

Senate Inquiry into the Administration and Reporting of NAPLAN Testing

Australian Education Union, South Australian Branch

Introduction

1. The South Australian Branch of the Australian Education Union (AEU) represents teaching and non-teaching staff in SA government schools and pre-schools, as well as TAFE lecturers and managers.
2. The SA Branch of the AEU welcomes the establishment of the Senate Inquiry into NAPLAN. The AEU commends Senator Hanson-Young for moving its establishment, and deplores the fact that the Government “opposes this motion” (Senator O’Brien). Our members in the teaching profession have on more than one occasion been accused by the Deputy Prime Minister of standing against her “transparency agenda”. The hypocrisy shown by the Government in opposing the scrutiny and transparency of a Senate inquiry on this matter is appalling.

On the conflicting claims made by the Government, educational experts and peak bodies in relation to the publication of the National Assessment Program – Literacy and Numeracy (NAPLAN) testing.

3. The publication of NAPLAN results on the ACARA My School website has been at the centre of the Government’s school education “transparency agenda”. The DPM told Parliament on Tuesday October 27, 2009, “That is why transparency will be delivered at the start of next year. Transparency, so that we know what is happening in Australian schools...until we came to government it was not possible to get a list of disadvantaged schools in this country.” This is disingenuous on several levels. Firstly, the Commonwealth Government has had the information on schools in the Catholic and private sectors as Ms Gillard acknowledged in an interview on 2GB Radio on 12 August, 2008: “I have a database which gives me the socioeconomic status of

private schools. So we know that information about non-government schools but we don't know it about government schools." Secondly, State and Territory governments have their own analyses of government school socioeconomic status. In South Australia, this is the Index of Economic Disadvantage (IoED). It beggars belief that in this age of cooperative federalism a simple request from the DPM's office would not have resulted in the State and Territory departments of education making that information available to the Commonwealth Government. As a justification for the publication of NAPLAN results, the non-availability of school socioeconomic data to the DPM's office is entirely lacking in credibility.

4. The DPM has also claimed that publication of NAPLAN results would "end the secrecy" and that "parents have a right to know what is happening in schools" (*Daily Telegraph* October 25, 2008). This is also disingenuous. "Secrecy" is the act of keeping information from public knowledge, of deliberately concealing from others information that requires privileged access. However, government schools publish lengthy annual reports that provide extensive information on operational, financial, academic and extra-curricular matters. In SA these are available online and as hard copy when requested from school administrators. Schools have reporting requirements including regular written and verbal communication with parents. Parents receive a copy of their child's NAPLAN results. It details the individual student's results in each of the 5 NAPLAN test areas against a set of achievement bands, shows where they are positioned in relation to national average results for their year level, and provides a summary of the tasks done in the tests and the skills assessed at each of the respective band levels. Yet the DPM claims that the publication of NAPLAN results is somehow "shedding light" on an otherwise "secretive" set of practices. Her claim that parents were being denied "the right to know" in the absence of the publication of NAPLAN test results has been contradicted by peak parents associations. Executive Director of the Australian Council of State School Organisations, Terry Aulich, stated in *The Age* (August 17, 2008) that "First and foremost, parents want to know how their child is doing and if there is a problem what

can we do about it, and they want an individual learning plan for their child". The South Australian Association of School Parents' Clubs Inc. has long had a position of opposing state and national standardised tests. Its policy states: "National and state/territory wide testing programs do not provide useful information to parents, teachers or students about the educational development of the individual. Such testing programs:

- (a) Have a high questionable validity in predicting a student's future achievement
- (b) May discriminate against recent immigrants, Aboriginal and Torres Strait Islander people, students with disabilities and socio-economically disadvantaged students
- (c) May not allow for creative or alternative responses
- (d) Do not take into account of the differing stages of development of individuals at different ages" (see <http://www.saaspc.org.au/bst.htm> accessed 8 June 2010). Victorian Parents Council executive director Jo Silver said parents did want transparency within schools, but not necessarily beyond the school gate. "The real issue is whether a school is suitable for a family and child, and that information doesn't come from tests and league tables," she said (*The Age*, August 17, 2008). Parents Victoria president Elaine Crowe said parents were not interested in comparing their own child's school with another (ibid). On November 17, 2009, peak principal, parent and union leaders signed a joint letter to the DPM warning that there is "considerable evidence that the inappropriate use of data to compare schools can have serious negative impacts, both on the testing itself and on the very schools and children it was intended to help" (see <http://www.aeufederal.org.au/LT/LTlet171109.pdf> for full text and list of signatories). As a justification for the publication of NAPLAN results, the DPM's claim that parents were enshrouded in secrecy and were being denied information about their child's progress at school is entirely lacking in credibility.

5. The DPM claims that the publication of NAPLAN results facilitates the comparison of like schools and thus enables school leaders and policy makers

to identify “best practice” from which “underperforming” schools can learn. We will deal with the issue of “best practice” first by referring readers to the Appendix headed “Gillard’s ‘Best Practice’ Mantra” which draws lessons from the problems of identifying “best practice” in a medical context and shows that mandating improvements on the basis of what works in one context with one set of circumstances can be counter-productive when applied to other contexts and circumstances. This is particularly the case when collaborative professional exchanges of opinion and experience are substituted for by measures as inexact and limited as one single day’s worth of standardised test results. It is our view that teachers are best placed to identify and share successful and effective practice through professional dialogue and that their evidence base will include, but not be wholly reliant upon, collections of various data sets.

6. The claim that the published NAPLAN results of “like schools” are compared on the My School website requires significant analysis. (Actually, the term “like schools” which featured in many of the DPM’s media interviews in the wake of her having been introduced to the work of New York’s Chancellor of Schools Joel Klein was dropped from the ACARA website; instead, the term “statistically similar schools” was adopted, and will be used in this submission.) In an address to the Eidos Institute on 12 November, 2009, the DPM referred to a new index based on “16 different dimensions that the evidence tells us are linked to educational achievement such as the income and higher educational achievement of parents. It provides a basis for meaningful comparison between schools serving similar student populations.” This poorly worded claim disguised the real nature of the Index of Community Social and Educational Advantage (ICSEA).
7. Each and every Australian school now has an ICSEA value. The mean value is 1000. Schools above this are declared to be more advantaged; those below, less advantaged. But ICSEA is not an accurate assessment of school similarity. School data is not used to construct ICSEA values. The data comes exclusively from what the Australian Bureau of Statistics calls Census Collection Data sets

(CCDs). These are the approximately 220 households assigned to an ABS data collector on the occasion of a Census. The ABS *averages* the data of these 220 families to construct four indexes of socio-economic data. Altogether, 35 pieces of data (or variables) are used between these four indexes. ACARA discarded 20 of those variables, arguing that whilst they correlated for *economic disadvantage*, they did not assist in determining *educational advantage*. The remaining 15 were judged to be significant in relation to educational advantage, although one was subsequently dropped for being “below statistical significance”. A regression analysis was then used to devise a mathematical equation into which the fourteen variables are fed. Only at that stage were two additional variables (the percentage of Aboriginal and Torres Strait Islander enrolments, and a measure of CCD “remoteness”) applied to the value. The first of these is really the only piece of school data that is built into the ICSEA values. Thus, ICSEA values, for all intents and purposes, are measures of quite small communities. That is why ACARA is at least honest in stating that it is an index of communities, not an index of schools. The use of this index to create sets of 60 “statistically similar schools” is inappropriate and has led to some glaring, and many not so glaring, anomalies. That these anomalies (examples will be provided) exist is all the more remarkable, given that “in some places more than ten percent” of school ICSEA values had to be amended *before* My School went online (ACARA Chair Prof. Barry McGaw at the Senate Estimates Committee, 11 February, 2010) . This followed an initial round of consultations between ACARA and education systems in the States and Territories. According to ACARA CEO Dr Hill, also speaking at the Senate Estimates Committee on February 11 2010, systems were given “four to five weeks” to review individual school ICSEA values and “they were still making observations right up until almost the last minute”.

8. We repeat, the ACARA index is not ISSEA. It is not an Index of *School* Socio-Educational Advantage. However, that is what Ms Gillard tells parents that it is. She has stated on more than one occasion, and the ACARA website is

based on this myth, that the ICSEA values for the first time allow the comparison of statistically similar schools.

9. This requires some further explanation. Most people are aware of some of the glaring anomalies in lists of statistically similar schools compiled by ACARA and published on My School. Adelaide's *Sunday Mail* (February 7, 2010) revealed the odd pairing of elite Prince Alfred College with rural East Murray Area School, with accompanying pictures of the former's feudal bluestone castle and the latter's shabby transportable. The Prince Alfred College principal was at a loss to explain the pairing, and at even greater loss to explain why his college was not statistically similar to its traditional rival, neighbouring St Peter's College. Anomalies such as these that remained even after the alteration of more than one in ten school ICSEA values were stridently defended by DEEWR Secretary Lisa Paul during the February 11 Senate Estimates Committee hearing. She continually described the ICSEA index as robust and defended groupings of the PAC/EMAS-type by saying students at both schools "come from a similar socioeconomic background. The geography is not at issue.")
10. What the *Sunday Mail* did not pick up was the less glaring, but equally damaging, pairing of St Peter's College with southern suburbs' Blackwood High School. Blackwood High is nestled in the southern foothills, surrounded by a community that includes the reasonably affluent alongside the somewhat financially stretched. According to its principal, 56 per cent of students eligible to enrol at Blackwood do not do so (*AEU Journal SA*, February 2010, p 11). They come from families wealthy enough to enrol at private schools. Each CCD in the vicinity of Blackwood High is a microcosm of social diversity. The single supporting mother on a disability pension lives a street away from the wealthy businessman and his professional partner. Their household incomes are averaged. The children from the former take into Blackwood High the same average of ABS data that the children of the latter take down the hill and into elite Scotch College. The household income of students at Blackwood tends to be overstated; likewise, the household

income of students at the various private colleges who come from the Blackwood CCDs tends to be underestimated. To make matters worse, the incomes of childless households are thrown into the mix as well. DINKs can accumulate savings at a faster rate than single Mums with two or three kids. Yet Prof. McGaw, ACARA Chairperson, is apparently oblivious to this, stating before the Senate Estimates Committee on February 11 2010 that “It is a better measure to take all the residents in the community (ie the CCD), all the adult residents, as the indicator of the background, because these are relatively homogenous”. This is relatively untrue, actually, if you want to be able to compare schools on the basis of the statistical similarity of their student intakes! The damage that is done to the Blackwood Highs of the public education sector is that they have higher ICSEA values than they should have and are therefore grouped and compared with schools that serve students with greater educational advantage. Elite Prince Alfred College does not qualify to be ranked with elite St Peters College, but Blackwood High does. Concordia College, Mercedes College, Pembroke College and Walford Anglican School for Girls are other selective and elite South Australian private schools with which Blackwood is grouped. Among the selective, upper class private colleges with which it is compared interstate are Brisbane Girls Grammar, Caulfield Grammar, Ivanhoe Girls Grammar and The Kings School, Sydney. The acne of pinks and purples that festoon the NAPLAN results for Blackwood against the so-called statistically similar schools on its My School page are an indictment of Julia Gillard and the damage that she is doing to public schools through the publication of NAPLAN results.

(It should be added that the naming and shaming is something about which the DPM is completely unapologetic. Green and red are universally recognised symbols for good and bad, for going forward and for being made to stop, for safety and for danger. Their use as a shorthand summary to see how schools rank against each other is a deliberate affront to the communities that work within and are served by schools where student NAPLAN test results are poor, despite the best efforts of our members.

“There’s been deliberate decisions made about the colours,” said the DPM {see http://www.deewr.gov.au/Ministers/Gillard/Media/Transcripts/Pages/Article_100129_144753.aspx accessed 16 June 2010}. This is a terrible indictment of her lack of empathy for educators working with socially and educationally disadvantaged students as well as for the communities of schools disgraced with reds and pinks on My School. The use of colour coding on My School must stop.)

11. Heathfield High School in the southern Adelaide Hills serves a similar community to that of Blackwood High, and is the only other South Australian public secondary school with which Blackwood is grouped. Its statistically similar schools (in SA they include St Peters College, Concordia College, Prince Alfred College and St Peters Collegiate Girls School) are nearly all selective. Many are private grammar schools and colleges. Like Blackwood High, it compares favourably against all schools (the national average), but suffers in comparison to its elite and selective statistically similar schools. It is below, or substantially below its statistically similar schools in all five NAPLAN categories, but close to the average for all schools in four NAPLAN categories, and above all schools for grammar and punctuation. For example, in Year 9 reading Heathfield is close to the average for only 9 of its statistically similar schools. It is not above or substantially above any of them. It is below 20, and substantially below another 20 - all of them selective in their enrolment practices in one way or another.
12. In a further twist, the regression analysis uses only two CCD household income variables. One is described as “low incomes” and the other as “high incomes”. The ABS divides income spreads across Australia into ten percentage ranges or deciles. So, the bottom ten percent of incomes goes into decile one, and the top ten percent of incomes goes into decile ten. The ABS advises that the middle deciles are not significant in differentiating socio-economic disadvantage, so ACARA basically uses the 2nd and 3rd deciles for its low income variable, and the 9th and 10th deciles for its high income variable.

The household income for the low income variable is taken as *income between \$13,000 and \$20,799* and that for the high income variable as *income greater than \$52,000*. A school's ICSEA value is therefore partly decided by the percentage of students enrolled from CCDs where the average household income for all 220 or so families lies between \$13,000 and \$20,799 on the one hand, and the percentage of students enrolled from CCDs where the average household income is greater than \$52,000.

13. The high income variable does not assign a greater or lesser value to the school according to the income ranges above the figure of \$52,000. It may be that School A has 90 percent of high income families none of whom earn more than \$60,000 per year, whereas School B, which also has 90 percent of its students coming from high income families, has none of them coming from families that earn less than \$600,000 per year. The students from School A and the students from School B are both deemed to be from high income CCDs, but they can hardly be said to be from statistically similar family backgrounds.
14. The My School website provides additional information on income ranges within each school, providing them as quartiles, or bottom 25%, next 25% and so on. Again, these represent the CCDs students come from, not actual family income. For point of actual comparison, Blackwood's and Heathfield's quartiles are very similar to those of St Peter's College. Starting from the bottom quartile, they are 3-6-15-77, 2-4-15-77 and 2-6-14-79 respectively. Out of this, Blackwood gets a slightly higher ICSEA value than St Peter's (1150 for the former and 1149 for the latter) whilst Heathfield is below both, at 1144, and is grouped with Prince Alfred College on 1135. What is *not* transparent is the spread of incomes within the top quartile which contains the majority of students for both schools. Anyone with knowledge of Adelaide would assume that there are significantly more students from really wealthy families in this top group at St Peter's than there are in the same quartile at either Blackwood High or Heathfield High.

15. So, the schools are not compared through ICSEA on the basis of real parental income as stated by Ms Gillard in her many media interviews. This is certainly not denied, but acknowledged by ACARA in its own Technical Paper which explains ICSEA on the My School website. We repeat, it is acknowledged in the word “community” in ICSEA. The damage that is done to the Blackwoods and Heathfields of the public school system is that they have higher ICSEA values than they should have and are therefore grouped and compared with schools that serve students with greater educational advantage.
16. Despite this misleading nonsense about “statistically similar schools”, Ms Gillard claims that the publication of NAPLAN results on My School has for the first time identified “struggling schools we didn’t know about” (TV interview with Barrie Cassidy, Insiders Program, April 11, 2010). She refers to “110 schools benefiting out of our \$2.5 billion of new money and new reforms to help schools that are struggling.” Actually, these 110 schools share in \$11 million, or around \$100,000 each. The money is welcome. It is probably not enough for any school wanting to assist students one on one with tutoring and mentoring. And in any case, it still does not identify schools where the most socially and educationally disadvantaged students are enrolled. The schools were selected because they were worse off in relation to NAPLAN results for all year levels against both the national average for all schools and the statistically similar schools.
17. We need to return to the SA Index of Economic Disadvantage to understand this, at least in an SA setting. It was created in 2000 to replace a previous index, the Weighted School Card Index. The IoED places schools into one of seven categories, with Category One being most disadvantaged and Category Seven being most advantaged. The SA IoED uses only four components and they contribute approximately equally to the overall score. Two are drawn from ABS CCDs (household income and parental education and occupation, again, averaged across the families in the CCD). Two are school-based data

sets: Aboriginality and student mobility. Constructed out of different variables, there is some overlap and mismatch between IoED and ICSEA.

18. Not one Category 1, 2 or 3 IoED school in SA, that is those in the bottom three categories of socio-economic disadvantage were identified for the additional funding. Four were Category 4 (mid-range) one was Category 5 and one was Category 7 (most advantaged). I have compared the NAPLAN results of these schools with a sample of Category 1, 2 and 3 schools, and the latter all had lower scores. For example, if we compare examples of the recipients of the additional funding with the NAPLAN results obtained by a representative group of DECS IoED Category 1 primary schools, we find the following:

	Balaclava PS	Georgetown PS	Sandy Creek PS	Amata Anangu School	Lincoln Gardens PS	Fraser Park PS
3 Reading	374		377	243	305	284
Writing	387		359		364	304
Spelling	374		349	228	300	275
Grammar	378		355	264	297	288
Numeracy	343		325		276	262
5 Reading	451		464		374	387
Writing	428		451		323	
Spelling	423		438		340	398
Grammar	436		466		332	386
Numeracy	469		457		364	
7 Reading	496	497	504	400	463	427
Writing	488	496	511	279	488	-
Spelling	497	503	485	317	518	439
Grammar	487	509	498	339	494	409
Numeracy	476	523	501	402		402
		(All blanks are real and indicate students did not sit this Year level or part of the test.)		(figures for Year 9 not included)		

The Category 1 students (the three columns on the right) generally had poorer NAPLAN test results than the Category 4 students (the three columns on the left).

19. This method of selecting schools for additional funding is also flawed because My School ignores the impact of differences in school size and the lack of statistical reliability in the NAPLAN tests. The results of small schools with small numbers of students sitting the tests at each Year level can be swayed between achievement and failure much more dramatically than those of larger schools. The results of 4 or 5 students who are either under- or over-achieving students can be dispersed through a Year level of 200 students in a large school, but can have a dramatic effect on a school with 10-15 students in the same Year level. Similarly, the inherent unreliability of the NAPLAN test data can penalise or advantage a school against both statistically similar schools and the national average, and against one year's of its own students compared to another year's. Professor Margaret Wu, a leading testing expert at the University of Melbourne, has criticised the "high level of inaccuracy" in NAPLAN tests and said that there are "large measurement errors at the individual student and class levels." The My School website acknowledges this (on a separate resource sheet away from the pages of school results): "In the case of individual schools, the larger the number of student taking the tests, the greater the confidence one can have in the accuracy of school mean scores as true measures of student performance."
20. The My School website explains the concept of indicative standard error in a link away from the main page for each school. It is reasonable to assume that many parents, especially those with poor literacy and numeracy skills of their own, will find the concept hard to understand and difficult to apply to their children's school and its NAPLAN results. This is how it is explained on My School for the Year 3 level:

**Indicative standard
errors**

The NAPLAN average score for a school is an estimation of school performance based on the students who were tested in the school. This estimation is more accurate when the number of students tested was large and when the students performed at a similar level. Standard errors reflect the accuracy of the estimates and the degree of confidence one can have in the estimates.

The tables below provide indicative standard errors of NAPLAN school average scores for schools with different numbers of tested students. They provide an indication of the standard error for a school rather than the actual value for each school.

Size of test group	Reading	Writing	Spelling	Grammar & Punctuation	Numeracy
200+	< ± 5.5	< ± 4.9	< ± 5.2	< ± 6.0	< ± 5.0
150	± 6.4	± 5.6	± 6.0	± 6.9	± 5.7
100	± 7.8	± 6.7	± 7.2	± 8.4	± 6.9

90	± 8.2	± 7.0	± 7.6	± 8.8	± 7.2
80	± 8.7	± 7.4	± 8.1	± 9.3	± 7.6
70	± 9.3	± 7.9	± 8.6	± 9.9	± 8.1
60	± 10.0	± 8.5	± 9.2	± 10.7	± 8.7
55	± 10.5	± 8.9	± 9.6	± 11.2	± 9.0
50	± 11.0	± 9.3	± 10.1	± 11.7	± 9.4
45	± 11.6	± 9.7	± 10.6	± 12.3	± 9.9
40	± 12.3	± 10.3	± 11.2	± 13.1	± 10.4
35	± 13.1	± 10.9	± 12.0	± 13.9	± 11.1
30	± 14.2	± 11.7	± 12.9	± 15.0	± 11.9
25	± 15.5	± 12.8	± 14.1	± 16.4	± 12.9
20	± 17.4	± 14.2	± 15.7	± 18.3	± 14.3
15	± 20.0	± 16.2	± 18.0	± 21.1	± 16.3
14	± 20.7	± 16.7	± 18.6	± 21.8	± 16.8
13	± 21.5	± 17.3	± 19.3	± 22.6	± 17.3
12	± 22.4	± 17.9	± 20.0	± 23.5	± 18.0
11	± 23.4	± 18.7	± 20.9	± 24.5	± 18.7
10	± 24.5	± 19.5	± 21.9	± 25.7	± 19.5
9	± 25.8	± 20.5	± 23.0	± 27.0	± 20.5
8	± 27.4	± 21.7	± 24.3	± 28.6	± 21.6
7	± 29.3	± 23.0	± 25.9	± 30.6	± 23.0
6	± 31.6	± 24.8	± 27.9	± 33.0	± 24.6
5	± 34.6	± 26.9	± 30.5	± 36.0	± 26.7

21. We are not disregarding the fact that some schools will have poor NAPLAN results for the same year level over a number of years, but we also need to

note the existence of variations within one and the same school that would have denied it the additional funding one year, whilst identifying it as a “failing” school the next. These are the 2009 results for Sandy Creek Primary School, an IoED Category 7 (*least* disadvantaged) school with total enrolments of 61 in 2009.

	Reading	Writing	Spelling	Grammar & Punctuation	Numeracy
Year 3	Pink/pink	Red/red	Red/red	Red/red	Red/red
Year 5	Pink/pink	Red/pink	Red/red	Pink/pink	Red/pink
Year 7	Red/red	Pink/pink	Red/red	Red/red	Red/red

Every comparison to a similar school (colours on left) or to the national average (colours on the right) for each year level is pink (below) or red (substantially below). The school in 2009 has terrible (as a parent would presumably see it) NAPLAN test results for 2009.

Now compare this with the 2008 results (and note that Year 3 results are not recorded. My School, acknowledging the vulnerability of its data to misrepresent the “true measures of student performance” does not publish results for any year level where fewer than five students sat the tests.)

	Reading	Writing	Spelling	Grammar & Punctuation	Numeracy
Year 3	N/A	N/A	N/A	N/A	N/A
Year 5	White/white	White/white	White/white	Pink/white	Pink/pink
Year 7	White/white	Pink/white	White/white	White/white	White/white

Out of a total of twenty indicators across two year levels, only 4 are pink. The rest (16) are white indicating that the school is close to the averages of statistically similar and all schools. On the 2008 NAPLAN test results, Sandy Creek would not qualify for the DPM's additional funding. For reasons that are open to interpretation, it does qualify on the basis of its 2009 results and will no doubt welcome the (inadequate) additional funding. The cost of that funding will presumably be a loss of confidence in the school by its community and who knows what effect on its staff and students. It would appear that the DPM has created an exercise in political point-scoring for next to nothing (an additional \$11 million on top of an existing \$2.5 billion) just to prove how "valuable" is her damaging, inaccurate and misleading ACARA My School website.

22. Nor was this method of selecting schools for additional funding consistent. The Bowden Brompton Community School which exists on three campuses across metropolitan Adelaide is linked with 60 "statistically similar schools", not one of which shares its defining characteristic which is to cater for children who have been unable to work within a traditional school environment. The schools are linked through their ICSEA value which precludes variables such as family breakdowns, mental health problems, welfare issues, social problems and juvenile justice involvement – all of which are significant in the lives of students at this school. Student mobility, which in the case of these students often means forced change of school because of repeated behavioural problems, is not a factor in the creation of ICSEA values. However, it is one of four components in the calculation of the SA DECS Index of Educational Disadvantage (IoED) and is deemed by the DPM to be so important that *all* students will be given a unique student identifier to track their mobility between schools. It is unfair that a school such as Bowden Brompton has its NAPLAN results presented as two lines of unbroken dark red, like an old-fashioned teacher's lines through a poor student's best efforts, and is publicly humiliated and shamed by the government.

23. Enfield High School is slated for closure and the absorption of its students into the new Gepps Cross multi-campus secondary school at its new site in Term 2, 2011. Like Bowden Brompton, its NAPLAN results are dark red in all categories against both all schools and its statistically similar schools. Like Bowden Brompton, it is denied the supplementary funding announced on February 7 2010. Has the Deputy Prime Minister provided a reason for this? Is it fair that these students are denied assistance on the eve of being transferred to a more distant, larger school site? How has My School helped these students? How many of the statistically similar schools against which Enfield is ranked can claim that the “last 5 years has seen the settlement of Sudanese, Burundian, Liberian, Afghanistan and Iraqi new arrivals settling into the area. This amounts to some 29 percent of Adelaide's refugee and asylum seeking populations”? Sure, this is pointed out in the school's own introduction to its My School page, but it is still listed against schools that don't have such a large proportion of newly arriving and English-poor students. Such factors are not considered important enough to be among the 14 variables used in the ICSEA regression analysis. Data for one of them, poor English speaking skills, exists, but was removed from the variables by ACARA because it “was below statistical significance” for a correlation with tests results, four out of five of which are tests of aspects of English literacy!

24. Students at Gepps Cross Primary School scored all reds but were also denied supplementary funding even though they are about to be absorbed within the new Blair Athol B-7 School. Here we have an identified discrete group of students denied assistance on the eve of becoming part of a larger group. Is this what the Education Revolution is all about?

25. Christies Beach High School and the Southern Vocational College to which it is attached is in much the same situation. Like Bowden Brompton, its NAPLAN results are dark red in all categories against both all schools and its statistically similar schools. Like Bowden Brompton, it is denied the supplementary funding announced on February 7 2010. The school's support services include a special education unit co-located on site and an outreach

program for about 260 at risk students (including young mothers). How has My School helped these students? Even if they currently receive funding for being a low SES school, this funding is clearly inadequate for the task of providing support for the school's students. Why did it miss out on the supplementary funding?

26. Having the same or a similar ICSEA value is no guarantee that similar groups of students are being compared. In the table below, you will see that Sheidow Park has only 4% of its students in the top half of the SES quarters, while schools with the same, or very close, ICSEA values have 27%, 40%, 39%, 24%, 19%, 60% and 36% (going down the list below). ACARA's Technical Paper says on page 8 that "It shows the proportion of educationally advantaged or disadvantaged students in the school compared with the spread of students across Australia". How can the kids at Sheidow Park be said to be a "similar student population" to those at St Peter's Lutheran in Dimboola?

School	ICSEA	Bottom quarter	Third quarter	Second quarter	Top quarter
Sheidow Park Primary, Sheidow Park SA	991	38%	58%	4%	0%
St Mary's Catholic Primary, Bunbury, WA	992	49%	25%	20%	7%
Cowandilla Primary, , Cowandilla, SA	991	26%	34%	35%	5%
Gold Coast Christian	992	35%	26%	30%	9%

College, Reed Creek, Qld					
Holy Saviour School, Greenacre, NSW	991	22%	55%	24%	0%
Sefton High School, Sefton, NSW	990	29%	52%	16%	3%
St Peter's Lutheran School, Dimboola, Vic	991	40%	0%	23%	37%
Woongarra State School, Bundaberg, Qld	992	27%	38%	31%	5%

27. Similarly, John Morphett Primary School (ICSEA value 934), with 95% of students in the bottom quarter, and only 1% in the top half, compares poorly - and no wonder - with the South Burnett Catholic College in Kingaroy, Queensland (ICSEA value 935) which has only 31% of its students in the bottom quarter, and a substantial 45% in the top half. How is it fair to shame John Morphett Primary in this way?

28. The DPM inaccurately defines ICSEA as “a specially designed index which measures educational advantage or disadvantage...The statistical similarity is about the family backgrounds of the children attending the schools” (Julia Gillard, ABC radio interview, Brisbane, 29/1/10). Despite her professed commitment to transparency, she has publicly discouraged questioning of the variables and the regression equation used to create ICSEA values. She has

tried to make it seem that this is all too difficult, too specialised and too esoteric, that it is beyond the ordinary person's grasp. In reply to a journalist at the National Press Club on 24 February, 2010, she said "We have obviously had public debate about the ICSEA index...I do have a standing offer to any journalist who has read Barry McGraw's book on meta-analysis and would like to sit through and work through the regression equations with him, anybody who wants to do that, standing invitation to come to my office for the number of days necessary to get that done."

29. As a matter of common sense, actual school and students' family data should be used in creating an index that compared schools, and not ABS communities. It may require more work and more time to obtain such data from families of students at each school, and from the schools themselves, and this might not suit the budget or the timeline of a government. The AEU is not supportive of the public comparison of schools, but offers the following for consideration as alternative variables to those used in the current ICSEA regression analysis.
30. If a statistical formula could be devised that measured educational advantage of students at individual schools, it would perhaps start with the greatest measure of what constitutes an educational head start: the time spent by parents reading to and with young children. Ms Gillard knows this: "Mum had made sure that both Alison (sister) and I could read and write before we went to school. So we got a flying start," (interviewed on Australian Story, 6 March, 2006). The percentage of students, Birth to Year 3, who had parents or older siblings read to them for at least two hours per week should be one of any educational index's starting variables.
31. So would class size, although Ms Gillard prevaricated about this when asked by one astute journalist (Madonna King, ABC Brisbane 12 August 2008) who gamely pursued the matter across several questions. So would the percentage of teachers teaching outside of subject areas for which they are trained. (Nor is this taken into account in the new Standards for the Teaching

Profession with its categories of graduate, proficient, highly accomplished and leader - although these will no doubt find their way onto My School.)

32. And then there is the ratio of total teachers to full-time equivalents (FTEs) per school. The ratio at Blackwood is a low 1.06 to one, whereas at St Peter's College it is 1.28 to one, which one may suspect is a measure of the greater employment of specialised teaching staff at the latter – an obvious educational advantage.
33. Then there is the ratio of FTE non-teaching staff to students. At Blackwood it is a high 1:53.4, whilst at St Peter's it is a low 1:18. It is reasonable to assume that students at the latter school have an educational advantage in that their teachers are better supported in the classroom by teaching assistants, or carry less of a burden and distraction in the form of administritivia, leaving them free to concentrate on their core task of teaching.
34. Should student mobility be a variable? It is for SA's IoED, but is not for ACARA despite Gillard deeming it to be such a huge influence that it justifies the creation of a "discrete student identifier" (ID number) to track students across their various schools on My School.
35. How about really using parental income, instead of an average of 220 families' incomes?
36. And let's not forget the variable dropped by ACARA from ICSEA because it "did not correlate highly enough with student achievement", namely, "the percentage of people who do not speak English well"! That obviously has no correlation with the four out of five sets of NAPLAN results that are based exclusively on English literacy! (Numeracy is also affected by this. Flinders University senior lecturer in mathematics education Dr Julie Clark said of the 2009 numeracy papers that "some of the questions were more literacy based than numeracy, relying on students' understanding of the wording" - see *Advertiser* 1 June 2010.) The numbers of new arrivals and of students with

disabilities or special learning needs should be included as variables in a more accurate index.

37. ICSEA does not establish a basis for comparing like schools. It does not use school data. It is a community index and it should not be used to compare, rank and judge schools.

On the implementation of possible safeguards and protocols around the public presentation of the testing and reporting data.

38. The Deputy Prime Minister has given the nation an assurance that “My School is not a league table” and “You cannot get on My School and search and sort schools into some big list. That is not possible” (ABC Radio interview, Brisbane, 29 January, 2010). A similar assurance was given in a radio interview on 2GB with Alan Jones on 20 January 2010. Gillard: “... if you work your way through the website now, what you will see is there’s not one number or one grade about a school which would then enable you to create a league table.” Jones: “You could not construct a single league table, could you?” Gillard: “You couldn’t because there’s not one number.” In a doorstep interview in Canberra on 10 November 2009, Ms Gillard stated that the My School website “has been specifically designed so it is not a league table. There is no part of this website that is a league table. There is no part of this website that can be sorted into a league table using sort functions on the computer. That is simply not possible”. This is either stunning technical incompetence, political naivety or deliberate misinformation – or perhaps a mixture of all three.
39. Within days of the My School website going online, the Sydney Morning Herald, the Melbourne Herald Sun, the Canberra Times and the Northern Territory News had all compiled and published school league tables using data from the My School website. There were comparisons of so-called “best” and “worst” schools, multi-paged supplements detailing “every Victorian school’s test scores” (Herald-Sun) and numerical rankings for every school in NSW (Sydney Morning Herald). The NT News identified “top ten”

and “bottom ten” schools and its website provided a link to a spreadsheet compiled by the National Party with the NAPLAN results of all NT urban areas public schools grouped together. By mid-February 2010 a newly-formed company, Australia School Ranking, had established a website from which an 854 page report of league tables and rankings of various types, all drawn from My School data, could be downloaded for a fee of \$97. Websites like “Better Education Australia” (see <http://bettereducation.com.au/SchoolRanking.aspx> accessed 1 June 2010) offered State and territory listings of all primary schools in Australia and of all secondary schools in NSW and Queensland by 2009 NAPLAN results).

40. Accessing and manipulating My School data was not confined to the media and commercial operators. A computer programmer called Joel Pobar used web scraping and data-interchange formats he had created to scrape and parse the data from My School, using it to create maps of the capital cities and the location of schools by NAPLAN test performance. The ease with which this was done can be seen in his comment: “Taking the lat/long geodata from the geolocation service and plotting a coloured overlay of average school performance using the fantastic Google Maps API (really, I’m no web guy, but this was dead easy), I was able to cook up a heat-map in under 20 minutes” (see <http://callvirt.net/blog/post/Relating-Disparate-Datasets-with-myschool-edu-au-example.aspx> accessed May 31, 2010). An individual named Andrew Harvey “managed to write a scraper for the myschool.edu.au data”, presented some “preliminary statistics from the data” together with his own heatmaps, and for those reading his blog who did not want to “scrape and parse but want the raw data in a usable form” offered the following link, http://github.com/andrewharvey/myschool/tree/master/data_exports/ (see <http://andrewharvey4.wordpress.com/2010/02/07/a-look-into-the-myschool-edu-au-data/> posted February 7, 2010 and accessed May 31, 2010).
41. It can be anticipated that to meet demand from journalists, researchers, students, policy makers and the general public, that data scraping tools and

government data sets will become increasingly available to all to use. In March 2010, for example, Google launched its Public Data Explorer (see <http://www.google.com/publicdata/home> accessed 1 June 2010). Google promotes the Public Data Explorer in these terms: “The Google Public Data Explorer makes large datasets easy to explore, visualize and communicate. As the charts and maps animate over time, the changes in the world become easier to understand. You don't have to be a data expert to navigate between different views, make your own comparisons, and share your findings. Students, journalists, policy makers and everyone else can play with the tool to create visualizations of public data, link to them, or embed them in their own webpages. Embedded charts and links can update automatically so you're always sharing the latest available data.” Described as “still a work in progress” on which feedback is being sought, data sets currently available include “Data of California schools and learning support resources measuring students' performance. This dataset was prepared by Google based on data downloaded from California Department of Education (CDE)” (see <http://www.google.com/publicdata/overview?ds=cldldfhfilcloo> accessed June 1, 2010). The two data sets of data from Californian schools are the Academic Performance Index (API) and Teachers with Full Credentials. As an article on *Citizen Media Law* notes, “That's all well and good, but having all those programmer journalists looking for access to public data brings to the forefront questions about who owns public records and who has the right to put limits on their use” (see <http://www.citmedialaw.org/blog/2010/government-data-data-was-made-you-and-me> accessed June 1 2010).

42. In March 2010 the Federal AEU issued the document *My School and League Tables: An AEU Proposal* (see <http://www.aeufederal.org.au/Publications/2010/AEUproposalLT2010.pdf> accessed June 1, 2010). The document states that “The current situation where commercial operators can use averaged NAPLAN results to create damaging and misleading league tables is unacceptable. Students and school communities must be protected from these league tables. The NAPLAN

results held by ACARA, both published and unpublished, must be protected from misuse. This can be achieved through the consistent application of existing copyright, trade practices and FOI laws.” Evidence that non-commercial operators are also using NAPLAN results on My School to create heatmaps and other representations of school rankings, and concerns about the future expansion of Public Data Explorer type facilities, require us to also advocate comprehensive legislation with appropriate penalties, tighter data protocols from MCEECDYA governing access to and use of educational data, and enforceable user agreements as a condition for access to the My School website.

43. *Comprehensive legislation with appropriate penalties* means legislation preventing the application of data scraping and parsing technologies to the My School website, the publication in any medium – print or otherwise – of any representation of school rankings based on data from the My School website or from other sources of NAPLAN test results, and penalties sufficient to deter violations of the legislation. At present, only NSW has legislation, the NSW [Education Amendment (Publication of School Results) Bill 2009]. This legislation was welcomed in a joint letter to Federal, State and Territory Ministers of Education signed by the Presidents of the AEU, the Australian Primary Principals Association, the Australian Secondary Principals Association, the Catholic Secondary Principals Association and the Independent Education Union (see <http://www.aeufederal.org.au/Media/President/AGEdMins.pdf> accessed June 1, 2010). In the same letter, the signatories expressed “some reservations about whether the legislation will be fully effective in preventing the misuse of the national data”. Those reservations were borne out when the Sydney Morning Herald broke the law on November 12, 2009 by publishing a three-school ranking based on NAPLAN results. The SMH declared “The *Herald* is breaching state law today, risking a \$55,000 fine by comparing the tests results of three schools.” Its editorial was headed “Publish and be damned” and challenged the NSW Parliament by admitting “We are breaking the law” (see <http://www.smh.com.au/national/publish->

[and-be-damned-20091111-i9zv.html](#) accessed 13 November 2009). Clearly for a media corporation a \$55,000 fine is not a deterrent. This must be taken into account with any future legislation.

44. *Tighter data protocols from MCEECDYA governing access to and use of educational data* means at the very least the reinstatement of an important ethical principle to the “Principles and Protocols for the Collection and National reporting of MCEETYA Key Performance Measures for Schooling in Australia”. These were originally developed in July 2008 and redrafted in June 2009. This is the key statement omitted in the redrafting: *The avoidance of harm to members of the community: this could occur where the privacy of individuals would be compromised or where the reputation of an institution or group of people would be damaged through the publication of misleading information or stereotyping*. Its removal by Ministers who claimed to be opposed to the publication of school league tables was disingenuous and fraudulent. It signalled a clear intention to the media that publication of such tables would not be prevented by the government. It put the South Australian education department in the embarrassing position of having to violate its own student data protocols (see Appendix A of <http://www.decs.sa.gov.au/docs/documents/1/SpersDataProtocols.pdf>

accessed June 1 2010) by passing data onto an authorised user (ACARA) which intended to publish the data in support of practices that ranked identified sites. Those Protocols read in part:

3.2.2 DECS employees and authorised users of DECS data, at either the system or site level, will not publish or broadcast any information which compares individual learners or which ranks identified sites or which support such practices.

4.1 Any violation of these Protocols or any underlying policy are to be reported immediately to the Director, Data Management and Accountability and will be investigated and addressed consistent with the Government Standards On Information & Communication Technology: GICT/S4.1 *Security – Security Violations – Compliance Processes* and GICT/P4.4 *Security – Security Violations*.

4.2 Following an investigation, disciplinary action may be taken, including referring the matter to SA Police for further investigation and/or criminal prosecution.

45. *Enforceable user agreements as a condition for access to the My School website* means that access to data published on the My School website must only be given to persons or organisations that complete an Agreement to abide by a conditions of use clause that would prohibit the copying or scraping of data from the My School website. Legislation would be required to ensure penalties sufficient to deter even the largest corporations from violation of the conditions of use clause.

46. The Commonwealth Government must decide what it means by “opposition to simplistic league tables”. The DPM has consistently stated that this is the position of her Government, but has just as consistently stated that she will not *prevent* the media from publishing such league tables of schools. Speaking at the Eidos Institute on 12 November 2009, the DPM stated, under the sub-heading *Censorship*: “There are those in the debate who argue that, if we cannot guarantee how school results will be reported, we should restrict the data about their performance and their student characteristics. Here I fundamentally disagree...Trying to restrict the publication by third parties of information in this way is like trying to hold back the sea” (see http://www.deewr.gov.au/Ministers/Gillard/Media/Speeches/Pages/Article_091113_093343.aspx accessed on 1 June 2010). The DPM is apparently unprepared to challenge the right of powerful media corporations to misuse the NAPLAN data obtained from the My School website, passing that responsibility onto individual citizens whose only recourse is to use the “accurate information” (sic) that contextualises such results on My School. Here she is talking to journalists at a doorstep interview at Melton on 26 January 2010: “The media is always free and has been free in the past to report on education...The difference with My School is every parent, every teacher, every student, every interested Australian will actually be able to get the accurate information” (see

http://www.deewr.gov.au/Ministers/Gillard/Media/Transcripts/Pages/Article_100127_072934.aspx accessed on 1 June 2010).

47. In reply to an AEU call for the government to invoke copyright control over the NAPLAN data on My School and to exempt such data from FOI requests, the DPM stated: “Aside from the fact that copyright and FOI legislation are not effective vehicles for strong controls on the use of information that is obtained from published sources, any attempt to exempt the information held by ACARA from these laws runs contrary to the Government’s strong commitment to transparency and the public’s right to information” (The Hon Julia Gillard MP, reply to Mr Angelo Gavrielatos, AEU Federal President, dated 8 April 2010). Yet it is possible to protect data on the My School website, as the DPM acknowledged later in the same letter. She had already made this point – about protections of data on individuals – in relation to concerns expressed about the proposal to introduce a “unique student identifier” to track student progress through the NAPLAN tests. On 24 February 2010, responding to questions from journalists after she had addressed the National Press Club, the DPM stated: “And I would also say that between the state education authorities and ACARA we are already the custodian of national testing data, there are privacy arrangements, the privacy act and privacy protocols which means that data is held in a way that does not jeopardise individual privacy” (see http://www.deewr.gov.au/Ministers/Gillard/Media/Transcripts/Pages/Article_100224_143429.aspx accessed 1 June, 2010). Clearly, if the means exist to protect individual student data on My School then the means exist to protect that of individual schools. Excuses about the inadequacy of copyright control and exemptions to FOI are just that – excuses for not upsetting the interests of media corporations.
48. As a matter of record, ACARA *did* act against one compilation of school league tables, namely the Australian School Ranking (ASR) website. It forced the removal of the downloads of league tables from the website, showing that such *preventative* measures are possible. However, the reasons for

doing as originally expressed left the government and ACARA open to accusations of inconsistency in so far as actions taken against a small online operator were not enacted against major media corporations. This is how the matter was first reported by the *Adelaide Advertiser*: “It (selling league tables compiled from the freely available data) is a move condemned by the Government and the national schools reporting authority, which said money-making and league tables were not intended uses of the site.... ‘(My School) certainly wasn’t intended that someone could go and make money out of it,’ Mr Hill said. ‘We certainly don’t endorse this’” (*School league tables for sale, Advertiser*, 16 February 2010 p. 11). By the time ASR had agreed to remove its download (the website is still online, but with the message “Download removed for now”, see <http://www.australiaschoolranking.com/> accessed 1 June 2010), the message had been finessed so that a *Sydney Morning Herald* report published 23 February 2010 read: “ACARA is charged with monitoring third-party publications of school performance data and responding to unfair or inaccurate reporting. ‘The Australia School Ranking report includes a substantial number of statistical errors and incorrect data,’ the authority’s chief executive Peter Hill told AAP on Tuesday”. So the pot, with its invalid ICSEA values and its inaccurate statistically similar school groupings, was calling the kettle black! No longer was it an issue of the creation of school league tables or the making of money from the sale of tables. Nevertheless, the courage of ACARA in taking on the ASR website is applauded. No doubt it, and the DPM, will have the courage to act against giant media corporations as well.

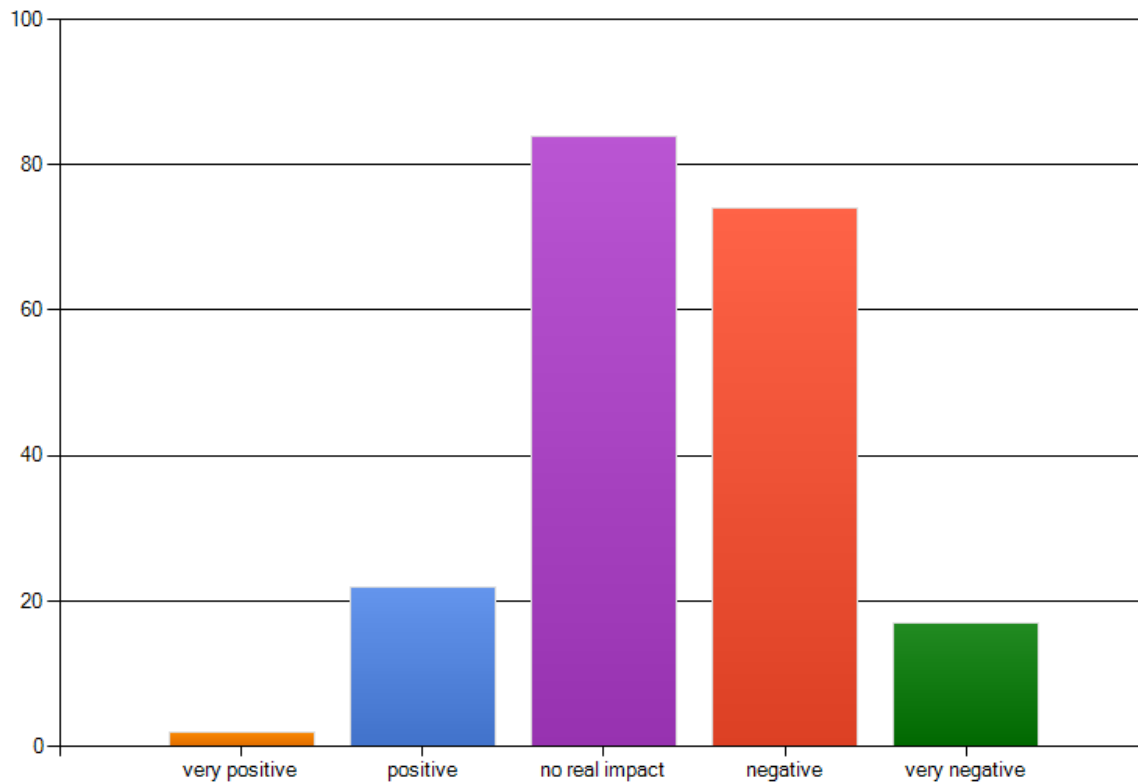
49. The inescapable conclusion is that the government has engaged in political sleight of hand by proclaiming *opposition* to simplified school league tables whilst refraining from the *prevention* of them in all but the case of the minor player, ASR.
50. (N.B. – The following four headings all comprise section (c) of the terms of reference. The SA Branch of the AEU provided an opportunity for those of our members who taught NAPLAN classes and for whom we had email

addresses to respond to an online survey that used the wording of this section of the terms of reference. Two hundred and four members replied. Members were asked to rate each of the four subsections as either Very Positive, Positive, No Real Impact, Negative or Very Negative and were given the option of making a comment. A table summarising respondents' views, and five typical comments made by respondents to each of the four questions will be incorporated as part of this submission. The full survey response, including all comments, can be made available to the Senate inquiry if required.)

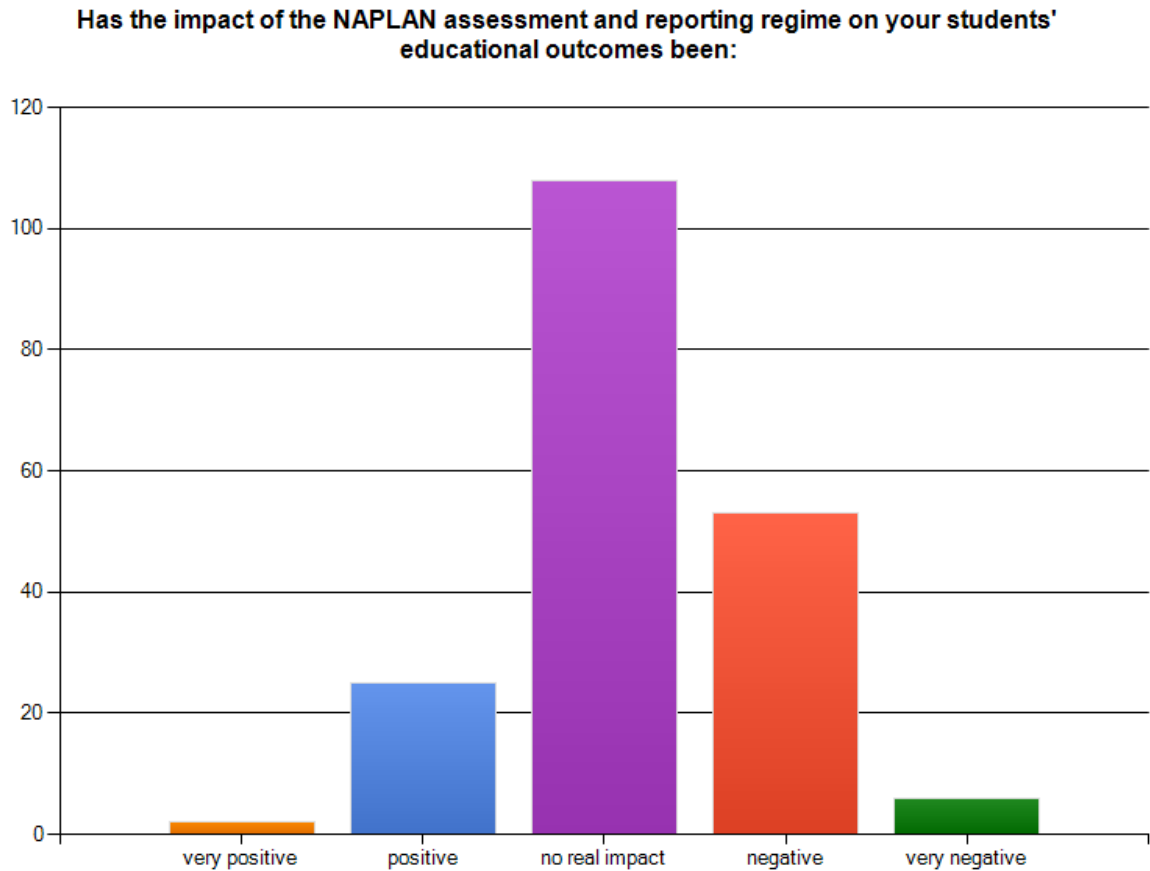
The impact of the NAPLAN assessment and reporting regime on the educational experience and outcomes for Australian students.

51. (N.B. – Separate survey questions were set for “experiences” and “outcomes” respectively.) The rating given by survey respondents to this term of reference is summarised in the tables below:

Has the impact of the NAPLAN assessment and reporting regime on your students' educational experiences been:



Only 12.1% of respondents rated the impact of NAPLAN assessment and reporting on students' educational experiences as positive or very positive; 42.2% claimed that it had made no impact; whilst 45.7% believed that it was negative or very negative.



Only 13.9% of respondents rated the impact of NAPLAN assessment and reporting on students' educational outcomes as positive or very positive; 55.7% claimed that it had no impact; whilst 30.4% believed that it was negative or very negative.

52. Here are five typical comments by respondents on students' experiences of NAPLAN and My School:

52.1 Students either avoid or reluctantly participate in the NAPLAN test. It produces anxiety and concern about how well or badly they might perform. They certainly don't enjoy the experience.

52.2 A new student was streamed into a lower English class due to her poor performance on the test. Turned out she was grieving from the sudden loss of her grandmother at

the time of the test and actually belonged in the advance class. Added more pain to an already very emotional time on her life.

52.3 It completely disrupted our program for 4 weeks - the first 3 weeks of term 2 were specifically for naplan practice, and week 4 was taken up by testing, and doing easy activities because the kids were exhausted and brain-drained from the testing.

52.4 a number of students became anxious and a few cried because they felt confused by the questions and the lack of help available to teachers to assist them.

52.5 Students in my classes have displayed high levels of agitation and concern during the weeks prior to the testing. In addition, there has been some conflict arising between those students whose parents have decided to prevent them sitting the tests and those who do sit the tests, predominantly as a sign of the stress incurred by those who aren't exempted.

53. Here are five typical comments by respondents on students' outcomes from NAPLAN and My School:

53.1 The students said to me "hey it's not counting on my report so I won't bother doing well in it and it won't stop me getting a job".

53.2 We received direction from district office to practice for the test at least four times before the test date. This instruction was issued in about week 5 of term 1 so the last half of term one and the start of term two became all about NAPLAN, which of course reduced opportunities for other learning.

53.3 My experience is in low category schools and we are constantly battling to provide a balanced and rigorous curriculum for our children. It takes way too long to get results back so they are not useful until term 4 maybe not even till the following year. What's the point when you only end up with minimal time to try and implement any changes/ strategies. And the timing of the tests is not beneficial for the kids either. Only having a term to settle your class, build relationships and routines and then BAM its testing time is not enough time before administering these tests. This is especially bad for year 3 children. It's a big enough jump moving into year 3 from a junior primary class let alone being tested on year 3 content one term after starting.

53.4 I have not seen any positive outcome in student achievement from NAPLAN. In fact, as it disrupted the literacy and numeracy program, it was very negative.

53.5 The test is done before 2/3 of the curriculum is "taught" and the results are published so long afterwards as to be irrelevant to the classroom programme.

54. The NAPLAN tests are conducted in mid-May and the results are made available to schools, students and parents in mid-September. In the case of 3 out of the 4 literacy tests, the format is mainly multiple choice or short answer questions. Students do not have to explain or justify answers. In the case of the maths test, student “working out” does not need to be shown, so that there is no connection for markers between the question and its answer or the problem and its solution. Given that there is a four month gap between a student taking the NAPLAN test and the results coming back to the school, and that there is no contextualisation of or reasoning shown for student test answers, this form of assessment is highly unlikely in and of itself to have any positive impact of the educational experiences and outcomes for Australian students.
55. NAPLAN tests are designed to sit within the genre of diagnostic testing. In educational jargon, they are intended to be formative (to help *with* learning) rather than summative (a judgement *of* learning). “In practice, the purpose of diagnostic assessment is to ascertain, prior to instruction, each student’s strengths, weaknesses, knowledge and skills. Establishing these permits the instructor to remediate students and adjust the curriculum to meet each pupil’s unique needs” (Richard Swearingen, Heritage University, 2002; see <http://slackernet.org/assessment.htm> accessed 2 June 2010). “Diagnostic - where an assessment task is used to identify the current knowledge and skill level of learners so that the learning activities can match their requirements. This type of assessment can be used at the beginning of a course of study, and may be especially helpful where the course is broadening in nature and/or multidisciplinary” (Centre for Learning and Professional Development, University of Adelaide, see http://www.adelaide.edu.au/clpd/online/assessonline/assess_types/ accessed 2 June 2010). Although claimed to be diagnostic, NAPLAN tests cannot be guaranteed to match teachers’ programmes of work for classes at each year level tested; a common complaint is that the work tested has often

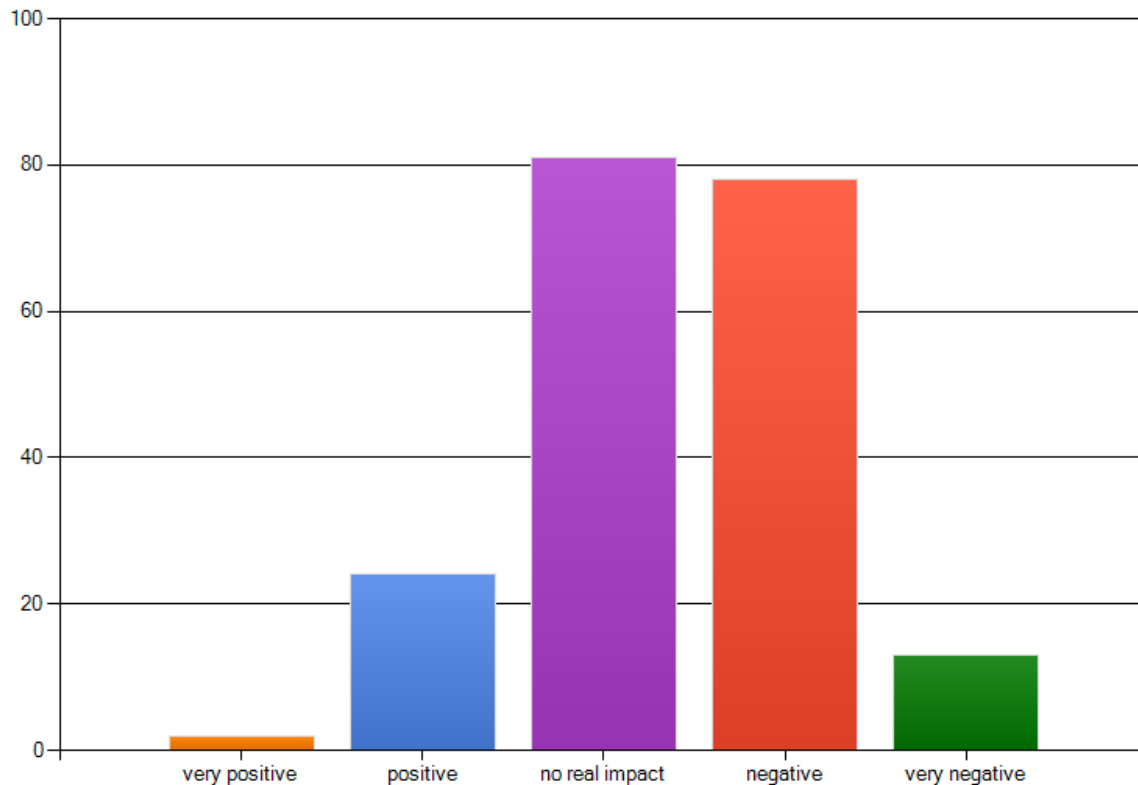
not yet been taught; and the time gap between testing and results makes any adjustment of the curriculum to meet each pupil's unique needs impossible to achieve on a timely basis. The educational experiences and outcomes of Australian students are even less likely to be enhanced as NAPLAN is conducted under the new national curriculum with its prescribed content and defined stages of implementation. There will be less flexibility for teachers to "adjust the curriculum" "so that the learning activities can match (each student's) requirements" even assuming four-month old NAPLAN results made this possible.

56. Literacy and numeracy experts have challenged the usefulness of the NAPLAN tests. Flinders University literacy expert Dr Barbara Nielsen told the Adelaide *Advertiser* "I can't see that the tests are ever going to have any useful, educational purpose. I think they're not essential" (*Advertiser* 18 May 2010 p. 5). She later commented that the tests "were superficial in testing literacy skills" (*Advertiser* 1 June 2010 p. 4). University of South Australia literacy researcher Associate Professor Susan Hill said the tests were "very superficial" (*Advertiser* 18 May 2010 p. 5). Flinders University senior lecturer in mathematics education Dr Julie Clark said the tests were especially difficult for Year 3 students. "The maths questions are really complex for Year 3 level; many of them would not know maths concepts yet, so it could be quite confusing" (*Advertiser* 1 June 2010 p. 4).

The impact of the NAPLAN assessment and reporting regime on the scope, innovation and quality of teaching practice.

57. The rating given by survey respondents to this term of reference is summarised in the table below:

Has the impact of the NAPLAN assessment and reporting regime on the scope, innovation and quality of your teaching practice been:



Only 13.1% of respondents rated the impact of NAPLAN reporting and assessment on the scope, innovation and quality of their teaching practice as positive or very positive; 40.9% claimed that it had made no impact; whilst 46% believed that it was negative or very negative.

58. Here are five typical comments by respondents on teaching practice and NAPLAN:

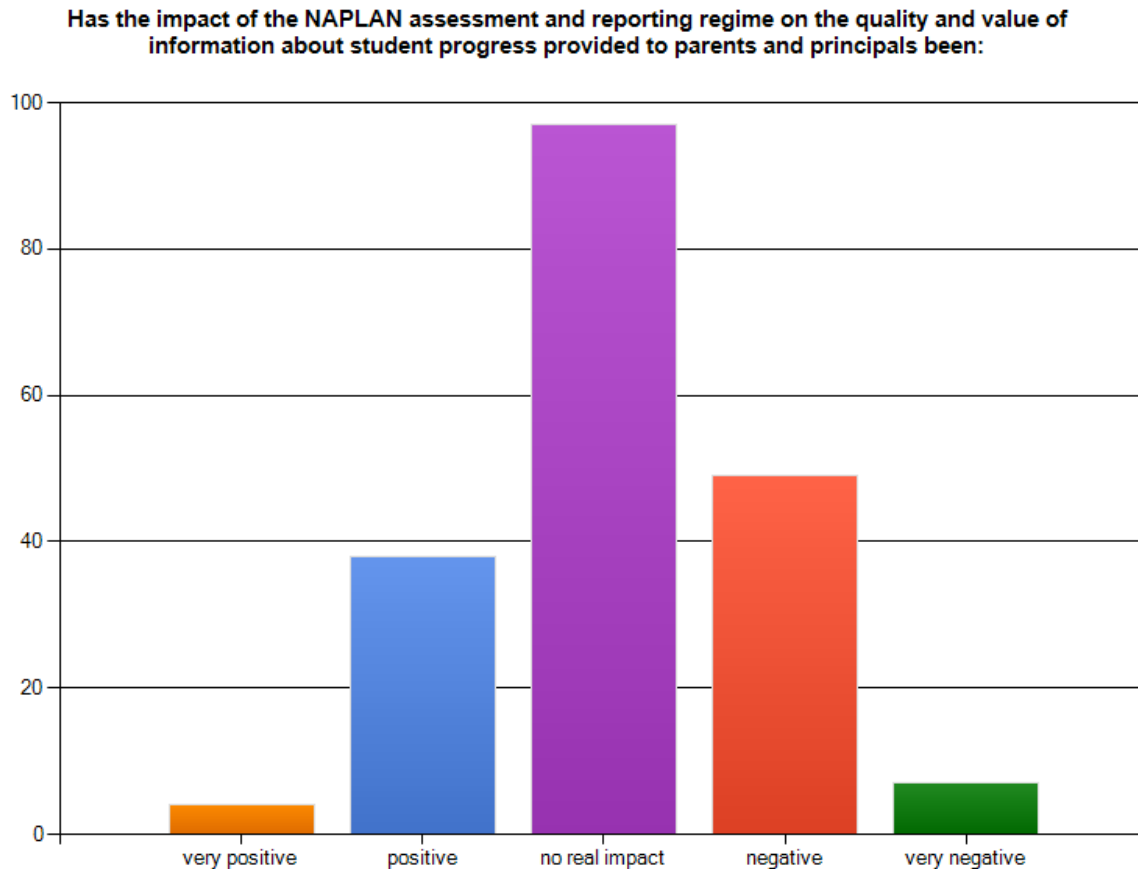
- 58.1 There is a pressure on teachers to teach the style of the NAPLAN test eg multiple choice when in reality we rarely work with multiple choice methods. Another pressure is to reduce content to that required by NAPLAN - that is not spend time on expanding subjects and aiming for "rich" learning.
- 58.2 channelled our teaching into the NAPLAN style with no regard for creative thinking or individualised learning style.

- 58.3 teachers feel pressure to give students short snapshots of topics to ensure students have been exposed to all areas of curriculum. Term 1 is now devoted to very short units of work covering all strands which then have to be consolidated later in the year. This is further complicated with the need to go beyond the year 7 curriculum into year 8/9 to give talented students a fair go to tackle concepts not yet introduced. Our school is now considering streaming children to further push children along which will further shatter the self esteem of students who already face stigmas and challenges.
- 58.4 It is a struggle to engage Year 9s in the curriculum at the best of times. As an English, SOSE and Arts teacher, I try to engage students in the act of writing - without interrupting to assess the structure and quality of their expression - to build their confidence and skills. From here, we introduce correct use of grammar, punctuation and syntax within the context of their writing. High stakes testing like NAPLaN creates a complicated distraction from this work. Pressure to take responsibility for preparing for NAPLaN seems to fall on English teachers and running through the many possible complex rules of grammar that might appear in a NAPLaN test impact negatively on the students. They struggle to grasp terminology that are used but rarely referred to in everyday schooling - only in NAPLaN. For example, many students know how to construct simple, compound and complex sentences, which is effective in the Writing part of the NAPLaN as well as for their assignment work across the curriculum, but they don't necessarily know that a complex sentence is called a complex sentence and so have no idea how to respond to a question about complex sentences in the Grammar part of NAPLaN. They also know how to correctly use "a" and "the" but may not know that these are called indefinite and definite articles. What are we assessing here? Our students' functional literacy or if our kids could be English Language teachers? Forcing just the English teachers to run literacy workshops in class just to improve NAPLaN results is counterproductive and often detrimental to the engagement of students in the English subject and often sets back their progress in literacy development.
- 58.5 Ensuring that students are prepared for testing has required focussing on not simply covering the normal material, but also devoting a great deal of time to developing question answering techniques based purely around the 'wordy' style of the NAPLAN maths testing, rather than developing more general problem solving skills.
59. Teachers feel under considerable pressure to forego their own professional judgement about effective teaching practice in order to prepare students for success in a single high stakes test. The publication of NAPLAN results on My School is limiting the scope of teaching practices, curtailing creativity and innovation and reducing the quality of teaching. Teachers are pressured to

“teach to the test” by school leaders who are in turn pressured by Department bureaucrats in the name of accountability. Teachers are also pressured to teach to the test by their own desire to protect students from the shame of “failure” that arises in a high stakes environment with the publishing of test results. The DPM has adopted a “so what?” attitude to reports of teaching to the test, saying on several occasions that the time taken from other areas of the curriculum to concentrate on test preparation is “not wasted work because they are the foundation stones of learning” (see http://www.deewr.gov.au/Ministers/Gillard/Media/Transcripts/Pages/Article_100129_144753.aspx accessed 16 June 2010). However, Prof. Barry McGaw who has a strong background in educational testing and who is now the Chair of the ACARA Board, has stated that “The research evidence internationally on the impact of test practice is that the effect is minimal except in one special circumstance...the benefit comes only in the first stage where you are ensuring students understand the form of the assessment...Beyond that, there is no way to prepare for the tests other than to, frankly, make students more literate and numerate” (see testimony before the Senate Estimates Committee 11 February 2010). The pressure to teach to the test, to impoverish teaching practices, to take time away from the broad curriculum which best serves the acquisition of lasting understandings of literacy and numeracy requires the abandonment of the high stakes environment caused by the publication of NAPLAN test results on My School.

60. **The impact of the NAPLAN assessment and reporting regime on the quality and value of information about student progress provided to parents and principals.**

61. The rating given by survey respondents to this term of reference is summarised in the table below:



Only 21.6% of respondents rated the impact of NAPLAN assessment and reporting on the quality and value of information about student progress provided to parents and principals as positive or very positive; 49.7% claimed that it had made no impact; whilst 28.7 % believed it was negative or very negative.

62. Here are five typical comments by respondents on NAPLAN and the value of information that it provides:

62.1 Too many parents label their children and the school based on one test. Information should be private and used solely for the purpose of improving each student's outcomes. Why publish results based on one test when the whole school year is full of rich and inclusive learning? I have started to observe far too many colleagues teaching to the test. Shouldn't we be teaching the whole child? Haven't we learnt from the mistakes of the UK and USA?

62.2 All students are currently well below benchmark. We as teachers and the state government is already aware of this. The results we get from the NAPLAN do not give an accurate representation of student achievement. As a district we already have a thorough process of data collection and analysis of student achievement in literacy and numeracy that gives much more accurate and useful information.

62.3 The information we already give to parents is real, realistic and valuable. NAPLAN is a snapshot tool, rather than an holistic examination.

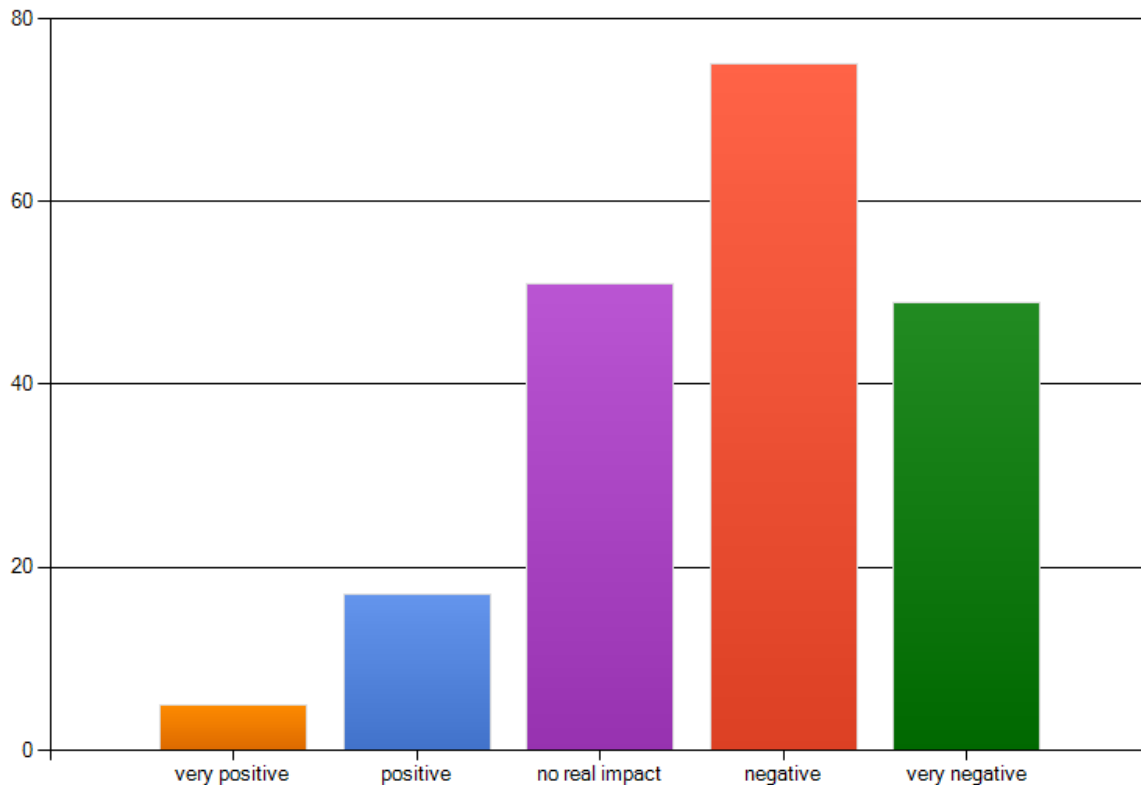
62.4 Rather than being a snapshot of outcomes parents and, unfortunately, principal, see them as the be all and end all!

62.5 Simplistic numbers based on averages severely affect small classes. Parents, and, sadly, principals and district leaders ignore, or fail to understand, the impact of a small number of NEP students on a small class. For example, last year I had 5 students sit the Year 7 NAPLAN, two of them had NEPs for severe learning difficulties and mental impairment. In a class of 30 this makes much less difference to the average than to a group of 5. Yesterday I was given a list of improvements I need to make because 40% of my group had failed - guess who that 40% were.

The impact of the NAPLAN assessment and reporting regime on the quality and value of information about individual schools to parents, principals and the general community.

63. The rating given by survey respondents to this term of reference is summarised in the table below:

Has the impact of the NAPLAN assessment and reporting regime on the quality and value of information about individual schools to parents, principals and the general community been:



Only 11.1% of respondents rated the impact of NAPLAN assessment and reporting on the quality and value of information about individual schools to parents, principals and the general community as positive or very positive; 25.9% claimed that it had made no impact; whilst 63% believed that it was negative or very negative.

64. Here are five typical comments on NAPLAN and the quality of information about individual schools:

64.1 We are in a small school. 9 year 7's completed Naplan in 2009. The results were then published on Myschool and as a result our school was named as one of the 6 worst schools for literacy results. This was due to having such a small cohort of students whose scores were averaged and then our school was compared to so-called like schools such as Immanuel College in QLD who had 100 year 7's sit Naplan. Our actual scores were favourably comparable to other

more-similar schools in our local area. This comparison has done untold damage to our students, parents, staff morale and school & the wider community.

64.2 We advertise all our results to our community through the newsletter and annual report. The My School website misrepresented schools as it didn't clearly provide all info. Many schools withdraw a great % of their students (eg one school in my area only had 65% of their yr 3s sit the test hence their results are good versus us who have 95% of our kids sit the test).

64.3 Information provided on the Myschool website has had a very negative impact on our school community. We have a very small cohort of students and our statistics are therefore unreliable but reported anyway. The picture painted by the website is not appropriate nor accurate. The "like schools" comparisons are confusing, damaging and have caused great upset in our community.

64.4 The MY SCHOOL website is misleading and narrow. It has strange criteria for "like schools" and is very bare bones. We have had parents ask us about our "performance in ..." prior to enrolling kids for reception. Parents however are usually extremely impressed when they take a tour of our school and see the huge variety of things our students are engaged in and the quality of teaching and learning in the classrooms.

64.5 Many parents choose our school because they want a hands on school for their child as opposed to an academic one. These parents are looking for a setting where the child will experience as much success as possible. Having such schools labeled as not having good NAPLAN results is most damaging in terms of job prospects for these students. This is an unintended outcome I hope but a real one. Many people in the community do not know how to compare school to school. When schools are compared on post code many do not understand how small cohorts affect statistics or that many students travel from outside a local area to attend schools with "special programs".

International approaches to the publication of comparative reporting of the results ie 'league tables'

65. The publication of league tables of school "performance" based on student results in standardised national tests began some 15 years ago in the United Kingdom. Today, England is the only country in the UK to persist with the tests and league tables. The common complaints of a narrowing of the curriculum and of no observable improvement in educational outcomes encouraged Scotland, Wales and Northern Ireland to modify their approaches. "Between 2007 and 2009, changes were being implemented in

the assessment systems in Scotland, Wales and Northern Ireland. Wales and Northern Ireland abandoned testing, or were in the process of doing so, relying instead on teachers' judgements, and optional tests in Wales to support teachers in their decisions during the transition. In Scotland, tests continued to be available as an option to be used at any time to confirm teachers' judgements. No other UK country used assessment results to compile 'league' tables of schools, a process which, as we see later, added to pressure on schools to improve levels artificially" (*Children, their World, their Education: Final report and recommendations of the Cambridge Primary Review*, ed. Robin Alexander, Routledge, 2010, p. 313 – hereinafter referred to as the *Alexander Report*).

66. Dr Ken Boston is a former CEO of the SA DECS, a former Director-General of Education in NSW, and a former CEO of the UK Qualification and Curriculum Authority. He returned to Australia in 2009 to speak against league tables based on his observations of their damaging effect on education in England. "In England," he said, "the government's use of the key stage tests has seriously damaged the breadth and quality of primary education. The tests have changed from an essentially diagnostic test for the purpose of school and system improvement, to a high stakes summative test on which depend - amongst other things - the pay and future employment of the head teacher and staff. As a result the school curriculum is narrower and poorer than it was when the tests were introduced in 1997. In many schools, the time spent on areas of the curriculum which are not externally assessed has contracted sharply" (see <http://is.gd/2Kig4> accessed 2 June 2010).
67. Referring to the deleterious effects of "teaching to the test" encouraged under a league tables regime, Dr Boston stated: "Most schools prepare pupils extensively before they undertake the tests. A survey conducted by QCA in 2007 showed that 68 per cent of primary schools employed additional staff to prepare students for the key stage 2 tests, 78 per cent set additional homework, more than 80 per cent had revision classes and used practice tests they had purchased commercially. The amount of time spent on test

preparation has increased over the past 10 years: in the second half of the spring term 70 per cent of schools spent more than three hours per week on test preparation. In some extreme cases, months have been spent in the final year of primary schooling on nothing else than test preparation, to the neglect of the other areas of the curriculum and hence to the great detriment of the quality of the children's education."

68. Dr Boston found that after 15 years of education conducted in the shadow of school league tables, it was employers who had finally forced a re-examination of the poverty of educational outcomes. "Teachers," he said, "have been concerned about the impact of this on the quality of education for a generation of children. But interestingly, it is employers' concerns that have made it a prominent issue. Employers find that, despite their formal qualifications, so many 16-18 year olds are inarticulate, and unable to communicate simply and well; they cannot work collaboratively and constructively in teams; they lack initiative and enterprise; and surprisingly, given that most of their lives have been spent in school, they lack a thirst for continued learning and personal growth. They are deficient in the soft skills which form an essential component of the human capital of each individual, regardless of their academic achievements."

69. The Alexander Report is the biggest report into English primary education since the Plowden Report conducted in 1967. It was conducted over three years and drew on the work of more than 3000 researchers. Its conclusions were similar to those of Dr Boston: "As long as there are SATs (standardised national tests), league tables, and national strategies which are to all intents and purposes obligatory, the professionalism that seeks to encourage children's creativity, curiosity and well-being is likely to remain enfeebled by intense demands for accountability" (op cit p. 454).

70. The Alexander Report also commented on the negative effect of the emphasis on parents having to choose the "best" school for their children as

determined by league tables. It said: “Given the media preoccupation with league tables and the naming and shaming of failing schools, it is not surprising that school placement decisions make children as well as parents anxious” (op cit p. 150). Regrettably, this level of anxiety will be imposed on Australian parents if the government continues to allow league tables to drive its “choice” agenda in schooling. The alternative is to pursue its own policies of a primary responsibility for the provision of high quality public education in a local school.

71. English exam boards have stated that league tables have dragged down standards in that country (see “Exam boards say league tables drag down standards”, *Times Educational Supplement*, Friday May 15 2009 p. 9). The article begins: “League tables lower standards, are unfair, vague, imprecise, have ‘serious structural problems’, damage pupils and need to be reformed, according to two exam boards. Such strong criticism from Cambridge Assessment and Edexcel – two of the three main boards – adds to pressure on ministers to reform a regime which many argue creates unacceptable distortions in schools.” Further on, it states: “In a submission to the Commons schools select committee, the parent company of the OCR board (see below) warns that the tables ‘exert a strong downwards pull’ on exam standards. Schools switch to qualifications with ‘lesser educational merit’ where it is easier to achieve high grades and boost schools’ league table positions, the board says.” (The OCR [Oxford, Cambridge and RSA Examinations] Board is an examination board that sets exams and awards qualifications including GCSEs and A-Levels.)
72. English league tables began appearing in newspapers in the early 1990s. Parents in England have experienced league tables for nearly two decades. They are not convinced of the worth of league tables. A National Association of Head Teachers (NAHT) poll of 10,465 parents conducted in 2009 found that 85 per cent thought the current system of testing should be abolished and that more than 71 per cent wanted to see league tables abolished (“End

national tests, say parents”, *Times Educational Supplement*, p. 4, Friday February 6, 2009).

73. The AEU’s planned moratorium of NAPLAN tests, designed to frustrate the formation of league tables, coincided with similar action in England where teachers and school leaders have long opposed the publication of league tables. English head teachers, members of the NAHT and deputies, members of the National Union of Teachers, were balloted on April 15, 2010 on a proposal to boycott this year’s Year 6 national maths and English tests to prevent their use in the creation of league tables. Only school leaders were balloted as their decision would effectively decide whether or not schools conducted the tests. NAHT members supported the ballot by 61 per cent and NUT members by 75 per cent. A *TES* survey of more than half of England’s local authorities suggest that at least 4,000 primary schools refused to administer the tests (“Heads face threat of docked pay”, *Times Educational Supplement*, p. 3, 14 May 2010).

Other related matters

74. We offer comment below on the following matters related to the publication of NAPLAN results on My School:

- the influence and credibility of the New York City Chancellor of Schools, Mr Joel Klein
- the unfair identification of poor student learning outcomes with poor performance by teachers and schools
- the use of My School and NAPLAN to encourage a market-driven model of school “choice”
- proposals to extend NAPLAN tests to Reception (Prep) age children
- the value to a teacher’s own professional development of having been a NAPLAN marker
- the need to protect teachers from allegations of cheating or “gaming” the test in a high stakes environment

75. It is pertinent here to reflect on the influence and credibility of the New York City Chancellor of Schools, Mr Joel Klein. Despite Ms Gillard's claim that "The model that we have developed here is uniquely Australian," (see http://www.deewr.gov.au/Ministers/Gillard/Media/Transcripts/Pages/Article_100127_114239.aspx radio interview 27 January 2010 accessed 3 June 2010), it is in all of its essential features derivative of the Klein model. One of the first tasks given to Ms Gillard on her assumption of the Deputy Prime Ministership, with responsibility for education among other things, was to meet Klein and be briefed by him on how he was changing things in education.
76. Ms Gillard told reporter Barrie Cassidy on the Insiders program on 10 August 2008: "I met when I was in New York with Joel Klein. What he said that so impressed me was the era of transparency that he has brought to schooling, people know everything that there is to know about schools in New York. They know what kind of kids are in them, what kind of advantages and disadvantages they bring to schooling. They know what kind of results are being obtained by schools and they can compare like schools and say "why is this one doing so much better than that one?", and then intervene and make a difference. Now unfortunately in this country, we don't have that kind of information about schooling, and one of the things that we are very assertively putting in the current negotiations between the Federal Government, States and Territories and school systems generally is that everybody's got a right to know that kind of information about Australian schools" (see <http://www.abc.net.au/insiders/content/2007/s2330167.htm> accessed 3 June 2010).
77. Klein's message to Gillard was that before she could begin implementing any sort of changes to schooling she had to create a system that made school results public. He told the ABC's Monica Attard "The first part of the system and in my view the critical part and the part that the Deputy Prime Minister

and I focussed on was to get the information publicly available...That becomes the basis for all the other things...without the information you can't get from here to there" (see

<http://www.abc.net.au/local/stories/2008/08/28/2348955.htm> accessed on 3 June 2010). The key point in Mr Klein's advice to the DPM was the public presentation of standardised test results for schools.

78. Klein had been publishing what he called "rich data" on each of the schools in the New York schools district under a "transparency agenda". He provided Gillard with what appeared to be compelling evidence of school improvement: "In New York, they have a system that Joel Klein leads of comparing schools. Now they don't compare a rich school on the Upper East Side with one in Harlem because obviously that would be not a very intelligent comparison. But they have a way of diagnosing who's in school and then they compare like-schools with like-schools, so comparable student populations. And they then measure attainment and they say, 'Well, we've got two schools, comparable kinds of kids in those schools. One's going a lot better than the other. Why is that?' And they're able to work out what is different in terms of teaching and school leadership and school culture that is making a difference in the higher achieving school and spread that best practice. They're also able to bring additional resources to the aid of schools that are falling behind. Now we don't have that kind of information to enable us to do that across Australia" (see http://www.deewr.gov.au/Ministers/Gillard/Media/Transcripts/Pages/Article_081030_151441.aspx accessed 3 June 2010).

79. The link between the subsequent decision to publish NAPLAN results on My School and Klein's model was clearly stated by the DPM to Laurie Oakes on 6 October, 2008. Ms Gillard explained that she had just invited Klein to Australia: "I'm delighted to say I've invited Joel Klein to visit Australia and he's accepted that invitation. He will be here in the last week of November. His tour of Australia is going to be sponsored by UBS so I thank them for that sponsoring of the costs involved. Joel Klein of course has pioneered a system

in New York, a city of great wealth but also pockets of great disadvantage, he's pioneered a system of school transparency which lets you compare like schools with like schools, the sorts of schools that are servicing the same student populations, and to monitor what's working and to make sure that best practice is spread, and schools that are struggling get extra assistance. It's working in New York, it impressed me when I was there and he will be here in Australia talking publicly but also talking to Australian educators about his system. LAURIE OAKES: Are you hoping that he'll be able to convince state Education Ministers and more importantly perhaps education unions that this is the right approach because they haven't been at all keen on this have they? JULIA GILLARD: I believe convincing Education Ministers and teachers generally this is the right approach in this country, is my job" (see <http://news.ninemsn.com.au/article.aspx?id=642175> accessed 3 June 2010).

80. In New York City, Klein uses demographic information, city standardised test results and satisfaction surveys to assign each school a grade using A-D and F. The F is for failing. There are consequences and rewards for each level of grade. So far, this grading system has not been adopted in Australia. However, just days after the launch of the My School website and the construction of league tables in various newspapers from the data on the website, Kevin Rudd and Julia Gillard gave notice of the government's intention to survey parental "satisfaction with schools with the survey results to be disclosed on My School" (see http://www.deewr.gov.au/Ministers/Gillard/Media/Releases/Pages/Article_100201_153301.aspx accessed 3 June 2010).
81. The concept of a parental satisfaction survey is embedded in the practice of the New York City school system. NYC actually surveys students, parents and teachers separately and collates their responses into a "School Environment" mark out of 15. This is added to the school's mark for "Student Performance" (out of 30) and the school's mark for Student Progress (out of 55) for a total mark out of 100, which is then converted into the grades mentioned above

and published on an annual school Progress Report. It is a further indication of the DPM's faith in the Klein model that a parental satisfaction survey has been proposed for My School.

82. Has the Klein model delivered on its claims to have improved education in New York City? "An analysis by the National Center for Education Statistics, the research arm of the federal Education Department, concludes that no achievement gaps have narrowed at all in New York City between 2003 and 2007. The only gap that moved in any significant direction is the one between poor students and the rest of the population, which widened slightly, the analysis said" (see "'Achievement Gap' in City Schools is Scrutinized", *The New York Sun*, 5 August 2008).
83. The Klein approach became even more discredited following the release of the grades for schools in 2009. Diane Ravitch is a former US assistant secretary of education originally appointed during the presidency of George Bush Snr. A fervent supporter of standardised testing and "accountability", Ravitch became disillusioned with the Klein model and wrote in her book *The Death and Life of the Great American School System*: "In 2009, the city's accountability system produced bizarre results. An amazing 84 percent of 1,058 elementary and middle schools received an A (compared with 23 percent in 2007), and an additional 13 percent got a B. Only twenty-seven schools received a grade of C, D, or F. Even four schools the state said were 'persistently dangerous' received an A. The Department of Education hailed these results as evidence of academic progress, but the usually supportive local press was incredulous. The *New York Post* called the results 'ridiculous' and said, 'As it stands now, the grades convey nearly no useful information whatsoever.' The *New York Daily News* described the reports as a 'stupid card trick' and a 'big flub' that rendered the annual school reports 'nearly meaningless to thousands of parents who look to the summaries for guidance as to which schools serve kids best.'"

84. The model upon which My School and the publication of NAPLAN results was based is now totally lacking in credibility. That alone should give the DPM cause to pause and consider other models, like the frequently cited and highly credible Finnish system which manages to consistently top the international PISA tests despite not having any standardised national tests of its own and no league tables of school rankings.
85. Another matter related to the publication of NAPLAN results on My School is the unfair identification of poor student learning outcomes with poor performance by teachers and schools. When journalist Sabra Lane put it to the DPM that the AEU's opposition to the publication of NAPLAN results was "more about protecting dud teachers", the DPM replied, "I'm not going to second guess the motivations of the AEU but...covering up underperformance doesn't fix it" (see http://www.deewr.gov.au/Ministers/Gillard/Media/Transcripts/Pages/Article_100119_095317.aspx accessed June 3 2010). The same day, 19 January 2010, she commented at a press conference in Brisbane that "the most damaging thing is for children to be in a school that isn't giving them a good education and for that to be covered up...So I simply don't agree with the Australian Education Union" (see http://www.deewr.gov.au/Ministers/Gillard/Media/Transcripts/Pages/Article_100119_170222.aspx accessed 3 June 2010).
86. At its worst, this identification of "poorly performing teachers" based on published NAPLAN results has led the DPM to attack the building of partnerships between teachers and parents and to encourage in its place an aggressive confrontational stance by aggrieved parents. "Teachers identified as underperformers by the Government's new school rating system should expect to be roused at by disgruntled parents, the Education Minister, Julia Gillard says...Ms Gillard said teachers were already trained to deal with complaints on parent-teacher nights. Now, parents would be armed with even more information with which to complain. 'This should put pressure on people,' Ms Gillard said" (see "Tell off deficient teachers: Gillard",

<http://www.watoday.com.au/national/education/tell-off-deficient-teachers-gillard-20100126-mvki.html> accessed 3 June 2010). The Collins English Dictionary defines “rouse” as an Australianism meaning to “speak scoldingly or rebukingly (to)”. Is this really the best the DPM can do with her published NAPLAN results?

87. The DPM has also inferred that teachers are not interested in trying to get the best learning outcomes for students. She links rhetoric about the publication of NAPLAN results enabling the government to “shine a light on underperformance” to the mantra that “demography is not destiny”. She has linked the latter phrase to the work of New Zealander Prof. John Hattie whose research conclusion is that “the single greatest in-school influence on student engagement and influence” is the quality of the teacher (see http://www.deewr.gov.au/Ministers/Gillard/Media/Speeches/Pages/Article_091117_171753.aspx accessed 3 June 2010). What she doesn’t point out is his important caveat that there may be more important out-of-school influences that he chose not to look at in his study: in his own words, his book isn't about "what cannot be influenced in schools - thus critical discussions about class, poverty, resources in families, health in families, and nutrition are not included - this is NOT because they are unimportant, indeed they may be more important than many of the issues discussed in this book. It is just that I have not included these topics in my orbit” (see http://www.nzherald.co.nz/maori/news/article.cfm?c_id=252&objectid=10582708 accessed 3 June 2010).

88. In a speech at a ‘Teach for Australia’ reception held in Melbourne on 21 January 2010, Gillard again referenced the work of John Hattie. She said “Each of us in this room believes that demography is not destiny....Professor John Hattie puts it this way: ‘It is what teachers know, do and care about which is very powerful in this learning equation’” (see http://www.deewr.gov.au/Ministers/Gillard/Media/Speeches/Pages/Article_100122_074612.aspx accessed 14 June 2010). The quote is from a speech made by Hattie in October 2003 at the University of Auckland in which he

identified major sources of variance in student behaviour. In the sentence immediately preceding the one quoted by the DPM, Hattie says of teachers that they “account for about 30% of the variance” (see http://www.acer.edu.au/documents/Hattie_TeachersMakeADifference.pdf accessed 14 June 2010). Unlike the DPM, Hattie holds teachers in high esteem. And his advice on how to “esteem and grow those who have powerful influences on student learning” is “not by...promoting different topics for these teachers to teach, or by bringing in more sticks to ensure they are following policy”. Contrary to Hattie’s advice, NAPLAN *does* promote what teachers should teach, and the publication of averaged NAPLAN results by school on the My School website – “accountability” as the DPM sees it – *is* a stick for ensuring they are following a policy which narrows the curriculum and has a negative influence on children’s perceptions of schooling.

89. It is important to fully contextualise Prof. Hattie’s belief that *inside* schools, and as distinct from all the demographic factors that students bring into their classroom from the *outside*, that teachers are the major influence on students’ learning outcomes. Despite his words being used by the DPM to justify her use of published NAPLAN results on My School to identify both “underperforming teachers” and “best practice”, he *rejects* the NAPLAN approach. In order to reach the comment about teachers “knowing, caring and doing”, the DPM would have had to read through his second paragraph which quite clearly dismisses much of the DPM’s “revolution” in education. He notes in reference to “the USA in recent years” that “The typical redress has been to devise so-called ‘idiot-proof’ solutions where the proofing has been to restrain the idiots to tight scripts – tighter curricula specification, prescribed textbooks, bounded structures of classrooms, scripts of the teaching act, and all this underpinned by a structure of accountability. The national testing movements have been introduced to ensure teachers teach the right stuff, concentrate on the right set of processes (those to pass pencil and paper tests), and then use the best set of teaching activities to maximise the narrow form of achievement (i.e., lots of worksheets of mock multiple

choice exams).” As a result of making NAPLAN high stakes through the publication of results on My School, this description of the USA now sadly suits the state of Australian schools.

90. The DPM apparently wants us to believe that recruiting “the best and brightest” graduates, or attracting the “best teachers” with incentive payments, into schools that are “underperforming” on the basis of NAPLAN results published on My School will in and of itself improve student learning outcomes. This is because she naively ignores or underestimates “what cannot be influenced in schools”, namely demographic factors including those identified by Hattie. The worst of this is that it is unfair to the many dedicated teachers who *choose* to work in so-called underperforming schools because they simply *want* to make a difference and *do* have high expectations for the achievement of students from socially and educationally disadvantaged circumstances. These are precisely the teachers most threatened by the Prime Minister when he indicated that where “despite best efforts, these schools are not lifting their performance, the Commonwealth expects education authorities to take serious action – such as replacing the school principal, replacing senior staff, reorganising the school or even merging the school with other more effective schools” (see <http://www.alp.org.au/media/0808/pcpm270.php> accessed 4 June 2010).

91. Perhaps the most important other matter related to the publication of NAPLAN results on My School is the use of My School and NAPLAN to encourage a market-driven model of school “choice”. This neo-liberal agenda has been widely implemented in both the US and the UK where vouchers, charter schools and Academies have proliferated. Both the PM and the DPM have acknowledged that “empowering” parents to enable them to choose the best school for their children is at the heart of the publication of NAPLAN results on My School. Reporter Chris Uhlmann asked the PM this question, following an address by Mr Rudd to the National Press Club in August 2008: “Can you tell us the difference between an arbitrary league table and an individual school performance report? And, no matter what you call it, if

parents find out their school is not performing well, won't they do the rational thing: vote with their feet and leave?" to which the PM replied: "Well, on the last point, we would make no apology for that." Six questions later, the PM re-emphasised the intent behind the ranking of school performance based on NAPLAN results: "Also, as I sought to answer the question from Chris Uhlmann before, if some walk with their feet that's exactly what the system is designed to do."

92. The DPM has expressed apparent indifference to the effect on schools of parents "voting with their feet". Presenter Melissa Doyle: "We're hearing from principals from some of the schools that are performing a little lower in the test scores that parents are already pulling kids out. What sort of impact will that have on those schools?" Julia Gillard: "Parents make education choices for all sorts of reasons...." (TV interview, Sunrise program, Feb 1 2010, see http://www.deewr.gov.au/Ministers/Gillard/Media/Transcripts/Pages/Article_100201_093509.aspx accessed on 4 June 2010). When asked by announcer Steve Cannane how she could be sure that "parents won't just abandon schools that are battling, won't just take flight and leave that school behind?", the DPM dismissed the issue by saying that "parents do have choices...on My School (they will) see more comprehensive information than they've ever had before" (Radio interview ABC Perth 28 January 2010, see http://www.deewr.gov.au/Ministers/Gillard/Media/Transcripts/Pages/Article_100128_153852.aspx accessed 4 June 2010). When presenter Kieran Gilbert asked the DPM "What's to stop an exodus from a school if they perform so badly and they rank very badly against similar schools? Have you got anything to stop an exodus of kids from that particular environment?" the DPM again replied "Well in today's Australia, parents make choices about school...This will be the first time that people have had comprehensive information" (Sky news TV interview 25 January 2010, see http://www.deewr.gov.au/Ministers/Gillard/Media/Transcripts/Pages/Article_100125_164822.aspx accessed 4 June 2010).

93. The inability of the government to articulate a strategy to stop an exodus of students from schools where student NAPLAN results are poor is an insult to working families and will inevitably hit schools in lower socio-economic communities the hardest. The overseas experience is very instructive. Under the Klein model, “failing” schools in New York City were closed and students encouraged to enrol in charter schools. The latter are privately managed but receive both public funding and grants from private corporations and trusts. Diane Ravitch notes: “As it elevated the concept of school choice, the Department of Education destroyed the concept of neighbourhood high schools. Getting into the high school of one’s choice became as stressful as getting into the college of one’s choice...the lowest-performing, least motivated students...were somehow passed over by the new schools, who did not want kids like them to depress the school’s all important scores” (Ravitch, op cit, p. 83-4).

94. This undesirable and profoundly anti-democratic phenomenon is already manifesting itself in Australia following the publication of NAPLAN results on My School. This is from the text of a front page article in the *Adelaide Advertiser* on 7 June 2010:

PUBLIC schools are being run like commercial firms in a stock market and are trying to attract top students at the expense of improving broad education, a leading sociologist warns.

Professor Raewyn Connell, a social change researcher and author, has blamed the My School website for a shift in resources towards the marketing and branding of taxpayer-funded schools.

Other education experts have backed the comments and warn school leaders could soon seek to enrol only high-performing students to ensure their school was considered a successful business.

The Federal Government has created a "powerfully negative" regime, particularly through its controversial National Assessment Program - Literacy and Numeracy (NAPLAN) tests, Professor Connell told *The Advertiser*.

South Australian Primary Principals Association president Steve Portlock said yesterday government schools were under greater pressure to better manage students and compete for enrolments.

"I think there's going to be increasing pressure on principals to look more carefully at enrolments," he said.

"As NAPLAN becomes a more high-stakes test, schools will be tempted to only take students that will help increase their NAPLAN averages."

Schools have reported a large portion of resources are now going toward branding and marketing and bureaucratic procedure.

Federal Education Minister Julia Gillard's office said yesterday it was "concerned" public school principals felt under pressure but "the most important people in this equation are the students".

Professor Connell, who works for the University of Sydney, said students from lower socio-economic or socio-educational backgrounds would lose out in the long term under the current regime.

"It's just increasing the social division," she said. "Our responsibility as a society is to have an education system that works well for all children and we're not doing that."

Some government schools had also introduced a system where students were interviewed prior to enrolment acceptance - similar to private school practice.

Professor Connell, who was in Adelaide last Friday at the University of South Australia's Hawke Research Institute, said My School - which publishes school results from NAPLAN testing - asked people "to think about schools as though they are firms in a market".

"It shows a kind of ranking of performance according to certain measures and people then buy or don't buy the product," she said.

"It represents to me a stock market where buyers rank firms and put their money into the best performing firms."

Professor Connell said this mindset forced schools and universities to compete for students, funding and resources. She said universities competing fiercely for research money through the promotion of successful students and schools "teaching to the test" for NAPLAN were prime examples of fall-out from the regime.

"Not only are teachers being asked to teach to the test, there are very powerful incentives to do so and the effects are going to be massive," she said.

Mr Portlock said some schools already marketed themselves as specialist institutions in fields such as sport or music to attract higher enrolment.

"I wouldn't necessarily say that's healthy," he said.

"It's not the best system if state schools are fighting for enrolments. . . our moral purpose is to provide the best education for all kids."

He added that principals had already raised concerns about the "dramatic" increase in business management responsibility that came with the leadership role, leaving less time to focus on students and learning.

95. Despite claims that charter schools would be places of innovation and would achieve better results, the evidence has proven otherwise. A study released on August 22, 2006 by the US National Centre for Education Statistics (NECS) found that students in charter schools performed several points worse than students in traditional public schools in both reading and math on the National Assessment of Educational Progress test (see <http://nces.ed.gov/nationsreportcard//pdf/studies/2006460.pdf> accessed 4 June 2010).
96. In its Evaluation of the Public Charter Schools Program: Final Report released in 2003, the U.S. Department of Education found that, in the five US States chosen for case studies, charter schools were out-performed by traditional public schools in meeting state performance standards (see <http://www2.ed.gov/rschstat/eval/choice/pcsp-final/execsum.html> accessed 4 June 2010).
97. The most authoritative study of charter schools was conducted by the Center for Research on Education Outcomes (CREDO) at Stanford University in 2009. The report is the first detailed national assessment of charter schools. It analysed 70% of the nation's students attending charter schools and compared the academic progress of those students with that of demographically matched students in nearby public schools. The report found that 17% of charter schools reported academic gains that were significantly better than traditional public schools; 46% showed no difference from public schools; and 37% were significantly worse than their traditional public school counterparts. The authors of the report considering this a "sobering" finding about the quality of charter schools in the U.S. (see

http://credo.stanford.edu/reports/MULTIPLE_CHOICE_CREDO.pdf accessed 4 June 2010).

98. The English version of charter schools is the Academy, a privately-operated government-funded school. The following entry on the Wikipedia page for Academy schools indicates considerable controversy attaches to them:

“Academies are considered to be controversial,^{[14][16][17][18][19]} and their existence has frequently been opposed and challenged by politicians,^[19] commentators,^[20] teachers and teachers' unions,^{[19][21]} and parents.^[11] Even after several years of operation and with a number of academies open and reporting successes,^{[14][21]} the programme continues to come under attack for creating schools that are, among other things, a waste of money,^[22] selective,^{[23][24]} damaging to the schools and communities around them,^[14] forced on parents who do not want them,^[11] and a move towards privatisation of education "by the back door".^[23]”

99. It is certainly relevant in the context of a discussion of other matters relevant to the publication of NAPLAN results on My School, and the subsequent creation of league tables, to note the failure of neo-liberal market-driven “choice” strategies in leading to educational improvement. The Australian government must take the responsibility for ensuring that the only legal right that Australians have in relation to education, namely the right to access a well-resourced, high quality public school in their own community, is protected and enriched. It must not shirk that responsibility by conning the parents of Australian children into thinking that they must compete against each other for access to quality education in the name of exercising “choice”.

100. Proposals to extend NAPLAN tests to Reception (Prep) age children are an additional “related matter”. This has been suggested by the CEO of ACARA Dr. Peter Hill and strongly hinted at as a preferred starting point for comparison of students in the Technical Paper available on the My School website. The latter document states: “The best way to compare the

academic performance of schools is to find groups of schools with students of similar abilities on commencing school. Unfortunately, no such measures of starting abilities are currently available nationally, so instead, attention focused on finding proxy measures that are highly correlated with student performance” (see

<http://www.myschool.edu.au/Resources/pdf/My%20School%20ICSEA%20TECHNICAL%20PAPER%2020091020.pdf> accessed 7 June 2010).

101. ACARA regards the ICSEA values as a “proxy measure” for “groups of schools with students of similar abilities on commencing school”. It is entirely consistent with this view that Dr Hill told the *Adelaide Advertiser* (see “Push to extend benchmark tests to reception” 12 March 2010) that he was “quite keen” to investigate extending the national literacy and numeracy tests (NAPLAN) to reception students. These are five year old students. The current tests begin at Year 3, when students are eight years old. We have seen that the Year 3 NAPLAN tests are forcing Year 2 teachers to “teach to the test” so that their students are “prepared” for testing the following year as Year 3 students. We have seen the Year 3 tests condemned as “ridiculously difficult” for Year 3 students (see “NAPLAN tests too hard, say education experts, *Advertiser*, 1 June 2010). We have seen widespread anxiety behavior exhibited by Year 3 students (absenteeism, bed-wetting, confusion and crying during the tests). Whilst some respond to this sort of article with ignorant calls for students to “stop whinging (*sic*) and toughen up”, many parents are clearly worried by the pressures placed on young children. One commented online to the article in question: “***gavan*** Posted at 8:02 AM June 01, 2010. Hear, hear. My daughter went through the year 3 exam and we had significant challenges in managing her stress levels both before and during the process. I find it very easy to believe children were experiencing high levels of anxiety. I strongly feel that this process needs to be reviewed, particularly at the year 3 level, as the level of damage this may cause to the child’s (*sic*) psyche has the potential to be long term. Congratulations to the teachers that made the effort to help their students through this process” (see <http://www.adelaidenow.com.au/news/south->

australia/naplan-tests-too-hard-say-education-experts/comments-e6frea83-1225873731389 accessed 7 June 2010).

102. To find the antecedent for such a development to our “uniquely Australian model” we need only revisit the Klein model in New York. The *New York Daily News* of 14 June 2004 reported that 20 percent of some 5,000 third-graders refused promotion to Grade 4 would have to sit third grade a third time. The situation compounded the following year when fourth graders were held to the new testing and promotions regime: 23,163 fourth graders or 30.1 percent, received letters mid-term warning they could be held back if their performances did not improve (see *New York Times*, 19 March 2005). Convinced that the problems of “poorly” performing Grade 3 and 4 students might be tied to performance in kindergarten and Grades 1 and 2, Klein encouraged New York’s elementary school principals to “join a yearlong pilot program with five testing options for kindergarten through second grade” (*New York Times*, 27 August 2008).

103. The logical result of a high stakes testing regime of public accountability, the introduction of kindergarten retention (i.e of students failing the kindergarten standardized tests not being promoted to Grade 1) has shown no marked educational improvements, but *has* successfully instilled in very young learners “slightly more negative attitudes towards school”. Here is an abstract of research into NAPLAN-type tests in US kindergartens: “Educational Practices and Problems: Effects of kindergarten retention at the end of first grade. Lorrie A. Shepard (University of Colorado-Boulder) and Mary Lee Smith (Arizona State University). **Abstract:** “The purpose of the study was to assess the effect of kindergarten retention on firstgrade achievement and adjustment. Forty children who had been retained in kindergarten were identified from schools that practiced kindergarten retention at a high rate. Control children were selected from schools matched on socioeconomic and achievement level, but that did not practice retention in kindergarten. Then, control children were selected individually to match retained children on sex, birthdate, socioeconomic level, second language, and beginning kindergarten readiness scores. The two groups, which were

equally young and unready at the start of kindergarten, were compared at the end of first grade on seven outcome measures; the retained children were then completing three years of school and the control children two. There were no differences between the retained and control children on teacher ratings of reading achievement, math achievement, social maturity, learner self-concept, or attention. The groups also did not differ in CTBS math scores; the only difference occurred on the CTBS reading test, where the retained group was one month ahead. Based on parent interview data, children who had spent an extra year before first grade were not much different from those deemed at risk but not retained, except that, on average, retained children had slightly more negative attitudes toward school. The study findings are consistent with other available research on transition programs that show no academic benefit for the extra year and, when examined, a negative impact on social-emotional outcomes” (see <http://www3.interscience.wiley.com/journal/112420244/abstract?CRETRY=1&SRETRY=0> accessed 7 June 2010).

104. In New York, more and more kindergartens are introducing “entry” tests under the guise of programs for gifted and talented children. “...in New York, it turns out that an awful lot is still determined by a child’s 5th birthday. Nearly every selective elementary school in the city, whether it’s public or private, requires standardized exams for kindergarten admission, some giving them so much weight they won’t even consider applicants who score below the top 3 percent” (see “The Junior Meritocracy” in the *New York Magazine* here: <http://nymag.com/news/features/63427/> accessed 7 June 2010).
105. Sadly, kindergarten pre-testing has become another arena of educational commercialisation. The *New York Times* wrote last year that “Test preparation has long been a big business catering to students taking SATs and admissions exams for law, medical and other graduate schools. But the new clientele is quite a bit younger: 3- and 4-year-olds whose parents hope that a little assistance — costing upward of \$1,000 for several sessions — will help

them win coveted spots in the city's gifted and talented public kindergarten classes. Motivated by a recession putting private schools out of reach and concern about the state of regular public education, parents — some wealthy, some not — are signing up at companies like Bright Kids NYC. Bright Kids, which opened this spring in the financial district, has some 200 students receiving tutoring, most of them for the gifted exams, for up to \$145 a session and 80 children on a waiting list for a weekend “boot camp” program” (see “Tips for the admissions test...to Kindergarten”, *New York Times*, 21 November 2009 here: http://www.nytimes.com/2009/11/21/nyregion/21testprep.html?_r=1 accessed 7 June 2010).

106. It may satisfy the ego of statisticians and further assist politicians to hand education over to the market place, but the AEU is firmly opposed to Dr. Hill's proposed extension of NAPLAN testing to kindergarten age children.
107. The value to a teacher's own professional development of having been a NAPLAN marker is a related matter. Several respondents to the AEU survey indicated that they had benefitted from the training and development and had found it informative. But one added the following caution about the reliability and consistency of the NAPLAN test results: “It also made me more aware of the margin of error that is possible and indeed acceptable when marking the writing test. Markers very rarely mark the same piece of writing with the same score throughout which can result in a student, depending on their marker, being unfairly 'graded'. The marking rubrics are a valuable teaching resource but cannot be used to compare students unless the marking is all done by one person.”
108. The final other related matter to which we refer is the need to protect teachers from allegations of cheating or “gaming” the test in a high stakes environment. Immediately after this year's NAPLAN tests, the first to have been conducted in the high stakes environment of the My School website,

allegations surfaced of a small number of teachers having engaged in practices designed to unfairly assist students during the tests. These alleged practices included leaking content of the tests to students and getting them to practice the writing genre task, of leaving posters containing material that assisted students on display in classrooms, of indicating to students that particular answers were wrong, and of altering tests results before they were returned to ACARA.

109. The phenomenon of teachers and school leaders succumbing to the pressure to “game” the results has been widely noted in the United States. As recently as 11 June 2010, the *New York Times* noted that “investigations in Georgia, Indiana, Massachusetts, Nevada, Virginia and elsewhere this year have pointed to cheating by educators. Experts say the phenomenon is increasing as the stakes of standardised testing ratchet higher – including, most recently, taking student progress on tests into consideration in teachers’ performance reviews” (see “Under pressure, teachers tamper with test scores”, *New York Times*, 11 June 2010). The Canberra-based Save Our Schools organisation has warned Australian authorities to expect similar behaviours once the NAPLAN tests became high stakes via the My School website (see for example, “US School Cheating Scandal Sends Warning on My School”, Monday February 15, 2010 here: <http://www.saveourschools.com.au/league-tables/us-school-cheating-scandal-sends-warning-on-my-school> accessed 8 June 2010).

110. The AEU does not in any way condone the holding of NAPLAN tests in a high stakes environment and calls for immediate protection of teachers from allegations of cheating. We support the call of the Save Our Schools organisation, namely, that “The stakes are now so high around NAPLAN and My School that the only real solution to stop cheating increasing is independent supervision of NAPLAN in all stages of the process. This means independent control over the test booklets before the tests, independent supervision of the tests and independent control over the test booklets after

the tests are completed” (see <http://www.saveourschools.com.au/league-tables/an-innovative-way-to-cheat-on-school-results> accessed 8 June 2010).

111. In conclusion, the SA Branch of the AEU rejects the use of NAPLAN results to make judgements about school performance, rejects any form of ranking or league tables of schools, and rejects the current ICSEA regression formula and the use of ICSEA values to group “statistically similar” schools. The AEU believes there is no evidence that NAPLAN has led to improved educational experiences or outcomes for students. Information about NAPLAN test results is already communicated to parents and this information has not been enhanced, but rather obscured and distorted by the publication of school NAPLAN results on My School. NAPLAN has not assisted in the professional development of teachers, and has not enhanced the scope, innovation or quality of teaching practice. Rather it has restricted teaching and student learning through intense pressure to “teach to the test” and has narrowed the curriculum. We believe that it is wrong to follow the discredited education policies of countries like the US and UK, and that labelling and blaming schools, and “empowering parents to exercise their choice of schooling”, is not an alternative to the funding of quality public education. We reject the commercialisation and marketisation of Australian schooling. The government must exercise its primary responsibility for the provision of high quality public education in each community’s local school.

Appendix: Gillard's "Best Practice" Mantra

"...our new transparency measures will use this information so that when we see great practice, great teachers, great school leadership, a school that's really making a difference we can celebrate that achievement and we can share that best practice... school by school, this information is vital to making sure we know where best practice is"

Gillard, Press conference, Brisbane, 19 Jan 2010

"...we are shining a light on excellence and best practice so that it can be shared"

Gillard, St Paul's College press conference 20 Jan 2010

"Our My School website...You can look at your own child's local school and really powerfully you can compare it to schools around the country that serve similar sorts of kids and that's going to enable us to identify best practice and share it."

"...what the website allows, we will see some schools are doing better for those kids, and the best practice in those schools can be shared."

Gillard, radio interview, 21 Jan 2010

.....

Quite apart from the question of why the "best practice" discovery process needs to be pursued on a government-supported website instead of through collaborative and peer-reviewed professional processes, there is a worrying aspect to the invocation of the "best practice" mantra.

That worry has been powerfully articulated in the health profession context by an article in the latest New York Review of Books (here for the whole article: <http://www.nybooks.com/articles/23590>).

Harvard University Chair of Medicine Dr Jerome Groopman examines the options available to the Obama administration in achieving the goals of its current health care legislation. They basically boil down to the choice between “best practice” being mandated or suggested.

He clearly favours the latter, and decries legislative mandate: “Doctors and hospitals that follow ‘best practices,’ as defined by government-approved standards, are to receive more money and favourable public assessments. Those who deviate from federal standards would suffer financial loss and would be designated as providers of poor care.”

He decries it because he has a problem with the concept of “best practice”: “Over the past decade, federal ‘choice architects’ – i.e. doctors and other experts acting for the government and making use of research on comparative effectiveness – have repeatedly identified ‘best practices,’ only to have them shown to be ineffective or even deleterious.”

He should know, because he self-critically includes examples of his own making amongst others showing how “best practice” has proven ineffective or backfired in medical application.

He says one of the reasons for the “repeated failures of expert panels to identify and validate ‘best practice’” is that they “did not distinguish between medical practices that can be standardized and not significantly altered by the condition of the individual patient, and those that must be adapted to a particular person.”

He adds that treatment is “too often inadequate” when we “impose a single ‘best practice’ on a complex malady”.

He goes on to identify three flaws in formulating “best practices”:

- “‘overconfidence bias’ by which we overestimate our ability to analyse information, make accurate estimates, and project outcome”.
- “‘confirmation bias’...the tendency to discount contradictory data, staying wedded to assumptions despite conflicting evidence”.
- “the ‘focussing illusion’ which occurs when, basing our predictions on a single change in the status quo, we mistakenly forecast dramatic effects on an overall condition”.

Is any of this relevant to the pursuit of “best practice” in an Australian educational context?

Gillard is wedded to the identification of “best practice” and its sharing with “underperforming” schools and teachers.

It is clear that her My School website with its so-called “rich information” enabling “comparative effectiveness” will be instrumental in the public identification of “best practice”. Yet the only performance measurements will be the NAPLAN (numeracy and literacy) results of Year 3, 5, 7 and 9 classes. These results will be “rich” because they will be contextualised with reference to school socio-economic data, student attendance figures, numbers of teachers and other staff. But even with this contextualisation, this “enrichment”, the NAPLAN results remain snapshots of only a part of what constitutes school effectiveness. They are not even good snapshots of what they purport to test – literacy and numeracy. For ease of marking they are mainly in the form of multiple choice questions, so students are not required to submit the processes that led them to arrive at a particular mathematical solution, nor are they required to explain or justify responses to reading stimuli. Multiple choice is easier and quicker (therefore cheaper) to mark, and lends itself easily to conversion into a NAPLAN score. There is a narrative or story writing component, but no opportunity for drafting or for discussion with a teacher on the finished piece. The task lacks ownership and authenticity.

Surely it is an “overconfidence bias” on the part of the Deputy Prime Minister that leads her to believe that such thin material as NAPLAN results will lead to the identification of “best practice”.

It is also clear that Gillard believes that “underperformance” by teachers and schools is the single most important obstacle to “every child in every school” getting a world class education. She has taken to quoting the work of New Zealander Prof. John Hattie whose research identifies teacher quality as “the single greatest in-school influence on student engagement and influence”. What she doesn’t point out is his important caveat that there may be more important out-of-school influences that he chose not to look at in his study: his book isn't about "what cannot be influenced in schools - thus critical discussions about class, poverty, resources in families, health in families, and nutrition are not included - this is NOT because they are unimportant, indeed they may be more important than many of the issues discussed in this book. It is just that I have not included these topics in my orbit.”

Thus Gillard may be said to suffer from what Gropman describes as the “Pygmalion complex”, and she manifests it with trite throwaways like “demography is not destiny...children from the poorest and most difficult backgrounds can learn and achieve and if they fail to do so, we the adults have let them down.” In this case, “we, the adults” are “underperforming teachers”.

Hence her “focussing illusion” of relying on a “single change in the status quo”, namely, teacher quality. Hence her quest for “best practices” to be imposed by “turnaround teams”, by Teach for Australia appointees, by the lure of six figure salaries for “best” teachers to go to “underperforming schools”. And, given that learning is often a complex process subject to multiple influences with some, as noted by Hattie, likely to be more important than teacher quality, is she not in danger of “confirmation bias”, preferring her own preconceptions to “conflicting evidence”?

To make matters worse, both Gillard and Rudd have clearly opted for mandated paths to “performance” improvement, with financial incentives on the one hand, and talk of replacing “underperforming” principals and senior staff on the other.

It is quite remarkable, in my experience, that teachers continue to have a thirst for professional development despite widespread cynicism – shared with many parents – about the mania of some decision-makers for following fads from overseas. Invariably these fads came dressed in the emperor’s clothes of “best practice”.

Generally teachers are indifferent to or hostile towards mandated professional development in departmental policies: they want quality professional development that helps them improve student learning outcomes, professional development that raises their proficiency as educational practitioners.

Gillard’s “best practice” mantra may seem to offer what teachers want – help to improve their practice – but her method of identifying it, her deficit view that equates poor student learning outcomes with teacher and school “performance”, and her intransigence and commandism all seem to indicate that she does not really understand a term – “best practice” - that is so prominent within her rhetoric.

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