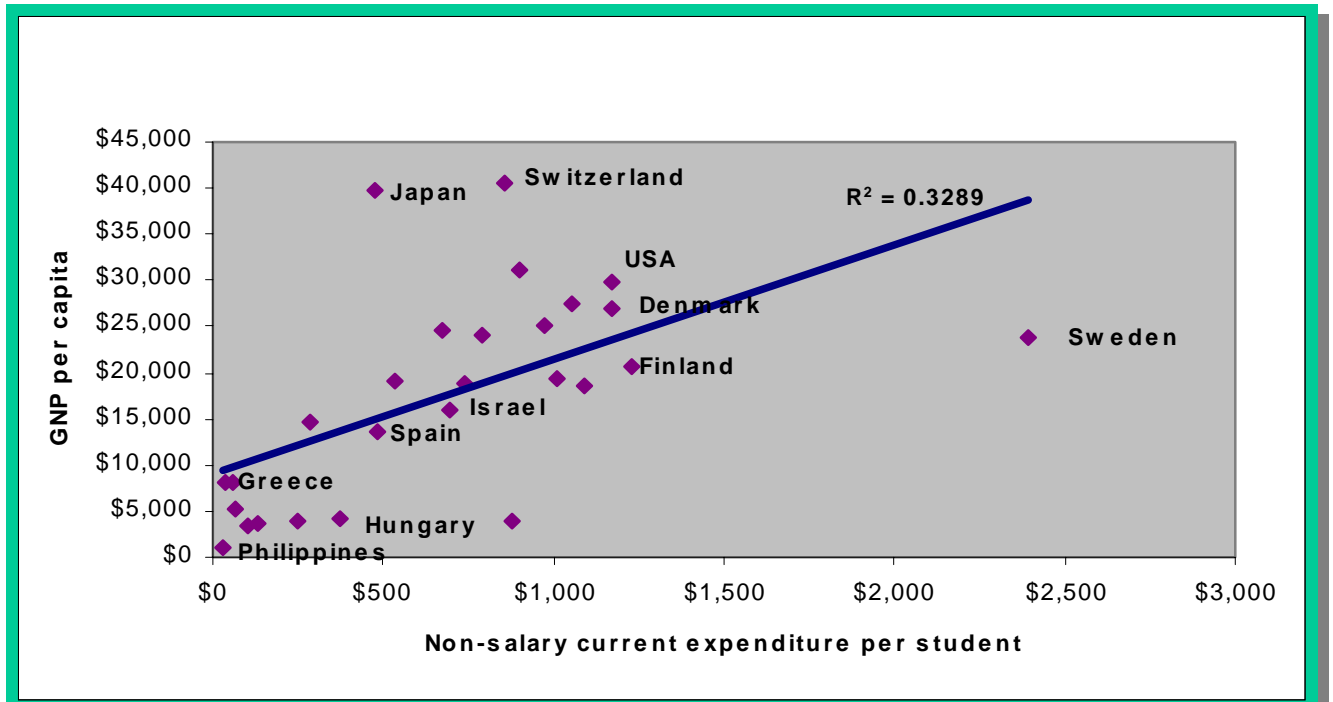
Corrupted Supplies

It is rarely recognized that, in fact, education is a big 'business'.⁶ In North America, education and training accounts for 10% of GDP. Education and training is the economy's largest sector after health care, and the fastest in growth. In considering only compulsory education for a moment, expenditures can be divided first into capital and recurrent categories, then into salary and non-salary categories. In terms of non-salary expenditures there is a wide variation from one country to another, with Sweden spending about \$US 2394/pupil and India spending less than \$1.00/pupil (Heyneman, 2001). Nevertheless, as countries develop economically, more resources are allocated to support educational quality (Figure 1).

⁶ The entrance of universities into the world of commerce has produced controversy new risks (Heyneman, 2000b, 2000; Senter, 1996, Roch, 1994), but there is no viable alternative to these new university commercial and managerial roles. What remains is to have these new roles managed and at the same time, preserve the essence of higher education's unique responsibility.

Figure 1

AS ECONOMIES GROW ,
MORE IS SPENT ON GOODS AND SERVICES PER
STUDENT



This process of development raises the size of the education markets around the world, particularly in countries with healthy rates of economic growth. Across the world, public education expenditures doubled between 1980 and 1994 (Heyneman 2000b). In North America they grew by 103%; in Western Europe by 135%. But in East Asia and the Pacific, they grew by over 200% in the same time period (Table 1)

Table 1

LARGE GROWTH OF EDUCATION EXPENDITURES
PER REGION

Continents, major areas and groups of countries	Public expenditure on education per inhabitant (\$)				Percent Change 1980-1994
	1980	1985	1990	1994	
World Total	126	124	202	252	100
Africa (North and SSA)	48	40	41	41	-15
America	307	375	521	623	103
Asia	37	39	66	93	151
Europe	418	340	741	982	135
Oceania	467	439	715	878	88
Industrializing Countries	31	28	40	48	55
SS Africa	41	26	29	32	-22
Arab States	109	122	110	110	1
LAC	93	70	102	153	65
EAP	12	14	20	36	200
S. Asia	13	14	30	14	1
Poorest Countries	9	7	9	9	0
Industrialized Countries	487	520	914	1211	149

Source: UNESCO Statistical Yearbook, 1998

First it might be noted that corruption in school supplies can be found in countries at all levels of economic development, from Kenya and Uganda (Kigotho, 2002; Heyneman, 1975, 1983) to Dallas, New York and other more well endowed environments (Linden and Beck, 1981; Segal, 1997; Bellamy, 2002;). To understand the problem of corruption in educational supplies, one must divide the supply process into three distinct parts: (i) design (such as with pedagogical materials and textbooks); (ii) manufacturing (the printing); and (iii) distribution. The source of problem may be different with each category.

The corruption of the design process usually occurs when a public agency, such as a ministry of education, contracts for designs (such as the writing of textbooks) among a short list of privileged authors or providers. Sometimes these authors or companies provide educational officials with a gift or bribe for the privilege of designing educational materials. If an author receives a proportion of the sales, the level of illegal earnings can be significant. In terms of book sales in North America, for instance, two thirds of the publishing profits come from educational publishing; hence the receipt of contacts for textbook design can bring an automatic benefit to the authors (Heyneman, 1990).

In the manufacturing process, the hazard of corruption is similar. Benefits will accrue to the firms that are given contracts for printing or making the materials, and because of the guarantee level of educational sales, the profits are often high.

Most corruption in school supplies stems from the use of ‘protection’. Protection is a well-known notion in other fields – the manufacturing of automobiles, furniture, glass, steel, etc. If a country sets up barriers to trade against imports, these barriers have an economic cost. Governments may believe that the costs are worth it, and that protection is justified on the basis of five common arguments.

National interest, image, and pride. To appear strong, some believe it necessary to ‘protect oneself’ from foreign products. This argument is very common in education. All nations believe they have the right to educate their citizens in the way they choose. What may not be well understood is that to do this well, curriculum, supplies, and materials need not be a public sector monopoly.

Safeguard of local jobs. This is rarely made in education by comparison, say, to textiles, but it can be used when other arguments appear weak.

Grace period for ‘infant industries’. This is commonly heard with respect to local textbook publishers, and providers of tests and standardized examinations.

Saving Foreign Exchange. This is an argument typical of very low-income countries with artificial restrictions on foreign exchange. The problem with this argument is that the cost in local exchange may be considerably higher than an imported product.

Unavailable supply from non-government sources. In education this is the most common argument heard, particularly with respect to textbooks. This is common in countries where the language of instruction is local. It is argued that since no local suppliers exist, the government therefore must manufacture the nation’s textbooks. The argument rests on the assumption that the ‘supply response’ would be near zero if open competitive bidding were allowed, in essence, there would be market failure. In many instances this assumption rests on the experience of there being no fair or open competition in the past. It also must be remembered, that given market principles, international suppliers -- Oxford University Press, Microsoft, World Book Encyclopedia -- are usually quite happy to produce the products in whatever language is required, and they are quite prepared to lease copyrighted materials to local publishers and manufacturers.

How to avoid corruption in educational supplies. Corruption risk can be minimized by following three distinct steps.

First is to treat the educational procurement process in the same way as the procurement of all other goods and services. Educational supplies should not be singled out as distinct in any way.⁷ This first step will bring the procurement process in education in line with the procurement process in other areas: pharmaceuticals for the health care system, office supplies, vehicles etc.

Second is to establish bidding procedures in which there are no hidden ‘wires’. Specifications should not be written which would in any way benefit a single group of manufacturers.

Third is to open up the bidding process in parallel with the new guidelines on education services circulated by the World Trade Organization.⁸

Strong resistance to open and competitive bidding often emerges from the education community. It might be noted that protection in educational manufacturing -- whether software or computer hardware, furniture, textbooks, or even testing items -- has the same cost as protection of any industrial product. It raises the real price, it constrains the quality, and it lowers the effectiveness. Most industrialized nations have come to realize that the natural public responsibility for education is to establish the curriculum principles and objectives of education. It is then a public responsibility to establish professional specification for the delivery of products and services to meet important national goals. The rest should be in the hands of the competition. The more limited the role of the government in the manufacturing process, the lower the chance for corruption in the process of educational supply.

Professional Misconduct

Since education is a public good, education corruption must include an element broader than illicit material gain for personal use; it must include an element of professional misconduct. Misconduct can be found in other professions – legal, architectural, accounting, engineering etc. But when misconduct affects children and youth, citizens who are not adults or who are young adults, the implications are more serious and the safeguards must be more stringent.

Elements of professional misconduct in education include:⁹

⁷ It might be relevant to note that no OECD country, not even France or Japan with centralized school systems, designs or manufactures school supplies from public agencies. In all OECD countries, the specification for school supplies is a public function, but their design, manufacture and distribution is contracted out to private suppliers. Foreign suppliers are invited to participate in the bidding process so long as they adhere to curricular specifications set by the local Ministry of Education.

⁸ These can be obtained from http://doconline.wto.org/gen_hom.asp?language=1

⁹ Adapted from Braxton and Bayer, 1999, p. 137.

- Accepting of material gifts or rewards in exchange for positive grades, assessments or selection to specialized programs
- Assigning of grades or assessments biased by a student's race, culture, social class, ethnicity, and other ascriptive attributes
- Insisting on a student's adoption of the instructors' personal values and philosophy
- Disclosing confidential information regarding a student
- Exploiting, harassing, or discriminating against particular students
- Adopting an inadequate textbook or educational materials because of a manufacture's gifts or incentives
- Forcing students to purchase materials that are copyrighted by the instructor
- Ignoring the inadequate teaching of colleagues, the unequal treatment of students, or the misconduct of fellow professionals
- Utilizing school property for private commercial purposes.

Definitions of faculty misconduct may differ from one country to another.¹⁰ But no nation can long ignore the existence of significant misconduct. In some countries it is common for teachers to accept payment for allowing students to proceed to the next grade. In some countries it is common for teachers to offer after school tutoring for a price, and to suggest that students might fail if they did not pay for after school tutoring. In some countries, faculty may operate a 'private' school in the after school hours, hence using public property for private gain. In some instances, a school administrator, or university rector may rent school property, or use it for manufacturing or agriculture commerce and not report the income.

In some instances, the misconduct constitutes a criminal offense. Theft or misuse of public property for personal gain is a crime. With the installation of new tuition and fees, it is common for them to be used for private profit rather than for the benefit of school or university (Heyneman, 1975, 1983, 1994, 1997, 1998). In these instances, misconduct needs to be judged by the criminal court system. In other instances, the misconduct may be limited to professional ethics. A teacher's bias against a certain category of student is an illustration. In these instances, strong professional boards with the authority to fine and dismiss should be encouraged. The public needs to feel protected from faculty

¹⁰ If a faculty member were to assign only reading from his own book, it would be interpreted as misconduct in higher education institutions in the United States, but not in all parts of the world.

misconduct, and the effectiveness of the professional review boards may be an essential ingredient in their protection.

Corrupted Educational Property and Taxes

Educational facilities often occupy prime locations in urban areas. These can be rented or leased for both educational and other purposes. Almost all higher education institutions, and also many institutions in compulsory education, must supplement public with other resources. But how should educational property be considered: as a private or public income? And how should alternative sources of income be taxed or should they be taxed at all? And if there is reason not to tax educational institutions, or to tax them at a different rate from commercial businesses, should one treat all educational institutions the same? Should income to public education institutions from non-traditional sources be taxed the same as non-traditional income in private educational institutions? Should equity owned private educational institutions (which share profits among the owners) be treated the same as a charity which reinvests all profits back into the institution?

One reason why corruption is so common in education is because the answers to these questions have never been adequately sorted out. Since the time government ministries 'owned' all property in the Soviet Union, it has never been quite clear which portion of government had ownership today. Take the illustration of a local vocational school: would it be owned by the enterprise on whose land it might sit? By the local municipality? By the region? By the national sector ministry? Take a technical university, previously under the ministry of industry: Does the land still belong to that ministry? Or does land at all higher education institutions now belong to the Ministry of Education? Or does it belong to the local municipality? Or does it belong to the Rectors Council? Or would different authorities 'own' different elements? Would the state owned enterprise own the equipment, the ministry of education own the building, and the local municipality own the land?

How to avoid corruption of land and taxes.

The single most important factor in reducing the risk of corruption is to clarify the situation of educational land and educational tax obligations. Some recommendations:

- Higher education land should belong to the Board of Trust of higher education institutions themselves. This board of trust may be government appointed, and would guide the long-term institutional interests.
- Profit-making educational institutions which are equity owned should pay the same taxes as all commercial businesses

- As long as they are not commercial (i.e.: equity-owned), neither public nor private educational institutions should pay tax on income
- Gifts from individuals and from corporations should be public information and tax deductible

What Can Be Done about Educational Corruption?

In some respect solving the problem of educational corruption is not significantly different from solving the problem of corruption in other sectors. Misappropriation of public property, bribery in conjunction with public procurement, whether in education or housing these behaviors are governed by similar rules and regulations. If the rules and regulations fail to deter the corruption in these other sectors they will be similarly ineffective in education.

On the other hand, there are certain preventative measures specific to education corruption. These fall into four categories: (i) Structural reforms necessary to reduce the opportunity for corruption, (ii) improvements in adjudication and management to help anticipate questions of definition and interpretation, (iii) measures necessary to actually prevent corruption practice, and (iv) sanctions required to demote or punish when infractions occur.

Table 2

Structure Reform	Adjudication and Management	Prevention	Sanction
<p>Autonomous Examination Agency</p> <p>Autonomous Accreditation Agency</p> <p>Licensing and Certification process Separated from Higher education</p> <p>Land ownership by Educational institution</p> <p>Tax differentiation between profit-making and non-commercial education institutions</p> <p>Income generated by non-profit educational institutions not subject to taxation</p>	<p>Professional Boards</p> <p>Boards of Trustees for each Higher Education institution</p> <p>School Boards</p>	<p>Blue Ribbon Committee Evaluations</p> <p>Annual reports on educational corruption</p> <p>Public access to higher education financial statements</p> <p>Codes of Conduct for faculty, administrators and students</p> <p>Public advertisement of all codes of conduct</p>	<p>Clear penalties for economic and professional corruption</p>

Summary

It has not been common to focus attention on corruption in education. There were many other pressing problems in business, banking, the judicial and legal system, manufacturing, and agriculture. However, it may be necessary now. Collapsing public expenditures have driven all institutions to generate their own resources, for which there is no precedent, and no regulatory structure in place to give them guidance. One thing is abundantly clear: whenever rules and regulations are confusing one must expect a high level of corruption.

The burgeoning profit making and not-for profit private education, and the entrance of public institutions into private education, has blurred the lines between what is public and what is private. Few within the public may understand what is in the private interest and should be taxed, or in the public interest and should not be taxed. Confusion reigns over issues of education property. Who actually owns these institutions? And without clear ownership of its land, no higher education institution can successfully approach the private capital markets for a development loan. In essence, no higher education institution can invest in its future until the principles of land ownership are sorted out.

Because of the lack of modern methods and technologies, the selection systems to higher education are riddled with bribery. Because the structures are outdated, corruption is common in the accreditation process, the licensing process and in the certification process. Textbooks and supplies often remain under monopolies of the state; foreign suppliers are often prohibited from participating in the bidding process; designers are chosen on the basis of unprofessional specification and through personal connections. Because of these corruptions and distortions, the education received by young people suffers in quality and in efficiency.

Lastly, because of the inadequate instruments of management and sanctions, it is common to experience professional misconduct. It is common for teachers to misuse their professional positions, to accept favors for normal services, and to accept bribes for looking with favor on certain students. And it is common to use tuition and fees for private profit.

These practices would be serious no matter what sector in which they occurred. But the fact that they occur with frequency in education poses a particular problem. The definition of corruption in education includes both material and professional elements. The reason is that education is the linchpin to a nations' social cohesion, and once the public comes to believe that the education system is corrupt, they will also believe that the future of their nation has been unfairly determined against them and their interests. If this occurs, a nation will not be able to establish a partnership with other democracies.

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