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How HSC students won the right to know

Determined students have helped break the cult of secrecy around HSC marking, writes Anna Patty.

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Unlike most of the other students who sat for the "new" Higher School Certificate in 2001, James King was not prepared to accept his final marks at face value.

Having gained entry into a combined science/law degree at the University of NSW, King was still curious to know what his raw marks were before they passed through the mystical HSC scaling process.



A long haul ... James King, pictured at UNSW in 2005, began a push to obtain HSC raw marks in 2002. KATE GERAGHTY

It seems the Board of Studies believes the standardised marking system is too complicated for the public to understand. It involves ranking test results against different cut-off marks for different subjects and gives greater weight to the more difficult subjects.

In an extensive review of the opaque system completed earlier this month, the NSW Ombudsman, described it as a "classic black box".

"Students' answers (or performances) go in one end, and their final marks come out the other. People are expected to trust that [the] system in between operates at 100 per cent accuracy all of the time."

An officer from the Board of Studies told the Ombudsman's inquiry that "there is an argument that we should explain better how we transform the raw marks into the later reiterations. Having said that, it's extraordinarily complicated and it would be quite a challenge for us to do it in a way that was in plain English ... There is little understanding of what our standard setting process is, what our judging process is and how you get from a raw mark to the final mark and why you do that in the first place."

Which was exactly the point of King's inquiry.

After submitting a request for his raw marks to the NSW Board of Studies using freedom-of-information laws, King, who sat his HSC at St Augustine's College in Brookvale, discovered that he scored 64 per cent in his exam for English advanced. The final exam mark was 79/100 and his final HSC mark for the subject was 82/100, taking into account school assessment .

He posted the raw marks and those for his other subjects on the boredofstudies.org.au website, which he established with three other students in 2002. The website's mission statement said: "Being the first to sit the newly revised HSC syllabus, the lack of information for current HSC students became apparent and hence developed into the sole inspiration for the development of this website.

"Created by students, for students, Bored of Studies strives to provide current year 12 and year 11 students with all the resources and support they need to succeed during the two years that form the most important part of their education and subsequently their futures."

Other students followed King's example by lodging FOI requests to the NSW Board of Studies for their raw marks.

In 2005, a student from MacKillop Senior College in Port Macquarie, Hugh Parsonage, applied for his raw exam marks and those of 49 other students, with their permission. He also applied for the cut-off scores for each of his subjects.

After inviting students to join him in a "class action", the Board of Studies, which monitors the students' Bored site, rejected the application, which it viewed as evidence of a subversive campaign.

On September 10 the NSW Ombudsman's office released the findings of an investigation begun in April last year into the board's handling and rejection of Parsonage's FOI request. This followed his failed appeal in the Administrative Decisions Tribunal.

As the Ombudsman's Office explained it: "In a way, the actions of [Parsonage], and others on the boredofstudies.org.au website could be described as an outsider's efforts to pry open the "black box" to discover what is hidden inside."

The Ombudsman's final report was scathing, uncovering a culture of secrecy within the Office of the Board of Studies. It said the board had treated Parsonage as "the enemy", using "'a defensive and overly fastidious tone and approach" in its crossfire of letters between itself and the former student.

The extreme, and often questionable lengths the board took to protect the integrity of the HSC marking process from public scrutiny are well documented. The board advised Parsonage that three sets of documents he requested either did not exist or could not be produced when in fact they did exist and could be produced.

The Ombudsman's Office found it was misled by the board which also gave Parsonage the false impression that a decision had been reviewed by two different board officers when the same person had reviewed the decision twice.

By the time the Ombudsman's Office had completed its investigation the board had spent \$51,000 on legal costs. They included \$15,000 to hire senior legal counsel to defend the challenge by Parsonage, represented by King, in the Administrative Decisions Tribunal.

The deputy Ombudsman, Chris Wheeler, said the expense to taxpayers could have been avoided had the board chosen to be more transparent. In his view, all information associated with the marking process should be publicly available. "This is not the result the [board] would have wanted," he said.

The board's former general manager, John Bennett, who retired before the Ombudsman's report was released, told the inquiry that releasing information about the HSC marking process would compromise its integrity.

The board's president, Tom Alegounarias, was only recently appointed, but now he has the job of mopping up after the previous management. He has accepted in full the Ombudsman's recommendations to make the HSC marking process more transparent.

The recommendations include providing students with access to cut-off marks for subjects on request and publishing marking guidelines, which are updated each year. Alegounarias took steps to ensure Parsonage received his raw marks a week before the report was handed down.

Bennett had told the Ombudsman the "board's processes were about getting it right the first time".

However, the Ombudsman made the following observation: "No matter how robust the [board's] internal quality assurance processes, genuine errors and corruption are still possible, during any part of the process, but without transparency, no one outside the board would be able to independently identify errors or even corruption."

As it is, no student is able to independently verify that his or her final HSC marks are correct.

Official data show the board has rechecked the data entry for an average of 1860 students a year - less than 0.3 per cent of the 67,000 students who sit the HSC.

It has corrected five to 28 data entry related errors each year.

The Ombudsman's report suggests that other than the data entry checks, there is no mechanism for checking whether any genuine errors are made in the marking process.

While he had no evidence that the data rechecks were inaccurate, the Ombudsman said the process was not transparent.

"The vast majority of these rechecks do not find mistakes," Wheeler said. "This could be an indication that the system is close to perfect, although the accuracy of the marks in around 99.7 per cent of cases is untested. Alternatively, and more likely, in my view it could be an indication that the current recheck system is not effective in identifying instances of genuine error."

King, now a lawyer, said he hoped the Ombudsman's report would provide "a catalyst for a change in the culture in the reporting of HSC marks".

"We hope the Universities Admissions Centre will follow suit in explaining how it scales marks to arrive at the University Admissions Index," he said.

The Education page will resume on Monday, October 19