

Executive Summary

This first Integrity of Education Systems (INTES) country assessment was undertaken at the request of the Ministry of Education and Science of Serbia, following presentations of the assessment methodology to the Steering Group of the OECD Anti-Corruption Network for Eastern Europe and Central Asia (ACN), and discussions with the OECD Secretariat at regional meetings of the Education Reform Initiative of South Eastern Europe, which Serbia is currently chairing.

The objective of the present report is to support the Serbian government in its effort to prevent corruption in education and strengthen the integrity of the sector. The Serbian authorities were quick and efficient in responding to a number of findings in the report. Annex B provides an overview of reforms already undertaken to address them.

THE INTES APPROACH

Corruption is a violation of the law. The most effective prevention measures are those that target the motives of individuals or entities to initiate – or agree to – corrupt transactions and break the law. In education, the perpetrators are seldom criminals. They are mostly regular participants in the system. Their motives to bend or break rules are, often enough, rooted in a perception that education is failing to deliver what is expected, and that bypassing rules is a possible, sometimes even the only available, remedy. Participants in an education system that addresses their needs in the course of its legitimate operation will not have much reason to engage in corruption. Provided there is an effective system of monitoring and control, they will also have little opportunity to do so.

The assessment framework of INTES groups stakeholder expectations into three overall categories – access to education, quality of education, and sound management of staff and resources – and adds capacity for corruption detection and prosecution as a fourth policy aspect. INTES assesses the education system in Serbia in the light of these four dimensions of education and anti-corruption policy, discusses its strengths, and reconstructs key parts of an otherwise hidden landscape of root, systemic causes for corruption risk and incidence.

Wherever applicable, the chapters of this report are divided into sub-sections with analysis of factors contributing to demand for corrupt practices and of factors that hinder detection of malpractice or corruption, with a tentative forecast of corruption incidence for the respective policy area. Chapter 5 contains analysis of detection and prevention capacities, and Chapter 6 contains recommendations and suggestions for follow-up.

POLICY AND INTEGRITY CLIMATE

Serbia is classified as an upper-middle income country. The growth rate of GDP in 2010 in relation to the previous year was 1.0% and the average household budget amounted to RSD 16 114 (USD PPP 409 per month).

In 2010 Serbia ranked 78th of 178 countries on the Transparency International's Corruption Perception Index (CPI). Education was not considered to be among the most corrupt sectors, but corruption within the sector was perceived as very prevalent: at a scale from 1 (lowest) to 5 (highest) Serbia scores 3.6 in the Transparency International's Global Corruption Barometer. The complaints recorded by the Ministry of Education and Science (MoES) in 2011 most frequently targeted university procedures and administration, the central authorities, the school management, and hiring and firing procedures for staff.

Driven by a strong commitment to EU integration, the education authorities have announced and launched numerous reforms to initiate a move from traditional to new approaches to classroom practice and system management, and to address a growing demand for better and equitable education and for university access. The goals of reform are commendable and ambitious, but the OECD assessment team observed that, in several education policy areas, the integrity of the system is being challenged by their fast pace and wide-reaching scope, and by inevitable societal changes. In many cases the traction between reform efforts and the realities of life in schools and universities still appears to be weak or missing.

Change is inevitable, but it takes time. Its careful management over the next years will be crucial for the integrity of the education system, and for the future of education in Serbia overall.

FAIR ACCESS TO EDUCATION

Serbia is confronted with integrity shortcomings in the areas of university admission and academic assessment practice. Both prospective students and faculties have strong, mostly financial incentives to misuse the admission and assessment mechanisms, and there are indications that in these points the system is frequently too weak to resist the pressure. In an undetermined number of cases, rules and regulations are being bypassed for the sake of access to study places, public financial support and progression during studies.

The OECD assessment team recommends increasing the transparency and accountability of assessment procedures; standardising admission to tertiary education; diversifying sources of private investment in the tertiary system; attaching more weight to the socio-economic background of students in the criteria for accessing public support; and improving the academic standards against plagiarism and cheating.

BETTER QUALITY OF EDUCATION

The quality of learning outcomes in pre-university education in Serbia is improving, but is still far from satisfactory. Inefficiencies in learning during regular school hours create a need for remedial lessons and fuel the proliferation of private tutoring as a widespread, commonly accepted solution for difficult subjects, before exam sessions and in preparation of admission exams. Recent household survey data indicate that more than a quarter of Serbian households with children in primary or secondary schooling use the services of at least one private tutor.

Not all private tutoring is illegal or unethical, but its prevalence in Serbia demands urgent attention and well-considered action to prevent existing practices from sliding into a “shadow” system, in which tutoring becomes a pre-condition for passing exams or progressing to higher levels of education. Learners in Serbia often seem to be trapped in a vicious circle of limited learning during regular schooling hours, which creates need for tutoring and stimulates reliance on out-of-school remedial work; this in turn limits the effectiveness of learning in class. The integrity of the system on this point is further jeopardised by the absence of professional codes of conduct (also discussed in the section on staff policies) and by weaknesses in the inspection system; at the time of assessment the inspection system did not have a mandate to monitor the phenomenon or its impact on the quality of regular schooling, and lacks the manpower capacity to do so.

The assessment team recommends further investigating tutoring practices and directing the attention of policy thinking and interventions to questions that really matter: how to motivate students to learn, how to modernise teaching and the curriculum, and how to better connect what is taught in schools with what is required by universities for access to tertiary education. The lack of alignment between these two is another important reason why parents and students turn to private tutoring to fill the gap.

SOUND MANAGEMENT OF STAFF AND RESOURCES

Staff policies

Despite widespread public opinion that teaching is “not what it used to be”, teachers, especially good ones, are very well respected and their services sought after. Regularity of salary payments, a degree of security that cannot be found in the private sector, reasonably good vacation breaks, flexibility with working hours and opportunities for supplementing personal income with out-of-school activities, such as private tutoring, make teaching an attractive professional option. Due to cuts in teaching hours and positions, however, obtaining and keeping a job as a teacher is growing increasingly difficult. Complaints about hiring staff and principals are among the most frequent types made to the Ministry of Education and Science.

The integrity of policy and practice in the area of staff policies is weak. Loopholes in the legislation allow for bypassing staff redundancy lists through temporary employment, the current rules make staff and school principals depend on each other for their respective (re)appointments, and there are potential problems with the independence of school boards. The absence of transparent guidelines for hiring and firing staff contributes to a perception among stakeholders that appointments and promotion of teachers and school staff are routinely based on political affiliation or favours, and not (only) on competence.

These shortcomings call for urgent and focused attention to prevent instances of malpractice from being hardened into a public perception of endemic corruption in the education system. The OECD assessment team recommends that the authorities clarify the procedures and criteria for selection of staff and increase the transparency of the recruitment process; mitigate the current mutual dependency circle between principals and school staff by delegating hiring and firing to selection committees; introduce clearer criteria for short-listing jobs; offer redundant teachers a possibility to obtain qualifications in a second teaching subject; and explore possibilities for introducing redeployment schemes.

Management of resources

Many primary and secondary schools in Serbia struggle to cope with tight budgets. Public funding is insufficient and volatile, tradition-bound inefficiencies in the network of schools are fairly resistant to change, there is competition between schools for diminishing numbers of youth which is costly, and the school infrastructure is oversized and old. Funding shortages affect mostly items related to school operation, such as expenses for maintenance, classroom equipment and professional development of teaching staff.

In coping with the combined challenge of heightened needs and lowered means, the school system in Serbia has developed a high level of dependency on private investment, a fair share of which (18%) stems from revenues generated by the schools themselves through economic activities such as renting out-of-school facilities, mostly without legal permission.

The regulatory framework in Serbia needs revising to allow for transparent school operation in the economic domain: financial control over school revenues does not seem robust enough to handle the level of private resources poured into the system, and schools have incentives to under-report revenues. Until the removal of such incentives, and the introduction of adequately functioning financial control mechanisms, the economic activity of schools should be treated as a potential integrity concern.

This report recommends that the authorities determine a list of permissible sources of school revenue and remove the currently existing incentives for under-reporting; consider making principals and school board members accountable under the Law on Public Service; urgently process and register all lease contract requests currently pending with the Republican Directorate for Property; strengthen local capacities for financial control and consider a revision of the current system of distributing equalisation grants to the local administrations.

PREVENTION AND DETECTION

Even the most comprehensive prevention, detection and follow-up mechanisms will have a limited effect if there is no understanding of the underlying causes of corruption in a given sector. The reverse is also true – even after successful elimination of all potential causes, opportunities created by weak monitoring and control will always be an open door to temptation, even in the best of education systems.

The chapter on prevention and detection complements the preceding discussion of factors that fuel corruption demand. It analyses the opportunity dimension of the corruption problem by assessing the capacity of the state and of the education sector to ensure detection, prevention and punishment of malpractice.

The education sector

The current capacity in the education sector for detection and prevention of corruption is low. There are serious gaps in the quality, availability and use of evidence and data, in particular for budgeting purposes, and lack of administrative transparency. The traditionally high fragmentation of the university landscape in Serbia is an impediment to the accountability of faculties *vis-à-vis* authorities and students, and to the transparency of academic and economic practices in the sector. The higher education quality assurance and accreditation system has a comprehensive mandate, but it needs more human resources, and time to gain traction and credibility with stakeholders. The lack of codes of professional conduct for teachers is a concern, despite a solid but somewhat limited (in terms of mandate) system for licensing of teachers. Procurement and textbooks remain areas where opportunities for corruption exist. In the longer run it will be vital that education institutions themselves start to internalise and maintain integrity standards.

Sector relevance of the state-level anti-corruption framework

The section on relevance of state-level prevention and detection mechanisms looks into criminalisation of corruption and the work of specialised bodies and mechanisms such as the National Anti-Corruption Council and the Anti-Corruption Agency. It also discusses the judiciary and explores the availability of complaint and whistle-blower protection mechanisms, the efficiency of parliamentary control, and civil society involvement.

International evaluations attest to Serbia's general compliance with the standards on criminalisation of corruption. Serbia has criminalised active and passive bribery of public officials (which includes teachers and professors) and private corruption and trading in influence and has clear rules on conflict of interest in the exercise of public office. Trading in influence and private corruption, however, are rarely prosecuted, although they appear to take place in the sector of education.

The legal framework provides clear procedures for addressing a wide variety of grievances. There are, however, limited data that would allow an assessment of the effectiveness of these avenues of complaints. No corruption incident in the education system is known that would have been reported by a whistle-blower in the classical sense. Although significant improvements have taken place since 2010, Serbia still has limited provision for the protection of whistle-blowers. Civil society organisations appear to be active in promoting transparency, but anti-corruption expertise and projects seem to be concentrated in a few dedicated non-governmental organisations only.

The institutional framework for corruption prevention (*i.e.* National Anti-Corruption Council and the Anti-Corruption Agency with its largely preventive mandate) is adequate, but its links to the sector of education, in particular on the technical level, are weak and limited. On the law enforcement and prosecution side, the capacity to detect and prosecute corruption crime has been on the increase, but its efficiency in dealing with cases of corruption in education is remarkably low. The judiciary too is experiencing difficulties in handling cases, particularly the more complicated ones. In contrast, Serbia's parliamentary governance seems to have all institutional means necessary for effective oversight of the executive.



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