



Grapevine

CALL FOR MORATORIUM ON LEAGUE TABLES

The Australian Primary Principals' Association (APPA) wants a moratorium on publication of National Assessment Program – Literacy and Numeracy (NAPLAN) test results. APPA also wants the Commonwealth government to make good on its commitment to publish the level of funding received by schools. The Commonwealth government has committed to publishing national test results in 2010, but will not make school funding information available until 2011. APPA also wants the Commonwealth government to publish the margin of error of NAPLAN test results that would apply when comparing student and school results. According to APPA president Leonie Trimper, the Commonwealth government's decision to publish test results without making available information about funding levels and error margins would lead to unfair comparisons between schools. 'There are huge differences in resource allocation between some schools and this is a critical factor in assessing performance,' she said. 'We know from our research, *In the Balance*, that many schools with the greatest need receive less funding than other schools, with differences in funding of as much as \$10,000 per student among low socioeconomic status schools.' Queensland's *Courier Mail*, released school-by-school NAPLAN results on the same day APPA called for the moratorium, identifying Brisbane's Rainworth, Kenmore South, Hilder Road and Chapel Hill State Schools and Somerville House as the top five performing primary schools with more than 100 students.

LINKS: To download In the Balance, visit www.appa.asn.au

WHERE THERE'S SMOKE, THERE'S... SMOKE

A teacher in Malaysia forced a student to smoke 42 cigarettes for four hours as punishment after a cigarette was found in his locker, according to a news report in the

New Straits Times. As Mohamad Alif Arifin, a 16-year-old student at Sekolah Menengah Kebangsaan (Government Secondary School) Langkawi on Pulau Tuba, off the mainland coast of northwestern Malaysia, told Sharanpal Singh Randhawa of the *New Straits Times*, 'It went on for more than two hours. I was forced to smoke four cigarettes at a time until I finished 42 cigarettes.' Arifin told the teacher he hadn't known a cigarette was in his locker. The orphaned student was sent home to his aunt and uncle after the punishment. His aunt, Faridah Mat Zain, told Randhawa, 'The school told me he wasn't feeling well. He was coughing continuously and he was very quiet, but two days later I noticed his lips were swollen and got him to tell me what happened. He couldn't eat for five days.'

APPEALING

A long-running patent infringement case involving Blackboard and Desire2Learn, the two main competitors for course internet-based management software in the United States, is over, maybe. The US Court of Appeals for the Federal Circuit ruled in favour of the Canadian company Desire2Learn, invalidating Blackboard's 1999 US Patent No. 6,988,138 for its learning management software. The Federal Circuit judgement overturned a decision in the US District Court for the Eastern District of Texas last year that Desire2Learn had infringed parts 36 to 38 of Blackboard's patent, but not parts one to 35. According to Matt Small, Blackboard's chief business officer, in a prepared statement, 'The Federal Circuit's decision does not affect Blackboard's other patents or other efforts currently open in our effort to resolve the intellectual property disagreement we have with Desire2Learn. In fact, the issues raised by the Federal Circuit are not present in our other patents. Disputes like these have many steps and take a significant amount of time to resolve.' The Federal Circuit accepted Desire2Learn's argument that the disputed learning management software technology existed in 'prior art.' The decision means

Blackboard has lost a \$3.3 million patent judgement it won in 2008, but the juggernaut's revenue went up by 24 per cent anyway, from \$144 million for the 2007-08 financial year to \$178.6 million for 2008-09. Canada-based Smart Technologies, meanwhile, is still involved in a patent infringement lawsuit against New Zealand-based NextWindow with the US District Court for the Northern District of Illinois regarding its digital vision touch technology patents, which form the basis for the intellectual property licences behind Smart's technology portfolio. Smart is seeking damages and injunctive relief to prevent NextWindow from selling its alleged infringing products in the US. If you really want to do your head in, have a look at the Federal Circuit judgement at www.ca9c.uscourts.gov/opinions/08-1368.pdf

COMING SOON, TO A PHONE NEAR YOU

A new, and free, iPhone application that's just hit the United States is changing the shape of textbook retailing. The idea, from Bigwords, is to provide students with a price comparison engine using what it calls multi-item price optimisation software for textbooks, as well as DVDs and school supplies, straight to their iPhones. Students search by title or ISBN to build a book list, specifying new, secondhand or rental, in their virtual book bag. Bigwords then searches more than 30 different sources including the usual suspects, Amazon, Barnes & Noble, Half.com and TextbookX.com, for the best deal, including retailer discounts and freight costs. They can also sell their textbooks. Bigwords claims US students save an average of \$225 on average multi-item orders, up to 45 per cent cheaper than other online stores and 50 per cent cheaper than bookstores. So far, it's being pitched at university students, but there's no telling how long it'll take to hit the schools market in the US. Today America, tomorrow the world.

The Grapevine is written by Steve Holden, Editor of Teacher.