



***Network for Irish
Educational Standards***

Paper 3

**Regulation Changes Contributing to Grade
Inflation: The NCEA/HETAC Case Study**

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ABSTRACT

Extensive grade inflation in the Institute of Technology sector between 1994 and 2004 has been identified (O'Grady and Guilfoyle, 2007). A variety of factors contributing to this trend were discussed by O'Grady and Quinn, 2007, among them being the prioritising of institutional growth to the detriment of educational standards by third level education providers. Throughout the period concerned, the National Council for Educational Awards (NCEA) and its successor organisation the Higher Education and Training Awards Council (HETAC) were the public regulators that were entrusted with the task of safeguarding qualification standards in the sector.

This paper describes the manner in which NCEA/HETAC, instead of acting in the public interest to maintain standards, facilitated the Institutes of Technology in lowering the academic demands for obtaining Higher Certificates (previously National Certificates), Ordinary Degrees (previously National Diplomas) and Honours Degrees. The paper traces how this was done through a long series of unidirectional changes in NCEA/HETAC regulations governing the award of qualifications. In each case there was an incremental dilution of standards.

In all, twenty different regulation revisions of this nature are described that were implemented between 1990 and the present.

It is concluded that NCEA/HETAC was 'captured' by the institutional sector it was supposed to regulate. In consequence it transformed over time into an agency which reflected the institutional and 'business' interests of the Institutes of Technology and effectively abandoned its public interest mission as a guardian of qualification standards on behalf of society at large.

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1. Introduction

O'Grady and Guilfoyle (2007) describe evidence of very substantial grade inflation in National Council for Educational Awards/ Higher Education and Training Awards Council qualifications awarded through the Institutes of Technology between 1994 and 2004. The origins of this trend in Irish third level education are discussed in detail by O'Grady and Quinn (2007). Among a number of contributory factors they identify is the impact of institutional priorities, especially the drive towards growth in the Institutes of Technology at a time when Universities were also growing rapidly and when the number of school leavers was in decline. O'Grady and Quinn highlight the inherent conflict at institution level between the motives to attract and retain ever greater student numbers in such circumstances and the responsibility to maintain academic standards. They argue that standards have been sacrificed in the interests of enhancing student numbers.

The National Council for Educational Awards and the Higher Education and Training Awards Council, the body which replaced the NCEA in 2001 were responsible for regulating academic standards in the Institutes of Technology. In broad terms, regulation can be viewed as sustained and focused control exercised by a public agency over activities that are valued by a community (Selznick, 1985). Regulation implies policing with respect to a rule that specifies objectives and enables the regulator to specify a choice of activities that are acceptable (Mitnick, 1980). NCEA/HETAC was responsible for determining appropriate standards of higher education and ensuring compliance with those standards. As a regulator, NCEA/HETAC should have acted in the public interest to protect academic standards and to counter the inevitable pressure within educational institutions towards lowering those standards. That such substantial grade inflation occurred in NCEA/HETAC qualifications between 1994 and 2004, as demonstrated by O'Grady and Guilfoyle (2007), indicates that this public agency failed to ensure that the meaning of grades and qualifications was maintained over time.

Regulation is not merely a static and determinant application of rules but involves an ongoing process of adjustment of public and private interests with outcomes that are not determined in advance (Bernstein, 1955). Not only did NCEA/HETAC fail in its duty to protect standards but it actively facilitated over a long time period the lowering of academic standards for qualifications within its remit. Evidence for this is provided below in the pattern of changes in NCEA/HETAC regulations governing the award of National Certificates (now Higher Certificates), National Diplomas (now Ordinary Degrees) and Honours Degrees introduced over the last two decades. There is a clear and consistent, unidirectional pattern of change in regulations whereby the academic demands on students were consistently lowered as time passed with respect to obtaining

qualifications, obtaining higher grades in qualifications and progressing from one level of qualification to the next.

The NCEA, and HETAC in turn, set out the detailed regulations governing the award of qualifications within its remit in an annually updated publication called *Marks and Standards*. This analysis is based largely on a comparison of the various editions of *Marks and Standards* published since 1983. In a wide variety of ways contemporary students are faced with a much less demanding challenge in obtaining qualifications than did their predecessors two decades ago.

The Qualifications (Education and Training) Act 1999, under which HETAC was established, enabled it to award delegated authority to Institutes of Technology whereby Institutes on application might be granted the right to independently award their own qualifications. All 13 of the Institutes¹ have availed of this opportunity and they now award some or all of their qualifications in the same manner as the Universities.

2. The Regulation Changes in Summary

In all, it was possible to identify since 1983 some 20 specific changes in regulations governing the award of NCEA/HETAC qualifications, each one designed to make it easier for students to obtain qualifications or to obtain higher grades in those qualifications.

Some changes involved a quite overt and blatant downward revision of traditional standards. An example here is the significant lowering of the quality thresholds governing student entry to National Certificates and Diplomas. Up to 1998, progression from National Certificate to National Diploma and from National Diploma to Honours Degree was dependent on gaining at least a merit grade in the previous qualification. A merit grade was defined as a mark between 60 and 69. In 1998 the lower threshold for a merit was dropped to 55 through the creation of two new merit grades, a merit 2 for marks between 55 and 62 and a merit 1 for marks between 63 and 69. In 2006 the thresholds for merit 1 and 2 were further lowered to 60 and 50 respectively. This relaxation of the definition of meritorious performance was clearly designed to allow a greater rate of progression from National Certificate to National Diploma and from National Diploma to Bachelors Degree courses. By the simple expedient of dividing and redefining the concept of 'merit' the ranks of the meritorious were swollen at a stroke. In 2003, the quality threshold for access to National Diploma courses was dropped from merit to pass (40%).

An example of a more technical, but nevertheless influential change, concerns the procedure of 'passing by compensation.' This involves examination subjects at marks of between 35% and 39% (technically a fail)

¹ Dublin Institute of Technology operates under separate arrangements.

being passed if there is a certain minimum surplus of marks in excess of the threshold in other subjects. Up to 1997, passing any subject in this manner denied a candidate the possibility of gaining an overall examination result other than a pass. Since then, candidates, despite passing one or more subjects by compensation, can still be awarded a 'merit' or other high grade if their average mark across all subjects meets the requisite threshold. This means that, unlike in the past, candidates may gain high grades despite being very weak in specific subjects.

Table 1: Summary of NCEA/HETAC Regulation Changes since 1990.

| YEAR | REGULATION CHANGE |
|---------|--|
| 1990* | <ul style="list-style-type: none"> • Individual subject marks' requirements for Merit/Distinction eliminated. (5)** • Honours Degree grade bands standardised downwards (6) • Alternative provision to carrying forward poor continuous assessment marks. (10) • Replacement of minimum marks in examination elements with 'extreme weakness' provision. (10) |
| 1994 | <ul style="list-style-type: none"> • Provision that disqualified candidates could not subsequently obtain other than a 'pass' award dropped. (12) |
| 1997 | <ul style="list-style-type: none"> • 'Pass by Compensation' cases eligible for higher grades. (5,9) • Lower (than 1983) grade point average (GPA) for Honours Degree grades written in to Marks and Standards. (7) • Exemptions no longer dependent on passing half the subjects. (8) • Limited 'shelf life' for exemptions abolished. (8) • No longer a specific admonition to limit the provisions re. 'borderline cases' to ones that are genuinely borderline. (11) • Regulations on treatment of 'disqualified' candidates dropped. (12) • One year maximum period for deferrals abolished. (13) |
| 1998 | <ul style="list-style-type: none"> • The lower threshold for a Merit lowered from 60 to 55 through the introduction of a Merit 2 at 55%. (3) • Entry threshold for Diploma and Degree courses dropped from 60% to 55%. (4) |
| 2002 | <ul style="list-style-type: none"> • Entry threshold for Diploma and Degree courses dropped from 55% to 50%. (4) |
| 2003 | <ul style="list-style-type: none"> • Entry threshold for National Diploma courses dropped from 50% to 40%. (4) |
| 2005 | <ul style="list-style-type: none"> • Second class grade 1 and 2 thresholds in Honours Degrees reduced respectively from 63% to 60% and from 55% to 50%. (6) • National Certificates become Higher Certificates and National Diplomas become Ordinary Degrees (B.A. Ord.). (14) |
| 2006 | <ul style="list-style-type: none"> • Merit 2 threshold dropped to 50% and Merit 1 to 60%. (3) |
| General | <ul style="list-style-type: none"> • More widespread use over time of alphabetic grading especially in Honours Degrees. (6,9) |

* 1990 Regulations have been compared with 1983. Therefore, changes identified for 1990 may have occurred between 1984 and 1989.

** Figures in brackets are the sections below in which each point is explained.

Other changes were more subtle. An example concerns the regulation on how borderline cases are to be handled by examination boards. The regulation requires that candidates whose marks fall close to a pass or

other grade threshold be discussed by the examination board and a decision be made on the basis of the available evidence as to whether the grade should be set above or below the threshold. It allows examination boards the discretion to alter student marks. It was not the substance but the tenor of the regulation that changed. Up to 1996 the following phrase had been included in *Marks and Standards*:

It is important, of course, to emphasise the word "borderline" in such circumstances (Marks and Standards, 1996, p7).

After 1996 this reminder, not to interpret too loosely the notion of 'borderline,' no longer featured. Since in practice only grades below thresholds are ever regarded as within the ambit of the regulation, any looser interpretation of the concept borderline is inherently grade inflationary.

3. Changes in Grade Structure

Table 2 below summarises the changes in grade structure shared by National Certificates and National Diplomas.

Table 2: Grade Structure Changes in National Certificates (Higher Certificates) and Diplomas (Ordinary Degrees)

| Grade | Up to 1997 | 1998-2005 | 2006 |
|--------------|------------|-----------|--------|
| Distinction | 70%+ | 70%+ | 70%+ |
| Credit/Merit | 60-69% | | |
| Merit 1 | | 63-69% | 60-69% |
| Merit 2 | | 55-62% | 50-59% |
| Pass | 40-59% | 40-54% | 40-49% |

As indicated in the table, up to and including 1997 the grade structure for those awards consisted of Pass (40%-59%), Credit/Merit (60%-69%) and Distinction (70%).

In 1998, a new grading system was introduced which left the Distinction grade unchanged but introduced a Merit 1 (63%-69%) and a Merit 2 (55%-62%). In September 2005 the lower threshold for Merit 2 was further dropped to 50% and for Merit 1 to 60%. The 'Pass' grade, therefore, is now limited to the percentages between 40% and 49%.

The overall effect has been to allow the concept of meritorious performance to drop down from a threshold of 60% to one of 50%. The immediate practical impact and the main reason the grades were modified was to allow greater numbers of students to progress from National Certificate (now Higher Certificate) courses to National Diploma (now Ordinary Degree) and from National Diploma (Ordinary Degree) to

Honours Degree courses. This issue is further addressed in section 4 below.

4. Erosion of quality thresholds for progression

Until 1997, the normal requirement to progress directly from a National Certificate to a National Diploma course was that candidates obtain Credits/Merits (average of at least 60% with additional requirements as outlined in section 5 below) in their National Certificate final examinations. The same rule applied for direct progress from National Diploma to Honours Degree courses. There was a separate lower academic threshold for applicants with post-graduate (in the Certificate or Diploma) work experience.

With the introduction of the Merit 2 grade in 1998, the direct access threshold for both National Diplomas and Degrees fell to 55%.

In 2002 the rules for progression were modified again and the thresholds were further lowered to an average mark of 50%.

A further downward revision of the threshold to 40% occurred in 2003 with respect to progress from National Certificate (Higher National Certificate) to National Diploma (Ordinary Degree). The threshold for access to Honours Degree remained at 50%.²

While 50% is the lower threshold for Merit Grade 2 awards at Ordinary Degree level, it is the average of 50% not the acquisition of that grade which matters for progression to the Honours Degree Stage. The distinction is that where grades above pass must be achieved at one sitting (for full-time students) an average of 50% can be achieved over several sittings.

The immediate effect of the precipitous decline in entry requirements was to dilute significantly the academic ability of the student body studying for National Diplomas (Ordinary Degrees) and Honours Degrees throughout the Institute of Technology sector with all the attendant implications for academic standards and grade inflation described by O'Grady and Quinn (2007).

5. Additional Criteria for Grades

The main change here was a lowering of the requirements to obtain higher grades in National Certificates (Higher Certificates) and Diplomas

² Under delegated authority, four of the Institutes of Technology (Blanchardstown, Carlow, Galway-Mayo and Letterkenny) recently abandoned this threshold also and allow entrance to add on Honours Degrees for those with 40% in Ordinary Degrees.

(Ordinary Degrees). This is distinct from the new grade bands described above.

Individual subject marks' requirements for the award of distinctions and merits were eliminated. While the rules varied somewhat from discipline to discipline, the case of Business Studies will serve as an adequate exemplar.

The 1983 NCEA *Marks and Standards* specified that for the award of the higher grades the following applied:

*Distinction – Minimum average of 70% in subjects taken and requiring to be passed, **subject to:***

- (i) *no mark being lower than 50% and not more than two marks being lower than 60% and*
- (ii) *in the case of National Diplomas, a minimum average mark of 65% in major subjects*

*Credits (later merit) – Minimum average of 60% in subjects taken and requiring to be passed, **subject to:***

- (i) *no mark being lower than 45% and not more than two marks being lower than 50% and*
- (ii) *in the case of National Diplomas, a minimum average mark of 50% in major subjects (p.9).*

The “subject to” provisions were also in place for other disciplines but the detailed requirements differed.

By 1990 the “subject to” requirements for full-time students had been limited to the candidate passing “at the first attempt without compensation or exemption, and in one sitting” (*Marks and Standards* 1990, p 18).

In 1997 the “subject to” requirements were further reduced by the elimination of the requirement to pass without compensation.

Currently the requirements are for a minimum average mark across all subjects in the final award stage of 70% for a distinction, 60% for a Merit 1 and 50% for a Merit 2.

The only additional requirements are that the candidate passes the examination at the first attempt and in one sitting. Thus, unlike in the past, a high grade can now be achieved despite a very uneven profile in subjects and even where some subjects are passed by compensation, i.e. have marks as low as 35%. In practice, marks below 35% (sometimes even below 30%) are customarily treated as “borderline” and raised by examination boards to allow candidates to pass by compensation (see also

section 11 below on “borderline” cases and section 8 on passing by compensation.)

6. Definition of Grades in Honours Degrees

Honours degrees under the NCEA/HETAC system have always been graded by a different system to that applying for Higher Certificates (formerly National Certificates) and Ordinary Degrees (formerly National Diplomas).

The grades are First Class Honour, Second Class Honour Grade 1, Second Class Honour Grade 2 and Pass.

In 1983 some degrees were classified as follows:

| | |
|-------------------------------|------------|
| First Class | 75% - 100% |
| 2 nd Class Grade 1 | 65% - 74% |
| 2 nd Class Grade 2 | 55% - 64% |
| Pass | 40% - 54% |

Others were classified by the following alternative less demanding set of categories³:

| | |
|-------------------------------|------------|
| First Class | 70% - 100% |
| 2 nd Class Grade 1 | 63% - 69% |
| 2 nd Class Grade 2 | 55% - 62% |
| Pass | 40% - 54% |

By 1990, the grade bands had been standardised at the lower level set out above. The standard required for some higher grades in some degrees was therefore reduced.

In 2005, a further revision was enacted dropping the lower thresholds for Second Class Honours Grade 1 from 63% to 60% and for Second Class Honours Grade 2 from 55% to 50%. Table 3 below summarises the changes in grade bands for honours degrees.

Table 3: Change in Honours Degree Grade Bands

| Grade | 1983* | 1990 | 2005 - Present |
|-------------------------------|--------|--------|----------------|
| First Class | 75-100 | 70-100 | 70-100 |
| 2 nd Class Grade 1 | 65-74 | 63-69 | 60-69 |
| 2 nd Class Grade 2 | 55-64 | 55-62 | 50-60 |
| Pass | 40-54 | 40-54 | 40-49 |

* did not apply to all degrees

³ One degree – the BA in Hotel and Catering Management at RTC Galway – had an even less demanding categorisation but also required minimum marks in each mandatory subject for the award of honours grades.

In a sequence of unidirectional changes the standard for achieving higher grades has been substantially lowered.

There is a further practice with respect to the grading of Honours Degrees, which in a variety of ways also involves a reduction in standards. This is the use of an alphabetic subject marking system together with a grade point average approach to grading. Back as far as the early 1980s this approach was used for a few degrees under the NCEA system. Later it became much more widespread.

It is a common approach used widely elsewhere in the world but has no educational or technical advantage over a numerical marking system. It has become popular probably because it places less demands on the marker who is required to differentiate performance in terms of a limited set of ordinal categories rather than in terms of the 100 differentiations implied by a numerical percentage system. It derives its logic from the rather dubious premise that examiners are unable (or unwilling) to quantify performance but are capable (or willing) to reliably categorise academic performance.

Individual examiner ability and motivation aside, there is no doubt that in principle a quantitative approach, as implied in numerical percentage marking, is superior in terms of precision. Paradoxically NCEA/HETAC offers an equivalent percentage band for each grade as set out in the table 4 below.

Table 4: Definition of Alphabetic Grades*

| Grade | Grade Point Value | Percentage Band | Indicative Quality of Performance |
|-------|-------------------|-----------------|-----------------------------------|
| A | 4.0 | 80-100 | Excellent |
| B+ | 3.5 | 70-79 | Very Good |
| B | 3.0 | 60-69 | Good |
| B- | 2.75 | 55-59 | Above Average |
| C+ | 2.5 | 50-54 | Fair |
| C | 2.0 | 40-49 | Pass |
| D | 1.5 | 35-39 | Poor |
| F | - | 0-34 | Fail |

* Information from NCEA *Marks and Standards* 2001

This suggests that examiners may be expected to first quantify academic performance and then translate the percentages into grades, losing a considerable amount of differentiating accuracy in the process. There is a considerable difference between a mark of 98% and one of 80%, yet both end up lumped together as an A.

The implications of this are considerable, particularly for borderline cases. In a numerical system it does not matter a great deal whether a student obtains a mark of say 69% or 70% in a subject, since the difference will hardly be crucial when aggregated with other subject marks. In an alphabetic grading system, an examiner's decision to award either a mark of 69% or 70% is equivalent in its impact to that of a decision between the mark of 60% and 79%. In both cases the subject grade is either a B+ or a B. For overall grading purposes (aggregating over all subjects), the benefit of having a B+ (be it 70% or 79%) versus having a B (be it 60% or 69%) is an increase in grade point average of 0.5 points.

The impact on examiners is to encourage them to raise students who might otherwise have percentage marks below a given threshold to the grade above (see also section 11 below). There is considerable institutional and peer pressure to do this. This is then a contributory factor to grade inflation.

There is an additional important consequence of alphabetic grading that contributes to grade inflation. The system enables higher grades to be achieved through inferior academic performance than is required by the numerical marking approach. For example, under the numerical marking approach, to obtain a First Class Honour students need to have an average of at least 70% across their subjects. Under the alphabetic system it is possible to get a First Class Honour at an average of 65%. This would occur where, in numerical terms, three subjects were at the lower end of the B band and three at the lower end of the B+ band. Three marks of 60% equate to three B grades earning grade points each of 3.0. Three marks of 70% equate to three B+ grades earning grade points each of 3.5. This profile results in a grade point average of 3.25 which is a First Class Honour. Under the numerical grading system, the average of 65% would not be regarded as at all near a First Class Honour.

The alphabetic system awards higher grades for weaker performance.

7. Changed GPAs for Award Levels

In 1983, the normal grade point average (GPA)⁴ required for grades using the alphabetic grading approach was:

| | |
|-----------------------|-----|
| First Class Honours | 3.4 |
| Second Class, Grade 1 | 3.0 |
| Second Class, Grade 2 | 2.8 |
| Pass | 2.0 |

⁴ The Grade Point Average is the mean or average of the points obtained across all subjects. The points for each grade are: A=4; B+=3.5; B=3; B-=2.75; C+=2.0; D=1.5; F=0.

By 1997, the following lower grade bands were set out for the first time in Marks and Standards (p. 35):

| | |
|-----------------------|------|
| First Class Honours | 3.25 |
| Second Class, Grade 1 | 3.0 |
| Second Class, Grade 2 | 2.75 |
| Pass | 2.0 |

From the 2005/06 academic year, the GPA for a 2nd class honour, grade 2 was further reduced to 2.50. This was in line with the reduction on the numerical scale from 55% to 50%.

The GPA for 2nd class honours, grade 1 has remained at 3.00 despite the reduction of the threshold on the numerical scale in 2005/06 from 63% to 60%.

8. Exemptions

The issue of exemptions arises where students fail subjects at a particular stage of a qualification. Typically there are six subjects and currently a candidate is awarded an exemption (no requirement to subsequently re-sit and pass this subject) with respect to any subject passed. If a candidate fails five of the six subjects but passes the sixth, an exemption is automatically granted with respect to that one subject. The same applies for any other number of subjects passed.

Up to and including 1996, an exemption could only be granted where a candidate passed a minimum of half the subjects for the stage as a whole. Thus, if a candidate failed four subjects where the total was six, all subjects would have to be retaken subsequently.

It requires less ability and application to accumulate credits over several sittings as per current practice than to pass at least half the subjects in one sitting.

An additional lowering of requirements concerns the abolition of the limited shelf-life for exemptions. Currently there is no limit to how many sittings or over what period of time one may accumulate credits. Exemptions stand indefinitely. Up to and including 1996, exemptions were restricted by the rule that

....they shall remain valid until three examination sessions have taken place, following the candidate's first attempt at the examination stage required (Marks and Standards 1996, p. 15).

Thereafter this requirement was dropped by the NCEA.

9. Passing by Compensation

The practice of allowing individual subjects in examinations to be passed by compensation has always been a feature of the system. The possibility arises when a subject is failed by a narrow margin, i.e. on a mark between 35% and 39%, and where in other subjects the student has a surplus of marks over 40% that equals twice the deficit below 40% in the failed subject.

In the numerical grading system, compensation may only apply with respect to two subjects when the qualification stage consists of five or more subjects and to one when the stage consists of fewer subjects.

To the extent just described current practice maintains faith with the past with the important exception of cases where the alphabetic grading system described in section 6 above is used and, as already indicated, this system has grown more common with the passage of time. Under the alphabetic grading approach any number of D grades (35-39%) may be compensated for by grades of C or above provided that a GPA of 2.00 overall is achieved. This means that it is possible in a standard six subject final examination stage to achieve a pass while compensating for four D grades with two grades of at least B. In addition there is a further source of leniency in that all the grades involved can be obtained over any number of examination sittings or re-sits. It is even possible for candidates to repeat their stronger (or less rigorously marked) subjects by relinquishing passing grades and re-sitting those subjects so as to achieve the necessary grades to compensate.

The implication of passing by compensation has changed significantly due to the changes in the criteria for the award of merits and distinctions and due to the changes in the criteria for progression outlined above. Whereas before 1997 the minimum subject mark requirements prevented anyone passing a subject by compensation from obtaining a Merit or Distinction grade, thereafter it became possible to obtain such grades while passing by compensation.

Also, it is now possible to progress from Higher Certificate (formerly National Certificate) to Ordinary Degree (formerly National Diploma) courses and from there to Honours Degree level while passing subjects by compensation. This was not possible in the past due to the different criteria for progression.

10. Subject Components and Examination Elements

An individual subject may, for example, comprise of a theory component and a practical component or, alternatively, of a number of separate

theory components. The overall examination of a subject may, and typically does, consist of two or more elements such as continuous assessment, practical assessments and a terminal theory examination.

A scrutiny of the 1983 NCEA *Marks and Standards* document reveals a number of specific requirements in respect of such components or elements.

In National Certificates and Diplomas in the field of Business Studies the pass mark for practical subjects was a minimum of 50% as compared with the current 40% for all subjects. For Business Studies it was also stated that:

In the case of a candidate who fails at the summer examination, marks awarded on the basis of continuous assessment shall be carried forward to the autumn repeat examination of that year (Marks and Standards, 1983, p.8).

In the 1990 edition of *Marks and Standards* the following general concession was included:

In the case of a candidate whose results at a repeat examination are liable to be jeopardised by the carry forward of poor marks awarded in respect of Continuous Assessment, the institution may, subject to the approval of the External Examiner(s), devise alternative assessment arrangements in lieu of the Continuous Assessment (p.13).

In some courses it is now standard practice to carry forward continuous assessment marks to the autumn repeat session only where to do so benefits the candidate. Where their autumnal repeat marks exceeds their continuous assessment marks, the only marks considered are the marks obtained in the repeat examination.

In the field of Engineering and Construction Studies in 1983 there was a requirement to the effect that:

...normally candidates who fail to reach 40% in the course work, where this is an element of a subject or a separate subject in the programme, shall fail in that subject and shall not be eligible to pass the examination by compensation (Marks and Standards 1983, p.27).

Also with regard to Engineering and Construction Studies it was stated that:

...where continuous assessment forms part of the evaluation of a student's performance, candidates must reach 30% in the marks maxima for both continuous assessment and terminal examinations (Marks and Standards, 1983, p.27).

A further Engineering and Construction Studies requirement in 1983 was that to be eligible for the award of a Distinction or a Credit, apart from the required 70% and 60% averages respectively, candidates had to reach

minimum marks in both written and course work separately. For the distinction the minimum for both course and written work was 60% and for Credit it was 50%.

In Science qualifications in 1983 it was required that a candidate achieve a mark of at least 40% in both the theory and the practical components of subjects. A system of internal compensation from theory to practical or vice versa was allowed but required that a minimum mark of 35% be obtained in the element concerned and that:

...the excess marks above the pass mark in the other element of the subject is at least double the marks deficiency concerned (Marks and Standards 1983, p.82).

In the 1990 edition of Marks and Standards it was stated that:

Where an Examination Subject consists of several Component Subjects, or where the examination process is composed of several examination elements, no specified pass thresholds shall apply in relation to any individual Component Subject or examination element (p.13).

This marked a significant policy change where the more demanding specific 'within-subject' requirements were abolished. In their place came a rather vague and less demanding provision that:

...where a candidate displays extreme weakness in any Component Subject or examination element, the board of examiners may deem the candidate's overall performance in the examination subject to be unsatisfactory notwithstanding that the aggregate of the marks obtained in the Examination Subject may equal or exceed the mark normally required to pass in the Examination Subject (Marks and Standards 1990, p. 13).

Clearly the objective, rightly or wrongly, was to enable more candidates to pass.

11. Borderline Cases

Up to and including 1996, the *Marks and Standards*' clause which required the Examination Board to discuss and make a collective decision "on the cumulative evidence" with respect to borderline cases included the following statement:

It is important, of course, to emphasise the word "borderline" in such circumstances (Marks and Standards, 1996, p7).

This seems to have enjoined examiners not to be too liberal in their interpretation of the term. It is noteworthy that this statement disappeared from the clause after 1996 suggesting that the NCEA was perhaps less anxious to restrict interpretation of the phrase 'borderline'. The impact of discussion on borderline cases is in practice unidirectional. It is extensively used to enable students to pass who have not reached the

40% (or 35% for compensation) threshold in one or more subjects and to raise the marks of students who fall short of higher grade thresholds. The process is inherently grade inflationary and any looser interpretation of the 'borderline' concept accentuates that effect.

NCEA/HETAC has in one context – where the Grade Point Average system applies – defined 'borderline' consistently over the years as a GPA within 0.10 of any grading threshold. It is noteworthy that under delegated authority some Institutes of Technology have regarded this as excessively liberal and have imposed a more restrictive interpretation. No definition of 'borderline' was ever provided by NCEA/HETAC for numerically graded qualifications.

12. Infringements

Prior to 1997, the NCEA had quite specific regulations governing cases where candidates were found to be guilty of infringing examination regulations. It was a requirement that any decision of a board of examiners to disqualify a candidate due to infringement of examination regulation be recorded on the broadsheet and that the NCEA Council be advised of the circumstances.

In 1990 it was stated that:

Any candidate so disqualified shall not subsequently be eligible for consideration for an award with Honours, Merit or Distinction (Marks and Standards, 1990 p. 8).

It was also stated that:

Where a candidate is disqualified because of infringement of examination regulations, the Council [of the NCEA] will not accept an entry on behalf of the candidate for the next examination (Marks and Standards 1990, p. 8).

By 1994, the penalty for disqualification of not being subsequently eligible for Honours, Merits or Distinctions had been abandoned, though the other requirements stood.

In 1997, all NCEA rules concerning infringements were dropped and it was left to the discretion of the individual institution as to what should be done about infringements and how and when any candidate involved should be presented again.

In so far as the NCEA was concerned, following the unidirectional trend of lowering standards in so many areas, its stance on cheating in examinations grew progressively looser until it abandoned any responsibility for the matter.

13. Deferral of Examination Results

Up to 1996, deferral of results to enable a candidate to complete outstanding requirements of a course (allowed in exceptional circumstances such as illness or bereavement) was limited by NCEA to one academic year.

From 1997 this time limitation no longer applied with the matter thereafter being left entirely at the discretion of individual institutions.

14. Qualification Title Upgrading

In 2004, the first Higher Certificates and Ordinary Degrees were awarded. This essentially involved a renaming of National Certificates and National Diplomas with no actual change in course or examination standards taking place.

To the outside observer, it would seem that a qualification meriting the designation 'Degree' must imply some value addition over one designated a Diploma and a Higher Certificate also suggests something more than a National Certificate. This however is not the case and to the extent that it is assumed that improvements have been introduced, there exists a form of 'qualification inflation.'

15. Discussion

The extent and variety of regulation changes which have been implemented by NCEA/HETAC since 1990 illuminates the drive within the agency towards maximising the chances of students obtaining qualifications and obtaining higher grades in those qualifications. It may have been possible in each case for policy makers to justify the changes at the time and to avoid the realisation that they were degrading academic standards. However, the cumulative effect of the changes and the inexorable unidirectional downward shift in demand on students suggest a system trying to mask the impact of declining average student ability at the very same time as Certificates were rapidly being replaced by Diplomas and Diplomas by Degrees.

O'Grady and Guilfoyle (2007) have described in detail how between 1991 and 2002, much of the period covered in this examination of regulation change, CAO entry points for NCEA/HETAC courses declined markedly. In 1991, only around 4% of National Certificate and National Diploma courses could be accessed on less than 200 points. By 2002 the proportion was in excess of 50%. There was also a decline in the points required for Ab Initio Honours Degree courses. Over a similar period the proportion accessible on less than 350 points climbed from 61.5% to 83%.

Declining points involves the entry of academically weaker students. It is hardly surprising that Institutes of Technology would be anxious to modify regulations in any way that might minimise failure rates and maximise rates of progression. Every year there were more and more add on Diplomas and Degrees coming into existence. Excluding the Dublin Institute of Technology, the total number of National Certificate graduates across the Institutes of Technology increased by less than one third between 1994 and 2004 but the number of Diploma graduates increased by a factor of nearly once and a half and the number of Degree graduates by a massive six times. With an academically weaker standard of student entering the Institutes in the first place, they still continued to go ‘up-market’ in qualification terms. Institutes of Technology could have had no other option but to sharply reduce standards which is precisely what they did as evidenced in the level of grade inflation identified by O’Grady and Guilfoyle (2007).

From an academic perspective, it is deplorable that this should happen but from an institutional perspective it is at least understandable. Between 1994 and 2004, the Institutes of Technology increased their aggregate (DIT excluded) annual total of Certificate, Diploma and Degree graduates by 129%. They were seeking to grow rapidly, receiving much investment from the state to do so and needed more and more students to justify the process. Faced with a dearth of more capable students it is not altogether surprising that they dropped their academic standards to ensure an ongoing throughput.

As a regulatory institution, NCEA/HETAC should have acted in pursuit of the public interest objective of maintaining academic standards. However, NCEA/HETAC not only failed to take any action at all to protect academic standards but instead facilitated the Institutes over time by changing the regulations so as to enable weaker students to gain access to courses and to graduate and achieve higher grades at a lower standard. The regulatory actions of NCEA/HETAC are consistent with the capture theory of regulation which contends that a regulator can be captured by powerful regulated parties so that it eventually serves their interests rather than the public interest (Redford, 1952). Public interest regulation by NCEA/HETAC was eroded until the regulator became a captive of the institutional interests of the Institutes of Technology.

In a development that followed directly from the pattern described throughout this paper HETAC was enabled under its founding statute to delegate all direct responsibility for qualification standards to the individual Institutes of Technology. HETAC quickly granted delegated authority to all of the Institutes. This is perhaps not surprising given the nature of the relationship that had developed between HETAC and the Institutes. The freedom accorded by delegated authority has been used to further erode quality thresholds in the interests of retaining student numbers. By early 2007 four Institutes of Technology had abolished the

requirement for entrants to add on Honours Degree courses to have obtained at least 50% on average in their Ordinary Degree final examinations and now allow entrance at a threshold of 40%. Inevitably the other Institutes will also cast aside the quality threshold in the incessant drive to boost student throughput. The much vaunted ladder system has been replaced by effective entrance to four year Honours Degree courses by students who have been unable to attempt Higher Level subjects in their Leaving Certificates and who gain entry to third level on very low CAO points. It appears likely that the Institutes will continue to lower academic standards to sustain student numbers and without any external regulatory intervention this process will ultimately undermine the very concept of a degree.

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