

Kaplan being sued over GRE copyright

by Sophie Leake

BURNABY, B.C. (CUP) — A storm is brewing between two companies over the computerized version of the Graduate Record Exam (GRE), and threatens to thwart students wishing to get into graduate school.

Educational Testing Services (ETS), the company which provides the exam is suing Kaplan, a test-preparation company.

The conflict started when Kaplan tried to recreate the exam and succeeded.

The ETS lawsuit alleges Kaplan's success was a violation of copyright and electronic communication laws.

Kaplan compiled its own version of the exam after sending 10 employees to take the computer version. The employees were then asked to remember as many questions as they could. Kaplan found it could predict the questions with a 70 per cent accuracy rate.

Bill Osborne, a Kaplan representative, said Kaplan did this after hearing student concerns that the exam is easy to remember and pass on.

Osborne said that the computer pool from which the computer draws to create each version of the exam is too small.

He said the company is concerned that someone may take advantage of the high level of repetition to sell

'computer GREs' to students.

"We launched our investigation so we could bring these concerns to ETS. We didn't share [the Kaplan version of] the exam with our students. Someone, though, is going to do it to profit and destroy the credibility of the GRE," Osborne said.

Jonathan Grayer, president and chief executive officer of Kaplan, said, "The lawsuit is a frivolous attempt to prevent third-party evaluation and criticism of ETS's exams."

Grayer said: "ETS is trying to divert attention away from the security flaws by shooting the messenger. But suing us doesn't stop the fact that the test is easily compromised. The suit is a monumental waste of time."

He added that Kaplan went to ETS with its security concerns, and that the only copy of the GRE it compiled is in a Price-Waterhouse vault.

But some people defend the ETS lawsuit.

"A good analogy here would be protecting money in the bank," said Vicky Glazar, a representative of Sylvan Learning Centre in Tsawwassen, B.C., which administers the computer exam.

"ETS had security systems in place to protect its money in the bank. Kaplan was like a robber that went in

with a bomb, exploded the bomb, and then went back to the bank to say, 'See, we told you your security wasn't good enough.'

With the lawsuit, "ETS is saying to the bank robber, 'You can't do that; it's illegal.'"

In the meantime, students seeking to enrol in graduate programs this year may face a logistical nightmare. Kaplan's Osborne alleges that ETS has severely curtailed the avail-

ability of the computerized GRE after his company brought its security concerns to ETS.

Osborne says that the computer-based GRE will only be available Feb. 2, 3 and 4, and March 9, 11 and 13. The next date for the more traditional pencil-and-paper exam is April 18, too late to be included with graduate applications for next year.

Kathleen Casporwitz, another Sylvan Learning Centre representative, disagrees with Osborne's dismal predictions.

Casporwitz said, "I don't know where Osborne is getting that [cuts to availability] from. You have to remember, Kaplan and Associates don't even deliver computer-based testing."

She said: "We are not going to be turning people away. That's the nice thing about computer-based testing — we can be very flexible."

Glazar said, "ETS is committed to offering the GRE at least one week per-month until June. Then the security thing will be reassessed. There will be full availability by the end of the year."

The GRE has been available on computer in Canada since September 1993. Kaplan says ETS plans to eliminate the traditional exam format in favour of complete computerization by 1997.

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"The GRE was available five days a week, four weeks a month. Now it will only be available for three days in February and three days in March. We're concerned that some students were counting on being able to take the test on the computers, and they won't be able to do it. Students need

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because it's not one that includes us," said Patterson.

Axworthy is scheduled to table his proposals when Parliament reconvenes Feb. 6. Many students fear

that once that happens, it will be too late to prevent them from becoming official policy.

"The key to getting these proposals defeated is to prevent them from

being tabled," said Brad Lavigne, a vice-president with the Concordia Graduate Students Association.

"Because if you look at the history of how legislation is affected in this country, there is only one example where once legislation is tabled it's been changed. [There are actually two: proposals for indexing old-age pensions in 1985 and the Mackenzie Pipeline in the late '70s]."

CFS chairperson Guy Caron says the CFS has obtained the support of 74 other organizations for the protest, including the Public Service Alliance of Canada, the Council of Canadians and several locals of the Canadian Union of Public Employees.

These three organizations and the Canadian Union of Postal Workers, the Canadian Labour Congress and the National Anti-Poverty Association signed a 'Statement of Solidarity' Jan. 12, in support of an accessible post-secondary education system in Canada.

And although one student association in Quebec, the Fédération étudiante universitaire du Québec (FEUQ), has set its strike day for Feb. 7, the organization says it still encourages its members to hold 'general assemblies' against the reforms on Jan. 25.

Still, FEUQ president François Rebello says the group will not encourage them to march Jan. 25.

"We chose [to march] Feb. 7 for a couple of reasons. First, the majority of CEGEPs open on Jan. 22 or 23. So if you have to organize something on Jan. 25, it's too late to do something with these colleges. Secondly, the Parliament at Ottawa opens on Feb. 6. So if you organize a big event before the opening of Parliament, it's like talking to someone who isn't there," Rebello said.

The CFS represents 425,000 students in 69 colleges and universities nationwide. Organizers hope that all student associations, whether members of the CFS or not, will participate in the Jan. 25 demonstration.

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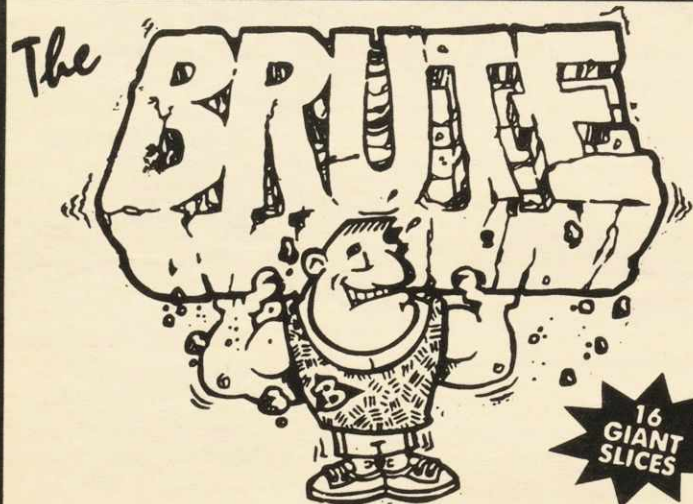
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