

**OECD Anti-Corruption Network
for Eastern Europe and Central Asia**

Integrity of Education Systems A Methodology for Sector Assessment

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FOREWORD

This paper describes a methodology for assessing the integrity of national education systems (INTES): the guiding questions, underlying theory, and expected results. The methodology helps to identify practices in education, which qualify as corrupt and explore education systems from the point of view of their vulnerability to such practices.

The methodology and this paper were developed by Mihaylo Milovanovitch of the Center for Applied Policy and Integrity and the European Training Foundation, Italy, within the framework of the OECD Anti-Corruption Network for Eastern Europe and Central Asia. Development of the paper was enabled by the Education Support Programme of the Open Society Foundation with funding provided to the OECD Directorate for Education and Skills and the Center for Applied Policy and Integrity. The views and opinions expressed in this paper are those of the author and do not reflect the official policy or position of any of these organisations.

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I. Introduction

About this paper

This paper describes a set of interconnected protocols for assessing the integrity of national education systems (further INTES protocols or methodology): the guiding questions, underlying theory, and expected results. The protocols aim to identify practices in education which qualify as corrupt and to explore education systems from the point of view of their vulnerability to such practices. The assumption is that liability for problematic conduct can be enforced more effectively if these practices are known and well-described, and also that prevention is most effective when based on improvements in education policy and practice, because corruption is a consequence of deeply-rooted, systemic problems in the sector.

INTES was initiated in the political context of the Anti-Corruption Network for Eastern Europe and Central Asia (ACN) of the Organisation for Economic Cooperation and Development (OECD).¹ In 2009, the 25 countries-members of ACN declared that preventing corruption in education is a priority and committed to exploring how the problem can be addressed from within the sector, with the means at disposal of education policy-makers and practitioners and in ways that are complementary to the national anti-corruption efforts of ACN members.²

The development of the INTES protocols is an ongoing process which commenced in support of this commitment. The purpose is to deliver evidence that informs decision-makers, education professionals, and education beneficiaries about the conditions in which corruption in their education systems may be thriving, and from there how to mobilise education reforms to improve these conditions in ways that can stop malpractice at its roots. The protocols deliver country-specific findings, but the evidence collected with their help can be analysed for commonalities in the ways illicit or illegal conduct manifests itself and the conditions in which it thrives. INTES has been instrumental also the in-depth monitoring of anti-corruption reforms in education in the framework of the Istanbul Action Plan (IAP) of the ACN.

The INTES protocols comprise three guiding questions and assessment sub-routines. The protocols are held together by a theory of integrity and corrupt conduct in education, which draws on rational choice and routine activity theory (Cohen & Felson, 1979) and economic models of human behaviour (Becker, 1976), on international anti-corruption standards, and on lessons learned in the course of assessments of education integrity. These assessments were carried out with the help of INTES on behalf of education authorities and civil society in countries-members of the ACN (Serbia, Armenia, Ukraine, and Kazakhstan), as well as Tunisia by the OECD Directorate for Education and Skills and the Center for Applied Policy and Integrity, in partnership with other organisations, *e.g.* UNESCO IIEP and UNDP.

After a brief section with an overview of education as a sector at risk of corruption, the paper presents the rationale for the work on integrity, the protocols and guiding questions of INTES and how they steer the evidence collection and analysis (section II), describes the underlying integrity theory and concepts (section III) and concludes with a discussion of anticipated results and their added value. The paper does not discuss substantive findings from country assessments, but it does provide occasional examples from the work with countries to illustrate aspects of the theory and the application of the assessment protocols.

¹ <https://www.oecd.org/corruption/acn/aboutthenetwork/>

² For summaries of the corresponding meetings and the proposals see (OECD-ACN, 2009) and (OECD-ACN, 2010).

Rationale for the integrity assessments

Education at risk

Education matters a great deal, to individuals and societies alike. There is convincing evidence of its social and economic benefits, countless families and students see it as a pathway to a better future, countries have committed to it as a global development priority³ and treat it as insurance against economic hardship and unemployment. The importance of the sector, however, has also made it more vulnerable to corruption.

The significance of education for a growing number of people has brought significant changes to the sector. One of them is its massive and ongoing expansion. Within roughly a school generation since 1999, pre-school enrolment grew by nearly 75% worldwide, net enrolment in primary education⁴ expanded by 20%, most low and middle-income countries introduced free secondary schooling, and by 2009 the number of students in universities across the world increased by 53%, to 150.6 million (Altbach, et al., 2009) (UNESCO, 2015a).

Another change is the diversification of demands from education. As student populations grew bigger, they also grew more diverse in terms of abilities, aptitudes, needs and socio-economic backgrounds (Gomendio, 2017), creating demand for education that is not only accessible, but also equitable and inclusive, of acceptable quality, free of discrimination, and receptive for the needs of individual students (UNESCO, 2003) (UNESCO, 2015b). Together with new, increasingly reliable and internationally comparable evidence on school and student achievement and increased stakeholder involvement, this is challenging traditional ways of managing, teaching and lecturing (Burns & Köster, 2016) and is used to argue for wide-ranging reforms.

The priorities and commitments of countries shifted correspondingly. Education authorities in most of them acknowledged the imperative to change and put forward national plans for improvement. OECD member-states for example ventured into more than 450 school reform initiatives since 2008, covering all aspects of school education (OECD, 2015a). Many developing countries embarked on large scale reforms in school education as well since the 1990s (Tiongson, 2005). In higher education, both developing and developed countries committed to a harmonisation of their tertiary education systems in “supra-national” initiatives (Teichler, 2004) such as the Bologna Process, *i.e.* through adjustments in key areas of policy, such as university governance, quality assurance, and the structure of programmes and academic degrees.

These and other ongoing developments underscore the importance of education and advance a global agenda for its improvement, but they also reinforce its vulnerability to corruption. The international education community acknowledged that corruption is a problem for the sector, important enough to be named among the reasons for the failing of targets set for the first decade of the global *Education for All* initiative⁵ (World Education Forum, 2000).

Financial resources in education, for instance, are known to be an area at risk (World Education Forum, 2000) (Hallak & Poisson, 2007). The size of education, which is the biggest or second biggest item in the public budget of most countries (U4, 2006), the diversity of services and goods it procures, as well as the

³ The Incheon Declaration “Education 2030: Towards inclusive and equitable quality education and lifelong learning for all” commits the UN community to “transforming lives through education” by ensuring the provision of “12 years of free, publicly funded, equitable quality primary and secondary education” by 2030.

⁴ Countries for which there is data.

⁵ The Education for All (EFA) movement is a global commitment to provide quality basic education for all children, youth and adults. It is led by UNESCO.

multitude of actors involved on various levels of governance, open numerous and tempting opportunities for financial abuse.

Educational change can heighten these risks because it requires continuing investment. Between 1995 and 2011, average per student expenditure in OECD countries rose by some 45% in school education and 16% in tertiary education (OECD, 2014), cementing the sector as one of the costliest (OECD, 2015b), but also increasingly complex domains of public expenditure to govern (Burns & Köster, 2016). At the same time, financial accountability and transparency were rarely in focus of education improvement. For instance, of the 450 reform initiatives mentioned above, only about 9% targeted education governance (OECD, 2015b) and of these only a few aimed at improvements in financial accountability.

Another vulnerability that can be traced back to recent developments stems from the importance education has for a growing number of people, and the risk that their mounting expectations might overstretch the capacity education systems to deliver: to the “natural desire” (Transparency International, 2013b) of parents to provide the best of choices for their children, to the hopes of students for a promising choice of study and career path, the expectations of teachers for professional recognition and development opportunities, etc. There is evidence that in countries where education has in some way become a scarce commodity (for instance, due to shortage of places in pre-schools or schools), corrupt or otherwise problematic conduct may be widespread as education participants feel forced to seek alternative ways to obtain what they need, including by engaging in corruption.⁶

Even though education reforms are inspired by stakeholder demand and aim at improvement, they might reinforce the risk of such failure. Reform outcomes are uncertain (Wurzberg, 2010), might fail to materialise, or might even lead to worsening of the initial situation. For instance, the well-intended mass-closure of pre-school facilities in former communist countries in the 1990s leads to acute capacity shortages (Penn, 2011), which in the face of growing demand for kindergarten places in some countries today (*i.e.* Ukraine), create risk of corruption (OECD, 2017a). The reasons of reform failure could be manifold – from unrealistic, donor-driven reform planning (Milovanovitch & Lapham, 2018) and resource shortages (The World Bank, 2015) (Crossley & Vulliamy, 1997) (Hillman & Jenkner, 2004), to external factors beyond the influence of education participants and institutions (Tiongson, 2005)

A third source of vulnerability in education is the dependence of education participants on each other, which can be conducive to malpractice (Hallak & Poisson, 2002). Students depend on their teachers/lecturers and parents, teachers and schools depend on education authorities and sometimes on parents, parents depend on teachers for the educational success of their children, universities depend on state funding and tuition fees, etc. These relationships are based on hierarchy and authority that can be misused to promote complicity in corruption (Milovanovitch, 2014).

The expansion of education creates circumstances that could facilitate such misuse. Higher student enrolment means also involvement of more individuals and institutions with stakes and interest in student success – parents, prospective employers, the donor community, media, etc. The resulting diversity of demands has forced most countries to opt for decentralisation of governance arrangements in the assumption that local needs are best taken care of on local level (Burns & Köster, 2016). Multi-level, multi-stakeholder environments – the reality of most modern or modernising education systems today – may promote local level participation and involvement and could boost accountability and honesty.⁷ However, they could also promote complicity and make the detection of malpractice more difficult (Milovanovitch, 2014) as central

⁶ See (OECD, 2013a) (OECD, 2013b) (Milovanovitch, 2013) (OECD, 2017a).

⁷ See for example the CheckMySchool initiative at www.checkmyschool.org. It relies on community participation to enforce honesty and transparency on school level.

authorities and agencies have less remit to “enforce honesty” (Banfield, 1979), and the propensity of individuals to engage in malpractice is higher (Carbonera, 2000) (De Grauwe, 2013).

Box 1. Some examples of corruption-related conduct in education

Corruption in education can manifest itself in various forms. Some, like misappropriation of funds for personal advantage, fraud in procurement, or favouritism in public employment decisions, are a common and well-known risks in the public sector and are addressed in the corresponding legislation of countries, such as criminal and administrative codes. In Serbia not so long ago, a common allegation against school principals was that they misappropriate funds from the private sources donated by parents in support of the schools of their children. In Armenia, teachers, school principals, and academic staff were hired and promoted based of personal and political affiliations, abusing the otherwise detailed recruitment and promotion procedures put in place to prevent favouritism. In Ukraine, a recent textbook procurement campaign was dominated by only two publishers, who were known to have exercised undue influence on the choices of learning materials by teachers in schools on regional level.

In other instances, the corrupt behaviour may take subtler, more sector-specific forms that some might even argue are too “soft” to qualify as corruption. For example, in countries as diverse as Serbia, Tunisia, or Kazakhstan, school teachers and/or university lecturers were found to grade higher or lower than their students deserve, in exchange for either personal benefits or to create artificial demand for additional (and paid) services, e.g. private tutoring. In Kazakhstan, some universities were at a disadvantage due to fraudulent decisions in the procedure of obtaining and retaining their license to operate. These are sector-specific manifestations of corrupt behaviour, but they feature all elements of corruption, such as intent and undue personal benefit, and can be widespread problems in education, with a considerable negative impact. They are also entirely in the remit of education authorities to address.

Sources: (OECD, 2013a) (OECD, 2013b) (OSF - Armenia, 2016) (OECD, 2017a) (OECD-ACN, 2017)

Change is always associated with a degree of uncertainty and risk, but they are also a chance. The education developments described so far open possibilities for corruption abuse, but they also offer opportunity for improvement. The risks can be explored to learn how to adjust the goals and aspirations of change in education so that they include the prevention of corruption as a globally accepted priority for the sector, next to quality, equity and inclusion.

The challenge of mainstreaming anti-corruption in education

The interest of ACN members in the potential of education to address its own and growing corruption problems reflects a broader trend towards anti-corruption solutions that are tailored to specific public sectors and rely on their involvement. After a period of forging multilateral agreements against corruption between 1994 and 2004,⁸ the focus of international cooperation shifted from the setting of anti-corruption standards to questions of their implementation (Armstrong, 2005). This prompted countries to start revising their anti-corruption plans to make them more targeted and action-oriented by adding a focus on sectors of priority, such as education.

The rationale behind this trend is that sector-sensitive approaches can mobilise support from sectors affected by corruption, which in turn can boost the effectiveness of anti-corruption policies, help prioritise sectors at risk, and motivate practitioners in those sectors to take ownership over anti-corruption commitments and solutions (Hussmann, 2007) (Fink & Hussmann, 2013). Today, national education authorities are increasingly often called to responsibility for preventing corruption in their own domain, for instance by developing sector integrity plans and mainstreaming anti-corruption priorities in key aspects of

⁸ Examples include the Convention against Bribery of Foreign Public Officials of the OECD (1997), the Criminal and Civil Law Conventions of the Council of Europe (1999), and the United Nations Convention Against Corruption (2004).

sector policy and operation.⁹ In the ACN region too, sectoral integrity plans are increasingly common (OECD, 2016).

Education has remained slow in responding to such expectations. Promising as it is, the incorporation of anti-corruption priorities on sector level implies sound capacity to identify and understand corrupt conduct, decide on actions against it, and implement them. Although the first modern-day attempts to address problematic conduct in education date back to the 1960's,¹⁰ such capacity may still not be readily available in all segments of education and countries. For most of this time, corruption in education has remained a topic confined to the domain of academic research and (donor supported) civil society projects. Some of it was directed at the integrity of the academia itself, but the involvement of education authorities, legislators, and practitioners from all other segments of education has remained limited and unsystematic, at best.

There are examples to corroborate these statements. For instance, despite perceptions of widespread corruption in education in countries of the ACN¹¹ and the fact that much of the research on education corruption draws on findings from these countries, their education laws and regulations are still largely avoiding the problem. Until recently, corruption was also not discussed in any of the national strategies for education development (Sahlberg, 2009). Globally, no group of states has ventured into negotiations on joint obligations and actions against corruption in education, despite all the research evidence of its prevalence and the harm it engenders. Apart from few recent, but rare examples of countries which have explicitly included provisions on corruption and integrity in their education legislation (e.g. Ukraine) and some promising, but still nascent initiatives,¹² education in Eastern Europe and elsewhere continues struggling to address integrity (UNESCO IIEP, 2015) and formulate convincing, comprehensive, sector-wide responses to its corruption challenges.

The INTES assessment protocols are an attempt to provide means to tackle some of the reasons for this deficit. They help to collect evidence which may be instrumental in bridging instances of disconnect between researchers, activists, practitioners and policy-makers regarding corruption in the education sector. The goal is to offer members of those groups, including anti-corruption practitioners, with an approach and insights which let them join their efforts in pursuit of the same goal – education institutions which can resist corruption.

Intervention details

The INTES protocols are designed for integrity assessments of national education systems. “Education system” refers to all education providers regardless of their ownership or sponsorship (UIS/OECD/EUROSTAT, 2002), and covers also the entities which set the conditions of their operation and monitor their performance. Within this scope, the focus of INTES is limited to providers which are accredited or licensed to grant credentials (certificates, degrees or diplomas) through formal learning and related services.

⁹ See for instance (OECD, 2017b) for an overview of references to education in the Eastern Europe and Central Asia.

¹⁰ In October 1966, the International Labour Organisation (ILO) and the United Nations Educational, Scientific, and Cultural Organisation (UNESCO) released the first joint Recommendations on the Status of Teachers, which suggested that countries oblige teachers to exercise their duties in accordance with ethical and professional standards. These organisations issued a similar set of recommendations in 1997 for professional staff in tertiary education.

¹¹ (Transparency International, 2013a) (Transparency International, 2017)

¹² Examples include the Poznan Declaration on Mainstreaming Ethics and Anti-Corruption in Education (Tannenbergh, 2015), the Pan-European Platform on Ethics, Transparency and Integrity in Education (ETINED, 2015), and the Advisory Statement on Combatting Academic Corruption (CHEA & UNESCO-IIEP, 2016).

The application of the INTES protocols shares structural and procedural elements with the OECD practice of peer reviews, as described in (OECD, 2003). Like them, an INTES assessment requires a basis for implementation; a set of criteria and questions that guide the evidence collection and against which the assessment is carried out; an assessment team which is composed in accordance with certain requirements; and a set of procedures that lead to the final deliverable (a report).

The basis for implementing INTES is a formal request by a national institutional counterpart which is the designated recipient of INTES evidence and assessment results. So far, such requests have originated from national education or anti-corruption authorities (*i.e.* in Serbia, Tunisia, Kazakhstan and Ukraine), and from civil society organisations (Armenia).

The criteria guiding the collection and assessment of evidence are derived from commitments of the country in education and anti-corruption as described in its statutes, regulations, national strategies and international agreements, such as international anti-corruption standards, conventions on human rights, national education guidelines and recommendations, etc. The questions guiding the integrity assessment focus on the policy context and manifestations of corrupt practices in education and are explained in the next section of this paper.

INTES can be implemented by an international organisation, an academic and/or research institution, a civil society organisation, a team of independent experts, or a combination of these.¹³ Whichever the implementation set-up, the assessments rely on involvement by national partners and institutions in the form of coordination, substantive contributions and the provision of guidance about the national context.

The final deliverable of this work is an integrity assessment report which provides evidence and analysis along the lines of the guiding questions. The work can be organised in different ways, for instance as a sequence of substantive and organisational steps, as described in the implementation example in the Annex to this paper.

¹³ This was the case with the education integrity assessment (review) of Ukraine in 2017 (OECD, 2017a), the final *report* of which was prepared by an external organisation (Center for Applied Policy and Integrity) and a team of independent experts, but it was released by the OECD, which was also the recipient of the assessment request.

II. INTES assessment protocols and guiding questions

Assumptions and underlying logic

To assess the integrity of an education system means to establish whether education participants engage in corrupt practices if yes, to determine how the conditions in which they have (or deliver) their learning experiences play a role in that. “Corrupt practices” may encompass conduct which is corrupt and for which there is criminal liability (Heyneman, 2004), but also softer, sector-specific actions, which put the integrity of education at risk without being corrupt by international standards. Such integrity-related violations may imply administrative or disciplinary liability.¹⁴

There could be different ways to explain why individuals engage in problematic conduct in education. One of them is to interpret their actions as routine activities (Cohen & Felson, 1979; Lilly, et al., 2014) which are influenced by the routine operation of their education system – a form of response to problems in that routine which provide them with incentives and opportunities to engage in corrupt conduct. Consider, for instance, the actions of:

- parents who want to enrol their children in the only good school in their neighbourhood and must bribe their way in through “donations”, because that school is also overfilled and has flawed admission procedures (OECD, 2017a);
- teachers who agree to over-mark students in exchange for employment security, in a country where classroom assessment is marked by deficiencies and recruitment decisions can be arbitrary (OSF - Armenia, 2016);
- students who take paid, private tutoring with their own school teachers to cope with inefficient learning in school, in a country where teachers can provide such classes with impunity despite having a conflict of interest (OECD, 2013a) (OECD, 2017a);
- lecturers who, due to multiple, ill-paid jobs, have little time for exams and are willing to tolerate the academic dishonesty of students, in universities that have weak to no sanctions for cheating (OECD, 2017a).

At the centre of these and other instances of problematic conduct there is an education system deliverable, (*e.g.* a better school grade, employment as a teacher, an academic degree, admission to a chosen school or faculty, higher income, etc.), a person or persons in a position to supply that deliverable in an illicit or illegal way, and someone who demands (and needs) the deliverable. The examples above are indicative of how the conditions in an education system can influence actions on both the supply and demand side of transgressions. Shortcomings in key areas, such as student assessment, teacher employment, or admission to education, may provide those involved with reasons and opportunities to obtain what they need in illicit or illegal ways.

The task of the INTES assessment protocols is to study these shortcomings and the violations to which they may lead. The first protocol (A) collects information about the violations, the second protocol (B) helps to study the means (opportunities) to commit the violations, and the third protocol (C) explores the education

¹⁴ Some scholars refer to these forms of problematic conduct as “professional misconduct” (Heyneman, 2004). For simplicity, this paper may occasionally use “corruption” and “corruption offence” interchangeably with “violation”, “integrity- or corruption-related violation”, “integrity violation”, and “transgression”.

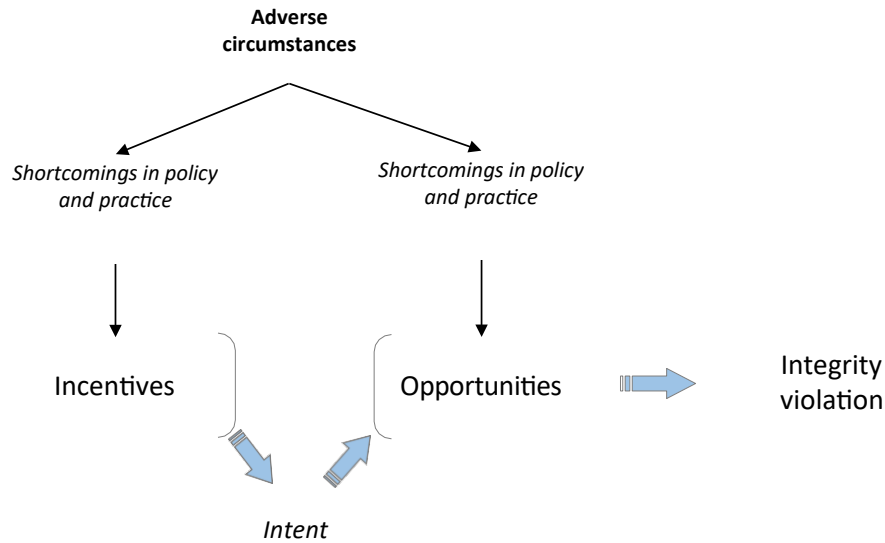
deliverables which motivate the violations, including factors that prevent the supply of these deliverables in permissible ways. For each of the three protocols there are guiding questions and subquestions:

- Protocol A: What integrity violations take place in the education system?
- Protocol B: What enables those violations?
- Protocol C: What motivates the violations?

Question A invites an identification and description of corrupt practices included in the assessment, while questions B and C provide an overview of circumstances (*i.e.* policy problems) in education which create opportunities and incentives for education participants to engage in that practice.

These three – violations, opportunities, motives (incentives) - are the variables in the causal model of INTES, according to which each integrity-related violation in education is linked to a selection of circumstances in the sector which motivate and facilitate that violation (Figure 1).

Figure 1. INTES causal model of integrity-related violations in education



For example, data collected in an INTES research in Armenia in response to question A confirmed that undue recognition of student achievement is a widespread violation in secondary education in that country. The exploration of answers to question B revealed shortcomings in the design of classroom assessment, which were a factor in making the violation possible. The analysis of evidence about the professional circumstances of teachers in response to question exposed problems that seemed to explain the readiness of a majority of teachers to engage, promote and/or tolerate the problematic conduct. These problems included financial dependence of schools on parental contributions, as well as staff management practices that put the employment of teachers at a constant risk of termination (OSF - Armenia, 2016).

As the examples later in this paper will show, the causal model of INTES has a high explanatory power, but it would be wrong to assume that it is also a reliable tool for predictions. Like in other contexts and disciplines, a conflation between causal explanations and predictions can be conceptually problematic and bring misleading results (Shmueli, 2010). Indeed, not all education participants go for corrupt conduct in the face of adversity. Difficult access to education, unsatisfactory working conditions, shortage of funding or an overloaded curriculum does not mean that disillusioned parents, students, teachers, etc. will all resort to corruption. Even in settings in which corruption has become a norm of conduct in solving “problems”, people still have a choice and some of them might prefer to act with integrity instead of “going with the flow”. In Ukraine, such (rare) individuals have even a nickname – they are called “white crows” (OECD, 2017a). The opposite is true as well. Even in the most satisfactory of conditions in education there might be individuals who are ready to maximise their benefit by illicit means if given the opportunity. Unfortunately, the experience of INTES assessments so far suggests that both examples describe exceptions rather than the norm.

The following sections describe in detail each of the three INTES protocols and their application.

Protocol A: What is the integrity-related violation?

In each country assessment, the objective of the first INTES protocol (protocol “A”) is to determine which practices in education merit inclusion in the assessment and then to describe them. The protocol has a sub-routine for each of these two tasks, as outlined next.

Sub-routine 1: Identification of integrity-related violations

Why identification?

In surveys and research, focus groups and interviews, education practitioners readily label a number of practices in education as “corrupt”.¹⁵ Some of these practices, such as embezzlement or abuse of authority, qualify as corrupt by international standards and imply criminal or administrative liability in any sector, including education. Others may be more sector-specific, such as cheating, illicit access to education, informal parental donations to schools, improper private supplementary tutoring, etc. Although of lesser gravity, they seem to account for the bulk of corruption problems in education and are a common focus of international expert discourses on the problem.¹⁶ Despite being reported and discussed as violations, however, they may not always be described as such in the statutes and regulations of countries, at least not in countries for which there is information.¹⁷

The discrepancy between what participants in education report as corruption and what is defined as such in law makes it less evident what practices should be covered in an integrity assessment of the sector. If everything that education participants describe as a violation is included without further scrutiny, there is a risk that the assessment may end up focusing on practices which are not classifiable as violations. Some forms of teaching, for example, such as private supplementary tutoring, are known to have adverse effects on equity and quality of regular education (Bray, 2003) and are often reported by education participants as “corrupt”. Yet, only some of these forms are not only harmful, but also an integrity problem for which education professionals can be held liable, *e.g.* when they tutor their own students from school privately for a fee and make their tutoring services a condition for passing exams (Bray, 2009). Another problem with relying on personal accounts to determine corrupt conduct is that they are influenced by the cultural and national contexts of education participants, which may be disproportionately tolerant to corruption.

Conversely, if the scope of assessments is limited only to practices for which there is liability at the time of assessment, even such narrowly defined, clearly illicit practices may be “lost” because they are not always considered in statutes and regulations. The example above is a case in point. While many countries have rules against the kind of improper supplementary tutoring that the example describes, others (*e.g.* Ukraine or Tunisia) may not have them despite the fact that the practice describes a mechanism for the extortion of undue benefits and would qualify as a conflict of interest situation in any country.

It is therefore recommendable to start wide, for instance with the numerous practices which education participants engage in and report about, and then narrow down to a reasonable choice of practices which can be described as corruption-related violations and sanctioned, the relevance of which to integrity and corruption is fairly straightforward and holds irrespective of whether they are reflected in national statutes and regulations or not.

¹⁵ See for instance (Heyneman, 2004), (Rumyantseva, 2005), (U4, 2006), or (Hallak & Poisson, 2007)

¹⁶ See for instance the description of forms of corruption in education (Hallak & Poisson, 2007) and a decade later in (Transparency International, 2013b).

¹⁷ Serbia, Tunisia, Ukraine, Kazakhstan, and Armenia.

The first sub-routine of this INTES protocol leads this process by defining selection criteria and prescribing how to apply them. Despite all ambiguity and although corruption in education can manifest itself in a diversity of ways, integrity-related violations share common properties which remain the same across educational contexts and set them apart from other forms of problematic conduct in education. The identification sub-routine defines criteria based on those properties and evaluates practices in education against them to determine whether they count as integrity violations.

The properties and the corresponding evaluation criteria are described in the next section. They are instrumental in the identification of practices which must be in focus of the integrity assessment in each country and are especially helpful in judging about the relevance of conduct which is reported as “corrupt” but may not be (adequately) described in law.

Properties and criteria

The properties of “integrity-related violation” (integrity violation) can be described through an intensional definition. An intensional definition posits the meaning of the term and the conditions under which it can be used, without being limited to a specific referent (Cook, 2009; Fitting, 2015). Defined in this way, the term “integrity violation” can apply to any practice in education, whether well-known or yet to evolve, which has the properties specified in the definition of the term.

INTES defines an integrity-related violation as a corrupt action by one or more education participants which contradicts rules, standards and principles that apply in education. In this definition:

- “Education participants” refers to education professionals, students, stakeholders (*e.g.* parents), and/or education authorities, which includes the entities setting the conditions in an education system and monitoring its performance;¹⁸
- “Corrupt action” stands for action which is intentional and undertaken for personal benefit in violation of rules, standards and principles in education;¹⁹
- “Personal benefit” can be anything of tangible value to those participating in the integrity violation and could include money, services, education deliverables (*e.g.* a diploma), including benefits related to employment;
- “Rules, standards and principles” refers to national and international norms, imperatives and recommendations of conduct to which a country has committed, and which apply to the education sector, such as primary and secondary legislation, but also international conventions and anti-corruption standards, etc.

The properties in this definition set the “necessary and sufficient conditions” (Betz, 2011) for when a practice in education can be described as an “integrity violation” (IV):

1. The first IV condition (criterion) is that the practice must pertain to the sector of education. This means that it must involve education participants, deliverables, and formal education environments to achieve its intended results.

¹⁸ See also (Smith & Hamilton, 2016).

¹⁹ See also (Heyneman, 2004) for a discussion of personal benefits as an element of corruption-related conduct in education, and (OECD, 2007, p. 21ff).

2. The second IV condition is that the practice must be illegal or illicit. This means that those who engage in it violate norms of conduct that countries and education providers have committed to in the form of rules, standards and principles applicable to education.

This also covers cases in which a practice may not be defined in national statutes and regulations but still contradicts existing national and international commitments of countries and education providers. In the tutoring example provided before, countries which have not established the practice in question as a violation, like Ukraine, may have conflict of interest regulations which are applicable to those who engage in it (OECD, 2017a), and commit them to objectivity and integrity of student assessment.

3. The third IV condition is that the practice must be intentional. Intentionality or “intent” (French: *un dol* or the *élément moral*; German: *der Vorsatz*) describes a decision to attain a personal benefit in full awareness and knowledge of the illegality or otherwise illicit nature of the action.²⁰

This qualification is important as aberrations from rules, standards and principles in education might happen also because of ignorance or incompetence and not in pursuit of personal interest. While unintentional breaking of commitments in education won’t relieve wrongdoers from responsibility and might be equally harmful to integrity in the sector, it does not qualify as integrity violation in the sense of the definition above.

4. The fourth and last IV condition is that the practice is system-wide. This means that it takes place or can reasonably be expected²¹ to take place more than once and involve more than one education provider and group of education participants. One-off, accidental cases of problematic conduct should not be considered indicative of the state of integrity of an education system.

²⁰ For further versions of this definition and for a reflection on the notion of “intent” see also (Lacey, 1993). For samples of how intent is described in national law see *Bürgerliches Gesetzbuch*, Article 276, available at <https://dejure.org/gesetze/BGB/276.html> (accessed on 16 June 2017), or *Code pénal*, Article 121, available at <https://www.legifrance.gouv.fr/affichCodeArticle.do?cidTexte=LEGITEXT000006070719&idArticle=LEGIARTI000006417208&dateTexte=20170617>. For an overview of how intent is referred to in international anti-corruption agreements, see (OECD, 2007, p. 26ff).

²¹ For a thorough interpretation of the wording “can reasonably be expected”, see the judgement of the European Court of Justice from December 28, 2012 at <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:62011CJ0019&from=EN>

Box 2. Example of sub-routine implementation: Ukraine

The outcome of the identification sub-routine is a selection of practices which will be covered in an integrity assessment. Multiple counterparts in a country may feel like they have a stake in the outcomes of this sub-routine, as this selection determines the focus and scope of all subsequent work. It is therefore important to ensure that the evaluation of practices against the four IV criteria is inclusive, but also as unbiased and reliable as possible. To that end, to the extent this does not compromise adherence to the four IV criteria, the implementation of the sub-routine may be tailored to different national contexts.

In Ukraine, for example, the integrity assessment commenced with a scan of practices in pre-school, school and higher education. The scan was based on an initial list with suggestions by the education authorities, which was complemented by a national co-ordinator and local research partners. The local research partner was an independent education research institute,²² while the terms of reference of the coordinator included supply of information and data, the mobilisation of national expertise, and co-ordination with national counterparts regarding the compilation of the list of integrity violations that the assessment will focus on.

The verification of the initial list of integrity violations (IV list) was carried out by a team of international experts, who relied on desk research and a review of official and third party reports, data, legislation and information from (social) media to evaluate the practices proposed by the authorities and complement the list with additional practices that match the IV criteria. The outcomes of the identification sub-routine were then communicated back to the education authorities and civil society representatives, and vetted by them upon an agreement that the IV list can be updated as the integrity assessment progresses.

Sub-routine 2: Description of integrity-related violations

The second sub-routine in protocol A describes the properties of practices on the IV list. It documents the ones they share as integrity violations (for instance, how they deliver personal benefits in violation of statutory commitments), but also specific properties that distinguish them from each other, such as the education deliverable that each aims to secure (*i.e.* a better grade, admission to a school, a job as a teacher, etc.), the education participants each one involves, or the specific actions that education participants who engage in the violation undertake (for instance, provision of private tutoring classes, manipulation of admission decisions, cheating on exams, etc.).

Depending on the violation and the country context, the information generated through this sub-routine may vary in scope and level of detail, but as a minimum, it describes how the practice happens and why it qualifies as an integrity violation. This requires the description to feature at least four elements: a definition of the practice, an overview of how it takes place in the education system under assessment, evidence of its prevalence, and an indication of what commitments it violates. In more recent assessments the information included also a description of the education policy area in which the violation takes place (*e.g.* assessment of student achievement in school, access to higher education, etc.).

Step 1: Define the violation

It is helpful to start the sub-routine by providing a definition of each practice included on the IV list. Table 1 is a useful point of reference in this respect. It provides an overview of practices and definitions that were considered and/or included in integrity assessments which followed the INTES protocols.

²² In Serbia, the local partners were individual researchers from various faculties in the University of Belgrade. In Tunisia, the partners were a group of local NGOs, while in Armenia, these were several research organisations on behalf of the Open Society Foundations – Armenia which had a track record of work in the area of education analysis and corruption, as well as individual researchers with such a profile.

Table 1. Typology of practices that qualify as integrity-related violations in education

No.	Name	Definition of the practice
1	Illicit provision or denial of access to education	Arbitrary withholding or provision of access to education by those in charge of access, in exchange for undue benefit or the prospect thereof.
2	Improper private supplementary services	Services, such as private tutoring, provided by teachers or other professionals privately and for personal gain in addition to their regular work in education, to students and in subjects or areas which they teach or otherwise cover in that regular work, with the purpose of student advancement and/or support.
3	Politicisation of education	Building and promoting political and quasi-political connexions, loyalties and networks in (public) education with a view to using them for personal or political advantage.
4	Undue recognition of student achievement	Intentional over-marking or under-marking of students in regular education and the fraudulent granting of graduation credentials in exchange for personal benefit or the prospect thereof.
5	Favouritism in staffing decisions	Redistribution of public resources in the form of employment contracts, employment-related promotions and benefits in favour of relations, friends, colleagues or people who are otherwise close to those in charge of the staffing decisions.
6	Misappropriation of funds in education	Embezzlement of assets (funds) in education by someone who does not own them but is entrusted with their management or control.
7	Procurement fraud	Use of fraudulent schemes to procure goods and services for education providers in view of personal enrichment.
8	Cheating	Misrepresentation through fraudulent means (including plagiarism) by those seeking formal recognition of student achievement, of the work they have done and/or the knowledge and skills they have acquired.
9	Accreditation and licensing fraud	The use of fraudulent means, including of personal favours or the prospect thereof, to obtain a license to operate, degree-awarding powers, and/or programme accreditation.

Step 2: Describe how the violation manifests itself

A definition does not necessarily tell much about the way an integrity violation takes place. Depending on who is involved and what level of education is concerned, one and the same violation may have various manifestations. The illicit ways of securing access to pre-school education, for instance, are likely to differ from the ones required for access to undergraduate higher education, which may differ from those for admission to graduate programmes. The specific conduct that constitutes a violation, the education participants involved in it, and the means and methods they use to gain the education deliverables that the violation delivers, may differ between national contexts and sometimes within them, between levels of education and types of education providers.

The INTES assessment of education in Armenia of 2016, for example, determined that undue recognition of student achievement was particularly pronounced in the last year of general secondary schooling. At that point of their education career students tend to miss classes to prepare for the university admission exam, while their school teachers give them grades in absentia. The integrity violation was widespread in Armenian higher education as well, but in a different form. Students in public universities

reported giving bribes to lecturers in exchange for better grades, or of buying the books or scripts of lecturers as condition for passing exams (OSF - Armenia, 2016).

Another example comes from Ukraine, where the integrity assessment established that illicit access is a prominent problem on all levels of education, but that the “workings” behind the violation may differ. While kindergarten principals would manipulate the waiting lists for enrolment in exchange for “voluntary” parental contributions, the principals of schools would inflate the results of school admission in favour of children from more affluent and/or well-connected families (OECD, 2017a).

It is essential to collect and describe such information for each violation on the IV list: the conduct (what is happening and where), who is involved and how, and the education deliverable and other personal benefits at stake. This part of the description is the basis for the subsequent INTES protocols, which may refer to it, in particular protocol C, as will be discussed later. It is also a justification of the choices made with the help of the first, identification sub-routine.

Step 3: Present evidence of the violation

Considering the potentially sensitive nature of findings and deliverables discussed here, it is essential that the statements delivered with the help of the first INTES protocol are corroborated with evidence. The purpose is to demonstrate that the violation is taking place as described, and that it is system-wide.

Such evidence may come from a range of sources. The most reliable, but possibly also limited source are surveys of corruption in education. Such surveys usually strive to be representative, but they tend to be focused on a more conventional and narrow selection of practices (*i.e.* cheating by students, bribing of teachers and/or for admission, etc.). It is not likely that survey evidence will be available for all violations on the IV list and their manifestations. Some practices may be missed because of the survey design, others might not have been thought of as problematic prior to the integrity assessment. This was the case with the mutual dependency of school teachers and principals in Serbia for their reappointments, for example, which was found to promote favouritism in staffing decisions in public schools (OECD, 2013a).

Site visits and focus groups offer an alternative source of answers to questions that corruption surveys could have asked but did not ask. While none of the INTES protocols is an investigation into individual wrongdoing, the experiences and observations of individuals participating in education can provide valuable hints for further research and an illustration of the ways in which integrity violations typically manifest itself in their context.

In Ukraine, for example, much of the evidence confirming that in 2016 misappropriation of parental contributions – a violation which the education authorities insisted on covering – was indeed a major integrity challenge, emerged in discussions with parents during site visits and was corroborated by numerous reports in social media and the news.²³ An ongoing INTES-based work in several ACN countries (Armenia, Serbia, Kazakhstan and Ukraine) on integrity in inclusive education relied on focus groups too to generate primary evidence in previously unexplored, sensitive policy areas. In Ukraine, evidence of shortcomings and wrongdoing in textbook procurement was recorded only in official orders and directives by the education authorities and in occasional media reports, and nowhere else.²⁴

In the same vein, local researchers and civil society can be a valuable source of support with the collection and interpretation of evidence. In all the countries assessed with the INTES methodology so far, there were civil society organisations and/or independent think-tanks with a long-standing focus on

²³ See Chapter 2 in (OECD, 2017a).

²⁴ *Ibid.*, Chapter 6.

corruption in education. Most had their own sources of information and data, or readiness and capacity to collect them for the assessments.

Step 4: Discuss the commitments at stake

Finally, the description of an integrity violation should indicate what rules, standards and/or principles are at stake. Some violations, such as misappropriation of resources for education or procurement fraud, are established as criminal offences in the legislation of most countries, which in most cases should make the description of commitments at stake rather straightforward. For violations of lesser gravity such as, for instance, undue recognition of student achievement or favouritism in staffing decisions, it might be more difficult to determine what rules, standards and/or principles are being violated. Such “softer” forms of problematic conduct may be defined as administrative or disciplinary offences, or not defined at all. Describing the corresponding commitments may require a more in-depth examination of national legislation, international good practice, as well as information about international agreements of relevance to education, to which a country is a party.

The conceptual part of this paper reflects in more detail on the question of statutory commitments and violations. Two interesting examples in this respect come from Ukraine in 2016 and Armenia in 2015. In Ukraine, as discussed before, teachers in public education at that time were not prohibited from engaging in improper forms of private supplementary tutoring, so many were providing paid private classes to their students from regular school (OECD, 2017a). In Armenia, public officials in the Ministry of education who were in charge of higher education, were allowed to be on the payroll of public universities while in office (OSF - Armenia, 2016; Milovanovitch & Anapiosyan, 2018), which was leading to the politicisation of education – a prominent problem in Armenia.²⁵ Since none of these two countries and their education providers have established these practices as offences, the argument that they are illicit (and thus match the second IV condition) was built on the pledge of both countries to prevent conflict of interest in the public sector, which they have taken on as signatories of various international conventions and in their anti-corruption strategies.

This final part of the description is particularly helpful in handling violations which are so widespread that, despite being illicit, have become a *de facto* norm of conduct and are not perceived as problematic by those involved and affected.

Protocol B: What enables the integrity violation?

A focus on opportunities for violations

Opportunity plays a role in all transgressions, big and small (Felson & Clarke, 1998). This is also true for transgressions in education. They are enabled by conditions in the sector which provide education participants with opportunities to engage in problematic conduct. Intentional over-marking of students, for instance, is likely to flourish in exam settings that are conducive to abuse (e.g. oral, one-on-one exams) and/or plagued by shortcomings that allow for manipulation of grades; misappropriation of school funds might thrive in places where financial reports can be altered with impunity and oversight is weak; favouritism in staffing decisions would work best with recruitment procedures that are not transparent; illicit access to pre-school education would be widespread in settings in which pre-school principals can take unilateral decisions about admission, and so on.

Opportunities for problematic conduct could emerge in any set of circumstances which provide education participants with the means to engage in malpractice and enable them to use those means. Like

²⁵ See chapters 2.2 and 3.4 in (OSF - Armenia, 2016) and Chapter 5 in (OECD, 2017a).

with any other offence, those circumstances may be of temporal, spatial, and/or social nature (Cohen & Felson, 1979), which suggests that many may go well beyond the remit of education policy and the scope of the INTES protocols. Circumstances within the scope of INTES are those in which practitioners and decision-makers in education exercise their professional responsibility, and which can be shaped through policy and professional practice. Examples include improvements in student assessment, the management of school resources, the procedures for recruitment and promotion of staff, the employment conditions in education, etc.

The objective of the second INTES protocol – protocol “B” – is to identify such circumstances and the opportunities they create for the violations on the IV list.

Exploring the elements of opportunity

The circumstances which enable transgressions in education may vary between and within countries and education systems, but they all seem to provide three major elements of opportunity:

- Means to commit the violation;
- Favourable conditions for the use of those means;
- A degree of impunity for the perpetrators.

The second INTES protocol comprises subquestions that collect information on each of these elements. What is the means which education participants use to commit a violation? How does an education system fail in preventing the (ab)use of those means? And, what role does impunity play in that failure?

Means as element of opportunity

What are the means of committing a given violation in education? Prior studies of corruption in education,²⁶ as well as the INTES assessments, document numerous cases of transgressions which are enabled by what crime opportunity theory would describe as “routine” activities of people and the ordinary organisation of their environment (Cohen & Felson, 1979; Lilly, et al., 2014). This implies that perpetrators of violations in education do not rely on some unfathomable criminal tools. Their actions feed on permissible, everyday practices and procedures in education, such as classroom assessment, resource allocation, accreditation, admission, etc., which people with responsibility in education can exploit as means to problematic ends. This also implies the involvement of individuals with formal responsibility for those practices and procedures, whose role and position in the education system allows them to supply education deliverables in illicit or illegal ways.

The application of the second INTES protocol therefore starts with the assumption that sector-specific, routine practices and procedures are the most likely means of committing an integrity violation in education. The first subquestion in this protocol seeks to establish whether this holds for the violations included on the IV list and if yes, which practices and procedures are being abused.

²⁶ See for instance the numerous country cases studies in (Hallak & Poisson, 2007) and (Transparency International, 2013b).

Favourable conditions as element of opportunity

If illicit or illegal conduct relies on ordinary, regular activities in education, how did these activities become susceptible to abuse? In other words, how does an education system fail in preventing the (ab)use of its legitimate procedures as means for corruption?

This question can have more than one answer, but in terms of a decision where to start, it is with an enquiry into the formal basis of the procedures at stake. If student assessment provides the means for a violation, what are the formal assessment procedures in the education system affected and how are they meant to work? If access to school education is used to extort private benefits, what are the criteria and procedures in place for first-time admission to school?

Ideally, the statutes and regulations in which these and other procedures are described will be well-established in accordance with sound formal and procedural principles that uphold the rule of law. “Well-established” can mean different things, among which that those statutes and regulations successfully prevent individuals in charge of decisions in education from acting in a “purely discretionary manner”, and clearly define the rights and duties of all others who depend on these decisions (Waldron, 2016).

The vulnerability of procedures in education might stem from statutes and regulations which depart from these principles. Admission procedures might be vulnerable because they have been designed to depend on the discretion of a single individual or group of individuals, for instance selected faculty members like in Serbia, or principals of school or preschools, like in Armenia (OECD, 2013a; Bloem & Milovanovitch, forthcoming); the licensing of higher education providers might be at risk because the law on education entrusts it to only one institution with vast powers and limited accountability, which presides over disproportionately demanding and outdated licensing criteria like in Kazakhstan (OECD-ACN, 2017); improper private supplementary tutoring might be thriving because it is not regulated, like in Ukraine, or where rules against it do exist, the sanctions might be too mild to be a deterrent, like in Serbia (OECD, 2013a), etc.

In some cases, the flaws in the design of procedures might be discoverable only by looking at how these procedures translate into practice. Even seemingly well-established norms can be a source of unintended consequences (Norton, 2008; Merton, 1976), including drawbacks such as abuse for corrupt purposes, which manifest themselves only once the norms are applied. The authorities in Ukraine, for instance, have designated children from particularly disadvantaged backgrounds, *e.g.* orphans and refugee children from the conflict-ridden east of the country, as a “privileged category” of applicants to pre-school education which enjoys priority access. Despite a comprehensive and presumably well-meant regulation in this respect, the privileged categories became an instrument for illicit access. Parents were counterfeiting their status so that their children fall into one of those categories, while principals were using the categories to justify admissions in favour of children whose parents were willing to make (informal) payments (OECD, 2017a).

In sum, the second subquestion of protocol B collects evidence of flaws in the design of regular practices and procedures in education, which have been compromised for corrupt purposes.

Impunity as element of opportunity

The subquestion about impunity explores whether education participants can be brought to account if they engage in violations on the IV list, or they can act with impunity. “Impunity” describes an impossibility of bringing the perpetrators of violations to account, whether in criminal, civil, administrative or disciplinary proceedings (UNCHR, 2005).

In his deliberations about the rule of law, Waldron writes that laws face in two directions: they impose requirements for people to comply with, and they issue instructions what to do in case of non-compliance

(Waldron, 2016). If there is no proper guidance on how to sanction integrity violations, either because the violations have not been defined in statutes and regulations, and/or because the statutes and regulations do not provide for adequate responses in case of transgressions, this may lead to impunity. The Technical Guide to the UNCAC too underlines that the provision of “clear and unambiguous responses and sanctions” for professional misconduct is crucial in deterring corruption (UNODC, 2009, p. 27). To determine the role impunity might be playing in opening an opportunity for a given violation on the IV list, it is essential to establish whether the violation has been defined as such in statutes or regulations and what consequences are envisaged for those who engage in it.

Another source of impunity could be a failure or reluctance of competent bodies and authorities, *i.e.* school inspections, disciplinary and ethical commissions, etc., to meet their obligations and take appropriate measures in case of misconduct. Plagiarism, for example, is recognised as a widespread problem across universities in South East Europe and all have sanctions against it. And yet, punishment is rare as faculties prefer to turn a blind eye to cheating because they are reluctant to lose on study fees by expelling the students who plagiarise. Even when universities occasionally follow through with cases of plagiarism, their sanctions are short-lived as in most cases the expelled students are permitted to enrol again in the next academic year (Council of Europe, 2017).

Reluctance to enforce rules can widen existing opportunities for misconduct on other levels of education as well. For instance, school inspectorates can play an important role by failing to detect and act on instances of problematic conduct, such as illicit access to education (like in Armenia and Ukraine), misappropriation of resources (like in Ukraine), or illicit private services (tutoring in Tunisia and in Serbia).

In sum, to determine whether impunity plays a role in creating opportunities for corrupt conduct, the third and final subquestion of protocol B establishes whether the violations included on the IV list of an integrity assessment have been defined, whether there are sanctions, and whether the corresponding statutes and regulations are being enforced.

Protocol C: What motivates the integrity violation?

A focus on motives for misconduct

According to the Oxford Dictionary of the English language, an incentive is “something that motivates or encourages people to do something”. An incentive for an integrity violation describes the motive or motives of education participants to engage in corrupt actions.

Corruption is not only an economic phenomenon (Miller, 2011) and different partakers in corrupt conduct may hope for different rewards from one and the same violation. Their motives to participate in it may differ as well. Education participants who abuse their position in education to provide education deliverables in illicit or illegal ways, *i.e.* teachers, principals, exam invigilators, etc., may be driven by the prospect of undue personal benefits, such as money or favours. Those who offer the undue benefits would commonly demand education deliverables in return, such as grades, admission to a particular school, a degree, etc. At the time of the INTES assessment in Tunisia, for instance, teachers in that country were earning above the national average for professions requiring similar qualifications, but to earn even more, quite a few were also providing paid private tutoring to their own students, often in exchange for grades. Their illicit additional income was provided by parents, whose only reward was the certainty that with tutoring they have found a remedy for the low quality of learning of their children in class (OECD, 2013b).

The choice of motives in focus of the third INTES protocol is limited to those which emerge at the demand side of corrupt conduct – to motives which can be traced back to the education deliverables which individuals hope to secure by engaging in an integrity violation. The reason is pragmatic. Unlike perpetrators

who act on opportunities for illicit personal gain by supplying the education advantages, the motives of people who engage in integrity violations in expectation of education deliverables, such as teaching of good quality, a degree or diploma, a fair grade, a place in a school, etc., can be influenced through policy and education improvement. If the education deliverables at stake would become more reliable, fair, or else, like admission to a good school for example, this will also influence the incentives of those who demand these deliverables by removing or diminishing the need to obtain them in illicit or illegal ways. The next section of this paper provides further detail and guidance on the INTES theory of incentives and education deliverables involved in corrupt conduct in education.

The objective of the third INTES protocol is to determine what education deliverables are at the centre of each violation and what shortcomings in policy and practice prevent education from delivering them in permissible ways, thus presenting education participants with a motive to engage in corrupt conduct. The task can be unpacked with the help of two subquestions:

- What education deliverable does the violation supply and to whom?
- What prevents the provision of that deliverable in permissible ways?

Exploring the reasons of education participants to engage in violations

What are the education deliverables at stake and who is demanding them?

The integrity assessments so far suggest that corrupt transactions in education always involve an education-related deliverable, which benefits at least one of the sides involved in a corrupt transaction.²⁷ The first step in this protocol is to identify the education deliverables at the centre of each integrity violation and who the recipients of these deliverables are.

The recipients of such education deliverables are education participants. Based on a helpful categorisation by (Smith & Hamilton, 2016), this could include education professionals (teachers in schools and academic staff in universities, as well as school and university managers and leaders); students in school (pupils) and higher education; education stakeholders (parents, guardians or equivalent, civil society, media, etc.); and representatives of education authorities.

As discussed in the third section of this paper on concepts and theory, the range of deliverables is wide and may include various benefits which education is meant to provide by design to the citizens of a country and those who work in it in professional capacity. Examples may include free schooling, fair access to higher education, good quality knowledge, credible graduation credentials, adequate employment conditions for teachers, transparent budgeting and resource allocations, etc. Integrity-related violations can provide most of these deliverables to any group of education participants in a country. In all known cases, this also seems to be their main purpose, which reflects the distrust of partakers in violations that education can deliver to expectations without illicit or illegal solutions.

In Armenia, for example, undue recognition of student achievement is widespread and facilitated by shortcomings in the design of classroom assessment, which allows teachers to take arbitrary decisions, often in exchange for favours (OSF - Armenia, 2016). The education deliverable in focus are (undeserved) school grades, throughout the school year and at end-of-year exams. The beneficiaries of the violation are obviously students and their parents who, for one reason or another, believe that schools cannot be trusted to deliver academic success without “additional help”, and who have a (strong) incentive to find a remedy for that. The

²⁷ See also (Milovanovitch & Lapham, 2018) for an extensive discussion of this observation on the example of Armenia and Ukraine.

violation is enabled by teachers who abuse their position in education, some of whom may receive undue benefits for providing undeserved proof of learning achievement.

In some cases, education deliverables may be the only reward, which benefits all sides involved in a violation. The professional circumstances of teachers, for example, as described in the integrity assessment report quoted here suggest that some of them may be engaging in violations in an attempt to keep their job. According to interviews carried out during the assessment, they were asked by their principals to grade students more favourably than they deserve as a favour to parents who are well-off, well-connected, or both. The readiness of teachers to comply was due to staff management practices that put their employment at a constant risk of termination, and the promise of job security in exchange for complicity in malpractice (OSF - Armenia, 2016).

Table 2 shows further examples like this, which illustrate the connection between shortcomings in education policy and practice (column 1), the education deliverables at stake (column 2), the violation which is meant to deliver them in illicit or illegal ways (column 3), an overview of education participants who benefit (column 4) and of those who abuse their position to make it happen (column 5). The examples corroborate the observation that, more often than not, the motivation of individuals to partake in corrupt conduct in education originates in their desire to secure education-related advantages.

Table 2. Violations, education deliverables, and beneficiaries: examples from Armenia and Ukraine

Country	No.	Policy and practice shortcomings	Education deliverable at stake	Integrity-related violation	Deliverable demanded by	Abuse of professional position by
		1	2	3	4	5
Armenia	1	Employment vulnerability of teachers Dependence of schools on parental support	Employment security for teachers, funding for education infrastructure and content	Undue recognition of learning achievement	Principals, teachers	Teachers
	2	Arbitrariness and bias in student assessment	Learning success	Undue recognition of learning achievement	Parents, students	Teachers
	3	Financial resource shortages Arbitrariness in resource allocation	Funding for education infrastructure and content	Politicisation of education: preferential treatment of political affiliates	Principals	Education authorities
	4	Deficiencies in recruitment procedures Noncompliance with staffing regulations	Employment security for teachers, fair staff policies	Arbitrariness in appointment and promotion of staff (favouritism)	Teaching staff	Education authorities, principals
Ukraine	5	Deficient enrolment procedures Financial resource shortages	Access to education	Illicit access to education	Parents, students	Education authorities, principals, teachers
	6	Rigidity of public budget allocations High administrative burden in procurement, lack of resources No legal basis for schools to manage resources autonomously	Good quality teaching and learning conditions	Illegal fundraising for schools and misappropriation of parental donations to schools	Parents, students	Principals
	7	Limited effectiveness of classroom teaching No official remedial assistance to students Perceptions of inadequate teacher pay	Good quality teaching and learning	Private, paid supplementary tutoring by class teachers	Parents, students	Teachers
	8	Perceptions of inadequate teacher pay	Fair pay for teachers	Private, paid supplementary tutoring by class teachers	Teachers	Teachers

Source: Based on (OSF - Armenia, 2016), (OECD, 2017a), and (Milovanovitch & Lapham, 2018).

In Ukraine, improper private supplementary tutoring (case No. 7 and No. 8) delivers to the expectations of both parents and teachers as education participants: better quality of instruction for the parents, and fair level of income for teachers, many of whom are otherwise living on the margin of subsistence (OECD, 2017a; Milovanovitch & Lapham, 2018). In Armenia, undue recognition of student achievement (case No. 1 and No. 2) is an action which delivers the illusion of student success to parents and employment security to teachers who prefer to follow the orders of principals and grade the children of influential parents better than they deserve. The violation also ensures that the school, which depends financially on parental contributions,

sends a signal to the parents of prospective students that “deals” around grades and student success are possible (OSF - Armenia, 2016). Overall, the examples show that a violation may provide more than one education deliverable and address the expectations of more than one group of participants in education.

What prevents education from providing those deliverables in permissible ways?

The second subquestion of this INTES protocol discusses the reasons why an education system fails to provide in permissible ways the education deliverables at the centre of each integrity violation. Why do education participants who engage in a given integrity violation believe that breaking or bending the rules is necessary to secure an education deliverable? What is the reason for their distrust? Specifically, why and how does the education system – its set-up, policies, practices, etc. – fail to deliver to their expectations to an extent which makes illicit or illegal conduct appear as acceptable remedy?

For example, if the violation appears to be a remedy for limited access to schooling, like in most countries assessed with the help of the INTES methodology, what are the reasons for the shortages in the first place? If, like in Armenia, teachers engage in grade manipulation as a form of investment in preserving their employment, what are their employment conditions and what puts their job at risk? If the allocation of vacated state grants for studying in Kazakhstan is known to be plagued by irregularities (OECD-ACN, 2017), what motivates faculties to perpetuate the problem and continue handling decisions about such allocations in an illicit way?

The responses to such questions are instrumental in understanding how failure in education policy and practice motivates problematic conduct by failing expectations and nurturing distrust. Columns 1 to 3 in Table 2 illustrate some of the links between education policy shortcomings, education deliverables, and integrity violations.

Final INTES deliverable

Presenting the findings of INTES

The integrity assessments deliver integrity assessment reports. Their structure reflects the logic of the INTES methodology. The reports usually open with an introductory section that explains the approach and the background of the integrity assessment, followed by an overview of education and its integrity context, and a main part devoted to the integrity violations.

The main part of an integrity report comprises assessment chapters discussing the violations and is shaped by the responses to the guiding questions. Each chapter covers a violation and is divided in four sections. The first three sections describe the outcomes of protocols A-C, while the fourth one presents recommendations for action (see Table 3 for a sample of a typical chapter). The annexes to a report can provide additional evidence, general information about the site visits (such as regions visited, duration, criteria for the selection of institutions and counterparts, format of discussions, etc), and short bios of the assessment (review) team members.

Table 3. Structure of an assessment chapter in an INTES report (Ukraine)

Chapter 2. Misappropriation of parental contributions to schools and pre-schools.....	1
Introduction	1
Chapter summary	1
Regulatory and policy background	1
A. Description of violation and integrity risk	6
B. Factors that create opportunities for the violation	8
No proper documentation and management of parental contributions	8
Limited parental responsibility and involvement	9
Impunity and fragmentation of oversight	11
Lack of transparency in decisions about allocating local budgets for education.....	12
C. Factors that create incentives for the violation	14
Administrative burden and limits to school autonomy	14
Limited capacity for school autonomy	14
Rigidity of budget commitments	14
Burdensome procurement approval formalities	15
D. Pointers for action	15
Closing of opportunities	15
Eliminating incentives for malpractice	16
References.....	18

Source: (OECD, 2017a).

The structure shown in Table 4 has proven useful, but it is not mandatory. Although these sections have emerged as elements in the assessment chapters of most INTES reports, different circumstances and needs might require modifications to this structure. In Serbia (OECD, 2013a), the authorities insisted on including also an overview of measures that the Ministry of Education undertook in response to preliminary findings delivered during the assessment. In Ukraine (OECD, 2017a), each chapter featured an additional, detailed description of the policy area in which the violation takes place. And in Tunisia (OECD, 2013b), the request was to prepare a shorter, more compact assessment that complements a broader evaluation of integrity in the public sector.

Providing recommendations

This paper described how to use the INTES methodology to identify constellations of policy-related factors which create adversity in the circumstances of education participants that lead to corrupt conduct. Each of these constellations is a focal point of sector policy shortcomings, which are otherwise dispersed and may not be recognised for their relevance to corruption prevention and integrity. Once identified, such focal points offer an ample choice of targets for policy-level responses that address the root causes of corruption in education.

The recommendations in an INTES-based report provide suggestions for such policy responses and usually make statements about most or all of the following:

- Which integrity violation the recommendation addresses;
- How to address the policy shortcomings which lead to that violation;
- Good practice from other countries which are confronted with such policy shortcomings;
- What areas of education policy are concerned by the recommendation.

In some countries, the INTES assessment reports also prioritised the recommendations, dividing them into primary and supporting interventions. In others, the recommendations were elaborated and agreed upon in joint sessions with stakeholders and education authorities. Table 4 provides a sample of recommendations from a recent integrity assessment.

Table 4. Sample of recommendations on improper private supplementary tutoring in Armenia

Integrity violation	Variable	Recommendations		Area of policy intervention
Integrity-related violation # 1: Private supplementary tutoring by class teachers	Closing the opportunities	1	Define out-of-school-time tutoring by teachers to their own students, as well as referral to fellow teachers, as a violation	Staff policies
		2	Make principals responsible for integrity violations in their schools	Governance
		3	Introduce a binding code of conduct for the teaching profession the provisions of which are tied to administrative consequences in case of infringement.	Staff policies
		4	Lift the current limitations on the frequency of inspections and allow for a more regular but subtle inspectoral visits that would permit for observations that are more formative in nature and can capture the teaching process in better detail.	School inspections
		5	Make school inspectorate a strong, professional and highly independent institution	School inspections
		6	Improve classroom assessment practice	Assessment
	Eliminating the incentives	7	Undertake regular in-depth analysis of testing results, raise capacity in schools to do such analysis themselves, and regularly inform parents not only about the marks of students, but also about the marking process, justification of the marks given in classroom assessments, and other relevant observations on the progress of their children.	Assessment
		8	Revise the 12th grade curriculum and allocation of hours to allow for preparation for the graduation test.	Teaching and learning
		9	Revision of items in the standardised graduation test to bring them more in line with the curriculum.	Assessment
		10	Update the salary scheme and level of pay of teachers, especially of those teaching sought after subjects, so they feel their work is acknowledged	Spending on education

Source: (OSF - Armenia, 2016)

III. Additional concepts, guidance, and theory

What is integrity in education?

Integrity is an important, multifaceted and at the same time puzzling term, which is difficult to capture in a single and consistent theory (Cox, et al., 2017). Different theories advance different aspects of the term depending on the context in which it is being used.

If we assume that corruption in education is connected to the state of an education system, then a system unharmed by corruption – for instance one in which teaching, learning, financial management, etc. are “problem-free” so that no one engages in malpractice – would be an education system that is in an intact, ideal state from that point of view. Various dictionaries of the English language, e.g. the Oxford English Dictionary, Merriam-Webster, the Cambridge Dictionary, describe such state as *integrity*: i.e. an unimpaired, uncorrupted state, soundness. Corruption is said to be the opposite of this “original” and “unblemished state of perfection”; it comprises intentional actions that “eat away” at it, “corrode” it “like rust” and make that which was previously “intact”, fall away from the ideal (Montefiore, 1999).

It is safe to assume that teaching and learning in most countries happens in conditions that fall short of the ideal state implied in this notion of “integrity”. Integrity in those settings is more of a goal than a reality (Montefiore, 1999), an ideal state that education aspires to and which is desirable enough to inspire and guide actions in the sector.

Integrity in this aspirational sense stands for a “pattern of conduct” (Philp, 1999), a way of acting which is in line with values and principles associated with that higher goal and leading to its attainment. The presence of values specific to a sector or a shared goal are sometimes signalled by adding adjectives to “integrity”, i.e. “academic integrity”, “medical integrity”, “business integrity”, “judicial integrity”, etc.

Education systems may vary greatly in the way they imagine and describe the ideal state they aspire to and in the choice of values and formulation of principles that they derive from that aspiration. They might also differ in what they expect education participants to do and refrain from doing on the way there. Notwithstanding the differences, there are also some commonalities in what counts as integral conduct.

First, integrity is not an isolated act of compliance with a rule, but rather a capacity to remain true to one’s commitments and obligations even in the face of adverse circumstances. Some even call integrity a “life-long” task that requires will and ability to adhere to principles, a continuous effort to resist recurrent temptations to do otherwise (Cohen, 1999). Second, if integrity is the antithesis of corruption (OECD, 2004) (Armstrong, 2005) (OECD, 2005), then one of the features of integral conduct in education is that it also implies a continued commitment to steer clear of malpractice.

Taken together, these details yield the elements of a definition:

Integrity stands for the continued commitment of education participants and institutions to act in accordance with values and principles without engaging in corruption and describes a professional environment that allows them to do so.

The second half of this definition deserves attention. The capacity of individuals to maintain their commitments to values and principles depends not only on their character, but to a large extent also on the organisational environment they work in (Doty & Kouchaki, 2015). To assess integrity in education means to assess this environment: the sector-specific circumstances in which education participants are expected to stay true to the goals, values and principles of their national education, while steering clear of malpractice.

Are these circumstances adverse or conducive to integrity? If adverse, in what way, and what can be done about it?

Adversity might be due to different reasons, such as problems with the very aspirations and values in an education system, the associated moral, legal, and other obligations and rules these aspirations and values create or fail to create, or the specific situation of a group or category of participants in education. These problems might be further perpetuated by a culture of acceptance of illicit conduct and by institutions susceptible to undue influence.²⁸

Whatever the specific reasons in each country, an adverse environment can jeopardise integrity. It incites education participants to refrain from acting in accordance with expectations and obligations and signals the possible presence of corruption. The focus of the INTES methodology is on the factors which create or contribute to such an environment.

Why “integrity” instead of “corruption” in education?

The decision to build the INTES approach around the state of education and its integrity, rather than around a focus that is limited to corruption, was driven by several considerations. One of them is feasibility. Acts of corruption are often hidden and corruption in education can be hard to measure or assess in a systematic way. In its 2005 framework for assessment of public sector integrity - a point of reference in the development of INTES – the OECD suggested that the more feasible option would be to assess the “opposite of corruption”, *i.e.* integrity, understood as the strengths and weaknesses of policies in preventing malpractice (OECD, 2004).

Another, perhaps less obvious but equally important reason is comprehensiveness. A focus on integrity means that the assessments cover not only the manifestations of malpractice, but also their context. The context might hold important hints about the reasons and circumstances of the corruption offences. In turn, this might help to understand why perpetrators do what they do and how education policy shortcomings might play a role in that. Without a focus on integrity, fighting corruption in education would be like fighting the symptoms of a disease without understanding its causes.

A third reason to turn to integrity instead of corruption is acceptance. Integrity is a more constructive, positive, pardoning, mild notion than corruption and it is also its superordinate concept. The experience with INTES assessments so far suggests that education authorities are more likely to accept a formal discussion about integrity than one on corruption. The choice of wording might seem a somewhat superficial consideration, but it signals that the priority of integrity assessments is to propose ways towards improvement and prevention, not to point fingers or punish past transgressions.

Additional guidance on protocol A

On commitments at stake and the scope of assessments

A common feature of all forms of problematic conduct discussed in this paper is that they violate commitments to integrity which apply to education systems and their participants. This common feature is also one of the four criteria in the first INTES protocol, which helps to determine which practices in education qualify as “integrity-related violations”.

²⁸ For concepts and case studies concerning the risks of external influence on public sector institutions (including education), see the discussion on “institutional corruption” in (Thomson, 2013) (Lessig, 2013), and the Working Paper series of the Edmond J. Safra Lab on institutional corruption at <https://ethics.harvard.edu/working-papers-series>.

What are these commitments and where are they described?

The responses to these questions can be complex. Such commitments may stem from a range of sources. Apart from sector-specific statutes and regulations, such as laws on education, regulations pertaining to staff policies, quality assurance, funding, codes of conduct of education providers, etc., education participants and institutions are bound by laws applicable to the public sector at large (*e.g.* laws on procurement, laws on anti-corruption), by laws that are binding on all natural and legal persons in a state (*e.g.* Constitution, criminal and administrative codes), as well as by international treaties and obligations that a country has committed to, for example Conventions on human rights, the UN Sustainable Development Goals, the Bologna Declaration in higher education, etc. Table 5 illustrates this point.

Table 5. Hierarchy of laws and examples of rules, standards and principles in education

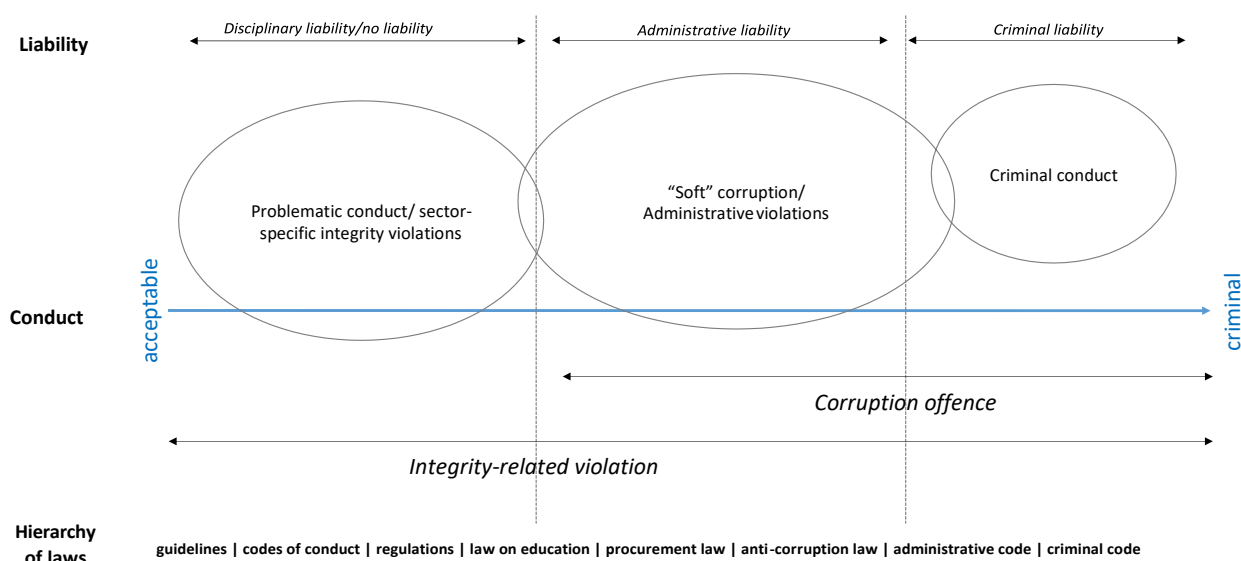
Law	Example of typical norm/value/principle
International laws	Commitment to non-discrimination
Constitution	Access to education as a basic right
Primary laws	Criminalisation of fraud
Primary laws - sector level	Free of charge secondary education
Secondary legislation	Prohibition of forms of private tutoring
Regulations	Sound management of financial resources
Codes of conduct	Objectivity in student assessment
Guidelines, instructions	Reporting on parental contributions

The sources of commitments applicable to education and, by extension, the commitments themselves can be of varying authority. The constitution of a country obviously has precedence over laws of lower order, which have precedence over sector regulations, which in turn provide a framework for lowest level rules, *e.g.* codes of conduct or guidelines of professional conduct of a school. The hierarchy of laws has implications for the way authorities may treat violations of commitments to integrity in education. Violations of commitments formulated in legislation of higher precedence, *e.g.* in the criminal code, are commonly more significant in terms of gravity and sanctions than, say, occasional mismarking of students. However, this does not mean that commitments stipulated in laws of lower precedence are less important for the integrity of an education system.

Although from the point of view of international anti-corruption standards, in most countries corrupt actions in education would violate norms that are too sector-specific and “soft” to imply criminal or even administrative liability, the INTES assessment methodology takes a broader perspective. Instead of ranking values and principles by source and gravity of consequences, it assumes that every intentional violation of commitments in education is detrimental as education participants compromise their integrity and promote problematic conduct which creates educational (learning) environments that are conducive to malpractice and fail to deliver to expectations.

In the same vein, to signal that they cover a range of sector-specific forms of corruption that might otherwise be left out, the INTES assessments usually refer to “integrity-related violations” instead of “corruption offences”. Figure 2 illustrates this broader scope on the example of a sample of a hierarchy of laws, conduct, and liability.

Figure 2. Scope of “integrity-related violation” and “corruption offence”: legislation, liability, conduct



Source: based on (Milovanovitch, 2014) and (Clegg, et al., 2016)

On proving that the violations are systematic

Evidence of integrity violations helps to determine whether specific forms of corrupt conduct merit inclusion in the assessment, that is whether they are systemic in scope and involve education participants (criteria No. 4 in INTES protocol A).

Evidence of corrupt conduct is usually readily available through third-party perception surveys. In the countries assessed with the INTES methodology so far, these surveys were for the most part representative, but they also had the occasional disadvantage of being limited in scope. Their questions covered a selection of integrity violations that was considerably narrower than the one communicated by education authorities, suggested by civil society organisations, and discussed in the media. Thus, further sources included anecdotal evidence collected during the site visits, and the results of focus group discussions. In Ukraine, for example, a focus group with students helped gather additional detail on alleged irregularities in access to graduate study programmes (OECD, 2017a), for which information was otherwise scarce. At the time of preparation of this paper, a series of focus group discussions in Armenia, Kazakhstan, Serbia and Ukraine revealed first time evidence of widespread integrity violations in inclusive education in those countries.²⁹

Evidence of the systemic shortcomings in education which contribute to integrity violations would usually be more readily available, because it comprises data on various aspects of education system set-up and performance in areas such as assessment, funding, staff policy, etc., as illustrated in Table 3. In some cases, such evidence would point towards problems which, taken together, suggested the presence of risk of an integrity violation, and supported its inclusion in the assessment even without direct evidence of its prevalence.

For instance, in Armenia and Ukraine the national counterparts insisted on including undue recognition of student achievement in the integrity analysis. However, at the respective time of assessment there was limited evidence that the bias in grading was the result of intentional actions. Yet, a combination of readily

²⁹ For updates on this work see <http://www.policycenters.org/research>

available data on resource shortages, survey data on the financial dependency of schools on parental contributions, and evidence of shortcomings in classroom assessment procedures combined with interview findings, strongly suggested that schools in these two countries were at a veritable risk of this integrity violation and justified its coverage in the assessment.

Despite the relatively wide choice of information alternatives, in some cases when both evidence of a violation and of shortcomings that might lead to it is missing, corrupt practices must be excluded from the scope of analysis. To stay with the examples of Armenia and Ukraine, this was the case with misappropriation of resources in education in both countries. Although widely rumoured to be a problem, a closer inspection revealed that there is no evidence of systematic occurrence, and the analysis of systemic shortcomings did not lead to conclusive results.

Additional guidance on protocol C

On the motives (incentives) for corrupt conduct

Earlier in this paper, incentive was described as something that motivates or encourages a person to do something. The way incentives motivate individuals can differ. Actions can be driven by the prospect of reward, a sense of duty, fear of negative consequences, by human traits such as curiosity or admiration, etc. (Kimiz, 2011).

Day by day, schools and universities are home to expectations and incentives that could be as diverse as the individuals who participate in education. It would be impossible to determine what effect policies might have on each one of them and how individual expectations might be motivating each person to engage in problematic conduct. For the sake of effective prevention, it is nevertheless important to find a way to discuss the influence of education policy and practice on incentives for misconduct.

Diversity and complexity are common challenges in social science research and are typically addressed through simplification. Problems that have many contingencies are transformed into a form that is simple enough to work on, present in a predictable and orderly manner, and deliver results corresponding to the needs of the research consumers (James, 1948) (Star, 1983). To enable pragmatic responses to its third guiding question, the INTES methodology resorts to simplification as well. It limits the scope of the question and the choice of possible answers in two significant ways.

First, the question refers to individuals only to the extent they share a social, collective identity (Tajfel & Turner, 1986) (Melucci, 1989) as education participants: professionals, students, stakeholders (*e.g.* parents), and/or education authorities. This is a purposeful selection which excludes factors such as the character traits, predispositions, personal circumstances etc. of people who engage in transgressions, despite the role they may be playing in motivating integrity violations. Motives attributable to macro-level factors that are too generic to explain a violation and guide a meaningful policy response, are excluded as well. Common examples of such macro-level factors include references to the “Soviet legacy” of a country or to a “culture of acceptance of corruption” when given as flat-out explanation of why people engage in problematic conduct.

A second simplification is the assumption that as collective actors, education participants are consistently rational, determined, and self-interested. Like the “*homo economicus*” of economic theories who always makes a rational choice in his best interest – which is to maximise his utility or profit (Friedman, 1966) – the “*homo educationis*” makes rational choices that are always in the best interest of his (or her) respective role in education: if given a choice, parents would send their children to a good school, students would work towards successful transition to university or work, teachers would opt for fair pay, education authorities would be securing sufficient funding and presentable reform results, etc.

Indeed, the integrity violations presented in Table 2 are mostly about securing rewards that education should be delivering to its participants anyway, without corruption: good or at least fair grades, education of acceptable quality, access to a good school or a pre-school in the neighbourhood or a promising study programme, adequate wages and secure employment, sufficient budgets, realistic reforms, tangible reform improvement, etc. In other words, individuals who commit violations seem to do so mostly in pursuit of their legitimate interests as education participants.

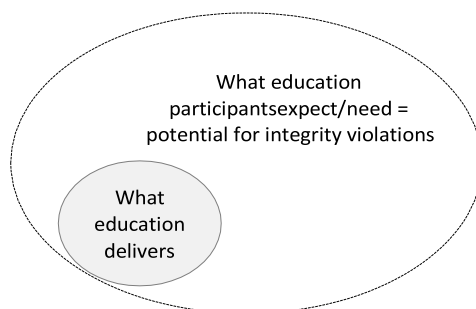
Certainly, none of this makes their actions less problematic, but it puts the question about their motives in a pragmatic and constructive perspective. If the deliverables an education system provides are broadly the same irrespective of the means (permissible or illicit), then the quest for motives is a quest for the reasons why some education participants see problematic instead of integral conduct as the better way to attain these deliverables. To put it differently, what motivates people to opt for an integrity violation in their pursuit of justified expectations in education?

Ordinarily, education participants are not driven by criminal intentions (OECD, 2013a). The probably closest alternative answer is that under certain conditions an integrity violation appears to be the more promising course of action than respecting the rules. If almost everyone at a school takes paid supplementary tutoring with a teacher to pass the year in his or her subject, as in Tunisia (OECD, 2013b), students and parents have no reason to expect successful graduation without doing the same. If parental contributions to a principal are known to secure a place in a sought-after school or pre-school, as in Ukraine (OECD, 2017a), there is also no reason to expect admission without such a payment. If political affiliations are key to favourable resource allocations in times of limited spending, as in Armenia (OSF - Armenia, 2016), school principals and rectors have no reason to expect adequate budgets without serving political interests (Milovanovitch & Lapham, 2018), and so on.

From the point of view of participants in education, its availability is measured by the degree to which their expectations as education stakeholders are addressed by the education system and the services it provides. Instances of discrepancy between deliverables and expectations would be a potential source of corruption risk (see figure 1), as they would give participants in the system incentives to revert to malpractice as a “remedy” for shortcomings in educational service provision.

These examples describe systemic conditions which are characterised by well-founded distrust in the capacity of education to deliver to even the most basic of expectations in an integral way. In countries that were assessed with the help of INTES, discrepancies between what education participants demand from education and each other, and what they believe they receive, have proven to be an important source of motivation for malpractice (Figure 3). Such discrepancies would give participants in the system incentives to revert to malpractice as a “remedy” (Milovanovitch, 2014). All integrity violations in all countries coincided with verifiable examples of such discrepancies, in ways suggesting that malpractice is seen as a form of a “remedy” for the failure.

Figure 3. Mismatch between deliverables and expectations in education as a source of corruption risk



Source: (Milovanovitch, 2014)

As already noted, from the point of view of the INTES assessment methodology, the discrepancies are perhaps the most significant source of motivation for problematic conduct because they can be addressed through policy improvements. The systemic shortcomings that prevent an education system, its providers and professionals from delivering to expectations can be identified, analysed, and for the most part influenced with the means at the disposal of education participants themselves, most notably education authorities and practitioners.

The integrity assessments have so far identified several broad areas of failure, in which the expectations of education participants are fundamental enough to motivate remedies in the form of integrity violations. Inspired by global commitments to education (World Education Forum, 2000) (UNESCO, 2015), they could be summarised in three broadly defined education “deliverables”:

- Equity and access to education;
- Quality of education;
- Sound management of staff and resources.

Education participants expect education that is of good quality, accessible and equitable, and provided in conditions where staff and resources are managed properly (OECD, 2013a) (OECD, 2013b) (Milovanovitch, 2014). The expectations of reward of those who engage in integrity violations and of those who don't are likely to fall in one or more of these broad areas, notwithstanding individual, cultural, or country differences.

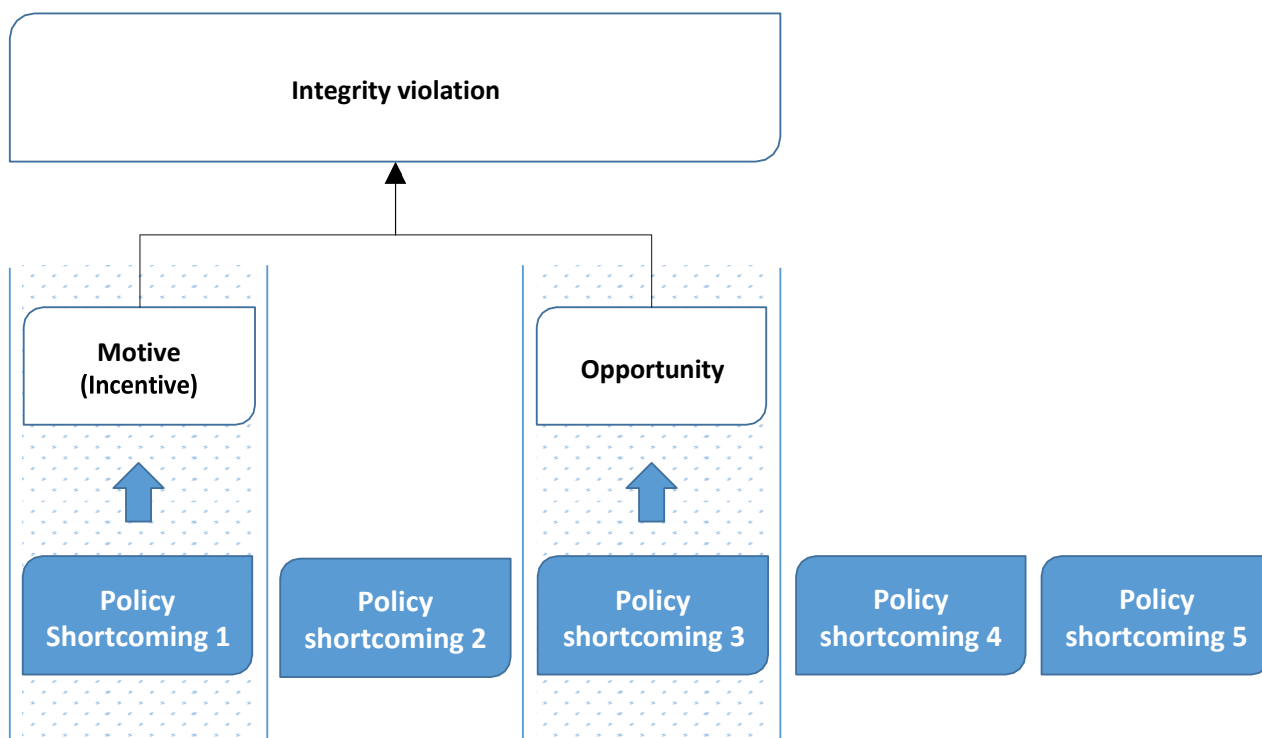
Additional guidance on the implementation of protocols B and C

Education systems are confronted with a multitude of policy issues and priorities and each assessment typically begins with an overwhelming amount of possibilities to choose from.³⁰ Of these, only few would prove to be of relevance to the integrity analysis that explains the causality of a violation. The task of identifying shortcomings that open opportunities (protocol B) and create incentives (protocol C) for education participants to engage in integrity-related violations, has emerged as one of the more challenging aspects of working with the INTES methodology.

One could imagine, for instance, a hypothetical country in which the authorities are concerned about teachers who intentionally over-mark students in secondary school in response to informal requests by parents. The background information provided in preparation of that hypothetical assessment suggests that secondary education in that country is plagued by at least five major problems: financial dependence of public schools on parental support (shortcoming No. 1), low quality of learning outcomes in international comparison (shortcoming No. 2), documentation of classroom assessment results in ways that can be manipulated (shortcoming No. 3), school violence (shortcoming No. 4), and shortage of learning materials in foreign languages (shortcoming No. 5).

No doubt, all five shortcomings are concerning enough to deserve immediate attention. Yet, only two seem instrumental in explaining the causes of problematic conduct. Shortcoming No. 1 provides a possible explanation of why teachers might be susceptible to parental pressure and willing to mark students more favourably than they deserve. Shortcoming No. 3 opens an opportunity for teachers to abuse their role in the education system by manipulating grades after the fact (Figure 4).

Figure 4. Shortcomings in education policy and practice and their relevance for the integrity analysis



³⁰ In some (rare) cases the list included also shortcomings in other domains of public policy with impact on individuals in their role as education participants, , e.g. law enforcement, judiciary, procurement, employment.

The choice of problems that the analysis will focus on matters a great deal. It prevents an assessment from covering too much ground and drifting away from its specific focus on integrity into a general review of education or higher education policy. The choices influence also the focus of measures that will be recommended to prevent the integrity-related violations. In the hypothetical example here, the policy response would probably be to determine that the practice of undue recognition of student achievement is undesirable, introduce measures to protect schools and in particular teachers from undue influence, and improve the management of classroom assessment documentation.

Prior assessments are a useful source of guidance and Table 6 provides a sample of education policy areas that have emerged as frequently affected by relevant shortcomings.

Table 6. Sample of policy areas frequently affected by relevant shortcomings

No.	Integrity violation	Areas of possible relevance to the analysis	Incentives	Opportunities
1	Illicit access to education	Provider network management and planning Admissions	x	x
2	Improper private supplementary services (tutoring)	Staff policy Quality of teaching	x	x
3	Politicisation of education	Funding Staff policy	x x	x
4	Undue recognition of student achievement	Assessment Funding	x	x
5	Favouritism in staffing decisions	Staff policy Governance	x	x x
6	Misappropriation of funds in education	Funding Financial management and administration School infrastructure	x x	x x
7	Procurement fraud	Procurement School infrastructure	x	x
8	Cheating	Assessment Study content and programmes	x	x
9	Accreditation and licensing fraud	External quality assurance		x

Sources: (OECD, 2013a) (OECD, 2013b) (OSF - Armenia, 2016) (OECD, 2017a)

There is no fail-safe rule on how to make the right choices from the onset. Determining how adverse circumstances in education (policies and practices) influence opportunities and incentives as variables in the causal model of INTES (see Figure 1), is a task that usually remains open for refinements until a late stage in the assessment. Consultations within the assessment team and with national counterparts have proven helpful in taking the right decisions as well.

IV. National use of INTES results: some experiences

The usual outcomes of policy analysis include options for action to solve a problem (Patton & Sawicki, 2002) (Bardach, 2012). The integrity assessments are a form of policy analysis and the reports they deliver are action-oriented too. They provide education participants with a description of corrupt practices in education, analysis of systemic weaknesses which promote such practices, and recommendations for action.

In all countries assessed with the methodology, the national authorities followed the report recommendations, but they did so selectively. The “a la carte” approach was dictated by feasibility considerations and by an understandable reluctance to initiate integrity-related changes in more than one sensitive area at a time, such as funding or recruitment of staff.

The assessment recommendations touch upon the interests and concerns of all groups of education participants and stand close to their circumstances in education. Therefore, in education policy domains where national authorities could not, or would not intervene, other groups of education participants took over the initiative instead.

In Tunisia, for example, the higher education research community continued a discussion on accreditation reform and the introduction of codes of conduct as themes initiated by the INTES report. In Serbia, the equity dimension of assessment findings was used in the planning of follow-up actions by civil society and researchers and led to legislative amendments in the procedures of hiring of school staff. The INTES recommendations found their way into the national anti-corruption strategy of Serbia and the authorities followed-up with an INTES assessment in higher education. Civil society in Armenia, including teachers and members of academia, took over most recommendations in the report and promoted their inclusion in a national anti-corruption strategy for education, the planning of which was based on the conclusions of the INTES assessment of that country. The report triggered follow-up research on integrity as well. More recently, in Ukraine a group of researchers and national experts on education policy used the integrity review findings in the drafting of a concept for a new law on secondary education on behalf of the Ministry of Education and Science.

The diversity of follow-up suggests the presence of a degree of ownership over the assessment results and implies that at least some groups of education participants endeavour to translate the report recommendations into actions. Although such a follow-up is a desirable outcome of an integrity assessment, the question of whether there is one is beyond the remit of the INTES methodology itself. Yet, the possibility of a follow-up can (and should) be anticipated and promoted at key stages of the integrity assessment process.

For instance, the preparatory phase of assessment (see Annex for a description of assessment phases) envisages the setting-up a team of national counterparts comprising a national co-ordinator and local researchers. The partnership with local researchers, including civil society organisations active in education research, can be an invaluable asset in promoting the integrity assessment effort and its results, throughout the assessment process. In most countries which have used the INTES methodology, members of the local research team were individuals combining academic or school teaching with research activities and membership in civil society organisations. Their professional profile would put them in a good position to not only support the assessment, but also to promote its findings and pave the way to using its recommendations by a broader audience.

In the second, analytical phase, an important channel of support in anticipation of an assessment follow-up are the site visits. A careful choice of counterparts and places can help to secure the legitimacy of the assessment effort (*e.g.* by visiting a broad selection of provider types in different locations (urban, rural, etc. and talking to all groups of education participants) and spread the word about it among education professionals, beneficiaries and civil society also on local level.

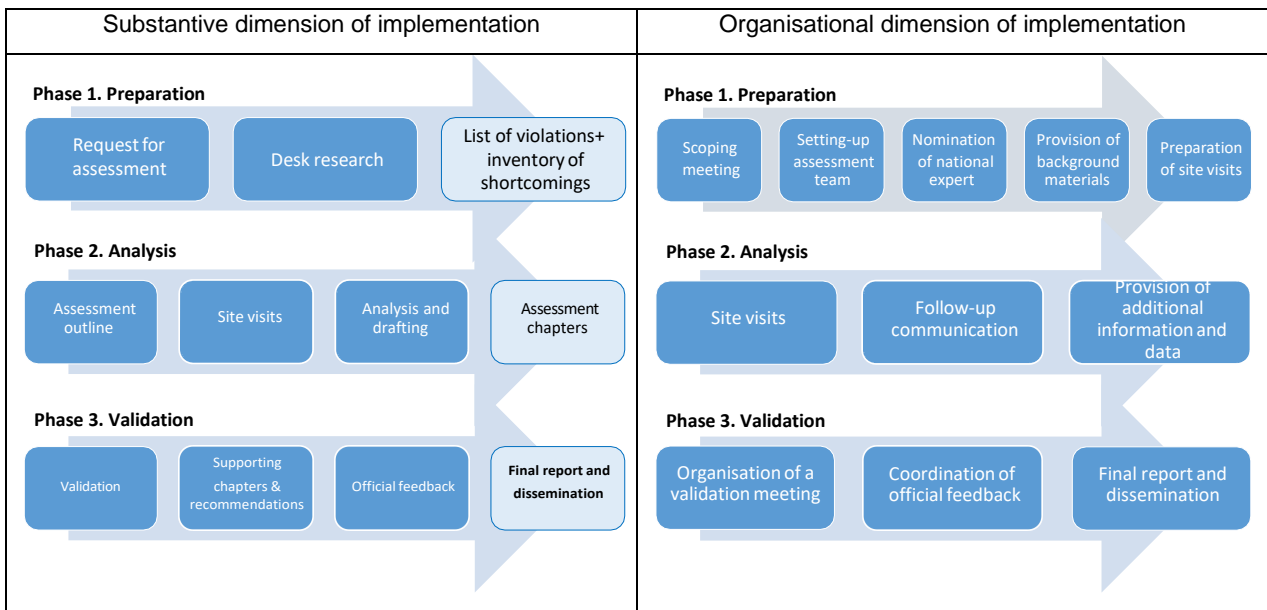
Finally, in the validation phase the discussion of possible recommendations for action and their joint preparation with national participants is a viable way of ensuring that the proposals are realistic, relevant, and owned by those concerned. Such an outcome is consistent with the aspiration of people involved in the preparation of each integrity assessment report: that the conclusion of their work will mark the beginning of a stakeholder-driven process of change and improvement.

Annex 1. Example of integrity assessment implementation

The guidance in this Annex is not a prescriptive element of the INTES methodology and could be adjusted to fit the needs of each assessment and national context. It is included here to illustrate how the integrity assessments were carried out on more recent occasions.

Recent INTES assessments followed a sequence of steps, divided into 3 phases of implementation. Figure 5 presents the process from a substantive and organisational point of view.

Figure 5. Implementation phases: substantive and organisational dimensions



In substantive terms, phase 1 “prepares the ground” for answering the guiding questions. Based on literature review and scoping missions to the country under assessment, the objective in this phase is to consolidate an initial selection of violations for assessment and an inventory of policy shortcomings to be analysed in phase 2. Phase 2 is devoted to in-depth analysis of these shortcomings with the help of desk research and site visits for semi-structured interviews and focus groups with stakeholders. The second phase delivers a first draft of the assessment report. Finally, the third phase is focused on preparing recommendations, validating the integrity analysis with stakeholders and national authorities, and finalising the assessment report.

In organisational terms, phase 1 envisages a scoping visit and the nomination of a national co-ordinator or institution and the identification of local researchers to support the assessment, formation of an assessment team, preparing an agenda for the site visits, and the provision of initial selection of data and information, which could also be provided in the form of a background report. The main organisational task in phase 2 is the visit of an assessment team to the country, followed by continuous provision of data and information in support of the work after the site visits. Phase 3 foresees the organisation of a validation workshop with stakeholders and national experts, and a dissemination meeting for the final report.

The following sections provide additional detail for each implementation phase.

Phase 1: Preparation and protocol A

Substantive dimension

The preparatory phase for the assessment starts with a review of documentation and data provided by the national co-ordinator and local researchers. The purpose is to implement the first INTES protocol, determine what violations the assessment will focus on, and prepare a first version of their description. This is important because the list of violations guides the preparatory work for the second phase of assessment, for instance the choice of counterparts for interviews during the site visits, as well as the requests for additional information and data. The list also helps to prepare a tentative inventory of policy issues that might be contributing to opportunities or incentives for violations, and distribute the thematic responsibilities among team members before the work commences and ahead of the site visits.

The deliverable in phase 1 is a choice of integrity violations that the assessment will cover, and a preliminary inventory of policy shortcomings that might be in focus because of their tentative influence on variables in the causality model of INTES.

Organisational dimension

Phase 1 commences with the nomination of a national co-ordinator and the identification of local research partners. The local partnership could be with a civil society organisation with a track record of work in the area of education analysis and, ideally, corruption, or a team of individual researchers with a comparable profile. In Serbia, the local partners were individual researchers from various faculties in the University of Belgrade. In Tunisia, the partners were a group of local NGO's, while in Armenia, these were several research organisations on behalf of the national Open Society Foundations. In Ukraine the local partner was an independent education research institute.

The choice of local partners is followed by a scoping meeting with authorities and/or stakeholders requesting the integrity assessment. The purpose is to agree on expectations, explain the methodological approach and anticipated deliverables, and agree on the timing of the assessment.

Further tasks include the selection of assessment team members (usually 3-4 experts) and the nomination of a national co-ordinator or coordinating institution. Key elements in the terms of reference of the national co-ordinator are the supply of information and data, the mobilisation of national expertise, and Co-ordination with relevant national counterparts regarding the first selection of violations that the assessment will cover. The national co-ordinator is also responsible for the organisation of the site visits.

Phase 2: Analysis and protocols B and C

Substantive dimension

Phase 2 is devoted to protocols B and C and the site visits for the assessment.

Prior to the site visits, it is helpful to prepare an assessment outline, containing a tentative selection of shortcomings that could be in focus of work with the two protocols. This has proven helpful in planning and guiding the site visits and distributing thematic responsibilities between assessment team members.

The site visits serve a number of purposes. Firstly, they are a source of guidance on how to properly contextualise the statistical, narrative (third party reports) and anecdotal evidence (which, considering the sensitivity of issues under discussion, is common) that is gathered through desk research. Secondly, they allow the assessment team to collect additional evidence and information, verify the selection of violations

included in the integrity assessment, and confirm the inventory of shortcomings in policy and practice that will be used in the analysis of each violation. Thirdly, the site visits help to refine the involvement of national counterparts in the assessment process. For instance, interviews during the site visits often reveal information that can help to make the selection of institutions and counterparts involved more relevant and inclusive. It is important to underline that the site visits are not a substitute for the collection of statistical evidence – a task that is dealt with in parallel throughout the assessment.

The deliverable of phase 2 is a first draft of an assessment chapter for each violation, which contains sections presenting the results of all INTES protocols (sections A, B and C).

Organisational dimension

The main task in phase 2 is to carry out the site visits for one-on-one talks with education professionals, stakeholders, students, and regional/national authorities. A supplementary task is the continuous provision of data and information in support of the assessment process.

The task of selecting places and counterparts for the site visits is conducted through a combination of non-probability sampling techniques,³¹ with the final selection being checked against several criteria. The criteria are put in place to ensure an adequate representation of the context of education in a country, to the extent possible. The criteria are:

- Balanced geographical distribution;
- Balance between visits in the capital, major regional cities, and smaller regional cities;
- Visits to regions with different level of economic development;
- Urban – rural providers;
- Well performing – poorly performing providers;
- If the assessment covers the entire system of education, providers at all levels;
- All groups of education participants;
- All levels of governance (central – regional – local);
- Adjacent sectors, as far as relevant (*i.e.* employers);
- International partners;
- Civil society representatives.

The national co-ordinator plays a key role in arranging and supporting the site visits. The support includes preparation and management of the agenda, official permissions for visits to education institutions and bodies, and facilitation of follow-up communication with counterparts identified during the site visits. Ideally, the choice of counterparts for the site visits is double-checked with the local research team.

³¹ Opportunity, “snowball” and purposive sampling.

Phase 3: Validation and recommendations for action

Substantive dimension

The objectives in the third phase of assessment are to validate and adjust the analysis, prepare the supporting chapters of the assessment report, *e.g.* introduction, outline of the methodology, the annexes, etc., formulate recommendations for action, and invite comments by the national authorities to finalise the report.

The formulation of recommendations could be done in consultation with national experts, selected stakeholders and representatives of the wider public. The integrity assessments take a year or more to complete, and the consultation around the options for action provide an opportunity to verify that the assessment findings are still up-to-date. In some countries, for instance, the preliminary findings of assessment triggered reforms even before the assessment report was completed.³² Additional argument in favour of opening the process is to ensure that the proposals are feasible and properly contextualised, and to promote ownership among opinion leaders and national experts ahead of the official release of integrity assessment results. However, it is also important to note that these final consultations are not about a negotiation of report findings.

The report is then submitted to the national authorities for comment and correction of fact and finalised after receiving the feedback. The deliverable of this phase is an INTES assessment report.

Organisational dimension

The validation process is organised by the national co-ordinator. The validation of findings and discussion of recommendations for action could take place in the format of a validation workshop in the country under assessment. This was the case in Ukraine, for example (OECD, 2017a). The co-ordinator is responsible for the identification of national experts and for a careful selection of participants from a wider group of stakeholders which includes civil society, education professionals, media professionals who cover education, and national authorities. It has proven worthwhile to also have the entire assessment team participate in the meeting to have each violation covered by the relevant expert.

A subsequent and final task in the assessment process is the collection of feedback from the national authorities about the report, as well as the organisation of a dissemination meeting for the final report. The event is open to a widest possible participation, and ideally it takes place under the patronage of the national education authorities, or at least with their involvement.

³² Serbia, for example, adjusted some of its regulations on hiring of staff, and Armenia started working on the development of codes of integral behaviour for its public universities in co-operation with the Council of Europe, ahead of the release of the respective final reports.

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