

The effectiveness of the National Assessment Program - Literacy and Numeracy

Question on Notice - 16

From Senator Wright:

Regarding the issue of league tables being created from data on the My School site, I understand the data on the site is protected by copyright to prevent the creation of damaging and misleading league tables.

- a. Why does the Department believe that league tables are harmful?
- b. How many times has the government taken action against breaches?
- c. If this has occurred, please give information about the action taken.
- d. If none, why is this the case?
- e. The Australian newspaper published a series of league tables at the beginning of June 2013. What action has the Department taken or is contemplating taking?

ACARA Response:

- a. Commonwealth, state and territory ministers for education (via SCSEEC) publicly stated their opposition to the publication of simplistic league tables based on NAPLAN data (June 2009, July 2011) and their view that NAPLAN league tables are 'counterproductive and harmful to the educational purposes of schooling' (April 2012).

Simplistic league tables do not promote fair and balanced interpretation and representation of NAPLAN data. (*Principles and Protocols for reporting on schooling in Australia*, 2009). In contrast, *My School* data are published with considerable contextual information, including a school profile page and comparisons are made with schools that have similar characteristics, referenced through their ICSEA values.

- b. ACARA has used the terms and conditions of the *My School* website to successfully challenge three commercial entities that published league tables using NAPLAN data.
- c. ACARA did so through issuing letters of demand to the respective third parties.
- d. See b and c above.
- e. The terms and conditions of use on the *My School* website refer back to copyright and consumer protection legislation. Under both pieces of legislation there are relevant exemptions for media outlets such as *The Australian*. ACARA continues to work with media outlets such as *The Australian* and express its view that league tables are not productive. ACARA is not in a position to, nor does it seek to, forcibly suppress media reporting.