



# Governance in education: transparency and accountability

Jacques Hallak and Muriel Poisson (Eds.)

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## Presentation of the series

Several studies conducted over the past decade have clearly emphasized the negative impact of corruption on the economic, social and political development of countries, due to the increased transaction costs, the reduction in the efficiency of public services, the distortion of the decision-making process, and the undermining of social values. They have also shown a strong correlation between corruption and poverty: statistical regressions suggest that an increase in the per capita income of a country by US\$4,400 will improve its ranking on the index of corruption (international scale) by two points.<sup>1</sup> Moreover it has been observed that corruption tends to contribute to the reinforcement of inequities by placing a disproportionate economic burden on the poor, and limiting their access to public services.

As a consequence, fighting corruption has become a major concern for policy-makers and actors involved in development. In view of the decrease in the international flow of aid and the more stringent conditions for the provision of aid – due to growing tensions on public resources within donor countries, and the pressure exerted by tax payers on governments to increase transparency and accountability in resource management – it is regarded today as a major priority on countries' agendas and those of international agencies of development co-operation. The Drafting Committee of the World Education Forum has expressed this concern in the following terms: “Corruption is a major drain on the effective use of resources for education and should be drastically curbed”.<sup>2</sup>

1. Mauro, P. 1995. “Corruption and growth”. In: *Quarterly Journal of Economics*, 110(3), 681-712.
2. UNESCO. 2000. *Dakar Framework for Action. Education for All: meeting our collective commitments*. Adopted by the World Education Forum, Dakar, Senegal, 26-28 April 2000. Extended commentary on the Dakar Action Plan (par. 46).

A rapid review of the literature shows that a number of attempts have already been made to tackle the issue of corruption both globally and sectorally. In the social sector, for example, several studies have been conducted on corruption in the provision of health care services. However, it appears that the education sector has not been given proper attention by national education authorities and donors, despite the many grounds for attaching particular priority to the challenge of combating corruption in education:

- No public sector reform aiming at improving governance and limiting corruption phenomena can obtain significant results as long as the case of education has not been properly addressed – given the importance of the education sector, which in most countries is the first or the second largest public sector both in human and financial terms.
- Any attempts to improve the functioning of the education sector in order to increase access to quality education for all cannot prove successful if problems of corruption, which have severe implications for both efficiency in the use of resources and for quality of education and school performance, are not being properly dealt with.
- Lack of integrity and unethical behaviour within the education sector is inconsistent with one of the main purposes of education; that is, to produce ‘good citizens’, respectful of the law, of human rights and fairness (it is also incompatible with any strategy that considers education as one of the principle means of fighting corruption).

In this context, IIEP launched a new research project within the framework of its Medium-Term Plan for 2002-2007, which deals with ‘Ethics and corruption in education’. Corruption is defined as “the systematic use of public office for private benefit that results in a reduction in the quality or availability of public goods and services”. The main objective of this project is to improve decision-making and the management of education systems by integrating governance and corruption concerns in methodologies of educational planning and administration. More specifically, it seeks to

develop methodological approaches for studying and addressing the issue of corruption in education, and collect and share information on the best approaches for promoting transparency, accountability and integrity in the management of education systems, both in developing and industrialized countries.

The project includes works on topics of relevance such as teacher behaviour, school financing, textbook production and distribution, and academic fraud. It also includes monographs on success stories in improving management and governance, as well as case studies which facilitate the development of methodologies for analyzing transparency and integrity in educational management.<sup>3</sup>

Within this framework, the IIEP organized an international research and policy seminar on ‘Strategies to improve transparency and accountability in education’ in Guanajuato, Mexico, from 3 to 7 November 2003. More than 20 papers were prepared for this high-level meeting, including contributions by ministers of education and by international experts. These papers identify opportunities of corruption existing within the educational sector of a variety of countries from different regions of the world; they also illustrate successful strategies implemented by some of these countries to limit such opportunities. They are presented in this report.

The IIEP is very grateful to all the authors for their valuable insights and contributions and would like to thank them accordingly. It is also grateful to Anne Pawle for editing the report.

Jacques Hallak and Muriel Poisson

3. An information platform, called ETICO, has also been created within the framework of the project. It is available on the IIEP web site at the following address: <http://www.unesco.org/iiep/eng/focus/etico/etico1.html>.

The presentation of this report was co-ordinated by Muriel Poisson, Programme Specialist at the International Institute for Educational Planning (IIEP) and Jacques Hallak, International Consultant. Anne Pawle edited the final report.

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## List of abbreviations

ADB	Asian Development Bank
AGCCSJA	All-Goa Citizens' Committee for Social Justice and Action
ANMEB	The National Modernization of Basic Education Agreement (Mexico)
BATF	The Bangalore Agenda Task Force
BEP	Basic Education Project (World Bank)
BMC	Budget Management Centre (Cambodia)
BP3	Contributions to schools made by parents (Indonesia)
BRI	Bank Rakyat Indonesia
CAO	Citizen Advocacy Offices (Ukraine)
CERID	Research Centre for Educational Innovation and Development, Tribhuvan University, Kathmandu, Nepal
CET	Common Entrance Test (India)
CIDE (Chile)	<i>Centro de Investigación y Desarrollo de la Educación</i>
CIDE (Mexico)	<i>Centro de Investigación y Docencia Económicas</i>
CIMU	Central Independent Monitoring Unit (Indonesia)
CPI	Corruption Perception Index
CRD	Community Relations Department (Hong Kong)
DBO	Grants (Indonesia)
DF	Federal District (Mexico)
EcoL	Examinations Council of Lesotho
EFA	Education for All

## *List of abbreviations*

EFAG	Education Funding Agencies Group
EFMC	Inter-Ministerial Education Finance Management Committee (Cambodia)
EMIS	Educational management information systems
ESCC	Education Sector Consultative Committee
ESP	Education Strategic Plan (Cambodia)
ESSP	Education Sector Support Programme (Cambodia)
ETICO	IIEP-UNESCO Ethics and Corruption in Education database
GAP	Governance Action Plan (Cambodia)
HK\$	Hong Kong dollars
ICAC	Independent Commission Against Corruption (Hong Kong)
ICT	Information and communication technologies
ICW	Indonesia Corruption Watch
INEGI	<i>Instituto Nacional de Estadística Geografía e Informática</i>
IPAR	Institute of Policy Analysis and Research
IRF	International Renaissance Foundation
ISO	International Organization for Standardization
IVE	School vulnerability index
JUNAEB	<i>Junta Nacional de Auxilio Escolar y Becas</i> (National Scholarship and School Aid Board, Chile)
JUNJI	<i>Junta Nacional de Jardines Infantiles</i> (National Nursery School Board, Chile)
KAT	Karnataka Appellate Tribunal
KRTIA	Karnataka Right to Information Act
LEA	Local Education Authority

LHDA	Lesotho Highlands Development Authority
LMS	Local management of schools
MI	Multiple intelligence
MIS	Management information systems
MKSS	<i>Mazdoor Kisan Shakti Sangathan</i> (group of peasants and workers, active mainly in non-educational sectors in India)
MOE	Ministry of Education
MOEYS	Ministry of Education, Youth and Sport
MOF	Ministry of Finance
MOFPED	Ministry of Finance, Planning and Economic Development (Uganda)
MONE	Ministry of National Education (Indonesia)
MOU	Memorandum of understanding
MTBF	Medium-term budget framework (Uganda)
NAEM	National Academy for Educational Management (Bangladesh)
NCPRI	National Campaign for People's Right to Information (India)
NFE	Non-formal education
NGO	Non-governmental organization
NIEPA	National Institute of Educational Planning and Administration, New Delhi, India.
NTT	<i>Nusa Tenggara Timur</i> , region of Indonesia
OAG	Office of the Auditor-General (Uganda)
OECD	Organisation for Economic Co-operation and Development
PAC	Public Affairs Centre (India)

## *List of abbreviations*

PAP	Priority Action Programmes (Cambodia)
PETS	Public expenditure tracking survey
PISA	OECD Programme for International Student Assessment
PMU	Programme Management Unit (Indonesia)
POF	<i>Plantas Orgánico-Funcionales</i> (rules on staffing levels, Argentina)
PREAL	<i>Programa de Promoción de la Reforma Educativa</i> (Programme to promote educational reform in Latin America and the Caribbean)
PUC	<i>Pontificia Universidad Católica de Chile</i>
QP	Quality procedures (Jordan)
QSDS	Quantitative service delivery survey
QSP	Quality Schools Programme (Mexico)
RAB	Expenditure plans (Indonesia)
RAPBS	School budgets (Indonesia)
RRTIA	Rajasthan Right to Information Act
RTI	Right to Information Act (India)
SAS	Software application support
SCA	School construction advisers
SED	Secretariat of Education of the District (Colombia)
SEP-DGPPP	<i>Secretaría de educación pública</i> (Secretariat of Public Education), <i>Dirección General de Planeación, Programación y Presupuesto</i> (Mexico)
SFP	School feeding programme
SGP	Scholarships and Grants Programme (Indonesia)
SIGP	School Improvement Grants Programme (Indonesia)
SIRH	The human resource information system (Colombia)

SSU	Schools Supply Unit (Lesotho)
SWAp	Sector-Wide Approach
TU	<i>Unidades territoriales</i> (territorial units, Chile)
TVET	Technical and vocational education and training
UNESCO-OREALC	UNESCO Regional Office for Education in Latin America and the Caribbean, Santiago de Chile
UPE	Universal primary education
UPM	Complaint investigation unit (Indonesia)
URMUL	A federation of 14 organizations in northern Rajasthan working largely in the education sector
USAID	United States Agency for International Development
WI	Work instructions (Jordan)

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## Executive summary

There is a wealth of experience in different countries regarding successful approaches to reducing corruption and increasing transparency in the management of the education sector. This book presents a review of some of these initiatives, taken from a variety of domains, including: education financing, teacher appointment and transfer, conduct of teachers, school management, private tutoring, school nutrition, and so on. They are classified into three different categories, namely:

- The creation and maintenance of *regulatory systems*. This involves adapting existing legal frameworks to focus more on corruption concerns (rewards/penalties), designing clear norms and criteria for procedures (for instance, with regard to fund allocation or procurement), developing codes of practice for the education profession, and defining well-targeted measures, particularly for fund allocation.
- The strengthening of *management capacities* to ensure the enforcement of these regulatory systems. This involves increasing institutional capacities in various areas, particularly information systems, setting up effective control mechanisms against fraud as well as promoting ethical behaviour.
- The encouragement of *enhanced ownership* of the management process. This involves developing decentralized and participatory mechanisms, increasing access to information, particularly with the use of ICTs, and empowering communities to help them exert stronger ‘social control’.

This report is based on the contributions made by a variety of authors to the international seminar, ‘Strategies to improve transparency and accountability in education’, organized by IIEP in collaboration with the Mexican Secretariat of Basic Education, in Guanajuato, Mexico, from 3 to 7 November 2003. This research and policy meeting gathered both

international experts and high-level decision-makers from all regions of the world, as well as representatives from ten Mexican states – about 60 people altogether. A panel of ministers (from Cambodia, Ecuador, Lesotho, Mexico, Mongolia and Uganda) started the debates. It gave these high-level decision-makers an opportunity to express their main areas of concern about corruption in education and to describe measures being considered, or taken, by their respective governments to reduce corruption and improve transparency in the use of resources.

Different types of contributions were discussed during the seminar, i.e.:

- Briefs produced by country representatives, summarizing the main areas of concern as regards corruption in education in their own countries. These briefs were discussed during the ‘Show and tell’ session and they are presented in the first part of this book.
- Papers prepared by international experts, presenting innovative approaches and best practices in the field of improving transparency and accountability in the education sector. These are gathered into three thematic sessions: (a) strengthening management capacities; (b) creation and maintenance of regulatory systems; (c) promotion of enhanced ownership of the management process (see above).
- Presentations made by representatives from the host country, Mexico. The opening speech by the Vice-Minister for Basic Education is included in the *Appendices*. The descriptions of the Quality School Programme (which was completed with selected field visits) and of the Citizenship Education Programme are part of the third thematic session on the promotion of enhanced ownership of the management process.
- Main lessons drawn from the debates by participants, with regard to the problems that their respective countries are facing, and in view of the social, political and institutional framework in which they take place. These were presented orally, during the ministerial panel as well

as during the working group reports, which took place on the last day of the meeting. They are reviewed in the concluding section of this book.

IIEP would like to thank all the presenters of the Guanajuato Seminar for their very valuable contributions. It would like to express its gratitude to the several ministers who participated actively in the discussions for their time and commitment. Finally, it would like to express its indebtedness to the Mexican Government for having hosted this high-level meeting.

## *Show and tell*

Country representatives presented their main areas of concern as regards corruption in education, and described the measures being considered, or taken, by their governments to reduce corruption and improve transparency in the use of education resources. Agency representatives also presented their activities in the area of the fight against corruption.

## 1. Cambodia country paper

*Im Sethy\**

I welcome this opportunity to make a presentation at this important conference on Strategies to improve transparency and accountability in education. From Cambodia's point of view, this Conference is very timely. As the Royal Government of Cambodia begins to accelerate its broad education reform programme, it is increasingly recognized that good governance is a critical component of such an initiative. We see transparency and accountability in education as central issues in the implementation of our reform programme.

For this reason, I would like to begin the presentation by outlining the steps being taken in Cambodia to implement a governance action programme. It is important that such reforms be linked to broader governance and institutional reform measures.

After outlining broader governance issues, my presentation will then focus more specifically on the conference topics, including the creation of regulatory systems, the strengthening of management capacity, and the enhancing of ownership of education reforms. All these are specific objectives of the government's education reform programme, set out in the long-term Education for All (EFA) Plan (Ministry of Education, Youth and Sport, Cambodia, 2000), the Medium-Term Education Strategic Plan (ESP) (Ministry of Education, Youth and Sport, Cambodia, 2001*a*) and the Education Sector Support Programme (ESSP) (Ministry of Education, Youth and Sport, Cambodia, 2001*b*).

\* Secretary of State, Ministry of Education, Youth and Sport, Cambodia.

## The strategic context: a good governance framework

Good governance is a key mechanism in translating the efforts of development partners into real benefits for the people of Cambodia. As the government's Governance Action Plan (GAP) (Government of Cambodia, 2002) acknowledges the ability to deliver services to the people of Cambodia, especially the poorest, it nevertheless needs to establish, as soon as possible, effective and well-regulated governance structures, in order to be able to accomplish this task.

Unless the cost barriers for accessing public social services can be reduced, it will remain difficult for the poorest families to take advantage of the available options. In other words, the gap between the better off and the poor could increase with regard to physical and social well-being and income-generating opportunities.

At the same time, it is important to put effective governance structures in place that will enable the private sector and civil society as a whole to play their full part in development. A key question is how best to increase this broad stakeholder participation.

In the mid-1990s, a shift in emphasis took place from good governance towards good governance and institutional reform. This change reinforces the fact that all the stakeholders in development need to create opportunities and share the risks and responsibilities. Broader civil society is a critical partner in development issues, especially in the social sectors where parents and community groups have a tradition of mobilizing financial and human resources to support education activities. The critical governance priorities are perhaps more complex, focusing more on the open exchange of information. Nevertheless, they are just as urgent if the public sector and civil society are to work together to bring about change and reform in the whole range of services needed for development.

Government/civil society partnerships need to be guided by the principle of enabling mutual accountability. The key question is: What measures



are needed to guide, manage and monitor the mutual responsibilities of government and civil society? In other words: What are the governance gaps that need to be filled quickly to strengthen this relationship?

In order to strengthen this sense of commitment to mutual accountability between government and civil society, we need agreed principles and processes. The GAP highlights the four main pillars of these governance principles, which are: (a) greater participation; (b) enhanced accountability/integrity; (c) better predictability; and most importantly (d) a demand for greater transparency. The challenge is that government, other stakeholders and civil society work together to apply these principles in a two-way process.

Another key issue is how best to address the question of *accountability and integrity*. The fundamental issue is the setting of agreed standards for public sector service quality and access, formulating performance indicators and results and putting systems in place to measure and monitor these standards. The government initiative to introduce the results-based Priority Action Programmes (PAP) (Ministry of Education, Youth and Sport, Cambodia, 2002) in a number of ministries is part of this process.

A key capacity-building requirement is to strengthen technical and financial planning, management and accounting/reporting procedures within the line ministries and provincial directorates. In addition, the recent establishment of the National Audit Authority is part of this process. A further requirement is to put in place effective mechanisms for public-sector performance and programme monitoring, and impact evaluation, including that for education.

Another priority for good governance is how to address the relationship between accountability and shared responsibility. It makes little sense for any government to provide additional resources if potential beneficiaries do not take advantage of the opportunities available. For example, parents need to show responsibility by sending their children to school regularly. A

priority is therefore to put the necessary legislation and regulations in place to achieve a careful balance of shared responsibility. At the same time, it will be incumbent on the government and community groups to engender a feeling of joint ownership and responsibility in providing access to high-quality education services.

In Cambodia, a key issue is the strengthening of mechanisms for mutual accountability. Clearly, governments have a responsibility to inform the public of their priorities and expenditures. At the same time, other stakeholders and civic groups have a responsibility to inform themselves with regard to spending effectiveness, so that they have an understanding of the spending priorities that can really make a difference.

## Establishing a broad education governance framework in Cambodia

During the past three years, a number of initiatives have been taken in Cambodia to strengthen capabilities in exercising effective education governance. These activities include: (a) conducting information campaigns to encourage students to enrol (the revised ‘Enrolment without Payment’ campaign run in October 2002); (b) conducting workshops to encourage parental and community involvement at all levels of the system; (c) inclusion of community/commune oversight in the draft school-performance monitoring guidelines as a basis for school/community governance development; and (d) preparation of guidelines for the partnership with NGOs and community groups in policy advocacy, public information and capacity building for the ‘Scholarships for the Poor’ programme.

The Ministry of Education, Youth and Sport (MOEYS) also recognizes that governance development needs to be located within a broad legislative and regulatory framework. A number of key activities and outputs have been achieved in recent years, including: (a) the drafting of initial education legislation and associated regulations as a basis for counselling, thus

enabling legislation to be presented to government; (b) legislation for the quality assurance and accreditation of higher institutions, including capacity-building plans and institutional reforms; (c) the establishment of a new Education Legislation Office, which will take the lead in legislative and regulatory reform; and (d) the issue of MOEYS directives on the code of conduct of school management and teaching staff in early 2003.

The MOEYS intends to carry these initiatives forward into 2003/2004, including improved implementation and monitoring arrangements.

### Focusing on financial governance issues

The Cambodian education reform plans to counsel that financial governance, especially in the strengthening of accountability and transparency mechanisms, is critical. At the same time, our reforms are designed to ensure that financial planning and management processes are both participatory and open to public scrutiny.

In the past three years, MOEYS has taken a number of measures to improve matters in these key areas, including: (a) the establishment of an Inter-Ministerial Education Finance Management Committee (EFMC) as a means of both undertaking participatory and transparent discussions as well as reporting on education finance and budgeting; (b) the use of PAP budgets as a means of participatory and transparent negotiations on programme priorities and departmental responsibilities for financial management; (c) the issue of PAP financial monitoring and accounting guidelines as a means of ensuring mutual accountability and responsibility between MOEYS, provinces and schools on PAP results; (d) the establishment of aid management information systems (MIS), including financial information on support from donors and non-government organizations (NGO) as a way of sharing information between stakeholders for ESSP implementation; and (e) ongoing work on the Provincial Financial MIS and internal audit to ensure transparency and accountability for MOEYS spending, especially for PAP.

The focus of this work has been to link and integrate internal and external accountability as part of a process that leaves the education-sector performance open to judgement and evaluation by other government ministries and partners. At the same time, we recognize that measures to strengthen participation in financial planning and management are equally critical, especially at the district and school levels. Once again, I am pleased to report on a number of recent initiatives, including: (a) the issue of PAP budget allocations for district Budget Management Centres (BMC) and schools to encourage parent-school participation and consultation on how the money should be spent; (b) posting PAP budget allocations in school offices and certain of the commune offices to share information on PAP spending decisions as part of shared accountability; (c) sample financial monitoring of district BMCs and school accounts for PAP to improve accountability; (d) sample internal audits of PAP accounts by the Inspectorate General to ensure compliance with spending guidelines; and (e) development of school-performance monitoring guidelines that are designed to relate spending decisions to school development plans.

In Cambodia, these reforms are still at an early stage and, as a first step, we are focusing on building up management capacity to implement new legislation, regulations and guidelines.

## Strengthening institution and capacity building

A central objective of education reforms in Cambodia is to strengthen capacity for the decentralization of education as part of better governance in the education sector. Over recent years, MOEYS has developed comprehensive and sequenced capacity-building programmes to achieve this objective. For example, in 2002, with donor assistance, we estimated that around two to three million United States dollars were spent on capacity building of management in the education sector.

I am pleased to report on a number of key achievements in the strengthening of education institutions and their capacity to manage improved

education governance processes. Some key recent initiatives include: (a) the formulation of long-term capacity-building plans for 20 departments and directorates covering general education, administration/finance, general inspectorate and higher education/technical and vocational education and training (TVET)/teacher training, completed in late 2002, with multi-donor assistance; (b) capacity-building assessments and identification of initial priorities for 24 provincial education departments, completed in early 2003; (c) capacity-building assessments for school/cluster network development, followed by preliminary operational planning over the period dating from late 2002 to early 2003; and (d) the strengthening of planning and management information systems for specific departments (e.g. personnel, primary, secondary, non-formal education (NFE), finance).

MOEYS has paid significant attention to strengthening information systems for better planning, management and monitoring. This is a priority for both the recurrent budget process and capital spending on school facilities. For example, in responding to the expanding Education Facilities Programme, MOEYS has taken steps towards establishing strengthened facilities for planning and management in a number of ways. These include: (a) further development of school mapping and MIS as a basis for the identification of primary and secondary building priorities; (b) piloting decentralized education facilities for planning and management in a number of provinces, including the approval of operational guidelines; and (c) enabling the increased participation of community groups and private individuals in supporting school construction (e.g. through flooded-school rehabilitation; community-mobilized, low-cost secondary school construction).

In this way, the improved Facilities MIS provides a mechanism for increasing transparency in the selection of priorities for school construction. Through a related Facilities Financial MIS, we are strengthening financial transparency and accountability in how these building resources are being utilized.

In order to improve information exchange at all levels, MOEYS has also paid increased attention to the use of ICT strategies in educational management. Key activities in the past 18 months have included: (a) the strengthening of provincial finance management through provision of ICT equipment (computers, fax, etc.) and related training for all provincial offices on PAP BMC management; and (b) the preparation of an initial information and communication technology (ICT) policy and strategic framework, which forms the basis for identifying ICT priorities in the medium to long term as part of decentralization planning within the EFA planning initiative of early to mid-2003.

In 2003/2004, the intention of MOEYS was to strengthen this capacity even more by establishing a national ICT network, particularly for e-mail, between all central and provincial departments. The ability to exchange information openly and quickly would further add to the transparency of the educational planning and decision-making processes.

Another priority in the development of the Cambodian education system is to strengthen the ethics and values that underpin behaviour at all levels. Without a shared understanding of the code of conduct expected, it will be difficult to implement and sustain education governance reforms.

A number of recent initiatives include: (a) clearly setting out the roles and responsibilities involved at all levels of the new education law, which it is hoped will be approved in 2004; (b) the issue of sub-decrees and administrative guidelines on the code of conduct for school directors and teachers, especially those relating to informal payments by parents in 2003; and (c) the strengthening of financial accounting and reporting systems, with regular inspections and audits to assure compliance with procedures agreed upon in 2003.

In the medium term, this focus on the ethics and values of the education system will be a growing priority.



## Enhancing ownership and participation

The education reform process is based on recognition of the critical need for broad ownership and an understanding of priorities and resources. In particular, education reforms need to contribute to the government's broader development reform process, especially in implementing the National Poverty Reduction Strategy (NPRS). As indicated earlier, better governance is critical to pro-poor education reforms.

Therefore, in 2003 there has been substantial linkage between capacity-building initiatives and broader government reforms. Key activities have included: (a) participation in the drafting process of the NPRS, and ensuring all education priority action programmes have a strong pro-poor bias; (b) negotiations with the Ministry of Finance (MOF) on strengthening financial management procedures through the EFMC (an inter-departmental working group has been proposed to strengthen financial planning procedures in preparation for EFMC meetings); (c) improved links between the MOEYS Internal Audit Office (IAO) and the National Audit Authority (NAA) (drafting and signature of internal regulations and guidelines for the carrying out of the IAO procedures); and (d) a planned working group on teacher supply/demand and staff administrative reforms linking broader national administrative reform initiatives.

In addition, the EFA planning process has also provided new momentum for greater ownership and capacity building, including: (a) the drafting of an EFA Plan of Action through the EFA Secretariat in MOEYS, with responsibility for inter-ministerial co-ordination, especially by putting emphasis on gender equity through collaboration with the Ministries for Women's and Veterans' Affairs; (b) collaboration with the Ministry of the Interior and with the newly established Commune Councils to promote governance and local responsibility and participation in the education process; and (c) the design of a follow-up study on micro-planning at the community/school level, incorporating potential new roles for district and commune EFA committees as from mid-2003.

MOEYS continues to recognize the importance of strengthening sector, programme and institutional monitoring and evaluation systems. These systems are pivotal to the ESP/ESSP and EFA rolling programme approach, where the lessons learned can be fed back into strategy and programme adjustment.

MOEYS has directly responded to these recommendations in a number of ways: (a) by the preparation of a programme for monitoring guidelines, including the initiation of priority orientation and training workshops at central and provincial levels as part of a series of PAP impact- and activity-monitoring reports required for the ESSP review, 2003; (b) by integrating a central and provincial performance management and monitoring capacity-building strategy, including co-ordinated institutional assessments and proposals for priority interventions; and (c) by extending the MOEYS's poverty impact assessment and monitoring process through a detailed study on the impact of ESSP 2002 and the preliminary findings for the ESSP review, 2003.

In addition, initial planning of the operational research programme has enabled the strengthening of links with the NGO Education Partnership (NEP) for programme monitoring and the learning of lessons for the ESSP strategy review.

### Forward looking: key challenges in strengthening transparency and accountability in education

Despite significant progress, MOEYS recognizes that a number of key challenges lie ahead, particularly related to improved financial governance for education. I would now like to highlight some of these challenges, including the improvement of accountability:

- How do we ensure mutual accountability with the MOF so that MOEYS budget allocations produce value for money and results?



- How do we make sure that MOEYS departments are made accountable for effective spending of operational funds and accurate reporting?
- How do we make sure that departments, provinces and schools follow the agreed financial guidelines and spend on the agreed priorities?
- How can we ensure that provincial education departments are made accountable for spending the MOEYS's budgets on priorities and share responsibility for improved provincial education performance?

At the same time, we recognize that other questions need to be addressed quickly to improve transparency and mutual accountability, especially:

- What steps can be taken to make MOEYS feel accountable to other stakeholders for MOEYS spending decisions in a transparent and participatory way?
- How can we speed up delegating more authority to the provinces for taking responsibility and becoming accountable for MOEYS spending decisions?
- How can we improve mutual accountability with donors and NGOs for the results of the ESSPs?

At the district, school and community levels, we face a number of difficult challenges. These need to be addressed urgently if we are to ensure that our pro-poor education reforms are effectively implemented. These challenges include:

- How can we make school directors and parents' committees more accountable for government and parental spending on education in schools?
- Do we need to regulate parental contributions, and what are the potential costs and benefits of doing so? Moreover, how could we do it?
- How can we improve the dissemination of financial information at the school/community level as part of better accountability?
- How can we make school spending decisions more flexible, without losing the focus on agreed priorities?

MOEYS is currently examining various strategies to address these key education governance issues.

Finally, Cambodia is looking forward to hearing from other countries on how these often difficult issues are being addressed. We are aware that although some of these issues may be unique to countries like Cambodia, we can learn important lessons from our regional and international colleagues in educational development.

## 2. Jordan country paper

*Sami Al-Majali\**

The aim of any public or governmental constitution is to establish a culture of integrity, validity and trust. This aim is rooted in the development of its instructions, regulations and procedures so that they will be effective and systematic enough to produce the best practice, inclusive of such elements as accountability and transparency. The Ministry of Education (MOE) of Jordan hopes that by supporting these values, an excellent service will be provided to those who are on the receiving end. This should result in increased social and economic development.

In fact, accountability and transparency are inseparable. Indeed accountability is a form of transparency. Transparency leads people to look at results, and this leads to accountability.

### Accountability in MOE, Jordan

Accountability is an important concept in the management of education. It has gained credence in many states throughout the world. Accountability means being required to give an account of events and behaviour to those who have a legitimate right to know.

#### *The concept of accountability*

Accountability occurs when an individual's actions come under review, and when that person receives a higher or lower degree of sanction if their performance does not come up to standard.

\* Director of Monitoring, Inspection and Quality Assurance Department, Ministry of Education, Jordan.

### ***Forms of accountability in MOE, Jordan***

Accountability in public governmental inspection is necessary in the various spheres of managerial, legal, financial, professional and internal or external auditing.

#### ***Managerial and financial inspection***

The notion of accountability has been applied in MOE, Jordan, by studying all the complaints received before taking a decision. We try to make sure that the various measurable tools available have been accurately and subjectively applied. If not, we then approach that person or those people who ignored the relative laws and instructions when taking the final decision. There are two divisions in MOE that are responsible for dealing with complaints and the resulting sanctions as well as with promotions. They are there to make sure that all educational departments and services implement the instructions and the decisions relating to them. Co-ordination also takes place between internal auditors in the MOE and the external auditor.

#### ***Legal accountability***

Employees, legally termed as ‘assistants’, are required by contract to perform the tasks set out for them, and are held accountable to MOE. The political administration has the right to control and inspect their behaviour. In cases of misdemeanour, sanctions are applied to employees as stipulated by law. As a result, certain cases result in court hearings.

Where performance is bad or poor, the case is referred to the Minister, who, after studying and analyzing whether a misdemeanour or crime has been committed, applies the appropriate sanction. The sanction procedure involves first informing the individual, then issuing a warning, then eventually terminating employment.

### ***Professional accountability***

The employee is first given a one-year probation period. After this, the MOE promotes its employees by evaluating their performance over this period by using standards and special measurable tools. If the employee's performance results in a good mark, the employee will be promoted. Otherwise, he/she might receive a penalty.

MOE has developed a sliding-scale evaluation system for teachers, according to their rank, and a separate evaluation system for employees. Teachers will only be granted a promotion if they have proven abilities as teachers. They are first ranked as assistant teachers, then as beginning teachers and eventually as experienced teachers. Additional experience is taken into account.

The teacher is also responsible for achieving the MOE's aims. Teachers are held accountable for outcomes, and the process leading to those outcomes. They also have professional obligations that embody the set codes of practice and values that can provide their pupils with an example.

### ***Internal and external auditing***

Auditing is considered to be a form of accountability. It is one of the most important requirements in obtaining quality. It was adopted by MOE in 1999 and, as a result, obtained an International Organization for Standardization (ISO) certificate (number 9001: 1994).

MOE intends to continue developing its instructions and procedures by adopting ISO 9001: 2000. ISO requirements are implemented and applied in the ministry, its centres, and other educational services.

MOE implemented the internal auditing systems as an important requirement in order to ensure quality and to assess the efficiency of the systems applied, the work instructions (WI), and the quality procedures (QP). The results of auditing have been documented for review and reference. By reviewing the WI and the QP, MOE is able to develop its performance.

Internal or external auditing allows us to discover weaknesses, to control processes so as to find out whether instructions have been applied or not, and whether decisions have been taken to induce corrective or preventive actions.

External auditing follows the process of internal auditing; it is implemented every six months. External auditing is implemented by a team of external auditors to make sure that the ministry has applied the quality assurance systems.

### ***Transparency in MOE, Jordan***

MOE adopts the transparency principle to obtain the best results. Transparency is represented by several basic criteria. These are: processing criteria, leadership criteria, human resources criteria, and knowledge and information technology.

#### ***Processing criteria***

These criteria include a clear procedure for staff and clients. Opinions of the public, the private sector, and investment mentors are taken into consideration when designing and applying public policies and when curricula and textbooks are approved. The Educational Board consists of members chosen from outside MOE, and it transforms suggestions into practical procedures. The board meeting takes place in an informal manner. This means that decisions are not restricted to the ministry and its staff.

MOE listens to the comments and suggestions made in the Jordanian Deputy Council (lower house). A committee within the Deputy Council works closely together with MOE.

The ministry also takes an interest in the comments and suggestions of the media (television, radio, journals), translating them, where necessary, into practice. The MOE General Directorate of Public Relations undertakes the task of preparing a daily journal, which includes essays and comments

on articles relating to education published in the Jordanian Press. The journal is then distributed together with a description of related procedures and instructions to those interested, who are invited in turn to give their comments and suggestions to the ministry.

Instructions are dissociated from the basic principles in individual educational laws and acts. New systems, and the related instructions, are eventually published separately, categorized and indexed in book form, together with the modifications of laws and acts.

Nowadays, information is available on a wide range of subjects via the Internet, including information technology, new communications, the media or the learning of electronics. It is even possible to change jobs without having to move to obtain information.

### ***Human resources criteria***

These criteria include expectations with regard to staff performance and a regular feedback to staff about their own performance. The annual report of staff performance includes information on leadership, and the ability to develop annual reports is an element in promotion. The annual report promotes transparency by monitoring performance.

These criteria include transparency in human resources with regard to the delegation of authority and responsibility. The Minister delegates his authority to the general directorates in the ministry centres and to the specialized directors in the field, as well as to principals. The Secretary-General also delegates authority to these groups, which are inscribed in acts and laws.

### ***Knowledge criteria***

These criteria are usually displayed clearly by disseminating information through the Internet. Thus the ministry seeks to provide a high-quality service, which enables its staff to obtain factual information.



Rapidly obtainable statistical data are made readily available, improving the quality of the work. This database is being extended and generalized. The ministry also hopes by this means to provide a clear view of certain issues relating to education and the decisions that need to be taken. Efficient information systems can help decision-makers and work teams not only in their performance, but also in their problem solving.

### ***Leadership criteria***

Transparency in leadership is characterized by open-mindedness, honesty with staff as well as with clients. The ministry attempts to transmit this concept by means of various workshops and brainstorming seminars. Participants benefit from this pooling of ideas in order to reach decisions, and depend on the opinions of its experts specialized in educational affairs.

MOE has a planning committee, which is composed of staff from the General Directorate, from the MOE's centres and the directors of the Directorate in the field. This committee is chaired by the Minister of Education and meets on a weekly basis. It has a specific agenda, which includes several educational subjects. As a result of discussions amongst its members, various programmes and decisions are approved. The chairperson of the committee does not have the right to decide on its behalf, and the process is transparent.

Members of staff have the possibility of obtaining home or foreign scholarships, promotions, a change in post or career breaks of all types, whether they be for sickness or taken without salary, etc.

The role of each staff member is specified by MOE according to the number of points collected. Information concerning scholarships, staff movements and staff points is available so that staff have the right to object if they consider anything to be unfair.



During the year, the ministry has shown an increasing interest in focusing on those who receive these services as it has led to an increase in trust and confidence. In addition, it helps in the formulating of better governmental policy by encouraging those who receive these services to express their opinions, which improves the process of decision-making.

MOE started to collect information in 2002 by means of questionnaires that were distributed throughout the offices, and the feedback was studied. Members of staff give information and guidance to individuals who visit their offices and help them to save time by simplifying procedures. The ministry also had a box for complaints and suggestions. The Director in charge of complaints would study them, give suggestions and try to resolve them and find solutions within a period of about two weeks.

### ***Transparency as a tool of accountability***

Transparency is considered a tool of accountability because its presence enables the public to be informed of the results of certain actions. Governmental obligations to the public encourage participation and the use of governmental information. Transparency has to be made possible with regard to both procedures and finance.

### ***Procedural transparency***

The services available, as mentioned above, have to be effective. Having sufficient and precise information improves decision-making.

### ***Financial transparency***

Transparency exists with regard to the evaluation systems and serves as an indicator for planning in MOE. It has enabled the implementation of financial transparency. It is used as a tool for evaluating financial decisions and feedback concerning these decisions. The ministry has applied two kinds of standards in auditing:

- Public governmental auditing, where international standards are adopted. These are applied to auditing by means of a comprehensive system of control, using financial tests and organized financial processes as well as the reports on those processes that are available in MOE's centres and schools. This process is carried out by means of preventive inspection by the inspection directorate, which is directly linked to the ministry, thus ensuring its independence.
- In order to ensure clarity and transparency for the external auditors from MOF, MOE facilitates this process by informing and co-ordinating the co-operation of MOE's directors.

### 3. Lesotho country paper

*Archibald Lesao Lehohla\**

The Kingdom of Lesotho is a small, mountainous country in southern Africa. It covers an area of 30,355 square kilometres and is bordered on all sides by the Republic of South Africa. The country gained independence from the United Kingdom in October 1966. In 1970, following the first post-independence elections, the Constitution was suspended and this state of affairs prevailed until 1993, when there was a return to normalcy, following the adoption of a new Constitution and the holding of free and fair general elections.

As a young, fledgling democracy, Lesotho is committed to the principles of good governance, accountability, transparency and the participation of people in decisions that affect their lives. The core values are reflected in various government documents and are fundamental to the realization of its vision and development goals. According to its 'Vision 2020':

Lesotho shall be a stable, democratic, united, prosperous nation, at peace with itself and its neighbours. It shall have a healthy and well-developed human resource base. Its economy well-established ...

This is very ambitious indeed and, in order to achieve this, the government has set itself the following goals: (a) to enhance economic growth; (b) to reduce poverty; (c) to improve human resources; and (d) to spread democracy.

The Government of Lesotho understands that corruption is easily spread, and that if left unchecked could frustrate its development efforts.

\* Deputy Prime Minister, Ministry of Education and Chair of the Caucus of Ministers, Lesotho.

Similarly, the realization of the above aspirations could remain a mirage. Corruption is evident in both the public and private sectors. The most common forms of corruption include bribes, sexual favours, fraudulent behaviour, employment of ghost employees, abuse of public property and inefficiency in the public service.

In 1999, in order to curb corruption, the Government of Lesotho enacted the Prevention of Corruption and Economic Offences Act; the first anti-corruption law in the history of the country. Amongst other things, it provided for the establishment of a Directorate on Corruption and Economic Crime, made provision for the prevention of corruption, and conferred power on the Directorate to investigate suspected cases of corruption and economic crime.

A further testimony to Lesotho's resolve to stamp out corruption was the landmark disciplinary hearings against the Chief Executive of the Lesotho Highlands Development Authority (LHDA), the civil proceedings against him, and his subsequent dismissal. The Attorney-General of Lesotho, Maema, stated that the picture that had emerged was of a level of corruption unprecedented in the history not only of Lesotho but also of southern Africa. Over a number of years and, in fact, right from the inception of the project, overseas contractors and consultants have been seen to have made transfers of enormous amounts of money through intermediaries in Switzerland, whilst seeking contracts on the water project. A series of cases followed against the recipient of the bribes, the consultants/contractors involved and the intermediaries. The outcome has been favourable, and this has been a very useful learning experience, not only for Lesotho; it has also been an important lesson in the international effort in fighting corruption.

Lesotho has two main resources: its human capital and its water. For this reason, Lesotho places a high premium on the development of its human resources. While the majority of schools in Lesotho are owned by the churches, the government, through MOE, is responsible for the administrative, financial and academic control of the formal education

and training system. It therefore carries out the following important tasks: the training and payment of teachers; the formal approval of teachers' appointment, dismissal and deployment; the administration of examinations; the review of curricula; school inspection; and the regulation of the opening and closing of schools. The government is also increasingly assuming responsibility for provision of the infrastructure in the form of buildings, furniture and equipment.

In 2002/2003, the Government of Lesotho spent 22.4 per cent of the national recurrent budget on education. It is therefore crucial that the money allocated to the sector be both fully accounted for and wisely used.

## Construction of schools, repairs and their use

The Government of Lesotho has committed itself to expanding the Free Primary Education Programme to Universal Basic Education.

Infrastructures, including school buildings, are being rehabilitated and equipped. In the last three years, for example, the government has undertaken both the supply of school furniture and equipment to 1,186 classrooms in 218 primary schools, and the construction of 26 secondary schools.

This, in itself, is a challenging task, where many of the stakeholders – contractors, material suppliers, workers – seek to take advantage of the situation. In Lesotho, our response to this has been quite clear and publicly transparent:

- First, the government has issued clear guidelines that have to be strictly adhered to with regard to the procurement of civil works. The government has made sure that all school-construction projects are open to public tender. Contractors may also challenge any awards that they feel do not comply with the rules.
- Second, the government has developed criteria for the evaluation of contractors in order to ensure that only those with a background of honesty in the industry may be allowed to conduct business.

- Third, to ensure quality in the delivery of the product, specific building standards have been established against which all work in school construction is measured.
- Fourth, the government has established a construction inspection team that makes sure that the qualitative standards are in no way compromised.
- Fifth, it is realized that reform initiatives and a move towards decentralized forms of school governance and management largely depend on the levels of support of not only the students, but also the parents, the employers, and the entire community of which the school is an integral part. The government tries to make a point of involving these groups as a further step towards strengthening transparency in its school-construction system.

The government realizes that the above measures are insufficient and seeks to organize an even more effective and transparent process. Thus, it undertakes to carry out the following: (a) the reform of both the procurement regulations and the Tender Board, the latter's operations needing to be beyond reproach; (b) the introduction of value-for-money procurement principles – these will become entrenched as soon as the new governance system in the education sector (and indeed throughout government) becomes operational; and (c) encourage greater involvement of the communities that benefit from government projects so that they may act as watchdogs with regard to the quality of the delivery of services (this will be achieved by requesting the appropriate feedback).

## The teaching service

Sometimes cheques have been made out to people who are no longer in the teaching service. This is usually brought about by delays in getting feedback to the information system on teacher movements; sometimes these are deliberate. Certain principals and managers at local level have been known to use these cheques for their own personal use. To counter

this, the Teaching Service Regulations 2002 (Government of Lesotho, 2002) were promulgated. Under Regulation 29, any discrepancies caused by unauthorized absence, transfer, resignations, deaths or any other cause must be reported on a monthly basis to the Teaching Service Department. To facilitate this, the department has introduced a carbon-copy register of cheques and monthly vouchers disbursed, the receipt of any of which have to be acknowledged by the signature of the recipient and certified by a manager or principal.

While this has curbed the problem at school level, it still leaves room for corrupt officials at the department level to tamper fraudulently with the unclaimed cheques. Sometimes, the officials or local managers deliberately defer the date of termination of service so that teachers continue to be paid even after they have left the service or even when they are deceased. In some other cases, the inverse happens, whereby the contract forms are filled out in such a manner as to reflect a much earlier date than their actual engagement. This usually involves complicity between the departmental officers and the principals or managers.

At departmental level, the clerks have a way of reactivating 'ghost' employees in the payroll system. The department tries to minimize this by designating senior officials to take charge of the payroll-data management and of certain sections of the payroll.

While most of the corruption in the teaching service is attributable to fraudulent behaviour, as explained above, nepotism in appointments at qualified and administrative teacher level is rife. Not all jobs are advertised and this permits irregularities. Heads of departments are often appointed by favour rather than merit. The Teaching Service has since introduced appropriate guidelines for managers, and these have led to the reduction of such instances.



## Book supply

MOE has been operating a successful primary book-rental scheme since the mid-1980s and the Schools Supply Unit (SSU) was set up to monitor the scheme. One of the functions of the SSU field office is to identify book-rental defaulters and to persuade them to make prompt payments into the revolving fund. Some of the SSU officers have been found to collect money from the schools and, instead of depositing it in the SSU account, have misappropriated it. To correct this, teachers are required not to pay the money directly to the officers, but rather to deposit it at the nearest bank. For teachers who collect the rental fee but fail to remit it to the SSU, a system has been put in place to recover the money by monthly deductions from the teachers' salaries. The SSU also plans to intensify school visits to encourage prompt payments of the funds collected.

In certain primary schools, it has been discovered that some stationery items such as notebooks have been given to relatives of principals of secondary schools. The SSU management now labels them individually, stating that they are for primary education and not for sale.

Another area of corruption is to be found in the selection of textbooks, which is carried out by subject panels, chaired by subject specialists at the Curriculum Centre. The National Curriculum Committee has to ratify the selection before it is finally approved by the Minister. These are indications that certain of the subject specialists connive with publishers and try to influence the panels that are under their control to select specific books. MOE is trying to counter this by introducing a new evaluation and selection system that is more transparent and competitive. It will require the selection of at least two titles per subject so that schools can select the one that they prefer. This is particularly important now that the book-rental scheme is to be introduced into secondary schools by the ministry.



## Examination and assessment

The motto of the Examinations Council of Lesotho (EcoL) is: “Commitment to standards and opportunities”. It strives to create opportunities for all, whether at school or not, and ensure that the examinations meet the appropriate international standards and that the capacities of the candidates are developed to meet these standards. It is affiliated to the University of Cambridge Local Examinations Syndicate (UCLES) for ‘O’ Level examinations and the Lesotho and Swaziland Examinations Syndicate for Junior Certificate examinations.

With regard to examinations, common irregularities and malpractices that may lead to corruption include: (a) opening the wrong question papers; (b) opening a question paper before the examination has begun; (c) breaking into the principal’s office and strong room; (d) selling old question papers that are forged under the pretext that they are current; (e) teachers copying for candidates; (f) copying by candidates; (g) teachers marking their own students’ papers or those of students to whom they are related; (h) forging certificates; and (i) one person writing on behalf of another candidate.

Measures taken to curb such irregularities and malpractices include:

- Principals and invigilators are encouraged to place the question papers in their strong rooms in date order. Subjects written last are placed at the bottom and those written first are at the top.
- In the event of a wrong question paper being opened, schools are expected to return the package to the Examinations Council immediately.
- Schools are required to build strong rooms so as to provide maximum security for the safeguard of the question papers. This can be done by encasing an ordinary cabinet in bricks and fitting it with a burglarproof door. Schools without strong rooms have to arrange for the question papers to be collected from EcoL or the District Education Offices on the day of the examination.

- Radio programmes help to warn the public and schools about incidents or forged papers. A teacher is not allowed to invigilate the students whom he/she has taught, or to select them out for special treatment.
- The Education Act of Lesotho (Government of Lesotho, 1995) provides for punishment for both teachers and students who may be involved in malpractices. Imprisonment is one of the punishments that may be imposed upon a teacher.
- Conference marking has been adopted, whereby markers of a particular subject mark together in the same room. During the distribution of examination papers, care is taken to ensure that teachers do not mark their own students' papers. There are several rules to be adhered to in marking, such as making sure that everyone starts and finishes the examination at the same time.
- The presence of mediators (senior team leaders/team leaders) serves to countercheck markers to make sure that the principles of fairness and impartiality are maintained.

The following measures have been introduced to safeguard the integrity and authenticity of our certificates: all certificates have a watermark; subjects listed on the certificates are grouped in a specific manner and have a special format. They also contain the names of the signatories of the certificate.

Since falsification is mostly undertaken by private candidates, the council emphasizes the need for recently taken photographs for identification purposes. It also plans to introduce surveillance systems in the EcoL examination centres.

## Conclusions

In conclusion, as we all know, corruption is an international evil and a matter of global concern. This is evidenced by the high level of interest and participation in this seminar. I have tried to share with the international community Lesotho's experience as a country in trying to combat corruption

at all levels – at institutional and at government levels. The role of legislation cannot be overemphasized. At the same time, both the judicial system and the law enforcement agencies have to be strengthened.

We believe that the Prevention of Corruption and Economic Offences Act will go a long way towards addressing the problem. This has already proved useful. It is also our belief that, more than anything else, education is the main weapon to be used in the fight against corruption. The need to provide our youth with the appropriate knowledge, skills and attitudes is more urgent than ever. We need to build a civil and conscientious society.

## 4. Mongolia country paper

*Ayurzanyn Tsanjid\**

In order to talk about the issues related to transparency and accountability in the education sector, let us first briefly describe what we mean by these terms. Transparency and accountability in the education sector mean the transparency and accountability of educational policies, activities, and the control mechanism.

To practise transparency we need to be able to deliver timely information to the stakeholders, provide the public with accurate information, and make sure that information is properly used. We also need to ensure that legal and related documents reach the decision-makers on time, and that these laws are enforced and converted into actions.

MOE organizes various types of workshops and seminars for decision-makers in the education sector in order to discuss the improvement of the methodology and skills of teachers, as well as the upgrading of their professional qualifications. Teachers should be involved in this work so that they are able to reflect the ministry's policies and actions in the schools. It is also necessary for teachers to improve their knowledge of law so that they have a better understanding of the legal documents that relate to the education sector.

Issues relating to the overall conduct of teachers are very important, as specified in the Education Law (Government of Mongolia, 2002a). In connection with this, a rule on authorizing the teacher's right to teach has been approved, and is now being enforced. However, if a teacher shows dishonesty, this right could be withdrawn.

\* Minister of Education, Culture and Science, Mongolia.

In Mongolia, as in many Asian countries, people generally show great respect towards teachers, but it is unacceptable that teachers take advantage of this and use their positions of trust to override the pupils' own rights. They should neither behave in an unethical manner nor take bribes. The relationship between the teacher and pupil is a very important factor in the smooth functioning of educational activities. The teacher can have a great influence over the pupils' conduct. The rapid development of ICT and easy access to knowledge, however, has led to some showing contempt for their teachers. It is, nevertheless, difficult for teachers in rural areas, in a country as big as Mongolia, with its small and scattered population, to keep up to date. Unfortunately, this can have a bad effect on the children's work. Therefore, we need to focus on the improved training of such teachers and on making sure that they are kept well informed.

One of the articles contained in the above-mentioned Education Law stipulates that educational organizations are allowed to receive voluntary donations that are to be put towards a fund to be used for educational activities. Instead of this, these funds are sometimes used for private purposes. This kind of phenomenon must be eliminated from the education system. It is the ministry's policy to use such funds for the improvement of educational facilities in schools and kindergartens, and a report on the work undertaken should be submitted to the contributor. However, the lack of a report leads to corrupt practices. Though the school authorities have an important role to play in preventing the misuse of resources, parents must also be vigilant and exercise control over the use of funds.

Issues relating to increasing the sense of responsibility of educators and improving the ethical behaviour of the teachers should be addressed within the framework of the implementation of the goals and objectives as set out in legislative documents such as the Universal Declaration of Human Rights (United Nations, 1948*b*), the Convention on the Rights of the Child (United Nations, 1989) and the Human Development Report's Millennium

Development Goals (United Nations, 2003). We must also make sure that any additional funds allocated to the education sector result in more efficiency and better use of human resources.

In 2002, the Institute of Education conducted a study on the stakeholders in the education system as well as policy implementation and cases of corruption. Among the respondents, 45.4 per cent were students, 13.2 per cent civil servants, 7.3 per cent teachers, 6.6 per cent directors, 4.6 per cent scientific workers, 9.2 per cent pupils and 7 per cent methodologists. The others were study managers, heads of departments and deputy principals. The study points to a number of types of corruption – such as those concerning revenues, donations, fees, payments for field trips, and the selling of textbooks, etc.

As for the scope of the corruption, over half the respondents answered that most of the corruption occurred by the giving of bribes for: (a) recruitment into educational organizations; (b) successful graduation from tenth grade; (c) getting children into good schools; (d) obtaining educational certificates illegally; (e) school entrance; and (f) promotion to the next grade.

Thus, we need to study what leads to corruption and try to solve the problem within a legal framework. More in-depth studies should be carried out, and appropriate steps should be taken to eliminate corruption from the education sector.

Public sector reform plays a key role in improving accountability and transparency in the education system. Thus, the newly approved Public Sector Management and Finance Law (Government of Mongolia, 2002b) should have a big impact on improving transparency. According to this law, the Minister of Education, who is in charge of the education sector's overall budget, sees to it that, at the end of the fiscal year, the general managers make purchases on behalf of the education authorities, which meet specific

performance criteria. Financing is based on the actual tasks accomplished and, in order to improve the effective utilization of the budget, promotions can be given or benefits awarded where deemed appropriate.

An anti-corruption council has now been set up under the ministry in order to apply the anti-corruption measures that have been incorporated into the education sector's national anti-corruption programme.

## 5. Uganda country paper

*Oryem Okello\**

Ensuring transparency and accountability in the conduct of both public and private affairs is a necessity in any society. This is mainly so for purposes of utilizing scarce resources equitably, efficiently and effectively. We should be mindful of the fact that, because resources are not elastic, competition for these will always be high.

In Uganda, the principles of transparency and accountability are embedded in the Constitution (1995), which, in Chapter 9, is very clear about the responsibilities for ensuring the accountability of parliament and persons holding political and public offices. These principles are strengthened further in the Public Finance and Accountability Act (Government of Uganda, 2003*a*).

In addition, the Constitution outlines the powers enjoyed by the various government institutions, including the Office of the Auditor-General and the Inspectorate of Government (Ombudsman) in promoting transparency and accountability in the conduct of public affairs and especially in the management of public resources. A Leadership Code of Conduct has been enacted (Government of Uganda, 2002) to regulate the conduct of public officers.

Other important statutory and policy measures include the Treasury Accounting Instructions (Finance) (1991), the Public Procurement and Disposal of Public Assets Act (2003), and Guidelines, Public Service Standing Orders, the Local Governments Act (1997), and the Financial and Administrative Instructions regularly issued by the Ministry of Finance, Planning and Economic Development (MOFPED).

\* Minister of Education and Sports, Uganda.



## Transparency and accountability in the education sector

Interventionist measures and the strategies that are employed by the Ministry of Education and Sports in Uganda to promote transparency and accountability are offshoots of the overall national legal and policy framework outlined above. The strategies or mechanisms that have specifically been designed or adopted to promote transparency and accountability within the education sector are as follows:

### Strengthening partnerships under a Sector-Wide Approach (SWAp)

The Sector-Wide Approach (SWAp) covers all government activities (i.e. Ministry of Education and Sports), donors (hereafter referred to as the Education Funding Agencies Group or EFAG) and other stakeholders (including professional groups, education institutions, local authorities, civil society, NGOs and the private sector) for which a single strategy has been developed.

The education sector was the first to embrace a SWAp in Uganda, in 1997, in order to: (a) harmonize the interventions of all stakeholders and remove overlapping, duplication of effort and unco-ordinated interventions (promote unity of direction and purpose); (b) reduce transaction costs in time and money; (c) enhance transparency and accountability through the participation of all stakeholders in education sector activities; (d) promote a holistic and forward planning and funding approach to education sector activities, guided by an Education Strategic Investment Plan (ESIP) and the Medium-Term Budget Framework (MTBF); and (e) provide common accountability, reporting, monitoring and evaluation frameworks.

## Promoting transparency and accountability through the institutional framework for implementing the SWAp

### ***Top management***

The SWAp is undertaken through an institutional framework, at the apex of which can be found the Ministry's top management that is empowered to make decisions and/or approve policies. It is chaired by the Minister of Education and Sports, and attended by all ministers of state, the Permanent Secretary, directors and heads of departments.

### ***Education Sector Consultative Committee (ESCC)***

Just below the top management is the Education Sector Consultative Committee (ESCC), chaired by the Permanent Secretary. It holds bi-monthly meetings intended to build consensus between the government and EFAG on what constitutes acceptable progress. ESCC also performs the role of an early warning system, alerting partners to problems with meeting the performance indicators and/or standards, and to ratify necessary changes.

### ***Departmental working groups***

At the lowest level of decision/policy formulations are the various departments (pre-primary and primary, secondary, teacher education, higher education, special needs and business, TVET). These oversee, within their respective areas of jurisdiction, the process of consultation with stakeholders, which generates policy proposals for consideration and provides feedback on the implementation of existing policies. This, in itself, promotes transparency and accountability.

### ***Education Funding Agencies Group (EFAG)***

All donors who provide financial and technical support to the education sector meet in order to improve co-ordination under a coalition referred to as the Education Funding Agencies Group (EFAG).

EFAG holds monthly co-ordination meetings and organizes an annual retreat. To the latter may be invited the Permanent Secretary (or relevant officers) to clarify issues of interest or concern that may not have been exhaustively discussed during the ESCC or other related meetings.

EFAG has institutionalized the office or role of EFAG Co-ordinator. This is rotated amongst its membership. The EFAG Co-ordinator also communicates technical notes to the participants that contain considered views or opinions on various subjects of mutual interest or concern. The subject matter is normally highlighted and the technical notes are serialized for ease of reference.

### ***Education Sector Reviews (ESRs)***

The government conducts bi-annual reviews (during the months of April and October), which enable it and all its stakeholders to assess the strengths and weaknesses of the education sector in the light of the goals of ESIP to ensure equitable access, improved quality of education and greater efficiency.

The April review is a comprehensive one and lasts for two weeks, one of which comprises regional workshops, in which grassroots stakeholders participate. It generally focuses on the sector's annual performance and the annual budget for the forthcoming financial year, within the overall context of the MTBF.

The October review, which lasts for five days, is used for reviewing key areas in the sector's performance against agreed performance benchmarks or undertakings, pointing out achievements and major constraints. The review team is usually comprised of members selected from the Ministry of Education and Sports as well as stakeholder ministries and institutions, civil society, private-sector stakeholders and EFAG.

The release of funds by EFAG is triggered by a consensus reached on meeting the jointly agreed indicators (referred to as 'Undertakings') during

ESR in April. This position is included in the Joint Aide-Memoire issued at the end of the review.

There are two types of ‘undertakings’ that have to be met by the Government of Uganda: on the one hand, there are ‘critical undertakings’, focusing on the government’s financial commitment, public expenditure management (or fiduciary assurance), and quality enhancement. On the other hand, there are ‘Process Undertakings’, which focus on strategic areas where progress is required in support of the achievement of the sector priorities.

As a measure for promoting transparency and accountability, the SWAp in the education sector in Uganda is credited with the following attributes: (a) a growing partnership, long-term vision and agreed targets for education reform, incorporating civil society, government and the funding agencies; (b) well-defined sector or sub-sector policies or programmes, incorporating macro and sectoral, institutional and financial policies and structure; (c) a forward-looking work programme for medium- and long-term sector strategy formulation, preparation of medium- to long-term expenditure frameworks, common government-funding agency management arrangements and integrated capacity-building programmes; and (d) strategic negotiations and annual sector performance review mechanisms, jointly agreed between the Government of Uganda and EFAG.

## Types of accountability

The various types of accountability that have been employed in the education sector include the conduct of statutory audits, sector-wide audits, financial tracking studies, periodic performance reports, routine monitoring, and the display of funds released.

### ***Statutory annual financial audits***

As stated earlier, the Constitution of Uganda (1995) and The Public Finance and Accountability Act (2003) empower the Office of the Auditor-General (OAG) to scrutinize all books of accounts of the spending votes, and advise the Public Accounts Committee of parliament on the status of the financial statements. OAG has the discretion to hire an internationally recognized firm to carry out an annual independent financial audit, particularly when the department does not have the adequate capacity to do so.

The enforcement of the requirement to conduct statutory annual financial audits is a collaborative effort that involves key sector ministries such as MOFPED, responsible for sanctions administration, that of local government for strengthening auditing capacity, and the Ministry of Education and Sports, which monitors performance.

### ***Financial tracking studies (TS)***

The ministry has carried out four tracking studies with the aim of tracking the flow of funds from the source (MOFPED) to targeted users (primary schools): to establish local governments' compliance with the universal primary education (UPE) capitation grant expenditure guidelines; and a special value-for-money audit of the classroom construction programme called the School Facilities Grants (SFG). The studies were carried out during 1996, 1999, 2001 and 2003.

These studies normally bring up findings and recommendations that enable the ministry and all its major stakeholders to identify strengths and weaknesses in the implementation of education sector programmes. They are then able to agree on appropriate and timely interventions for remedial action. They are thus treated as a vital tool for promoting transparency and accountability to such a great extent that donor funding for education sector programmes is often linked to the timely conduct of these studies.

### ***Periodic performance reports***

Periodic reporting of progress is done through the Education Sector Six-Monthly Report (ESSMR) and the Joint (Government-EFAG) Position Paper, which provide information for the bi-annual ESRs. The Monthly Report on the Activities of the Department/Working Groups and other reports on the Monitoring and Evaluation Working Group are also used in reporting progress.

### ***Routine monitoring***

Annual and quarterly plans are designed both for the centrally managed ministry projects and district programmes. It is against these that quarterly performance can be monitored and reported. Members of the MOES Headquarters staff pay regular visits to assess the performance of district-based projects. A Sector Monitoring and Evaluation Framework has been finalized.

Sanctions, in the form of withholding the release of funds, are imposed if a district or project fails to provide a quarterly performance report consistent with the approved work plans. The monitoring visits have helped to promote both financial and output accountability.

### ***Displays of the release of funds***

This involves publicly displaying information about the release of funds for education activities at all levels, including the funds released for district-based activities. At the central government level, this is done by using the printed media. Local authorities, on the other hand, are required to display at district headquarters the amounts that have been released for the different educational activities. Similarly, the schools are expected to display on their notice boards information about funds released from the district, and how they are to be utilized. This is to enable all stakeholders to have access to this information and help guard against abuse or misuse of funds.



## Other accountability measures

### ***Classroom construction***

To support the UPE programme, the government is providing funds to district authorities for the construction of classroom blocks and teachers' houses. There have been frequent reports of shoddy work by contractors, requiring stricter monitoring and the issuance of guidelines by the central government that enhance quality construction. The ministry has recruited and deployed to all districts an engineering assistant, whose primary responsibility is to assist the office of the District Engineer in the monitoring of construction work. Local authorities, civil society and the general public have been mobilized to act as watchdogs and report any substandard work. The process of procuring local contractors has also been streamlined to guard against inappropriate companies winning construction contracts.

### ***Establishment of educational management information systems (EMIS)***

In order to ensure the availability of consistent and reliable data to facilitate educational planning and management, the ministry has established EMIS, linked up to all districts. The information database that has been created is maintained and regularly updated at district level, where it is easy to monitor school enrolment changes. The sector database at the ministry is accordingly adjusted whenever appropriate.

However, the ministry still conducts an annual census and makes impromptu checks to verify information in the sector database. Such checks are conducted in a collaborative manner with other state organs or unilaterally by the latter on request from the former. Inter-Ministerial Task Forces have also been formed to handle specific assignments such as validating teachers on the government payroll and confirming the existence of educational institutions that benefit from government funding.

## Accountability challenges

### ***Capacity weaknesses***

Under the general policy of decentralization, delivery of some of the education services, including primary education (which takes a share of over 65 per cent of the education budget), has been decentralized. The capacity for financial management at the district level is still low and this translates into even more glaring weaknesses at the lower local government and school levels.

Most of the funds released for educational activities are utilized at the school level, even though some schools still lack competent personnel to handle financial matters. The school management committees and local authorities, which are supposed to supervise the schools in this area, are noticeably deficient in terms of the requisite capacities. Expenditure and/or procurement guidelines are often flouted or abused and record keeping has been observed to be very poor at both the school and local government levels.

### ***Financial indiscipline***

Cases have been reported of collusion between suppliers and/or contractors, with central government/district/school managers claiming to have rendered factitious services. This is a case of corruption that calls for wide-ranging interventions, including wage-pay reforms, enforcement of the law against corruption and, if necessary, imprisonment.

### ***Inaccessible areas***

Some areas are difficult of access due to insecurity (warring factions), difficult terrain (too high up in the mountains/or too low down in the valleys, or on the other side of lakes), or too far from the nearest urban centre. This makes it difficult to check on submission in relation to performance or accountability.



### ***Manual system of accounting and record keeping***

Until very recently, when the government started moving towards computerized financial management systems, OAG and indeed the various financial management levels were overwhelmed by paperwork. This is being addressed at the central government level with the introduction of the integrated financial management systems (IFMS). However, it will be quite some time before computerized financial management reaches the grassroots level, including all educational institutions.

## **Conclusions**

The planning and implementation of education sector programmes under SWAp have led to allocation and operational budget efficiency through priority determinations and the effective monitoring and ownership of programmes by the users. This approach has greatly strengthened both the government's and the ministry's commitment to promoting transparency and accountability.

However, accountability for the massive resources that the Government of Uganda invests in the education sector programmes *vis-à-vis* planned outputs is still a serious challenge. The challenges faced vary from capacity weaknesses, particularly at the grassroots/school level, to financial indiscipline, characterized by poor record keeping and outright corruption. Corruption seems to have now been decentralized to the lower echelons of government. While the efforts of government are fairly clear, the challenges persist and require solutions that are varied in nature.

Experiences shared and lessons drawn from this forum will hopefully prove invaluable in addressing many of the challenges that we face in the area of transparency and accountability.

## *Thematic session 1*

### Strengthening management capacities

This session relates to the analysis of a major strategy for improving transparency and accountability in the management of the education sector; that is, to the strengthening of management capacities to ensure the enforcement of regulator systems. This involves increasing institutional capacities in various areas, particularly information systems, and the setting up of effective control mechanisms against fraud as well as promoting ethical behaviour.

## 6. Transparency in making services work for poor people<sup>4</sup>

*Ritva Reinikka\**

The public expenditure tracking survey (PETS) is a method used to study the flow of public funds and other resources at the various levels of government and the administrative hierarchy. It is most relevant where public accounting systems function poorly or provide unreliable information. This method has been applied successfully in Uganda, Peru, Zambia and many other countries, to enhance our understanding of why public resources devoted to education often produce unsatisfactory results. Education is, in most countries, financed and provided publicly. Left to itself, the market would provide education in an inequitable manner, depriving many children. Yet without some ‘client power’, it is difficult to create incentives that will make education systems function efficiently. Accountability must be carefully cultivated as administrators and teachers are less likely to leak public funds or be absent from the classroom if they are held accountable. PETS allows policy-makers to diagnose how incentives and accountability systems are working in practice and how they can be improved.

Among the results that may emerge from PETS are estimates of leakage, information on the percentage of funds spent at each level of the education hierarchy, descriptions of how funding is targeted among different schools and sub-populations, information about school facilities, teacher quality and absenteeism, drop-out rates, test scores, school governance and accountability. Applied as a diagnostic survey, PETS can provide statistics that show the scale of the problems. To point towards solutions, analysts must dig deeper, framing and testing hypotheses in order to discern the *causes* of those problems.

4. This text is adapted from the oral presentation, made by Ritva Reinikka, during the Guanajuato Seminar.

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Leakage and other forms of corruption, of course, are not the only reason why education systems may falter or fail to improve. There may be a failure on the demand side due to parental perceptions that the curriculum is irrelevant, or a strong need for children's labour at home. Again, as was found to be happening in Zambia, public money may merely substitute for household spending on education. If a country's education goals apply mainly to disadvantaged children, it may fail to make progress in achieving them because funds are not properly targeted. PETS is one of the few ways to acquire quantitative evidence on the elusive issue of corruption. It is a useful tool to test for bureaucratic leakage, and can shed light on equity and other hypotheses.

If the reasons for unsatisfactory educational outcomes emanate from the supply side, the situation is unlikely to improve without better public sector accountability. However, making public sector actors more accountable is likely to provoke resistance. Once PETS has identified leakages and accountability failures, it is up to the government and other stakeholders to make administrative reforms and mobilize civil society in order to translate recommendations from PETS into reality. If a government is dissatisfied with educational outcomes and prepared to make the necessary efforts to get the system on the right track, it may be worth undertaking a public expenditure tracking survey to show the way.

## Accountability: a conceptual framework for service delivery in education

Every school system requires money and other resources in order to be able to function. Buildings, blackboards, desks and chairs, textbooks, water and electricity and, most importantly, classroom teaching are among the inputs that schools use in their daily operation. In most cases, the government is responsible for supplying these inputs through the agency of a provider organization dedicated to education and consisting of various layers, using taxpayers' money and sometimes donor funds. Money and

resources are by no means the only determinants of quality in an education system, but they are the variables over which governments have the most control. The most obvious course available to a government that wishes to improve its education system is to contribute more money and resources to schools.

Unfortunately, research has shown that the link between public education spending and outcomes is tenuous, and a public expenditure tracking survey conducted in Uganda in 1996 suggested that one reason for this is that little of the money allocated at the centre reached the schools. In Uganda, it turned out that the majority of schools received none of the funds to which they were entitled from 1991 to 1995. Moreover, of the total non-wage spending intended for the schools, only an average of 13 per cent reached the latter. PETS conducted in other countries have confirmed that capture of funds by interests along the way – though rarely as extreme as during Uganda's early recovery period from 1991 to 1995 – is a widespread problem.

PETS collects data at each tier of government to create a picture of how funds and other resources are flowing, and where they may be leaking. A quantitative service delivery survey (QSDS) collects a wide variety of information from schools to answer various questions about service delivery. Both surveys achieve their best results when their explorations and analysis go beyond mere accounting. To know which data to trust and to derive policy recommendations that will improve performance they must address issues of accountability.

Accountability is an institutional relationship that enables successful service delivery by giving interdependent actors the proper incentives. Our focus is on the relationships between policy-makers and the provider organization and between beneficiaries (clients) and providers. PETS and QSDS provide policy-makers with a glimpse of how this accountability framework operates in practice, thereby helping them to design policies to improve it.

## The four actors

In the education sector, we can identify four sets of actors:

### ***Clients-citizens***

Students are the beneficiaries of an education system. It is useful, however, to think of students and parents together as the ‘clients’ in the education sector. Indeed, the interests of parents are closely linked to those of their children, and they may act as spokespersons for their children *vis-à-vis* the provider organization. Parents may also serve on school boards, pay school fees and fund complementary expenses in education (such as uniforms, textbooks or transportation). Parents are also citizens. As citizens, they pay taxes and may enjoy voting rights or other forms of input into the political process. We can therefore label the first set of actors ‘client-citizens’. To collect data from client-citizens directly, a household survey is usually required. While this was conducted in the case of the Zambia PETS, most PETS will probably not include one.

### ***Policy-makers***

Prime ministers, presidents, parliamentarians, ministers of finance and so forth have the political authority to channel funds to, and set guidelines for, the public education system. Generally, it is this set of actors that sponsors PETS and QSDS.

### ***Provider organizations***

Between the education minister and the teacher there is an extensive hierarchical system that typically includes provincial education officers, inspectors, district education officers or superintendents, head teachers or principals and various secretarial and administrative staff. Most of the respondents to PETS questionnaires are members of the provider organization.

## ***Teachers***

The corps of teachers carries out the main work of an education system, and their labour forms the main input in the education process. Often, PETS will include teacher interviews. In the sample questionnaire there is a section requiring the selection of three teachers. Taken together, client-citizens, policy-makers, provider organizations and teachers within them constitute the full range of people involved in the public education system. These four groups determine educational outcomes through their actions and interactions. These groups are in turn influenced by the incentives faced by these agents. Moreover, their incentives depend on the education sector's relationships of accountability.

## **Accountability defined**

Accountability, defined here as in the 2004 *World Development Report*, is a relationship with five features: delegation, finance, performance, information about performance and enforceability.

Let us take the private school as an example of these within the education system. Parents pay tuition fees and send their children to the school – they delegate the education of their children to the school and finance the school so that it might carry out this responsibility. The school performs by teaching the children. Parents obtain information by talking to their children and finding out how they like the school and how much they are learning. They then enforce their decision by leaving their children in the school or withdrawing them. In public schools, however, the story is more complicated. The education sector is full of relationships of accountability. Or rather, it is full of relationships in which accountability is desirable. Teachers are accountable to head teachers, head teachers to district and provincial education officers, these officers to education ministries, ministries to politicians and politicians to client-citizens. In this rather roundabout way, accountability goes all the way around from schools back to the public and particularly to parents concerned about their children's



education. A shorter route is also possible: In the case of a private school, teachers and principals are accountable directly to the parents of their students, and this may be true to a lesser extent in the case of public schools, for example, when parents are involved in school governance.

## The four links in the chain of public accountability

Public provision makes accountability more complicated. The various accountability relationships in public service provision are displayed in the market transaction. Here, one relationship of accountability, i.e. between the seller and the vendor, is sufficient. In the provision of public education, however, we have already identified four categories of actors, and there are four relationships of accountability which may and should, but also may not, exist among them. Policy-makers should be accountable to client-citizens: this is called ‘voice’. Provider organizations should be accountable to policy-makers: this is a compact. Teachers should be accountable to provider organizations: this is management. In addition, provider organizations and teachers should be directly accountable to client-citizens: this is client power. To understand PETS, it is also important to be aware that there are many accountability relationships within the provider organization.

We have seen that, in order for the accountability relationship to work, all five features must be present. Without delegation, no relationship is initiated. Without finance, the agent lacks the means to perform the delegated task. The hardest part lies in information about performance and enforceability. If the policy-maker has enforceability but not information, he cannot make a credible threat to punish the provider for non-performance as he does not know when to carry it out. Knowing this, the provider has no incentive to perform. If client-citizens have information but not enforceability, they cannot make a credible threat as they have no power to punish the provider – again, the provider has no incentive to perform. To create the four relationships of accountability that the education sector



needs – voice, compact, management and accountability – all five features need to be present in each one.

Are providers accountable to client-citizens (client power)? Information about performance is present in the client-power relationship as parents probably have a good idea of what is going on in their children's schools. However, finance and enforceability are likely to be missing. Client-parents typically do not pay teachers' salaries, except indirectly through their taxes, nor do they have the right to hire, fire and promote teachers in order to enforce their expectations. The client-power relationship is especially desirable in developing countries where the legal and administrative systems do not function well. A good way for PETS to get results is to serve as a source of information to the public and civil society in countries where legal and administrative systems are weak.

## Problems in ensuring accountability through legal and financial management systems

In most countries, government agencies and the existing legal institutions devise and enforce public accountability. However, reliance on legal and accounting systems alone can be problematic. First, as the government's role and services have expanded considerably during recent decades, it has become apparent that conventional mechanisms, such as audit and legislative reviews, may not be adequate. Collusion, organizational deficiencies, abuse and lack of responsiveness to citizens' needs in public agencies and units cannot easily be detected and rectified, even with the best of supervision.

Second, legal processes and systems to control public sector mismanagement rely on the existence of a truthful (benevolent) legal machine (judges, court personnel and police) that can investigate and enforce existing rules. For many countries, in particular those characterized by systemic corruption, such a legal machine does not exist. The financial management approach suffers from a similar dependence on a credible

institutional framework. A credible financial system relies on a functioning enforcement mechanism and the ability to delegate reviews to trustworthy auditors.

Third, while well-functioning legal and financial systems minimize obvious cases of mismanagement (such as theft of public funds), rules and accounting systems only partially constrain the discretionary power of public sector managers and employees. The complexity of the task that a typical public sector unit performs and the informational advantage it has relative to its customers effectively hinders the design of legal and accounting measures (or makes it extremely costly) to address all types of inefficiencies. Thus, less obvious measures of mismanagement (such as shirking, budget prioritization favouring staff instead of users, certain procurement procedures, implicit political considerations) will typically not be captured.

Fourth, audit reports and legal procedures are often difficult for a layperson to interpret, and reports therefore often go unnoticed unless the body that commissioned the audit (e.g. a local authority) acts on it. The problem is compounded by the fact that in many countries there is a considerable time lag between the time of the review and the publication of the audit report. In fact, when the time has come to evaluate the actual outcome, many of those responsible will have already changed positions.

Finally, many countries simply lack an independent and well-functioning legal or audit system at the local level, where most services are being delivered. In these circumstances, ‘client power’ or measures to empower parents by providing them with the necessary information to monitor school performance or participate in the management of schools can offer alternative ways to improve service delivery in education.

## The client-power relationship

### ***Delegation***

Parents rely on teachers and school systems to provide an education for their children.

### ***Finance***

Parents finance schools indirectly through taxes and directly through school fees and other supplementary private expenditure. However, this is likely to be a weak link in the accountability relationship.

### ***Performance***

The provider organization creates adequate facilities and supplies scholastic materials. Teachers show up, lecture, grade, and so on.

### ***Information about performance***

Parents and students are in the best position to judge whether teachers and school systems are doing their job adequately. Still, the degree of communication between students (who see the teachers' performance first-hand) and parents (who have the power to do something about it) will vary. Parents and students may also not know which parts of the education provided will turn out to be most valuable later in life.

### ***Enforceability***

Like finance, this is likely to be a weak link in the client-power relationship as many policies are set in a top-down fashion with schools and teachers answering to higher authorities rather than to clients. An active parent-teacher association or a board of management with parent involvement may strengthen this feature of the client-power relationship.

### ***How PETS can help***

If the results of PETS are made public, they can be a powerful stimulus to civil society. The exposure of waste and abuses can inspire parents to make the effort to hold schools accountable.

Voice, compacts and management form a chain of accountability – the ‘long route’ – that links client-citizens all the way around to teachers. Like any chain, this one is no stronger than its weakest link. At each link, failure is possible: voice failures, compact failures and management failures can all lead to service failures.

How accountable are frontline providers to provider organizations (management)? Unlike parents, provider organizations pay teachers and have the notional power to hire, fire, promote, give pay rises and so on. If, however, teachers are paid by these (and the central government rather than the schools creates teaching posts), the finance link is weakened. Firing a teacher for poor performance or even absenteeism (enforceability) is often difficult. Information is also a problem. Even if someone in the provider organization, such as the head teacher, knows whether a teacher is performing or not, the persons with the information and those authorized to hire and fire may not be the same.

Are provider organizations accountable to policy-makers (compact)? Are policy-makers accountable to the public? Policy-makers, who channel finance to provider organizations, notionally have the right to reform or overhaul them if they are dissatisfied with their performance.

In practice, the political clout of teachers’ unions may make this difficult. However, even if politicians are ready to challenge vested interests for the sake of the rising generation, they may have only a vague idea of how well the education system is doing or of what would make it work better.

## The compact and management relationships

<b>Box 1. Compact management</b>		
Delegation	Policy-makers set broad policy outlines and then authorize provider organizations to carry them out.	Provider organizations hire teachers to run the classroom, take attendance, administer the curriculum and evaluate student performance.
Finance	While regimes differ, most school funding is usually allocated at the centre and channelled through the hierarchy to the schools.	Schools may pay teachers or they may receive salaries directly from the centre, although the school may still provide bonuses, housing, allowances, and so on.
Performance	A provider organization should execute its tasks efficiently and honestly.	Management (hopefully) seeks to induce diligent and high-quality teaching.
Enforceability	In theory, policy-makers have the authority to replace personnel and overhaul the structure of provider organizations. In practice, they may face stiff resistance from vested interests.	The authority to fire non-performing and under-performing teachers is useful to administrators who want to establish a high standard of performance in their schools. However, they do not always enjoy such authority.  Firing a teacher, besides being emotionally difficult, is often legally impeded by tenure arrangements.
How PETS can help	It can provide policy-makers with much better information on where funds are going.	PETS can throw light on teacher performance and on obstacles to good management such as low-quality leadership or excessive job security.

## Accountability and policy

The failure of an accountability relationship does not necessarily lead to service failure. Public servants who are inadequately financed or monitored may still perform well, motivated by a sense of duty or the

intrinsic rewards of a job well done. However, even the most devoted public servants are likely to become demoralized if they see colleagues shirking with impunity or corrupt superiors taking credit for their work. Although cultural and historical factors certainly influence educational outcomes, policy-makers have little or no influence over these variables. Moreover, without accountability, increasing funds to education may lead to the padding of salaries, or the funds may be diverted to other uses and fail to improve performance.

Problems such as leakage of funds and absenteeism can result from a failure in any one of the key relationships of accountability. Public funds may be captured to fund the political machinery, beneficiaries may be kept in the dark about their entitlements or there may be no incentives or monitoring to ensure that teachers are in the classroom. The PETS and QSDS are tools to generate new information, about finance in particular and about the accountability system as a whole.

## Public expenditure tracking surveys in education

Public expenditure tracking surveys track the flow of resources through various strata of government in order to determine how much of the originally allocated public resources (human, financial, in-kind) reach each level. The tool is designed to respond to the problem that policy-makers at the central level often rely on information from official data and administrative records, which are often inadequate. PETS is useful as a method for locating and quantifying political and bureaucratic capture, leakage of funds and problems in the deployment of human and in-kind resources such as staff, textbooks and more generally how the system targets funding to different levels. The information PETS provides about corruption has generated particular excitement, as this is an area in which quantitative data has hitherto been elusive.

PETS collect data at several levels: from frontline providers (schools and teachers), local governments (politicians and public officials) and the



central government's financial and other data. By comparing these sources, the study team can 'track' the flow of funds and other resources through the hierarchy, from the centre to the school, to see where funds are being absorbed and perhaps where they are going astray.

PETS explicitly recognizes that an agent may have a strong incentive to misreport. These incentives derive from the fact that information provided, for example by a school, partly determines its entitlement to public support. In cases where resources, including staff time, are used for corruption or shirking, the agent involved in the activity will most likely not report it truthfully. Likewise, official charges may only partly capture what the survey intends to measure (such as the user's cost of service). PETS deals with these data issues by: (a) using a multi-angular data-collection strategy (a combination of information from different sources); and (b) carefully considering which sources and respondents have incentives to misreport, and identifying data sources that are the least contaminated by such incentives. This data-collection strategy serves to cross-validate information obtained separately from each source.

PETS allows us to observe the outputs and actions of service providers, thereby providing new information to policy-makers and beneficiaries on the complex transformation of public budgets into services. When tailored to the specific circumstances, these tools can help identify incentives and shed light on the interactions to which these incentives have given rise. They can also illuminate the political economy, such as the effect of interest groups on spending outcomes. The novelty of the PETS approach lies not so much in the development of new methods of analysis *per se*, but the application of proven methods (micro surveys) to service providers and governments, where we have previously relied on administrative data.

The initial objective of PETS conducted in Uganda in 1996 was purely diagnostic. The question there was: Why did primary enrolment remain stagnant – despite a tripling of public funding to the sector? The hypothesis

was that funding had not reached the schools. In other words, PETS sought to measure leakage in school funding.

The first Ugandan school survey provides a stark picture of public funding on the frontlines. Following this, several other countries implemented public expenditure tracking surveys in education and health care. For primary education, these studies included Ghana, Madagascar, Peru, the United Republic of Tanzania and Zambia. Leakage of non-wage funds – defined as the share of resources intended for, but not received by the frontline service facility – was found to be a major issue in all cases.

According to PETS in Zambia – unlike in Uganda in the mid-1990s – rule-based allocations appeared to reach the intended beneficiaries: more than 90 per cent of all schools received their rule-based non-wage allocations and 95 per cent of teachers received their salaries. However, rule-based funding accounts for only 30 per cent of all funding. In discretionary allocations (70 per cent of total spending), the positive results no longer hold: Less than 20 per cent of schools receive *any* funding from discretionary sources. The rest is spent at the provincial and district levels. Similarly, in the case of overtime allowances (which must be filed every term) or other discretionary allowances, 50 per cent were overdue by six months or more.

The Ghana PETS tracked the flow of all non-salary expenditures to primary schools (Ye and Canagarajah, 2002). A total of 126 randomly selected schools were surveyed in 40 out of 110 districts in Ghana. Unlike the other PETS, the information collected from schools is based on recall data rather than obtained from school records or accounts, making the data significantly noisier and less reliable. As in Uganda, education funds in Ghana are channelled through district offices. As most of the resources reaching the schools were in-kind, schools had little knowledge of the monetary value of what they actually received. The Ghana PETS found that an average of 49 per cent of non-wage funds was captured. The PETS in Peru examined the use of funds for utilities and found that 30 per cent of allocations were used for other purposes.



## Salaries

A few studies also quantify the number of ghosts on the payroll, that is, teachers or health workers who continue to receive a salary but who are no longer in government service, or who have been included in the payroll without ever having been in service. In Honduras, for example, 5 per cent of teachers on the payroll were found to be ghosts, while in health care the percentage was 8.3 for general practitioners in 2000.

Taken together, PETS carried out in Africa found leakage of non-wage funds on a very large scale. Local officials and politicians could take advantage of the gap in information; they could reduce disbursements or procure a few non-wage items for schools as they knew that such actions would not attract political attention. In contrast, failure to pay teachers would attract much more attention as, not surprisingly, teachers would know how much they were owed. Hence, salaries and allowances suffer from leakage to a much lesser extent.

## Weak links and bottlenecks

Given that the availability of books and other instructional materials are the key to improving the quality of schooling, the fact that between 78 per cent (Uganda) and 49 per cent (Ghana) of the funding for these inputs never reach schools makes leakage a major policy concern in the education sector. Instead of instituting more general public-sector reforms, PETS in Uganda shows that it may be more efficient to target reforms and interventions in specific problem areas. It also demonstrates that leakage occurs at specific tiers within the government (typically at local government level in Uganda, the United Republic of Tanzania and Zambia). A general lesson is that, in order to control leakage, it is necessary to identify the weak links in the accountability system and make them the focus of reforms. As a diagnostic tool, PETS can help to achieve this.

## 7. Efficiency and corruption in education: the case of Argentina<sup>5</sup>

*Alejandro Morduchowicz\**

Argentina's education system is made up of 24 jurisdictional subsystems, administrated and financed by the 23 provinces and the Autonomous City of Buenos Aires.

The Ministry of Education, Science and Technology is the agency responsible for educational policy at national level, especially as regards the unity, equity and quality of the education provided throughout the country as a whole. The Federal Board of Education that incorporates the provincial ministers of education, and is chaired by the Federal Education Minister, guarantees the federal character of the education system. Furthermore, by way of its 'agreements', it is responsible for approving the strategies with regard to increasing levels of inclusion, teacher training, implementation of compensatory action, evaluation of educational quality, and so on.

Until 1978, Argentina's entire education system was financed and administered in a centralized manner. In that year, when pre-elementary and primary schools were placed under the authority of the provinces, there began a process of de-concentration that ended in 1992 with the transfer of secondary and tertiary education to provincial control.

In some developed countries, decentralization has been introduced – with varying degrees of success – as part of wider administrative reforms, aimed at greater efficiency and equity. In Argentina, decentralization was intended primarily to cut federal spending and simply involved the transfer of responsibility for schools from the federal government to the provincial

5. The ideas expounded in this paper are those of the author and not necessarily those of the institutions in which he works.

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administrations. It did not entail any modifications that would have signified greater changes in the government and the way schools were organized.

Despite the involvement that the national government maintained in the monitoring of the system, curriculum-guidelines development, direct economic assistance to disadvantaged groups, etc., there remained huge socio-economic, financial and institutional disparities between the provinces. It should be noted that, excluding its universities, the Argentinean education system comprises 40,900 schools, 10,500,000 pupils, and 633,300 teachers between the provinces, with an uneven distribution ranging from 4,230,000 pupils in Buenos Aires province to 36,000 in Tierra del Fuego.

The transfer of secondary and tertiary education to provincial authority involved such large numbers of human resources, teachers, pupils and schools that the management capacities of the provincial administrations were overwhelmed. It should be noted that the transfer of education to provincial control increased the supply of education by six- or sevenfold in the provinces, although the administrative systems were not expanded correspondingly.

Added to this was the confirmation of the Federal Education Act (1993) that restructured the system from top to bottom – including the authority of the federal and provincial governments, finance, institutional organization and curriculum content. Implementation of the approved reforms was to be tackled by each province in accordance with its management capabilities, finances and administration. Even now, the extent of implementation differs among the provinces.

Consequently, both the central and the provincial authorities soon realized that the provincial education systems had to manage resources – especially human – about which they knew very little, as not much – if any – information had been provided when education was transferred from Buenos Aires to the provincial administrations.

At the same time, it was seen that there were neither rules nor regulations to administer the provincial education systems; or if there were (as in some provinces) they were dual or even contradictory: those applied by the provinces before the transfer of responsibility and those by which schools were run under the central government.

In this context, administrations – from the central ministry to some provinces – began to implement ‘administrative-reform’ programmes. The need for change was, and is, deemed incontrovertible: the situations in which inefficiencies can be observed in the education sector are as varied as the reasons generally put forward to understand or explain them.

For the purpose of this brief presentation, we have focused on those areas of the education system – particularly the administration of teachers – where, because of a failure to comply with current regulations, or a lack of accurate information to enable the necessary checks, corrupt practices are inflating costs, reducing educational quality, and generally causing an inefficient assignation of available resources. The issues dealt with below were selected as examples of some of the main problems encountered to varying degrees in all provinces. Only those corrective measures applied in Buenos Aires City are considered, because I was employed by the city’s education administration, which gave me greater knowledge of the issues.

## School organization

Perhaps one of the most representative cases is that of regulations governing the opening, merging and splitting of classes. Provisions for these are generally included in the rules on staffing levels (*Plantas Orgánico-Funcionales*, POF).

When they exist, the staffing regulations provide the blueprint that, on the basis of physical, organizational and pedagogical criteria, enables classes to be opened or split (minimum and maximum enrolments). The rules stipulate in which cases a school is authorized to have one or two deputy heads, one or two secretaries (and so on for other positions). They indicate at

what size a school can be put into one category or another, etc. Likewise, the standards differentiate between such authorizations, depending on location (generally, urban, urban-marginal and rural).

In some provinces, these standards have been drawn up in detail. In some others, they are vague, whereas in yet others – at least nominally speaking – the regulations inherited from the former national system apply (for those schools that pre-dated the transfer of authority for education). In the remainder, there are no such direct rules and there prevails a set of practices and customs or – in the best cases – the criteria of the supervisory authorities, and/or the central education administration.

Whichever the case may be, there is consensus regarding the numbers of pupils per class (a minimum of 15 in primary and 20 in secondary, except for schools located in areas of low population density, or where demand is low for whatever reason, and a maximum of 30 in primary and 35 in secondary).

In practice, schools often depart from the regulations and manage to get approval for a higher number of teaching positions than is allowed by law; or else they keep classes open, though enrolments are below the standard minimum. Naturally, such practices push costs up. On the one hand, this is due to a lack of the information required to ensure compliance with the regulations. On the other, when such information is at hand, there is no effective or systematic monitoring.

For some positions (the most characteristic cases are those involving administration – support teachers and teachers from vocational and technical secondary education) the regulations setting the number of posts in accordance with the number of classes and the duties required have not been observed. Consequently, the schools in the City of Buenos Aires have a surplus of 800 in administration-support teachers and 1,500 in vocational education; that is, above the limits set by the regulations (30 per cent of all administrative support teachers, and 72 per cent of all vocational teaching posts).

It should be pointed out that most of the surplus positions – in both types of secondary education – are for head teachers, deputy heads and secretaries of the same school, and that these ‘appointments’ actually serve to boost pay. Thus, the position is ‘taken’, but no one is actually doing the job.

Therefore, with the transfer of authority, there is an accumulation of a number of irregular situations that include the ‘existence’ of people performing tasks not intended for the positions they occupy. Such is the case of various psychologists, recorded as vocational education teachers, general-secondary teachers, and so on.

The education department of the City of Buenos Aires envisaged certain reforms aimed at correcting these irregularities. Thus, to get their POF approved, schools were asked to give additional information on enrolments and teaching posts (enrolments per class broken down into secondary grades; data on teachers’ training; details of the teaching load of the positions in special sections and subjects; physical-education groups; workshop rotation in technical schools, etc.). Furthermore, the information thus gathered was compared to that of the previous year (classes, enrolments, posts, number of lessons, annual estimated cost, annual estimated cost per pupil) and was set against the number of posts allowed by the application of the regulations.

In addition, there began a ‘clean-up’ in each secondary institution and among teaching staff in teacher training colleges, a task that had not been carried out since the transfer of education to provincial authorities ten years earlier. Similarly, school-based curricula were put together, specifying subjects and teaching load; and the corresponding approval standards were set out. With the detailed information at hand on subjects and teaching load per subject for each curriculum, a thorough analysis could be made of the teacher requirement for each curriculum.



This work and the extra information it yielded were used to begin the job of merging classes. However, this time, unlike in previous administrative-reform processes, a gradual approach was chosen; hence, only 10 per cent of the suitable classes would actually be merged. This gradual method was chosen because of the conflicts such measures can generate. Similarly, the merging of excess classes is very seldom envisaged. In addition, the closing of one tenth of the classes every year will mean that within ten years this aspect of the education system will have been reorganized. Obviously, one pre-requisite for this to happen is continuity in the policies implemented in parts of the structure, other than just the authority at the helm of the education system.

## Teaching statutes

The statutes governing teaching careers are another ‘loophole’, enabling irregular practices. While the regulations vary on some points from one province to another (numbers and types of positions, system of leave, etc.), there are three basic things that tend to favour non-compliance and inefficiency.

### *The permissiveness in arrangements for taking leave*

Because of the laxity of the system, on average provinces can expect each teacher to be absent for 45 days per year (not counting annual holidays). This means that teachers must be replaced at least for some of the time they are absent. Seen in this way, on average, teachers will most likely work fewer days than the number required by the education system; and, obviously, many fewer days than many other categories of workers in the country.

Furthermore, if the expected absenteeism is added to the other days off provided in the school calendar, the average total is 65 days, for which the provincial administrations are paying but getting no service in return.

Furthermore, they have to hire replacement teachers at an additional cost as high as – or higher than – the cost of the absentees.

The lost days for the entire system have been estimated as an average of the total wage bill of a primary teacher with ten years' seniority in the Buenos Aires administration. Taking only the most common reasons for leave (childbirth, wedding/honeymoon, illness, and compassionate leave), the annual cost would amount to slightly over 15 per cent of the city's education budget. However, apart from the cost, these data indicate that pupils spend one fifth of the school year being taught by replacement teachers, with the consequent deleterious effect in terms of educational quality and effectiveness of the teaching/learning process.

Generally, these figures are not easily available to the provinces of Argentina. This is because there are several sources of information: Some leave is granted directly by the schools (with no requirement to inform the central administration of absences); other leave is administered by the occupational healthcare system (hospital and medical practitioners responsible for granting leave for sickness or other reasons); and still other leave is reported to the central administration.

As this type of administration is governed by legal standards aimed at avoiding any change that may deter the diligent gathering of information, the education administration of Buenos Aires City chose another alternative to be sure that the necessary data could be acquired. The solution was to use replacement-teacher information instead of the scattered and difficult-to-centralize details on teachers taking leave. Thus, since the information on stand-in teachers (who have to be paid) substituting for colleagues on leave is reported to the central administration, it was decided to use this data. Accordingly, and for the first time, itemized information on teacher absenteeism became available by educational level, school, and type of leave (sickness, childbirth, death, etc.). In turn, one outcome of linking replacement-teacher data to the pay they received was that, for the first time



in Argentina, information was produced on the financial cost of replacements or, if the cause of the replacements is considered, the cost of absenteeism.

Naturally, this alone does not solve the problem as, unless the loopholes are closed, leave abuse will still be possible. However, the mere fact that this information is available is in itself a breakthrough. In addition, given that unduly high absenteeism would seem to suggest that not only are teachers taking advantage of the 'leniency' in the rules but also that there is an institutional problem (unless there is an epidemic, excessive absenteeism in any organization is symptomatic of some structural problem), having and disseminating the information among supervisors and school heads should help lessen absenteeism in those schools where it is very high.<sup>6</sup>

***Systems to avoid conflicts of interest are inadequate or non-existent***

Some statutes do not establish teaching-load limits, with the result that practical secondary and tertiary teachers accumulate up to 100 teaching periods, as attested by signed statements alleging timetables that are virtually unmanageable (in fact, some cases are seen of teachers using up their full complement of leave in one of their workplaces; that is, they never put in the full number of hours declared). In other cases, there are no regulations concerning the workload of the teaching staff. The result is that some teachers accumulate jobs and teaching periods, whereas if a clear teaching workload were determined, they would not be able to do this due to timetable clashes.

Moreover, education systems tolerate changes to timetables, which in fact make it possible to circumvent such conflicts. Thus, some chancellors and vice-chancellors appointed to a given post make an appearance two or three times a week in that position, and the rest of the week are otherwise occupied, which enables them to keep the post to which they were appointed.

6. This was among the activities programmed, but some time later I left the Buenos Aires City education administration and was therefore unable to complete this work.

To put this situation to rights, wherever possible, various steps need to be taken. To begin with, in Buenos Aires City, the first task was to check which teachers had been assigned a workload greater than it was possible to perform. Given the shortcomings of the information system (that we sought to correct at the same time), it was decided to use payroll information. While this did not give the number of hours worked, it did yield the monthly salary paid to each teacher. Thus, salaries were ranked from the highest to the lowest. All wages that exceeded an ad hoc threshold set for the purposes of the analysis were investigated individually. The underlying supposition was that if teachers were getting very high pay (excluding back pay, etc.), it was because they might be being paid for extended working hours and/or more than one position.

Only after this first rough check had been done was the previous history of each teacher examined. Those found to have teaching loads difficult to complete were required to make a sworn statement. In quite a few cases, it was found that teachers could not possibly complete the number of working hours they were claiming. However, the settlement of such cases, that is the relinquishment of the working hours and/or positions claimed abusively, is very difficult. This is because teachers argue their cases doggedly before agreeing to a smaller pay packet. Current standards and procedures are such that it can take months, if not years, before any can be achieved.

Though the tighter control has not eliminated the practice of claiming for hours not worked and duties not performed, it has proved useful in preventing the fraudulent appointment of teachers. Accordingly, while the phenomenon has not been stamped out, it has been stemmed, and if the various controls are continued, gradually the system should be purged of its irregularities. It should be further noted that much of the work done in teacher administration in Buenos Aires City involved this aspect.

### ***The complexity of school organization***

Positions were included in the statutes as needs were identified requiring specialized personnel (such as librarians, the already mentioned administrative support teachers and technical-education teachers). The result of this inflation is that, with the different levels and course options, in some provinces there are more than 300 different types of jobs. Some job profiles have even been created for a single school. Naturally, the capacity of the administration is completely outstripped.

Initially, the education system only required the teacher to complete pre-service training. Later, new needs were identified and instead of upgrading teachers' training and knowledge, specialists of the different subjects were hired to cover each new function as it arose. In this way, institutional work has been split up: At least on paper, each problem is to be dealt with by the professional supposedly (though not actually) hired for the purpose. Hence, problems are no longer to be managed by classroom teachers. Over time, there has been a considerable increase in the variety of jobs (with a similar proliferation of pay categories).

Teacher administration is ill equipped to handle this as it is required to implement the current statutes. Therefore, the Buenos Aires City council decided to systematize and clean up the information on the various posts, the number of people filling them, their cost, and their distribution by school.

Besides unearthing potential inefficiencies and irregularities, analysis of the information sheds light on inequities: While the jobs are considered necessary, it is still not clear why some schools present definite teacher profiles and others do not (with the impact that this can have on pupils' education).

### **Teacher appointments**

Over the last decade, provincial administrations have had to grapple with the problem of factoring in the appointment mechanisms of 'historic'

teachers (primary and pre-school teachers included in the provincial administration in 1978) and ‘transferees’ (secondary and tertiary).

Needless to say, the complexity and volume of secondary and tertiary teacher files to be processed completely swamped the management capabilities of administrations that, until then, had been handling only primary and pre-elementary levels.

Hence, whereas established pre-school and primary teachers were appointed on the basis of a competitive examination (as provided by the statutes), the secondary and tertiary systems of many provinces had no such examinations and teachers were given tenure *en masse*. This infringed upon the rights of those teachers who had accumulated enough points to compete for a tenured position; furthermore, it adversely affected educational quality, as it made ineffectual the only instrument that aimed at ensuring that the most qualified teachers got the jobs.

As regards replacement and casual teachers, secondary and tertiary institutions have maintained the same system as under the previous centrally managed set-up. However, they have greater autonomy concerning the announcement and selection for casual and replacement teaching positions as candidates apply directly to the school, and the school head is the person who interviews applicants. This is unlike other levels in which lists of merit are kept in the school districts and the supervisors interview candidates. It has turned out that this procedure has led to irregularities in appointments, due essentially to the lack of scrutiny by education administrations. The system is checked only by the teachers concerned (that is, registered candidates). This *de facto* control on the demand side (would-be teachers) suffered from the well-known problem of information imbalance.

It cannot be expected that all candidates be fully informed about the possibility of irregularities regarding appointments, or in which schools such appointments have been detected – not to mention the fact that they do not know how to go about making complaints if they feel they have been unfairly

treated. Under the current regulations, this is the duty of the administration: It cannot be avoided or devolved to those directly concerned.

The other issue has to do with the authority or channel making the appointments. These powers lie with the governor or the education minister, and are devolved to lower echelons. The reason for this is the need to consider two aspects: (a) the need to control the intake of civil servants; and (b) the requirement to activate appointment procedures to ensure immediate filling of positions in the education system.

As to replacements, since coverage is only for short lengths of time, in some provinces they occupy a post, are paid, take leave and quit without any regulations or laws referring to them in particular. Their appointment is a mere formality that is of no practical importance and legitimizes a process over which no proper control is exerted. This does not appear to have any severe negative impact on the teachers, as all wage-relevant information (especially seniority) is contained in the appointment form that serves as the basis for the payment of salaries. As regards the education administration, the issue should be raised of its control over the requirements to be met by replacement teachers, in accordance with the current legislation, for them to be allowed to teach (as in the example above).

In addition, there have been many delays in the appointment procedures of teachers transferred from national to provincial administrations. At the beginning of 2002, the education administration of the City of Buenos Aires still had not processed some 35,000 replacement-staff appointments; that is, 35,000 provisions of service, as agreed and paid for, but not registered as such by the administration.

Although casual-staff appointments are being confirmed, there are still considerable delays in the process. Unlike the situation of replacement staff, delays in processing hold up the payment of wages. Moreover, these approvals are mere formalities in that they ratify a *fait accompli* (the teachers have taken up their duties).

Given this situation, the main requirement to solve some of these problems is political will. However, as is often the case, once decisions have been made, application difficulties are far from insignificant. For instance, there were no competitive examinations giving access to secondary teaching in the Buenos Aires City administration.

First, if for decades these examinations were not held, it was not only due to administrative obstacles but also because some people did not want them to take place; not only were no reasons given for the failure to hold the examinations, but it is easy to see that they removed some prerogatives from secondary principals in that previously they had been able to appoint such teachers with no further oversight – and hence no transparency. Therefore, regardless of the official ruling, the authorities realized that they could not count on the support of some of the fundamental players in the process.

In turn, this raised the problem of obtaining information on teachers' past performance records in order to draw up lists of merit. As stated earlier, the transfer of secondary education was administratively 'untidy' (through the lack of information), and teacher performance records were unavailable.

So the decision was made to publish incomplete information on the Internet so that teachers could check the data concerning themselves held by the central administration. Naturally, it was realized that very many teachers would claim that some or all of their records had been excluded. Those responsible for the data feared that the 20,000 or so secondary teachers would all converge upon the Buenos Aires City MOE to press their claims. Hence, to stop that happening it was decided that the schools where the teachers worked would check the track record presented by each teacher.

However, as already stated, it had been assumed that school heads would not co-operate and, indeed, they initially blocked the move. However, pressure from the teachers to have their claims processed eventually forced them to take part in the data-gathering process for future teaching examinations. Thousands of teachers presented sketchy information and,



from that point of view, the operation was a success. It was the first time that something like this had been done in any province of Argentina. Furthermore, the fact that these examination-related tasks (the examinations are now under way) were carried out is proof of a positive departure from former practices that often called for information of all types (with the associated greater workload), even though this information was not fed back or passed on for further use and processing.

One significant point concerning this whole process of ensuring transparency of teacher records was that the unions became directly interested in complying with the regulations and were opposed to the practices whereby school heads were selecting teachers. This actively helped extend the operation and boost awareness of its importance. Moreover, teaching staff countered those school heads who refused to co-operate (generally, the teachers' opposition was not direct or explicit, but rather they alleged a lack of time or that the work should be done by the central administration). Without the teachers' backing, the exercise would not have been nearly so successful.

## Conclusions

Actually, the cases described above are manifestations of a chronic lack of reliable information, penalizing education administrations. Information is purely and simply missing (not gathered during the transfer of authority, lost at various points, as, for instance, when medical services were contracted out, etc.); or existing information had not been systematically recorded (slow or non-existent processing); or information had not been collated for various reasons pertaining to management. Nevertheless, the fact is that administrations are deprived of complete and reliable records on teachers and any developments that occur. The most direct consequence of the lack of information is that administrations cannot enforce full compliance with the statutes, nor can they control the total cost related to leave.

As regards expenditure, generally, administrations do not enjoy the technical conditions that would enable them to monitor efficiency. Therefore, they are in no position to re-direct spending on the basis of technical parameters that could help improve efficiency. Hence, not only is money misspent but there are also inefficiencies in the monitoring of spending (lack of self-evaluation capabilities). Flawed cost accounting and education-information systems, and insufficient control of outlays in the education sector are mutually sustaining causes and effects that prevent clarification of the efficiency of spending on education. This in turn is the cause and outcome of the way education expenditure is planned and budgeted, the main characteristic of which is inertia: where there is no forward planning of programming and where only what has been spent in the past is considered.

In summary, it can be said that much of the inefficiency rife in the education sector, and the opportunities for corruption it spawns, arise in the inadequacy or absence of processes to generate and check information at the various echelons where education resources are administered. This is particularly true of budgeting, the payment of wages, and the granting and verification of leave and teacher replacements.

In terms of the budgets they administer, the agencies running the education system are among the largest in their respective provinces. Nonetheless, the management of those budgets appears largely inflexible as, long before it is spent, much – generally about 90 per cent – of the money is earmarked for the payment of teachers' salaries. Likewise, most of the human resources they administer – the very same teachers – have a high degree of autonomy in their schools and classrooms. That said, education ministries and departments are responsible for the transparent, efficient and effective use of the resources they are given to manage.

Perhaps because such a large part of the available finance is spent on teachers, this explains somewhat the reasons for which the mere reference to system efficiency is taken as a suggestion that it could be removed.



Hence, this is a major obstacle in streamlining the expenditures system. As is well known, the subject is taboo. Unfortunately, discussion only embraces extreme alternatives without recognizing that in systems needing expansion and quality improvements, the main thing is to draw on the resources available – not to cut them.

Most education administrations are faced with a series of structural elements that condition any possibility of modernizing the apparatus used to govern the system. Perhaps the best way of illustrating the concept of modernization would be to focus on the difficulties besetting educational management: In this set of conditioning factors there is a mix of aspects so diverse as the regulatory framework in which education has to cope with co-ordination and communication problems within the agencies running the system; the difficulties in explaining policy and technical criteria and the principles underlying many of the decisions adopted – with problems in the division of labour; and the lack of rationale in administrative processes with their inability to foresee (or indifference to) the difficulties generated in routine procedures.

The implementation of reforms (and even minor changes in administrative management) generate resistance within bureaucratic management structures. Typical of this is the weak control exercised over the work done and the performance of duties, more for reasons of immobility than an examination of alternative action to reach the outcomes intended by the supervisory authorities. Hence, it is clear that most, if not all, of the problems mentioned come from within the system and therefore can be tackled. However, as a rule they are not dealt with by education administrations.

All the above failings are costly, not only to the beneficiaries of the services – especially in terms of time – but also for the organization itself: In addition to monetary costs, there are the multiplication of efforts, the opportunity costs deriving from the assignation of human resources to non-essential activities, and so on.

The fact that in quite a few areas of education, administration personnel are not working to improve the effectiveness and efficiency of the processes and procedures in which they are involved, is probably the response to an unvarying view of organization: Things are done – and will continue to be done – the way they are because they have always been done that way. This is perhaps why alternative ways of doing things are neither perceived nor, consequently, discussed.

## 8. Transparency in the education sector: human resource management in Bogotá, Colombia (1998-2003)

*Margarita Peña\** and *Jeanette Sofia Rodriguez\*\**

There are no studies dedicated exclusively to corruption in Colombia's education system; in fact, the issue has not been of central concern to the country. However, the work of the *Corporación Transparencia por Colombia* (2003), as well as studies on clientism, point to possible risks and sources of corruption in the sector, thus calling for a more detailed study of the phenomenon.

Though MOE's integrity index rose between 2002 and 2003, the latest *Corporación Transparencia por Colombia* report still grouped the ministry with those government agencies evidencing high risk of corruption.<sup>7</sup> This is surprising, since MOE has never been a leading figure in major corruption scandals, even when it was directly responsible for handling the large amounts of money allocated to the sector. With the decentralization that began in the mid-1990s, responsibilities and funds were transferred from the central government to sub-national levels, and local governments, including that of Bogotá, became responsible for managing their school systems.

7. As stated in the text of the report, responsibility for an organization's current integrity index cannot be attributed to the current administration, or to any individual administration, since the index is designed to reflect trends over longer periods of time. MOE showed the greatest improvement from 2002 to 2003.

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\*\* Former Director of Human Resources of the Bogotá Department of Education.

The explanation for the discrepancy may lie in the particular factors that *Corporación Transparencia por Colombia* takes into account in evaluating government entities. These factors are based on a broad conception of corruption, in which transparency is conceived not only in terms of official action visible to the public, but also in terms of the degree to which the general public, as well as particular interested parties, have access to government information; oversight and sanctions, i.e. the extent to which dishonest or corrupt acts are investigated and punished; and, finally, institutionality and efficiency, this being the degree to which established and publicly recognized procedures are followed.

In light of these considerations, the results of the study are not at all surprising. The factors it analyzes – in particular those relating to transparency and institutionality – are affected by historical problems in the administration of the education sector as a whole, not only in the ministry, which contribute to creating opportunities for corruption. The absence of standardized procedures, criteria for the allocation of funds, or any clear notion of outside accountability, led to practices that, though not strictly constituting use of public funds for private enrichment (as has occurred in other sectors), may be described as “the systematic use of public office for private benefit whose impact is significant on access, quality or equity in education” (Hallak and Poisson, 2002: 7). The clientism that has been characteristic of relationships within the education sector has contributed to such practices. As Gómez Buendía (1998) states, in Latin America: “practically none of the operations of the educational system is exempt from the influence of clientism”.

Of particular relevance here are those practices that involve the taking over of key personnel-management processes by political groups or unions. These include the hiring and dismissal of employees, selection of principals, and placement and transfer of teachers. When these processes are appropriated by groups acting in their own interest, efficiency, quality and equity are adversely affected.

Combating this requires efforts on various fronts. Not only must the individual contributing factors be dealt with, but an institutional and organizational climate that reduces the opportunity for such behaviour must be fostered. The city of Bogotá, Colombia's capital, began a process of transforming the administration of its public education system in the 1990s. This led to significant improvement in performance and in its citizens' perception of the sector's transparency. Though corruption was not the principal target of the changes, this process noticeably reduced the subjectivity of decision-making with regard to the deployment of resources and personnel.

Since Colombia is still far from achieving universal coverage for mandatory education, governments must make concerted efforts to enrol the high number of children who are currently not part of the school system. Though Bogotá has the best coverage in the country, demographic growth and continuing population influx due to migration and internal displacement call for ongoing efforts to increase schooling opportunities.

Between 1998 and 2003, the number of places available to new students in the public education system grew by 37 per cent, with provision for 240,000 additional students, while the gross enrolment rate rose from 95.52 to 98.25 per cent. This is impressive for a country that achieved only moderate increases in coverage in the 1990s by raising spending significantly. Moreover, practically 50 per cent of this new coverage was achieved in Bogotá without increasing the number of teaching positions, simply by improving efficiency. It is common knowledge that a major portion of educational resources is allocated to teachers' pay. Human resource management – particularly the efficient and equitable distribution of human resources among schools – is crucial in order to assure children access to the education system and to high-quality education.

The commitment of administrations to universalizing education within a framework of severe fiscal constraints forced the city to use existing capacities and resources to the optimum in order to bring the greatest

possible number of students into the system. The positive results were due, in large measure, to the fact that teachers were assigned to schools based on demand and coverage goals. To this end, the Secretariat of Education of the District (i.e. Bogotá), or SED, designed and implemented management tools to make transparent and objective the various procedures involved in personnel management. This led to major gains in efficiency, which, in turn, contributed to improving the city's educational indicators.

The document is divided into four sections. The first is devoted to general aspects of the Colombian education system, while the second describes the education sector in Bogotá and the challenges that its administrators face in regard to transparency. The third section describes the modernization of Bogotá's Secretariat of Education, which served as the framework for the changes in human resource management. The fourth section describes the actual changes in human resource management.

## The Colombian education system

Colombia's educational system is divided into three levels: three years of pre-school, nine of basic education (five of primary school and four of secondary) and two years of upper-secondary schooling. Education is mandatory from 5 to 15 years of age, which involves one year of pre-school and nine years of basic. In recent years, educational policy has placed priority on universalizing access to mandatory education, for which the gross coverage rate is currently 82 per cent. This means that the country is undertaking a major effort to educate more than 1.5 million children who are presently outside the system.

Public education is funded almost exclusively by transfers from the central government. In 2004, funds allocated amounted to US\$3 billion (15.5 per cent of total public spending), which was distributed among departments and municipalities based on the number of students enrolled under a formula that provides for annual rewards for increased coverage. The nation began decentralizing education in 1993, transferring responsibility to

departments and to municipalities of over 100,000 inhabitants. This involved transferring financial resources, as well as certain functions, including the schools' personnel management, decisions on school infrastructure, and selection and acquisition of textbooks and teaching materials.

**Box 2. Colombia: basic information**

- Capital: Bogotá
- 44 million inhabitants (71 per cent urban, 29 per cent rural)
- Administrative structure: 33 departments and 1,097 municipalities; local governments elected by popular vote
- Political system: presidential democracy
- Per capita GDP (2001): US\$6,006
- Educational spending as percentage of GDP: 4.54 per cent
- Student population: 9.6 million (76 per cent public schools, 24 per cent private)
- Distribution of student population: 73 per cent urban, 27 per cent rural
- Gross rate of coverage for mandatory schooling (including 2 years of post-secondary): 82 per cent

GDP = Gross domestic product

Since funding is national, decentralization regulations (Government of Colombia, 1993) govern the use of transferred funds, requiring local governments to first cover payroll and other recurrent costs. Remaining funds may be used on a discretionary basis in various authorized categories of spending, including infrastructure, educational materials, student transportation and food. Spending outside the designated categories must employ local funds.

Despite these constraints, autonomy for key decisions in personnel management – such as hiring, assigning teachers to specific schools, and in-service training – gives local governments considerable control over



education in their jurisdictions. Personnel is certainly one of the most critical decision-making areas, since education is a human-resource-intensive activity, and most of the sector's financial resources are devoted to teachers' pay. The main limitation on autonomy relates to hiring and teachers' pay; these are regulated nationally by the Teaching Statute (Government of Colombia, 1979), which sets forth conditions for hiring and promotion, as well as pay scales.

One of the major challenges that the Colombian Government has set itself is to make access to mandatory education universal, and to make it possible for all students who finish ninth grade to complete the following two years of post-secondary schooling. Against a background of fiscal constraints that made it necessary to place a limit on government transfers for education at the beginning of the current decade, this challenge involves reaching successive educational goals and increasing quality through a more efficient use of available resources.

## The extent of the education sector in Bogotá<sup>8</sup> and the challenges of transparency

Bogotá has a population of approximately 7 million and is the seat of the national government. A great deal of the country's economic activity – large-scale industry and services – is concentrated there. Nevertheless, many of its inhabitants live in poverty, which has required even greater social investment on the part of recent administrations. Efforts have been made to channel resources equitably to the poorest and the most vulnerable.

Since 1995, Bogotá has managed its education services on an autonomous basis. Though the national government is responsible for

8. For the purposes of this document, the education sector is taken to be the SED, which is responsible for public pre-schools, basic and post-secondary schools in Bogotá. SED is responsible for inspection of all of the city's educational establishments, formal and informal, except for institutions of higher education.



funding and regulating the system, the city has allocated resources of its own as well – amounting to 30 per cent of the sector's funding in 2003. SED's budget for that year, taking into account all funding sources, was to the order of US\$368 million, of which 65.8 per cent was spent on payroll, 27.4 per cent on schools' recurrent expenses, 4.3 per cent on new investment and 3.5 per cent on the operation of the Secretariat of Education itself.<sup>9</sup> The education budget is the largest of the city's budgets, outside of public services (water, electricity, telephone and transportation). Education in 2003 represented 11.1 per cent of the city's total spending.

The distribution of the education budget among different spending categories is the direct responsibility of SED, based on overall quotas assigned by MOF and approved by the city council. Though there are restrictions on where funds can be spent, SED has a considerable degree of discretion, especially in terms of how funds are distributed among schools. This requires both technical capacity and reliable information in order to ensure equity and quality while maintaining administrative and financial efficiency.

Since most of the budget is allocated to teachers' pay, the distribution of these funds among the city's schools is a critical factor in achieving equity. Given the size and diversity of the city's population, certain areas are more in demand by teachers than others. Hence, the central administration is under pressure to make assignments to desirable areas.

Bogotá's public education system is large and complex. In 2003, it represented 56 per cent of all school enrolment in the city, or 861,000 students.<sup>10</sup> Of these, 84 per cent attend public schools, while the

9. Fiscal year 2003 is the benchmark.

10. Historically, private schools have accounted for a significant proportion of school enrolment in Colombia, especially in Bogotá. In 1998, the percentage of students enrolled in private schools was 54 per cent. This has fallen to 44 per cent as of 2003 as a result of the city's effort to subsidize the education of the poorest.

remainder attend private schools under contractual agreements with the government, or schools recently created under a concession arrangement.<sup>11</sup> At the end of 2003, nearly 180,000 children applied for entry to the public system, which has only a limited number of spaces available each year. Mechanisms are needed to guarantee that available space is given to those in greatest need.

The city's 363 public schools operate at 667 locations,<sup>12</sup> requiring timely and sufficient teacher presence as well as cleaning, security and maintenance services, which are also contracted by SED. In 2003, SED provided transportation for 24,000 students on nearly 700 routes. This service, too, was provided under contract. In addition, SED delivered daily 179,000 school meals to low-income primary-school students. In all, 5.2 per cent of the recurrent spending (approximately US\$19 million in 2003) was outsourced. The principles of publicizing contract opportunities, selecting bidders on an objective basis, and public accountability for the contracting and its results represented a major transparency challenge for SED with regard to objectivity, timeliness and efficiency.

11. In addition to public schools, SED has agreements with approximately 300 private schools, which provide educational services in exchange for a subsidy, and 23 schools under concession, i.e. public schools administered by private organizations.
12. In Colombia, a school must offer at least one grade of pre-school, and nine of basic. Since existing offerings are fragmented into primary and secondary grades, nearby schools are integrated to form a single institution.

### **Box 3. SED services**

- 2003 budget: US\$368 million.
- Payroll: 27,855 teachers, 2,345 administrative personnel.
- Enrolment: 861,000 (724,000 in public schools, 114,000 in private schools operating under agreements, 23,000 in schools operating under concessions). Number of schools: 363 at 667 locations (2,614 buildings covering a total of 1,250,000 m<sup>2</sup>).
- Services: delivers 179,000 refreshments daily, transports 25,000 students on nearly 700 routes.

*Source:* SED 2001-2003 management report.

## **Modernization at SED**

The scope of SED's operations requires a sound organizational base. In the middle of the 1990s, Bogotá began to implement major changes in the management of the education sector. Continuity of policy over three different administrations allowed the city to embark on a series of reforms that led to achievements that were equally significant in terms of coverage, quality and efficiency. The strategic approach to administration represented a shift from the traditional one, which was centred on the traditional actors and involved mere management of teaching staff, to a results-centred approach, which measures the number of students enrolled in schools, as well as quality – quality being defined as the capacity to increase continually students' competence in basic areas of the curriculum. Meanwhile, a policy of equity requires that resources be allocated efficiently and in such a way as to benefit the poorest amongst the population.

Insistence on measurable and verifiable results over time represents a shift from the traditional view that educational results are visible only in the long term. The change made it possible for the first time for citizens to demand accountability from the administration regarding specific aspects

of its management. Debate about education during this period was fed by information provided systematically to the public by SED. The Mayor and his cabinet periodically held public events to provide accountability to the people. They showed what progress had been made towards achieving goals and answered questions from citizens. At the same time, a group of NGOs, in association with *El Tiempo*, the newspaper with the largest circulation both in Bogotá and nationally, monitored a selected group of indicators and conducted surveys to determine public perceptions.

This strategic vision, which was set forth in policy documents at the beginning of the process (Government of Colombia, 1998; 2001) is not the only essential element in the positive results that have been achieved. Another is the institutionality that supports the implementation of sectoral plans. The leadership of SED, which enjoyed continuity during this period, devoted special attention to creating institutional capacity to implement effectively the wide range of procedures involved in providing the set of services under its purview.

The main objective of modernizing SED was to establish an organizational structure that would be adequate for the strategies outlined in the sectoral education plans during the 1998-2001 and 2001-2004 periods with regard to equity, quality and efficiency. There was a perceptible improvement in the services provided to schools (SED's main 'client'), as well as to employees and citizens. These services were further supported by a comprehensively designed set of processes and an information system. The strategy was essentially an attempt to address the need of schools to receive support in a timely, efficient, transparent and equitable fashion.

SED was reorganized, administratively and functionally, into three levels. The central level handled decision-making in critical areas of management, while some processes were delegated to the local level in the form of 16 Local Educational Administrative Centres (or CADELs). These were created in 1996, in order to support educational management in the

various parts of the city.<sup>13</sup> At the third level were the schools themselves. The local level was strengthened by giving the administrative centres an organizational structure that allowed the educational community in each locale to access all of the information and services offered by SED at the central level. The delegation of functions was designed to provide complete and efficient service to the citizens locally, and to promote the educational community's sense of belonging to, and identification with, SED through the administrative centres. This strategy succeeded in creating a local commitment to carrying out the changes in administrative approach, while facilitating and supporting the procedures generated at the central level.

At the same time, mechanisms were put in place to select and develop skilled and talented administrative personnel committed to achieving goals in a co-operative working environment that placed major emphasis on individual responsibility, teamwork and high-quality results. All candidates for professional and administrative positions at SED and at the administrative centres during this period were subjected to testing, which made it possible to hire personnel with the requisite qualifications, knowledge and leadership skills.

Designing and implementing an information system for management at all levels and in all offices within SED, and interconnecting them online (see *Figure 8.1*), were determining factors in the success of the modernization process. The system made available timely information for decision-making and also made it possible to monitor management indicators for each area and programme on a continuous basis.

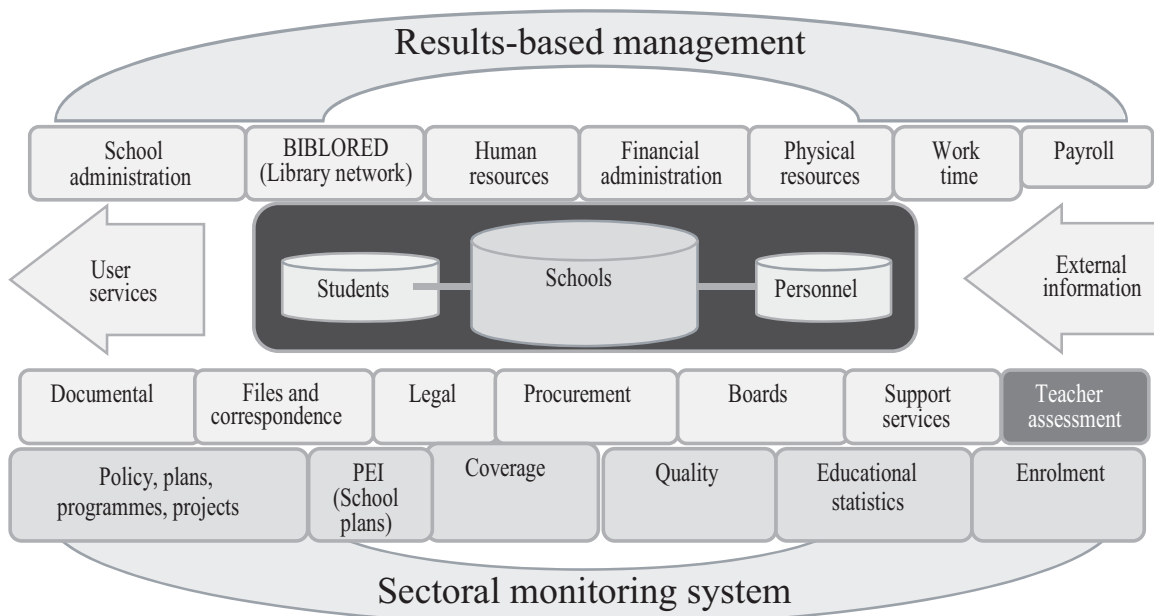
At the heart of the system was to be found information on the students enrolled, the schools and the teachers. Around this essential information, modules were devised to monitor the management process from day to

13. Bogotá is divided into 20 sectors without political or administrative autonomy. The local structuring of each service is determined at the central level.

day and to evaluate the sector's results in terms of coverage and quality. Efficiency was assured by applying various procedures – 491 in all – that were systematized and optimized through a re-engineering process.

Fundamental to the modernization process was transforming the process of providing service to users. The various requests that citizens and employees make of the administration tend to become a source of corruption when they are not addressed in a timely fashion. The 'bureaucratic processor' was a common view that the people had of those who served the public behind SED counters, and it was often necessary to pay one of these intermediaries in order to obtain a rapid response from the bureaucracy. To remedy this, standards and systems for information handling were established; service and response time for correspondence and other administrative procedures were measured and monitored, and complaints were followed up as they arose.

**Figure 8.1 The SED information system**





The SED filing system was also modernized. Until 1998, each part of SED had a separate filing system, housed in a different physical area, and without any technical classification or database to facilitate the use of the information. This situation seriously affected the ability of the organization's different divisions to relate to each other, and created all of the problems that arise when an organization lacks a centralized point for accessing information. The restructuring of the filing system had two major objectives: to establish a central filing system and to redesign the procedures for accessing information from the filed documents.

Internal and external information were crucial, not only in the modernization process, but in providing transparency for the organization *vis-à-vis* the public. Channels of communication were established for internal as well as external clients. The priority was to create trust, commitment and a sense of belonging. As part of the communication strategy, accurate and timely information was provided to the public regarding SED's various activities and their results. Regular contact with the media made it possible to publicize efficiently large-scale actions, making education an issue of interest for the general public and supporting the systematic effort to create accountability.

In the particular case of personnel management, as will be seen in the following section, modernization meant not only reorganizing all administrative procedures, but instituting the use of technical tools, restructuring personnel at the central and local levels, and creating a standard of disciplined, integrated and unified teamwork. This would enable educational policy, and the inputs needed to carry it out, to flow from the central level to the school level, actively involving people at the local level.

The modernization of SED involved more than systematizing processes and streamlining the use of resources. It was designed to create an organization capable of supporting a complex set of services requiring a high degree of co-ordination around common policy objectives. The results were



evident in a short time. There was a considerable increase in coverage and quality; in 2003, 100 per cent of schools were covered by cleaning services, while the cost per job was reduced by 52 per cent; security services reached 100 per cent coverage, with a cost reduction of 60 per cent. Teachers and administrators at the schools were assigned according to set criteria, so that roughly 50 per cent of the new coverage was achieved without increasing the number of teaching positions. Student transportation and food were outsourced and delivered on time daily. The percentage of procedures carried out within an optimal timeframe increased from 15 per cent in 2001 to 80 per cent in 2003, while the repetition of tasks due to procedural errors or duplicated functions was halved (SED, 2001).

In all, these changes translated into transparent management, supported by the creation of an ethical environment promoted directly by the mayor's office through a programme entitled 'Excellence in Public Management' (*Gestión Pública Admirable*). According to a survey conducted in 2002 and 2003 by the District Inspector (*Veeduría Distrital*), 78 per cent of SED employees believed that the organization acted with high ethical standards. At the same time, 98 per cent stated that the ethical level of the organization validated their work, stating that the ethical environment was encouraged by measures such as merit-based access to positions within the organization, periodic assessment meetings, an internal computer network for communication, and mechanisms to report improper conduct.

Those in business described the ethical level of SED as 'excellent', 'very good' and 'good'. Of the contractors, 80 per cent had a positive view of the ethical performance of the city's government agencies, and over 50 per cent of those participating in bidding as well as those in business in general (57 and 56 per cent respectively) considered the overall ethical performance of the city's administration to be good.

## Management of teaching personnel in Bogotá

Traditionally, the deficiencies of the education system have been attributed to funding that is insufficient to meet demand. In the second half of the 1990s, this logic was challenged by various studies, showing that the country had the resources to serve more students, if they were allocated efficiently (Government of Colombia, 1998). In 1998, a review of human resources in Bogotá showed that the city's number of teachers was sufficient to serve not only all enrolled students but also a significant number of new students. The study made it clear that teachers were inequitably distributed. There was a surplus of teachers in areas of low educational demand (central and northern Bogotá), and a serious lack in peripheral areas, primarily in the south, where the demand and the number of poor in the population are greatest. In addition, the number of teachers on the payroll did not correspond to the number of teachers in the classroom. Absent teachers were covered by additional personnel, hired at additional cost to the administration.

This situation was the result of deficiencies in the management of teaching personnel, both nationwide and in Bogotá, some of which were blamed on the teaching statutes, which place constraints on local governments with regard to personnel management. It was believed that it would be impossible to introduce change in this area without legislation.

Based on work done by the previous administration, and armed with solid legal tools, the incoming leadership of SED in 1998 immediately began a process of verifying the functions and physical placement of each of the 28,000 or so teachers on the city's payroll as well as verifying the status of vacant positions. The information was then compared with the real needs of the schools. Troubling situations came to light: Information systems and databases were at an incipient stage and did not address the needs or scope of SED responsibilities; the various divisions of the organization had different databases; procedures were not uniform, and decision-making criteria differed.

This informational chaos, along with a lack of clear criteria and procedures for assigning teachers, had led to subjectivity in administrative decision-making and an organizational culture that was highly susceptible to outside pressure, so that there were many opportunities for corruption associated with personnel administration. A great deal needed to be corrected if human resource management was to achieve the policy objectives that the city had set forth regarding educational coverage and quality.

For numerous reasons, the area of human resources was an essential tool for the objectives that the administration had set for itself. Achieving coverage goals required criteria and procedures that were well defined and transparent, so as to place teachers where they were needed. Quality goals implied orienting all SED and school personnel towards improving learning. As is well known, the quality of education is related to a range of variables; some connected with schools, some not. Among the former, studies emphasize the effectiveness of teaching strategies – which depend largely on the professional ability of teaching teams – and the actual time that schools devote to learning activities, which is associated largely with meeting school day and work day requirements.

The transformation of human resource management in Bogotá followed principles of transparency, equity and efficiency, and involved interventions designed to: (a) employ objective criteria in assigning teachers to schools and reorganizing personnel; (b) design and implement a human resource information system; and (c) design and implement well-defined and transparent procedures associated with key personnel processes, such as hiring, placement and transfer of teachers, monitoring of absenteeism, teacher's pay, and timely administrative procedures.

## Personnel reorganization

Following an analysis of the rules in force, and taking account of infrastructure conditions and quality requirements, technical relationships were established to govern the size of groups and the number of students

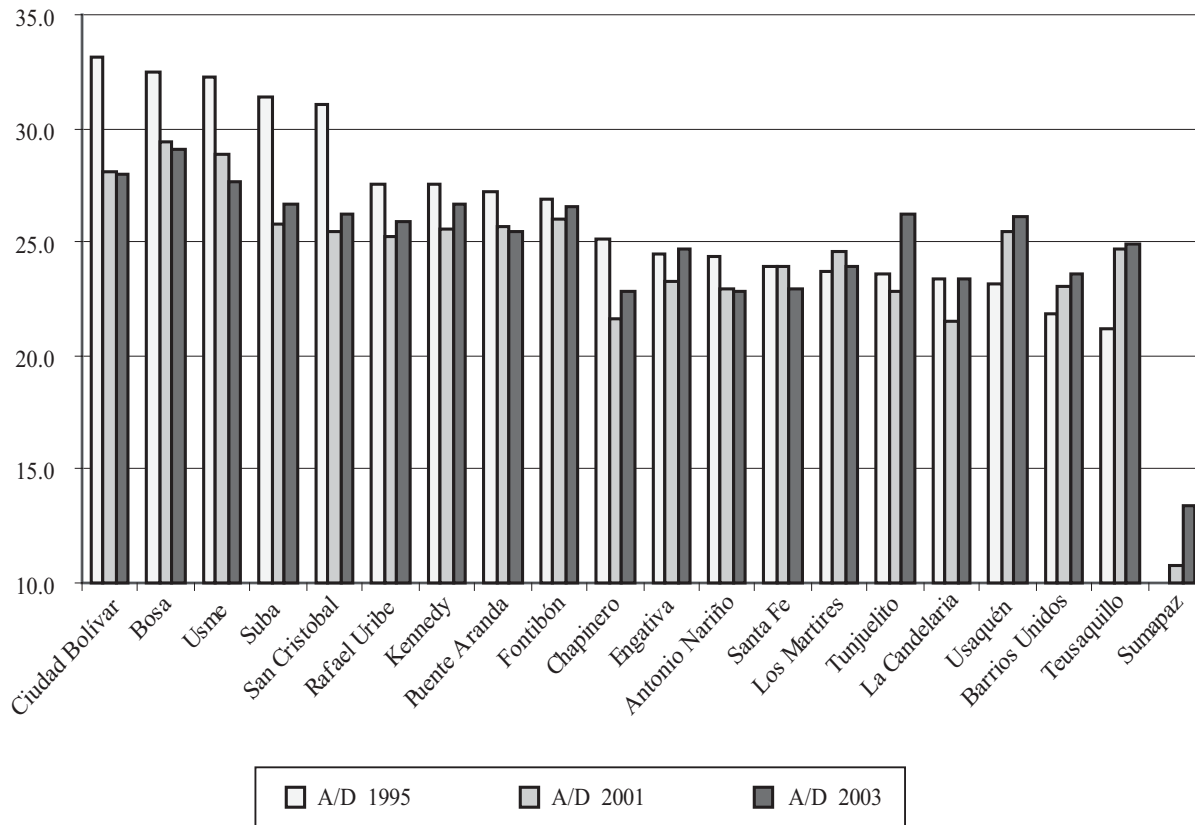
per group at each educational level. The minimum number of students per group was set at 25 for pre-school, 35 for primary and 40 for secondary and two-year upper-secondary. The ratio used to assign teachers to groups was 1:0 for pre-school, 1:1 for primary, 1:3 for secondary and post-secondary and 1:7 for post-secondary technical education.<sup>14</sup> This means that at the primary level, for example, one more teacher was assigned for every ten groups. The function of this additional teacher was to support certain areas of learning. At the secondary and post-secondary levels, the ratio was higher because of the specialization involved. These technical relationships or parameters were formally adopted as administrative policy as a basis for reassigning teachers – a process that was carried out based on an analysis of the position of each of the teachers on the payroll.

The immediate effect of setting parameters was to increase the system's ability to serve new students in parts of the city where educational opportunity was lacking. As mentioned above, over half of the new places for students that were created between 1998 and 2003 resulted from reassigning teachers to schools where there was a deficit. Similarly, a more equitable distribution of funds was achieved, benefiting those areas that had traditionally had a lack of teachers, larger groups (see *Figure 8.2*) and a large number of children without schooling.

The reassignment of teachers according to set criteria was the result of verifying the actual roster of positions,<sup>15</sup> a process that began in 1998 and culminated in determining the exact number of teacher positions required for each school, according to the number of students enrolled.

14. Post-secondary schools may be either academic or technical. The teacher-group ratio is higher in the latter case, because of the specialization involved in technical training.
15. Roster of positions here includes the entire number of posts approved, both occupied and vacant, while payroll includes only occupied positions.

**Figure 8.2 Group size by locality: 1995, 2001 and 2003**



*Source:* SED, 2001-2003 management report. The areas with deficits, where the greatest part of the poor population is centred, appear on the left of the chart.

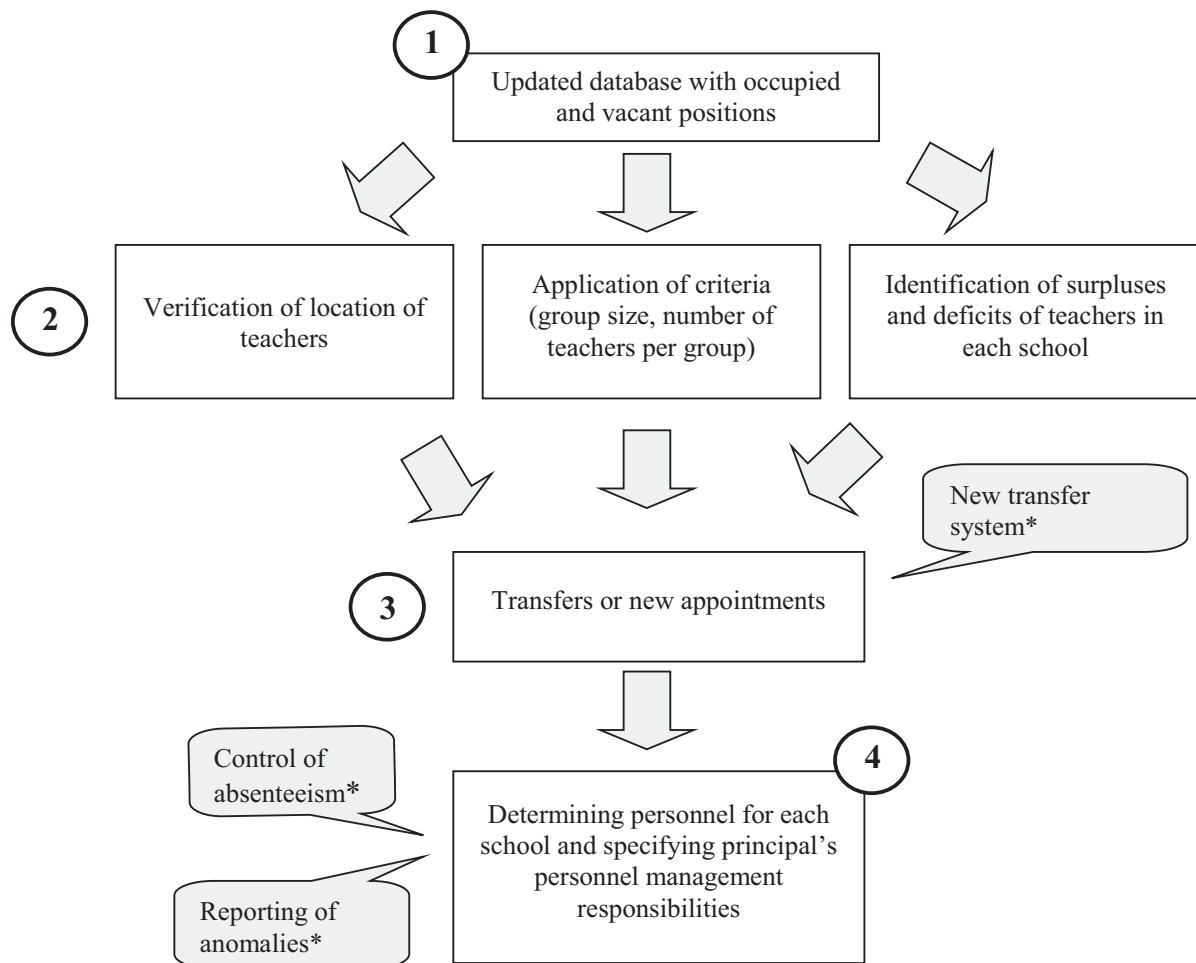
The process involved several phases. First, the number of teachers approved for the city had to be ascertained. This required making a chronological compendium of the decrees and resolutions issued by various agencies and branches of government to determine the precise number of teaching jobs approved. At the same time, information was gathered on personnel currently in SED schools. A form completed by the school principals provided an initial database on teachers, principals and administrative personnel working at each school, with information on the area in which they worked, subject area, schedule and workload. The resulting database was compared with the existing personnel database indicating payroll and location of teachers.

The payroll showed more teachers than did the reports from the schools. Some inconsistencies were found between information from school principals and central information on where teachers were located. A field study in 20 localities was designed in order to ascertain who actually worked at each school.

A team was formed, including planning personnel responsible for attaining coverage goals, academic staff responsible for ensuring that changes would not adversely affect the quality of education, and personnel experts to ensure efficiency and optimal use of the system's human resources. The fieldwork also identified irregularities in the school day, and ways of correcting them.

Based on the information from school principals regarding teacher absenteeism, a meticulous review was made of schedules and workdays. These were then adjusted so that all teachers would work full time as called for by their appointment. There was also a rigorous follow-up of teachers who were assigned to a school, but had not been present at that school for some time. A number of these teachers were found working in non-SED entities, such as hospitals or philanthropic institutions, in jobs and functions quite different from those to which they were appointed, or teaching in private schools. All were immediately relocated to public schools where there was a deficit of teachers, applying the criteria for assignment of teachers at each level, and employing approved procedures for relocation.

**Figure 8.3 Personnel reorganization**



\*These procedures (among others) were designed as a result of the personnel reorganization and were subsequently applied to the management of teaching personnel.

In the next stage of the process, the principal of each school received a new printed form with the revised information on his/her school's personnel, adjusted according to the established parameters, as well as basic information on each employee. The principal was to review the information, indicate any remaining inconsistencies, correct any errors and return it to the central personnel department, attesting to the validity of the data with his/her signature. This new information was used to determine the definitive number of teachers to be assigned to each school and was delivered to the principals along with an administrative document making



this list of personnel official, and indicating the principal's responsibilities for managing the employees included on the list. The database included identification, teaching or administrative career grade, academic discipline, nominal and functional position, and assigned schedule.

This information was a valuable tool for principals as administrative heads of their respective schools. Specifying their functions in relation to personnel management and clearly defining their area of authority was a significant advance in SED's human resource management. Though the areas of responsibility were not new, there had been many ambiguities in how they were actually interpreted, and principals often used their teacher status to avoid meeting them.

### The human resource information system (SIRH)

The process described above made it possible to rectify the information on personnel and their locations, while providing the basis for a human resource management information system. The objective was not simply to update the databases, but to use them in combination with other modules of the SED information system in making decisions on teacher assignments, inserting any payroll changes, processing individual requests, etc.

The heart of SIRH is its information on each of the teachers, which includes identification data, work history, academic and in-service training, the school at which the teacher is working, and any updates or changes affecting pay. It also contains all the procedures carried out in the personnel office, and is codified in such a way that each change is verified against a database of current rules in the system. Each request is subject to systematized controls; thus an entry that does not meet the requirements cannot be processed. Any changes occurring in the personal and work-related information on teachers is also entered periodically. The reports produced by the system serve as a basis for monitoring progress in achieving the plan's goals, and to provide material for short-, medium- and long-term planning exercises.

## Human resource management procedures

Human resource management accounts for much of SED's day-to-day work. Personnel is always moving from one location to another, sometimes due to administrative decisions (appointment, transfer, promotion), on other occasions at the request of employees themselves (related to personal circumstances, such as medical or other forms of leave), and many of these cases affect the payroll and must periodically be updated in the system. The lack of clear and orderly procedures in these areas has created opportunities for corruption. In many cases, correcting these situations required not only reports to the relevant disciplinary organizations on the particular case, but also a review and redesign of the procedures involved, calling on the re-engineering experts who were on the staff as a part of the modernization programme.

The procedures that were designed and implemented as a part of the modernization of SED had a significant impact on the streamlining and transparency of key personnel processes: (a) the hiring of teachers; (b) the transfer system; (c) the rectification of the payroll; (d) the control of absenteeism; and (e) the procedures requested of the administration.

## Selection of teachers

The process of verifying personnel on the payroll in Bogotá made it clear how many new teachers were needed to fill vacant positions. This was done on a competitive basis, in accordance with national law.<sup>16</sup> The aim of the process was to ensure the objective selection of the best teachers, while guaranteeing that their qualifications would correspond to the real needs of the schools, both in number and in subject area.

16. This competitive process for teacher hiring has a long history in Colombia. It originated largely as the result of requests by teachers' organizations to guarantee that teaching would be carried out by individuals suited and accredited for the task.

In the case of some teachers, discrepancies between their academic disciplines and the information in the personnel database affected the calculation of vacancies in each discipline and made it difficult to issue a competitive call for candidates in a way that would address real needs. This was remedied by entering in the database the academic discipline for which teachers had been hired, the area or areas in which they had specialized during their teaching life, and the discipline in which they were currently teaching.

In addition, a matching process was undertaken, giving the teachers the chance to work thereafter in the discipline of their choice, provided that they were appropriately qualified. This process took the form of a standardized procedure, requiring that suitability for the change be established. Administratively, it contributed to placing teachers in certain areas where there was a lack of teachers, while reducing their number where they were less in demand. This was another measure that contributed to better distribution of available human resources and competitive hiring that effectively addressed the real needs.

The principal objective in designing the new competitive process was to guarantee that it would be based on precise data and figures, both in terms of the academic disciplines required and in terms of geographic needs, thus facilitating efficient use of available financial resources and making it possible to cover all vacancies, regardless of where they occurred. The competitions to cover rural areas were a significant example of this.<sup>17</sup> Rural schools had the greatest number of vacancies. Since they were in areas of difficult access and involved other special conditions, teachers tended not to stay there for long, and there were continual requests for transfers.

An analysis of previous competitive hiring processes revealed one constant: Teachers competed for positions, and when assignment to a particular locale arose, they either submitted arguments for a different

17. Approximately 1.5 per cent of the population of Bogotá lives in rural areas.

location or accepted the position but requested a transfer shortly thereafter. This obviously had a serious affect on public education in the neediest areas. To remedy the situation, competitions were announced specifically for the problematic areas, making clear the nature of the area, and requiring a minimum time in the post. Videos of the areas were even made available prior to the testing and interview process. Thus, applicants knew what they were committing themselves to beforehand, which ensured that service would continue where it was initiated, and that 100 per cent of rural needs would be met.

The competitive process itself also underwent some modifications. It had traditionally been handled by SED with instruments that it had designed. The major change was to give the selection process over to a third party by contracting the services of universities with proven experience in this area. This ensured that there would be no influence of outside interests, and that the instruments used (tests and interviews) would identify those candidates with the greatest ability and commitment.

## Transfers and their impact on organizational culture

It is common in many of the region's countries that when a teacher transfers from one school to another, the 'post' associated with the teacher is also transferred. He or she is not always replaced, since budget constraints make it increasingly difficult to appoint new teachers and very few teachers are willing to move to the poorest and most isolated areas.

Teacher transfers in Colombia have been a private matter, governed by individual interests. Bogotá was no exception in this respect. Lack of regulation and control over the transfer procedure explains, to a great extent, why some parts of the city had a surplus of teachers, while others had a deficit. Vacancies in attractive parts of the city were in high demand and often were the object of external pressures. There were also many teachers working in other parts of the country who wanted to come to the capital. At times, the administration's role was simply to rubber-stamp transfers that

were the result of a private agreement or do a ‘swap’ among teachers, and SED did not intervene to ensure that the transfer would address the needs of the city in terms of professional qualifications.

The needs for teachers, as reported by schools, were not always consistent with the number of students enrolled. Often, teachers transferred for their own reasons rather than reasons based on schools’ needs. Only as data were compiled at the central level did questions emerge regarding the high demand, on the part of teachers, to work in certain schools located in highly attractive parts of the city – in contrast to the low demand for schools that were very similar except for their location. Moreover, schools presenting themselves as having more needs than they really had allowed them to obtain a greater number of teachers and to manage scheduling more comfortably. Not all teachers in a given school had the same number of class hours or were in school for the same amount of time.

Restructuring transfer procedures was essential in eliminating one of the principal sources of subjectivity in personnel management. The objective was to implement a totally transparent and equitable process, with fixed and publicized criteria, that would make it possible to accommodate teachers’ requests for transfers as much as possible, while giving priority to the needs of areas that had teacher deficits and therefore were unable to offer educational services to as many students as they were expected to serve.

## The reorganization of the teacher transfer process

The transfer process was reorganized according to clear criteria in order to ensure meeting actual educational needs more effectively. Requests would be entertained only at the end of the school year when students were on vacation, and the continuity of studies would not be interrupted. Exceptions were permitted under special circumstances, such as documented illness or court orders.

The reorganization began with a measure that had a major impact. All shifting of teachers was frozen, and control of transfers was placed entirely in the hands of the central personnel office. Until that time, the administrative centres had handled transfers of both teachers and administrative personnel autonomously. A pilot procedure was designed as a prototype for a definitive system. It employed simple software for entering teachers' identification numbers, their academic disciplines, and their location preferences for vacancies registered in the central system. Specific requirements for transfers were set forth, based on the relevant legal requirements. This was the first step towards creating transparency in one of the most sensitive areas of procedures for teachers – one in which lack of objectivity had been most evident, and in which the honesty of personnel was put most strenuously to the test.

Since transfers were viewed as a right, with teacher's interests predominating, the first stage of the process (in December 1998) was to set out clearly the rules of the new policy. The Constitution mandates that children's rights (of which education is one) shall prevail over the rights of others. Thus, the transfer process must respect that priority, concerning itself first with providing education in schools located in areas with the greatest concentration of school-age children.

Voluntary exchanges between teachers in Bogotá and other parts of the country were subjected to detailed individual scrutiny. The objective was to eliminate irregularities associated with private agreements between teachers, endorsing the exchanges only when reliable data indicated that the exchange was good for the city. Exchanges thus required assessing whether the academic discipline of the teacher who wished to come to Bogotá was in fact needed in any of the city's schools. The decision on the exchange required approval by the administration. In addition, the status of the teachers



involved in the proposed swap was examined to determine whether either of them was close to retirement.<sup>18</sup>

Not until late 2003 were transfer requests to Bogotá processed under the significantly revised procedures. Exchanges were not ruled out but were subject to a number of conditions set forth in the new education law, which, among other things, requires an agreement between the two regions involved before an exchange can take place. This permits administrative control of the exchanges at both the municipal and national levels and facilitates the equitable distribution of teachers throughout the nation. Approval is dependent on teachers being suited to the needs of the region to which they propose to transfer. The transfers thus became a matter of public record, with the administration making the final decision, based on the needs of its schools.

Transfers based on medical considerations continued to be processed and executed immediately, under procedural arrangements that ensured timeliness while preventing loss of class time. Proper medical documentation was required, and the urgency of requests was evaluated in light of the documents. It was important to balance minor medical problems that did

18. Teacher exchanges between regions were a common form of transfer, and the Teaching Statutes contain rules on this. The high demand for transfers to Bogotá and departmental capitals made the transfer process susceptible to corruption inasmuch as private agreements between teachers might involve payments. For example, someone holding a position in Bogotá might agree to an exchange with a teacher elsewhere in return for a payment that varied depending on the circumstances of the proposing party: If only a couple of months were left before the Bogotá teacher was slated to retire, the teacher from the outlying area could negotiate a more advantageous deal, since the former would only be required to spend a small amount of time in the new post before retiring. Once the exchange was processed and made official, the Bogotá teacher would resign. The other teacher would move to the capital, and his/her original school would still be lacking a teacher. Such a practice was very common, but difficult for the administration to control, since the agreements were made between private parties.



not require complex solutions against truly urgent cases. SED worked with health insurers to correct anomalies resulting from reducing the teacher population in marginal areas, where physical conditions are clearly more difficult, but where the demand for teachers is greatest. Medical transfers continued to be processed at all points in the school year, but there were strict requirements regarding medical documentation. With the implementation of these tight controls, and the collaboration of health service providers, the number of requests dropped considerably.

## The new transfer system

The transfer process that was finally implemented uses software that lists entries showing definite current vacancies as of the date of the request that had been pre-approved centrally. This information is cross-referenced with enrolment information, so that as students' records are entered, the transfer system reflects the new needs for teachers at each of the schools, according to the established assignment criteria. The software includes standardized comparison operations to verify needs and compare teachers' academic disciplines with those needed by schools.

The system allows teachers interested in transfers to designate four locations. This streamlines the process and facilitates automatic relocation, thus benefiting teachers. The procedure is repeated, as needed, to cover gradually all of the vacancies. As a teacher is reassigned, the position from which he or she is being transferred is entered into the system's revised list of vacancies. The assignment process is so systematized that no manual intervention is possible. In cases where more than one viable candidate requests a school, the principal interviews the candidates (SED, 2001).

This process initially elicited strong objections from teachers' unions, who objected to the fact that transfers were not available throughout the school year. Criticism also focused on the fact that a computer programme

assigned the vacancies instead of the traditional, personal method.<sup>19</sup> The administration's refusal to process requests except through the system, or to intervene manually in the assignment process, was criticized. The elimination of manual intervention worked against the traditional scheme of favours, replacing it with fixed, widely publicized procedures in which the only condition for obtaining a transfer was that the teacher meet the requirements.

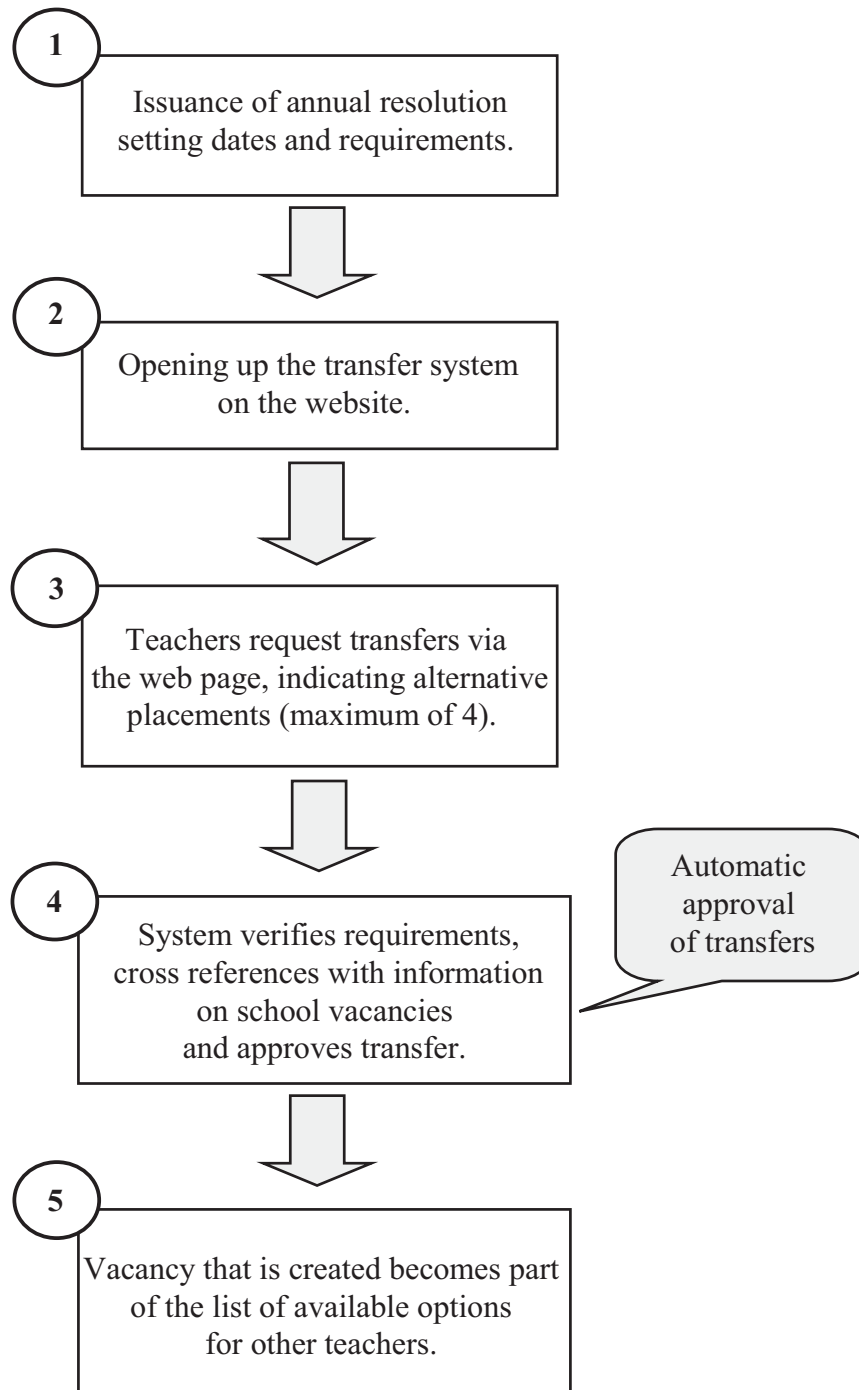
Once the system had demonstrated its advantages, it gained favour among many teachers. Their participation was decisive in implementing the system, which became one of the most successful features of the SED's modernization process. Teachers' support was primarily based on the fact that all had access to the system on an equal basis. Anyone could request a transfer and have a chance of obtaining it by meeting established criteria without having to resort to third parties.

### ***Transfers due to 'need for services'***

Along with the initiation of the new process of voluntary transfers, a number of mandatory relocations were necessary. As a result of the population distribution in certain areas of the city, there were areas that had major teacher deficits, while schools near main streets or central areas of the same district had a surplus. Thus, a number of transfers were affected, invoking the administrative prerogative provided for in the regulations, which allowed the administration to shift personnel for the purpose of addressing educational needs, as defined by official criteria.

19. As in the case of spaces for new students, the system's automatic assignments were criticized by some on the basis that they failed to take account of the particular condition of each person, or, as it was expressed colloquially, for "having no heart". The administration defended both systems with the argument that opportunity should be for all, without favours or 'leverage' intervening. Cases of mistaken assignment were, however, recognized and corrected, following meticulous analysis.

**Figure 8.4 The transfer process (personal request)**



Since the ultimate goal of the entire process was to optimize the use of human resources, it was necessary to make annual adjustments in the distribution of personnel. This, too, involved transfers initiated by the administration in order to continue meeting educational needs and to achieve the quality, coverage and efficiency goals set forth in the development plan. Based on management indicators and ongoing contact with school principals, an analysis of different tasks and activities was conducted to ensure that every classroom would have a teacher, and that the teacher would be the appropriate one for the classroom. By the end of 2003, 100 per cent of the need for teachers in all of the schools had been met according to the established criteria, without increasing the overall number of personnel.

### ***Control of absenteeism***

One indirect effect of the re-organization and of assigning well-defined functions to school principals was that this generated significant progress toward utilizing the full school day, or workday. In addition to verifying the presence of personnel on the job, the SED's fieldwork detected irregularities in the management of school time, thus making it possible to adopt administrative measures to correct the situation. In order to deal with situations in which employees failed to work a full day, a system was designed and implemented to register the amount of time worked. This had two objectives: to ensure that students actually received all the classes programmed, and to encourage an organizational culture in which the students' time was valued.

Under the new procedures, school principals were to create monthly records, including any anomalies regarding the daily attendance of employees for whom they were responsible. During the first five days of the following month, they were to send a report to the local Administrative Centre. This report was then processed at the central level, along with similar reports from all of the schools.

**Table 8.1 Changes in the transfer process, 1998-2003**

Initial situation in 1998	Situation in 2003	Impact on efficiency and transparency
Outlying areas with teacher deficit of approximately 40%	All localities with 100% of teachers needed	Equity in resource allocation Increased coverage without increased payroll
Transfers based on individual preference (private agreements)	Transfers based on demand in localities and schools	Transfers are a public procedure
Carried out at any time of the year	Carried out only at the end of the year	Timetable does not change the normal implementation of curriculum Learning time is valued
No standard procedure existed	Standardized, public procedure, equal for all	Objectivity in transfers (criteria and procedures are public) No need for 'leverage'
There was no single database at the central level; databases at administrative centres and schools	Unified database at central level, available to administrative centres and schools	Information is in the public domain

Based on the monthly reports, the personnel office made a detailed analysis of all of the cases, which were coded according to the nature of the case – tardiness, disability, unexcused absence, permitted absence, etc. – and a follow-up was carried out. This individual approach made it possible to identify cases that called for clarification on the part of the employee or, in some cases, of the school principal. In all cases, appropriate corrective measures were taken, ranging from warnings and notices to disciplinary procedures and suspension of pay.

The procedure quickly produced major results and promoted a cultural change. Students' time was more highly valued, and unexcused teacher

absences diminished from month to month. It is hoped that the system will lead, before too long, to an organizational culture that will no longer require external controls to ensure that teachers perform their normal functions (self-regulation). Though the administration's measures initially produced strong reactions from many employees, they were supported by principals. The public schools ceased to be seen by the educational community as a place where time was wasted.

### ***Rectifying the payroll***

This consisted essentially of identifying and correcting anomalous situations that involved unjustified payments and excess costs – cases that had serious effects on systemic efficiency. The process was carried out in parallel with the verification of personnel and involved reviewing teachers' payment codes one by one to determine whether the payment was justified.

Once an anomaly was detected, SED (a) determined the status of each teacher; (b) informed the entities responsible for carrying out disciplinary action; and (c) reviewed any potential need for revising the procedure.

All of this followed meticulous review of existing regulations, many of which were ambiguous and required careful legal analysis. In order to study the different cases and provide the legal basis for redesigning the processes involved, SED created a labour committee, composed of specialized lawyers. The committee provided ongoing legal assistance to SED officials, seeking to apply the rules strictly and avoid violating individual rights.

The new procedures, supported by reliable information and technological systems, ensured that irregular situations would not recur. By standardizing these procedures and establishing their legal basis, SED distanced itself from practices based on custom. This provoked strong reactions among some teachers, but the legal soundness of the measures, along with the publicity that accompanied implementation, gained them great support and helped promote understanding and acceptance.

In comparing the identification numbers of teachers on the payroll with the information reported by schools, a number of records indicated cases of teachers who appeared on the payroll but were not linked to any school code. These represented roughly 1.5 per cent of the teachers on the payroll. As a result, SED was forced to hire temporary personnel to cover these teachers who were doing other jobs.

A procedure was designed to obtain information quickly on the whereabouts of these teachers. Since the payment of salaries provides an occasion for obligatory monthly contact between employee and employer, the payment system was temporarily modified so as to ensure that there would be personal communication with those teachers whose whereabouts were unknown. Direct deposits to bank accounts continued to operate for those teachers whose links with the school were clearly established, while those whose status was not verified were now paid by cheque. This meant that they would have to go to SED offices with a certificate issued by the school's principal. The reaction was immediate, and 95 per cent of these individuals were identified and relocated in schools, though a certain number of forged documents and false identities were discovered, which SED duly reported to the relevant authorities.

Findings in these cases showed the need for strict controls in processing *novedades*, or changes in the normal personnel process.<sup>20</sup> As a part of the process of verifying personnel, comparisons had been made with the information in physical files containing employees' résumés. Based on identification and payroll data, each of the payments was validated. The procedure began by randomly selecting a percentage of the total population corresponding to the various payment codes (e.g. extra pay, pay grade, double payments). These were then compared with the physical résumés for each teacher. If the survey showed up inconsistencies, then the physical files of the entire group were examined.

20. For example, disability, leave or assignments, jobs, etc., which call for changes in the regular pay.



Irregular situations were uncovered in this way: (a) teachers who had retired or died, but were still being paid though their positions had been refilled by others; (b) teachers who had been granted study leave and had not returned to teach or who were associated with two different jobs; (c) bonuses that continued to be paid despite the fact that the reason for the bonus no longer applied; and (d) cases involving the use of documents of questionable legality in promoting teachers.

Key procedures for personnel restructuring then began. It was essential, at this point, to obtain the support of employees at the local level as well as school principals. The task was to review and analyze each of the situations uncovered in order to take corrective measures and make any necessary adjustments or redesigning. All deficiencies detected in the existing procedures were meticulously analyzed so that the steps leading to the irregularities could be corrected. The redesign process emphasized placing controls on the processing of changes affecting the payroll. All of this served as input for later use in redesigning the payroll system.

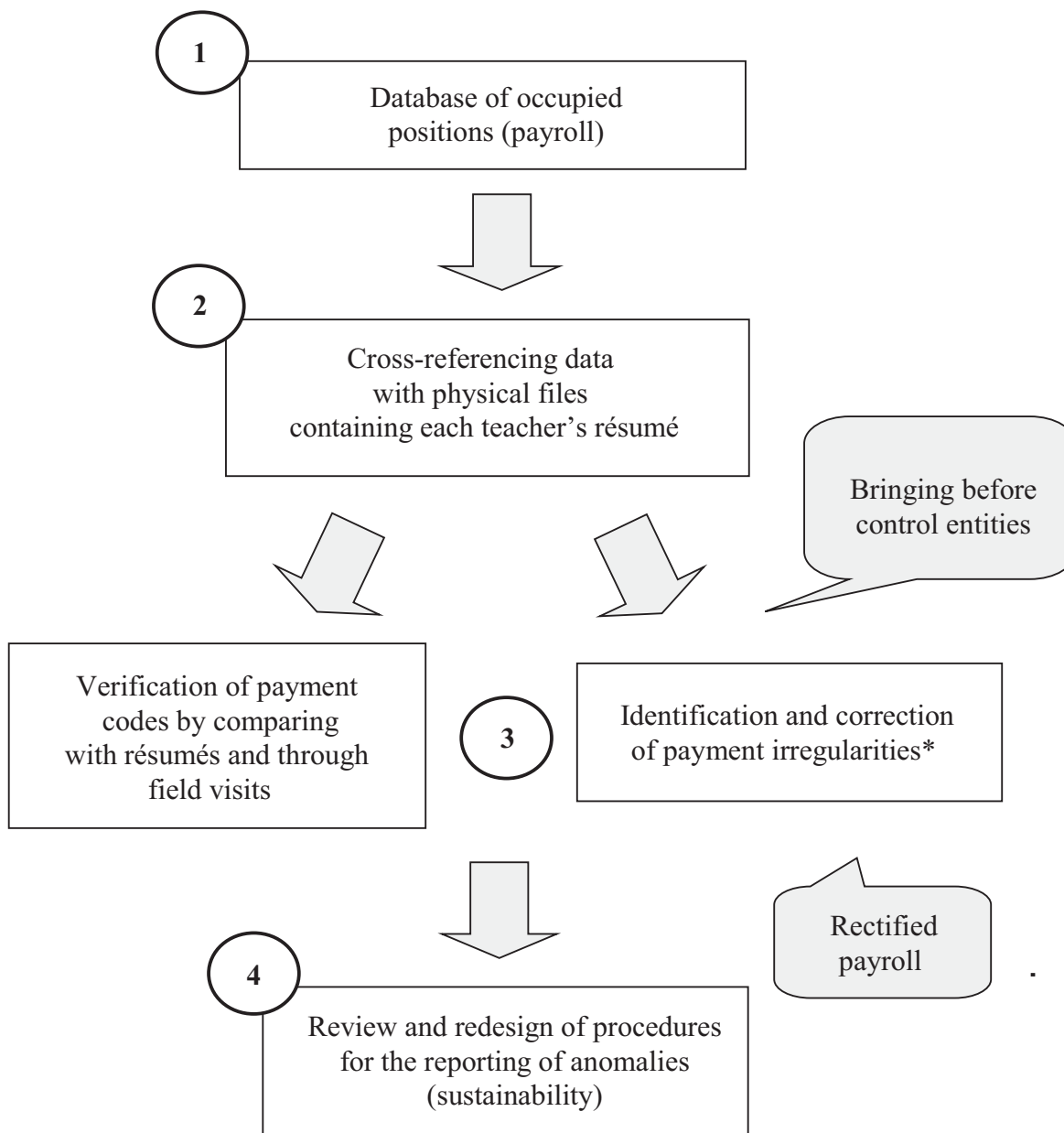
The following is a brief description of some of the anomalies detected in the payroll process as well as the corrective measures taken in each case to prevent a recurrence. The positions of teachers who had retired and whose situation had not been formalized, as well as those of deceased teachers who had been replaced by others, were declared vacant, and the positions were assigned to schools with a teacher deficit. Cases of expired paid leave, in which the teacher had not returned to his or her job, were identified individually, and a standardized procedure was created for granting and terminating leave. This required teachers to present a certificate of re-initiation of work before their salary payments could be reinstated. In the case of teachers working full time in two different schools or in a SED school and another public entity and receiving a double salary from the state, a procedure was initiated with the intention of limiting the person to only one job.

With regard to the salary to be subtracted from the pay of teachers in case of disability for more than three days,<sup>21</sup> procedures used to report such disability were redesigned, and the relationship between the personnel office and the health service provider was formalized. A protocol was created for reporting on services provided, requiring the health provider to report on a daily basis via fax or e-mail any disability granted, and to send SED a weekly hard-copy report. Thus began the monitoring of disabilities, with appropriate measures taken to adjust payroll amounts accordingly. At the same time, timely appointment of substitute teachers was guaranteed. In the process of validating the bonus code,<sup>22</sup> irregularities were found to have been generated in cases in which a temporary job that involved extra pay ended, without the pay being terminated. The remedy here was to associate the payment of the extra remuneration with the job code, not with the employee's identification number.

The results of a sample check made to corroborate whether teacher promotions – and hence pay – were duly supported by the legally required degrees and certificates, suggested the need for SED to audit physical files and verify the validity of degrees with the educational institutions listed as having granted them. This process initially turned up over 1,000 files with invalid certification, and SED was obliged to take disciplinary measures and even revoke payments. In addition, promotion procedures were redesigned to include a process for verifying supporting documents with issuing institutions of higher education before granting promotions.

21. According to Colombian legislation, when a worker is disabled for more than three days, his/her remuneration is assumed by the insurer, who pays 75 per cent of his/her salary. Thus, there is an incentive to hide disability in order to prevent a reduction in income.
22. In Colombia, school principals are teachers who receive extra pay or a bonus, based on the characteristics of the school (number of students, grades served, etc.).

**Figure 8.5 Rectification of the payroll**



\* Double remuneration, replacements, expired leave, unjustified bonuses, absenteeism, etc.

### ***Administrative procedures***

Teachers represent SED's main 'internal client.' No other government agency in the city has a payroll as large as that which encompasses all active and retired teachers. The latter are constantly making individual requests for services, involving bureaucratic formalities submitted to the administration. Redesigning the handling of these requests was part of the overall strategy to serve users. Its principal objective was to improve the quality of service so that no intermediary would be necessary, thus eliminating any incentive to pay such intermediaries. In addition, it reduced the need for teachers to visit headquarters, thus leaving more time for teaching activities.

Restructuring user services made it possible to process all requests, regardless of their content, at different places in the city, from which they are sent to the appropriate office for further handling. Procedures were redesigned and standardized, points of control were created, management indicators were established and evaluated on an ongoing basis, and timeframes and requirements were widely disseminated. The Citizens' Service Unit monitored requests on an ongoing basis, alerting officials in cases of delay, and periodically reporting to senior management on response times.

At the same time, intermediaries were eliminated and controls were put in place to guarantee that requests were handled in the order in which they were received. Timely service was the goal, attempting in this way to combat the 'friends in high places' phenomenon and do away with opportunistic intermediaries who exacted an extra charge to speed up a procedure. Transparency and equality were thus ensured for all requests, along with respect towards those who had always followed the established rules and procedures.

As *Table 8.2* indicates, the reduction in response time was significant. The Citizens' Service Unit allowed interested parties to carry out procedures and obtain answers to their requests without using intermediaries or paying for favours.

**Table 8.2     Response times in dealing with procedural requests**

Procedure	1998	2003
Leave	15 days	5 days
Retirement	20 days	3 days
Coverage of vacancies	25 days	6 days
Assignments	20 days	6 days
Technical bonuses	45 days	15 days
Vacations	20 days	5 days
Disabilities	25 days	8 days

*Source:* Citizens' Service Unit, Secretariat of Education of Bogotá. In: SED, 2001-2003 management report.

## Conclusions

As mentioned above, though most of the measures described here were not adopted explicitly in order to combat corruption, they did contribute to eliminating such practices and improved the perception, on the part of both employees and the public, of SED's management. Among the factors responsible for these changes is the strategic approach that SED adopted for its work, its modernization of the organization and the general ethical environment of the entire city administration.

On the first point, an organizational orientation dedicated to serving the target population rather than satisfying the needs of special interest groups is vital in fostering transparency. The modernization that was successfully completed in 2003 adopted this approach. Thus, it was possible to monitor the results of the new management policy systematically, while the policy produced employees committed to the new mission and approach. The modernization adjusted and redesigned processes that were essential for human resource management – processes that had been highly susceptible to subjective handling and corruption. The publicity provided for these changes, along with the technological tools supporting them, brought significant gains in the transparency of human resource management, which, in turn, was reflected in the city's educational indicators.

Teachers' reactions to the administrative measures were initially what might be expected in the face of adjustment and oversight measures. However, for the general public, as well as for the teachers themselves, the changes clearly had a positive impact on educational services. There was no more cessation of activities or interruption of classes, because SED had decided to pay only for time actually worked – and thus the school day was respected. SED established an image as an organized public agency, disciplined and accountable for its commitments. It changed the public view of the school system from one with poor educational quality, in which students wasted their time, to one in which schools were gaining ground every day, with increasing demand for improvement in the cost-quality ratio.

Though SED's performance has been highly satisfactory as a result of an intentional institutional transformation carefully designed and implemented in the 1990s, today's challenge is to maintain the achievements and continue improving. This is an ongoing challenge, and requires follow-up if achievements are to be firmly consolidated. Measures must be adopted to prevent situations that foster opportunities for corruption, and every effort must be made to generate and maintain a sound ethical environment and organizational culture that impels employees to act with commitment, carry out their duties with a view to fulfilling the mission, and focus on the strategies set forth by the organization.

## 9. Improving transparency and accountability in the management of educational resources: the Hong Kong experience

*Vanessa So\**

Although there is no evidence that the management of educational resources offers more opportunities for corruption than in other sectors, the Independent Commission against Corruption (ICAC) devotes a significant share of resources to prevent corruption in the education sector for two reasons. First, the financial cost of corruption in education can be considerable as the education sector represents the second largest component of public expenditure in Hong Kong (the allocated fund in 2002 was 55 billion Hong Kong dollars (HK\$)); secondly, the ethical cost of corruption in education is higher than that of any other public service. One of the major roles of education is precisely to promote ethics. Since a child learns values, ethics and morality at school, corrupt behaviour within the school definitely has a detrimental effect on the child. The fight against corruption in education is therefore perceived as indispensable in order to promote a healthier environment that will be conducive to the development of the ethical behaviour of children.

Apart from creating a strong deterrent through vigorous enforcement activities to demonstrate that corruption is a high-risk crime, the commission works with the education sector to implement systemic changes at the organizational level to improve transparency and accountability in the management of resources. In fact, the latter function is perhaps even more cost-effective in controlling the risk of malpractices in the long run than law enforcement. In addition, the commission establishes a close partnership with

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the school management in promoting best practices and ethical commitment within the profession, thereby reducing motivation for corruption.

## **Corruption-prevention strategies**

Corruption-prevention awareness is raised in the school sector by providing consultation in the formulation and implementation of their new initiatives, policies and legislation. Over the years since its establishment, ICAC has produced 71 assignment studies that critically review specific work areas in the sector. The corruption practices and procedures in the management of educational resources are examined, corruption loopholes are identified, and recommendations are made to reform work methods in order to reduce the possibility of corruption. The following areas in education management have thus been determined as being the most prone to corruption: (a) the administration and control of funds; (b) the purchasing and tendering procedures in schools; (c) the control and security of examination papers; (d) the acceptance of donations; (e) student admission procedures; (f) the maintenance and repair of buildings; (g) the administration of contracts; (h) curricular development and textbook review; and (i) teacher/staff recruitment, promotion and training.

The assignment studies critically review these vulnerable areas and make recommendations for improving the transparency and accountability of the systems studied. The following mechanisms are taken into consideration in the corruption-prevention approach:

### ***Transparency and publicity***

The best ally of corruption prevention is the public. If, in dealing with the public sector, they know what their entitlements and rights are, they will be aware when the standard of service provided falls short of those entitlements. Therefore, it is essential to ensure that the public is informed of the details of the system operation. For example, the selection of textbooks in schools should be based on quality and value for money. The

criteria for selection should be transparent, and parents should be provided with adequate information to enable them to play the role of well-informed consumers.

### ***Accountability***

Linked with transparency is the need for accountability. This is particularly so in the sectors that are spending large amounts of public funds. Basic requirements are that responsibilities be defined in writing, delegation of authority be a formal process and clearly defined, and an audit of the use of delegated authority be routine and effective. The end product of the chain of accountability should be that, when things go wrong, those responsible are held accountable for inefficiency or mismanagement. For example, staff should be briefed and updated on procedures and responsibilities at all levels; all management issues in school instructions should be clear, consistent and enforceable; decisions should be documented and records should be accurate and updated.

### ***Updated regulations and policies***

New policies and regulations are continuously being introduced, while the need to review or repeal old rules is forgotten or proceeds slowly. This leads to enforcement being encumbered with masses of rules and policies, which either cannot be enforced due to a lack of resources or which have to be enforced very selectively. One of the essential corruption-prevention tasks is to examine rules and practices critically to ensure that they are relevant, up-to-date and enforceable. On this issue, the Education and Manpower Bureau has adopted the advice of the ICAC, updated their rules and policies recently, and issued new instruction circulars to schools reminding them of compliance.

### ***Checks and balances***

Checks and balances will help prevent or detect irregularities and malpractices. There are various types of checks and balances that can be integrated into system control. Some examples are countersigning, random checking, periodic rotation of staff and internal audit conducted by an independent party. This is particularly important in the control of education funding. A team of experts should be deployed to monitor the use of grants and ensure that they are fully accounted for. Means of monitoring include scrutiny of progress and site visits to gauge effectiveness.

### ***Practicability and costs***

The process of prevention should not hinder the efficiency of the service. In practice, the commission has to take into account the costs involved in making its recommendations.

## **The corruption scene in Hong Kong's education sector**

In the past ten years, statistics have shown that allegations concerning corruption in Hong Kong's education sector were relatively low – an average of 49 a year. Related statistics are provided below for ease of reference. Most of the cases involved petty corruption at operational levels – accepting small payments to procure contracts or divert resources. Greater corruption at the policy level is scarce. The major reasons for the relatively corruption-free environment may be due to the deterrents established by ICAC as well as the joint efforts of its practitioners and of the commission to combat the problem.

**Table 9.1 Comparison between the total number of allegations concerning corruption and those of the education sector**

Year	Total number of allegations	Number of allegations concerning the education sector	%
1993	3,276	32	1
1994	3,312	27	0.8
1995	2,987	30	1
1996	3,086	36	1.2
1997	3,057	31	1
1998	3,555	54	1.5
1999	3,561	53	1.5
2000	4,390	87	2
2001	4,476	75	1.7
2002	4,371	63	1.4

The following are some examples of the ICAC cases of corruption:

- A headmaster of a primary school solicited HK\$500,000 from a textbook publisher as a reward for arranging for the school to adopt the textbooks published by that company. The headmaster was charged with soliciting illegal advantages contrary to the Prevention of Bribery Ordinance and sentenced to two years' imprisonment.
- A headmaster of a primary school presented six false invoices to the school claiming allowances for performing additional duties and received a total of HK\$42,500 from the school. He was convicted in court of using false documents to deceive his employer.
- An assistant professor submitted several application forms for housing allowances to his university, falsely stating that the residential flat was rented from a company, but in fact the flat was owned by him. As a result, the university was deceived into paying the assistant professor a total of HK\$2.5 million in eight years. He was convicted in court and sentenced to 11 months' imprisonment.

Based on the complaints received by ICAC, soliciting/accepting illegal advantages, abuse of authority, conflict of interests, improper acceptance of donations and improper financial management are the four major areas that are most open to corruption in education institutes. Possible malpractices include the following:

### ***Soliciting and acceptance of illegal advantages***

Staff soliciting/accepting advantages: (a) for showing favour to suppliers regarding the selection of textbooks, school uniforms, computer systems or other school accessories; (b) for showing favour to contractors regarding the award of school renovation contracts or the administration of contracts; and (c) for showing favour in the admission of students.

### ***Conflict of interests***

This relates to a situation where the private interests of staff may interfere with the proper discharge of his/her official duties. Examples of conflict of interest situations include: (a) a staff member taking part in the evaluation and selection of a contractor or supplier from a number of bidders, one of which is operated by his spouse, family, relative or personal friend, or in which he has a financial interest; (b) a staff member accepting frequent or lavish entertainment or expensive souvenirs from contractors or suppliers with whom the school has business dealings; (c) a staff member taking up outside employment in a textbook publishing company which has business dealings with his school; and (d) a staff member operating a tutorial institute and touting for business inside his school.

### ***Improper acceptance of donations***

Examples of improper acceptance of donations are: (a) staff accepting a donation for showing favour to contractors/suppliers regarding the award of renovation/procurement contracts; and (b) staff accepting a donation from parents for admission of their children to the school.

### ***Improper financial management***

Improper financial management can occur in the following ways: (a) staff soliciting/accepting advantages for speeding up payment of invoices; (b) staff defrauding the school, using false invoices/claim forms to deceive with regard to allowances; and (c) staff falsifying accounting records to cover up misappropriation of school funds.

### **Promoting ethics in school management**

To make corruption-prevention work effective, it is important that the principles of integrity and accountability be well promulgated within organizations. Towards this end, ICAC has secured the support of the Education and Manpower Bureau, as well as schools, in the promotion of ethical management within the education sector.

The majority of schools in primary and secondary education receive their operational funds mainly from the government. In recent years, the Education Department of Hong Kong (incorporated into the Education and Manpower Bureau in 2003) has adopted a school-based management programme, with a view to giving more autonomy to schools to administer themselves. At the same time, due to current demand, ICAC works closely with the Education and Manpower Bureau to ensure that elements of transparency and accountability are built into this new system. An ethics programme has also been developed and launched in order to make sure that the school's resources are managed fairly and justly, and that they include the following.

### ***The formulation of a code of conduct***

Since 1992, ICAC has been working in close collaboration with the previously-named Education Department on the formulation of a code of conduct for schools. The code of conduct constitutes a form of self-monitoring that is potentially more cost-effective and cost-efficient than sanction-based enforcement. It provides general guidance for decision-

making that is in accord with the values and beliefs of the profession. The code mainly sets out the school's policy on the acceptance of advantages by staff in connection with any school-related business, as well as the standards of behaviour expected from staff. It also provides guidance on the handling of a conflict of interests, outside employment, use of confidential information and acceptance of entertainment. The sample code was formulated and distributed in 1998. The then Education Department issued circulars to all schools to encourage them to adopt the code of conduct for their teaching and non-teaching staff. Besides issuing the code of conduct to their staff members, schools were also encouraged to send the code to parents, suppliers and contractors for their information.

### ***Enhancement of system controls***

The ICAC's Corruption Prevention Department examines the practices and procedures of school-based management and then makes recommendations on how opportunities for corruption can be eliminated. Assignments have been undertaken regularly that cover a wide range of functional areas, such as procurement, tendering, financial management and staff administration.

In addition to assignments regarding the prevention of corruption, and as part of the effort to enhance transparency and accountability in school management, in 2002 the Corruption Prevention Department produced two 'Best Practice Packages' on procurement procedures and the selection of works contractors. These were to provide guidance on the prevention of corruption so that services are obtained in a transparent and competitive manner. Moreover, later in the same year another package on staff administration was produced to assist the school management in administering staff matters in an open and fair manner.

In the same year, a comprehensive practical guide was produced to provide guidelines on the enhancement of system controls in school management. The following suggestions were included:



***Establishing of clear procedures and precisely delineated areas of responsibility***

- The development of guidelines and standards plays a useful role in preventing corruption. As schools are often involved in procurement of goods and services, school management should ensure that the process is properly administered and includes the element of accountability. As such, safeguards should be incorporated into the procurement procedures, including segregating staff duties, designating procurement authorization levels together with the corresponding financial limits, and the setting of criteria for the selection of the procurement methods, etc.
- Staff at all levels should be fully briefed and updated on work procedures and responsibilities. Moreover, related guidelines, issued regularly by the Education and Manpower Bureau, e.g. the notes on selection of textbooks and learning materials for use in schools, should be properly kept for the staff's ease of reference.

***Ensuring effective supervision***

Effective supervision should be exercised to ensure all rules and procedures are followed. At the appropriate level, staff should be assigned to the task. Moreover, checks and balances can help prevent or detect, at an early stage, irregularities and malpractices. Therefore, the school management should consider integrating various types of checks and balances into the control system to reduce malpractices.

***Maintaining proper records***

- Clear procedures for making payments should be laid down by school managements. Payments should be made against an invoice or a claim duly certified by an authorized staff member.
- Serial numbers should be used on all purchase orders, invoices and receipts to provide a cross-reference.

- All financial statements and accounting records should be maintained properly and audited periodically.

### ***Detecting warning signs***

School management should constantly be on the look-out for signs of corruption or malpractice, including unexplained alterations in financial statements, missing or out-of-sequence documents and unnecessary duplication of records, etc.

### ***Provision of channels of enquiries and complaints***

School management should set up a channel of enquiries for staff members to declare a situation where a conflict of interests exists; to report to management the advantages received in an official capacity and which can clarify the school's policies and procedures.

A channel for complaints should also be set up for staff members, parents, suppliers and contractors. Complaints should be promptly dealt with and recorded, and remedial action should be taken.

### ***Facilitation of the sharing of experience***

Training plays an important role in promoting a shared sense of responsibility in upholding integrity and fairness within a sector or organization. Benchmarking and experience-sharing are primary mechanisms for disseminating best practices. Such information-sharing is to establish commitment among education professionals.

Besides participating in the seminars organized by the Education and Manpower Bureau to introduce the corruption-prevention measures to school administrators, ICAC also liaises with individual schools to organize training talks for their teaching and non-teaching staff to increase their knowledge of the anti-bribery legislation and ensure that they are familiar with what is expected of them in relation to ethics and the code.

## Conclusions

The long-term success of anti-corruption work will depend upon the creation of a professional support system that can forge an effective partnership with the various sectors of the community at large. Over the years, ICAC has been promoting corruption-prevention awareness in the education sector and working in conjunction with school management to reinforce the principles of justice, fairness and transparency. We are still seeking to establish a closer and stronger relationship with them in future to ensure that education resources are managed in a transparent, accountable and fair manner to reduce opportunities for corruption.

## *Thematic session 2*

### Creation and maintenance of regulatory systems

This session was devoted to the analysis of another major strategy for improving transparency and accountability in the management of the education sector: the creation and maintenance of regulatory systems. This involves adapting existing legal frameworks to focus more on corruption concerns (rewards/penalties), designing clear norms and criteria for procedures (for instance, with regard to fund allocation or procurement), developing codes of practice for the education profession, and defining well-targeted measures, particularly for fund allocation.

## 10. Teachers' codes of practice in South Asia: comparative analysis of their design, implementation and impact in Bangladesh, India (Uttar Pradesh) and Nepal<sup>23</sup>

*B.P. Khandelwal\**

Education is being increasingly recognized as a critical input for bringing about social and economic transformation. It is an investment for the creation of a cognitive capital in any economy. Apart from being recognized as an important factor of production, education is also vital in nurturing and maintaining social and cultural values. Ever since education has been recognized as one of the critical factors explaining variations in the growth of economies across the globe, there has been a visible increase in investment in basic education. Besides focusing on expansion, increasing attention has also been paid to addressing issues of equity and quality of education.

This trend has been existent in South Asia since the early 1980s. Several education development programmes have been implemented, not only to institute basic education, but also to develop the subsequent levels of school education. Though quite visible, the outcomes of these reform programmes are not of the expected level. A number of problems still exist related to access, retention, equity and quality of school education in many South-Asian countries, including Bangladesh, India and Nepal.

Teachers are considered the critical agents in the process of educational change in any country. Improving teacher quality is therefore very important in the efforts towards ensuring equity, quality and efficiency of educational outcomes. Teacher quality does not refer to academic qualifications

23. The views and opinions expressed herein are solely the author's responsibility and do not necessarily reflect those of NIEPA, New Delhi.

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and training status alone; more importantly, it includes the professional commitment and ethical behaviour of the teacher. The latter component of the quality of a teacher is extremely important as it has wider implications for ensuring equity, quality and efficiency in the education sector, particularly in developing countries. In this context, empowerment and management of teachers in the school education sub-sector are priority issues in many South Asian countries like Bangladesh, Nepal and India.

According to the Global Corruption Report 2003 (Transparency International, 2003), the Corruption Perception Index (CPI) 2003 scores<sup>24</sup> are relatively high in South Asian countries, and the corrupt practices are perceived to be the highest in Bangladesh. In 2003, in terms of CPI score, India was on a par with Malawi and Romania. Sri Lanka had the highest 2003 and Bangladesh had the lowest 2003 CPI score in South Asia (*Table 10.1*). In south Asia, governments are now making efforts to facilitate access to information as one of the measures to ensure transparency and accountability. Studies on teachers' codes of practice in Bangladesh, India and Nepal also indicate the fact that lack of access to education codes, specifically at the middle and the grassroots levels, is one of the important factors influencing their implementation and impact.

Countries such as Bangladesh, Nepal and India have made the required institutional arrangements to ensure better management of public services; to promote ethical behaviour among public servants and to combat corruption. A set of codes of practice for teachers is one of such institutional frameworks existing in Bangladesh, Nepal and India, which aims at empowering teachers (including promoting the desired codes of conduct among teachers) and facilitating the efficient management of education.

24. CPI score refers to perceptions of the degree of corruption as seen by business people, academics and risk analysts, and ranges from 0 (very corrupt) to 10 (very clean).

**Table 10.1 Corruption Perception Index (CPI) in South Asia, 2002 and 2003**

Country	2002 CPI Score	SD <sup>(a)</sup>	Country rank 2002 <sup>(b)</sup>	2003 CPI Score	SD	Country rank 2003 <sup>(c)</sup>
India	2.7	0.4	71	2.8	0.4	83
Bangladesh	1.2	0.7	102	1.3	0.7	133
Sri Lanka	3.7	0.6	52	3.4	0.7	66
Pakistan	2.6	1.2	77	2.5	0.9	92

*Source:* Transparency International, 2003.

- (a) Standard deviation: This indicates differences in the values of the scores, i.e. the greater the standard deviation, the greater the differences in perceptions of a country among the sources.
- (b) Among 102 countries.
- (c) Among 133 countries.

Ethics, referring to the science of morals and the principles of morality, furnishes the base for the establishment and maintenance of high standards of value in any society. The violation of ethics, or the principles of morality, is generally perceived as corruption. The general definition of corruption is “the use of public office for private gain”. This definition, however, excludes a larger section of the society that is either directly involved in corrupt practices or equally responsible for making public servants, often teachers, violate the prescribed codes of practices.

Each public service has, as a rule, job-specific ethics and codes of practice, in addition to other general ethics that cover all public services. A study on teachers’ conformity to the codes of practice set for the teaching community is of interest as teachers constitute the most important segment of public servants in any country. It is all the more so as teachers teach morality to the whole nation. Nonetheless, in-depth observations and perceptions of the cross-section of the stakeholders in the education sector lead to the general conclusion that violation of ethical codes of conduct by teachers is no less rampant than by any other section of public servant. In this context, the paper attempts to synthesize the major findings of three



studies (Dewan and Dewan, 2003; Khandelwal and Biswal, 2003; Ratna, Shreshtha, Bajracharya *et al.*, 2003), conducted in Bangladesh, India and Nepal (Uttar Pradesh) in 2003.

## Objectives, methodology and database

The general objective of the studies in India, Bangladesh and Nepal was to investigate the design, implementation and impact of the teachers' codes of practice on the basis of the perceptions of a cross-section of stakeholders, including teachers, administrators, policy-makers, representatives of teachers' unions, parents, community members, etc.

The major focus of the study is to examine the processes of the implementation and the factors that influence the effectiveness of the teachers' codes of practice in these countries. Three specific objectives common to these studies are: (a) to document the factors (economic, social, political, etc.) that define, determine, and distort 'ethical behaviour' in the education sector, both among teaching and non-teaching staff; (b) to study and compare a selected number of teachers' codes of conduct that have been developed in these countries, and to analyze the process involved in their actual implementation; and (c) to produce, on this basis, a number of conclusions that will be of relevance to policy-makers.

The scope of the studies in India, Nepal and Bangladesh is limited to the review of the existing teachers' codes of practice; examination of the process of design and development of the codes; identification of the factors that influence the implementation of the codes; and the analysis of the impact of the codes on the management and efficiency of the school education sub-sector. Studies in these countries adopt a participatory diagnostic method to assess and analyze the ethical behaviour of teachers and staff in the school education sub-sector.

These studies are based mainly on primary data collected through a sample survey of teachers, administrators, and other stakeholders in the

education sector. A structured schedule has been used to collect the necessary data and information from the sample districts. In addition, small group meetings at various spatial levels of educational administration (i.e. central, regional, institutional, and community levels) have been organized to gather qualitative information and general opinions about transparency and accountability in the school education sub-sector. *Table 10.2* provides information on the sample design and database of the studies in Nepal, India and Bangladesh.

**Table 10.2 Study area and database of studies in Bangladesh, India and Nepal**

Country	Study area/sample districts/ divisions/zones	Number of sample teachers	Number of sample administrators and others	Total sample size
India	Lucknow and Shravasti districts of Uttar Pradesh	225	50	275
Nepal	Kaski, Chitwan, and Lalitpur	129	09	138
Bangladesh	Dhaka, Chittagong, Rajshahi, Khulna, Sylhet, Barisal, Rangpur, Mymensingh and Comilla zones <sup>(a)</sup>	140	40	180

- (a) Sample administrators have been drawn from the national level, all the 9 zones, and from 10 districts under the 9 zones. Sample teachers have been drawn from 23 districts, namely: Dhaka, Narayanganj, Manikganj, Faridpur, Narsingdhi, Munshiganj, Madaripur, Gazipur, Chittagong, Cox's Bazar, Banderban, Rajshahi, Khulna, Jessore, Jhenaidah, Bagerhat, Sylhet, Barisal, Pirojpur, Jhalakathi, Mymensingh, Kurigram and Comilla.

Most of the respondents are male, married, and have many years of teaching experience in all of the three countries under study. However, the mean year of administrative experience of the sample teachers is relatively low. The respondents mostly work at the regional and school levels, though many of them also work at the central level.

## Major empirical findings

Some of the major findings relating to the design, implementation and impact of teachers' codes of practice in Bangladesh, India and Nepal are summarized in the following sections.

### Design and scope

In Bangladesh and India (Uttar Pradesh), codes have been in existence since the pre-independence period (i.e. since 1919 in India and 1931 in Bangladesh). In Nepal, education codes have been in existence since 1940, i.e. prior to the restoration in 1990 of a multiparty democracy with a constitutional monarchy. However, since then, several acts have been passed, rules and regulations set out, and government orders issued in these countries in order to facilitate the planning and management of education, including specification of the service conditions and practices of teachers. Separate codes exist for government-managed and private recognized institutions in the education sector.

The private sector plays an important role in providing secondary and post-secondary education in India and Bangladesh. Specific codes of practices have been designed for these institutions in both of these countries.

The governments of India and Bangladesh have designed the codes, based on a participatory method. However, participation in their design and development has been limited to the members of the ruling government, departmental heads, representatives of teachers' unions, and trade unions. Teachers were not consulted individually whilst the codes were being designed. There is no formal mechanism to ensure the participation of stakeholders in the design of the education codes in Nepal.

The scope of education codes in these countries ranges from the establishment of educational institutions, recruitment, deployment and service rules and regulations of the teachers and other personnel, the

functioning of educational institutions, management, supervision and support services, the mobilization and disbursement of financial and other resources, admission, examination, evaluation and certification procedures to the formulation of community-level organizations, which could facilitate democratic participation in the planning and management of education.

## Major sources of unethical behaviour

Attempts have been made in these studies to identify the major sources of unethical behaviour among teachers. It has been found that all the sources listed in *Table 10.3* below are potential areas of unethical practice among teachers, but with varying degrees of seriousness. The specific findings on perceived sources of unethical behaviour among teachers in Bangladesh, India and Nepal are as follows:

- Teachers as well as administrators in all the countries under study perceive the management of human resources as a very serious area of unethical behaviour, not only among the teachers but also among the educational administrators (see *Table 10.2*). The abuses in human resource management here refer to distortions in the recruitment and teacher deployment procedures.
- The procurement of materials is perceived as a serious source of misconduct among teachers and staff in all the three countries.
- The conduct of school inspection is perceived as a less serious source of unethical behaviour among teachers in India and Bangladesh, and a serious source of misconduct in Nepal.
- School admission is not a potential source of unethical practice among teachers in India. It may be underlined that there is little scope for manipulation of the rules and regulations specified for admission into government-managed institutions in India. However, distortions in the admission process are often found in the private recognized institutions where the school management largely takes decisions regarding

admissions. School admission is a serious source of unethical practice in Nepal, and a less serious source in Bangladesh.

- School examinations and qualification are perceived as serious sources of unethical behaviour in Nepal, and less serious sources in India and Bangladesh.
- Embezzlement/mismanagement of school finances is serious source of unethical behaviour in all the countries under study, but a very serious source in Nepal and Bangladesh. With the creation of school-level committees in India (Uttar Pradesh), the scope of mismanagement of school-level finances has gone down over the years. Moreover, teachers' salaries constitute more than 90 per cent of the total institutional budget, and there is little money left for use at the school level.
- Attendance/absenteeism is perceived as a serious source of unethical practice among teachers and staff in Bangladesh and Nepal, and a less serious source in India. This is again because of the efforts towards mainstreaming participation in educational management in India. As a result, the incidences of teacher absenteeism have gone down over the years.
- Poor human relations among staff in schools is perceived as a serious source in Nepal, and less serious in Bangladesh and India.

**Table 10.3 Major sources of unethical behaviour among teachers**

Source of unethical behaviour	Very serious	Serious	Less serious	Not at all a source
Abuses in human resource management	India, Bangladesh, Nepal	X <sup>(a)</sup>	X	X
Abuses in supply and purchase of materials	X	India, Bangladesh, Nepal	X	X
Conduct of school inspection	X	Nepal	India, Bangladesh	X
School admissions	X	Nepal	Bangladesh	India
School examinations and qualification	X	Nepal	India, Bangladesh	X
Embezzlement/mismanagement of school finances	Bangladesh, Nepal	India	X	X
Staff attendance/absenteeism	X	Bangladesh, Nepal	India	X
Poor human relations among staff in the school	X	Nepal	India, Bangladesh	X
Private tuition by teachers	India, Bangladesh	Nepal	X	X

*Source:* Study reports of Bangladesh, India and Nepal, 2003.

(a) 'X' does not mean 'no response'. It implies lower responses to specific questions relating to the degree of seriousness of the major sources of unethical behaviour among teachers. The summary table provides information about the general perceptions of the respondents regarding the potential areas of unethical behaviour among teachers.

Private tuition is a major concern in India and Nepal and is a serious source of unethical practice among teachers in Nepal. In Bangladesh and India, most of the teachers do not consider providing private tuition a very serious source of unethical behaviour for obvious reasons. As long as private

tuition adds to the achievement scores of the pupils, most of the parents also agree with it. The phenomenon, however, perpetuates a sort of ‘vicious circle of poverty’ in the countries under study as it favours the rich.

## Implementation

The socio-political environment of the country determines to a large extent the success or failure of the implementation of the education codes. It has been found in the studies that existing social, cultural, political and institutional factors in Nepal, India and Bangladesh have greatly influenced their implementation. The general conclusion is that the codes have not been effectively enforced in these countries because of a number of exogenous and endogenous (i.e. outside and within the education sector) factors.

It is generally felt that the ‘implicit social codes of conduct’ are extremely critical in ensuring an effective implementation of the education codes in any country. It is not the instruments (i.e. codes) alone, but also the willingness and capacity to use them that ensure effective enforcement. Some of the main findings relating to the implementation of the codes are as follows:

- Although codes exist in these countries, the same are not easily accessible to all in India and Bangladesh, particularly teachers working at the elementary level of education. In Nepal, however, the majority of the respondents have seen the codes, and also have access to them.
- The existing codes are useful and relevant in all the countries under study. The majority of the respondents in all three countries could understand the codes easily. It was also felt that the codes should be further simplified and made relevant, taking into account the existing socio-economic, political and educational context of the countries concerned. This should be done on a priority basis because of the fact that the codes originated in the colonial period, when educational governance was primarily based on the colonial government’s distrust of the native public servants. The codes are somehow helpful in the



day-to-day management of education, particularly in resolving issues relating to ethics, accountability and professional conduct of teachers and staff.

- In all of the countries under study, there is a systematic capacity-building programme that ensures the enforcement of the codes. The codes do not appear in the curriculum for teacher training. Nevertheless, some of the administrators and head teachers have received training for their implementation, whilst the majority of teachers have not. As a result, administrators and some of the head teachers have a better knowledge and understanding of the codes than teachers do. Similarly, no efforts have been made in these countries to empower the community and the civil society organizations with regard to effective monitoring and supervision of the implementation of the codes of practices, thereby limiting their role as external ‘watchdogs’ of the enforcement process.
- The respondents were generally unfamiliar with the procedures for lodging complaints where necessary against teachers and staff. Even if complaints are made, they are not taken seriously.
- Several social, economic, political, administrative and institutional constraints hinder the effective implementation of the codes in these countries. Many of these factors are exterior to the education sector and are related to systemic corruption and transparency issues in the countries under study. Some of the important factors (identified by the respondents) that greatly influence the degree to which the codes are enforced are: (a) the lack of access to information and existing codes; (b) the lack of any detailed planning to implement and monitor the codes of practices in the education sector; (c) a low level of capacity to enforce the codes in the multi-level administrative and management structures; (d) the lack of capacity (awareness) and participation of the grassroots level organizations, the larger community and civil society organizations; (e) the existence of trade unions and teachers’ unions that are indirectly affiliated to political parties; (f) the lack of training of the teachers and staff in the use of the codes; (g) political interventions,

and often inactive local self-governments (in the case of Nepal); (h) the lack of effective monitoring and supervision; (i) bias in the application of the codes (Bangladesh) and bureaucratic delays, favouritism, lack of transparency, etc.; (j) non-transferability of staff (3rd and 4th class employees) in Bangladesh; (k) defects and inconsistency in the codes (Bangladesh) and their frequent revision, of which the stakeholders are not immediately informed; (l) poverty and the resulting budgetary constraints; (m) the lack of any database of incidences of unethical practices by teachers and staff; (n) remedial measures taken by the government; (o) details of capacity-building activities; (v) the number of trained teachers and staff, etc.

## Impact

It has been felt in all the country studies that it is difficult to assess the impact of the codes on staff and teachers' behaviour and on improving transparency and accountability in the education sector. First, the codes have been in existence for a long time, even during the colonial period in India and Bangladesh, and prior to the restoration of democracy in Nepal. Thus, there is no reference period upon which to assess the impact of the codes. Second, the stakeholders, including teachers, do not have facility of access to the codes in these countries. Third, no serious effort has been made to enforce the codes. The codes have been primarily used as instruments of educational governance to serve the interests of the administrators and managers rather than being used to create the necessary environment for teaching-learning to take place and to empower teachers, staff, the larger community, civil society organizations and parents. Fourth, no systematic database exists in these countries on the various aspects of the implementation of the codes.

**Table 10.4 Impact of the codes on teachers' ethical and professional behaviour in India, Bangladesh and Nepal<sup>25</sup>**

Ethical and professional behaviour of teachers	Strongly agree	Agree	Disagree	Strongly disagree
Improved teachers' behaviour	I <sup>(a)</sup> , B <sup>(b)</sup>	India, Bangladesh	L <sup>(c)</sup>	L
Little or no abuses in the school admission system	India	I, B	Bangladesh	L
Improved transparency and fairness in human resource management, i.e. recruitment, promotion, appointments, transfers, etc.	L	I, B	India, Bangladesh	L
Improved commitment and performance of teachers and staff	I	India, Bangladesh	B	L
Decrease in teacher absenteeism	I	India, Bangladesh	L	L
Less malpractice in examinations	I	India, Bangladesh	L	L
Improvement in quality of education	I	India, B	Bangladesh	L
Fewer cases of mismanagement and embezzlement of school funds	L	India, Bangladesh	I	L
Improvement in human relations among staff in schools	I	India, Bangladesh	L	L
Decrease in private tuition by teachers	India	I, B	Bangladesh	L

*Source:* Study reports of Bangladesh, India and Nepal, 2003.

- (a) 'I' implies that a fairly large number of respondents in India strongly agree or agree or disagree or strongly disagree to particular statements listed.
- (b) 'B' implies that a relatively large number of respondents in Bangladesh strongly agree or agree or disagree or strongly disagree to particular statements listed.
- (c) 'L' implies that very small number of respondents in India and Bangladesh strongly agree or agree or disagree or strongly disagree to particular statements listed.

25. The impact of the codes on staff and teachers' behaviour, access, equity and quality of school education has not been reported in the Nepal study.

Nevertheless, the general perception in these countries is that the codes have a positive and significant impact on improving the professional codes of conduct of the teachers and staff and the degree of transparency and accountability in the education sector. *Table 10.4* summarizes the general perceptions of the respondents on the impact of the codes in India and Bangladesh:

- The codes have a positive and significant impact in improving teachers' behaviour in India and Nepal.
- In India, the impact of the codes is significant in reducing incidences of abuse in the school admission system. In Bangladesh, little impact has been made by the codes in reducing irregularities and corrupt practices in the school education system.
- It is perceived that the implementation of the codes has not made any difference in the recruitment, appointment, transfer, promotion and selection of teachers and staff for capacity-building programmes, etc. in India and Bangladesh. In other words, the codes have little impact on improving transparency and fairness in human resource management in these countries.
- The impact of the codes is positive and significant in improving the commitment, professional behaviour and performance of teachers and staff in India and Bangladesh.
- Incidences of teacher and staff absenteeism have fallen significantly in these countries due to the enforcement of the codes and the participation of the community and other stakeholders in monitoring and supervising educational activities at the grassroots level.
- The impact of the codes is also visible in Bangladesh and India in reducing malpractices in examinations and certification.
- It is perceived in India that the improvement in the quality of education can be partly attributed to the effective implementation of the codes in some of the provinces, and also in districts within the provinces. However, in Bangladesh the codes have exerted little impact on the improvement of the quality of school education.

- The number of cases of mismanagement of school funds has also decreased over the years in India and Bangladesh. This can be partly attributed to the enforcement of relevant codes of practice at the institutional and district levels. An improved system of administrative and social auditing has helped reduce the incidences of unethical practices at the institutional level.
- Implementation of the codes has also helped improve human relations amongst staff in schools, though lobbying is still a problem in some schools in India and Bangladesh.
- It is felt by most of the respondents that since the implementation of the codes, teachers have largely abstained from giving private tuition in India, whereas it is still a major concern in Bangladesh. In both countries, the mushrooming of private education companies is also a major issue, with far greater implications for equity and equality in educational opportunities.

## Conclusions

The studies, initiated by the IIEP in Paris and implemented by NIEPA, New Delhi, in India, NAEM in Bangladesh, and CERID in Nepal, are the first of their kind to determine the current status of education codes in general, and teachers' codes of practice in particular, and the way these are designed and implemented. This has no doubt generated greater interest in identifying and diagnosing factors that influence the degree of transparency and accountability in these countries. Though it is just a beginning, the studies have identified certain important challenges in the areas of educational planning and management.

To conclude, there is a need for creating access to information and the codes of practice in the education sector. Mere formulation of codes (with limited participation) does not ensure their effective implementation. The capacity building of teachers, staff and other stakeholders in the education sector in the use of the codes is extremely important in these countries.

Similarly, the creation of a database on the enforcement of the codes is critical in planning and monitoring the effective implementation of the codes.

The impact of the codes on the professional behaviour of teachers and staff is largely influenced by the external environment in the countries concerned (i.e. the level of systemic corruption, general awareness about civil rights, political willingness to improve transparency and accountability, capacity and willingness of civil society organizations to participate in the implementation of development programmes, effective and transparent media, and above all the emergence of pressure groups at the grassroots level).

It is extremely important to take a holistic view of the issues relating to the corruption in education and unethical behaviour amongst teachers and staff. In countries like Bangladesh, India and Nepal, the major concern, therefore, is to change the existing social and political institutions that form an obstacle to effective governance. Exercises in the reaching of consensus, capacity building, sharing of information, and efforts towards ‘mainstreaming participation’ would perhaps go a long way towards improving transparency and accountability in the education sector of the countries under study.

## 11. Standards for the teaching profession: the Ontario experience

*Shirley Van Nuland\**

In establishing codes of conduct for teachers, it is often governments, through their specific education act or regulations, that develop the codes and impose them on the teaching body. For other professions (e.g. doctors, lawyers, engineers), it is generally a self-regulatory body that determines the code of conduct. The Government of Ontario, Canada, chose the second route by establishing the Ontario College of Teachers, which would develop the standards for teachers.

This paper reviews the development of standards that relate directly to teacher practice. It summarizes the context for change and development; outlines the process of development, the implementation and use of the standards and suggests recommendations based on the practice in the development of the standards.

### Background and context

In January 1995, the Royal Commission<sup>26</sup> on Learning (1994*a, b*) released its five-volume report, *For the love of learning*. In it, the commissioners discuss professional issues, teacher education, performance evaluation, and

26. A Royal Commission is an official inquiry into matters of public concern, and is appointed by the provincial government or federal government. It has the authority to summon witnesses, demand documents for examination, and hire experts to conduct research. Usually, the findings of a Royal Commission are made public and the government will consider its recommendations, but is not obliged to implement them. Since a Royal Commission is created under the Seal of Canada, it is the highest form of inquiry and is reserved for matters of greater importance.

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leadership. They argue that, given the complexity of Ontario's education in the province, it is in "the best professional interests of educators" to shift governance issues to a self-governing body, and that this would give "teaching full professional status" (Royal Commission on Learning, 1994b: 9). This is a logical step in view of educational trends.

The commissioners' report cited the various pieces of legislation (e.g. the Education Act, RSO 1990 and the Teaching Profession Act) that regulated admission, certification, and practice for teaching in Ontario. At that time, governance was exercised by the universities (through control of teacher education) and the Minister of Education and Training (through control of the teacher certification). The commissioners argued that "as long as these crucial areas of governance in teaching remain outside the control of teachers, the profession of teaching will remain in a state of limited development" (Royal Commission on Learning, 1994b: 9).

In proposing a College of Teachers as a professional body of teachers at arm's length from the federation, the commission seeks to complete the development of teaching as a mature self-governing profession. We believe that practitioners in the profession are most qualified to establish what is required for a teacher to function effectively and decide which programmes constitute appropriate professional preparation and in-service training. Finally, we believe that teachers themselves, in partnership with the broader community, should define professional conduct and practice. In order to set up the college, the 1944 Teaching Profession Act and the Education Act would have to be amended to allow the establishment of an Ontario College of Teachers (Royal Commission on Learning, 1994b: III, 10-11).

The commissioners held that with the dual nature of Ontario's federations (as unions to provide for collective bargaining and as professional bodies to provide for professional development), competing priorities and concerns existed since "union contractual imperatives may sometimes undermine professional interests and educational reform" (Royal Commission on Learning, 1994b: 9). The federations, the Commissioners

believed, could not protect the interests of their members whilst at the same time protecting those of the public, which is one function of a self-regulatory body. Thus, the establishment of the Ontario College of Teachers was recommended.

In 1995, as elsewhere, the economy in Ontario was in a severe and unexpectedly long recession. As cost-saving measures, the government of the day sought to off-load everything that was not core business, including the certification of teachers. Thus the Ontario Government, in February 1995, established the Ontario College of Teachers to regulate the teaching profession by developing standards of practice for the profession, procedures for certification, and a provincial framework for professional development.

Later that year, John Snobelen, the Minister of Education, underlined the independent and self-funding aspects of a college, but not its status as a self-governing body or a professional association. Neither did he bring up the subject of the ‘off-loading’ of costs associated with teacher certification as reasons for establishing the college. This lack of reference to self-governing implies that the government does not see the college as such, or even as a professional association. In administrative terms, self-governance of a profession is normally useful to the government.

Although the Ontario Government transferred its power to certify teachers to an organization largely run by teachers, it still has influence over the college in several ways. Any regulation that the college approves must also have the approval of the Lieutenant-Governor-in-Council (Cabinet). Fourteen public appointees (appointed by the government) sit on the Governing Council and are able to influence college decisions. The Minister of Education regularly meets with the Registrar of the College. While the college is purported to be independent of the government, it is nevertheless influenced by government decisions.

One of the college’s first tasks was to create professional and ethical standards to fulfil Object 7 of the Ontario College of Teachers Act (Ontario

College of Teachers, 1996): “to establish and enforce professional standards and ethical standards applicable to members of the College”. The Governing Council of the college began its work through the Professional Affairs Department and the Standards of Practice and Education Committee to develop and refine both standards of practice and ethical standards.

The standards of practice for the teaching profession would identify what teachers should know and be able to do throughout their careers, and the ethical standards apply to professional relationships that teachers have in their practice. These standards would apply to all educators certified to teach in the province in a publicly funded system; this includes directors and superintendents of education and principals. Those not teaching in a publicly funded system, for example who work at a faculty of education or in a private school and elect to be members of the college, are subject to the standards.

## Response to the development of the College of Teachers

When the act creating the college was promulgated, the college was viewed with mistrust by many teachers and teachers’ federations. Some were concerned about the workload that the college could create. Rumours that standards would force teachers to change and that investigations into teachers’ lives could occur were common misconceptions. Public anticipation of the standards was high, with many believing that the college would weed out incompetent teachers. To change this mindset, “the development design was planned to establish the credibility of the college by using sound research methods and by involving members of the college and the public in the process” (Marrin *et al.*, 1999b: 7) of constructing the Standards of Practice for the Teaching Profession (Ontario College of Teachers, 1999b) and the Ethical Standards for the Teaching Profession (Ontario College of Teachers, 1999a, d).

## Development of the Standards of Practice for the Teaching Profession

Two sets of standards were developed by the Ontario College of Teachers. The college, in *The foundations of professional practice* (2004: 2), contends that “professional standards that guide and reflect exemplary teaching practice and continuous professional improvement are essential to effective teaching and learning”. The Standards of Practice for the Teaching Profession was the first set of standards to be constructed. To develop these standards, work began with the education community and the public in 1997 about the nature of standards of practice. Four subcommittees covering pre-service education, the supervisory official certification programme, the relationship of the standards of practice to learning in practice, and professional learning were established to formulate recommendations for the Standards of Practice and the Education Committee. Each subcommittee consisted of three members of the Governing Council and two experts who applied to be on the committees.

A national and international literature review was conducted to examine standards or ‘benchmark’ documents from various jurisdictions such as the Queensland, Australia, Education Department; the Teacher Training Agency, the United Kingdom; the National Board for Professional Teaching Standards, the United States of America; and the General Teaching Council for Scotland. Since Ontario provides bilingual education, a search for French-language documents regarding teacher education programmes in Quebec, New Brunswick, Switzerland and France was carried out. The College contends that each document reviewed showed breadth in source, nature and the purposes for which the standards were developed.

Seven themes emerged from the literature review: commitment to student learning, the requisite professional knowledge, facilitating effective learning, assessing and reporting for improvement, professional learning, creating a learning community, and leadership. The following differences

among the standards of the various jurisdictions were identified: (a) the membership of the college includes all educators in Ontario who require a valid teaching certificate to be employed in a publicly funded system; (b) the mandate specific to professional learning is inclusive of both pre-service and in-service teacher education; (c) performance evaluation in Ontario remains the responsibility of the employer; and (d) the College of Teachers operates independently from the Ministry of Education and Training (Marrin *et al.*, 1999b: 8).

Once the themes were identified, they were used as starting points in discussion; they were explored and debated in the subcommittees and with other educators. Focus group interviews with audio recording and transcription, formal discussion groups, telephone interviews, summary reports, and further collection of qualitative data from members of the education community and the public were used in the development of draft standards. Over a six-month period, approximately 600 persons were involved in the process.

Questions asked in the focus groups centred on what it means to be a teacher. This question was expanded: “What implications will the standards have for the profession? What knowledge, skills and values should the standards include? What should they actually look like? How could the standards of practice be worded so that they would be relevant to teachers, principals, supervisory officers and other educators? How can educators share their ideas about what it means to be a teacher with parents and the broader community?” (Grant, Adamson, Craig, Marrin and Squire, 1998: 21-22).

Analysis of the data showed that 59 per cent of the participants involved in developmental feedback sessions were teachers, and 17 per cent were students (Marrin *et al.*, 1999: 14). About three quarters of the participants were directly involved with the educative process and would be most affected by standards.



The July 1998 draft identified and grouped the standards into five areas or themes: commitment to students and student learning, professional knowledge, teaching practice, leadership and community, and ongoing professional learning – a realignment of the seven previously stated themes (these five themes ultimately became the approved standards). To gather feedback, the college conducted structured activities where individuals, groups, and professional and public organizations provided responses.

Analysis of the feedback occurring at the same time led to 33 recommendations for changes, which were incorporated into the July draft. The validation process occurring between January and May 1999 involved eliciting responses to the standards from the public and college members, including school boards, staff development consortia, faculties of education, teachers' federations, principals and teacher researchers. The draft standards were communicated to college members through *Professionally speaking/Pour parler profession*, a regular publication of the college, and posted on the college web site. Many teachers, at that time, were still strongly opposed to the college, often disposed of *Professionally speaking/Pour parler profession* without reading it, and did not log on to the web site, thereby not responding to the questions concerning standards. Respondents who commented on the overall draft provided specific comments or suggestions as to the accuracy, adequacy, and utility of the standards description.

The final document was approved, in principle, by the college's Governing Council in November 1999 and consisted of five interdependent standards with key elements containing further developed observable behaviours. As stated by the college, the Standards of Practice serve a variety of purposes. They (a) focus on the responsibility of the teaching profession to enhance student learning; (b) provide a common understanding of what makes being a teacher a unique professional experience; (c) clarify the knowledge, skills and values implicit in the practice of teaching; (d) provide the basis of ongoing personal and professional growth and the accreditation of professional learning programmes; (e) represent the aspirations and

goals of the teaching profession; (f) enhance the dignity of the teaching profession; (g) acknowledge the contribution the teaching profession makes to Ontario society; and (h) assist the College in fulfilling its mandate to govern the practice of teaching in the public interest (Ontario College of Teachers, 2003b: 8).

The standards with key elements are enacted as follows:

***Commitment to students and student learning***

Members of the Ontario College of Teachers demonstrate care for and commitment to students. They are dedicated to engaging and supporting student learning. They treat students equitably and with respect. They encourage students to grow as individuals and as contributing members of society. Members of the Ontario College of Teachers assist students to become lifelong learners.

***Professional knowledge***

Professional knowledge is the foundation of teaching practice. Members of the Ontario College of Teachers know the curriculum, the subject matter, the students and the teaching practice. They know education-related legislation, methods of communication, and ways to teach in a changing world.

***Teaching practice***

Members of the Ontario College of Teachers apply professional knowledge and understanding of the student, curriculum, teaching, and the changing context of the learning environment to promote student learning. They conduct ongoing assessment and evaluation of student progress. They modify and refine teaching practice through continuous reflection.



### ***Leadership and community***

Members of the Ontario College of Teachers are educational leaders who create and sustain learning communities in their classrooms, in their schools and in their profession. They collaborate with their colleagues and other professionals, with parents and with other members of the community to enhance school programmes and student learning.

### ***Ongoing professional learning***

Members of the Ontario College of Teachers are learners who acknowledge the interdependence of teacher learning and student learning. They engage in a continuum of professional growth to improve their practice. The college is currently conducting a formal review of the standards by asking teachers about their understanding of the Standards of Practice.

## **Development of the Ethical Standards for the Teaching Profession**

The development of a second set of standards, the Ethical Standards for the Teaching Profession, parallels that of the Standards of Practice.

The development of the Ethical Standards for the Teaching Profession was based on various resources. From July to December 1998, the staff of the Ontario College of Teachers studied policy statements and practices in a range of teacher organizations and other self-regulatory professions. It reviewed national and international literature as well as legislation referencing ethical issues. These included the Education Act, the Teaching Profession Act, the School Board and Teachers Collective Negotiations Act, and the Ontario Regulation 437/97 (Professional Misconduct), made under the Ontario College of Teachers Act, 1996. Input provided by college members and the public participants involved in the earlier cited focus groups was reviewed along with data from 21 focus groups whose meetings were held throughout Ontario. Criteria were established for development

and an early draft was prepared. Again, input from specialists in ethics was sought.

During January and February 1999, the draft standards were reviewed by college staff with approval to proceed for limited developmental feedback from 15 representatives of primary stakeholder groups such as principal, superintendent, trustee associations and teacher federation representatives. From May to October 1999, validation sessions were held with major stakeholders and others in Ontario. Also included were experts in ethics. Once the third draft was approved by the Governing Council, the third phase of the validation data collection was initiated: These activities included direct mailing to members and stakeholders, publication of the Ethical Standards in *Professionally speaking/Pour parler profession* and on the college's web site (<http://www.oct.ca>).

The final draft for the Ethical Standards was developed and an invitation to participate in developmental feedback was sent to organizations and individuals with a response date of 1 September 1999. Revisions to the draft were based on the feedback with a broader validation process in 2000. The purposes of the Ethical Standards, approved in June 2000, are: (a) to clarify the ethics of the profession; (b) to inspire the quality of behaviour that reflects the honour and dignity of the profession; (c) to encourage and emphasize those positive attributes of professional conduct which characterize strong and effective teaching; and (d) to enable the profession to declare itself publicly accountable.

These standards apply to educators and their professional relationships with students in the areas of confidentiality, respect, professional environment co-operation with other professionals, and professional responsibilities. The Ethical Standards, approved in June 2000, require that the members (a) maintain professional relationships with the students; (b) recognize and respect the privileged nature of the relationship that teachers maintain with students; (c) demonstrate impartial and consistent respect for all students as individuals with distinctive and ongoing learning needs and capacities;

(d) respect confidential information on students, unless disclosure is required by law or where personal safety is at risk; (e) model respect for human dignity, spiritual values, cultural values, freedom, social justice, democracy and the environment; (f) work with members of the college and others to create a professional environment that supports the social, physical, intellectual, spiritual, cultural, moral and emotional development of students; (g) base relationships with parents or guardians in their role as partners in the education of students on respect, trust and communication; (h) co-operate with professionals from other agencies in the interests of students and as required by law; (i) act with integrity, honesty, fairness and dignity; (j) respect the confidential nature of information about members of the college obtained in the course of professional practice, unless disclosure is required by law or personal safety is at risk; (k) comply with the acts and regulations; and (l) advise the appropriate people in a professional manner when policies or practices exist that should be reviewed or revised (Ontario College of Teachers, 2003*b*).

Although these standards are much newer to the teaching profession than the Standards of Practice, these also are under review by the college.

## Implementation of the Standards of Practice and the Ethical Standards

With the approval of the standards, the Standards of Practice and the Education Committee identified, in May 2000, the communication and implementation of the standards as an issue that needed to be addressed and, at that time, developed strategies regarding the implementation and communication of the standards. In autumn 2000, however, this issue was superseded by the work on Regulation 184/97 concerning teacher qualifications.

During the consultation sessions on Regulation 184/97, the college realized that its members had negligible or minimal knowledge or

understanding of the Standards of Practice or Ethical Standards. If membership did not understand the standards, any preparation for review of the standards would be unproductive and fruitless, since there would be no possibility of inserting these into the context of the teaching community. After province-wide consultation concerning standards, teachers revealed a limited “understanding of images of teaching embedded within the standards” (Ontario College of Teachers, 2001a: 5). Thus, the college developed a formal plan outlining a phased-in implementation, albeit two years after the Standards of Practice were introduced.

The implementation and communication plan, practical in both content and process for the Standards of Practice, was introduced in November 2001. Although the Ethical Standards are not mentioned in this document, this same process could apply to the dissemination of information on and the understanding of the Ethical Standards. Additionally, to develop further understanding of the Standards of Practice, a second Standards Symposium was held in November 2003 to show how standards are integrated into professional practice.

## Using the Standards of Practice and Ethical Standards

There are three groups that have an interest in the effectiveness and fairness of the self-governing of a profession: the public, the profession itself, and individual members of the profession who are subject to standards and, potentially, discipline. The primary purpose of establishing a self-governing profession is to protect the public by ensuring that only qualified and competent individuals practise the profession, whilst conforming to appropriate standards of professional conduct. The disciplinary process provides a mechanism for controlling inappropriate professional conduct. Members of the profession (and the profession as a whole) have a clear interest in ridding the profession of incompetent and unethical members. Members of the profession subjected to the standards are crucially interested in the proper functioning of the self-governing process, since sanctions

can lead to the loss of one's work. Steinecke (2003) identified that a self-regulatory body must recognize that a regulator's fairness to its members is as important as the protection of the public.

Several college committees are involved in ensuring that the public teaching body provides safe and appropriate instruction for students. The Discipline Committee determines an allegation of incompetence or the professional misconduct of a college member, which is based on the Professional Misconduct Regulation, 437/97 (Ontario College of Teachers, 1997). This regulation lists actions/infractions that define professional misconduct; these range from providing false information to abusing a student. When professional misconduct is proven, a college member could face a range of disciplinary actions from reprimand to revocation of teaching certification. This is similar to other self-regulatory agencies that have developed a regulation regarding professional misconduct specific to the discipline (Evans, 1997). At the time that the Professional Misconduct Regulation was established, neither the Standards of Practice nor the Ethical Standards had been developed; therefore, there could not be a specific reference to standards. Although the Standards of Practice and the Ethical Standards are not referenced individually or directly, the regulation provides that "failing to maintain the standards of the profession" is professional misconduct. With regard to discipline, the 'standards' may extend to ethical standards, the legislated duties of the teacher or community standards that apply to teachers (Marrin *et al.*, 1999b).

The role of the Investigation Committee is to investigate complaints against members of the college regarding professional misconduct, incompetence, or incapacity. From May to December 1997, the Investigations Committee received 54 complaints. Since the process of reporting a teacher to the College has become more public, the number of complaints over time has increased. The *2002 Annual college report* (Ontario College of Teachers, 2002) reported 153 complaints that came under professional misconduct. Of these, 49 were referred to the Discipline

Committee and one to the Fitness to Practise Committee. The remainder were disposed of in various ways – either they were dismissed, received a written caution, were not referred, or the case was resolved through the resolution of the dispute or withdrawn or abandoned (Ontario College of Teachers, 2003*b*: 27). Since the institution of the college on 1 October 2003, it has disciplined 142 members: 80 have had their certification revoked and 62 have received some form of disciplinary action. With a membership of approximately 187,000 teachers, this represents approximately 0.076 per cent of the members.

Few complaints were based on the Standards of Practice. Marrin *et al.* (1999*b*: 32) state that they would be of only minimal assistance to the Discipline Committee where cases were under investigation. It has been carefully worded as a descriptor of practice in a language that does not lend itself to legal prosecution for alleged incompetence.

## Discussion and recommendations regarding the Standards of Practice and Ethical Standards

Many researchers (Darling-Hammond, 1997; Hargreaves, 2000; Hattie, 2002; Ingvarson, 2002; Jasman, 1998; Sachs, 2003; Tuohy and Wolfson, 1976; and Urbanski and Darling-Hammond, 1997) have reviewed the development of standards for various professions. Their works critique and provide recommendations concerning purpose, accurate reflection of work, procedural authority, appropriate implementation strategies, mechanisms for review, assessment of professional legislation, monitoring of the body that finally determines the standards, consequences of using standards in educational settings, etc. The following represent some of the recommendations they provide: (a) that teachers be involved in the initial determination of standards; (b) that all stakeholders and partners be involved in the development of standards; (c) that caution be used in developing standards to avoid a narrow definition of the teacher; (d) that adequate resources, sufficient time and local expertise be provided to



develop standards; (e) that once the standards are developed, they be promoted, giving time for teachers to discuss them; (f) that implementation of the standards include faculties of education; (g) that implementation include active discussion with teachers and with those teachers involved in their development; (h) that the standards apply to all who are involved in the education of children; (i) that parents be made aware of the standards; (j) that the standards be reviewed in a timely manner; (k) that appropriate resources (resource package of print material – case studies, etc. – videos, posters) be developed to explain the standards for all educators; (l) that the development and review of standards be detailed in a statute rather than in a regulation or policy, providing for ‘outside of the profession’ or ‘lay’ review; (m) that parents be made aware of the standards; (n) that the standards be reviewed in a timely manner; (o) that the standards should not be used for, or as the basis of, teacher performance appraisal; (p) that the standards of teaching be raised; (q) that teachers be involved in the development and operation of a valid assessment system, determining whether teachers have attained the standards; and (r) that a mechanism be developed for the full-time continuous review of professional decision-making bodies to guard against self-serving interests in the profession.

The results of the current College review of standards will determine whether these recommendations are being taken into account.

## Conclusions

In a study of teachers’ responses to the development of the Ontario College of Teachers (Van Nuland, 1998), respondents provided a high positive correlation, recognizing that the profession has the knowledge and expertise to set standards of practice. That particular statement received more support from the respondents than any other statement relating to the individual items. That teachers are prepared to undertake the responsibility of setting professional standards is further supported by the anecdotal comments made by teachers. Foster (1986) also supports that, as teachers



are recognized as professionals, they will want to, and will, set their own standards of practice. The judging of competence and conduct and accrediting of professional learning programmes are activities that teachers are prepared to assume. Only when standards of practice and ethical standards are authentic, current and applicable may they be viewed as a form of an accountability system.

## 12. Formula funding of schools, decentralization and corruption: a comparative analysis<sup>27</sup>

*Rosalind Levačić\**

### The importance of reducing corruption in educational funding

It is difficult to overestimate the importance of education in the lives of individuals, in the collective life of a town or district, and in a national context. As the world moves forward from its post-agricultural and post-industrial phase into a predominantly knowledge-based era, the significance of education becomes ever greater. Access to education, preferably high quality education, is essential to raising living standards right across society. There are well-documented links between poor educational provision and low standards of health, poverty, crime and social instability.

The methods used in different countries to distribute public money for educational purposes necessarily vary significantly according to the size of the country, the political regimes in place, the history and tradition of educational provision, the sophistication of the administrative channels and the expectations of the teacher and the taught. It is beyond the scope of this present study to catalogue the full diversity of mechanisms, but the essential issues are clear:

- Is the money that is being allocated for education reaching those for whom it is intended?
- How can a funding system be devised that minimizes the chance of corruption?

27. This text was written in collaboration with Peter Downes. Victoria Campán also collaborated in the preparation of this paper.

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The IIEP Expert Workshop held in Paris in November 2001 correctly identified that:

“the fight against corruption in the specific sphere of education should be regarded as a major priority as it affects not only the volume of educational services, as well as their quality and efficiency ... but also equity in education and public confidence in education systems.” The report went on to assert that “educational planners are faced with an important challenge: namely, to develop innovative ways of building effective, accountable and transparent systems that are able to deliver services both efficiently and equitably.” (Hallak and Poisson, 2002: 15).

It is with funding systems that this present study is mainly concerned. We could have filled most of the space available with anecdotal accounts of how individuals have defrauded schools and deprived pupils of their rightful entitlement to educational provision. Indeed it is ironic that, during the course of the preparation of this report, there have been several well-publicized cases of fraud in the United Kingdom at school level, two of which have led to prison sentences for the head teachers found guilty. Rather than dwelling on the misdemeanours of individuals, we have mainly been concerned with examining what features of financial systems are more or less likely to allow fraud to take place, and, above all, to highlight what seem to be the essential features of a system that reduces fraud to a minimum.

This study addresses the issue of whether formula funding of schools reduces the potential for corruption. It does so by means of four comparative case studies of countries, which have introduced a process of funding schools by formula. Each case study was prepared by local rapporteurs responding to the same questionnaire.

***Needs-based resource allocation in education  
via formula funding of schools***

This present study seeks to move forward from the work already carried out under the auspices of IIEP (Ross and Levačić, 1999), together with a team of experienced educational administrators and practising head teachers, which examined in detail the recent developments in several countries where educational financial administration has been radically decentralized.

Reforms to decentralize the management of public schools' finances have been taking place since the early 1990s in the United Kingdom (specifically England and Wales), New Zealand, the Netherlands, and in parts of Australia, Canada, Sweden and the United States. Although there are differences of detail, the shared key features of the reforms are that: (a) the responsibility for determining the expenditure of most of the funds in a school (typically 80-90 per cent) is placed under the direct control of the schools themselves; (b) the calculation of the quantum available to each school is based on a well-publicized set of formulae and may in some cases be determined by a clearly stated definition of educational needs; and (c) the decisions proposed at school level by the head teacher or principal are subject to the careful vetting of a board of governors or council, comprising elected representatives of the parents, teaching and non-teaching staff, sometimes pupils, as well as nominees from the relevant local political authority.

Decentralized financial management replaced a centralized system in which all or most of a school's resources were provided directly by the education authority that told schools how many teachers they could have, how many support staff, and how much they could spend on books and equipment. Central authorities also had control over the buildings and carried out their own assessment of the physical condition, the need to maintain and repair, and supplied the direct labour to carry out the work. As owners of the properties, the central authorities also received the income derived from the use of the buildings for other purposes outside normal school hours.

In contrast, self-managing schools have the freedom to use the resources allocated in the way they judge to be most appropriate for the particular pupils they have in the context in which they work. Some schools therefore decided to spend rather less on the classroom teaching force and employed more ancillary help. Others invested in their buildings and maintained them to a much higher standard than was previously the case. Yet others became more proactive in marketing their facilities to the local community in order to increase the income to the school.

We need to be clear that ‘self-management’ in state-funded schools does not amount to genuine and total autonomy. State-funded schools are still constrained to teach national programmes; their pupils take national tests and examinations; schools are inspected by a nationally regulated team of inspectors; teachers are trained according to national criteria and are paid according to a national pay scale. In England, the policy of financial decentralization, known as Local Management of Schools (LMS), enacted within the framework of the Education Reform Act (Government of the United Kingdom, 1988), was counter-balanced by the introduction of a national curriculum and external inspection of schools at a level of detail previously unknown in the English system.

### ***What is meant by ‘corruption’ in the educational context?***

Corruption can be defined in a number of ways. The IIEP report on the Expert Workshop of November 2001 suggests as a definition: “the systematic use of public office for private benefit whose impact is significant on access, quality or equity in education”. This could be subdivided into a number of subcategories:

- Money earmarked by central government for schools does not reach schools due to some fraudulent practice. This may involve payments to officials to divert the money to other uses within the public sector or its diversion to private use.

- Other fraud at intermediate levels within the system, such as contracts being awarded to suppliers for services or resources in return for clandestine payments, in cash or in kind, may well affect the quality and quantity of educational provision. With financial decentralization, school managers could be tempted to engage in such practices. It is normally addressed through rigorous rules of contract negotiation.
- The fraudulent use of data at school level, which causes a school to receive more than should normally have been delivered. Although there may be no direct benefit for private use in cash terms, the conditions of service of a fraudulent school do benefit from the extra and unjustified funding and so the issue of equity is significant. We consider this a legitimate area of study in the project.
- Fraud at school level, where money intended for school use is diverted for the personal benefit of individuals, either in cash or in kind. Although the detection of such corruption is predominantly a matter for audit mechanisms, it is worth examining whether or not the use of formula funding, with its greater public transparency, makes it more or less likely that corruption will take place at this level.
- Fraud that arises from the misuse of non-public funds, e.g. donations from parents, income from fund-raising ventures, peri-curricular activities, etc. As many of these are conducted at school level by the transfer of cash between individuals (pupils bringing in payments in cash, teachers making out-of-pocket payments in cash), there is a risk of misappropriation if internal procedures and controls are not specific and enforced. Provided this element of school income is limited, i.e. the funding by the state does not assume a high level of external contributions, the likelihood of fraud is relatively restricted in its extent.

This study focuses on the way the type of system for transmitting funding from central government prevents or discourages fraud. Discussions with specialists in the field of audit and financial control have indicated the unofficial ‘80/10/10 rule’, i.e. 10 per cent of people are so innately honest

that they would never seek to defraud anybody; 80 per cent will defraud if they can see a way of getting away with it; 10 per cent will defraud whatever controls you put in place. Those anecdotal proportions may vary according to the political and social circumstances of a country. In a state where public officials are paid very badly, the temptation to defraud is much greater. In countries where public servants are well paid and have a certain social standing, it may be less probable that fraud will take place.

### ***Transparency and accountability***

Decentralized systems must inherently be clearly linked to transparency and accountability. In fully decentralized systems, the allocations of funds to each school are published and are accessible for public scrutiny on web sites or on hard copy. The budget proposals, the expenditure allocations and the financial out-turn of each school may be examined by any interested party. Therefore, provided the proper systems of checks and balances are in place (an important point to which we will return later), all those who handle funds for schools have to do so in a climate of openness and accountability.

### ***Four different experiences***

The four geographical areas selected for this study – England, Poland, Brazil and the state of Victoria in Australia – were chosen because they provide differing examples of ways in which school formula funding and self-management have been introduced. IIEP was also able to call on experienced rapporteurs to give an account of their procedures.

The four systems are by no means identical. The English and Australian examples are the most similar, and have been operating under the principles of delegation and self-management for the longest period. The Polish system clearly inherits a great deal from the former highly directive communist regime, but the rapporteur refers in particular to two areas where there are formula-based allocations to schools and greater management freedom. In the case of Brazil, the inherited structure is from the Latin/



Mediterranean pattern where teachers are all appointed by the state rather than by the school or the local regime. In this case, the proportion of the budget available to the school to administer autonomously is much more limited, but, even so, the rapporteur is able to draw useful conclusions about what features of the system may deter fraud.

### ***The questionnaire***

The enquiry was conducted by means of a questionnaire, with subsequent e-mail discussions. The main value of the study lies in the detailed responses, which are to be found in the appendices. The questions asked and the rationales behind them are summarized below:

### ***The overall context***

Respondents were asked to provide a factual description of the way education funding is distributed in their country, specifying the formula used to allocate money to an individual school and listing the types of indicator used in the distribution formula. Where changes have taken place recently, details were requested of the major differences between the country's current formula-funding methodology and the previous method of funding education.

### ***Openness of information***

As transparency is a powerful deterrent to corruption, respondents were asked whether the amount allocated each year to each school is in the public domain, how this figure is published, and to whom it is readily available.

Even when information is published, it may not be easy to understand, so respondents were invited to comment on the accessibility of the published information to school managers, teachers, parents, the school council (i.e. the governing board) and members of the local community.

### ***The generation of the budget prior to distribution***

An essential aspect of a needs-led funding methodology is that the needs of pupils and activities of schools are defined and costed as part of the budget-building process. Respondents were asked to comment on the level of detail in the construction of the formula and the way it is published. For example, is school provision defined in terms of teaching staff, non-teaching staff, books and other learning resources, premises, management costs and administrative costs? Alternatively, are none of these used – just a global sum determined by simple factors such as pupil numbers?

### ***Data collection and verification***

In systems driven by formulae and pupil numbers, the collection and verification of data are critical features of the process. Respondents were asked to provide details of how the data for the indicators in the distribution-funding formula are collected (e.g. number of pupils, number of pupils with additional educational needs). Misreporting of data is a potential source of fraud, so a question was asked to elicit an evaluation of the scope for misreporting. If data are collected only once a year, problems can arise for schools with a high turnover of students, so a question was asked on the frequency of data collection. Finally, respondents were asked to show how the data are independently verified – essential if fraud is to be reduced.

### ***Budget scrutiny at school level***

Respondents were asked to describe how the use of financial resources by schools is recorded, and to whom it is reported by schools. Details of financial management protocols were requested, for example, specifying what measures are taken, if any, and by whom, if there is a discrepancy between the budget allocated to a specific heading and the expenditure incurred. Given that budget planning is an imprecise art, it is useful to know what degree of tolerance is permitted by financial management protocols.

### ***Technical support for school managers***

Many – probably most – head teachers and school principals reach their leadership post by means of a sequence of promotions, starting from being a teacher. Financial expertise is not specified as a skill in those starting on a teaching career, yet it becomes essential for people leading self-managing schools. Respondents were asked about the level of technical support for financial management provided to schools. Codes and protocols are essential for the efficient and honest management of schools, so there was a question about the availability of a standard code of financial practice for all schools, its geographical coverage (e.g. national, regional and local). Examples were sought of the features of a financial code such as the separation of duties, limits on expenditure authorization, requirement for several quotations on purchases above certain thresholds, and the declaration of financial interest.

School-based financial management is demanding in terms of information systems. The questionnaire was designed to find out if there is a single management information system for all schools (in a locality, region or nation), or whether schools create their own.

### ***Internal and external audit***

Respondents were asked to describe the audit measures that ensure compliance with financial regulations and the levels of audit (e.g. within a school, by somebody from outside the school but local, by a nationally regulated external body). Information was also sought on whether the system has in place a local (i.e. school level) board/committee or governors with a front-line responsibility for ensuring public accountability for the use of school revenues and adherence to high ethical standards.

Given that people fall short of perfection in following financial procedures, evidence was sought on the measures that might ensue if satisfactory compliance with financial procedures (short of criminal corruption) were not achieved.

### ***The detection of fraud or corruption***

The questionnaire concluded with a specific focus on fraud and corruption. First we wanted to know how well-documented the country is in terms of detecting fraud or corruption in the education system. Then we sought opinion on whether, since formula funding was introduced, there has been any change in the extent of the corruption detected, for example in the misreporting of data in order to increase a school's budget allocation fraudulently, or with respect to the expenditure of money from the school's budget for personal benefit.

Finally, respondents were invited to identify any loopholes in the formula-funding methodology that have allowed corruption to take place and to describe the measures which have been taken to close these loopholes. Drawing on their own experience, respondents were asked to suggest measures that they would recommend to any country or state thinking of moving from a centralized to a decentralized system for the funding of schools so as to eliminate or reduce the possibility of corruption.

### **Summary of key issues emerging**

The main value of this report is in the detail provided in the appendices, and readers are strongly recommended to study them in depth. In this part of the report, the key issues are summarized below:

### **Overall context**

The purpose of this report is not to provide a comparative study of educational funding in general, but rather an investigation into the opportunities for corruption and the measures taken to avoid fraud. Nevertheless, the detail of how the different countries approach this particular issue cannot be divorced from a wider understanding of the background. It is clear that the different geographical and historical contexts of the four regions largely account for the differences in the way schools are

funded. There are different combinations of financial input from different levels of government with comments on the tensions that arise between the different tiers of local and national government. In no way is it implied that any of the four regions is 'better' or 'worse' than the others, since their relative poverty levels make such judgements invalid and invidious.

For historical reasons, the United Kingdom and the state of Victoria have the systems with the greatest levels of delegation, and of these Victoria offers the clearer and more stable needs-led funding methodology. The recent reform of funding in the United Kingdom, in 2003, failed to achieve the full version of needs-led funding that had been hoped for by many. The Polish case study refers to two local authorities, Swidnik and Kwidzyn, where funds are allocated directly to individual schools. It is interesting to note that in the Polish national allocation method, there is only a very small differential between primary and secondary pupils – a matter of some contention in the United Kingdom. The respondent from Brazil concentrates on the funding system in Rio Grande do Sul, where the schools receive money directly from the state Treasury but amounting to only 3 per cent of the educational expenses.

One of the tensions arising when schools are given substantial funding on a formulaic basis, and then left to manage it at their own discretion, is that the government cannot be sure that the money is being used to raise standards or achieve the goals that they have determined to be politically desirable. In various ways, governments find mechanisms to link direct grants to desirable outcomes. In Poland, funds were allocated to support each new politically generated investment drive in the economy. In the United Kingdom, a multiplicity of funding streams has been devised to achieve, in the shortest possible time, the high profile targets of different ministers of education, to the extent that the proportion of a school's budget from sources outside mainstream funding rose to 14 per cent in 2002. It is interesting to note that the Brazilian Government also gives a small direct grant to schools and that the figure has not been increased over the past

eight years to take into account inflation. This detail puts into perspective the anguish expressed in the United Kingdom when annual increases are not fully inflation-proofed.

As for the indicators used in distributing money, as one would expect, the number of pupils forms the main factor. In all the systems there are signs of an increasing attempt to quantify and meet the cost of special needs provision (disabled children, children with learning difficulties) and of rural isolation. The two English-speaking countries both make allocations to support children whose first language is not English, and in Poland there are weightings for minority-language speakers. Students of educational funding systems will not be surprised to see that all over the world, certain aspects of school are not amenable to neat formulae, most notably swimming pools!

In commenting on the difference between formula funding and previous methods, Victoria makes particular reference to the fact that schools are now charged the actual salaries of the teachers they employ rather than the average. British local management introduced this as a feature from the very beginning in 1990. Conversely, Victoria appears to have achieved a predictable and transparent funding process, which still eludes the British system. This is much easier in Victoria, where the government allocates funding directly to schools and there are no intervening local authorities as in the United Kingdom, where local governments receive a non-hypothecated grant for all local services, including education. It is salutary for British and Australians to read in the Brazilian submission that it was not uncommon for a state school to receive no supplies, equipment or maintenance from the state authority for a whole year.

## Openness of information

Although there are important differences of detail in the way budgets are made public, in all four cases it is possible to gain access to the information on schools' budgets. All respondents draw attention to the technical complexity of the process and the difficulty of presenting it in



such a way as to enable people to understand how the level of the school's allocation has been reached. School managers appear to be learning how it works, but among classroom teachers within schools, there seems to be neither understanding nor interest in the finer points of educational funding. As for school councils or boards, they are expected to grasp the issues, but few appear to do so. In the United Kingdom, greater prominence appears to be given to training governors on school boards. The Polish respondent makes a useful point about the potential role of the media in presenting financial information on public expenditure issues in an accessible format.

### The generation of the budget prior to distribution

None of the four areas studied appear to have a full version of a needs-led budget-generation model, i.e. a detailed analysis of what it costs to fund a given level of educational provision. In general, the process is driven by the number of pupils, adjusted for the age of the pupils and the nature of the courses. The Victoria example has specific elements for teaching staff and premises. In the United Kingdom, the 2003 Education Formula Spending Share includes needs-led components for Additional Educational Needs, sparsity and area cost adjustment, but the so-called 'basic entitlement' is a lump sum per pupil, based on age.

If a needs-led budget-generation model were to be used by central government, it would distribute funds to lower tier authorities on that basis. An important issue that arises is: Does that lower tier have to follow the generation model in distributing to school level, or should it exercise local discretion and devise its own distribution formula? Some British local authorities, typically covering an area with 30 secondary schools, 250 primary schools and 10 special schools, have devised their own 'activity-led formula' for distributing resources after detailed negotiation with local heads and governors.



## Data collection and verification

In a system driven by numbers, the correct collection of data is essential. The four examples studied show that, in different ways, all the jurisdictions take the audit and verification role seriously. In Victoria there are four data-collection dates, one of which is external to the school. The other three countries manage on an annual data day, sometimes with subsidiary adjustments mid-year. There are different approaches to adjusting financial allocations according to changing pupil numbers. Sometimes the annual census is used to distribute the entire amount for the year, and that remains unchanged (in which case there might be an incentive to invent ghost pupils). In other cases, the budget is derived from the actual number of pupils on roll and an estimate of those expected in the coming academic year, with a retrospective adjustment where the estimates are wrong. In some countries, this is made more complicated by the fact that the school year, calendar year and fiscal year are not aligned.

All the regions report rigorous verification techniques and the overall finding is that there is little, if any, deliberate misreporting. More often, there are errors due to the complexity of the forms to be completed. Audit bodies follow pupil number trends over time and a sudden distortion of numbers would be quickly apparent. Fraudulently increasing the income received by the school would not in itself lead to personal misappropriation of funds without some further corrupt activity. In a footnote, the Polish rapporteur refers to four different systems for collecting data on teachers, all with slightly different definitions of teachers, with the result that there are many different answers to the question of how many teachers there are in Poland.

Where the system includes some funding of the private sector from public funds, the need for rigorous verification is greater, as the extra and unjustified income could easily be ‘lost’ in the accounts of an unregulated provider.

## Budget scrutiny at school level

The accurate recording of financial transactions at school level is at the heart of measures to avoid fraud. Practices across the four areas studied appear to vary quite considerably. At one end of the scale of efficiency and oversight we have the system in Victoria, where all transactions are logged on a standardized information system, reported monthly to the school council, whose members have the status of ‘company directors’, and who peruse the records in a fiscally responsible manner. England has a broadly similar approach, but the frequency of reporting and the rigour of the in-year checking is less formalized. Larger schools, mainly secondary, employ specialized staff to handle the detail, but the responsibility lies with the head, who reports to the governors. In Brazil, the checking process is carried out quarterly by the Education Regional Office, confirming a statement made by the principal, counter-signed by the president of the school council and five other members. In Rio Grande do Sul, the bank account is in the name of the principal and receives income not only from the state but also from funds collected directly by the school. The principal is also the signatory of cheques. Given that some schools still produce their financial statements in hand-written form because they have no computers or typewriters, the potential for abuse seems greater than in the other cases studied. Most Polish schools have centralized accounting. For them the problem is that central accountants miscode expenditure, with the result that schools find they have paid for items used by a different school. Where there is decentralized accounting, the danger of the city losing control is referred to, and the rapporteur recognizes that this is a sensitive issue on which it has not been possible to obtain all the required information.

A question was asked specifically about what happens when discrepancies are discovered in school accounts, e.g. as a result of overspending on particular headings. Persistent failure to maintain budgetary discipline is reported by Poland as being one of the few legal grounds for dismissing a school director, but it rarely happens. Overspending is checked monthly and the appropriate adjustment is required in the subsequent month. In the case of Brazil, money

is transferred to the school on a quarterly basis and is only done so on the production of satisfactory statements. If the school overspends, the principal's name is registered in the nationwide list of debtors. The responsibility for action in Victoria lies firmly with the school council. In English schools, the governors have similar responsibilities for taking corrective action, usually within an agreed protocol, which allows the head some flexibility to adjust expenditure between headings as the year unfolds. The local authority produces a model code of practice.

The four regions studied take different approaches to the question of end-of-year debt. In Victoria, schools may have a debt on the current year's spending, but must be able to cover it from reserves. Overall debt is not allowed, and the Department for Education and Training, i.e. the government, will intervene to address the deficit. Poland takes a similarly decisive line, and will not allow a school to operate a deficit budget over a number of years. Brazil has the discipline of withholding funds on a quarterly basis. England appears to have the most permissive regime in relation to overall budget deficits. In theory, a school should not overspend, and any deficit is carried forward to the subsequent year and corrective measures taken. If a school cannot recover the position in the subsequent year, it is allowed to apply to the Local Education Authority (LEA) for a 'licensed deficit', with a schedule of how it proposes to come back into balance within a specified time. At the end of 2002, 25 per cent of English secondary schools were carrying forward a deficit, and the situation has worsened since. In some LEAs, in 2003/2004, over half the secondary schools had deficits, mainly to the order of 1 to 2 per cent, but in some cases amounting to 20 per cent of their annual income.

## Technical support for school managers

It is clear from all four submissions that the training of heads and school managers in financial management is essential as this is a skill they do not normally have as a result of their background and training for the teaching profession. The four areas studied differ in the level of

central direction given: Poland and Brazil have a long-standing tradition of central control and the format for financial reporting is laid down centrally, but both countries appear not to have progressed far down the route of computerization. The state of Victoria, drawing on its longer experience of self-managing schools, has sophisticated computer systems and manuals of guidance. In England, for many years schools either devised their own systems or used systems set up by the local authority. Recent developments are the introduction of a common national financial reporting framework known as 'Consistent Financial Reporting'. Schools are required to use the same broad set of budget headings and so use a consistent classification of types of expenditure and income. The purpose of this is to enable school managers, while still having freedom of decision-making at school level, to benchmark their expenditure against schools of a similar size and in similar circumstances.

## Internal and external audit

All four rapporteurs referred to several layers of audit in their school-funding systems, and this is clearly essential if fraud is to be prevented. In most cases, the first is at school level, undertaken by a competent member of the school council, except where this council is relatively inexperienced or powerless, as in the Brazilian and Polish examples. Further audits are provided by the next highest regulating authority that is itself audited by a higher authority, which may be an arm of central government.

It is when audit fails that the financial system is exposed to the possibility of accidental error or deliberate fraud. The potential areas of systemic weakness which have been drawn to our attention are: (a) the handling of cash within school; (b) the monitoring of credit card payments; (c) the separation of ordering and payment; (d) where schools have bank accounts, the requirement of more than one signature on school cheques or credit notes; (e) the maintenance of equipment inventories; and (f) the maintenance of accurate records of equipment disposed of or written off.

These practices should be built into financial procedures and monitored by audit. It is when this fails that head teachers find themselves exposed to temptation and can exploit the loopholes for personal gain. In two recent high-profile cases in England, both resulting in prison sentences for the head teachers involved, the audit systems had failed to pick up the misappropriation of school funds. In one case the fraud was derived from the school's unofficial funds, i.e. the money paid into the school's account by pupils going on trips, fund-raising and donations linked to the head teacher's capacity to browbeat a subordinate into signing cheques without the proper checking of invoices. The second case involved a 'grant-maintained' school. These schools (abolished in 1997) were not under local authority control but received funding directly from the central government. In this case, the head teacher misused funds over several years without anybody raising questions, even though teachers should have received money for textbooks and even found that they had to clean their own classrooms. The fraud, discovered once the school was returned to local authority control, was due to poor financial monitoring by the governing body and inadequate auditing by a private firm employed by the governors.

Central government only audits individual schools on an occasional dipstick basis, but is mainly responsible for ensuring that audits take place through an intermediate authority and are carried out thoroughly.

Failure to comply with financial procedures attracts sanctions of differing severity in the four areas studied. In Victoria, the matter is dealt with as a case of 'the principal needing support' prior to becoming a disciplinary issue by the government department. If deliberate embezzlement is suspected, the case is referred to the police and the principal suspended. In England the first level of action is taken by the governors of the school, advised by the local authority. Repeated flouting of recommendations could lead to disciplinary action. In the case of a complete breakdown at school level, the LEA applies the ultimate sanction of withdrawing the delegation of authority and running the school's finances directly itself. Cases of

criminal fraud are referred to the police and have been known to result in prison sentences, the most recent being for five years.

In Brazil, the regime appears to be more personally draconian. Until 2001, failure to produce a quarterly statement resulted in a daily fine on the principal himself of 1 per cent of the quarterly allowance, but this has since been revoked. If the quarterly account is overdrawn, the school principal must deposit the overdrawn amount or have it deducted from his next pay cheque. Here, as elsewhere, the lack of statements or irregular uses leads to dismissal from the post of headship.

## Detection of fraud or corruption

The extent to which fraud can be detected varies from country to country. Sometimes the borderline between incompetence and petty fraud is difficult to define, and all the respondents note the need for good manuals of procedure and the provision of training for principals. This is a particular problem in Brazil, where school principals are elected by teachers, other staff, parents and student representatives for a three-year period only. For Brazil, the irregularity of payments to the schools is a major problem, not only making the life of the principal extremely difficult, but also undermining teachers' advance planning.

There appears to be little collective recording of school-based fraud so it is very difficult to know whether or not fraud has increased in those countries where devolved funding has been introduced. The responses from the different countries give examples of the cases that have come to light and show clearly that it is the level of audit and monitoring which is the greatest deterrent to fraud. The transparency of formula funding ought to contribute to the avoidance of fraud, but in some cases the formula itself is so complex that it discourages people from trying to understand it.

The publication of accounts and their accessibility in the public domain, at school, in the locality and at the national level is a major factor



in reducing the likelihood of fraud. For this to be successful, the format has to be standardized so that comparisons can be soundly based. In England, for example, it has taken over a decade since the introduction of local management for all schools to log their expenditure and income in a consistent format.

Some countries with devolved school financial management, such as Sweden, Finland and Iceland, do not permit schools to have bank accounts in order to limit the possibilities of corruption and reduce the need for auditing multiple bank accounts. Schools' finances are transacted through the treasury system set up for the whole public sector. In effect, schools' budgets are recorded as units of account in the treasury system. A school sends a signed request to the treasury to pay its invoices from its formula-generated income and any school-generated funds that are deposited into its account at the treasury. The treasury system has to operate accurately, quickly and flexibly if it is to provide efficient banking services to schools, as appears to be the case in Scandinavian countries. However, there is evidence that where treasury systems have been introduced in transition countries (e.g. Russia, Bosnia and Hungary) and are used to manage schools' transactions, these conditions for efficient treasury operations have not been met. Hence, financial controls instituted in order to prevent corruption can reduce efficiency when schools are denied flexibility in choosing how to use resources, or are deterred from raising their own revenues for fear of not being able to withdraw them from the treasury.

## Conclusions

The introduction of formula funding for schools and the delegation of spending decisions to them can, *prima facie*, increase the possibility for fraud, because many more people have direct access to funds. The extent to which the possibility of corruption is increased by delegated financial management depends on whether schools' financial transactions are conducted via a treasury system or through school bank accounts. Unless the treasury system is timely, accurate and flexible, a trade-off exists between



reduced corruption opportunities due to greater financial control and greater efficiency when schools can manage their own bank accounts.

Conversely, formula funding acts in a way that reduces the likelihood of fraud, since an essential element of formula funding is public accessibility to information. Transparency puts pressure on people in positions of responsibility to act in conformity with regulations, since the chance of detection is much higher and the personal and professional consequences of misappropriation are greater. Simpler formulae are easier to understand and therefore more transparent. However, too simple a formula may be inequitable, as it does not differentiate sufficiently between schools with different structural cost factors.

The replies from just four countries indicate that the range of traditions and practices within a country influence the detail of the way in which formula funding is introduced. Although it is possible to list the desiderata for a fair and fraud-free funding system, realism suggests that local factors must be taken into consideration.

Nevertheless, the following recommendations can be summarized from the range of evidence provided:

- The training of principals and administrative staff in financial procedures must be thorough and constantly refreshed.
- Great care must be taken in the preparation of the manual of financial procedures. These must be quite specific about matters such as: (a) the ordering of goods (tendering process); (b) the separation of ordering and receiving goods; (c) the need for multiple signatures on cheques or credit notes; (d) the authorization for credit card expenditure; (e) the maintenance of equipment inventories including writing-off; and (f) the handling of any cash transactions within school.
- Those closest to the point of delivery (i.e. the school council or board of governors) must be sufficiently well informed about the funding process so as to be able to detect either incompetence or fraud.

- Particular care must be taken to ensure that collusion for fraud does not occur within a school, i.e. governors need to be sufficiently involved in the life of the school so that they can detect improper actions.
- There needs to be a nationally agreed format for the production of financial reports at school and intermediate authority level.
- Local monitoring, i.e. within a school, must be frequent and independent of the head and administrative staff, probably the responsibility of an appropriately experienced and trained layperson on the governing body.
- Intermediate tier audit needs to be thorough so that any deficiencies can be detected early and remedial action taken. Auditors must be independent of the school and, if private, not appointed by the school but by the education authority. The potential fraudster thrives on lack of immediate detection.
- The details of how distribution formulae operate must be presented with sufficient clarity to enable greater understanding at all levels, professional and lay, within the education system.

In summary, formula funding of schools reduces the potential for corruption by increasing transparency, because the amount each school should receive and the basis for this is public knowledge. Decentralized financial management replaces the opportunity for large-scale fraud by the few, which characterizes a central system, by wider opportunities for smaller scale fraud by employees at school level, especially if schools have bank accounts. The potential for fraud in decentralized systems can be contained by well-designed financial regulations that are adhered to, monitoring of schools' finances by a school council and the education authority, and an independent and thorough audit of schools' accounts. When contemplating a move to decentralized school financial management, the ability of an education system to implement the administrative and management practices needed to minimize opportunities for corruption at local and school levels must be an important consideration.

### 13. Corruption in Indonesian education: case studies from the Scholarships and Grants Programme and the School Improvement Grants Programme

*Stephen Baines and David Ehrmann\**

The Scholarships and Grants Programme (SGP) was set up by the Indonesian Government as a response by which to counteract the effects of the severe crisis in the education sector that followed the Asian financial crisis at the end of the 1990s. With considerable multi-donor support, principally from the Asian Development Bank and the World Bank, the government instituted, in a short period of time, a nationwide programme of scholarships for a very large number of school children as well as operational grants to 60 per cent of all schools in the country. Since the middle of 2000, the Royal Netherlands Government has made a major contribution to the SGP by funding the School Improvement Grants Programme (SIGP) as a sub-programme, and contributed to debt reduction by directly funding a year of scholarships and operational grants (2001/2002).

The first part of this paper provides a description of the programmes and the innovations that they introduced. It also makes a brief assessment

\* The authors are members of the programme managed by the British Council. The Central Independent Monitoring Unit (CIMU) currently has a staff of 57, comprising a central unit of professional and support staff and a network of field-based staff. The prime role of the independent monitors has been to monitor compliance with the rules of SGP and SIGP, to verify that funds reach their intended targets, and to assess the impact of the programmes. Originally set up under Asian Development Bank (ADB) technical assistance, funded by the Government of Australia and supplemented by funds from the World Bank, CIMU now operates under a Dutch Trust Fund, managed by the World Bank. All CIMU reports are available on the web site [www.cimu.or.id](http://www.cimu.or.id)

of their impact. The second part examines the programmes in relation to the issue of corruption. Built into the design of both SGP and SIGP were features intended to ensure transparency and accountability, and to minimize the leakage of funds. For nearly five years, CIMU has been assessing how the reality has matched the intention. Taking a simple broad definition of corruption – the privileged use of authority for private gain – we explore a series of brief case studies, illustrative of some of the issues involved. The paper is not intended as an exposé, simply a collection of observations and discussion on their implications.

It is worth saying from the outset that the implementation of these two programmes does not provide a picture of spectacular corruption. Overall, they have been successful in meeting their immediate objectives without massive haemorrhaging and inefficiency. The safeguards built into the programme designs have prevented many of the abuses that have characterized other programmes and projects. There are plenty of ‘success stories’. However, the programmes have not been immune to corruption, and while it is not our intention to portray an unbalanced assessment, it is felt that there are useful lessons to be learned which may contribute to a wider debate on corruption in education.

The specific cases outlined have been selected because they provide interesting insights. They are certainly not the only examples of corrupt practices and may not be the most extreme. In each case, it is possible to identify recognizable villains and victims, but we have tried to avoid a moralistic stance. Our purpose is to illustrate broader, more general issues of transparency, accountability and the stewardship of public funds. In their different ways, the cases exemplify the corruption formula:

monopoly + discretion - accountability = corruption.

The effectiveness of measures introduced into the programmes to break this equation are assessed and the problems of enforcement examined.

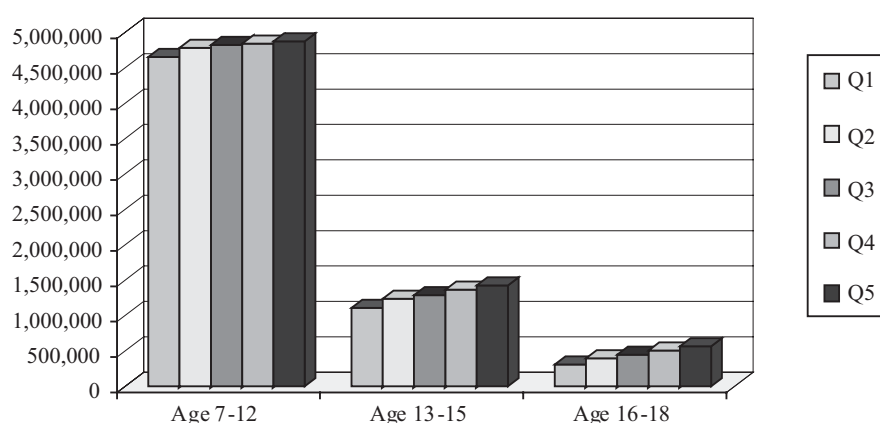
We are conscious that, by focusing on SGP and SIGP, our approach has its limitations. We have not set out to provide a comprehensive survey

of corruption in the education sector. Many of the most corrupt aspects in the sector are not covered. The sale of appointments, the maintenance of ‘ghosts’ on the payroll, the kickbacks associated with the procurement of goods and services, and the informal, but routine, docking of teachers’ salaries are general problems that form part of the background. However, they are not directly related to the operation of the two programmes. The picture we paint will therefore be incomplete. We have simply attempted to tell the story and draw some lessons from a limited number of case studies.

## Background

Indonesia, with a population of over 200 million people, has a very large school population, characterized by high participation rates at the primary level, which drop significantly with progression to higher levels.

**Figure 13.1 Indonesia: approximate numbers of students by age group and quintile**



*Source:* Calculated from educational data from Susenas 2002, provided by the Indonesian Central Board of Statistics (Badan Pusat Statistik – BPS) and data on educational enrolment from Ministry of National Education 2002, Tables 11, 24, 38 and 56.

The dual purpose of SGP was to maintain enrolments at a time when massive drop-out was expected, and to maintain the quality of education,

which it was feared would decline as the availability of funds for schools dried up. The programme was a rapid response to extreme circumstances, brought about by the economic state of crisis that occurred from mid-1997. The 'Asian crisis', prompted by a collapse of financial confidence, exacerbated hardship caused by serious drought, and led to widespread unemployment, falling incomes and social unrest. The government was faced with the prospect of very large numbers of people falling into poverty, and the reversal of the progress made in social development over the previous two decades. The aim of SGP was to safeguard access to and the quality of education for the most vulnerable sections of the population. The prime concern was the maintenance of services in the short-term rather than improvement.

Launched in September 1998, until June 2003, SGP, which operated on a national scale, provided scholarships, over its five-year duration, to approximately 6.8 million students. Those eligible were in the top three years of primary school, the three years of junior secondary school and the three years of senior secondary school. It also provided annual grants for non-salary operational expenditures to 132,000 schools (60 per cent of the total).

SGP was expanded in 2000 to include SIGP. The completion date of this sub-programme was December 2003. Its first phase, SIGP 1 provided substantial grants to three categories of schools: schools that hosted significant numbers of internally displaced students; those that had been damaged by natural disasters or in regional conflicts; and the poorest schools in the nation's poorest districts. Three quarters of the grants were given to the last of these categories. It operated in 73 districts.<sup>28</sup> SIGP 2, covering 60 districts, is focused entirely on schools serving poor communities. By far the largest proportion of the money in both phases was spent on the physical rehabilitation of school buildings.

28. The number of administrative districts has been expanding in recent years. There are now about 400.

**Table 13.1 SGP and SIGP awards by school year (SY)**

	SY 1998/1999	SY 1999/2000	SY 2000/2001	SY 2001/2002	SY 2002/2003
<i>SGP scholarships</i>					
Primary	1,800,000	1,800,000	1,800,000	1,200,000	600,000
Junior secondary	1,650,000	1,650,000	1,650,000	1,100,000	550,000
Senior secondary	500,000	500,000	500,000	333,330	166,670
Total	3,950,000	3,950,000	3,950,000	2,633,330	1 316,670
<i>Grants</i>					
Primary	104,340	104,340	104,340	104,340	104,340
Junior secondary	18,240	18,240	18,240	18,240	18,240
Senior secondary	9,400	9,400	9,400	9,400	9,400
Total	131,980	131,980	131,980	131,980	131,980
<i>SIGP grants</i>					
Primary				4,120	2,479
Junior secondary				1,006	396
Total				5,126	2,875

*Sources:* SGP/SIGP PMU, annual programme implementation plans.

**Table 13.2 Principal funding sources for SGP and SIGP (approximate figures)**

Govt. of Indonesia	ADB	World Bank	AusAID	Royal Netherlands Government	JICA	Japanese Grant Fund	UNICEF	ASEM	Total
\$253m	\$91m	\$172m	\$5m	\$100m	\$0.3m	\$0.2m	\$0.6m	\$0.6m	\$622.7m

*Sources:* World Bank Office, Jakarta, and SGP/SIGP PMU, Ministry of National Education.

Whereas SGP was funded through a combination of the Government of Indonesia's own resources, loans and grants, SIGP, which is the contribution of the Royal Netherlands Government to SGP, is entirely grant funded. It



is managed through a Trust Fund by the World Bank. SIGP has a more direct poverty focus than SGP, whose prime purpose was crisis relief. The programmes, however, have many shared characteristics. They have the same management arrangements, by which the same Programme Management Unit (PMU) works through local committees. They channel funds directly to recipient schools. Within certain parameters, they allow wide discretion on recipient selection and on fund usage. Both programmes are independently monitored.

From the outset, the two programmes have promoted policies aimed at removing structural weaknesses, and making the delivery of education more flexible and responsive to local demand. Support for these policies, a product of a long-running dialogue between the government and the donors since the mid-1990s, was conceived as part of a long-term reform agenda. This policy component, supported by a Programme Loan from the Asian Development Bank (ADB) was succinctly set out in the so-called Policy Matrix (ADB, 1998). The Social Protection Sector Development Programme (SPSDP), which was aimed at health, nutrition and family planning as well as education, was the basis from which the expanded SGP was developed.

It provided support to the government's policies aimed at maintaining access of the poor to education, maintaining quality, continuing decentralization of education management and strengthening the efficiency, transparency and accountability of management.

The design of SGP was innovative and geared both to meeting the exigencies of the time and to introducing new ways of delivering education. Six major innovations characterized the SGP approach:

- The allocation of funds from the centre to districts was influenced by a district poverty index for targeting the poor rather than being based simply on total population size, as had previously been the practice. SGP targeted those school children and schools most affected by the crisis. The programme used data on school populations and poverty

indices to allocate resources between districts. Under SIGP, a more limited number of districts have been targeted. During the first phase, roughly one quarter of the value in grants was provided to assist schools coping with an influx of internally displaced students or the physical consequences of natural or social catastrophes. Most of the grants in SIGP 1 and all the grants in SIGP 2, however, were poverty-related, and are intended for the neediest schools in the poorest districts.

- The programme involved greater decentralized decision-making than had hitherto been attempted. Once district allocations had been set, the selection of beneficiaries was the responsibility of multi-sectoral committees at the district and local levels. This structure was established specifically to enhance transparency and foster local decision-making and ‘ownership’. District committees allocated secondary scholarships and grants directly to schools. Primary school scholarships and grants were allocated to sub-district committees, which in turn allocated them to schools. Recipient schools were ranked according to composite formulae to determine relative need. These included the number of students from poor families, the level of school fees, and the status of communities in the government’s existing poverty alleviation scheme (IDT). Schools allocated scholarships based on need. SGP formally required that at least 50 per cent of all scholarships be allocated to girls.

A single PMU, based in the Ministry of National Education (MONE), has managed both SGP and SIGP. Their implementation has required inter-ministry co-ordination at various administrative levels. PMU has also served as a focal point for communication between the government and donors. An effective unified PMU has been an important feature of the programmes.

The administrative structure of SGP involved committees at the provincial, district and sub-district levels. These committees include senior representatives from local offices of the local planning boards (*Bappeda*), local government education offices (*Dinas Pendidikan*), and the Ministry

of Religious Affairs (MORA). All committees were required to have non-governmental participation. The same committees administer SIGP.<sup>29</sup> Each committee had the support of a technical team that administered specific programme activities. These executive functions were strengthened in the second year of SGP through the creation of provincial and district secretariats to provide more reliable contact points, organize internal monitoring, channel information and handle public complaints.

At the school level, implementation has been the responsibility of school committees, which include community participants. There is a strong emphasis on a school-based management of SGP and SIGP grants, though this is more significant in SIGP, where grants are much larger. School committees are responsible for planning and spending the grants, and they are intended to reflect the schools' needs. Under SIGP, where physical rehabilitation of school buildings takes place, it is intended that members of the local school communities themselves should carry out as much of the work as possible in order to maximize value for money, engender local ownership and lead to sustainable maintenance. Technical teams of local people with useful skills are co-opted onto the school committee. Further technical advice and assistance to schools is provided through a centrally contracted network of construction advisers.

The adoption of the block grant mechanism for funding schools allowed operational expenditure to reflect more accurately local needs. Previously, operational funds were more often than not spent on behalf of schools by the various layers of the bureaucracy. Goods and services rather than cash were provided, and these rarely reflected the individual schools' needs. The system was inefficient, opaque and open to abuse. The block-grant system adopted for SGP and reinforced for SIGP earmarked specific amounts of funds for specific recipients, and made this information freely available.

29. The design of SIGP deliberately used the same committee structure as SGP at district and school levels, but SIGP does not specify roles for provincial or sub-district committees.

Direct transfer of funds to beneficiaries by-passed the usual public expenditure funds flow mechanisms of the government treasury system. This payment method was designed to ensure the rapid transfer of funds to end-users and avoid the leakage associated with the normal channels, but it meant that administrative mechanisms outside the established bureaucratic delivery structures had to be created. The chosen channel for scholarships and grants was the post office. SIGP works on the same principle, although grants under this programme are transferred directly to schools through the banking system.

For each of the first three years, SGP employed a nation-wide cascade-style briefing programme to inform committee members at all levels of the nature of SGP and their roles within it. A similar approach was adopted for the introduction of SIGP, although a smaller number of districts were involved. In order to overcome the inevitable dilution effect of this form of training, a different training system was introduced for SIGP 2.<sup>30</sup> In the early stages of SGP, an intensive mass media information campaign was targeted at parents and the general public. The campaign had several goals: to ensure there was general awareness of the importance of keeping children in school; to inform people of the support that the government was providing; and to deter the misuse of resources by letting the public know their entitlements.

Independent monitoring was established to provide continual monitoring data on the effectiveness of the programme and the accuracy of fund transfers. CIMU's tasks have included monitoring compliance with the programme's rules, verifying that funds reach their intended targets, assessing the impact of the programmes, and providing assurance that the massive government and donor investments are correctly managed. In order to do this, CIMU and its network of field-based staff have used a variety of

30. The training for SIGP 2 involved a group of Master Trainers conducting training for both district and for school committees. The intention was to ensure continuity and consistency of the message at all levels. An evaluation of the training will be included in the general evaluation of the programme, which ended in January 2004.

methods to obtain information, including visits to schools, both on a sample basis and at random; special studies of particular aspects of the programme; discussions with programme management at the centre and in the districts; and participation in programme events, such as the training of district and school committees. Information gathered in these ways has been analyzed and reported to immediate stakeholders in government, donors and a wider audience through widely distributed reports, a newsletter, and contacts with the press. CIMU also has a certain amount of reactive capacity for investigating problems identified during the course of monitoring or raised through reports in the press or letters of complaint.

Independent monitoring of a government programme was unprecedented. CIMU has provided impartial verification and produced a mass of documentation from surveys and case studies that charts the progress of the programme throughout. It has not only provided a vital safeguard, but it has also provided much needed information and feedback to programme management, both at the centre and in the field. Through its regular newsletter and other publications, it has contributed to public awareness.

### ***Programme outcomes***

SGP has contributed to the maintenance of enrolment and school quality at pre-crisis levels, and there has been no dramatic increase in school drop-out since it was instituted. Precise attribution of causality is, however, difficult. While the programme has provided support to many poor families, its direct influence on school continuation levels remains uncertain.

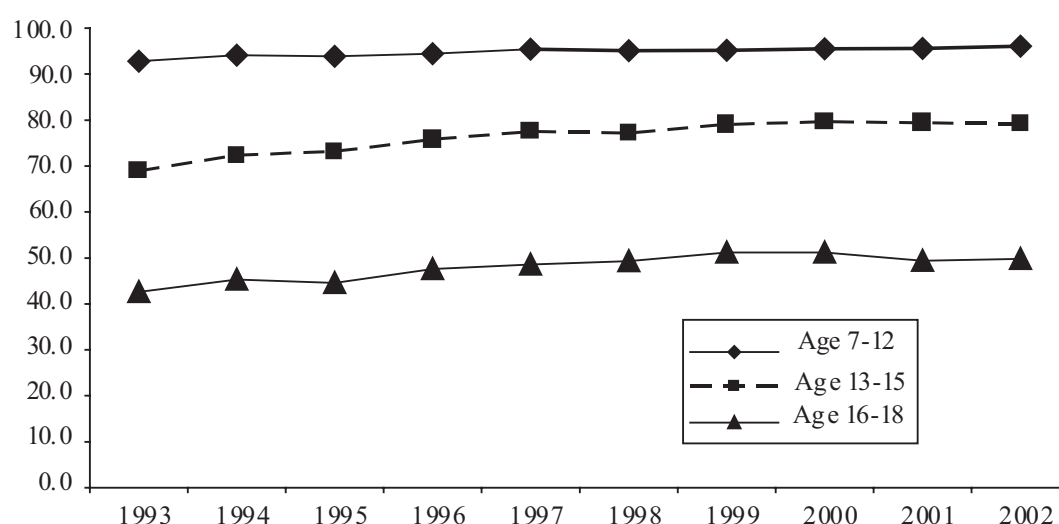
The scholarship component of SGP, which directed funds to named individuals, has always had a much higher public profile than the grants. It has supported very many poor students. However, schools have recovered much of the money paid out as scholarships through fees of one sort or another. Despite appearances, therefore, both the scholarships and the grants have been primarily means of subsidizing school incomes and of funding service provision.

Viewed in this light, the infusion of the SGP funds has made a substantial difference to a broad range of schools. The provision of cash resources has undoubtedly mitigated the worst effects of the crisis on school expenditures, by easing both the double burdens of higher prices for school purchases and the constraints on income from parental contributions. SGP has allowed schools to maintain fees at lower levels than they would otherwise have been, and has therefore benefited all students. A downward spiral of a falling fee income and falling student numbers has been avoided.

SIGP has made a striking difference to schools, albeit in a limited number of locations. The School Improvement Grants are large and, since most grants have been spent on the improvement of physical infrastructure, the changes have had a visible impact. The provision of better learning environments is a major step towards improving educational quality. The grants have directly contributed to better teaching and learning conditions in improved buildings and furnishings, lessened overcrowding in classrooms, and improved the availability of books. By improving health and safety and improving sanitation facilities, the grants have directly contributed to the welfare of students. Improvements in physical environments have also had noticeably positive effects on teacher motivation and local pride.



**Figure 13.2 Indonesia: trends in enrolment ratios by age group, 1993-2002**



Source: Susenas, various years.

### ***Implementation achievements***

As a delivery system, SGP met its core objectives. With some exceptions, it delivered the right amounts of money to the intended recipients, broadly within the time scales envisaged. Disbursement was nearly 100 per cent throughout.

The results of SIGP-funded rehabilitation are, on the whole, impressive. The quality of the materials used and the workmanship has in many cases been excellent, supporting the notion that school and community-led school improvement has major advantages over the traditional methods involving government procurement of contractors. In most places, schools have managed the use of SIGP grants competently. Considering the fact that many smaller schools are accustomed to running with very little funding for operational purposes, they have coped remarkably well with sudden windfalls of perhaps ten times their annual income. The practice of co-opting technical teams to school committees, made up of people in the localities with relevant technical expertise, has proved an effective innovation. There



is evidence of strong community involvement in the process of using the grants.

### ***Policy outcomes***

The implementation of SGP has coincided with a major shift in the institutional environment. The passing of the Decentralization Laws in late 1999 has set in motion a series of organizational changes, many of which SGP presaged. The principle of grant funding of schools has now been firmly established. School-based management is now an important item on MONE's policy agenda. Given the considerable resistance to the notion during the preparation of SGP, this represents a major policy shift for government in a relatively short period. The creation of school boards and district-based boards of education, for both of which SGP committees served as early models, is now government policy.

At the school level, the system of direct payments of SGP and SIGP has encouraged schools to take greater charge of their affairs and relate expenditure to needs. The guidelines for the use of grant monies have been sufficiently broad to allow schools to direct expenditure to their particular needs rather than having their needs dictated through central procurement. This is a significant departure from past practice and may prove to be one of the more lasting legacies of SGP and SIGP. The requirement for budgetary planning and reporting has promoted the use of simple financial management tools, such as school budgets (RAPBS) and expenditure plans (RAB). Moreover, the programmes, by requiring disclosure and community scrutiny, have gone some way towards achieving greater transparency in the education system.

### ***Corruption in SGP and SIGP***

Alongside the achievements outlined above, SGP and SIGP have experienced problems, as illustrated by the examples below.

## Book procurement in Nusa Tenggara Timur (NTT)

Indonesian schools are generally poorly equipped, and have little money for operational requirements. Government assistance has, in the past, often been provided in the form of centrally procured goods rather than cash. This has often been inefficiently managed, subject to considerable mark-up and leakage, and resulted in the provision of resources that bear little relation to schools' needs. The procurement of books in particular has been subject to massive corruption, much of which is well documented. SGP provided grants (DBO) to schools with the express intention that the money should be used to meet the individual schools' needs. The guidelines also stated that: "DBO should be distributed to schools in full without any cut of any amount for any reason".

East Nusa Tenggara Timur (NTT) is one of the poorest provinces in Indonesia. Its schools are particularly poorly resourced. In August 1999, the Governor of the province issued a letter to district and municipality heads recommending that each primary school receiving DBO should purchase a set of reference books that had been jointly produced by a publisher and the provincial government. The books would cost Rp.500,000 (1 Rupiah = US\$0.000108932) – a quarter of the annual DBO – and they would be collected from post offices when school representatives went to collect their grants. Since there were over 3,000 primary schools receiving DBO, the amount collected from this 'sale' of books was over Rp.1.5 billion.

The case first came to light through a report in *Kompas*, a national newspaper. During the course of investigations that ensued, a number of arguments were put forward to defend the actions of the local government. Books, it was said, were desperately needed in NTT primary schools. This is undoubtedly true. Whether these particular books were needed is more debateable. Although no serious assessment of the educational value of the books was put forward as a justification, they were of reasonable quality and were, no doubt, of some use to schools. On the other hand, the value of the purchases was not questioned. An endorsement from the provincial

office of the Ministry of National Education was deemed sufficient proof of worth. In fact, the mark-up for the publisher and the kickbacks to the bureaucracy were considerable. The opportunity cost of the purchases was not considered. Schools may have needed books, even these books, but they needed many other things as well.

Despite the fact that central procurement and directed purchasing were against both the spirit and the letter of the SGP guidelines, the major focus of the government's investigations (conducted by the Inspectorate-General of MONE) was on administrative aspects of the distribution process. The major criticism of the official investigation was not that schools had been shortchanged, or that influential people had made a lot of money on the deal, but that the authorities should not have used the post office as the medium of distribution.

The weakness of the official response may reflect the seniority of the people implicated, but what is clear is that the effectiveness of the inspection mechanism was minimal. The following year, officials in NTT continued to direct primary schools to purchase the same set of books using their DBO. The official endorsement of the provincial government of the books remained, stating that the books "have been funded by the Scholarships and Grants Programme using the DBO for primary and multiple intelligence schools". The method of distribution had changed. The books were distributed through the local education offices on commission rather than through the post offices, but the abuse of SGP funds continued. Inflated prices were charged and officials continued to receive financial incentives to promote the books. The independent monitors brought this situation to the attention of MONE. No action has been taken.

## School rehabilitation in Ponorogo, East Java

The School Improvement Grants are intended for a variety of quality improvement measures that meet individual schools' needs. Within broad parameters, schools can choose how they spend the money against their own

priorities. They are also supposed to plan and manage their spending and are encouraged to involve local community resources wherever possible. Where rehabilitation work is involved, this should be accomplished using local labour and locally purchased materials. Centrally contracted construction consultants were assigned to provide technical support and supervision.

This idea of school-managed, community-led improvement is not new. It has been practised in a number of donor-funded projects, but it is in stark contrast to the usual business of school construction and rehabilitation. Prior to decentralization, secondary school construction and renovation was directed by the local offices of MONE, acting either directly or through the offices of the Ministry of Public Works (PU). Primary schools were the responsibility of local government. Nowadays all schools come under the responsibility of local government, but the mode of operation has not changed radically. Contracts are awarded to consultants, who organize contractors to do the work. Unit costs for construction are pre-determined, so there is little scope for discrimination based on price. There is, however, considerable scope for collusion, and a cosy relationship has existed for years between government officials and the contractors, usually operating through the auspices of their trade association, Gapensi.

The awarding of contracts has long been characterized by a system of kickbacks, which has skimmed off a considerable proportion of the available funds. The practice of multiple sub-contracting, allowing a margin at each level, has meant that the money available to carry out the work is further reduced. This is reflected in the quality of materials and workmanship of the completed civil works, both of which are often far below specification. The use of unit costs means that the costs of construction bear no particular relation to market prices. Accounts are made up to reflect the unit costs and tell little of the actual costs incurred. Supporting documentation is easily manufactured using blank receipts.

The results of these arrangements are well documented. They are often quite bizarre: schools built without site work or access; sub-standard, unsafe

and unusable buildings; and rapid deterioration. SIGP deliberately set out to avoid such outcomes. By cutting out the middlemen and involving local communities in the rehabilitation of their schools, it was hoped to maximize the utility of the funds and promote a feeling of ownership that might encourage local pride and engender more positive attitudes to maintenance once the grants had been used up. In most places, this has indeed been the case. In Ponorogo, however, the district committee responsible for administering SIGP chose a more traditional approach.

Here the committee chose to misinterpret the programme guidelines, which clearly intend school improvement to be in the hands of the schools themselves. The district engaged contractors, as per tradition, to manage the use of grants and effectively take away from the school communities all decision-making concerning their use. Representatives of the contractors were co-opted to school technical committees in charge of the rehabilitation work. In some places, the contractors accompanied the head teachers when they collected the grants from the bank, which they then took as down payments for the work. This process has been documented in some detail by CIMU. The results of the rehabilitation work undertaken have, on the whole, been disappointing. The involvement of contractors reduced the amounts available for the schools, and it must be assumed that the arrangement involved the usual degree of collusion and kickback.

The attitude of programme management was interesting. Initially the reaction of PMU was to deny there was anything amiss with the arrangements in Ponorogo. When it became obvious that this was an unsustainable position, the ground shifted. It was argued that there was nothing wrong with the practice. Schools often lacked the necessary technical knowledge to manage rehabilitation and needed all the help they could get. The results, it was said, were not so bad. The district committee was right to use its discretion (local knowledge) in choosing how the work should be done. This position has been maintained even after intervention from an unlikely source. The police got involved and investigations are being carried out with regard to various

contractors for marking up prices and members of the district committee for profiteering. There is also significant press interest in the case. However, the case has hit a further obstacle, one that neatly illustrates the problem of resolving such matters. The police investigation has been stalled because the police have insufficient funds to pursue matters.

## Extortion of SIGP grants in Kota Palembang

Following the pattern set by SGP, SIGP is a centrally managed programme, and funds are channelled directly to school bank accounts from the centre in order to speed up the delivery process and avoid leakage. This fund-flow mechanism has worked well. Transfers through Bank Rakyat Indonesia (BRI) have been executed quickly and efficiently. The grants have arrived intact.

The bypassing of the established funding system, which allows opportunities for administrative costs of the bureaucracy to be taken out at each level before being passed on down the line, has removed much of the incentive that usually drives official action. The whole of the value of SIGP grants is supposed to benefit the recipient schools. SIGP allows for a small proportion of each grant to cover administrative costs. Schools are allowed to use up to 3 per cent of the value of the grants for necessary administrative and transport costs they incur, but, by design, the whole of each grant is intended for schools' operational expenses. District committees receive payment from separate line items on the programme budget for carrying out socialization and monitoring. There is no provision to meet the costs incurred by the committees in carrying out the required tasks of data gathering and school selection, the assumption being that these activities are part of the normal business of local government and are provided for within the local routine budget.

For officials in the education superstructure to gain access to SIGP funds, money must siphon upwards through a system euphemistically called 'taxation'. Evidence of this is hard to find, because receipts are rarely given



for payments and everyone concerned is reluctant to talk about it. However, the prevalence of irregular book-keeping practices, the recording of marked-up prices and the non-recording of discounts and bank interest mean that off-balance-sheet payments can be very easily hidden.

Following up accusations of ‘taxation’ by officials published in the *Palembang Pos* in early January 2002, CIMU found that three primary schools in Kodya Palembang paid Rp.3.5 million each to a construction consultant acting on behalf of their ‘*atasan*’ (leaders). PT Yodya Karya, the consulting firm responsible confirmed these deductions. Further investigations by CIMU revealed that additional sums had been paid by at least seven schools to the sub-district education officer (*Kakancam*) acting on behalf of individuals on the district committee. The amounts were large – as much as Rp.10 million. The method of collection suggests a systematic process of corruption and there is a strong likelihood that many more schools were involved.

This is not the only instance of ‘taxation’ that CIMU has discovered. Proven cases during the SIGP 1 came to light in Blora, Banjarnegara, Buton, Sambas and Pontianak Districts and in several districts in Aceh Province. Allegations of extortion by officials have commanded much attention during SIGP 2. An interesting facet of the case in Palembang, however, has been the official reaction of the district authorities. *Bawaskot*, the municipal audit office, has been active in demanding repayment of money provided to the construction consultants. It has been slightly less forthright about money extorted by local government officials, suggesting reluctance to confront fellow members of officialdom. Moreover, the responsibility for recovering the money has been placed on the schools from which the extortion took place. Schools were ordered to deposit sums equivalent to the taxed amounts in the account of the *Walikota* (city mayor). Those that could not recover the funds ‘donated’ were thus doubly penalized.

Again, the initial reaction of MONE to the allegations of taxation was significant. Rather than pursue the substance of the case, MONE’s prime



concern was to follow up an accusation levelled at CIMU by the guilty parties in Palembang. CIMU was accused of unprofessional conduct and the use of strong-arm tactics in investigating the issues. Such behaviour provides a clear example of the bureaucracy's reflex reaction, which is to close ranks, to regard any criticism as negative and to hit back at critics.

## Misappropriation of scholarships in Jakarta Utara

The intention of SGP has been to deliver funds direct from the centre to the end-users. Experience during the first year of the programme, however, demonstrate the impracticality of expecting large numbers of individual students to collect the money themselves. The post office had difficulty coping with the multitude of transactions. In remote areas, distance, transportation and cost were real obstacles. The programme had to fall back on the idea of representatives from the schools collecting the money from the post office.

This arrangement had the positive effect of ensuring improved disbursement, but it also had the effect of shifting 'ownership' of the scholarships away from students to schools. The scholarship was no longer seen as an entitlement, which gave control over spending to the individual student or his/her family. It was regarded as a subsidy to schools to cover school expenses. There remained the intention that once school deductions had been made, any remaining balance would be handed over to the students. Indeed this happened in many cases, but since the school decided what the deductions were to be, control had shifted in favour of the school. Furthermore, the introduction of an intermediary in the funds flowing from programme management to end-user raised the possibility of financial irregularity.

Despite its size, the scholarships programme was free of large-scale fraud. This is partly because the distribution of funds involved a very large number of small allocations. There have been, however, numerous

allegations of small-scale fraud involving schools cutting scholarships. In many cases, if head teachers had acted more openly, suspicions of abuse might have been avoided, but there were other cases where evidence suggests that these suspicions were justified.

During the school year 1999/2000, the head teacher of SLTP 162, a secondary school in North Jakarta, collected scholarships on behalf of 172 students. He did not pass on any of the money to the students, arguing that the school needed the money. However, he continued to levy BP3 contributions from parents (school fees in all but name) so effectively that the scholarship recipients felt no benefit at all. Since he did not make a distinction between school affairs and his private affairs, there is a strong possibility that scholarship fraud took place and that the head teacher benefited personally.

The case is interesting for a variety of reasons. First, the government spent a great deal of time investigating the matter and it is one of the rare occasions in which the complaints-handling procedure arrived at the point of resolution. In this regard, it is perhaps significant that the incident occurred 'on the doorstep' in Jakarta. The head teacher admitted his mistake and the money was belatedly handed over to the students and their parents at a specially convened ceremony. Secondly, the matter was considered resolved once the money had been handed back. No other sanctions were raised against the erring head teacher (although he may have had to pay off the investigators to avoid formal sanctions). This lack of punishment is a common feature of corruption cases in Indonesia, even high-profile cases involving very large sums of money. Handing such money back is considered sufficient atonement. Thirdly, the case came to light through a complaint from the head of the BP3 parent-teacher association, who, it turned out, had a private grudge against the head teacher. In this particular case, therefore, the investigation of corruption was thus prompted as much by personal malice as by a desire to protect the welfare of the students or their families.

## Corruption of SIGP 2 funds in Bungo district

Irregularities in the administration of SIGP in Bungo first came to light in the course of routine monitoring by CIMU in early May 2003. A total of 25 schools in the district received grants and they were amongst the first to receive SIGP 2 funds. The initial monitoring findings indicated that a number of schools had made payments of a uniform size to the local education office.

During the subsequent investigation by CIMU, it became clear that:

- At least 17 schools had each provided Rp.1 million to the local education office for ‘operational fees’. Schools are allowed to use a specified part of each grant to meet their own administrative expenses, but these do not include meeting the costs of officials. In fact, such payments are specifically proscribed in the programme guidelines. According to the local education office, school committees had ‘voluntarily’ agreed to this arrangement during one of the regular meetings they had held for grant recipients.
- The staff of this office had attempted to control the process of grant spending by requiring schools to obtain official approval for every withdrawal of funds from school bank accounts. Such extra bureaucratic hurdles are contrary to the spirit of the programme because they interfere with the intended freedom of schools to manage their own grants. They also present opportunities for corruption, because such approvals traditionally require payment of ‘facilitation fees’.
- It had also required schools to spend part of their grants on purchasing furniture and learning materials through two of its officials. For some schools the amounts spent in these ways were significant. By the time the investigation took place, none of the learning materials had been delivered, but some schools had already received the furniture, the quality of which was poor, and there were very strong indications that prices had been considerably marked up.

- This office operated independently without the knowledge of, or at least without objection from, the other members of the district committee. Subsequent discussion with the *Bupati* and his officials revealed a rift between the head of the district planning agency, who chairs the district committee, and the head of the local education office.

Although CIMU did not gather information from the other eight grant-recipient schools in the district, a consistent pattern that emerges from the 17 that were visited suggests the likelihood that all 25 recipient schools were affected. When CIMU brought these matters to the attention of the *Bupati*, he took immediate action and ordered the district committee to return the money to the schools. A total of Rp.142.5 million was returned to 14 schools. It is understood that money was later returned to another three schools. However, this process has not been as straightforward as it seemed. Initially, schools that had already received consignments of furniture were not fully compensated, although receipts were doctored to say that they were. Later, they did in fact receive compensation in the form of cash, but this left a problem of what should be done about the furniture that had still to be paid for. It would appear that the head of the local education committee had appointed a local NGO, named *Pedas*, to act as a go-between to collect payment from schools for the furniture. It is understood that some form of negotiated settlement was arrived at, but it seems likely that the schools still paid more than they should have done for the inferior goods.

This case is interesting for a number of reasons:

- The Rp.1 million levied on each school to meet the operational costs of the district education department suggests systematic ‘taxation’ of the grants.
- There appears to have been a concerted effort by members of the local education committee to regulate the use of SIGP funds. They did this by imposing unnecessary controls on schools’ access to funds and by central procurement of furniture and learning materials, which meant that funds flowed through their hands. Central procurement of books,

teaching materials and furniture serves a purpose when individual schools have difficulty in sourcing and procuring goods, or when bulk purchase discounts can be obtained. In practice, however, it rarely provides value for money because of the opportunities it presents for speculation. It is a long-established and well-documented means of tapping into the funds intended for schools. SIGP established that funds should go directly to schools and that these schools should decide how to spend the money in order to break a long tradition by which schools have little chance to determine the goods and services they get. The actions of the local education committee in Bungo can be seen as an attempt to apply the old rules and revert to usual practices: a return to 'business as usual'.

- The resolution of the case presents a curiously mixed picture. Schools got most of the money back. On the other hand, this is not a wholly satisfactory conclusion to the case. It seems to owe as much to the nature of local politics in Bungo as it does to a general desire for restitution of wrongs committed or any particular consideration for the improvement of learning conditions and the welfare of school students. Had it not been for personal rivalry between some of the senior figures in the district, the reaction of the authorities might have been far less decisive. Apart from a rebuke from the *Bupati* to the head of the education office, no one has been disciplined for diverting funds away from their intended purposes. Returning money improperly obtained does not seem such a harsh punishment and certainly not one likely to be much of a deterrent to future malpractice. The head of the local education committee, although obviously discomfited at having to return the money, shows no sign of being humbled by the episode. He has withdrawn from the district committee, leaving one of the most significant educational programmes in the district to be administered by staff of the planning agency.

## Alleged auctioning of SIGP 2 grants in Garut district

CIMU conducted an investigation in Garut in August 2003 in response to reports by the Indonesia Corruption Watch (ICW), an NGO, as well as by the Dutch press, of corruption in SIGP. Specific allegations were that the selection of schools that would receive grants had been heavily influenced by bribes, and that grants were awarded to the highest bidders.

An allocation of 98 grants was made to Garut, totalling Rp.8,820 million (just over US\$1 million). During the selection exercise, the district committee chose two or three schools from each of the 39 sub-districts. Disbursement of funds took place in mid-June 2003. In March 2003, CIMU had already investigated allegations from the ICW, reported in the local press in West Java, that the administration of SIGP was corrupt. On that occasion, CIMU visited 15 schools that had been selected to receive grants. CIMU did not find evidence to support the assertion that schools had taken part in an 'auction' for grants, or that bribes had been promised in return for selection. Since SIGP funds were not then available to the schools, CIMU stated that it would be difficult either to prove or to disprove corruption that could be attributed to SIGP.

In response to the intense interest and publicity given to ICW's continued allegations about corruption in the administration of the SIGP in Garut, a further, more thorough investigation was mounted in each of the 98 grant recipient schools in the district. In 22 schools, CIMU found no evidence of any accounting irregularities. However, in 49 schools there was evidence of payments of a kind proscribed in SIGP guidelines. These included gifts and contributions towards the transport costs of visitors to the schools. They also included payments for services, such as those of the school construction advisers (SCA). These services were supposed to be provided without a charge to schools. In a few cases, these 'irregular payments' included unaccounted advances to individual members of the school committees for the purchase of land and materials, ostensibly on behalf of the schools. These illegal payments were not entered into the



accounting ledgers but came to light during the investigation because the value of transactions entered into the accounts and the balance of bank deposits and cash in hand could not be reconciled.

Many head teachers, who admitted making payments to district and sub-district officials, denied that these had been made from SIGP grants. It is important to note that there is no single funding source for these illegal payments. Since they are ‘off balance sheet’, these transactions are financed from the overall amount of funds available to the school. School budgets are typically made up of income from a variety of government sources and parental contributions. The fungibility of income makes it impossible to attribute illegal payments directly to SIGP or any other source of income. Indeed many of the illegal payments found pre-dated the SIGP grant disbursement.

Some of the amounts of money handed out by schools are quite small. There is a tradition of providing tokens of appreciation to visitors. On the other hand, some of the amounts provided to officials and others go far beyond mere contributions towards travel expenses. It is probable that some such payments were intended to curry favour. Schools, it appears, often make payments, or promises of payments, in order to access funds that are provided at the discretion of district officials. This is a traditional process and is not a practice specific to SIGP. It applies to the generality of funds, including the World Bank Basic Education Project (BEP), and any monies available from the local budget. Schools offer inducements in order to attract favourable attention for whatever funding is going. This may have been done some considerable time ago. They are not, therefore, entering an auction just for Dutch funds. In fact, many would prefer inclusion in the BEP because the amounts are larger.

Evidence of marked-up prices for goods entered into the accounts, more often than not supported by falsified orders and receipts, was found in several schools. In some places the quantities of goods purchased were inflated. When accounting rules are not observed and when there are



insufficient checking arrangements to test the veracity of accounts, there is a potential for virtually any transaction to be subject to mark-up. Such practices provide cover for building ‘slush funds’, i.e. amounts of money that can be made for unrecorded payments.

Instances in which entries into the accounts were not supported by sufficient documentation were also common. Either receipts corresponding to cashbook entries were not available or they provided insufficient detail about quantities or prices. This may indicate illicit activity, but it also may only indicate incomplete or incompetent book-keeping. The prevalence of these irregularities points to a lack of financial control and good accounting practice within schools and a dearth of mechanisms for checking financial activity generally.

## Conclusions

These different cases illustrate that despite the safeguards in SIGP, corruption is still a problem that needs to be addressed. Quantification of the extent of corruption is problematic. The overall level of illegal payments found by CIMU in Garut was about 2 per cent of the total allocation for the district. In Bungo, the level of corruption was perhaps on a similar scale.

These levels of fund diversion are not as high as the more sensational of the press reports imply, but proven levels of corruption must be regarded as the minimum of the corruption that has actually occurred. The situation is not one that should lead to complacency. Any diversion of funds away from the intended purpose is a waste, for which there is an opportunity cost. Losses suffered by individual schools have been significant. Although CIMU did not find a clear direct correlation between the making of illicit payments and the quality of results achieved, it makes sense that, all other things being equal, leakage has costs in opportunities forgone.

Clearly, district and sub-district officials willingly accepted money from schools. The difficulty is in establishing their intent or motivation. The

officials' acceptance of money does not necessarily mean they organized the selections of schools depending on the size of the bribes provided.

It is quite feasible that the selection process was influenced by bribery because of an absence of an alternative mechanism for the allocation of scarce resources. District officials have neither the information nor the necessary tools to decide on fund distribution. They do not know which schools are the poorest or in the greatest need. They may rely on the opinions of sub-district officials, who themselves may be basing their advice on subjective judgements based on favours that have been purchased. In the absence of objective measures of relative need and established mechanisms for arriving at decisions, they fall back on a system of rewarding those that have lobbied hardest or happen to have grabbed the limelight. For schools, the most effective way of achieving this is to offer financial contributions. This is resource allocation determined by the price mechanism. From the schools' standpoint, the choice is one of getting a much-needed grant at a price or not getting anything. There is often considerable pressure in favour of playing the game.

Such practices may offend people's sensibilities, but it is possible, without condoning them, to view them in a broader context:

- It should be noted that everywhere in the world, rewards commonly go to those who shout the loudest. Governance is heavily influenced by lobbying, and resource allocation often works on a basis of traded favours.
- Where the level of need is high and there are not enough resources to go round to please everyone, rewarding those who have given something in return is at least one way out of a conundrum.
- It would seem curious for anyone to be surprised or shocked by these revelations. A great deal of effort has gone into the preparation of safeguards within SIGP precisely because there is corruption in the education system. Endemic corruption cannot be prevented, but mechanisms can be put in place that minimize its effects. These

mechanisms have to be refined and improved over time. The SIGP 2 safeguards are more effective than those developed for SIGP 1. The fact that they are not perfect does not make them useless and it should not deflect attention from the iterative process of improvement.

- Moreover, revelations about corruption by CIMU or ICW might actually be viewed in a positive light. The programme has devoted much effort and funding to independent monitoring and has gone a long way towards encouraging NGO participation. These processes were not created simply to report that all is well with the world. If the system of monitoring works, unpalatable messages are likely to emerge. The fact that wrongdoing is brought to light is a measure of the programme's success rather than a catalogue of its failures.

### What lessons can be learned from these cases?

It is worth repeating that, on the whole, SGP and SIGP have not been subjected to widespread abuse, but these different case studies illustrate various features where corruption has occurred in the two programmes. In all cases, the letter as well as the spirit of the rules were ignored or broken. It is pertinent to ask why this is. It is also relevant to ask why so little appears to have been done to resolve the problems that have come to light, why there seems to be a general acceptance that abuses go unpunished and what approaches may be appropriate to break the cycle of corruption, inaction and acquiescence.

SGP and SIGP do not suffer from a shortage of rules. There are some areas of the two programmes that require a little discretion, but these are mainly to do with the selection of recipients and the usage of funds by beneficiaries. The programmes were designed specifically to minimize the exercise of monopoly control and to promote transparency and accountability. Direct transfers of funds, the insistence on dual signatories for cash withdrawals, civil society representation on committees and financial disclosure were all intended as safeguards against monopoly

control and secrecy. The guidelines are comprehensive and for the most part unambiguous. Reporting requirements are specified to provide accountability. Considerable effort and expense have gone into producing and distributing the guidelines. The training and socialization process has been a major logistical operation. It has focused heavily on imparting knowledge concerning programme procedures.

Despite the guidelines and the training effort and, in the case of SGP, even after five years of implementation, it is still possible that the rules were not well understood. At least, ignorance of the rules was often cited as a defence when deviations from agreed procedures were discovered. Some of these claims are plausible. The guidelines are highly detailed on what has to be done, but far less explanatory about why. The training programme, although extensive in scope, has not been an unmitigated success. Important messages have been seriously diluted as they are filtered down the training cascade. Frequent staff changes, particularly at district level, have meant that many officials who did not attend the training sessions now hold key posts of responsibility. Decentralization and the consequent reorganization in local government have caused further personnel changes and administrative disruption. Public administration, which in many locations was not previously renowned for its efficiency, has been put under additional strain due to these changes.

Ignorance of the rules or just plain inefficiency is not, however, sufficient explanation for the above-cited abuses. In these cases, the rules have been deliberately bent and it would be instructive to understand why. The most obvious explanation is the desire for personal gain. The individuals involved stood to benefit financially from their actions. Yet few would admit to engaging in corrupt practices. This is not just a question of definition. Private greed is only part of the explanation for corruption. Perceptions of ‘just desserts’, rewards for the noble tasks of government, aspirations for life styles to match the dignity of the job, also come into play. Many officials

profess to a strong sense of public service and are genuine in their belief that their actions are prompted by a commitment to public welfare.

Much has been said about the chronically low pay levels of civil servants in explaining the endemic corruption of the system. Low levels of basic pay mean that civil servants' activities and motivation depend on the availability of other financial incentives. 'Take home pay' is typically made up of a multitude of different payments for different tasks. The things that are most readily accepted tend to be those that attract honoraria and per diem, or provide other opportunities for financial gain. The constant need for income supplementation has very profound effects on both priorities and administrative efficiency. It also has a profound effect on the collective psyche of the civil service.

When SGP was introduced in the midst of economic and political crisis, there was a considerable degree of commitment to the idea of government action to alleviate its worst effects, even if this involved doing things differently. The programme started on a wave of collective goodwill. As time has gone on, however, the tendency for officials to be less rigorous in their observance of the SGP programme requirements has been quite noticeable. The drift back towards 'business as usual' suggests that many of the programme's requirements, particularly those relating to transparency and accountability, are not only at odds with the established ways of doing things, but they also disrupt the intricate system of incentives that sustains the usual practice of governance. Corruption is the grease that keeps the wheels of government turning.

SGP and SIGP have offered very little legitimate financial incentive to their implementers. Apart from providing relatively small amounts of money for training and monitoring, most of the funds have gone directly to beneficiaries. Precisely because of the safeguards built into the programmes, there are reduced opportunities for the kind of illicit fund diversion that has made projects a favourite mode of operation for public servants. One lesson to be drawn from this is that the existence of comprehensive rules and

regulations are in themselves insufficient to overcome corruption. Officials have to be motivated to keep to the rules.

An overhaul of the system of civil service remuneration must be part of the solution to the problems of corruption. However, this is not likely to happen overnight and there are other factors to be considered. The corporate mentality of civil servants is also part of the story. There is a paternalistic conception of what is good for society. The imperative to organize the people 'for their own good' was a major feature of the intricate business of social control, which characterized the 'New Order'. The many branches of government reached down through the military-infiltrated society through elaborate and highly centralized structures to the smallest community level. While the organs of social control may now seem less obvious and less effective, 'the government-knows best' attitudes still dominate the corporate world view of the civil service.

The problem with paternalism as a guiding principle of government is that it blurs the distinction between the corporate welfare of the government and the general welfare of the community as a whole. The corporate culture of civil servants is to regard themselves as embodiments of the state. However, it is not self-evident that the interests of officials and the interests of the populace are invariably compatible. In the absence of democratic checks and balances in the relationship between government and the people, it is not always clear who is serving whom.

Moreover, the civil service code effectively puts the bureaucracy beyond the reach of the law. Although the New Order brought many good things to Indonesia, humility in government was not one of them. The presumption remains that position and remuneration are due as a right.

SGP and SIGP have relied heavily on regulatory approaches to ward off corruption. By investing so much faith in elaborate rules, the programmes are in keeping with the government tradition of detailed prescription, based on a culture of distrust. This distrust permeates all activities and can be



clearly seen in government accounting procedures. These are an extreme expression of form over substance. They are based on the premise that by specifying each line item in detail and prescribing predetermined unit costs, expenditure against plan can be faithfully recorded, discretion minimized and hence impropriety avoided. Contrary to their intended outcomes, public accounting procedures actually provide the perfect cover for all manner of nefarious dealings.

Paradoxically, the propensity for setting out detailed rules is not matched by positive attitudes towards enforcement. It is as if reliance on regulations is a substitute for the difficult job of following up and ensuring that the rules are kept. The incidence of proven abuses resulting in sanctions being applied to the wrongdoers is very rare, although there has recently been a marked change in the attitude of senior managers in MONE towards corruption. There is now a clear realization that something has to be done. Hitherto, the cultural tendency to shy away from confrontation and a reluctance to take an exposed position beyond consensus may have discouraged decisive action. Collective embarrassment may be part of the explanation of the lack of follow-up in corruption cases associated with SGP and SIGP. It leads to an obscuring of material facts and a concentration on mitigating circumstances that borders on making excuses for unacceptable behaviour.

The apparent timidity of the authorities in enforcing their own regulations stems also from a genuine confusion about who has this responsibility. This is a systemic problem of partial and overlapping areas of institutional responsibility, which is a major limiting factor in the efficiency of most government programmes. None of the enforcement agencies assigned to investigate and act upon abuses have clear lines of authority and responsibility. During the second and third years of SGP, a very elaborate hierarchical system of Complaint Investigation Units (UPM) was established to carry out these functions within the programme. This was a brave attempt to provide mechanisms for investigation and adjudication. They did not work well because, rather than clarifying the lines of authority



and responsibility by superseding previous structures, they added further layers to an already confusing situation. Their authority was never generally accepted.

All the possible candidates for the job of enforcing the rules in SGP and SIGP face, for one reason or another, limitations on the scope of their authority and responsibility. Decentralization has not yet provided clarification of the lines of authority and, if anything, has made them less clear. PMU has the ability to persuade and cajole, but no authority in its own right. It is headed by a relatively junior MONE official and staffed largely by consultants. It can take matters to the Director-General for Primary and Secondary Education, who is the accounting officer for SGP and SIGP, but he has limited means of investigating problems to discover the facts and has uncertain authority to impose sanctions. The Inspector-General of MONE has the means to investigate and the power to sanction but no authority to investigate local government. Local government inspectors (*Bawasda/Baswaskot*) operate under the *Bupati* at district level, but have no authority when private individuals (or private schools) are involved. The justice system is flawed. The police are as likely to demand money from victims as they are from perpetrators of abuse. Public prosecutors seem wary of stepping on any politically sensitive toes. The courts are generally held in low esteem, justice being subject to market forces.

There does now seem to be the political will within the MONE to address the issue of corruption – at least corruption in local government – much more forcibly. Local government is one level removed from the centre, and for that reason a safer target than tackling problems too close to home. The idea of zero tolerance, or the prosecution of high-profile cases, is not yet on the agenda. It will take some time to overcome the reflex reaction of corporate denial, the closing of ranks and attempts to shoot the messenger. There still appears to be little sense of collective responsibility or collective guilt so that one part of the bureaucracy can detach itself from the misdeeds of others. Indeed, there is little sense of personal guilt or apparent fear of

public opprobrium. As the case of SLTP in Jakarta illustrates, it is often regarded as sufficient penance for offenders to hand back misappropriated money. It is an unfortunate fact that the higher up the corruption, the less likely it will be detected or acted upon. Equity does not come into it.

Official corruption is so much part of the fabric of daily life that it is regarded as an inevitable part of governance by the perpetrators and by the victims. It is as much a matter of expectation as it is of definition or a different sense of morality. Even acts that people acknowledge as being corrupt and therefore harmful to general welfare or morally wrong are often tolerated. When all decisions, from the entry of a child into a favoured school to the judgements of the highest courts, are subject to market forces, private interest dictates that everyone becomes a player in the game. Public welfare suffers as a result.

The market exerts a powerful influence on the social and cultural environment. The history of the last four decades has been shaped by official kleptomania from the very top to the bottom of government. This has encouraged the idea that anything could be bought for a price. The marketability of government services combined with vivid differentials in power relationships within society and the cultural disposition not to make a fuss have all shaped this environment. The checks and balances that exist are of limited effectiveness. Investigative journalism was for a long time considered a rarity. The press has failed to shake the established order, despite its reporting on recent high-profile corruption cases. Many of the organizations in the NGO sector are notable for their naiveté and lack of political sense. Political parties seem more motivated by blatant self-interest than ideology. Politicians are amongst the most enthusiastic travellers on the gravy train.

However, public acceptance of corruption is not infinite, as the political crisis that accompanied the economic collapse at the end of the 1990s demonstrated. The crisis showed that a public that had seemed inured to corruption was not as supine as had been supposed. They did indeed

regard it as a problem that had to be dealt with. This is particularly the case in some localities where community organization is strong. Although the position that it once held in the popular imagination as the principal public enemy was remarkably short-lived, intolerance of corruption in the delivery of public services remains not far beneath the surface. It might not take too much to rekindle the spirit of rejection.

Surprisingly little of the discussion about corruption in Indonesia focuses on the impact it has on reducing the effectiveness of government programmes. Moral considerations aside, the opportunity cost of corruption in a grants programme aimed at improving education is a loss of progress in reaching that objective. However, this level of abstraction is not always easy to understand and visualize in concrete terms. It is feasible that this difficulty in connecting means and ends, coupled with a common tendency to think primarily in terms of activities rather than outcomes, encourages a sense that a little bit creamed off here and there will not make a lot of difference. If it could be shown precisely what is lost through such skimming, the corrupt practices might become socially unacceptable.

Public opinion would seem to be the key to reducing corruption. This operates at a community level much more effectively than it does nationally. SGP and SIGP have consciously incorporated public information as a key design element. In some places, public awareness of the programmes is high. In others, there appears to be a strong correlation between high incidence of corruption and a low level of community knowledge and participation. Moreover the dissemination of information is not too difficult a task to achieve, given the existence of newspapers and local radio and a large enough budget. MONE has run some impressive public-awareness campaigns in the past.

## Room for hope

There are hopeful signs that MONE is interested in attacking this problem in a head-on fashion, but the scale of the task should not be underestimated.

It is a bold move for a government ministry to campaign against a system that has been its *modus operandi* for so long. Decentralization has provided the opportunity for the ministry to redefine its role and approach. Beyond MONE, the climate seems right for progress against corruption. Although it would seem premature to assert that society is becoming less corrupt or is moving in the direction of greater fairness and accountability, an appreciation of the costs of corruption is growing, and Indonesians are embarrassed about their country's poor reputation as one of the world's most corrupt societies.

The corruption that has been reported and investigated and the belated nature of the activity undertaken by government to achieve some resolution in corruption cases may seem to portray a worsening situation. However, a longer-term view shows signs of steady improvement. Corruption has certainly been persistent throughout, but efforts that have been taken to combat it and to develop increasingly sophisticated safeguards are cause of some hope. Complaints of misuse are made, evidence of wrongdoing is gathered, cases are investigated, findings are reported publicly and steps are often taken in an attempt to resolve cases. All of these facts represent considerable progress in the development of an anti-corruption political environment. Such progress would have been inconceivable prior to SGP and SIGP.

The considerable effort that MONE has made to implement and develop innovative anti-corruption safeguards in SGP and SIGP was prompted by recognition of the threat of corruption to project funds. This recognition and responsiveness represent a positive break from the past. The willingness to embrace measures such as independent monitoring, direct fund transfers to beneficiaries, the establishment of a complaints-handling protocol, and civil society participation in programme implementation all demonstrate that combating corruption has become a far higher priority than in the past. Some of these measures have subsequently been adopted in government programmes that do not involve donor participation, indicating

that the government has internalized these measures in principle even when not prompted to do so by foreign donors.

Similarly, the government has also become increasingly responsive in analyzing lessons learned from past experience and incorporating these into new programmes. PMU has sought input from independent monitors in planning each phase of SIGP. CIMU subsequently participated in drafting programme implementation plans for both the first and second phases of SIGP, in training local programme implementation teams, and in training local committees to monitor programme implementation at the district level. Most recently, the government has become increasingly active in pursuing local resolution of cases of corruption. In these examples, the government is working closely with local government to expedite the resolution of cases where evidence of corruption has been found.

It is also important to keep in mind that the programmes described here were not established specifically to eradicate corruption or to promote good governance. SGP was created to maintain enrolments and educational quality throughout a specific period of economic crisis. The SIGP sub-programme was established to improve the learning environment at many of the nation's poorest and most distressed schools. These objectives were largely achieved.

It is an added benefit that these programmes have raised critical issues of governance and have thus pioneered safeguards and measures that have helped combat corruption in this sector. That process has not always been easy: Under the newly decentralized system, PMU and central government face the challenge of confronting sometimes unresponsive district-level officials with untested and ill-defined authority. However, the process, while often uncomfortable for all concerned, has helped develop protocols for interaction between the centre and local government. The very fact that MONE has remained committed to resolving cases of corruption and to pursuing action by local officials is a good sign that progress may be sustainable.

### *Thematic session 3*

## Promotion of enhanced ownership of the management process

This session was devoted to the analysis of another major strategy for improving transparency and accountability in the management of the education sector: the promotion of enhanced ownership of the management process. This involves developing decentralized and participatory mechanisms, increasing access to information, particularly with the use of ICTs, and empowering communities to help them exert stronger ‘social control’.

## 14. Implementation of the Right to Information in Education Act in the states of Karnataka and Rajasthan, India

Shoba Devi\*

### The Right to Information Act: Genesis

On 5 April 1996, in a town called Beawar in Rajasthan state, a disparate group of peasants and workers called the *Mazdoor Kisan Shakti Sangathan* (MKSS) launched a forty-day agitation (*dharna*) demanding the right to information, using the slogan “The right to know is the right to live”. The group demanded public audit of the expenditure on development by the *Panchayati Raj* (the local self-government institution at the village level). Large-scale misappropriation of development funds was uncovered when the villagers compared the details of expenditure indicated on bills, vouchers and muster rolls with the actual work carried out, the number of workers employed, and the wages paid to them. This was revealed in a public hearing, after which the urban citizens began to support the group, and contributions in cash and kind began to arrive from 300 villages. At the end of the agitation, about 400 organizations affirmed their support for MKSS in writing. Many more frauds came to the attention of the public through public hearings.

However, it was only after a strike lasting 53 days in 1997 that the *Rajasthan Panchayati Raj* (village self-governance) Act was amended to include the right of people to obtain information about the *Panchayati Raj* Institute, through the inspection and/or obtention of photocopies of documents. Two sit-in strikes (lasting 40 days in 1996 and 53 days in 1997),

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also had the effect of mobilizing advocacy initiatives in other parts of the country, leading to the formation of the National Campaign for People's Right to Information (NCPRI), comprised of NGO activists, bureaucrats, academics, lawyers and journalists. The main objective of NCPRI was to formulate and enact legislation, and to support initiatives at the grassroots level for the demand and use of this right. Thus, NCPRI gave impetus to the efforts at the central government level to formulate the Freedom of Information Bill, the draft of which was sent to the chief ministers of all states for their responses. Other drafts were prepared, but the fall of three governments in quick succession resulted in no draft being passed in parliament.

In 1997, a conference of chief ministers decided to work with the central government on the issues of transparency and the right to information, and on various measures to promote openness. The central government agreed to act immediately to introduce a freedom-of-information legislation. Meanwhile, Tamil Nadu and Goa became the first two states in India to pass the right to information legislation. Then there was a change of government in Rajasthan in late 1998. A year later, the government set up a committee that interacted with NCPRI, resulting in the passage of the Right to Information (RTI) Act in Rajasthan in 2000. This served as an impetus for other states – Karnataka, Maharashtra, Assam and Delhi – to pass their own RTI Acts. At the centre, in 2001, the Parliamentary Standing Committee on Home Affairs, after inviting responses from different government and non-governmental bodies, including MKSS and NCPRI, also passed the Freedom of Information Act in 2002, albeit with minor changes to the old draft of 2000.

## The Karnataka Right to Information Act (KRTIA)

Within Karnataka, the Right to Information Act (KRTIA) was enacted. An Administrative Reforms Commission was set up to recommend ways to bring about general administrative reforms. In addition, Tamil Nadu and

Goa had already legislated the RTI Act in their states in 1997 and the state of Rajasthan passed the RTI Act in 2000. Other congress- (policial party) ruled states followed suit, with Karnataka among them.

KRIA was first published in the *Karnataka Gazette* on 13 December 2000. According to the act, the ‘right to information’ is defined as the right of access to information from any public authority (all offices of the state government, including the Karnataka Public Service Commission and all local authorities constituted by, or under any act of the state legislature). Its purpose is to provide the right of access to information as part of the citizen’s right to speech and expression, guaranteed by the constitution. The act also aims “to promote openness, transparency and accountability in administration and ensure effective participation of people in the administration”. The obligation of public authorities, the procedure for citizens to obtain information, certain restrictions regarding the disclosure of information, the grounds (valid) for refusal to provide information, the appeals process for a citizen, the penalties for any competent authority for failure to provide the information sought within the stipulated period are other key features described in detail in the act.

While the RTI Act was legislated in Karnataka and in Rajasthan in 2000, three years later little was known about the implementation experience, including how the acts were being enforced, the difficulties experienced by the governments in implementing the act, and the impact this act had on various stakeholders. Obtaining knowledge of these and other related issues will provide valuable insights for policy-makers.

In the education sectors in Karnataka, the implementation of RTI is organized at five levels – state, division, district, *taluk* [block] and high-school levels in secondary education. At each level, any individual who wishes to obtain information under RTI must make an application to a designated ‘competent authority’ located in the office of educational management, termed ‘public authority’, at each of the administrative levels mentioned above. An individual not receiving any communication from the

competent authority within 15 working days from the date of making an application, or who is aggrieved by an order of the competent authority, can appeal for redressal of grievance to the ‘appellate authority’ within 30 days of receiving such an order.

In pre-university education, a competent authority has been designated within the office of the Director and Deputy Director at the department level and in the office of the Principal at the college level.

### Transparency and accountability problems faced in the management of educational resources in Karnataka and Rajasthan

In Karnataka, the directors of education at the three levels – secondary, pre-university and collegiate – gave their perspectives on the problems facing them in educational management as described below.

#### ***Pre-university education***

A major problem experienced at this level of education is the organization and conduct of examinations. Students and parents considered that the examinations were not conducted properly, and that the many assessors/evaluators did not undertake their job in a serious manner and lacked integrity. Furthermore, students had no right to know how their papers had been evaluated.

The admissions process is another area of concern. Irregularity in the admissions process, namely the taking of ‘donations’, linked to the admission of a student paying more than the fixed fee of Rs.400, has occurred routinely in private colleges unaided by the government.

An area also requiring improvement is the lack of accountability in monitoring the academic activities of the colleges. Arbitrary decisions on institutional performance by college inspectors have hampered the delivery

of quality education to students. Another problem that has persisted over the years is the practice of college faculty giving private tuition and charging large sums of money.

### ***Secondary education***

As with pre-university education, at the secondary education level, problems with respect to transparency, accountability and integrity have been faced in organizing and conducting (public) examinations. Grievances from the public made to members of the Secondary Education Department have typically been about not obtaining the admission ticket to take the examination, modification of results, and delay in the issue of different certificates by the Board of Secondary Education. A leakage of question papers takes place during their preparation and printing and, during the examination, mass copying and other malpractices have been key issues for the department in administering a public examination taken by nearly 100,000 students.

Corruption concerning the transfer (posting) of teachers from one area to another has also been experienced.

### ***Collegiate education***

The Department of Collegiate Education manages colleges offering degree programmes in arts, commerce, science, business management, hotel management, journalism, tourism, computer science, microbiology and biotechnology. There are six regional offices in the state that assist in the administration of collegiate education.

Students in Karnataka who wish to obtain a degree in medicine, dentistry or engineering take a Common Entrance Test (CET). Admission to colleges for these students is based on merit; the first choice being offered to the student with the highest score. The allotment of seats was decided by the Supreme Court, ordering both the government and private management to share the allotment of seats on a 50:50 basis. It also asked

private management to ensure that the admission fee they charged students was that which was fixed by a committee headed by a High Court judge, and that students given admission had taken the CET examination conducted by the government.

After receiving complaints from several parents that some affiliated colleges had refused permission to students selected on the basis of the CET examination, a University of Health Sciences has promised action against colleges that deny admission to students selected by the CET cell.

The job of awarding contracts/tenders to construct college buildings represents another problem. It used to be given to the government Public Works Department, where the process was known for its opacity, lack of accountability or integrity.

The pernicious practice of taking ‘donations’ linked to a student’s admission is largely prevalent in colleges run by private management. Here also college faculty provide private tutoring, which often includes their own college students.

The perspectives of college principals and faculty in terms of the most prevalent problems in educational management differ from those of the directors and are presented below. Nevertheless, taking corrective measures to eliminate such problems in the management of educational resources is imperative, not merely to bring about good governance, but also in order to provide education of high quality and of relevance to students.

In Rajasthan, the growing pressure from within and outside the state on the government to make changes in the education sector, particularly from NGOs such as URMUL (a federation of 14 organizations in northern Rajasthan working largely in the educational sector) and MKSS (working largely in non-educational sectors), as well as the passing of the national and state acts on the right to information, has caused the government to initiate changes. For the first time since the acts were legislated in 2000, educational administrators and educators have discussed their experiences regarding

the Rajasthan Right to Information Act (RRIA) and its implementation in the education sector. As a result, they recommended various measures to implement the RTI successfully in the education sector. The perspectives of the college principals and faculty in both states are presented in detail in the following section.

Thirty-one college principals and faculty from Karnataka and 57 from Rajasthan responded to a questionnaire elaborated to obtain information on implementation of the RTI Act in the education sector in both states. Most respondents considered the lack of transparency policies and the lack of citizens' participation in the implementation of educational policies as problems of educational management (82 per cent and 70 per cent respectively). The percentage of responses for each of the problems in transparency, as indicated for the two states separately (*Tables 14.1 and 14.2*) and (*Table 14.3*) together, reveal the perceptions of educators from both states regarding the prevalence of the problem of transparency.

In Karnataka, educators considered the lack of easy access to information pertaining to activities of the educational authorities, and the lack of laws on disclosure of potential conflicts of interest in managing educational resources, as further problems that they had encountered in the education sector. And yet, transparency policies do exist in the form of the Karnataka Transparency Act. Therefore, the educators' perception suggests that they are unaware of the existence of such policies. Relatively, for the educators, the lack of transparency in the hiring process and differential access to educational resources based on age, sex, religion, social status, etc., were not significant problems. This finding is corroborated, in part, by the government's numerous initiatives aimed at changing procedures/policies in governance and in providing education for all by bridging the gap in access to education and improving the quality of education provided in rural and urban areas. Compared with the Rajasthani educators, those in Karnataka were more concerned with the lack of laws on disclosure of potential conflicts of interest in managing educational resources.



**Table 14.1 Transparency problems prevalent  
in the education sector in Karnataka**

Serial number	Problem concerning transparency	Response in %
1.	Lack of transparency policies	77
2.	Lack of citizens' participation in the implementation of educational policies	74
3.	Lack of laws on disclosure of potential conflicts of interest in managing educational resources	58
4.	Lack of easy access to information pertaining to activities of the educational authorities	58 54
5.	Lack of a performance-based educational management system	
6.	Lack of simplified procedures for the management of educational resources	51
7.	Lack of publication of contracts/tenders for educational services	35
8.	Belief that the administrative process should be confidential	32
9.	Discretionary powers used in issuance of licences/permits for managing educational resources	29
10.	Academic fraud	29
11.	Lack of transparency in hiring process of educators	22
12.	Differential access to educational resources based on age, sex, religion, social status, etc.	22

For Rajasthani educators, in comparison with their counterparts in Karnataka, the lack of publication of contracts/tenders for educational services and the lack of a performance-based educational management system were the more important problems they faced concerning transparency.

Overall, the two groups of educators were concerned about the lack of implementation of transparency policies in education, the lack of a participatory approach in the implementation of educational policies, the lack of a performance-based educational management system, the inability to access information on the activities of the educational authorities, and the complex, cumbersome procedures for managing educational resources.



**Table 14.2 Transparency problems prevalent in the education sector in Rajasthan**

Serial number	Problem concerning transparency	Response in %
1.	Lack of transparency policies	85
2.	Lack of citizens' participation in the implementation of educational policies	68
3.	Lack of a performance-based educational management system	68
4.	Lack of publication of contracts/tenders for educational services	52
5.	Lack of easy access to information pertaining to activities of the educational authorities	45
6.	Lack of simplified procedures for the management of educational resources	45
7.	Lack of laws on disclosure of potential conflicts of interest in managing educational resources	43
8.	Lack of transparency in the hiring process of educators	26
9.	Discretionary powers used in issuance of licences/permits for managing educational resources	22
10.	Differential access to educational resources based on age, sex, religion, social status, etc.	21
11.	Belief that the administrative process should be confidential	19
12.	Academic fraud	17

**Table 14.3 Transparency problems prevalent in the education sector in Karnataka and Rajasthan**

Serial number	Problem concerning transparency	Response in %
1.	Lack of transparency policies	82
2.	Lack of citizens' participation in the implementation of educational policies	70
3.	Lack of a performance-based educational management system	63
4.	Lack of easy access to information pertaining to activities of the educational authorities	50
5.	Lack of laws on disclosure of potential conflicts of interest in managing educational resources	48
6.	Lack of simplified procedures for the management of educational resources	47
7.	Lack of publication of contracts/tenders for educational services	46
8.	Belief that the administrative process should be confidential	37
9.	Discretionary powers used in issuance of licences/permits for managing educational resources	25
10.	Lack of transparency in hiring process	25
11.	Differential access to educational resources based on age, sex, religion, social status, etc.	21
12.	Academic fraud	21

Concerning accountability, educators from both Karnataka and Rajasthan (*Tables 14.4 and 14.5*) appeared to face similar problems. The highest number of respondents from both states (*Table 14.6*) indicated that the lack of a clear chain of responsibility (as well as the lack of efficient monitoring of adherence to rules) were problems in educational management. The lack of measurable performance indicators, of efficient auditing, including for programme effectiveness, and the lack of a budget based on a multi-annual plan were key concerns.

Frequent transfers of educators without valid reasons and leakage in funds transferred from the Department of Education to educational institutions appeared to be of greater concern for the Rajasthani educators (59 per cent) than for the Karnataka educators (19 per cent). Among the latter group, the smallest number considered this issue to be a problem in the education system.

With regard to the few sanctions against faults of civil servants and the lack of enforceable sanctions, more Karnataka educators than their counterparts in Rajasthan noted that they were faced with these problems in the education sector (*Tables 14.4 and 14.5*). However, this finding needs to be interpreted with caution. It could be that while the two issues are problems encountered by both groups, the Karnataka educators were perhaps more willing to indicate these issues as problems than their Rajasthani colleagues. In Karnataka, interestingly, even when the government had a budget based on a multi-annual plan, about half the educators appeared unaware of this change.

**Table 14.4 Problems in accountability faced by educators in Karnataka**

Serial number	Problem in accountability	Response in %
1.	Lack of clear chain of responsibility	74
2.	Lack of efficient monitoring for the practice of rules	54
3.	Lack of budget based on a multi-annual plan	48
4.	Lack of systematic reporting on schedule	48
5.	Few sanctions against faults of civil servants	45
6.	Lack of enforceable sanctions	41
7.	Lack of an efficient audit, including for programme effectiveness	41
8.	Leakages in funds transferred from the Department of Education to educational institutions	35
9.	Lack of measurable performance indicators	32
10.	Teacher absenteeism	22
11.	Frequent transfers without valid reasons	19

**Table 14.5 Problems in accountability faced by educators in Rajasthan**

Serial number	Problem in accountability	Response in %
1.	Lack of clear chain of responsibility	82
2.	Lack of budget based on a multi-annual plan	66
3.	Lack of efficient monitoring for the practice of rules	64
4.	Frequent transfers without valid reasons	59
5.	Leakage in funds transferred from the Department of Education to educational institutions	47
6.	Lack of measurable performance indicators	40
7.	Lack of systematic reporting on schedule	36
8.	Lack of efficient audit, including for programme effectiveness	35
9.	Teacher absenteeism	33
10.	Few sanctions against faults of civil servants	22
11.	Lack of enforceable sanctions	19

**Table 14.6 Problems in accountability faced by educators in Karnataka and Rajasthan**

Serial number	Problem in terms of accountability	Response in %
1.	Lack of clear chain of responsibility	79
2.	Lack of efficient monitoring for the practice of rules	61
3.	Lack of budget based on a multi-annual plan	60
4.	Frequent transfers without valid reasons	45
5.	Leakage in funds transferred from the Department of Education to educational institutions	43
6.	Lack of systematic reporting on schedule	40
7.	Lack of measurable performance indicators	37
8.	Lack of efficient audit including for programme effectiveness	37
9.	Few sanctions against faults of civil servants	30
10.	Teacher absenteeism	29
11.	Lack of enforceable sanctions	27

**Table 14.7 Educators' perceptions: changes in education in Karnataka**

Serial number	Area of change	Response in %
1.	Human resources development	51
2.	Procedures/processes	48
3.	Dissemination of information	45
4.	Obtaining, allocating and reporting financial resources	29

**Table 14.8 Educators' perceptions: changes in education in Rajasthan**

Sl. No.	Area of change	Response in %
1.	Dissemination of information	54
2.	Procedures/processes	40
3.	Obtaining, allocating and reporting financial resources	38
4.	Human resources development	33

When the educators from both states were asked to indicate the changes that had been introduced by their governments to remove the problems in transparency and accountability, there was a difference with respect to the area where the educators considered the most changes had occurred (*Tables 14.7 and 14.8*).

In Karnataka, most educators revealed that changes had happened in terms of human resource development. Changes in procedures/processes, in dissemination of information, and in obtaining and reporting financial resources were also indicated. The least number of educators indicated changes in obtaining and reporting financial resources. This choice could be explained by the fact that while changes have occurred in this area, they have occurred largely within the government's administrative system, and not many educators are involved in making policies about how finances are procured and utilized. Therefore, many educators are not aware of the changes that have occurred.

In Rajasthan, most educators felt changes had been made in the dissemination of information concerning educational matters, and changes in human resources were indicated by the fewest number of educators. The reason for this choice is that most educators felt that educational management was invariably resistant to bringing about changes in the education sector, and that it disregarded and discouraged attempts made by principals and faculty to make changes.

Overall, the college principals and faculty from both states (51 per cent) indicated that significant changes had been made in terms of the dissemination of information (*Table 14.9*). Specifically, since information was being made available through computers, it was easier to access information in a shorter period, and increased transparency and accountability were noted. However, according to 20 per cent of the Rajasthani educators, information that was available on computers was generally neither easily accessible to educators nor the general public.

Changes had also occurred in procedures/processes such as the decentralization of work, the introduction of different programmes to increase children's access to education, and initiatives to retain them in school such as the midday-meal scheme, simplification of and more transparency in procedures, and the existence of a Citizens' Charter in each government department. Regarding changes in human resource development and in obtaining, allocating and reporting on financial resources, the educators had observed changes such as the requirements for skills in computer literacy, in English-language proficiency, and merit-based criteria for the selection of personnel to administrative and other positions. Educational institutions are now expected to obtain required funds in different ways (fund-raising, obtaining required loans as a consortium, investments, etc.) rather than relying solely on the government. Institutions also had more freedom to utilize funds based on their priorities.

As to the reason behind the introduction of changes in the education sector, most educators from Karnataka (41 per cent) felt the changes implemented in education were due to both the enactment of the RTI Act and general administrative reforms. Similar to the responses of the Karnataka educators, most educators from Rajasthan also thought the changes were due to both the enactment of the RTI Act and to general administrative reforms (45 per cent). The smallest percentage of educators in both groups felt the changes had occurred due to the enactment of the RTI Act in the year 2000 alone.

**Table 14.9 Educators' perceptions: changes in education in Karnataka and Rajasthan**

Serial number	Area of change	Response in %
1.	Dissemination of information	51
2.	Procedures/processes	43
3.	Obtaining, allocating and reporting financial resources	40
4.	Human resource development	39

When asked about the extent of their knowledge of the RTI Act, most educators from both states (69 per cent) indicated they had slight knowledge of the act; 17 per cent did not know anything about the act; only 11 per cent had good knowledge of the act; and 3 per cent did not respond. Statewise, the educators responded in a similar manner (*Table 14.10*).

**Table 14.10 Knowledge of RTI of educators from Karnataka and Rajasthan**

Serial number	Extent of knowledge of RTI	Response in %		
		Karnataka (K)	Rajasthan (R)	K & R
1.	Good knowledge of RTI	3	15	11
2.	Slight knowledge of RTI	80	63	69
3.	No knowledge of RTI	16	18	17
4.	No response		4	3

Concerning the difficulties faced by the government in implementing changes in the education sector, college principals and faculty from Karnataka revealed that the lack of awareness of this act in general, and among education personnel in particular, was the greatest difficulty facing the government (74 per cent); more than that of insufficient financial resources (61 per cent). The culture of secrecy within the bureaucracy (45 per cent) and the low levels of literacy of the people (41 per cent) also impeded the implementation of changes in education. For educators from Rajasthan, the lack of financial resources (64 per cent), the lack of awareness of the RTI Act (57 per cent) and the low levels of literacy of the population (54 per cent) were the key difficulties to be overcome. The presence of a culture of secrecy in educational administration (42 per cent) was another difficulty in implementing changes.

Karnataka has made clear plans to procure the necessary financial resources for the changes being implemented in the state's administration, including the education sector, as described earlier. This fact supports the difference in the educators' responses from the two states as to which issue



poses the greatest difficulty to their government in the implementation of changes (*Table 14.11*).

**Table 14.11 Educators' perceptions: difficulties in implementing changes in education**

Serial number	Type of difficulty	Response in %	
		Karnataka	Rajasthan
1.	Lack of sufficient financial resources	61	64
2.	Culture of secrecy within the bureaucracy	45	42
3.	Low levels of literacy of the people	41	54
4.	Lack of awareness of RTI	74	57
5.	Lack of political will	3	1

## Impact of changes introduced in the management of educational resources

In Karnataka, across all three educational levels, a discernible change (60 per cent), according to one director, has occurred in the attitudes of those who manage the education system. Where once administrators and office staff followed procedures only out of fear of being punished, there is now a genuine interest that they provide efficient services to benefit both students and parents. Some key changes introduced at each of the three educational levels are:

### *Pre-university education*

Changes in the process of conducting examinations have eliminated opportunities for mass copying and other malpractices. Instituting sanctions for students or evaluators who violate proper procedures and rules, providing training for evaluators so that they grade papers fairly, opportunities for students to have access to their papers and to get them re-evaluated or their

marks re-calculated, are other positive measures that have resulted in the Karnataka examination system being considered the 'best' system in India.

Grant-in-aid provided to government colleges in the form of salaries to the staff is linked to each teacher's performance. If their teaching performance is below standard, their salaries can be stopped. For institutions, student strength is considered as an indicator of quality of performance, as students typically prefer to study in institutions that are delivering good quality education. Grant-in-aid to an institution is stopped if it does not meet key criteria, such as having adequate infrastructure and the requisite percentage of students in the institution who have passed the annual examination.

The Pre-University Colleges (PUC) Department has been publishing a Broad Calendar of Events since 2000 for the benefit of teaching faculty, students and parents. The department also encourages private management to construct and manage pre-university colleges so that many more students have access to this level of education. The department will be developing the necessary rules to ban college faculty from giving private tuition.

To meet present day needs, the pre-university curriculum has been revised (2003) and a draft has been sent to diverse groups, ranging from colleges, local NGOs, the Indian Institute of Technology, the regional college of education, institutes in Mumbai and Chennai, the district-level governing bodies (*Zilla panchayats*) to the Bankers' Association. Responses from the different sources will be considered before the final copy of the curriculum is developed.

## Secondary education

By instituting a regulatory system and strengthening management capacities, the process of conducting examinations has become transparent and those members of personnel involved in the process are held accountable with respect to their specific responsibilities. Pre-examination activities have included a simplification of the procedure for private candidates to obtain

permission to take the public examination (X standard) and the appointment of a Nodal Officer to implement examination work at the district level. After mapping, examination centres were formed and increased in number, and all schools, including unaided schools, have been asked to provide rooms, furniture, etc. The teachers of the same examination centre are not permitted to work as invigilators at the time of examination. In any examination centre, the candidates of more than one school are all seated together in alphabetical order. These measures have helped to increase students' comfort and prevent malpractices.

Other major reforms have been to provide a two-day training course for evaluators on the correct examination responses and to provide a copy of the evaluated answers to any student for a fee of Rs.200, the scores of which can be re-totaled at the student's request. Any malpractice by the evaluator is punished.

Transparency through the legislation of the Karnataka Transparency Act is now ensuring that information about contracts and tenders is available to the public. Any purchasing authority in the education sector must provide written details for any purchase valued over Rs.1 *lakh* (1 *lakh* = US\$2,000).

Concerning the transfer of teachers, the teachers themselves choose their place of work at the district level. There are four secondary educational divisions in the state. Teachers also receive counselling to assist them in selecting their posting, or are given counselling after selecting their posting. However, educational administrators consider that information regarding transfers is unlikely to become available under RTI in the near future.

A citizens' charter for secondary education has been drafted, with the philosophy that schools should have autonomy in managing their educational and administrative functions and that citizens can play an important role in the quality of the educational services provided. Now, school development and monitoring committees are composed of the headmaster/mistress and nine other members who are parents of children attending the specific

school. Since 2003, teachers have been selected to teach in high schools based on their performance in the CET. All teachers' appointments are announced on notice boards.

## Collegiate education

Problems such as secrecy and arbitrary decisions taken by the Public Works Department with regard to awarding contracts and tenders have been eliminated by the collegiate department, which calls for tenders on the open market. In addition, the Department of Collegiate Education and the Department of Technical Education have formed a committee to be joint borrowers of the necessary funds from the Housing and Urban Development Corporation (HUDCO). Of the cost of college buildings, 10 per cent is paid by the department and the rest by the government.

Since 2002, all functionaries in the Department of Collegiate Education have to get accreditation from the National Assessment and Accreditation Council. Colleges are becoming competitive in order to get special grants from the University Grants Commission (UGC). Those colleges evaluated as the best receive a reward of approximately US\$200,000 that they must utilize within the five-year plan period. In a reversal of past practice, tertiary institutions (affiliated colleges that hardly ever received any UGC grants) are given a greater number of UGC grants than colleges.

Concerning the right to information, on 1 April 2003, the department received its first instructions to maintain ledgers and record the name and address of the individual requesting information, the nature of the information desired when the request was received, and when the requested information was granted. Since the beginning of 2003, the newly named and restructured College Development Committees have taken decisions on the number of meetings to hold, and on academic matters, infrastructure and financial needs.

For better accountability, there is not only a timely financial audit but periodic inspections are carried out, using a checklist to evaluate the academic and administrative performance of colleges and faculty. To check corruption, since 2001, retired judges rather than senior principals have been appointed as departmental officers. Any college professional guilty of corruption is charged and brought before the high court.

Also since 2001, to improve accountability the department has developed a process by which to obtain the results of students' performance directly from the colleges rather than from the universities, as was done prior to 2001. The results are scrutinized and sanctions applied to any college where 75 per cent of the students failed their annual public examination. If there is a valid reason for such results, the department tries to assist the college by eliminating the specific difficulty. Alternatively, sanctions, such as the stopping of grant-in-aid or closing down of the institution, are applied.

The top-level administrators in the department underwent an HRD-TQM (total quality management) course for 15 days and thereafter made field visits and took refresher courses over a period of one year, at the end of which they received a Master Facilitator Certificate. They have since trained other department staff and students to bring qualitative improvement in transparency and accountability into the administration and delivery of educational services. In addition, the department has signed a memorandum of understanding (MOU) with the National Assessment and Accreditation Council and another with the National Institute of Mental Health and Neuro-Sciences (the latter provides student counselling) in order to improve the quality of education provided.

In the opinion of the majority of the college principals and faculty from Karnataka (90 per cent) and from Rajasthan (57 per cent), there had been a slight positive impact in the education sector due to the implementation of changes. Both positive and negative reasons were given for their choice as indicated below.

## Reasons for the slight positive impact observed in education

- There was increased awareness for the need to make changes in order to improve the education system among those in the education field.
- There was increased awareness of rights, and the process of questioning had begun in the education sector.
- There was increased investment in the education sector.
- A variety of programmes had been introduced to increase children's access to education and to retain children in school.
- Use of information technology allowed citizens to access information about educational matters, including facilities and types of programmes, easily and quickly.
- There was increased awareness of the importance of education among stakeholders.
- There had been frank and open discussions about failures in the management of educational resources.
- There was a breaking down of the hierarchy in educational management.
- There was a lack of general awareness about RTI and political interference. The difference of opinion between bureaucrats was the reason why the impact of the changes implemented was only slightly positive.
- Changes were happening gradually and it took time for people to become aware of them and become computer-literate.

Among Rajasthani educators, 14 per cent considered that there had been no impact as a result of changes implemented in the education sector for the following reasons: (a) 'traditional' (secretive) ways of working continued to be used in the education sector; (b) there was lack of interest on the part of both the government and the educational administration in implementing changes; (c) educational management was insensitive to both the staff and the employees of the institutions; and (d) the various stakeholders (government, civil society, students and educators) did not give due importance to the education sector.



Apart from obtaining knowledge of the conditions that facilitate the implementation of RTI and related changes, it would be useful for policy-makers to gain an understanding of conditions that prevent or hinder the implementation of changes. The Karnataka and Rajasthani educators provided input with regard to these conditions as follows: (a) lack of sufficient financial resources; (b) lack of co-operation between various stakeholders; (c) lack of awareness of RTI among educators and the general public; (d) government officials did not follow the prescribed rules and regulations strictly; (e) lack of freedom to introduce changes; (f) lack of public interest and involvement in the education sector; (g) vested interests of politicians; (h) concerned administrators were not active in making changes; (i) lack of a well-organized system to monitor the activities of educational management; (j) low levels of literacy in the general population; (k) prevalence of a culture of secrecy in educational administration; (l) lack of ethics in educational administration; (m) feudal mind-set in society; (n) laws and rules not enforced; (o) lack of orientation programmes on the RTI; (p) inadequate computer literacy; and (q) lack of implementation of changes at the grassroots level.

### Is it worthwhile implementing RTI?

Currently, nine states in India have implemented the RTI Act. The above question will undoubtedly be prominent among the remaining states considering whether to follow suit. The outcome of using RTI captures, in no uncertain terms, the struggle to redefine the public-private space in the normal course of peoples' interactions with public authorities, whether in the hi-tech urban context or in that of a village in the desert. The outcome of a few of the corruption cases exposed during the public hearings in Rajasthan, presented in the following section, describes this struggle and adds to the knowledge necessary to make an informed decision on enacting and implementing RTI.



## Outcome of some of the corruption cases exposed during the public hearings in Rajasthan

- *December 1994:* Corruption cases were established and brought against a junior engineer and a village helper. The police dropped the charges against the engineer and filed charges against the village helper in court. His pension was stopped after retirement as per the rules, but the payment was started again after some time. Six years later, the court case is still pending.
- *Second public hearing, December 1994:* A case against a non-existent company for corruption, registered by the state government's anti-corruption bureau, was closed after levying and receiving minor taxes. There is no case pending against the owner of the fictitious company who is now the Head of the Village Self-Governance Committee. In another case of corruption against the local government, action could not be pursued as the Anti-Corruption Bureau took the original papers related to the case.
- *Third public hearing:* Irregularities in leasing prime land by the local village government were exposed. The ensuing departmental inquiry resulted in validation of the irregular allotments to those who were rich, and the invalidation of the valid leases of the poor allottees.

## Conditions facilitating changes in education

Certain key factors have been responsible for the changes that were instituted in the government administration in Karnataka, including the education sector, and they continue to create a climate that promotes changes towards good governance in the delivery of public services. They are:

- **Clear political vision, leadership and commitment:** The Chief Minister of Karnataka was aware of the public dissatisfaction and, indeed, frustration concerning the poor governance of public services. He

motivated the public agencies to change, to provide quality services to the public and to set high standards.

- Non-officials were consulted and involved in bringing about a transformation in government administration.
- An innovative state-public partnership, the Bangalore Agenda Task Force (BATF) was created to support new initiatives for public services, to assist the various agencies and to encourage public participation. Funds were mobilized from the private sector for the new initiatives such as a project for a 'Clean and Green' Bangalore, for putting up bus shelters for developing and installing a new accounting system, for the construction of roads and flyovers, for the development of citizens' charters, and for undertaking a property tax reform. The BATF is comprised of seven public agencies – the City Municipal Corporation, the water board, the police, the electricity authority, the transport corporation and the telephones. BATF serves as a public monitoring tool for the chief minister.
- Civil society is involved at key stages, including monitoring the public services. The educators from both Karnataka and Rajasthan also gave their opinions regarding the factors that contributed to successful implementation of changes, echoing the views of the general public on some factors that have facilitated implementation of the changes in Karnataka that were mentioned earlier: (a) political will; (b) awareness of RTI among educators and the general public; (c) implementation of the RTI Act; (d) involvement of citizens in the education sector; (e) government officials following the prescribed rules and regulations strictly; (f) use of information technology; (g) the positive attitude of and responses from the educational management committees towards instituting and implementing changes for improved management of educational resources; and (h) increased awareness of rights, rules and practices amongst educators.

## Success stories in implementing RTI involving information and community participation

Awareness of the RTI Act is limited to the city, such as Bangalore in Karnataka, and a few specific groups such as: the information officers appointed to provide information under the RTI Act; NGOs working in this area such as the Public Affairs Centre; a consumer rights group; and students taking specific courses, such as communications. The rural public in Karnataka is typically unaware of this act. In contrast, in Rajasthan, due to the advocacy efforts and active engagement of NGOs such as MKSS and URMUL with regard to RTI, rural people in various places were aware of it. The members of URMUL also supported the view that the rural masses in Rajasthan in many places have fundamental knowledge of RTI. However, since they are illiterate, MKSS and other organizations apply and secure needed documents for the people and conduct public hearings where the rural people participate actively. Now there is sufficient evidence to suggest that RTI is being utilized to improve transparency and accountability in governance and to empower people in the process. In the following section, some cases describing the successful use of RTI are presented.

In Karnataka, a joint implementation audit of RTI was conducted by an NGO in Bangalore, in the Public Affairs Centre (PAC), and in the Commonwealth Human Rights Initiative, New Delhi, from November 2002 to April 2003. The findings of the study caused several of the 20 public authorities not only to gain a better understanding of the importance of RTI but to take suitable steps to follow the procedures as indicated in the act.

By holding public hearings, NCPRI, MKSS and other NGOs have succeeded in bringing problems of transparency and accountability in public administration and services to the attention of the public and have sensitized citizens to their right to information and to using this right to get their grievances redressed.

As public awareness of the RTI Act and its use has increased and the success stories have empowered the citizens in different Indian states, other areas in the social sector – namely health and education – are increasingly coming under scrutiny. For example, the All-Goa Citizens' Committee for Social Justice and Action (AGCCSJA) has been active in using the RTI Act to pursue cases of public misconduct, corruption, etc., specifically in appointments, promotions and service conditions. Not merely groups, but individuals have also used RTI to settle matters of accountability. In some cases, there has been a negative impact, albeit in the short term.

In two areas, it was discovered that over-billing, ghost work and ghost workers were tactics employed to siphon off money from public works. At the review in January 2004, the Block Development Officer (BDO) of Janawad informed the assembled people that Rs.2 *lakhs* of the Rs.67 *lakhs* that had been embezzled had been recovered. The state government, after an enquiry, charged 26 officials with corruption. However, those who had been served notices to return the money had obtained a staying order from the High Court delaying the prospect of its recovery.

The positive impact was that people were no longer willing to tolerate corruption and it is mandatory now to submit photographic evidence of the project work once it is completed. The negative fall-out from the Janawad public hearing has been that the development funds allocated for this village have greatly decreased.

Yet, overall, the institutionalization of the right to information through social audit, public hearings, etc. has had a highly positive impact in bringing transparency and accountability to the social sector, be it to a small extent in some cases, or leading significantly to a systemic overhaul in self-government and rural development institutions in others. In fact, it is recognized that it is due to the RTI campaign that most of the Rs.600 *crores* allocated for drought relief in Rajasthan last year was actually used for that purpose.

## Educators' recommendations for the successful implementation of RTI in education

While most educators from Karnataka and Rajasthan acknowledged that their knowledge of the RTI Act was slight, they clearly had no difficulty in identifying the problems in transparency and accountability faced by them in educational management and the conditions facilitating and preventing the implementation of changes. Based on this experiential knowledge, they made several recommendations for the successful implementation of RTI in education: (a) all those involved in the education sector should have a good understanding of the RTI Act, including the advantages of implementing it; (b) transparency should be increased by having a uniform educational policy; (c) awareness of RTI in the general population should be increased through NGOs, print and electronic media; (d) a system should be established that involves public participation in monitoring and regulating activities of educational management; (e) co-operation and co-ordination should be promoted between educational management and teachers; and (f) a sufficient level of financial resources should be acquired in order to implement the changes needed.

## Weaknesses in KRTIA and RRIA relative to other state acts

A comparison of the relative strengths and of differences between the Karnataka RTI Act and the Maharashtra RTI Act indicated that the Maharashtra Act scored above Karnataka in terms of the existence of a decentralized arrangement to provide information and ensure effective monitoring of the implementation of RTI Act through a state council and a records commission. KRIA, when compared to the Delhi RTI Act, is considered to be on par with it, except that the latter's level of awareness of RTI Act is as yet confined to large cities such as Bangalore, whilst in Delhi there is greater awareness of RTI Act amongst the citizens.

An NGO, the Public Affairs Centre (PAC) in Bangalore and the Commonwealth Human Rights Initiative, New Delhi, conducted a joint implementation audit of KRIA in November 2002. Citizens who volunteered to assist in conducting the audit were given information about RTI Act and the procedure involved in obtaining information. After receiving training, the volunteers determined their own need for information and identified the relevant public authorities to be contacted to obtain the information. Between November 2002 and April 2003, 100 applications for information under the Karnataka RTI Act were sent to 20 public authorities, including the Education Department. The responses of the authorities were categorized as:

- *Responsive*: When the public authority (i) displayed notice boards with the required information; (ii) provided the requested information within the time limit and, in case of delay, kept the applicant informed; (iii) followed the procedure as indicated in the act.
- *Tentative*: When the public authority (i) accepted applications, but provided information after persistent follow-up; (ii) did not provide information within the set time limit; (iii) did not display the required information about RTI on notice boards as required by law.
- *Inactive*: When the public authority (i) did not accept applications; (ii) accepted applications and did nothing; did not maintain a record of the applications received; (iii) did not display on notice boards the information required to be voluntarily disclosed under law.

The findings of this exercise revealed that:

- There was a general lack of awareness of the RTI Act among government officials and uncertainty about how it should be implemented (this situation, which prevailed at the time of the beginning of the audit in November 2002, was greatly improved by April 2003).
- Of the 20 public authorities who received applications seeking information under the RTI Act, 11 did not respond at any time.



- Except for one public authority, the rest did not make *suo-moto* disclosures as required by the RTI Act. Specifically, notice boards with information, such as the specifics of the particular organization, its functions and duties, and the norms for the discharge of functions, are to be displayed outside the office.
- In most cases, the applicants had to make at least 12 to 14 calls, and it took an average of one month of consistent follow-up before they received information. Therefore, there was a considerable delay, and most public authorities did not provide information within the time limit prescribed in the act. Furthermore, when appeals were made against the delays, no response was received. Those applicants that made an appeal to the Karnataka Appellate Tribunal (KAT), the second appeals authority, against the delays were asked to present their case in a legalistic fashion with legal representation that is considered by people to be difficult and too taxing in terms of time and expense.

The Karnataka RTI Act, while considered fairly progressive relative to the RTI acts in other states, could be improved upon through amendments so that the act is implemented while respecting and guaranteeing the fundamental right of citizens. Specifically, the sections of the act where change is necessary include:

- *Suo-moto disclosures*: While section 3(b) of the Act requires all public authorities to display/publish information mentioned in this clause, it was revealed by the PAC Audit that 19 out of 20 public authorities had not complied with this requirement. Furthermore, under the act, there is no onus on public authorities to gather information that is not immediately at their disposal. Both the Karnataka and Rajasthan acts provide for information ‘on demand’ but do not emphasize providing information to citizens about their right to access information. Additionally, information about the applications for information made to different public authorities is not collated by a central nodal agency such as the Department of Public Administration and Records. This



implies a loss of valuable data necessary for the implementation and monitoring of tasks over time.

- *Fee structure:* Under the Karnataka RTI Act, fees charged to secure information are sometimes too high and have been used as a way for public authorities to retrieve some perquisites, such as having the power to provide or deny information.
- *Penalties:* The PAC audit (2003) revealed that there had been considerable delay in giving applicants information that was well beyond the prescribed time limit. Neither did the appeals against the delays receive a response from the public authorities. It is widely known among the public that authorities have deliberately taken too much time so that applicants give up their attempt to obtain the requisite service or information. Clearly, penalties for non-compliance are not enforced. The Rajasthan RTI Act provides for disciplinary action under service rules and the Karnataka RTI Act, in addition, provides for a discretionary monetary fine up to Rs. 2,000 for delay without reasonable cause or for knowingly giving incorrect/misleading/wrong/incomplete information. However, mere disciplinary action under service rules has demonstrably proved to be ineffective punishment for the erring official. While a monetary fine is levied as additional punishment in some states such as Karnataka, critics point out that a fixed amount not only loses value over time, but also causes different levels of hardship for the errant officials drawing salaries at different salary levels.
- *Regulatory mechanism:* Neither Karnataka nor Rajasthan have provisions for regulatory mechanisms to monitor the implementation of the respective acts. Overall, however, the Karnataka RTI Act is considered relatively progressive and it is expected that any weaknesses in the act will be rectified from the knowledge gained by the implementation experience.

## Conclusions

- There was remarkable concurrence in the responses of the educational administrators and faculty in Karnataka and Rajasthan regarding the key problems they faced in terms of transparency and accountability in the management of educational resources.
- Because of the high-profile and extensive activities of NGOs in different rural areas of Rajasthan, the people in rural areas (in comparison with the urban population) were very much aware and familiar with RTI, and how they could exercise this right. This is in contrast to the scenario in Karnataka, where, except in a few urban areas such as Bangalore city and surrounding areas, knowledge of the RTI Act is largely non-existent in the rural population.
- In both states, while changes have been implemented in educational management, more are indicated to eliminate persistent problems in transparency and accountability.
- Most educators in both states possessed slight knowledge of the RTI Act.
- There was a slightly positive impact as a result of implementing changes in educational management, according to educators from Karnataka and Rajasthan.
- The key difficulties faced by the two state governments in implementing changes were the lack of awareness of RTI and the culture of secrecy prevalent within the educational administration.
- Changes in the RTI Acts are necessary so that they are implemented and enforced in accordance with the prescribed rules. In addition, awareness of these acts and their use must be increased among both educational personnel and the general public.
- Creation and maintenance of regulatory systems, and the strengthening management capacities and stakeholders' ownership of the educational management process emerged as the fundamental factors necessary for the successful implementation of RTI in the education sector.

## Recommendations

- The creation and maintenance of regulatory systems.
- Clear norms and criteria for procedures to implement the RTI Act must be developed in both states involving different stakeholders, including government officials, and particularly the nodal agency in charge of implementing the RTI, education personnel, legal experts, NGOs, parents and students.
- Similarly, changes recommended by the educational administrators of both states must also be instituted in the respective education sectors to eliminate the existing problems in terms of transparency and accountability.
- A regulatory mechanism where both citizens and the government nodal agency can monitor the implementation of the RTI Act (from receipt of the request for information under the act to the final step of providing the requested information) must be set up. This would assist in the enforcement of time limits and penalties, leading to efficient and uniform implementation of the act across the various government departments.
- The nodal agency must collate data concerning RTI centrally and update the data (such as the number and kind of requests for information received across departments, the number of cases where information was given and the number of cases where appeals are pending) on a regular basis. Such data could be used to identify areas of concern, improve the implementation process and provide information to citizens (through developing a web site for frequently-asked questions, etc., or distributing printed material). To some extent, KRTIA and, to a greater extent, RRTIA need to be amended to remove unnecessary limitations and to prevent discretionary use of the act by officials. Specifically, in order to improve access for citizens, time-bound disclosure of all information of use to the public must be mandatory and strictly enforced. In addition, such information must be updated regularly. These measures are also valid for the RRTIA, where far-

reaching discretionary powers are used on whether to exhibit or expose information.

- Ownership of the management process through the involvement of the government along with NGOs and other partners in educating people regarding the RTI Act is important, particularly in the context of the low levels of literacy and awareness of rights prevailing in the general population. Delay in taking such a step would result most probably in making the RTI Act into a paper tiger and further deny citizens the exercise of their constitutional right.
- Fixing the fees for providing information so that they do not exceed the cost of reproducing or providing the information, including the postage cost, would ensure proper implementation of the act and reduce the opportunity for public authorities to use high application fees as a means of withholding information.
- To encourage the official providing information to do so expeditiously and in accordance with the rules, an additional monetary fine should be imposed on the information officer per day of delay as is done under the Maharashtra RTI Act.
- The weaknesses of the Karnataka and the Rajasthan RTI Acts could be removed if a regulatory mechanism were to be put in place. Having appellate authorities at various administrative levels – village, *taluk*, sub-division and district – would ensure decentralization of legislation. Additionally, a council composed of officials and people's representatives, empowered to monitor and review the implementation of the act should be set up periodically.
- The nodal agency responsible for the implementation of the RTI Act in both states must conduct training for all government personnel (including educational administrators and faculty and especially for those designated as Competent and Appellate Authorities) regarding the RTI Act, the accurate interpretation of the laws, implementation procedures and ethical behaviour in the education sector.

- Information systems about RTI and its use must be developed so as to be easily accessible to different types of users, literate, illiterate, people living in urban and rural areas.
- To prevent duplication of effort, all government institutions and departments must determine the specific department or institution that a user may contact for particular information. For instance, a user must apply to either the High Court or the Education Department regarding information on cases pending in court concerning educational personnel or matters.
- A partnership between government and citizens in implementing the RTI Act in education, from developing norms and guidelines for implementation to monitoring the implementation process, would promote transparency and accountability in the sector and foster better understanding between service providers and service users.
- NGOs and other civil society groups must be involved in spreading awareness of the RTI Act (through orientation and training programmes), educating the citizens about the circumstances under which and how the RTI Act could be utilized to access information.

By making the recommended changes to the Karnataka and Rajasthan RTI acts, and by promoting an environment conducive to the implementation of these acts in the education sector, the governments of Karnataka and Rajasthan should be successful in achieving their objectives of enabling their citizens not only to make full use of their fundamental rights, but to participate in a governance that is both transparent and accountable.

## 15. Efficiency and transparency in education: the case of the school feeding programme in Chile

Carmen Luz Latorre\* and Paula Aranda\*\*

### Background

The education network in Chile – pre-school, primary (Grades 1 to 8), and secondary school (Grades 9 to 12) – is unique. It is comprised of nearly 11,000 schools in 13 regions, over a territory of 1,992,000 square km.<sup>31</sup> This means that a programme such as the school feeding programme (SFP), which requires fresh supplies to be delivered daily to schools, is particularly difficult to manage. In 2001, 97 per cent of the primary school-age population was enrolled in primary school, and 85 per cent of secondary school-age children in secondary school (Government of Chile, 2002: 179). Indeed, 94.2 per cent of the children aged 6 to 17 were enrolled in school that year (i.e. 3,211,119 students). As of 2003, 12 years of schooling is now obligatory.

Primary- and secondary-school education is dispensed as follows: 53.1 per cent in municipal schools, 36.6 per cent in subsidized private schools, 1.5 per cent in *Corporaciones de Administración delegada*<sup>32</sup> and 8.8 per cent in private schools. The first three are financed almost exclusively from state subsidies. One aspect that has traditionally been seen as fundamental in ensuring that the best use is made of a child's opportunity to learn is the

31. Mainland Chile of only 742,000 km<sup>2</sup>.

32. Non-profit private-sector legal persons that administrate high school vocational training schools owned by the state.

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provision of food to the poorest children attending school. The target groups have varied over the years, with major cutbacks made at certain times, focusing on the poorest children (Latorre, 1980; 1981). At other times, food provided at school has been seen as an essential complement to meals taken at home. In the last few years, SFPs have been used to combat absenteeism and to curb drop-out rates.

In 2003, the MOE's budget stood at 2.018 billion pesos (i.e. US\$2.989 million) (Ministry of Finance, 2002: 179). Of this amount, 4.9 per cent or 98.4 billion pesos (i.e. US\$145 million) is allocated to the total budget of the *Junta Nacional de Auxilio Escolar y Becas* (JUNAEB) (the National Scholarship and School Aid Board), the body charged with providing food to schools. Most of JUNAEB's budget is spent on direct payment of foodstuffs (88 billion pesos or US\$130 million). In addition, there are two bodies that focus on pre-school children and which are publicly funded: the *Junta Nacional de Jardines Infantiles* (JUNJI) (the National Nursery School Board), and the INTEGRA Foundation, which have mandated JUNAEB with distribution of food for pre-schoolers. To this end, corresponding funds are transferred. JUNJI's budget for this purpose is 10.3 billion pesos (i.e. US\$15.3 million) and INTEGRA's food budget amounts to 5.48 billion pesos (i.e. US\$8.1 million). This means that the calls for tender in the area of food for schools are some of the largest contracts the state offers on a regular basis in the country.

Corruption – defined as the systematic use of public offices for private use – and its impact on education is of great concern to the International Institute for Educational Planning (IIEP), one which is shared by the authors. This article was prepared as a contribution to the debate on the efficient and transparent use of resources.



## The National Scholarship and School Aid Agency (JUNAEB)

### *Programmes on offer*

The National Scholarship and School Aid Agency is a public institution whose mission is to “provide total assistance to socio-economically vulnerable schoolchildren, in order to contribute towards equal opportunity in education”. JUNAEB addresses various needs of schoolchildren such as: food, health care, student accommodation, recreation, school supplies, and scholarships. The National Student Aid Network covers nearly 9,000 schools throughout Chile, and reaches out to over 1 million students per day.

JUNAEB’s programmes are geared to “improving access to education and subsequent improved school retention rates”, i.e. ensuring that children have access to the education system, preventing absences from school, improving achievement, preventing children from dropping out of school, and making it easier to continue studies from one education system to another. JUNAEB’s most important programmes are: the *Programa de Alimentación Escolar* (PAE, the Chilean SFP), the school health care programme, the dental health care in schools programme, the school supplies programme, the school camp programme, and the student family housing programme, the details of which are as follows:

- *The school feeding programme*: aims to provide complementary nutrition to socially vulnerable children attending subsidized public and private primary or secondary schools to ensure that their basic nutritional needs, as recommended by the World Health Organization, are met, in order to help them learn at school.
- *The school health care programme*: grants all children, from first to eighth grades, attending subsidized private and public schools, access to the health care network which exists throughout the country. Its emphasis is on ophthalmology (only problems with refraction), ear, nose and throat diseases (only hypoacusis), and orthopedics (only scoliosis and flat feet, degrees 3 and 4). First consultations in orthopedics

are available in the first, sixth, and eighth grades. Each regional department of JUNAEB, through the Health Care Co-ordinator and the existing community network, is in charge of building, maintaining, and strengthening an assistance network, in order to provide effective and timely aid to every child in need.

- *The dental health programme:* provides preventive care and treatment to all beneficiaries (children attending subsidized primary and secondary schools).
- *The school supplies programme:* provides a basic set of school supplies to children each year (notebooks, coloured pencils, ballpoint pens, pencils, erasers and rulers). Primary and secondary school students receive different sets.
- *The school camp programme:* enables poor children in primary and secondary school to go to camps that are selected on the basis of competitive bids. The camps must offer educational and recreational activities stipulated in the call for tender, and they must provide all meals (i.e. breakfast, lunch, snack, and dinner) for as long as the camp programme runs. Programmes must have the proper materials and number of staff to carry out the activities of a recreational camp.
- *The student housing with families programme:* provides housing, care, protection, and food to children and young people who must live far from their parents' homes in order to pursue their studies. The programme functions via implementing bodies (municipalities or non-profit legal entities), which subcontract to established families or guardian families.

JUNAEB's assistance programmes are regularly and systematically monitored through two channels: supervision in the field carried out by JUNAEB itself, and indirect supervision, using contracted specialized third parties. Each JUNAEB programme has its own tailor-made monitoring and supervision system.

The existing Programme Control Systems provide information on: (a) the efficient use of programme coverage allocated to the school; (b) the quality of the service provided by the body selected by JUNAEB to implement the programme; (c) the timely provision of service, beginning with the school year, in the majority of cases; (d) correct programme operation, i.e. students receiving the service must comply with the selection requirements so that the most needy are the ones actually selected to be in the programme; (e) compliance with the technical requirements set by JUNAEB for each service to be carried out by the contractor; (f) the condition of the student facilities, which must be appropriate for the type of assistance to be provided, and which must comply with safety and hygiene requirements; and (g) the acceptability and degree of satisfaction on the part of users, students and the school community in general, with respect to the service provided.

For the National Student Support Network to function, JUNAEB requires the efficient collaboration of the following:

- The teachers in charge of programmes in schools.
- Municipal co-ordinators and the municipalities' health first-aid network. Teachers and municipal staff play a very important role in the supervision and control of programmes, since they provide JUNAEB with information on any problems that may arise, and they create records through documents prepared for this purpose. For instance, the document entitled: "Daily report on control of rations in the school feeding programme" provides a record, prepared monthly by the teacher in charge of SFP, of how and what food children received.
- The many JUNAEB contractors providing food, laboratories (which analyze the foodstuffs and meals served by JUNAEB feeding programmes, using analysis techniques), doctors, dentists, health care auxiliaries, bodies implementing recreational projects, host families in the family residence programme, and others.

With the aim of ensuring proper use of the community tax revenues spent on its social programmes, JUNAEB has progressively established

allocation criteria – which it has widely publicized – outsourcing services, and setting up increasingly tight systems for supervision and control.

### ***Transparency and efficiency in the SFP***

In order to examine transparency and efficiency in the function of the SFP, it is necessary to distinguish the various areas that have to be analyzed. As regards transparency, defined as publicly accounting for funds utilized, as well as for the procedures and criteria used for making selections, the following have to be taken into account:

- First, it should be determined whether the institution entrusted with the programme publicly accounts for its funds. The Budgetary Law for each year clearly specifies and itemizes the amounts received and spent by the institution, and the SFP is an easily identifiable programme. In addition, each year the institution is required to publish its annual accounts.
- Second, since the funds assigned to the programme are rarely sufficient to cover all the students, it is important that it be publicly known which are the criteria used to select which schools, and which children will receive food. That is to say, that the approach used must be clear to all involved.
- Third, it should be known what type of food is given to what type of child. Generally, children are distinguished by level of education: primary and secondary school are generally the focus, because calorie and protein requirements vary with the age of the child. Within these categories, the level of nutrition of the child defines the food supplement (this is the reason why one child may receive only lunch and another lunch plus breakfast). For example, in 2001, primary schools were providing rations of 250, 700, and 1,000 calories, while in secondary school, rations were of 350 and 650 calories.

- In cases where service is outsourced, requirements and bidding procedures should be made known so that prospective suppliers can make an offer. The same applies to the results of a call to tender.

Efficiency is defined as fulfilling the objectives of the SFP at the lowest possible cost, and/or feeding the largest possible number of children out of the available funds: (a) first, the *focus* must be optimized: the most vulnerable children in the school system must be identified; (b) second, *timeliness* must be ensured – food must arrive in a timely, regular and continuous fashion, according to plan; (c) third, the *quality* of care must be ensured: quality nutrition must be provided, containing nutrients recommended by nutritionists (of JUNAEB, JUNJI and INTEGRA) for each type of child; (d) menus must be *as inexpensive as possible*, in order to feed as many children as possible; and (e) records must be kept so that only *meals actually served* are charged, rather than having charges based on estimates, or initially contracted amounts.

We will now proceed to recount the programme's history, reflecting the methods used and their impact on transparency and efficiency.

## History of the programme

At the start of the 20th century, food in schools was scarce, funded through charities, and private initiative decided which schools would receive some food for the neediest children. Beginning in 1920, a new legislation was passed making primary education compulsory, and a new awareness grew as to existing needs. Private initiative was found to be no longer sufficient, and student support became a public need, giving rise to various school aid programmes. However, it was not until 1964 that JUNAEB was created, which, in turn, led to the creation of the *Red Nacional de Apoyo al Estudiante* [National Student Support Network] in order to “neutralize the negative impact of poor socio-economic conditions on schoolwork and to prevent children from dropping out of the school system”.

The *Programa de Alimentación Escolar* (school feeding programme), presented below, can be described as a function of different periods of government, since their policies towards student assistance varied, thereby affecting the size and administration of the programme.

***1964-1973 (governments of Eduardo Frei Montalva and Salvador Allende)***

SFP existed in the context of rapid growth in the number of children attending primary and secondary schools as a result of the policies of both governments. During this period, SFP grew spectacularly, reaching its apex in 1972, when the decision was made that each needy child would have the right to receive the food he or she needed.

*Table 15.1* shows that, in 1965, the number of breakfasts/snacks served amounted to 655,300 and the number of lunches served stood at 230,800. By the end of the Frei government, in 1970, the figures had soared to 1,301,200 and 619,200 respectively, i.e. nearly doubling the number of breakfasts/snacks served, and nearly tripling the number of lunches served originally. In 1972, during the Allende government, these services reached their highest point, with 1,536,600 breakfasts/snacks served and 715,900 lunches. The percentage of students covered in primary and secondary schools reached 57.6 and 26.9 per cent respectively.



**Table 15.1 SFP coverage, 1965-1990**

Year	Breakfasts/snacks (in 1,000s)	Lunches (in 1,000s)	% students covered – breakfasts/snacks (*)	% students covered – lunches (*)
1965	655.3	230.8	35.5	12.5
1966	838.8	357.2	44.2	18.8
1967	1 055.5	528.7	52.3	26.2
1968	1 174.4	576.8	37.2	18.3
1969	1 180.0	580.0	52.6	25.8
1970	1 301.2	619.2	55.6	26.4
1971	1 408.4	653.6	55.0	25.5
1972	1 536.6	715.9	57.6	26.9
1973	1 445.6	674.3	52.4	24.4
1974	1 338.5	663.2	48.0	23.8
1975	745.7	593.6	27.1	21.6
1976	769.8	361.0	28.4	13.3
1977	1 055.2	296.3	38.7	10.9
1978	1 054.6	307.6	38.4	11.2
1979	759.4	294.5	27.4	10.6
1980	759.9	295.0	27.9	10.8
1981	759.1	295.1	28.2	11.0
1985	678.2	539.8	2.8	19.8
1986	662.3	547.1	24.3	20.1
1987	477.8	463.1	17.7	17.1
1988	473.3	471.8	17.3	17.2
1989	483.8	482.7	17.7	17.7

(\*) As a percentage of children enrolled in primary and secondary schools.

Note: Information not available for 1982, 1983 and 1984.

The SFP hired food handlers to work in schools and the food was prepared there, in accordance with menus established by the central nutrition services. Schools had funds allocated for the purchase of perishable foods, and non-perishable foodstuffs were provided by the central system. In effect, JUNAEB, in the interests of a more efficient allocation of resources, and in order to achieve greater economies of scale, organized a centralized purchasing system to obtain non-perishable foodstuffs through a competitive call to tender.



JUNAEB set up food warehouses for each territorial subdivision (Chile was divided into 13 regions, which were divided into 25 provinces that were, in turn, subdivided into departments). Once non-perishable foodstuffs were purchased, they were sent to JUNAEB's regional warehouses, then to provincial and departmental warehouses, and finally to the schools themselves.

Centre → Regions → Provinces → Departments → Schools

With respect to transparency, government representatives were charged with communicating the food targets throughout the country. At the same time, account was publicly made of expenditures incurred, and was subject to inspection by the *Contraloría General de la República* (the national audit body), which is still the case today. However, this system was not very efficient. The system was intended to save money through large-scale purchases, but as amounts purchased became increasingly large and economies of scale grew, savings were offset by losses incurred along the distribution chain. The many steps in the distribution process required an increasingly costly control system. Another problematic aspect was that there were delays in the delivery of food to schools and, as a result, to the final beneficiaries. Often, this made it impossible to prepare the set menu. Finally, one must not omit mention of the potential for corruption inherent to such a large-scale purchasing system, given the amounts of the funds involved.

On numerous occasions, evaluations of JUNAEB's functioning were carried out by private firms, as well as by the the national audit body, whose recommendations were on the “urgent need to rationalize its administration, establishing improved systems for control of distribution and delivery, and reiterating the recommendation that the service be decentralized, in order to cut losses and ensure that non-perishable foodstuffs are delivered on time”.

The food distribution service came to include over 5,000 food handlers throughout the country. They represented the greatest barrier to

the implementation of more modern systems. For example, a change in the system would mean that pre-prepared foods would be provided by the private sector, meaning that mass layoffs would be necessary. Such layoffs were very difficult to handle under democratic governments unless the contractors hired a large number of these workers. Opportunities for employment in the education system were scant, except perhaps for a position of janitor.

### ***1973-1990 (military government)***

During the period of military government (1973-1990), major cutbacks were made in service provision. This situation was the result of drastic budget cuts in nearly all social spending over the period, requiring the programme to pinpoint only the neediest students. It was claimed that there were children receiving meals who did not need them.

In 1976, the military government, a proponent of ‘small’ government (i.e. the government provides only those services that the private sector cannot or will not perform), decided to begin a pilot experiment distributing pre-prepared food in a few parts of the country. Every year, the use of this system became more widespread, and by 1981 all food in schools was provided through this means (Latorre, 1981). At this time, there were nine companies distributing food throughout the country. The number of companies distributing food increased to 30 in the 1990s, and currently there are 26 of them.

As regards transparency, the situation was worrying. Under the regime, public controls were rare, and the system allowed government officials to encourage certain food companies<sup>33</sup> (e.g. canning companies), as well as certain private groups to set up companies, to submit bids in response to calls for tender issued by JUNAEB to provide food to the schools selected by the

33. Some of these professionals became members of the boards of these companies, and some even became company partners.

institution throughout the school year. Depending on the size of the region, a tender could cover an entire region, or tenders were made by province. In the metropolitan area, tenders covered subsets of municipalities.

The lack of transparency which characterized the period of military government made it very difficult to obtain records to prove what common sense could conclude: Contractors were selected with little transparency; complaints from both schools, children and parents were not heard; there was little control over the type of food children actually received; and children's eating habits were not taken into account in the preparation of school menus to adapt them to children's tastes. It was very difficult to obtain the type of information that had been made public in the past, such as what amounts of food had actually been distributed.

***1990-2003 (governments of the Coalition of Parties for Democracy  
– P. Alywin, E. Frei Montalva, R. Lagos)***

The arrival of a democratic government to power marked the beginning of a period of constant adjustments geared to ensuring that optimum use was made of resources and improving the transparency of programme operation. Quality standards for the food programme were defined and set out in the programme's technical requirements. They include: (a) nutrition allowances as defined by the programme, distinguishing between primary and secondary schools; (b) foodstuffs included in the programme, which should comply with prevailing health regulations; and (c) the basic combination of food groups (milk, meat, fruit, etc.), as defined for each programme.

In addition, serious efforts were made to continuously improve the selection of beneficiaries, and the transparency of how the programme selects contractors and how efficiently it controls costs, keeps records, controls and pays for meals actually served. For resources to be allocated efficiently, it is vital that the meals served actually reach the most vulnerable students, which is why it is imperative that the programme focus on pinpointing needs

accurately if it is to attain its objectives. In selecting and classifying schools, JUNAEB proceeds as follows:

- At the beginning of the school year, JUNAEB's regional or provincial offices send out surveys to all the subsidized municipal and private schools that provide primary and secondary school education in the country.<sup>34</sup> These surveys provide information about the children's background.
- This information is used to calculate how each school rates on the school vulnerability index (IVE), which is calculated using a statistical mode.
- The IVE rating then is used to determine the amount and type of food that each school will receive, and which will be distributed by the director and by the teachers.
- In addition, each of JUNAEB's Regional Offices checks that schools have the necessary lunchrooms, kitchens, and food storage facilities, in conditions that are appropriate for the distribution of food. Each year, depending on the availability of funds, SFP coverage is set in accordance with levels of vulnerability, and the type of service necessary.

JUNAEB developed IVE for schools to determine what type of meals a child should receive (e.g. breakfast/snacks only, lunch only, breakfast and lunch). Indeed, JUNAEB's school feeding programme targets students based on a regression analysis, which calculates IVE for each school responding to the survey. This is then applied annually to all state-subsidized primary and secondary schools. According to the IVE calculation, schools that will be receiving food are selected, and the amounts allocated to them are assigned, adjusted to the approved budget, as well as the criteria that are defined and disseminated annually.

34. Exceptionally, for new schools or those which did not respond previously and which need IVEs to be calculated, surveys may also be filled out during the year.

JUNAEB measures IVE, determines the percentage of students enrolled who can be classified as ‘vulnerable’ and who, for this reason, require food aid. IVE has been validated both through research and by the education community. Indeed, it is an accepted standard for the allocation of food to schools (in particular, as we will see later, replacing, to a certain extent, the teacher’s opinions).

Since 1987, allocation models have been built, initially using the so-called ‘principal components’ method, which used the following four variables to determine the food requirements for a given school and the proportion of children presenting deficiencies by considering: (a) the average schooling of their mothers; (b) children who are small for their age; (c) children who are late for their age upon entering the first grade; and (d) children with an urgent or very urgent need for food in the opinion of their teacher. These four variables were weighted and then used to calculate the proportion of children who should receive meals at each school. Later on, other health variables were added, such as vision, hearing and posture problems, other problems that may affect a child’s performance at school, number of cavities, and the teacher’s assessment of whether the child needed medical or dental care.

In 1990, the model was further improved upon to include the concept of a dependent variable and was run through a Software Application Support (SAS) statistical package, which is often used in social programmes, running the factors through a regression model. The dependent variable selected was ‘the teacher’s assessment of the need for food’; that is, ‘the teacher’s assessment of the child’s need for food’ became the response variable, or the factor that ordered and conditioned all the other relevant variables in the model. This variable, as a response variable, is highly subjective, and as such it was heavily criticized in all studies of the model that have been carried out until now (for example Pontificia Universidad Católica, 2000).

According to the studies, the teacher’s opinion about the number of children who need free food to be provided at school is not only a subjective

variable, but it also greatly exceeds the annual budget allocated for this programme. Even with an improvement in the country's economy, and levels of poverty that have been considerably reduced over the last ten years, the response variable using the teacher's opinion, year after year, has been yielding ever-higher school vulnerability index values, which has meant a continuous increase in the number of meals to be provided. This has meant that sharp adjustments have been needed, since the needs as defined by the model greatly exceeded the available budget. In addition, because of these adjustments, the vulnerability index figures for each school have been subject to considerable variation. In the 2001 study on focus (Pontificia Universidad Católica, 2000), three alternatives to the model were examined: (a) traditional logistical regression, using 'the teacher's opinion of the need for food' as the key variable; (b) traditional logistical regression, using 'the student health system' as the key variable, which clearly identifies situations of poverty; and (c) a switch to the principal components model. According to this model, unlike logistical regression, there is no key variable to order and condition all other variables. All variables are weighted equally, thus eliminating the conditionality and subjectivity inherent in the traditional model.

The results obtained for each alternative model were then compared with national poverty indicators from the 1998 *Encuesta de Caracterización Socioeconómica Nacional* (CASEN) (the National Social and Economic Survey). The result was that the principal components model showed a more accurate correlation with the CASEN index, which is why this model was selected for determining the programme focus for 2001.

The trouble with the logistical regression model is that it was using a biased opinion as its key variable, thus leading to distorted results. The advantage of the principal components method is that it is very difficult to skew results, since each variable is as important as any other. This, added to the fact that this model correlates closely with the CASEN regional index values, is why it was selected for 2001 and is expected to continue to be



used in subsequent years in order to stabilize IVE. The above-mentioned model and variables were used until 1999 to determine distribution for 2000. However, as from 1998, a series of studies on the model and its variables were carried out, leading to the introduction of socio-economic variables, which were included in the survey used to determine food distribution in 2001.

Ongoing evaluation of programme focus is an institutional management-monitoring task, which is carried out by analyzing data provided by CASEN, implemented by the Ministry for Planning and Co-operation (MIDEPLAN). According to the CASEN 2000 survey, 30 per cent of the indigent poor were not receiving meals from PAE. This moved JUNAEB to develop a technical tool that would improve its focus methods and thereby correct this anomaly.

Based on the assumption that a distortion of student focus was taking place within the schools, it was decided that there was a need to develop an easy-to-implement technological tool which could enable teachers to measure the vulnerability of their pupils (the selected predictive variables) more precisely and automatically calculate the points for each pupil, which could be easily ordered from highest to lowest number of points per pupil. Then, based on this list, the teacher charged with this duty would allocate the food rations granted to the school, based on IVE, and on the number of points corresponding to each student. It is important to note that this tool did not affect the calculation of the total amount of food granted to the school in accordance with its IVE. This pilot programme was launched in schools with an enrolment of at least 300 students in 2003, with its results being assessed during the year.

Nevertheless, at present, the teacher in charge for each school selects the students who will receive food rations, so JUNAEB has no control over the selection. To assist in this task, IntraFocus systems are being developed to calculate individual rather than school IVE values. Due to the great responsibility granted to the teacher in charge of administering SFP in each



school and to the high degree of subjectivity when it comes to selecting PAE beneficiaries,<sup>35</sup> over the last few years (as of 1998), JUNAEB has attempted to facilitate and render more objective the task of selection by training teachers to understand which factors indicate student vulnerability. It has also offered forms to be used in selecting and prioritizing students, with the aim of increasing transparency and standardizing the selection criteria that schools use in determining student focus, particularly in schools with large numbers of students.

Since 1981, the programme has been working mainly through private-sector suppliers on a contractual basis. JUNAEB regularly issues calls to tender for its food programmes through a public or private offer, depending on the situation. Technical and administrative requirements are drawn up, with which the selected companies must comply. The steps to be taken into consideration in the call to tender are: (a) that, initially, enterprises must register with the institution's suppliers' registration system, and, in order to so, must comply with specific requirements; and (b) that the enterprises must participate in the call to tender by presenting their financial proposals, their legal and financial papers, and their technical and nutritional project. All these are analyzed and translated into points for the evaluation.

It is important to bear in mind how complex the decision-making process is when it comes to this type of bid:

- This is a call to tender for school meals, administered by one institution (JUNAEB), which in turn is addressed to three institutions (JUNAEB, JUNJI and INTEGRA). Therefore, selection requires the conciliation of various institutional points of view.
- Every year, there is a call to tender for the supply of meal services for one third of the country for a period of three years, during which scenarios can change considerably given the long length of time in question. For example, the amount of food to be provided may change,

35. In the eyes of the teacher, all his or her students need food aid.

as well as the breakdown of what type of food is to be provided, due to alterations in nutritional requirements that may arise over the period.

- Beneficiaries are very different from one another (their ages range from 2 to 24), which means that the call to tender must include a wide variety of types of food and food services. For this reason, JUNAEB's team of nutritionists has defined a variety of products that must be costed by bidders. For example, a lunch comprising 850 calories for secondary scholars must comply with the established nutritional requirements and with requirements that certain foods such as meat, fish and vegetables be served with a certain degree of frequency; a breakfast comprising 350 calories for primary school students has its own requirements, etc. Thus, a bid from a prospective supplier must cover the geographic area in question and provide a price for each of the 168 products in question. A typical call to tender will receive approximately 4,500 such bids, which means that examining all the possible combinations is a highly complex task indeed.

Despite the large amounts of money and the high degree of complexity involved, until 1997 selection was carried out through a series of successive filters, based on financial and technical criteria, ruling out certain bids along the way. Given the sheer size of the call to tender, the solution finally selected was not optimal and, further, could easily generate undue pressure on the JUNAEB administering staff from bidding companies.

In order to ensure transparency in this type of deal, it is fundamental that adjudication be based on objective methods. This reduces the potential for undue pressure, and companies are obliged to compete solely on the basis of price and quality (Milgrom, 1989). To ensure this, in 1997, JUNAEB charged a team of engineers from the University of Chile to design and implement a new mechanism for awarding contracts for food services (Epstein *et al.*, 2001: 13-30)

A linear programming model with binary variables was designed and implemented to ensure optimal selection of the best bid. Indeed, a complete

linear programming model was designed to award contracts selected from the various bids offered. This model radically changed the nature of the procedure in three main ways: (a) it lent a high degree of transparency and objectivity to the entire process, thereby generating competition among companies; (b) it enabled bidders to put together offers that were geographically flexible, thereby highlighting economies of scale, and allowing for a more efficient allocation of resources; and (c) the model could determine the optimal solution, which is a considerable achievement, when considered that there were approximately 5,000 separate variables in question.

This new approach, in the framework of a new process for calls to tender, significantly improved the price-quality ratio for food provided and generated savings over three years of US\$40 million, which is equivalent to the cost of feeding 115,000 children over the same period. This tool was successfully used in the tendering of food for schools in 1997. The experience was repeated in 1999 and 2000. In the latter two years, the approach was improved adding greater flexibility. It thus became possible to analyze various scenarios which could arise in the course of the period in question (three years) and which would be defined annually, with a good solution found for each of the different possible scenarios. JUNAEB aims to continue using this approach in future calls to tender.

The steps in a call to tender are as follows:

- The country is divided into approximately 90 territorial units (*unidades territoriales*, TU).
- An initial call to tender is made, and bidding companies are listed and classified by JUNAEB in terms of administrative, technical, and financial considerations. This makes it possible, on the one hand, to eliminate those companies that do not comply with minimum reliability standards, and, on the other hand, to classify companies based on their capabilities. There are two possible classifications: (a) based on a company's financial and operational capabilities, it can be classified in

one of five different categories, considering the maximum number of territorial units it can cover; and (b) according to technical evaluations made, companies obtain an overall rating, which can be plugged into the selection model, as described later on in the text.

- Then, the public call to tender and its requirements are issued.
- Next, the suppliers (approximately 26) submit their offers, which include a technical description and a financial proposal. Bids are submitted electronically, via a diskette, which will receive a code. The name/code combination is listed with a notary, and by this means the programme selectors do not know to which company they are awarding a contract until the actual presentation of the award.

The technical description submitted by bidders is based on the specifications established by JUNAEB, which include: (a) nutritional requirements; different types of meals must comply with different specified nutritional requirements; (b) food structure, where the different types of meals (lunch, breakfast, etc.) are listed, with the minimum and maximum frequency requirement for certain foods, and the minimum variety requirements from meal to meal; (c) the ingredients and minimum quality requirements; and (d) infrastructure requirements – furniture, equipment, utensils and plates, etc.

JUNAEB determines whether or not each company complies with the technical specifications. The bids that successfully pass this test remain in the competition and compete by bidding with relation to their financial proposal. The call to tender complies with the World Bank recommendations for ensuring transparency: First, technical barriers are set up to ensure that minimum requirements are fulfilled, and then awards are based on the price. Stepping up the technical requirements can regulate the quality of service. Each bid submitted by would-be contractors covers a territory ranging from 1 to 8 TUs, thereby safeguarding the maximum limit allowed by its classification. Bidders may submit as many bids as they wish, and each bid is accepted or rejected as a whole. This means that bids cannot be accepted

piecemeal. If a certain bid from a company is accepted, this means that the company must provide all of the meal services in all of the territorial units included in the bid.

In allowing bids to cover a set of TUs, the intention is to take advantage of the economies of scale that companies can have by providing a larger number of services. For example, the price of an offer covering TUs X and Y will most likely be less than the sum of the prices of separate offers for X and Y individually. Economies of scale arise for a variety of reasons: Nearby TUs may share infrastructure; there may be volume discounts for the purchase of ingredients; transport may be made more efficient; better use may be made of staff; etc. In general, companies tend to submit many different bids, ranging from very small ones, covering only one TU, to much larger ones, covering several TUs. The use of mathematical instruments has provided an optimal solution for sorting out the complex problem of so many different combinations. They have made it possible to take advantage of companies' existing economies of scale, thus reducing the total cost of the contract.

In each bid, companies must price the 168 different products selected by the JUNAEB, JUNJI, and INTEGRA team of nutritionists. First, given the different services to be provided, there are 30 different types of meal. Each meal has been clearly defined by JUNAEB's team of nutritionists, indicating the number of calories it must contain, the nutritional requirements, and the frequency with which certain types of food must be served. In each bid, a company must offer a specific price for each of these products.

The prices offered are based on 100 per cent demand, i.e., where the planned number of meals is in fact consumed. In addition, companies ask for a higher, per-meal price if demand falls to 80 per cent, and an even higher per-meal price if demand falls to 60 per cent. This way, companies are protected against the risk that reduced demand would expose them to (due, for example, to a teacher's strike, or an epidemic), and thereby minimizing the prices they can offer on the basis of 100 per cent usage rates, which, after

all, is the most relevant and likely scenario. On the other hand, companies may offer a discount should demand exceed 104 per cent as a result of an increase in the number of students or of a lengthening of the school day. The discount applied is a flat percentage per meal.

In sum, a price bid includes: (a) the territorial units to be covered; and (b) the prices for each of 30 different types of meal for which each territorial unit establishes specific caloric requirements. For each of these meal types, prices are quoted on the basis of three different food structure alternatives (Type A scenarios). In addition, meals provided for JUNJI and INTEGRA are included; for each meal structure mentioned above, three different prices are quoted, one for each level of demand. In addition, a discount is offered per meal if demand increases (Type B scenarios).

The total cost of a bid, given a particular food structure and level of demand, depends on the number of meals of each type that are to be provided in each TU, which in turn depends on the number of children in school. JUNAEB's team of nutritionists came up with two different combinations of the number of meals of each type to be provided in each TU that are called 'maestros' (i.e. Type C scenarios).

For a given maestro, and given the 168 prices in a bid and the TUs covered, it is possible to calculate the total cost of a bid for a given food structure and level of demand. To do this, it is necessary to multiply the unit price of each product by the amounts established in the maestro, and add up the total. For example, in the 1999 call for tender there was a need to select a combination of bids (out of a total of approximately 4,500 bids) to cover all the territorial units at a minimum cost. The optimum selection can be determined by using the following two objective approaches: (a) considering only the cost incurred by JUNAEB; and (b) considering the total cost to be incurred by all three institutions together – JUNAEB, JUNJI, and INTEGRA (Type D scenarios).



The total company qualification rating obtained by the technical evaluations can be considered in the selection as follows: the bid prices from the most qualified companies are reduced by a factor, thereby giving them an advantage in selection over and above less qualified companies. In addition, account is also taken of optimal combinations both with and without adjustment in the amount of the qualification factor (Type E scenarios). Furthermore, additional restrictions should be taken into account, in order to decrease the selection risk such as the following:

- To avoid excessive concentration, which ultimately makes the programme more vulnerable, the maximum number of TUs that can be assigned to a single company is limited. Each company has a different maximum depending on its financial and operational capabilities.
- Similarly, to promote the diversification of the system, there are a maximum number of bids that can be accepted for a single company (Type F restrictions).
- There are a maximum number of companies that can be assigned to each geographic region in the country in order to simplify JUNAEB's administration of control and supervision mechanisms (Type G1 restrictions).
- On the other hand, the minimum number of companies per region is restricted in order to take into account unforeseen events. Thus, should any of the companies go bankrupt for whatever reason, its functions can be temporarily taken over by another company operating in the same region (Type G2 restrictions).
- Only bids that fall within a specific price band are considered, thereby eliminating extremely low bids that would appear to be unrealistic. This might be the case for a company that has underestimated its costs, hoping to be awarded the contract on the basis of such a low offer. Such extremely low-cost bids would result in a reduction in quality, and the company might not fulfil the terms of the contract, which is a situation that JUNAEB would prefer to avoid (Type H restrictions).



The optimal award can be determined by including or not each of the above restrictions (F, G and H) in order to quantify the monetary cost associated with choosing a given bid. Only the restriction governing the maximum number of territorial units is always applied. In addition, account is taken of the different possible scenarios resulting from different food structures (A), levels of demand (B), the two maestros (C), the two objective functions (D), and the qualification rating (E). In this way, by calculating the intersection between all possible variations (some do not exist), 704 scenarios are generated for analysis, as can be seen in *Table 15.2*.

**Table 15.2 Possible combinations**

Variations	Description	Number of alternatives
A	Different food structures	3
B	Levels of demand (100%, 104%, 80% and 60%)	4
C	Two maestros	2
D	Objective approach (JUNAEB alone, or all three institutions)	2
E	With or without taking into account company qualification ratings	2
F	With or without considering the maximum number of bids per company	2
G	With or without considering the minimum number of companies per region	2
H	With or without ruling out bids falling outside the price band	2
TOTAL		704

## Definition and implementation of a linear programming model

To determine the optimal solution for each of these scenarios, a linear programming model was made with binary variables. A binary variable is set for each bid in which the decision is either to accept the bid or not. In addition, an auxiliary set of binary variables is used for restrictions that limit the number of companies per region. Thus, the model comprises 4,600 binary variables.

There were 704 applications to be solved by the model and, given time constraints, it was important that each application be calculated as quickly as possible. Therefore, and given the high degree of complexity involved, restrictions were added to the model in order to strengthen the linearity of its solution: First, cuts, known as ‘packing’, were added to render the entire problem more linear. In addition, in certain cases a set of restrictions was decoupled. This strengthening technique, often used in unqualified allocation models, yielded an ‘expanded’ model, with more relaxed linearity than the original but which was larger. The idea was that the ‘expanded’ formulation required fewer iterations in the phase of ramification and limitation, but each iteration became more and more time-consuming due to the sheer size of the model. This approach was used for the most difficult cases, with good results.

The model was programmed in FORTRAN 90, and solved using the CPLEX computer programme on a Pentium III processor. The 704 applications were solved, each in less than three minutes. ‘Packing’ cuts were necessary, and, in some cases the expanded formulation was also necessary. This enabled JUNAEB’s Adjudication Committee to evaluate different scenarios as well as differences in quality and the strength of solutions. For example, the total cost of increasing the quality of meals could be calculated. To do so, the value of the objective function was calculated, and also its impact on the scenarios arising from the different food structure alternatives (A). The cost of providing new types of meals with a higher calorie content was calculated by examining the optimum solutions of the two maestros (C).

To compare the optimal solutions under the two objective functions (JUNAEB alone, or all three institutions together), the cost to JUNAEB of including JUNJI and INTEGRA in the call to tender was found (D). At the same time, the cost to JUNAEB of optimal solutions, and the cost to the other two institutions were calculated. These figures are highly significant, since they enable the various institutions to determine whether they are

within their budgets or whether they need to ask the government to increase the budget in question.

In addition, it became possible to know how much a less risky choice involving more qualified companies (E) was worth. It was also possible to calculate the incremental cost of limiting the number of bids per company in order to diversify the system (F). Thus, the cost of limiting the number of companies operating per region was calculated (G), as well as the associated cost of eliminating bids that fall outside the price band (H). The objective was to implement a satisfactory solution for the various scenarios under analysis. In addition, it is useful to note how good the solution based on different food structure alternatives is, since selection can be made on the basis of a given food structure one year, and then be changed the next.

These calculations were computed through the construction of tables of statistical data with solutions to the various possible steps in the model. This information was studied by JUNAEB's Adjudication Committee to determine how to award a contract.

First, the committee decided that the objective function it should use was the one that included all three institutions, since they wanted to maximize benefit to society rather than the interests of one institution in particular. Then they decided only to examine solutions corresponding to Maestro 1 and the two food-structure alternatives, since the rest significantly exceeded the institutions' budgets. This reduced the number of situations to be examined to 128. Then, two alternative menus were compared and the cheapest was selected, which meant a saving of approximately US\$2.5 million per year. The Adjudication Committee decided that the cost differential was too high, considering that the menus were not significantly different in quality.

Then it was decided that the institution was willing to pay more for more qualified suppliers. For only 4 per cent more, a solution was found awarding contracts to companies that were, on average, 40 per cent more

qualified, which was highly convenient. It was also decided that they should restrict the number of bids a company could offer, and also limit the number of companies operating in a given region. The additional cost of these two requirements was US\$800,000 per year, which they were willing to pay. Finally, it was decided to disregard the price-band restriction, since only two bids fell outside of the price band for the solution decided upon, and the cost was approximately US\$1 million less than the cost of a solution within the price band. Thus, a selection was made that included nine companies, with a total yearly cost of US\$60 million for the entire system, and a total cost of US\$45 million to JUNAEB. The solution found was optimal for a level of demand set at 100 per cent. However, it was found that it remained a very good solution at other levels of demand, and even under other food-structure alternatives (it was less than 0.1 per cent of optimum for the two other scenarios).

The entire process, which included the evaluation of each scenario and the preparation of statistical data, had to be carried out in one week due to the legal time constraints that applied.

## Effects of the use of the model

The use of a mathematical model to determine the choice of bids for the provision of food services, together with other measures intended to improve JUNAEB's management, led to a series of significant improvements. This can be seen when comparing the call to tender of 1999 (chosen through the mathematical model) with the one it was to replace of 1995 (chosen without the improvement of the quality of nutritional intakes, the nutritional structure of rations, the infrastructure of food services and conditions of food handlers at schools). Although, taken together, all these improvements represented a cost increase of 24 per cent with respect to 1995 (in real terms), the price of the average meal increased by only 0.76 per cent. Based on past trends, a price increase of at least 22 per cent would have been expected. If we consider the three years covered by the call for tender, the savings amount

to approximately US\$40 million for the entire period, which is equivalent to the cost of feeding 115,000 children for three years.

JUNAEB has increased its coverage rates from 870,000 children in 1995 to 1.2 million children in 2000. In addition, according to several surveys, student satisfaction with the quality of food has remained high. Finally, it should be noted that 1997, when the mathematical selection model was introduced, marked a sharp improvement in the tendering process. Indeed, despite the fact that JUNAEB's budget shrank by 1 per cent compared to 1996, student coverage actually rose by 8 per cent (Córdoba, 1999).

*Table 15.3* shows a comparison of bids for 1995 and 1999 in terms of nutrition, food structure, food-service infrastructure, and working conditions for food handlers in schools. Improvements can be found in every area.

Use of the mathematical model to make selections led to improvements and savings because:

- It is an objective and transparent decision-making model, which reduces the possibility that the companies involved may exert undue pressure. Indeed, the mechanism enables decisions to be made more objectively, and the results obtained are completely repeatable and can be demonstrated to the public when necessary;
- It is a fair, impartial, and trustworthy selection method, which generates competition between companies, rendering them more efficient and productive. Thus, companies improve the quality of the service provided, and at a better price, while ensuring profitability. Indeed, average company profitability on sales increased from 3.2 per cent in 1995 to 4.9 per cent in 1999. Average income-equity ratios increased from 28 per cent in 1995 to 38 per cent in 1999, which reflects increased investments made by companies;
- The model optimized the formulation and resolution of the combination problem generated by allowing offers to take the form of packages of TUs. Thus, it was possible to capture and take advantage of economies

of scale obtained by companies in the form of transport savings, volume discounts, and so forth;

- For each scenario, the combination of bids that minimizes costs is selected, while complying with all restrictions. Indeed, a manual selection would have yielded a selection that is 2 per cent worse than the optimal solution, which can easily occur if the appropriate decision tool is not used. The loss incurred would reach US\$3.5 million, which is equal to the food rations of 30,000 children for one year;
- Using the mathematical model, it is possible to arrive quickly at optimal solutions for various different scenarios. In this sense, the statistical information tables based on the solutions to the various applications of the model were extremely helpful in finding the solution, especially at the meeting of JUNAEB's Adjudication Committee. Indeed, this information enabled them to assess the costs and benefits inherent to a given scenario. They were then able to determine the cost of the various solutions to each of the participating institutions, and the cost to JUNAEB of including JUNJI and INTEGRA in the call to tender. It also identified the cost of imposing certain operational restrictions such as price bands and requiring the selection of higher-quality companies. The cost of offering menus with a better food structure was also assessed. In addition, the strength of the solution was verified in comparison to other food structure approaches and at different levels of demand.

Thus, the solution selected is optimal in terms of quality versus price, and it stands up to different possible scenarios, which is very important in a problem as complex as this where large amounts of money are involved.

**Table 15.3 Comparison of tenders, 1995 and 1999**

Area		1995	1999
Nutrition – nutrients – (Meal B700)	Maximum fat content	30%	10%
	Saccharose	non-specified	Maximum allowed: 25 grs
	Vitamin C	19.8 mg	45 mg
	Calcium	264 mg	400 mg
Food structure	Milk products	50% milk, once a week and a milk substitute containing 30% milk, 4 times a week	50% milk, once a week and a milk substitute containing 30% milk, once a week
	Meat	Ground beef 4 times a week (20 g)	Meat six times a month (40 g)
	Fruit	4 times a week	6 units of fresh fruit per month, plus two cans of dehydrated fruits
	Salad	optional	6 times a month (60 g)
	Bread Cookies	optional optional	3 times a week, for breakfast Once or twice a week
Infrastructure		Additional infrastructure compared to 1995: 1. Refrigerator/freezer 2. Range hood 3. Stainless steel/enamel dishwasher 4. Lights 5. New dishes at the start of the programme.	
Food-handler situation		Improved with respect to 1995 in the following ways: 1. A real increase in salaries of 41.5% 2. They all receive taxable vouchers 3. Every quarter they are required to obtain a Work Inspection Certificate, indicating updated and provisional employment status.	



The clearest proof of the success of this application is the fact that it will continue to be used in future calls to tender. One essential aspect that must be emphasized is that, in practice, this method can be applied to all future calls to tender, whether in this area or similar areas. In addition, the very fact that the method has been used repeatedly has enabled improvements that have made the system more sophisticated. This has helped to make the model more manageable (taking advantage of the flexibility engendered by the submission of numerous bids), using a restriction that ensures the diversification of contracts awarded.

This is an example of a successful application of operations research in an area with a high social impact. In developing countries, state-run social programmes represent a significant proportion of a country's national budget. Operations research professionals can be of great help in this respect, which is why it is so important to spread the news of how useful these mathematical tools are when it comes to making high-level decisions in this type of institution.

## Summary of present procedures and areas of control

In summary, the current approach to procedures and areas for control can be summarized as follows:

### *Steps in the call to tender*

- Step 1: Financial analysis and analysis of company structure.
- Step 2: Analysis of the capabilities of companies currently operating in the system over the last two semesters. In the case of a new company, a visit is made to the company premises.
- Step 3: Analysis of the technical specifications presented.
- Step 4: Analysis of the cost of the bids submitted by those companies that have satisfactorily passed the previous step.
- Step 5: Final award, the determination of which is calculated by using a mathematical model, together with other factors that must be taken into

consideration, to be defined by the Technical Adjudication Committee. These factors may include, *inter alia*, the concentration of supply in the region and the vulnerability of the food service. The committee is set up solely for this purpose and its membership is comprised of persons widely recognized as experts in the field.

### ***Contractor obligations***

Currently, service suppliers must:

- Prepare and serve meals consisting of: breakfast or snacks, lunch and dinner, depending on the level of education dispensed in the school in question.
- Possess the necessary equipment for preparing food and serving it to students.
- Provide the school with the necessary food-handling staff and be able to replace them in a timely fashion should they be absent.
- Maintain infrastructure.
- Provide guarantees or pledges to ensure that the terms of the contract will be fulfilled, and prevent any harm to students through food poisoning due to ingestion of food unfit for consumption. This has increased the diversification of the services companies provide, since they no longer ensure distribution alone; they must also make sure that the school facilities possess the necessary infrastructure. This implies a need for efficiency on their part, which does not leave it in the hands of the schools and JUNAEB alone.

## Areas to be monitored in the operation of the school feeding programme

Currently, the following variables are monitored under the SFP:

- Quality of the service provided: equipment and hygiene in kitchens and dishes and utensils used in a school cafeteria. Such checks also include use of appropriate clothing and cleanliness among food handlers.
- Quality of nutrition, chemical and micro-biological criteria, the presence of parasites, organoleptic evaluation of foods provided under the SFP.
- Size of portions served. This check verifies the amount of nutrients contained in meals served to students, and examines the possible risk of contamination. The contents of a typical food tray are analyzed in a laboratory.
- Student acceptance/rejection of food products and preparation, based on information provided by the students themselves or by the teacher in charge of the SFP at the school.

The method used consists in obtaining random samples from schools, which are visited without notice. In the specific case of the SFP, an instrument known as the ‘Supervision form’ is used to enable JUNAEB to compile data and evaluate programme results.

## Roles of participants

Checks under the food programme are carried out by various participants (JUNAEB supervisors, directors, teachers, specialized laboratories, etc.), each one with a specific role to play:

- The school principal: must approve the school’s ‘Monthly food service certificate’.
- The teacher in charge of the SFP: must certify whether each day’s meals were served completely, incompletely, or not served at all. In

addition, he/she must vouch for the quality of the service provided by the company, detecting unresolved problems, and ensuring that food-handling staff prepares meals properly. He/she must also select the children who will be included in the programme.

- The contracting company must supply the meals as required by the established contractual arrangement, providing food in accordance with the amounts, quality and hygiene conditions stipulated in the contract.
- The school must provide the necessary infrastructure so that meals can be served to beneficiaries, and must monitor the service provided.
- Laboratories must test the meals served and ensure that they comply with the purported nutritional claims and that they fulfil the technical specifications stipulated in the applicable texts to the degree claimed. Laboratory analysis, denominated 'Sample of meals served' verifies whether food served on trays to students does in fact contain the nutrients required for the students' needs, and whether they fulfil the requirements JUNAEB included in the specifications for the SFP required of food providers.

## Remaining challenges

JUNAEB uses forms to be filled out manually regarding the control of the quantity and quality of the meals that the SFP delivers daily. These forms are filled out by the teachers in charge of the SFP and they are records of the quality of the food served in their school. The extent of the coverage (approximately 800,000 meals per day) of the SFP and the number of qualitative criteria to be verified under it, in addition to the voluntary nature of teachers' work, means that the current approach is not reliable. JUNAEB cannot be certain that records are indeed kept daily, not to mention the fact that information does not always arrive in time for relevant decisions to be made. Statistical analysis carried out by JUNAEB on programme compliance shows that an estimated annual saving of over 5 per cent of the total cost of the programme could be achieved through correct certification

and payment of the meals actually served. This figure is highly significant, considering that the total annual cost of the SFP is US\$70 million. In order to increase efficiency, it would also be necessary to make changes in the way payments are made. Traditionally, a payment system for each contractually stipulated meal served has been used. This has been replaced by a system where payment is based on the meals actually served.

If correctly implemented, payment based on meals actually served would yield savings. However, such a system requires accurate record keeping. Reception of records and their subsequent computer input and processing keep track of how many meals need to be cancelled. However, there is a two-month payment lag. Contractors are paid in advance, and adjustments are made once the real data has been processed. In addition to the lag, some studies commissioned by JUNAEB have detected inefficiencies in the use of the records system. Although JUNAEB records indicate that the programme covers 97 per cent of the vulnerable population, the CASEN survey has demonstrated that the real figure is only 95 per cent. It would seem that there is a need to search for alternative solutions that would improve the control of JUNAEB's school feeding service in participating schools.

Various alternatives have been examined to better control meals served and ensure that in future the selected child is in fact the one receiving the food. The solution examined in greatest depth is the Smart Card, for which a pilot study was actually carried out in 2000.<sup>36</sup> This study was carried out in two schools and helped define a flexible and efficient technological control system through the use of a card used to monitor access by beneficiaries to the food service provided by JUNAEB. In theory, such a system allows for the immediate capture of information, together with easy access to school cafeterias, so that it can be determined exactly what has actually been served, and at the same time provide this information within the period

36. Liceo Rafael Sotomayor de Las Condes and Liceo Valentín Letelier de Recoleta (Secondary schools).

required by JUNAEB. It can even be provided on a daily basis. Given that this technology records user information individually and instantaneously, it could also help optimize programme focus.

Compared to the previous system, the system under consideration would: (a) free the teacher in charge of the programme from day-to-day record keeping for the SFP; (b) strengthen JUNAEB's ability to supervise programmes (by dispensing staff from revising SFP certificates); (c) avoid the outsourcing of data input and its subsequent revision that would be time-consuming and cumbersome, which also means that associated administrative tasks would be streamlined; and (d) avoid having to overpay suppliers, since paying after the corresponding dates means covering price index increases.

Although the initial results of this study were positive, it was necessary to test the system on a wider scale, through a pilot study, in order to take a final decision as to whether it could be used nationally. During 2003, this method of control of the SFP was tested in nine schools covering 4,000 student beneficiaries in the Santiago Metropolitan Area in order to quantify how many meals were actually served and how much this approach would save compared to the previously used manual controls.

The pilot study left doubts as to the savings that could be derived from the new system (students kept losing their cards, or broke them, requiring replacement); there were problems with the system operation, because it required a computer with an Internet connection to be set up in each school. To extend such a practice throughout the country did not seem a viable alternative.

## Conclusions

- JUNAEB's experience demonstrates that it is possible to make constant improvements in the efficient use of resources as well as in the transparency of procedures and results.
- One has to underline the potential of mathematical tools for decision-making in public institutions, which allow for reductions in the possibilities of corruption.
- The wide variety of enterprises and the competition generated between them in relation to services means that the enterprises have to be efficient, thus reducing the pressure on schools and on the institution itself.
- If we are to make serious improvements in education in our countries, we must inevitably tread the road to the modernization of our systems and increase transparency, which is an unavoidable duty of public institutions.
- The possibilities offered by seminars, such as those organized by the IIEP, as well as the subsequent dissemination of results mean that experiences can be shared among countries, making it possible to avoid the wasting of resources inherent in experimentation. We can learn from the experience of others and adapt the lessons learned to the realities of each country.
- JUNAEB officials and professionals are available and anxious to set up a network for collaboration between developing countries in order to facilitate mutual exchange and advice.



## 16. Partnership for a transparent society in Ukraine

*Oksana Orodiuk\**

Ukraine is perceived as an extremely corrupt country. According to a national survey conducted by the Partnership for a Transparent Society Programme in April 2003, the vast majority of Ukrainians (86.2 per cent) consider corruption to be widespread in Ukraine. Of the respondents, 62 per cent think that the level of corruption in Ukraine has increased over the past five years. The perception index of Transparency International, developed to evaluate the level of corruption in the world, ranked Ukraine as 111th of 133 countries. The general perception that corruption is prevalent translates into concerns regarding corruption in specific institutions and processes. Medical institutions lead the list of those considered most corrupt (32.7 per cent), followed by small and medium enterprises (18.8 per cent), education (15.2 per cent) and municipal services (15.0 per cent).

These alarming statistics testify to the problem of corruption in the country. Partnership for a Transparent Society is a project of Development Alternatives, Inc. (DAI), funded by the United States Agency for International Development (USAID) and designed to address issues of corruption and transparency in Ukraine through empowering citizens to exercise stronger social control over the government's actions. The programme activities are aimed at increasing citizen participation in political and economic decision-making; establishing an ongoing dialogue between the public and local authorities; educating citizens about their rights and ways of tackling corruption to improve the welfare of their communities.

The programme supports coalitions of NGOs in ten regions of Ukraine by providing resources to open Citizen Advocacy Offices (CAO)

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and telephone hotlines where any person can receive legal advice free of charge. The programme conducts public awareness campaigns, holds public hearings, round-table discussions, organizes press conferences and conducts public opinion surveys to raise public awareness about the negative impacts of corruption. The cities where the programme works represent most of the regions of Ukraine. The coalition-building strategy has proven to be highly effective. Currently, close to 150 NGOs participate in the programme. Coalitions include NGOs for students, human rights, associations of small- and medium-sized enterprises, legal activities, journalists, social services and women. Working together, these organizations share resources and strengthen each other. As a result, a coalition of NGOs can achieve higher effectiveness and more tangible outcomes in tackling corruption than any single NGO. The underlying principle is that there is strength in numbers, strength in unity.

The partnership provides the NGOs with the skills training to take on leadership roles, become advocates of their rights, engage in dialogue with local officials and form partnerships with those officials to promote better governance, and thereby work to improve transparency and accountability in their cities and towns.

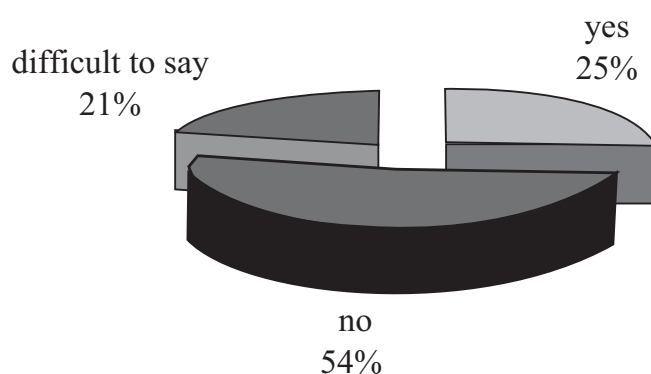
Every year the partnership conducts a national public opinion survey with a focus on the cities where the programme works. This is done to understand the public's perception of and to try and distinguish the most corrupt spheres in the communities of Ukraine. Coalitions of NGOs develop their strategic plans based on the findings of the research, trying to address the most pressing problems in their communities. In 2003, five out of ten coalitions selected corruption in education as the priority area for their anti-corruption activities. Other fields of specialization included corruption in business regulation, medicine and land privatization.

## Corruption in Ukraine

The annual survey conducted by the Partnership for a Transparent Society in April 2003 demonstrated that a huge majority of people in Ukraine consider corruption a serious problem that needs to be addressed immediately by national and local authorities as well as the public. A considerable proportion of Ukrainians (62 per cent) faced corruption or bribery themselves or have relatives who have encountered corruption. At the same time, 12 per cent of respondents were faced with corrupt actions on a continuous basis.

While the majority of Ukrainians believe that corruption is widespread, they do not simply accept it as a fact of life in Ukraine. Moreover, the overwhelming majority (72 per cent) of Ukrainians believe that citizens should be more actively involved in the process of fighting corruption through non-profit organizations. At the same time, only 25 per cent of Ukrainians were willing to participate in specific anti-corruption activities.

**Figure 16.1 “Are you personally ready to participate in various events of NGOs aimed at fighting corruption?”**



The survey found many interesting contradictions that provide anti-corruption programmes with useful information in order to elaborate their approaches when addressing the problem. On the one hand, most people in Ukraine (78 per cent) believe that corruption has a negative impact on their

lives. This negative impact is reflected in lower living standards, a loss of confidence in the government, an ever-increasing gap between the rich and the poor, officials' abuse of their offices, the proliferation of criminal groups and the economic ruin of the state. On the other hand, most people continue to participate in corruption by paying bribes. For example, in the face of corrupt actions only 8 per cent of Ukrainians tried to resist, appealing to state or law enforcement agencies (5 per cent) or to NGOs or mass media (3 per cent). Every second citizen either searched for connections that could help (25 per cent) or gave a bribe (22 per cent).

This shows that the problem can be addressed by initiating public discussion and forming an atmosphere of resistance to corruption in society. The anti-corruption activities should be aimed at strengthening the understanding of the role every citizen can play in solving the problem and, as a result, in improving his/her life.

While people in Ukraine believe that the national government is one of the most corrupt institutions in Ukraine, they still view it as a powerful weapon for fighting corruption. They also see important roles in that fight for citizens in general as being played by NGOs, the courts and the media.

This survey clearly underlines that there is a need to strengthen the NGO sector and enhance its role in society. In addition, the survey findings show that NGOs should better inform the public about their activities and their importance for their community's well-being. The public is not yet convinced that their efforts can foster changes. They need some positive examples, strengthening their belief that citizens can participate effectively in fighting the problem.

The group of willing participants is a significant base upon which to build a constituency for NGO efforts of the sort being undertaken by the partnership against local level corruption. The issue to be faced is how to identify and mobilize these potential participants. In this connection, the survey discovered that such measures as increasing the transparency of

government decisions, regular public polls on the status of corruption, the organization of public hearings and the promotion of dialogue between citizens and local authorities are all measures in which respondents felt they could participate to fight corruption. Those interviewed also attached great importance to the process of increasing transparency in society to civic education on legal rights (61 per cent), availability of citizen advocacy offices (54 per cent) and hotlines (53 per cent), as well as information campaigns in the mass media (48 per cent).

## The partnership's strategies to combat corruption

### ***Focus on NGO development and coalition-building in various regions of Ukraine***

This strategy is aimed at strengthening various NGO members of coalitions through: (a) information and the sharing of knowledge; (b) building initiatives for action that are based on the concerns of local communities as expressed through surveys, citizen issues and complaints from hotlines and citizen advocacy offices as well as the consensus of the member NGOs that form the local coalitions; (c) encouraging successes that serve to reinforce efforts to promote transparency and accountability and increasing citizen involvement by demonstrating that results are possible; and (d) building more productive co-operation with the local authorities that take coalitions of NGOs more seriously than one single NGO. For example, in five of the partnership's coalitions, NGO leaders were invited to be advisers of some departments in the city councils. In two cities, they formed public advisory boards to advise city councils and to consult the Department of Education.

NGOs that are members of coalitions form a network that can provide services that are more effective to the public. The NGOs have their specializations. As a result, they can address a larger range of problems. For example, hotlines can refer people to CAOs where they can receive more extensive legal protection, including representation in the court. The most

controversial and demonstrative cases are reported in the local press through press clubs or associations of journalists who participate in the programme or through the newsletters of the coalition. The youth organizations disseminate anti-corruption flyers or educational materials on human rights in schools and universities. The network of NGOs facilitates access for appealing to larger and more diverse audiences.

NGO members distributed their duties regarding the coalition's activities, developed regulations on mutual co-operation, determined specific responsibilities of member organizations and individuals. Specific regulations regarding equitable membership in coalitions were also developed. Coalitions conduct their meetings on average once a month. During such meetings, coalition members discuss programme implementation, make decisions regarding their activities and talk about their effectiveness.

The most important result achieved at this stage is that the NGOs have learned how to co-operate and work together in implementing common goals and missions. Local NGOs complement each other.

***Focus on public awareness campaigns to start a wide public discussion in society and to attract public attention to the problem***

Even though a significant number of Ukrainians face corruption every day and participate in it, not so many people know how to resist it, or how to protect themselves when somebody requires a bribe to be paid in order to resolve the problem. Although most respondents consider the problem pressing, urgent and destructive for Ukrainian society, there is no ongoing public discussion in the community. The public campaigns conducted by the coalitions are aimed at showing means of increasing transparency and accountability. They teach people how to protect their rights and interests and spread information about those organizations that can help when corruption is involved.

Every year the results of the partnership's national public opinion survey are made public in regional press clubs in every coalition, to attract



mass media attention to its findings and to show the extent of the problem. They are usually followed by numerous publications, radio and television programmes.

***Focus on co-operation with the local authorities to increase understanding between the NGO sector and local government and improve the NGO role in its decision-making process***

There is a clear need in Ukraine to democratize the decision-making process to increase its transparency and the involvement of its citizens. In addition, there is a lack of understanding of the goals and objectives of the NGOs by the local officials, who very often treat these organizations with hostility. In order to change the stereotypes of local officials, local coalitions hold public hearings demonstrating that authorities have to serve public interests and know about them through listening to various opinions and other points of view.

***Focus on the young generation of Ukrainians who tend to tolerate corruption more willingly than the older generation***

According to our findings and to the results of other studies conducted by various international organizations, there is a growing tolerance of corruption among young people. They treat a bribe as a quick and effective way of solving problems. Such a rational and pragmatic approach by the new generation towards life and its tolerant attitudes towards bribery drastically decrease the possibility of overcoming this phenomenon in the very near future. Attention should be paid to far-reaching educational campaigns in schools to change the perception of the problem among children.

It is not possible to catch every corrupt official or bribe-taker, but it is possible to create an environment in which it would be extremely shameful to offer a bribe, or to accept it. This is an overall aim that we pursue in our strategies and activities.



## Corruption in the education system of Ukraine

Most educational institutions in Ukraine are financed by the state budget, which only covers their basic needs. The salary of university professors in Ukraine is below the minimum needed for a decent standard of living. As a result, the profession is losing its prestige in society. The most educated teachers are leaving the field of education to seek better employment opportunities in business or in other better-paid sectors of society. Those who stay in education try to make ends meet by demanding unofficial payments from students during entrance or course examinations. This situation has made education one of the most corrupt areas in the country. According to the partnership's national survey, 73 per cent of Ukrainians believe that corruption is widespread in the Ukrainian education system.

Another study conducted by the partnership specifically among students demonstrates that in all types of schools of higher education more than a half of the students had to solve their academic problems by means of a bribe (from 56 to 60 per cent of the respondents). The survey shows that the highest occurrence of bribes is registered during examinations (38 per cent) and tests (31 per cent). In addition, retaking a test is also a reason for bribery (19 per cent). Bribes are given in several other cases: to solve problems in relation to the dormitory (10 per cent), to present a term paper (9 per cent), and to avoid possible expulsion (6 per cent).

It is always difficult to determine the initiator of a bribe, although the responsibility can be shared by both parties. According to survey results, 32 per cent of the students were 'pushed' into bribery by persons who requested a bribe: 17 per cent of the respondents admitted that a particular hint was dropped and 15 per cent of students said that they were told in a direct manner to pay a bribe. At the same time, many students (68 per cent) paid a bribe of their own free will. The survey results show that very often students provoke corruption in order to get better grades or to be able to do less work. A number of students thus support and encourage bribery. In

addition, students tend to support their teachers who are forced to accept bribes because of the low level of remuneration received.

Despite the spread of corruption in education, a large proportion of students (87 per cent) consider bribery a negative phenomenon and realize it has a negative impact on the quality of education and the development of society.

### The system of entrance examinations as the most corrupt part of the educational process

The system of entering universities is considered the most corrupt procedure in the educational process. Nowadays, entrants must pass oral examinations, during which they have to answer a few questions. They are not recorded, and there is no way of finding out which answers the entrant provided and how they can be compared to the answers of other entrants. Of the respondents of the survey conducted by the International Renaissance Foundation (IRF), 63 per cent consider the current system of evaluating the knowledge of entrants as highly subjective, and not in the least transparent. The majority of people think that the system should be reformed and replaced by a system of external standardized testing. The current system is undermining the principles of equal access to higher education and honest competition.

Currently, IRF implements a project called the Testing Technologies Centre (TTC). The project has been in operation since 2002 and has the objective of setting up a system of external standardized testing in order to create conditions for equal access to higher education and to monitor the quality of education in Ukraine. IRF considers TTC's activity as a means of improving the quality of the Ukrainian education system and as a concrete step towards fighting corruption in education. Currently, the project is developing a normative basis for the conduct of external testing. The ministry provides support within the framework of the experiment on external testing. The results of the experiment were due to be summarized

by the end of the year 2004. In the case of positive results, MOE foresees the possibility of moving completely towards a testing at the time of entrance campaign, and accepting in two years about 90 per cent of the students through a system of external testing.

**Table 16.1 Distribution of answers to the question “What circumstances led you or your relatives to face corrupt officials?”**

Circumstance	Valid percentage
Entering university/college	23.4
Illegal highway police actions	20.7
Refusal to issue documents at a local authority office	19.6
Getting a new job through personal contacts	16.6
Illegal police procedures	16.4
Getting an apartment/flat	6.7
Illegal court decision	6.2
Rejection of a business licence	4.3
No, neither myself nor my relatives ran into such situations	17.2
Other	12.6

## Students' views on corruption and strategies to enhance transparency

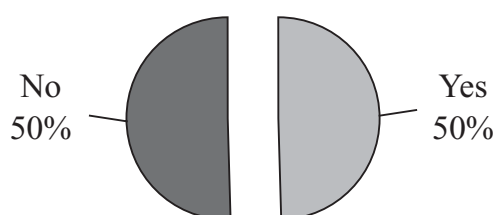
According to the survey conducted by the Partnership for a Transparent Society in 2003 in the students' community, the majority of respondents (60 per cent) believe that an increase in teachers' salaries would be the most efficient way to solve this problem. Such a viewpoint is probably connected with students' perception on why teachers take bribes: that they are forced to do it because of the critical social and economic situation in the area of education in Ukraine.

The second most effective method to overcome corruption in this field is broader coverage of the problem in the mass media. Of those interviewed, 43 per cent believe that such efforts will contribute to a decrease in corruption

and bribery in schools of higher education; 40 per cent of respondents think that payment for education by future employers is also an effective way to overcome bribery; another 40 per cent of respondents voted for the establishment of strict controls over bribery. In addition, respondents believe that citizens themselves can reduce the spread of corruption by refusing to pay bribes. This concept is shared by 29 per cent of the respondents.

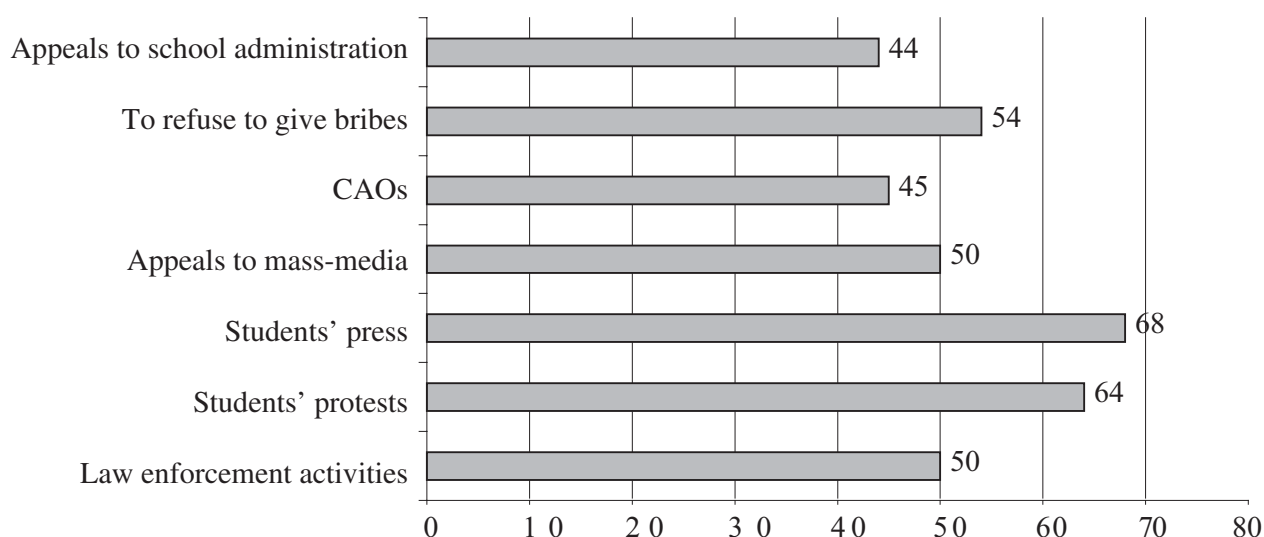
As shown in *Figure 16.2*, one half of the respondents are ready to resist corruption in their schools. Students' willingness to battle corruption is directly connected to the effectiveness of public organizations; the more the students have confidence in the success of such activities, the greater their willingness to battle corruption. This means that, along with the development of the NGO sector in students' communities, it is possible to observe more proactive attitudes in the young generation towards resolving the problem.

**Figure 16.2 Students' readiness to battle corruption in their schools**



Those students who believe in the effectiveness of anti-corruption efforts, such as covering corruption issues in the students' press and organizing protests, are the most willing to join anti-corruption activities (68 per cent and 64 per cent respectively). Among those who have chosen other forms of resisting corruption, every second respondent is ready to come out against it.

**Figure 16.3 Respondents' readiness to battle corruption in schools of higher education (depending on the evaluation of the effectiveness of various anti-corruption efforts)**



Other studies conducted by our regional coalitions enlarged this list of anti-corruption activities supported by students. According to the survey held in Sumy (a town in the central part of Ukraine), 39 per cent of the students interviewed who were at higher educational institutions believe that NGOs should be more actively involved in the management of universities and have more rights to control universities' activities; 37 per cent think that there should be more co-operation between universities and law-enforcement authorities; 19 per cent think that there is an urgent need to write and enforce a Code of University Ethics; and 8.7 per cent expect that the mass media could play a more significant role in spreading information about corruption in education and its negative impacts on the quality of professional knowledge.

In our surveys, we found out that a large number of students were afraid to respond honestly to survey questions. They are intimidated by an administration that does not encourage participation in anti-corruption studies. In some universities the administration prohibited the survey interviewers to ask questions without the rector's permission. This shows

that there is a need for the democratization of the students' environment. Students should be encouraged by positive examples that demonstrate that changes are possible.

## View of the educators on the problem of corruption in Ukraine

Most educators in Ukraine (77.5 per cent) understand the negative impacts of the problem and consider it a serious impediment to providing education of high quality in Ukraine. In their opinion, resolving the problem of bribery is the most important step in reforming the system of education in the country. A study shows that the educators are not ready to initiate a discussion about the problem, its threats and the ways in which it can be tackled. A passive attitude to the problem, inertia, and fear of being criticized dominate the educator's environment. A significant proportion of teachers believe that they can condemn corruption in education but cannot overcome it and will not survive professionally.

## Strategies of the partnership in fighting corruption in education

- *To increase public awareness* of corruption in education through conducting conferences, seminars, round tables and spreading information about their results in national and local media.
- *To increase the role of the NGO community in educational management* through strengthening non-profit organizations, providing them with the necessary resources, training and skill-building opportunities. In addition, this component includes spreading information about NGO activities in educational institutions.
- *To increase the sharing of experience* through inviting foreign speakers to public events, translating anti-corruption materials and monitoring the achievements of other countries or universities. This component also includes spreading information about success stories or modern technologies developed by other Ukrainian universities and publishing them through the network of the coalition's media.

- *To enhance co-operation among various players* – students, educators, managers, officials, NGO leaders, parents and journalists in order to democratize the educational process and extend outside control over educational institutions. This is being done through our national and local public events.
- *To develop preventive anti-corruption strategies* that can bring more transparency into the educational process. This component includes: conducting various studies to gather information about the problems and the views of different audiences on ways to resolve the problem; conduct discussions to generate specific recommendations; and lobby the national and local authorities to ensure their implementation.

## National projects of the partnership

### *The national conference*

The programme held a national conference, Transparency and Corruption in the System of Higher Education, in November 2002. Our innovative approach was reflected in inviting various players to participate in discussions and develop specific recommendations that can be implemented to reform the system of higher education. As a result, the conference gathered 150 participants from 20 regions of Ukraine. Our goal was to show educators that they are not alone in their attempt to fight corruption, that they can gain support in the NGO and mass-media community. This was the first national conference to be held in the country devoted to the problem of corruption in education and ways to improve transparency in this field. There were more persons interested in participating than we could actually invite.

### *Production of trigger educational videos*

The partnership produced these videos for the conference with the purpose of using them in the future for anti-corruption training in universities and schools all over the country. They were also evaluated by the participants



as powerful visual tools for public education campaigns. The partnership wrote a proposal to the MOES of Ukraine for the development of an anti-corruption course in schools that would include trigger videos.

### ***Production of various information resources***

The programme prepared the conference by working in close co-operation with other donor organizations that provided conference participants with access to their resources. We developed a package of materials that included translations of codes of ethics from prominent Western universities as well as the Sydney University anti-corruption strategy. Also the brochure included the most recent public opinion studies, analysis and newspaper clips.

### ***Co-operation among universities and NGOs***

The conference encouraged co-operation between universities and NGOs. For example, a professor of philosophy and sociology at the Department of Kherson State Technical University initiated a Partnership with the Kherson regional department of the Association of International Co-operation, the Atlantic Council of Ukraine. Together with an NGO that is a member of the Kherson partnership coalition, the department developed an anti-corruption strategy for the entire university, modelled on that of Sydney University. The Kherson anti-corruption strategy has been approved by the university's administration.

### ***Development of specific recommendations***

The conference concentrated on specific issues that were discussed in sections. They included: moral and ethical aspects of relations in the system of higher education, legal aspects of corruption in education, social roots of negative processes in the system of higher education, students' perception of bribery; administrative, economic and technological instruments to improve relations in the system of higher education. The discussion group of each

section developed a set of recommendations to adopt and enforce codes of university ethics; introduce professional ethics courses; draft a new anti-corruption law addressing issues of corruption in education; increase co-operation among universities, local authorities and the business community; implement testing technologies; legalize parents' donations; strengthen the role of NGOs in educational management; and develop parent-teacher dialogue.

***Co-operation with MOES to implement the recommendations and proposals of conference participants***

The partnership published a handbook outlining the conference speeches, section discussions, recommendations and some sociological data on the problem. The programme sent recommendations to the Chairman of the Higher Education Department of MOES who attended the conference. The programme distributed 1,000 copies of the handbook to all major universities, Fulbright scholars and donor organizations participating in educational reforms in Ukraine.

We believe that our conference triggered discussions in the media and educational institutions and, in turn, encouraged MOES to take action to uproot corruption in education. According to the ministry's representative who attended our gathering, the Minister of Education initiated a meeting to discuss the problem and develop anti-corruption measures. The recommendations developed by conference participants were taken into consideration.

We have been requested by the Anti-Corruption Committee of the Presidential Administration to give help in studying the problem of corruption in the system of higher education. As part of this co-operation, we conducted a survey in all the major universities of the cities where our coalitions work. The purpose of the study was to find out the most corrupt areas of the educational process and to develop policy proposals.

## Local projects sponsored by the partnership

On the regional level, the partnership supports various projects aimed at educating youth and making the educational process more open, democratic and transparent.

### *Transparency in the allocation and distribution of private resources*

In Kamianets-Podilsky (a small town in the western part of Ukraine), the local NGO, the Centre of Educational Policy, initiated a mini-project.

#### *The problem addressed*

The lack of transparency in the allocation and distribution of sponsors' and parent's financial resources.

#### *Description of the project*

The project is aimed at establishing non-profit charitable foundations and boards of trustees in every educational institution of the town to secure tighter control over usage of the resources allocated from charitable and private contributions. It is known that the city budget is not able to cover all the financial needs of schools, kindergartens and universities. Because of these shortages, parents started donating their own money to pay for the renovations of classrooms, gymnasiums, dining rooms, etc., but no one controls these spontaneous contributions that are usually gathered by the teachers. In order to change the situation, the more active parents have started to set up non-profit organizations that not only control and report all financial operations, but also act as fundraisers. These NGOs proved to be very effective in allocating additional resources and increasing transparency in the school.

#### *Specific steps undertaken within the framework of the project*

- Learning from the experience of the charitable foundation Children of the Twenty-First Century, which was the first NGO established in the

college to control all outside financial contributions, it has replicated its model in all the educational institutions of the town.

- Organizing a consulting centre where new NGOs can receive free advice about registration, fundraising strategies, strategic planning and co-operation with the mass media. The partnership programme finances six seminars. Later the consulting resource centre will function by using the money from the charitable foundations.
- Creating a web site that gives information about the distribution and usage of money and shows pictures of sport centres or libraries where these resources have been invested.
- Publishing a quarterly bulletin about the efficiency of resource utilization for those people who do not have Internet access.

The project plans to share its outcomes with higher educational institutions to give them a chance to use these practices too. The partnership only finances the centre's start-up period. All later activities will be financed from local sources. This is a very positive sign as it will increase public participation and give people a sense of control over their lives and resources.

### *Stages of the project*

- Informing the public, so that support is received and more people are involved;
- Conducting an analysis of the achievements and problems of the charitable fund The Children of the Twenty-First Century;
- Forming focus groups to study the opinions of various interest groups: parents, teachers and children;
- Creating a working group to develop amendments to local legislation, enabling the regulation of the activities of such NGOs.

Since a lot of work had been previously undertaken to inform the local authorities of the seriousness of the situation, the project leaders did not have any particular problems in gaining their support.

### ***Development of a code of university ethics***

The project ‘the Development of a Code of University Ethics’, will be used by the higher education institutions of Lviv (a significant cultural and educational centre in the western part of Ukraine). The local NGO, the Institute of Political Technologies, is currently implementing the project.

#### *The problem addressed*

The lack of ethical norms and values in educational institutions of the city.

#### *Stages of the project*

- Research in all areas of corruption created by the lack of ethics in the behaviour of the students or the professors by means of surveys and personal interviews;
- Creation of a working group made up of representatives of all the groups in the university community;
- Design of the draft, taking into consideration the opinions of various groups and of international experiences;
- Round-table discussions with students, professors, education managers, parents and others;
- Awareness campaigns in the mass media, on the Internet and in the universities’ newsletters and bulletins.

This project is now underway. The first round-table discussion has already taken place and the students have had a chance to include their amendments in the document. Most of them are in relation to sexual abuses. The project is carried out in Chernivtsi (a huge educational centre in the western part of Ukraine).

### *The problem addressed*

The coalition started a far-reaching educational campaign among the younger generation to provide them with information about the problem and the organizations that can help in protecting their rights. The efforts of the coalition are also directed at enhancing co-operation between NGOs, educators and local authorities.

### *Actions*

- Participation in the popular rock-music festival to distribute flyers which explain how to contact the anti-corruption CAO and to use the hotline in Chernivtsi as well as giving general information on the problem;
- Organization of a public opinion survey to study the problem of corruption in education and dissemination of its results in the local media.

### *Projects*

- A round table, 'Transparency in School Management': The coalition invited representatives of the city authorities, NGOs, unions of educators and parents' associations to participate in public debates. The round table was aimed at developing public decisions on how to resolve the problem of corruption in education and consolidate various forces and efforts to increase transparency. It showed that there is a great need for such public gatherings. The City Mayor initiated a meeting with the heads of parents' committees of ten secondary schools. Because of the debates, the Public Advisory Committee to the Educational Division of the City Council was created. The debate concluded with the decision to amend the local legislation with the regulatory act that gave parents' committees the status of tax-exempt organizations;
- A round table, 'Prevention Measures to Fight against Corruption in Higher Education', organized by youth NGOs in the region. The idea

of this round table was to invite the deans of Chernivtsi universities to share their experiences in fighting bribery in their institutions. Unfortunately, only one dean took part in the meeting. This was the rector of a progressive university who spoke of its strategy in the fight against corruption. We believe that his participation and willingness to co-operate will encourage other deans to follow his example. During the meeting, the dean introduced an innovative strategy developed by the team at the Chernivtsi National University. It received huge coverage in the media, thus setting an example for other deans;

- ‘Mobile Information Days’, a measure widely used by our coalitions in various regions when coalition members travel to distant localities of the region to carry out round tables and to distribute educational materials. During these information days, the lawyers of mobile CAOs consult parents and pupils. There were many questions about parents’ sponsorship. The lack of knowledge about their rights confirms the necessity of such activities. The lawyers also distributed questionnaires among students to find out what their problems were and what questions they had, as well as the area of most urgent need.

### ***Public opinion campaigns conducted by a coalition of NGOs***

A project was carried out in Kherson (a town in the south of the country), where the coalition of NGOs conducted various public opinion campaigns:

#### ***Art against corruption***

The coalition held a competition of anti-corruption posters’; organized a mobile exhibition in the largest educational institutions of the region and held training sessions for students, teaching them public campaign techniques. The coalition produced a CD with the best posters, which was distributed to all of the programme’s coalitions, and widely used in the coalitions’ printed materials. The mobile exhibition was able to convey a message to a very large number of students to help them form an opinion



about the problem. The programme also encouraged students to participate in public life more actively through providing them with useful skills.

### *Essays against bribes*

The coalition organized a competition requiring the students to write the best story on giving or taking bribes, or the way in which the student succeeded in avoiding doing so. The best stories are being published in a newspaper for the young.

## Conclusions

Obviously, our programme cannot cover all areas of corruption. Our strength is in involving a considerable number of the various NGOs in the process of addressing the problem and co-operating with various complementary donor organizations. We understand that the efforts of the community are important in fighting against corruption. However, there must be a political will to bring about systemic changes in the system of public management. We believe that our activities are a good start in the long process of enhancing transparency in Ukraine.

## 17. Strategies of the Independent Commission against Corruption (ICAC) in Hong Kong in promoting ethical values through the School Education Programme

*Vanessa So\**

ICAC is fully aware that for its anti-corruption efforts to be successful, it must bring about fundamental changes in public attitudes towards corruption. During such a process, nowhere is it perhaps more important and more fruitful than in inculcating in young minds a firm attitude towards resisting corruption. Therefore, a fundamental approach to fighting corruption is to help young people form positive attitudes and honest habits. This should be done at an early stage, while they are still at school. Through effective moral education programmes, young people should be able to develop an inner conviction that corruption is evil and totally unacceptable. The hope is that, with time, fighting corruption will rely less on external controls and deterrents and more on self-discipline and self-motivation towards high ethical values in behaviour.

The Community Relations Department (CRD) has therefore formulated an education programme that works through the school contents to reach children and young adults from ages 5 to 22 – the most impressionable years of their lives – to promote values such as justice, a sense of responsibility and integrity, which are relevant to the anti-corruption message.

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## ICAC core values

Before CRD had produced our first teaching package entitled ‘Wealth and living’ for secondary school students, we had consciously tried to define the values that should be expounded as ICAC core values. In 1980, our CRU conducted a study into ‘Perceived motivation for corrupt behaviour’. *Table 17.1* gives a profile of the corrupt and non-corrupt types of personality that emerged from the study. This simple analysis helped us to define the basis of the ICAC moral education programme for schools, which aims at promoting the following core values for students: (a) a balanced view of wealth and material possessions; (b) a regard for truth and honesty; (c) a regard for justice and fairness; (d) a regard for the rights and welfare of others; (e) an awareness of one’s rights and obligations; (f) a sense of responsibility and commitment; and (g) a respect for the rule of law.

To ensure the effectiveness of its School Education Programme, CRD has developed an integrated approach, adopting the following strategies whilst taking into consideration its basic philosophies about educating the young and the resources available in the school setting.

The desirability of including ICAC elements in the formal curriculum is well appreciated. ICAC staff sit on various curriculum development committees of the Education Department to inject, as far as possible, ICAC elements into the primary and secondary school curricula that are relevant, such as the subject of government and public affairs. While this is in fact the most effective means, there is a limit to the extent to which it can be done, given the tightly packed curricula.

To supplement the above efforts, good liaison is maintained with textbook publishers and writers to encourage them to include ICAC elements in language subjects, which are less restrictive. Articles with ICAC messages could be provided for use in comprehension exercises. This helps to strengthen ICAC elements in the formal curricula.

**Table 17.1 Results of study on corrupt and non-corrupt types of personality**

Characteristics	A corrupt type of person	A non-corrupt type of person
Base	90	90
Cunning	63	1
Clear-headed	12	66
Impartial	3	75
Greedy	63	1
Has a conscience	1	58
Respected	2	51
Honest	0	75
An opportunist	67	3
Selfish	53	1
Tricky	61	2
Evil	46	2
A criminal	48	2
Has principles	9	78
Has sense of justice	1	69
A good citizen	0	69
Dishonest	58	1
A bad citizen	57	7
Has no sense of justice	48	3
Dependable	3	56

As an extension to the efforts in including ICAC messages in the primary and secondary school curricula, the ICAC school education programme has been expanded to all universities in Hong Kong to better prepare would-be professionals and managers to develop a strong sense of ethics in their work. Priority is given to students in the ‘professional’ and business-related faculties. To achieve this, all universities are urged to include at least one ethics module in a mandatory course for their first year students. Instead of preaching values, the emphasis of the programme is to equip students with the necessary skills to analyze and make the right decision in the face of ethical dilemmas.

## Production of teaching materials

In view of the huge size of the student population, it is difficult, if not impossible, for the hundred-strong CRD staff to disseminate in-depth messages to each and every student personally. A significant part of the ICAC school education programme is to form alliances with significant partners in the field of education and youth work. In fact, teachers and youth workers could act as effective multipliers of ICAC messages.

To encourage and make it easier for busy teachers to disseminate the ICAC message in schools, ICAC produces various forms of teaching materials that promote our core values. Their themes are related to honesty, fair play and responsibility, with the objective of building up students' resistance to greed and selfishness. Such materials are produced for use in a variety of settings, including the classroom, the school assembly, form periods and extra-curricular activities. In other words, the entire formal and informal curriculum and the whole of the physical environment of the school are fully utilized for conducting the ICAC school education programme.

A wide range of professional expertise goes into the development of such teaching materials. The process is an ideal demonstration of ICAC's partnering strategy. Besides ICAC staff, teachers, heads of schools, education technologists, psychologists and youth workers are invited to take part in the process of researching, creating, testing and producing these packages. The end products are materials that are highly suited to the Hong Kong school environment and the temperament of their users. Participatory activities are also often used, during which students and teachers explore together the many facets of moral life. Each package is self-contained and self-explanatory, with clear instructions given for usage but designed with sufficient flexibility for the enterprising teacher to adapt to suit his/her own students.

## Moral education teachers as multipliers

To maintain a link with moral education teachers, workshops are regularly conducted for them to enhance their knowledge on how best to make use of ICAC materials. Course contents are suitably balanced between theory and practice, aiming at facilitating their conversion to become effective multipliers of our school education programme.

At a more advanced level, ICAC has devised a programme entitled The School-based Curriculum Development Programme for schools, under which ICAC officers and teachers of participating schools together develop moral education curricula suited to the unique needs of the individual schools themselves.

Since September 1990, ICAC has been publishing a quarterly moral education periodical. It aims to create in Hong Kong's schools an atmosphere conducive to moral education through the dissemination of information on educational theories, teaching strategies, case studies for counselling and the latest initiatives under the ICAC school education programme. It has a circulation of 7,000 copies, and targets include primary and secondary schools, tertiary institutes, youth and related organizations.

## Direct dialogue

ICAC does not rely solely on teachers and lecturers to disseminate its messages. It believes that there is merit in having personal contacts and direct dialogue with young people. As such, arrangements have been made with all universities for ICAC's staff to conduct face-to-face presentations for their final year students. Such presentations are tailored to the specific needs of the students and cover in detail the legislative provisions governing corruption, fraud and other malpractices with illustrative examples. Case studies, with reference to the various academic disciplines undertaken by the students, are also used. These help to equip the students with the necessary

skills and knowledge needed to be able to face and handle the numerous temptations they are likely to encounter in their future individual careers.

Besides arranging presentations for university students, ICAC also arouses younger students' awareness of the corruption problem and the evils of corruption through classroom talks to senior secondary students. Last year alone, 2,000 talks were conducted for 101,160 secondary school students who were alerted to the evils of corruption and encouraged to play an active role in the fight against corruption.

## Active involvement

It is understood that young people prefer active involvement to passive reception of messages. Therefore, since October 2000, in order to improve the interest level and enhance the impact of secondary classroom talks, an activity format using a more interactive approach has been adopted. Anti-corruption messages are conveyed through discussion and group games involving students' participation.

At the same time, ICAC has introduced an interactive drama performance in schools to impress upon the students the evils of corruption. This is particularly important because our younger generation, which has not been exposed to past evils, might not be very aware of the dangers of corruption. To serve this purpose, a professional drama group is hired to perform an interactive play that illustrates the evils and consequences of corruption. The actors even invite students to express their views on different scenarios and participate in the performance at a given moment.

Both these new formats have been met with favourable responses from schools. Feedback shows that the students are able to appreciate the negative impact of corruption on society and individuals through participation in these interactive activities. They consider such activities more effective in hammering home the intended messages than the traditional classroom talks.



ICAC also believes that involving young people in anti-corruption activities is the best way to implant positive values in them. It introduced an initiative in 1998 inviting primary schools to take part in a project entitled 'the ICAC Week'. This is a project to promote positive values in primary pupils through a series of school-based activities. To facilitate the teachers' organization of the ICAC Week activities, a portfolio, including reference materials and teaching aids, was produced for use by teachers to support those activities that had been planned. Feedback from schools indicates that the portfolio provides useful support for teachers and the activities are effective in arousing pupils' awareness of the evils of corruption and cultivating a positive personal attitude.

Activities comprising leadership training camps, seminars, conferences and competitions have also been jointly organized by ICAC and youth organizations to promote values and ICAC messages. In 2000 and 2003, two youth summits, well attended by young people from Hong Kong, China, Singapore and Macau, were conducted to discuss the role of young people in cultivating a clean and fair society. The participants were responsive during discussion sessions and they pledged full support to the anti-corruption cause.

## Starting early

ICAC believes that moral education for the young should start as early as possible. Therefore, it is taking its message to kindergartens. A television cartoon programme was produced to disseminate positive values such as honesty and integrity to young children. To reinforce the messages put forward by the cartoon series, a teaching package, comprised of a video tape, games and storybooks based on the cartoon programme, is distributed to all kindergartens. Through these activities, young children are helped to grasp abstract concepts like fairness, honesty and obeying the law at the very beginning of their formative years in an informal, relaxed and lively learning environment.

## Parental influence

To ride on the momentum generated by the cartoon programme, parenting forums are also conducted regularly to harness parents' support in the moral education of young children. Sharing the rising concern of parental influence in educating the young, in 1999, ICAC started to include parents as working partners as they exert a major influence on their children's moral development. Apart from organizing sharing forums for them, CRD also produces home teaching materials and parenting videos to reinforce the concepts and skills required in promoting values to young people. Such activities are promoted through the parent-teacher associations of the individual schools.

## Due regard paid to the target's own interests

Well aware that young people are frequent web surfers and keen to follow developments in information technology, ICAC launched a youth web site called Teensland in April 2000, to publicize anti-corruption messages through computer games and web-page activities. Hyper linkage with cyber campus and schools are arranged to boost the audience. Students are also recruited to contribute to the web site as young reporters, web designers and content producers. Activities are arranged to encourage them to express their views on the web about issues related to social and personal values.

## Conclusions

ICAC hopes that all of the above educational efforts will help students acquire positive values at every stage of their academic pursuit and cultivate in them an ingrained intolerance of corruption that will remain intact as they mature. The task is not easy but is possible with a captive audience of a million students, a good partnering approach and due regard to the students' own interests and allied needs.

To conclude, it could be said that ICAC has made significant progress in promoting ethics and anti-corruption through its school education programme. With each generation, there is a new urgency to educate them against the evils of corruption, to instil in them positive personal and social values, and to enlist their support in the fight against corruption. ICAC relies heavily on the support of teachers and school systems to refine and improve its strategies. The ultimate objective is to instil the right concepts and values in young people in their formative years so that they will become honest, responsible and rational citizens who can play a constructive role in the anti-corruption cause.

## 18. Education reform in Mexico: the Quality Schools Programme

*Jesús Álvarez Gutiérrez\**

The Quality Schools Programme (QSP), known in Spanish as the *Programa Escuelas de Calidad* (PEC), began in the year 2001 as an initiative of the incoming federal education administration. Its purpose is to promote democracy and to improve academic achievement for socially disadvantaged students. In its third year, QSP catered to almost 15,000 marginalized urban schools, serving 3.5 million students in basic education<sup>37</sup> (20 per cent of the public primary and lower secondary enrolment).

The objective of QSP is to transform the organization and operation of the schools that voluntarily join the programme. QSP has instilled within each school a new organizational culture in which all stakeholders of the particular school community collectively carry out the duties of planning and evaluation. While QSP aims at constructing a new model of school management, it also attempts, perhaps above all, to promote innovative and flexible teaching practices.

Upon joining the programme, the first step for participating schools is to carry out self-evaluation in which they identify their strengths and needs. Subsequently, the stakeholders of the school community create a medium-term school improvement plan in which they articulate a vision, establish reachable goals, determine pertinent actions, and commit themselves to

37. Basic education in Mexico normally begins for pupils at age 5 and consists of one year of preschool, six years of primary schooling, and three years of secondary education. Under Mexican law, student attendance in these grades is compulsory.

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these endeavours through the signing of a performance agreement. QSP's strategy is to support these improvement plans by offering schools the training, specialized technical assistance, and financial resources that the school community can utilize at its own discretion.

Participating schools receive on average 160,000 pesos (US\$15,000) annually for five years. The programme is financed through federal (60 per cent), state (20 per cent), municipal (10 per cent), and private (10 per cent) resources. Given the decentralized nature of basic education in Mexico, QSP encourages individuals of the republic to place their own imprint upon how processes of capacity building, goal setting, rule making, and selection of participant schools are organized and operated. In order to assist the states in these endeavours, QSP provides technical, administrative, and financial assistance to them.

External evaluations have shown the benefits of incorporating this new work culture. Seventy-one per cent of urban primary schools in their second year in QSP have significantly improved the academic achievement results of their students,<sup>38</sup> while obtaining repetition<sup>39</sup> and drop-out rates<sup>40</sup> (4.2 and 6.5 per cent respectively) lower than those of urban primary schools outside of the programme (4.5 and 1.3 per cent respectively).

## The origins of the Quality Schools Programme

The expansion of educational opportunities for the most underserved social groups has become one of the top priorities of Mexico's public agenda. There has been an increase in recent decades in the average amount of schooling of the population, as well as a demonstrable increase in

- 38. Student achievement is measured by national standardized tests in mathematics and communication skills as applied by the General Evaluation Office of the Secretariat of Public Education.
- 39. Repetition rate: percentage of students not promoted to the next grade.
- 40. Drop-out rate: percentage of students that decide to leave their school during the academic year.

intergenerational educational mobility, resulting from previous educational policies. Yet, the educational opportunity gap between those of different social strata continues to widen. The reason seems simple: Poor children are attending primary school, but their levels of achievement are so low that many of them do not complete basic education.<sup>41</sup>

While QSP recognizes that there are socio-economic and environmental conditions that profoundly limit learning for socially disadvantaged children, it is also thought that the education system and the schools themselves have aggravated the inherent disadvantage of marginalized children. For one, Mexico's education system and its schools are largely inefficiently managed through a rigid and hierarchical structure. With this in mind, the programme attempts to abate the factors, impeding educational achievement that derive from the management of the education system and its schools. Secondly, the teaching practices and nationally standardized curricular objectives in Mexico are, at times, not applicable to the present and future lives of students from impoverished backgrounds. To address this grave reality, QSP makes classroom instruction a top priority and promotes the development and general dispersal of innovative pedagogical practice in QSP schools that are appropriate to the heterogeneous needs of our students. Lastly, in schools in disadvantaged areas of Mexico, there is very little social participation on the part of the local community. Thus, QSP promotes an organizational culture within schools that depends upon the active and responsible participation of all the stakeholders of the school community.

Universal policy models are not conducive to improving learning outcomes for disadvantaged students. On the contrary, providing an educational service to diverse groups requires a flexible approach. In this

41. Each year more than 600,000 Mexican children leave school without finishing basic education. The phenomenon of dropouts can be fundamentally explained by the high levels of repetition, especially in the first grades of primary and in secondary schooling.

sense, QSP assumes that the success of interventions that aim at improving schools depends upon the involvement of local actors, especially of teachers and parents. Through such involvement, it is our hope that bottom-up initiatives will arise that are tailor-made to the specific needs of each school.

Is it possible to achieve equality of educational opportunity in a society as unequal as Mexico's? An optimistic answer could be given, but it requires comprehensive and explicit policies of redistribution – such as those in which QSP plays a part – that go beyond a mere increase in the quantity and quality of general educational inputs.

The central core of reforms had been, until now, the process of educational decentralization. The National Modernization of Basic Education Agreement (ANMEB) (SEP, 1992), meant not only the transferring of the responsibility of basic education to the states but also increasing both the quantity and quality of various inputs to the education system. These included: a boost in the educational budget; increasing the breadth of compulsory education; the extension of the school calendar; the professionalization of teaching (permanent updating of in-service training and the establishment of a sliding salary scale for teachers); curricular and textbook reform, amongst others (Alvarez and Granados, 2001).

However, this phase of reforms – that included the enactment of the General Law of Education in 1993 – has been considered by many specialists to be 'centralized decentralization', in that the federal government has reserved for itself key functions of the education system. From the point of view of the schools, the system continued being as centralized as before, because the direct beneficiaries of schooling were not given greater control over it.



It is within this context that QSP arose in 2001 as the second phase of this reform process.<sup>42</sup> The objective is to spur on educational improvements that are made down to the level of the classroom, creating points of entry by which schools generate their own improvement plans through the experience, talent and creativity of their own teachers. QSP recognizes that the effect of socio-cultural and economic conditions on children has been aggravated by factors created by the education system itself. These include: (a) the limited ability of schools to make their own decisions; (b) insufficient communication between different school actors; (c) rote, formal, and rigid pedagogical practice; (d) scant social participation in the duties of planning, implementation, and evaluation of school activities; (e) excessive administrative requirements that prevent school leaders from exerting true leadership; (f) absenteeism; (g) inefficient use of available resources (time, etc.); and (h) deficient facilities and supplies.<sup>43</sup>

### ***The design of QSP***

QSP is a programme of strategic intervention with a clear schematic focus by which it is hoped to transform school management. Such a transformation helps to create an environment that stimulates pedagogical

42. With the purpose of constructing a Mexican model of public school effectiveness, we have examined research done on successful experiments in school transformation carried out in several Latin American countries. We learned a great deal about two movements of theory and practice: school efficacy (more theoretical) and school improvement (more practical). We also conducted research on school management in Mexico, the 'New School' in Colombia, Chile's '900 Schools' programme, the social education plan of Argentina, Spain's annual plan of improvement (inspired by the European model of educational quality), etc. Lessons learned from these initiatives profoundly enriched the current QSP design.
43. The National Education Plan 2001-2006, in introducing the QSP states, "the substantial problems of coverage, equity, and educational quality, in addition to being consequences of demographic, economic, political, and socio-cultural conditions, also depend upon the functioning of schools and institutions, and the education system itself".

and curricular innovations within schools through integrated processes of support and monitoring. Innovation helps to create equality of opportunity for the most disadvantaged students in school.

### ***The assumptions***

QSP advances two fundamental assumptions: (a) the key to improving the quality of educational service lies in the internal organization of the school and in its ability to orient itself towards the goal of having all students learn; and (b) each school community (especially its teachers and parents) has the capacity to identify its own needs, challenges and attainable goals. However, these endeavours require the support and trust of the external administrative authorities.

### ***The target population***

QSP's efforts are principally aimed at those that are marginalized in urban areas, who attend schools of low academic achievement. In the first stage, QSP measures the improvement of a school with respect to its point of departure and not to an external educational parameter. A baseline is created for each school, and through the value-added methodology, changes in the academic achievement variants attributable to the teacher, class, and school are periodically identified (multilevel analysis). As stated by Froemel (1999), gauging progress through the value-added methodology implies three conditions: the establishment of a baseline, evaluation of populations rather than samples, and the full identification of students.

### ***The mission***

To promote all students' achievement in learning, the mission of the programme is to incorporate the schools into a self-management model, based upon the following principles: (a) freedom of decision making; (b) shared leadership; (c) teamwork; (d) flexible teaching practices responsive to the heterogeneity of those being educated; (e) participatory

planning; (f) evaluation for continual improvement; (g) socially responsible participation; and (h) accountability.

The ultimate objective of a quality school should be to create an environment that permanently promotes the progress of all of its students (internal equity) beyond that which is expected, given the restrictions imposed by socio-economic factors (social efficacy).

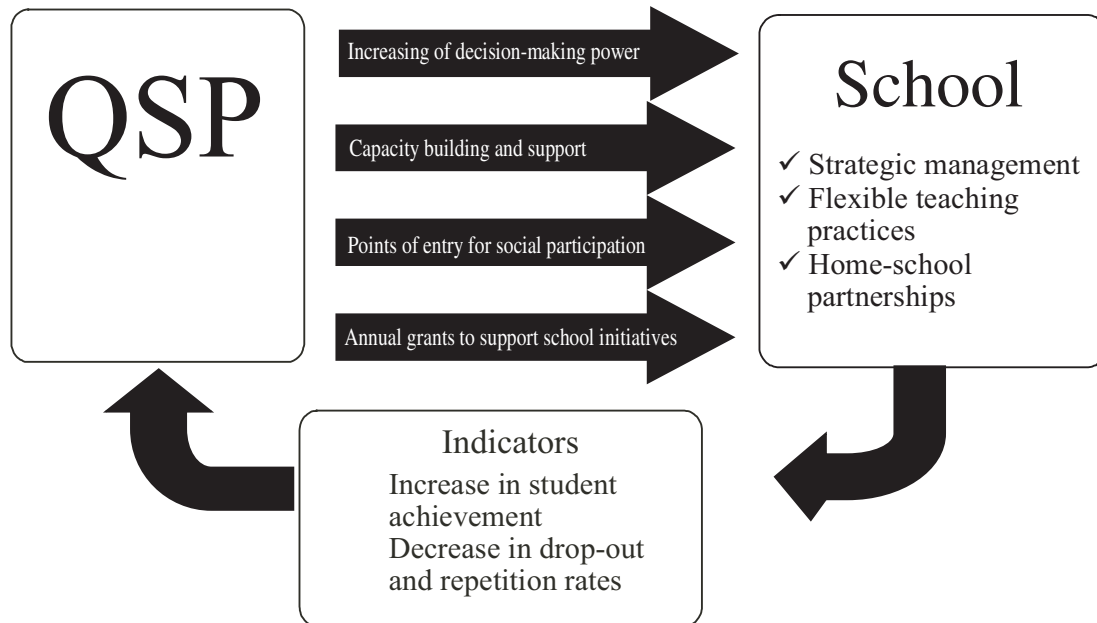
Starting from this conceptual base, a quality school is one “which assumes, in a collective manner, responsibility for the learning outcomes of all of its students; commits itself to the continual improvement of student achievement; is a tightly-knit and committed community; and guarantees that learners acquire the knowledge and develop the abilities, attitudes, and values necessary to attain a fulfilling personal and family life, exercise competent, active, and committed citizenship, participate in productive work, and become life-long learners” (Froemel, 1999).

QSP’s strategy is to support school improvement plans through four courses of action: (a) the reshaping of federal and state institutional management that allows for the creation of greater decision-making power at the school level; (b) the capacity building of stakeholders and specialized technical assistance; (c) the opening of significant points of entry for responsible social participation; and (d) the providing of additional financial resources to be administered directly by the school.

### *QSP as an innovative educational policy*

Of the four aforementioned courses of action, two are particularly innovative for the Mexican context. Given the highly centralized nature of Mexico’s education system, QSP’s attempt to reshape institutional management, in order to open up greater autonomy at the school level, represents an important innovation. The programme aims at reclaiming the school as the organ of change and quality assurance whilst placing students at the centre of all initiatives (QSP, 2002).

**Figure 18.1 Courses of action**



In pinpointing the school as the backbone of the education system, QSP hopes to eliminate the school administration model that has instituted formal routines of design and control that are highly inadequate for the heterogeneous reality of the Mexican education system. Within this traditional model, decision-making power, together with the design and implementation of policies, were centrally concentrated in the hands of the federal education bureaucracy. Since roles were defined through a vertical and hierarchical system, schools have had the function of ‘administering’ teaching, fulfilling detached objectives, and implementing policies that do not respond to their specific context.

A large body of research has uncovered the following results of the traditional model: inefficient use of resources; inflexibility; resistance to change; standardization; and dissociation between teaching and administration (Bracho, 2001). In an effort to generalize abstract and universal principles, pedagogical practice and reflection have remained relegated to second position, thus escalating the greatest challenges facing

the education system: quality and equity; relevance of the curriculum; and the professionalization of school personnel.

The strategic educational management model proposed by QSP is neither a unique amalgam of infallible recipes nor a magical solution for all problems in all places. Each school represents too complex, specific, and unique a reality for this to be the case. According to a study carried out by IIEP (Strydom and Holtzhausen, 2001), strategic management includes various components and defining characteristics. Components of the model include systematic and strategic thinking, pedagogical leadership, and organizational learning. The model's defining characteristics include: institution of innovative teaching practices; ability to effectively navigate complexity; teamwork; new points of entry for learning and innovation; cohesive organizational cultures with a clear vision of the future; and systematic and strategic interventions.

By recognizing schools as the backbone of the education system, QSP promotes greater intra- and inter-organizational co-ordination at the federal and state levels. The emphasis at these levels of government should be placed upon supporting schools to include a diversity of constituencies in the tasks of planning, in-service training for teachers, research, evaluation, production of materials, infrastructure, administration, compensatory programmes, and social participation. The attempt is not to replace the programmes already existent but rather to institute new systems gradually, through the involvement of all stakeholders of the local school community.

QSP represents a redesign of the functions and responsibilities of the federal, state and municipal governments in the delivery of public education. The programme encourages individual states to place their own imprint upon how processes of capacity building, goal setting, rule making, and selection of participant schools are carried out. This is in addition to providing technical, administrative and financial assistance.

A second innovative proposal is the provision of financial support and delegating the decision over its direct use to the school itself. As the programme is voluntary, and school agents are able to exercise control over resources, the following objectives would be thus attained:

- Schools are able to confront their greatest needs in infrastructure and materials, and meet the pressing needs of both teachers (i.e. professional development) and students (i.e. scholarships).
- The funding formula that involves the federal (60 per cent), state (20 per cent), and municipal governments (10 per cent), and a 10 per cent contribution from private and social sectors, transmits a message to society that public education is everyone's responsibility.
- School communities are strengthened when parents and teachers are empowered to make decisions about the use and supervision of resources.
- The culture of accountability and transparency is advanced; 94 per cent of the programme's resources are utilized directly for the schools, thus promoting mechanisms of horizontal social control.
- QSP's resources have a great impact because they are aimed at getting results, although they make up a relatively modest – less than 1 per cent – part of Mexico's larger educational budget.

### **Towards the collective construction of new models of management, teaching practice and social participation**

As mentioned in the previous section, QSP constitutes a breaking with the traditional ways in which educational policy is designed and implemented. Though QSP originates from the centre of the political sphere, its aim is to make sure that initiatives relating to change are taken according to the expressed needs of each school community. To guarantee the achievement of school reforms in the short, medium, and long term, QSP tries to establish the consolidation of new models of management, teaching



practice and social participation in schools, based upon the experience and knowledge of teachers and other stakeholders.

### ***Strategic education management in schools***

Strategic education management, promoted by QSP, has to be practised as much at state level as at school level. A society as complex and diverse as Mexico's requires that educational organizations promote continual learning, participation, responsibility and commitment. Through flexible policies and collegial work between diverse educational actors, creative and appropriate strategies can be found to address problems as they arise. Only through experimentation and innovation can old fears be left behind, the barriers of inertia broken down, and new clarity be given to goals and objectives.

In this vein, strategic management in schools consists of actions that the institution takes to direct its improvement plan and plan its implementation according to the precise vision and mission shared by all stakeholders. It involves the ability to define the philosophy, values and objectives of the institution, and the shaping of the different actors' actions towards attaining these objectives. It also involves the ability to develop a long-term plan to put in place the players and resources necessary for the realization of that vision. It demands a strengthening of the administrative function of schools and the development of new areas of relationships as well as support with regard to the education system.

The principal defining characteristics of strategic management in the school are thus: strategic situational planning; the exercising of leadership; the integration and development of work teams and the school community; the monitoring of processes and results (self-evaluation); and the linking of the school and its stakeholders.

Each school community, after an initial self-evaluation, articulates a 5-year school improvement plan, states its vision, establishes reachable goals, determines pertinent actions, and obligates itself to the project through



the signing of annual performance agreements. In this way, management is put in place that converts the school into an organization that: (a) prioritizes pedagogy; (b) is open to learning and innovation; (c) abandons safe routines in favour of innovative activities that attend to complexity; and (d) focuses energy not on isolated and fragmented activities but rather on a comprehensive and systematic improvement plan. Such a school demands that authorities advise and provide professional guidance, instead of the dominant practices of control and inspection.

### ***Social participation and accountability***

QSP strongly promotes the greater participation of all citizens in the effort to improve educational achievement. The programme attempts to create a sense of interconnectedness in education, through which the state, while maintaining its role as the key actor in the creation and implementation of policies, will now also count upon the committed participation of society in this endeavour.

QSP encourages the active participation of parents and the community in the design and implementation of the reform effort of each school. These constituencies are involved in carrying out the initial diagnostic exercise and participate in constructing the vision and mission of the school along with its corresponding short- and long-term goals. Parents and teachers also share the responsibility for deciding the use, administration and supervision of the economic resources assigned to each school.

The inclusion of diverse stakeholders in these reform processes not only democratizes the organization and management of the school, but also strengthens the system of accountability between society and the school. In this way, parents perceive that their participation is truly significant. QSP's challenge is to help parents develop the tools necessary to involve themselves permanently in an informed and responsible way.

As teachers cannot be seen as the only ones responsible for the academic achievement of students, QSP promotes a strong home–school relationship to advance the concept of shared responsibility in the education process. As families and schools have distinct characteristics and responsibilities in the task of educating students, QSP tries to be the intermediary by which these constituencies are linked together and mutually strengthen one another. There is a double objective: on the one hand, it is important that there be joint decision-making in the educational undertakings related to children; concurrently, there is an attempt to open schools to the necessities of their respective surrounding communities, thus strengthening social relations and interaction both between diverse members of the school community and those outside. One goal of this process is for the parents to accumulate sufficient social capital to be able to attend successfully to their other needs away from the school.

This new model of the home–school connection is designed to combat the culture shock and historical tensions traditionally found between these two constituencies. This new way of thinking will undoubtedly change the behaviour of those accustomed to making decisions without the corresponding responsibility of providing transparency. For this reason, QSP hopes that change will occur from the bottom up to create a new culture of evaluation and accountability to society.

### ***Innovative pedagogical focus***

Considering the many differences between schools and their diverse student bodies, QSP recognizes the difficulty of improving the quality of teacher instruction. In addition to improving mastery of subject material, it is important that teachers adopt pedagogical styles centred on the active learning of children. Quality will only be attained once teachers adopt differentiated practices appropriate to the particular needs of their students. Teachers must demonstrate confidence in the abilities of their students,

constantly stimulate their advances, efforts and achievements and obtain active, critical and creative participation from them.

The great challenge is to develop a flexible instructional focus that is attentive to the heterogeneous needs of students. A prominent study of educational opportunities in the Americas warns of the need to open points of entry to innovation and local adaptation, particularly with regard to educational objectives (Reimers, 2002). It is noted that the failure of recent educational reform can be found in the corrupt influence of traditional instructional approaches that “impede the national system of education from being able to attain the objectives of paying greater attention to particular types of intelligences, accepting that learning represents a personal construction of comprehension, and harnessing a respect for minority cultures” (Schiefelbein, in Reimers, 2002).

QSP believes that we must correct the error of attempting to impose a top-down universal pedagogical model because it does not recognize that students are diverse and have distinct learning styles. Such a model also ignores that each school is influenced by its socio-economic and cultural context, which makes it respond differently to policies imposed centrally.

A school structured under a uniform obligation to one model is inhibited with regard to adopting new methods, opening up to new ideas, and using its capacity to take initiative. Even worse is a school that shows itself insensitive to the pre-existing disadvantages of many of its students. The principal challenge for teachers is not only to raise the standardized test scores of marginalized students to the level of those of the rest of the population, but also to develop a curriculum that is relevant to their lives (Schiefelbein, in Reimers, 2002).

The QSP schools must be committed to offering poor children opportunities to attain relevant and significant learning that will permit them to escape poverty. Teachers should teach students to think for themselves, collaborate with others, develop competencies to change the circumstances

that negatively affect their lives, and convert them into citizens capable of creating strong communities and resolving conflicts in peaceful ways.

Disadvantaged children need to learn to imagine a future that is different from the daily reality from which they suffer. They have to be capable of formulating a strategy that will allow them to construct that future. This necessitates that schools help students to accumulate sufficient cultural and social capital to triumph in life, i.e. the sum of abilities and competencies that permit an individual to attain a certain level of personal productivity.

### ***The advances made by QSP in its two years of operation***

Recognizing the limitations inherent in measuring progress within such a short implementation period, the programme has, nevertheless, made some progress. The true impact in terms of academic achievement and social change will of course only be able to be measured in the medium and long terms.

### ***The advances made by QSP as an effective, inclusive and innovative public policy***

QSP has generated great interest within the education community, which has permitted the programme to increase its coverage beyond what was first expected. During the 2003/2004 school year – the third year of the programme – the number of incorporated schools reached nearly 15,000. The programme now serves 3.5 million students (20 per cent of the public primary and lower secondary level).

Schools receive on average 160,000 Mexican pesos (US\$15,000) per year, for five years; the current exchange rate being approximately 11.1 Mexican pesos for US\$1. In line with the principles of decentralization and joint social responsibility, QSP has attained simultaneous financing from diverse levels of government and society: federal resources (60 per cent), state (20 per cent), municipal (10 per cent), and private sources (10 per cent). In the 2003/2004 school year, the federal government allocated 1.45 billion

Mexican pesos to the programme, while the state resources amounted to 450 million Mexican pesos, and the municipal and private funds reached 425 million Mexican pesos (*Table 18.1*).

**Table 18.1 QSP's coverage**

	2001/2002 school year	2003/2004 school year
Incorporated schools	2,240	15,000
Teachers and administrators	27,000	150,000
Students served	735,000	3.5 million
Federal resources	350 million pesos	1,450 million pesos
State resources	164 million pesos	450 million pesos
Municipal and private resources	59 million pesos	425 million pesos
Average resources per school	160,000 pesos	160,000 pesos
Municipalities involved	642 (25 per cent of all)	1,467 (60 per cent of all)

To establish the home-school connection, and for the sake of a participatory model of school management that promotes school improvement, capacity building must extend to parents and to the community in general. Towards this end, QSP has created an inter-institutional partnership of social participation training in which 60,000 school council members have been taught the requisite skills to perform their roles. To advance the construction of a strategic educational management model, QSP has trained more than 50,000 administrators and teachers in the tools of planning and strategic management. As a medium- and long-term strategy, the professional development of almost 15,000 principals has been supported by the participation of public and private institutions of higher learning that have provided opportunities to earn credentials, specializations and master's degrees. Participating universities have included private institutions, such as the Iberoamericana University and the Anahuac University, as well as public institutions such as the National Polytechnic Institute and National

Pedagogical University. This effort is also supported by the National Programme of Teacher Training (PRONAP) of the Secretariat of Public Education (SEP).

Without a doubt, the pedagogic dimension of QSP will have the greatest impact on student achievement. Seeking the improvement of teaching practice, however, has turned out to be a much more complex process than the management and social participation dimensions. It is worth mentioning though that three strategies are emerging to enrich teacher–learner processes in the classroom and in the school. First of all, QSP has asked teachers to identify for themselves their professional needs with the offer of in-service training by state and national providers. Secondly, successful experiences with innovative pedagogical practices generated within schools, both nationally and internationally, have been identified and more generally dispersed. Finally, a network on teaching practices is being constructed to strengthen the individual competencies of teachers through collective reflection. Spaces have been created to allow effective, honest, and critical communication, where different interlocutors are able to propose ways of strengthening schools and their continual improvement through meetings, seminars, *Educare* magazine, and the QSP web site.

### ***Education performance results***

Drawing from the concepts of value-added and outstanding school, QSP does not consider evaluation as a mechanism of rewards and sanctions, but rather a key element of making continual changes in schools, perfecting instruments of planning, reorienting actions, and providing accountability to society.

QSP promotes both internal and external evaluation, the first of which consists of periodic exercises of self-evaluation carried out in each QSP school. In this process, schools verify and reflect upon the attainment of goals they have set in their improvement plan through an annual public report. External evaluation is conducted in the following two ways:



- The first is a quantitative look at the entire QSP student population, with the objective of identifying growth in students' results. The Secretariat of Public Education's General Office of Evaluation administers the annual standardized national examinations of the students in QSP schools. Students are tested in mathematics and logic, reading comprehension, and critical and scientific reasoning. In the 2003/2004 school year, these instruments – which provide cross-sectional as well as longitudinal data – will be administered to cover more than 1 million students in the third, sixth and ninth grades.
- The second is a qualitative look at a sample of QSP schools, with the purpose of identifying changes in the interior processes of these organizations. A group of national researchers are carrying out an evaluation of processes for a sample of almost 1,000 QSP schools (7 per cent of all schools in the programme) to provide monitoring for school operation and organization. The evaluation design, instruments used, and the ways in which numerous challenges have been resolved can be reviewed on the Internet.<sup>44</sup>

Advances in the consolidation of new management, teaching practice, and social participation models are periodically reviewed, based upon 19 performance standards established for QSP schools. The performance standards for QSP schools are:

- The school community works towards achieving self-chosen goals.
- The school director exerts effective leadership in the academic, social, and administrative aspects of school management.
- Administration, faculty, and support staff work as a team towards common goals.
- Administrators and teachers continually work towards updating their knowledge and skills.

44. <http://www.heuristicaeducativa.org>



- Administrators and teachers demonstrate a full mastery of curricular objectives, plans, programmes, and content.
- Schools complete the full academic year, promote attendance and punctuality, and make optimal use of instructional time.
- Schools improve their infrastructure to carry out their work efficiently.
- Teachers demonstrate the ability to critically evaluate their performance and make appropriate adjustments, drawing on a positive view of themselves and their work.
- Teachers plan classes ahead of time while anticipating alternative pathways that take into account the diversity of their students.
- Teachers offer differentiated learning experiences to students that are appropriate to their diverse abilities, aptitudes, learning styles, and pace.
- Teachers demonstrate confidence in the abilities of their students and continually encourage their progress, efforts, and achievements.
- Teachers attain critical, active, and creative participation from their students.
- The school promotes knowledge and a valuing of Mexico's multicultural reality.
- The school encourages healthy living, appreciation of art, and environmental preservation.
- The school community develops an environment conducive to the practice of universal values such as solidarity, tolerance, honesty, and responsibility in their training as law-abiding citizens.
- Personnel, parents, and interested members of the community participate in decision-making and implementation of actions that benefit the school.
- Parents are organized, take part in educational tasks with teachers, are regularly informed of their child's progress and achievement, and have open channels through which to express their concerns and suggestions.

- The school community self-evaluates, seeks external evaluation, and above all, uses evaluation as a tool for improvement rather than sanction.
- The school is open to the greater society and provides public accounting of its performance.

It is worth noting two basic characteristics that guarantee the technical reliability, political viability, and relevance of these efforts:

- State agencies participate not only in the application of the instruments within the schools but also define and design the indicators. This is achieved through theory-to-practice workshops, and networks of accompaniment in which school visits are combined with collective reflection on the part of evaluators.
- The application of the instrument can only be done after negotiation between the evaluator and the school actors. As for the characteristics of the instruments, it is worth mentioning that the majority are open, meaning that they gather the perceptions of the participant. The results of these are triangulated against closed instruments so as to corroborate the relevance and reliability of each.

In each school, various instruments are used to characterize the management, social participation and teaching practices of the site. This is done through questionnaires and the interviewing of parents, teachers, administrators, students, and members of the community. Data is also collected through classroom observations, portfolio reviews, and the videotaping of classes.

While results of the aforementioned evaluations will be available in future months, QSP already has some preliminary findings at its disposal from its first two years of operation that confirm the effectiveness of our programme. Some interesting findings have been made upon intersecting the products of process evaluation with those of standardized test results for schools in their second year of the programme (Loera *et al.*, 2003):

- QSP schools have obtained rates of repetition and drop-out (4.2 per cent and 0.65 per cent respectively) lower than urban primary schools not in the programme (4.5 and 1.3 respectively) (SEP-DGPPP, 2002).
- Of QSP schools, 71 per cent have improved the school achievement results of their students, which is notable within the context of a general decrease in achievement indicators in Mexico.
- Although low-income children tend to have lower achievement results, 11 per cent of QSP schools have demonstrated high social-effectiveness indicators, despite being set within the most impoverished social and economic contexts.
- Schools with the highest academic achievement are (a) those with higher managerial indicators such as a climate of trust, an innovative environment, articulation of programmes, a high level of teacher participation in decision making, and where capacity building depends upon the necessities of the school; (b) schools that have incorporated the culture and practices of evaluation, self-evaluation, transparency; and (c) where families are active participants, and the school takes into account the satisfaction level of parents and students.

## Conclusions

In summary, QSP's main goal is to improve teaching in the classroom. The programme understands that teaching takes place within the organizational context of the school, which makes it necessary to create flexibility, incentives, and provide other types of support that help strengthen the school as an organization. It must also be considered that school management is part of the state's educational administrative apparatus, which, likewise, must modernize and add flexibility to support the autonomy of schools.

QSP aims to strengthen collegial work processes in schools. The aim is to create a school culture in which all school personnel hold high expectations for the potential achievement of all students, and teachers

continually improve their practices. The creation of such an environment requires developing new ways of working in teams. In such schools, there is frequent, fluid and honest communication between all actors.

Furthermore, leadership is well distributed, relations between colleagues are respectful and mutually supportive, and it is possible to construct a shared vision of the purposes of the institution through the involvement of all stakeholders. In such a school, these same actors are able to discuss the obstacles to and challenges in the achievement of this vision, identify the necessary change processes, and mobilize the resources to initiate and consolidate the transformation of the school. Additionally, such schools frequently evaluate the effectiveness of their efforts in attaining their objectives.

QSP also understands that, in order to support the development of these processes in the school, diverse and incremental strategies are necessary that respond to the institutional conditions of each school. The QSP must respond to defined support needs from the school, whilst providing critical accompaniment to the transformation process. This is a strategy of change that combines both top-down and bottom-up elements.

The expectations relating to QSP are high. Its success will depend upon the level of acceptance of the proposed concepts of joint responsibility, accountability, social effectiveness, leadership, responsible participation, innovative practices and flexibility, to name but a few. Perhaps most of all, however, the success of the programme will be decided by the extent to which all citizens of the republic accept their social responsibility of guaranteeing that all Mexicans, regardless of their social and ethnic origin, have access to education of high quality.

## 19. The Citizenship Education Programme in Mexico

*Dulce María Nieto de Pascual\**

The following strategic aim of basic education has been set out in the National Education Programme 2001-2006.

[It] guarantees that all children and young people who follow basic education acquire the fundamental knowledge, develop the intellectual competencies, the necessary values and attitudes needed to achieve satisfying personal and family goals, to exercise citizenship in a competent and committed manner, in order to be able to participate in productive work and continue learning throughout their lives.

In order to fulfil this strategic purpose, the Vice-Minister of Basic Education and Teacher Training has undertaken, among others, the following actions associated with citizenship education:

- The ‘Citizenship Education: Towards a Culture of Legality’ programme, initiated in 1998 in the state of Baja California, which nowadays operates in six federal entities (provinces) and two districts of the Federal District (DF), Mexico City, the country’s capital city, which broadly comprises the work of 850 teachers, more than 500 schools and 90,000 students belonging to the third grade of secondary school [*secundaria*].<sup>45</sup>

45. The Mexican education system comprises almost 30 million students, including all different levels and modalities. Basic education alone attends to 25 million students: 14 million in elementary or primary education, around 5.5 million in lower secondary and 3.5 in preschool. There are 3 million students in higher secondary and 2 million in higher education (including postgraduate studies).

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- The inclusion of civics and ethics education as a subject within the *secundaria* curricula was first implemented during the 1999/2000 school year. For the time being it is undergoing a major revision, with the purpose of improving its performance and articulation, both in the efforts that are being made in primary education in terms of values and citizenship and in the ‘Integral Reform of *Secundaria* Education’,<sup>46</sup> which is yet another strategic programme of the ministry.
- The setting up of an ‘Integral Programme of Civics and Ethics’ in primary education, through which we attempt to guarantee that all children and young people enrolled at this level will receive a solid education in this field, consistent with the other two above-mentioned initiatives.

‘Citizenship education: Towards a Culture of Legality’ is a non-compulsory subject within the study plan of the third grade of *secundaria*. One of its central aims is to foster the formation of responsible and law-abiding citizens. It is intended that young people will endorse the policies and measures that both they and the rest of society can adopt to strengthen our institutions, as well as build and promote a sound and harmonious social environment.

The programme includes two basic assumptions: (a) that the educating role of the school is important in order to consolidate a culture of legality as a basic principle of democratic society; and (b) that cultural change can contribute to the reduction of delinquency and corruption.

46. *Secundaria* is equivalent to junior high school or lower secondary education. It is the highest level of basic compulsory education, which in Mexico includes three years of preschool, six more years of elementary or primary education and three years of *secundaria*. The latter became compulsory in 1992.

## Background and basic concept

Legality is a basic component in the life of any given democratic society. Within a democratic state of law, the rule of law demands the subordination of all three powers of the state – judiciary, executive and parliamentary – as well as that of all citizens, in order to make sure that the general interest is taken into account and that power is not exercised in an arbitrary and wilful manner. Consequently, it is not about fostering *any* rule of law, but the one whose expression is the will of the people. In this sense, the ‘Citizenship Education Programme’ implemented by the Mexican education system cannot operate without knowledge of and respect for the laws that regulate social and political life, together with the institutions and mechanisms which the constitution has established and which are aimed at the preservation of the fundamental rights of the people.

Being law-abiding is one of the key principles in the process of citizenship education. Law by itself and its implementation is indeed necessary, yet not sufficient to achieve tolerance together with respectful, harmonious and peaceful social interaction. If this is to be attained, one should foster an education that promotes a responsible use of freedom and the development of moral autonomy, together with the capacity to be sympathetic to others’ needs and rights, and to have a concern for collective welfare.

Through the implementation of the programme, we pursue a natural and voluntary bonding of (future) citizens with the principles of legality, together with their conviction that legality is necessary to be able to live together with other persons who have similar needs and rights, and that these same people must be tolerant and respectful of the diversity inherent in social life. At the same time, students are expected to develop a critical attitude towards the performance of their social and political representatives, and must learn how to make use of the mechanisms that a state of law should procure in order to accommodate the changes that will contribute to social improvement.



The programme started in Mexico as a response of the education authorities in Baja California to the ongoing process of social decay, which characterizes the border zone between Mexico and the United States of America (USA), and which itself is the result of corruption, organized crime, prostitution, and drug dealing, among other social diseases, which have reached critical levels in this part of the country. The educational authorities from this part of the border – together with the Office of Education of the County of San Diego, California, USA – initiated a school project in both San Diego and Tijuana (neighbouring cities), which shared a common interest in stopping the deterioration of the social network.

The programme was developed by teachers from both cities, who received advice from experts from an American NGO (National Strategic Information Centre, Washington, DC) and which is aimed at promoting reflection and analysis among *secundaria* students on subjects such as the consequences of illicit acts and the need to build and consolidate a state of law and a culture of legality. A main concern was to make sure that such a process of reflection and analysis stemmed from the very situations and problems that the young people of Tijuana and San Diego confronted on a day-to-day basis.

## General purpose of the programme

The programme's aim is to give students the necessary elements for them to be able to build knowledge, acquire competencies and develop attitudes that will allow them to participate voluntarily in the promotion of a culture of legality. This general objective is expected to be achieved through the following specific objectives. It is expected that, by the end of the course, students will (a) be able to comprehend and explain why society needs to develop and sustain a culture of legality; (b) recognize conducts that are damaging to their physical, mental, moral and emotional integrity; (c) to reflect on the responsible exercise of freedom; and (d) understand how it is

that delinquency and corruption affect social interaction and the institutions of a democratic state of law.

## Study plan

The actual development of the course is dependent on the use of the *Teacher's guide*, which was written and put together by a group of teachers and accompanying experts. There is also a set of didactic material, consisting of (a) the *Lord of the Flies* book, by William Golding (in Spanish); (b) the *Lord of the Flies* film; (c) the *Goodfellas* film, by Martin Scorsese; and (d) a testimonial interview with Garo Gazarin from Italy. This basic tool kit is indeed as 'unimpressive' as it sounds; yet the actual strength of the course seems to lie within the scope of the teacher's involvement and motivation.

The programme has been developed in the form of a workshop, which involves much more than a traditional course in terms of the personal involvement and commitment of both the teachers and the students. It certainly goes beyond the scope of the classroom and the school, since the work developed by teachers and students involves other actors, such as parents, principals and members of the community.

## Coverage and development of the programme

The course runs regularly in the states of Baja California, Chihuahua, Morelos and Sinaloa, together with the Federal District (Mexico City), in the Iztapalapa District, and as of August 2003, it has started to operate in Ciudad Victoria in the state of Tamaulipas as a pilot project, and the Gustavo A. Madero District in Mexico City.

**Table 19.1 Current state of the programme**

2003-2004			
States/Districts	Schools	Teachers	Pupils
Baja California	242	496	27,554
Chihuahua	30	60	22,500
Gustavo A Madero (DF)	8	8	800
Iztapalapa (DF)	59	90	7,515
Morelos	46	84	10,251
Sinaloa	129	123	18,981
Tamaulipas	8	8	800
Total	522	869	88,401

## *Conclusion*

## 20. Synthesis and conclusions

*Jacques Hallak and Muriel Poisson*

The various experiments analyzed in this book show that the recognition of the phenomenon of corruption and of its costs to the education sector is growing: In the case of Argentina, corrupt practices are said to cause an inefficient assignation of available resources, to inflate costs, and to reduce educational quality. The most common forms of corruption in education as described by country representatives themselves include abuse of authority, fraudulent behaviour, bribery, embezzlement, bypass of criteria, manipulating data, transgressing rules/procedures, employment of ghost employees and abuse of public property. The following represent a few of the practices described within this framework: (a) the violation of public tendering procedures (for the construction and maintenance of schools, the purchasing of textbooks or school meals, etc.); (b) the diversion of money intended for the school for the personal benefit of individuals (including non public funds: donations from parents, etc.); (c) the payment of bribes for recruitment into educational organizations, but also for school entrance, successful graduation, entrance to universities, etc.; and (d) lack of objectivity in the process of recruitment, promotion and transfer of teachers and staff.

Both recognition of, and responsiveness to, the situation represent a positive break from the past. The various strategies presented during the Guanajuato Seminar show indeed that different stakeholders (both public and private) are trying to address the issue and find ways to respond to the following challenges: (a) how to promote a sustained leadership; (b) how to define adequate regulatory mechanisms; (c) how to streamline the channelling of resources to beneficiaries; (d) how to ensure that information is accurate and available; (e) how to organize independent monitoring

systems; and (f) how to develop avenues for social participation. These are further described below.

### ***Challenge 1: How to promote a sustained leadership***

Corruption has sometimes become so much a part of the fabric of daily life that it tends to be regarded as an inevitable part of governance by the perpetrators and by the victims. Even acts that people acknowledge as being corrupt, and therefore harmful to general welfare or morally wrong, are tolerated. It is also an unfortunate unpleasant fact that the higher up the corruption, the less likely it tends to be acted upon – the idea of zero tolerance and the prosecution of high profile cases are not yet on the agenda.

In order to break this inertia, a firm political will needs to be established and a strong commitment to address corruption problems is required from the top. A clear vision from the leadership needs to be developed on this basis, based on some basic governance principles, such as, in the case of Cambodia, greater participation, enhanced accountability/integrity, better predictability, and a demand for greater transparency. This in itself is not enough and some concrete measures have to be taken to translate this vision into real terms, as illustrated by the Government of Lesotho, which has enacted the Prevention of Corruption and Economic Offences Act (the first anti-corruption law in the history of the country), provided for the establishment of a Directorate on Corruption and Economic Crime, made provision for the prevention of corruption, and conferred power on the directorate to investigate suspected cases of corruption and economic crime.

However, as is often the case, once decisions have been made, the difficulties in applying them are far from insignificant. In government action, there is sometimes an initial wave of goodwill, but this eventually gives way to the tendency, as time goes by, for officials to become less rigorous in their observance of programme requirements. As emphasized in the case of the SGP/SGIP programmes in Indonesia, which were designed in such a way so as to limit corrupt practices, projects eventually drift back towards

‘business as usual’ – particularly as far as transparency and accountability are concerned, as they tend to contradict the established order and disrupt existing systems of incentives.

Several possible ways out were explored during the debates, including the wide diffusion of the principles of governance adopted by top-leadership through a coherent communication strategy reaching all stakeholders (public authorities, parents, teachers, donors, etc.). It was also suggested that the principles of ‘mutual accountability’ and ‘shared responsibility’ be promoted, with a view to obtaining positive results in programmes carried out in the education sphere. The end product of such a chain of accountability would be that, when things go wrong, those responsible are held accountable for inefficiency or mismanagement.

It was recommended that mutual accountability be also improved in relation to other public departments (such as MOF), donors and civil society – towards a better sharing of risks and responsibilities. The use of a sector-wide approach was evoked in the case of Cambodia and Uganda as an appropriate way to progress towards this end, by promoting a holistic and forward planning and funding approach, removing overlapping, duplication of effort and unco-ordinated interventions, and providing common accountability, reporting, monitoring and evaluation frameworks (the example of Aid MIS, which includes financial information on donor and NGO support in Cambodia was presented as a first step in this context). However, the challenge remains that all stakeholders work together to apply these principles in a two-way process.

### ***Challenge 2: How to define adequate regulatory mechanisms***

Endemic corruption is difficult to eliminate, but mechanisms can be put in place that minimize its effects. The design and enforcement of adequate regulatory (including self-regulatory) mechanisms can prove extremely useful in this respect. Examples taken from different areas, such as procurements, textbook production and distribution, school nutrition or teacher management



were presented during the Guanajuato Seminar. Particular attention was drawn to the experience of Lesotho in improving transparency in its system of procurement; Chile, in introducing a standardized formula for allocating meals to schools; and Colombia (Bogotá), in setting clear standards for the recruitment and posting of teachers. These three examples are further described below:

- Improving transparency in public procurement is underway in Lesotho. The government has thus issued clear guidelines to be strictly adhered to with regard to the procurement of civil works. It has made sure that all school construction projects are open to public tender and that contractors may challenge any awards they feel do not comply with the rules. It has developed criteria for the evaluation of contractors in order to ensure that only those with a background of honesty in the industry may be allowed to conduct business. To ensure quality in the delivery of the product, specific building standards have been established – against which all work in school construction is measured. The government has established a construction inspection team that makes sure that the qualitative standards are in no way compromised. Finally, it tries to make a point of involving students, parents, employers and the entire community as a further step towards strengthening transparency in its school-construction system; it expects them to play a role of ‘watchdogs’ in the future.
- In order to foster transparency in teacher management, a process of verifying the physical placement and functions of teachers on schools’ payrolls was undertaken by the city of Bogotá; the information was compared with the real needs of the schools. Several steps were then undertaken, in particular the setting up of objective criteria in assigning teachers to schools and reorganizing personnel; the development of well-defined and transparent procedures associated with key personnel processes such as hiring (with the organization of an open competition based on credentials); the design and implementation of a human resource information system; and the public posting of information. The

publicity provided for these changes, along with the technological tools supporting them, brought significant gains in terms of transparency, which in turn were reflected in the city's educational indicators: It is estimated that between 1998 and 2003, school enrolments in the city of Bogotá increased by 37 per cent (240,000 pupils) – when the resulting percentage increase in costs was only about half.

- In Chile, SFP has been underway for several decades. However, at the beginning of the 1990s, serious efforts were made to improve transparency in the selection of beneficiaries and of contractors and in strengthening accountability in the keeping of records, the control of costs, and the checking of the number and characteristics of the meals actually served. One way of doing it was to develop SVI for schools to determine what types of meals a child should receive, together with a technological tool enabling teachers to measure automatically the exact food rations that need to be allocated. In addition, in order to improve transparency in the selection of suppliers, a linear programming model with binary variables was designed and implemented to ensure optimal selection of the best bid. This has brought about savings equivalent to the cost of feeding 115,000 children for three years.

Alongside the development of regulatory systems, discussions emphasized the value of self-regulatory mechanisms such as codes of conduct and standards of behaviour (both professional and ethical) in the education sector. The idea here is to promote an organizational culture that does not rely only on continuous external controls but constitutes a form of self-monitoring potentially more cost-effective and cost-efficient than sanction-based enforcement. The southern-Asian experience (India, Bangladesh and Nepal) was used to illustrate the challenge of introducing, implementing and successfully enforcing codes of conduct. The cases of Hong Kong and Ontario (Canada) offered inspiring approaches to building ownership and effectiveness in the use of codes, through the direct involvement of the teaching community itself in the design and enforcement of the codes.

The significance of the impact of codes on teachers' behaviour is, however, sometimes questionable due to limited access to them; difficulties in understanding them; absence of training for teachers; the dearth of knowledge about procedures for lodging complaints; lack of capacity for their enforcement; pressure exerted by teachers' unions, etc. Suggestions proposed for guaranteeing their credibility and impact include: simplifying and making them more relevant; building ownership by involving the teaching profession in their design and implementation; ensuring their wide dissemination; strengthening mechanisms for dealing with complaints; and integrating issues on teachers' professional conduct into various pre-service and in-service teacher training courses.

### ***Challenge 3: How to streamline the channelling of funds***

It was noted by one of the participants that resource allocation often works on a basis of traded favours, and that rewards commonly go to those who shout the loudest. Where the level of need is high and there are not enough resources to go round to please everyone, rewarding those who have given something in return is at least one way out of a conundrum. In addition, it was observed that resources tend to be channelled inefficiently through bureaucratic mechanisms, resulting in delay and leakage.

One possible solution consists in better streamlining the channelling of funds, in shortening the road from the source of funds to the recipients, and sometimes also in isolating the funds from the bureaucracy (e.g. trust funds used by Mexico, which insulate budgeted resources from political change, red tape and leakage). The merits of formula funding were presented within this framework: Formula funding of schools was said to reduce the likelihood of corruption, since an essential element of formula funding is public accessibility to information. Transparency puts pressure on people in positions of responsibility to act in conformity with regulations – since the chance of detection is much higher and the personal and professional consequences of misappropriation are greater.

When designing formula funding, the pros and cons of transparency of different criteria were discussed. Participants were given a review of the practices of Australia, Brazil, Poland and the United Kingdom, as well as the Indonesian case of using grants for schools and pupils. It was revealed that in some cases, the use of formula funding has contributed to improving transparency in the allocation of resources, and in other cases, the impact of complex criteria for allocation appears difficult to decipher. It was concluded that simpler formulae have the merit of being easier to understand and therefore more transparent.

Yet, it was argued that the introduction of formula funding for schools and the delegation of spending decisions to them can also tend to increase the possibility for fraud, since many more people have direct access to funds, and that school actors often lack competent personnel to handle financial matters. A number of recommendations were made to limit this possible drawback, including the design of a nationally agreed format for the production of financial reports at both school and intermediate authority levels; the training of principals and administrative staff in financial procedures; the setting up of local monitoring systems, and the organization of regular audits.

However, reality suggests that the existence of comprehensive rules and regulations for the channelling of funds, combined with appropriate systems of safeguards, are not always sufficient to overcome corruption. In Indonesia for instance, the SGP and SIGP programmes – two large-scale projects funded with the support of the donor community and based on basket funding – were designed with the aim of promoting transparency and accountability. Direct transfer of funds, the insistence on dual signatories for cash withdrawals, the implication of civil society representatives on committees, and financial disclosure were thus all intended as safeguards against monopoly control and secrecy. Comprehensive guidelines were developed to explain the new financial regulations put in place, reporting requirements were clearly specified, training and socializing processes were

organized, and regular assessment and audit of school accounts were set up – some of their results and conclusions being widely diffused.

Nevertheless, several cases of corruption were detected in the process of implementation of these programmes. Several lessons were drawn from this experience: (a) officials have to be motivated to keep the rules through adequate systems of incentives; and (b) the ability of the education system to implement proposed changes has to be carefully considered in order to minimize opportunities for corruption at local and school levels.

Finally, one question was raised regarding the channelling of private funds (parental contributions, private donations, etc.) to education: on how to regulate the allocation and use of these funds, how to evaluate the potential costs and benefits of doing so, and how to do it. The experience of the partnership's project in Ukraine illustrates the practical application of this through the involvement of civil society. In this case, parents have started to set up non-profit organizations that not only control and report all financial operations involving parental and voluntary contributions, but also act as fund-raisers. This project was said to be very effective in increasing transparency in the school and in generating additional resources.

#### ***Challenge 4: How to ensure that information is accurate and available***

Accuracy and availability of information were presented as key factors for ensuring equitable and transparent allocation and use of resources. This can indeed encourage school actors to become more accountable for government and parental spending on education in schools. Unfortunately, information is not always systematically recorded. It can be either inaccurate, or purely and simply missing. In Lesotho for instance, cheques have sometimes been made out to people who are no longer in the teaching service: This is usually brought about by delays in feedback to the information system on teacher movements, and sometimes these are deliberate.

To ensure the availability of consistent and reliable data to facilitate educational planning and management, a number of countries have established an education management information system (EMIS), linked up to all districts. The information databases thus created are maintained and regularly updated at district level, where it is easier to monitor statistical changes. In addition, in order to check the accuracy of data, some ministries conduct a regular census and make impromptu checks to verify information in the sector database. In the case of Uganda, inter-ministerial task forces have also been formed to handle specific assignments, such as validating teachers on the government payroll and confirming the existence of educational institutions that benefit from government funding.

Yet, as long as some actors still have an interest in manipulating data (for instance, in order to attract more funds at school level), it is difficult to ensure the accuracy of information. In this connection, the debates in Guanajuato emphasized the merit of some specific methodological tools such as ‘public expenditure tracking surveys’ (PETS) in order to get a real picture of the situation. PETS was thus presented as one of the few ways of studying the flow of public funds and other resources at the various levels of government and the administrative hierarchy, and to acquire quantitative evidence on leakage. Other tools, such as quantitative service delivery surveys (QSDS) were also said to be very useful in obtaining information on other important dimensions, such as the rate of teacher absenteeism and the number of ghost teachers.

However, the setting up of adequate systems of information is not enough in itself to improve transparency and accountability in the management of educational resources. The problem is to know how to make proper use of information so that it can help improve the way resources are allocated and used. There was a certain amount of consensus among the participants in the seminar on the need to make information available to the public in order to implicate individuals and communities in the process. This was illustrated by the case of countries where the results of PETS have been



widely diffused among the population: Uganda, for instance, decreased the rate of leakage in non-salary expenditure from 87 per cent to around 10 per cent in three years by disseminating information about school expenditure and hence mobilizing the attention of local communities.

Within this framework, the public display of information about the release of funds for educational activities at all levels, including the funds released for district-based activities, is also pertinent. At the central government level, it can be done by using the printed media. Local authorities, on the other hand, can be requested to display information at district headquarters regarding the amounts that have been released for various educational activities. Similarly, the schools can be expected to display on their notice boards information about funds released from the district and how they are to be utilized. Some countries, such as Cambodia, have taken a first step by deciding to post budget allocations in school offices and certain of the commune offices. Others, e.g. Uganda, have gone further by displaying information at all administrative levels.

The potential of the 'right to information' laws, which can help communities exert a real social control over the use of educational resources, was emphasized. Reference was made here to some countries represented at the seminar. The adoption and growing application of the right to information laws in several Indian states (Rajasthan, Karnataka) was recognized as a particularly promising trend. These laws aim at promoting openness, transparency and accountability in administration, and ensuring the effective participation of people in the administration. Key features include the obligations of public authorities; the procedure for citizens to obtain information; certain restrictions regarding the disclosure of information; the grounds for refusal to provide information; the appeals process for a citizen; the penalties for any competent authority for failure to provide the information sought within the stipulated period.

One of the continuing challenges is that of increasing awareness of the right to information in the general population. By holding public hearings,



several NGOs in India have succeeded in bringing problems of transparency and accountability in public administration and services to the attention of the public and have sensitized citizens to their right to information and to using this right to have their grievances redressed. However, the reluctance of the administration to respond to these grievances led to the suggestion of establishing an independent regulatory agency with discretionary power to monitor and enforce the implementation of the right to information.

### ***Challenge 5: How to organize independent monitoring***

Once clear guidelines and regulations have been elaborated, the problem is knowing how to make sure that departments in ministries of education are made accountable for effective spending of operational funds and accurate reporting and that departments, provinces and schools follow agreed financial guidelines and spend on agreed priorities. Several alternatives were discussed as a response to these concerns.

One option would consist in strengthening technical and financial planning, management and accounting/reporting procedures within the line ministries, provincial authorities and schools. The establishment of internal and external audit systems is part of this process. This can involve sample financial monitoring of district and school accounts, sample internal audits of accounts by the inspectorate general to ensure compliance with spending guidelines, and improved links between the MOE internal audit office and the national audit authority. Some countries, like Jordan, set up audit mechanisms a few years ago; it is considered as a very useful tool to find out whether instructions have been applied or not and whether decisions have been taken to induce corrective or preventive actions. Other countries, such as Cambodia, are in the process of establishing such structures.

However, reliance on legal and accounting systems alone can be problematic. First, as the government's role and services have expanded considerably during the past few decades, it has become apparent that

conventional mechanisms such as audit and legislative reviews may be inadequate. Collusion, organizational deficiencies, abuse and lack of responsiveness to citizens' needs in public agencies and units cannot easily be detected and rectified, even with the best of supervision. Second, there sometimes exists a lack of independence and efficiency in a legal or audit system, especially at local level, where most services are being delivered. Third, legal processes and systems to control public sector management rely on the existence of a truthful legal machine that can investigate and enforce existing rules. For many countries, in particular those characterized by systematic corruption, such a legal machine does not exist. Fourth, the design of legal and accounting measures to address all types of inefficiencies is very costly. Finally, it is unfortunate that in a number of cases no action is taken after the publication of the audit reports.

Under these circumstances, other approaches need to be explored. An alternative consists in reducing opportunities for fraud in the management process itself and, at the same time, introducing a system of incentives not to commit fraud, or of disincentives to commit fraud. This is illustrated by the reform of the book supply system in Lesotho. In this country, there exists a primary book-rental scheme, monitored by a Schools Supply Unit (SSU). One of the functions of the SSU field office is to identify book-rental defaulters and to persuade them to make prompt payment into the revolving fund. Some of the SSU officers have been found to collect money from the schools and, instead of depositing it in the SSU account, misappropriate it. To correct this, teachers are now required not to pay the money directly to the officer but rather to deposit it at the nearest bank. For teachers who collect the rental fee but fail to remit it to SSU, a system has been put in place to recover the money by monthly deductions from the teachers' salaries. SSU also plans to intensify school visits to encourage prompt payments of the funds collected.

More generally speaking, the conclusions of the comparative study undertaken on formula funding in different countries give valuable guidance

in this connection. They thus recommend the clear identification of potential areas of systemic weakness in the overall management system, such as the handling of cash within a school, or the use of credit card payments, etc., and then to issue clear rules such as the separation of ordering and payment, and the requirement of more than one signature on school cheques or credit notes, the maintenance of equipment inventories, and the maintenance of accurate records of equipment disposed of or written off. The idea is to build these practices into financial procedures to be monitored by audit.

Several other options can be usefully considered. One consists of combining monitoring and auditing with other strategies: conduct of statutory audits, sector-wide audits, financial tracking studies, periodic performance reports, routine monitoring, and display of funds released. Another is to detect warning signals: In Hong Kong for instance, school management is constantly on the watch for signs of corruption or malpractice, including unexplained alterations in financial statements, missing or out-of-sequence documents and unnecessary duplication of records, etc. Finally, the empowering of parents can also be seen as a useful way of ensuring appropriate service delivery in education.

### ***Challenge 6: How to develop avenues for social participation***

There are usually few or restricted opportunities for the meaningful participation of civil society in the improvement of transparency and accountability in education. The question of how to make school directors and parents' committees more accountable for governmental and parental spending on education in schools is a difficult one. The public is often unaware of opportunities for involvement. Yet, according to many, public involvement would seem to be the key to reducing corruption. That is why one has to think about avenues for community participation in education. Exercises in the sharing of information, and efforts towards 'mainstreaming participation' would certainly go a long way towards improving transparency and accountability.

In order to involve communities in education, avenues for social participation can be created by use of the media. Parents should be provided with adequate information to enable them to play the role of well-informed consumers. Radio programmes, for instance, can help to warn the public and schools about incidents relating, for example, to school examinations. More broadly, the existence of web pages, newspapers, local radio and public hearings, along with appropriate budgets and national-awareness campaigns, can all help to make the public aware of opportunities of involvement. They can even contribute to promote interaction between citizens and public officials.

In some cases, campaigns to raise public awareness can be organized by governmental authorities. In Hong Kong, for instance, information campaigns have been arranged by ICAC (Hong Kong Independent Commission Against Corruption ) with the objective of informing people about what their entitlements and rights are, so that they can detect when the standard of service provided falls short of those entitlements and make a complaint accordingly. In Indonesia, public hearings, where the rural people actively participate, are conducted by local authorities and donors. In other cases, such as Ukraine, information campaigns are led by coalitions of NGOs (including NGOs for students, human rights, associations of small- and medium-sized enterprises, legal activities, journalists, social services and women). Not only do these coalitions conduct public awareness campaigns, but they also organize round-table discussions and press conferences, implement public opinion surveys to raise awareness about the negative impact of corruption, and provide telephone hotlines where any person can receive legal advice free of charge and hold public hearings.

These processes can be strengthened through the enforcement of the right to information. Indeed, there is now sufficient evidence to suggest that the right to information can constitute a very valuable tool in improving transparency and accountability in governance and in empowering people within the educational process (see *Challenge 4* above).

Moreover, an indispensable step forward is that the school be made accountable to the community, and that it explain to the community the outcomes achieved. Such supervision by society brings into play a certain sense competition between schools and provides the foundation for a change of attitude in the way public services are given to the users. Such programmes to develop social and community involvement have been developed in countries such as Mexico, with QSP. There the school has been made accountable to the community: It designs its own programme of work in consultation with the community, and it explains to the community the outcomes achieved. Particular attention is paid to the link between building accountability and transparency and promoting ownership – all of which are crucial factors for its successful implementation.

Finally, one key aspect to promote public awareness and empowerment in the long run relies on the development of ethical values among different stakeholders: officials, school actors, parents and the children themselves. In this regard, ICAC has produced several sets of training materials to promote its core values among different types of audiences. It has also promoted the development of teacher codes of ethics; other countries, e.g. Ukraine, have instead promoted the development of ‘university codes of ethics’.

As far as the education of children is concerned, several questions can be raised on the age at which it should start, whether the teaching should be integrated into the formal curriculum or not, and the form of pedagogy that should be used. According to several presenters in Guanajuato, this can be done from an early age. In the example of the Citizenship Education Programme in Mexico, elementary education is thus used to stimulate the adoption of values, the exercise of rights, the fulfilment of obligations, as well as the development of a culture of legality. In Hong Kong, anti-corruption issues are integrated into the formal curriculum at all levels of education (including university), and new methodologies are experimented to encourage the active involvement of students through, for instance, interactive drama performance.

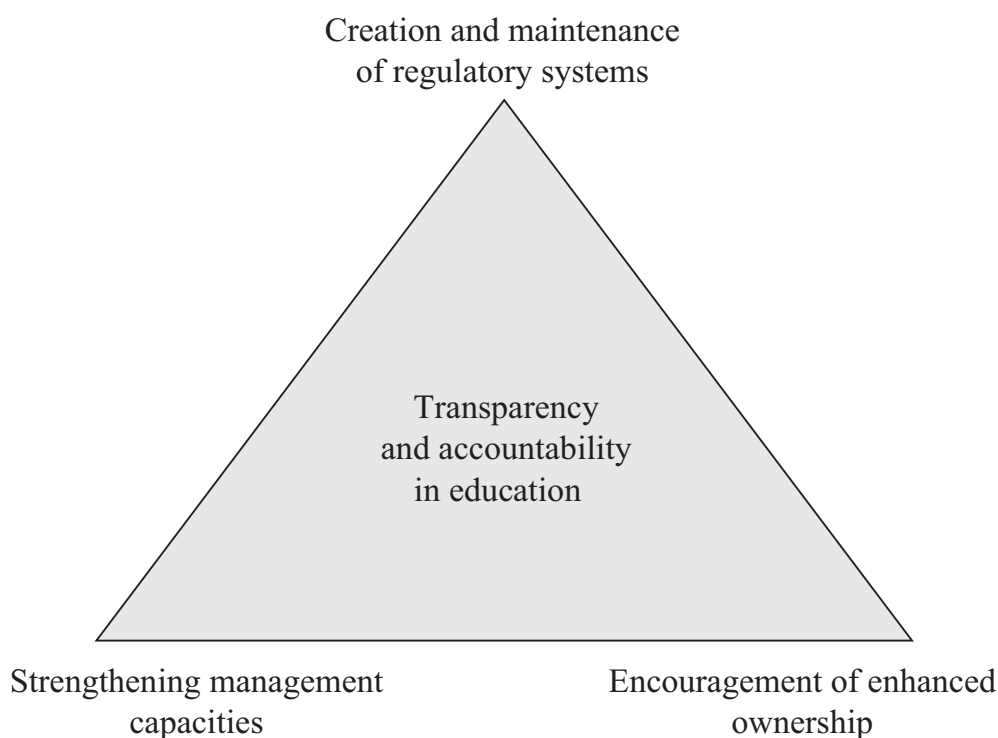
### ***Concluding remarks***

The various strategies presented during the Guanajuato Seminar can be grouped under the three major strategic axes for improving transparency and accountability in the management of the education sector: the creation and maintenance of regulatory systems; the strengthening of management capacities; and the encouragement of enhanced ownership of the management process. More specifically:

- The creation and maintenance of regulatory systems: This involves adapting existing legal frameworks so that they focus more on corruption concerns (rewards/penalties); designing some basic norms and objective criteria for procedures (for instance, with regard to fund allocation or procurement); developing professional and ethical codes of practice for the education profession; and defining well-targeted measures, particularly for fund allocation.
- Strengthening management capacities to ensure the enforcement of these regulatory systems: This involves increasing institutional capacities in various areas, particularly information systems; developing computerized/automated processes; setting up effective control mechanisms against fraud; promoting ethical behaviour; sensitizing and training staff; and creating peer control mechanisms.
- The encouragement of enhanced ownership of the management process: This involves developing decentralized and participatory mechanisms; involving the profession in the design and enforcement of rules; increasing public access to information (particularly by the use of new technologies); and empowering communities to help them exert stronger 'social control'.

These three strategic axes are represented in *Figure 20.1*.

**Figure 20.1 Improving transparency and accountability in education: three strategic axes**



These components should not be considered separately, but as part of a broader integrated strategy aimed at fighting corruption in education. The success of this strategy in the long term is dependent on a number of factors, such as: (a) strong political will; (b) the strengthening of professionals (by improving their status, salaries); (c) the support of a free press to publicize wrongdoing; and (d) a wide diffusion of ethical values, etc.



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