

Rights and Responsibilities of Test Takers: Employment Testing Issues¹

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I thank the Committee for the invitation to talk about the proposed declaration of rights and responsibilities of test takers in the context of employment testing. I shall do so, but I shall also consider some broader issues in the context of the *Standards for Educational and Psychological Testing* (Standards), which are currently being revised. Because some of this material may make its way into the revision of the *Joint Standards for Educational and Psychological Testing*, and because I am currently taking the lead in the Chapter on Rights and responsibilities, I shall be very interested in the proceedings of this conference.

On the whole, the proposed statement on the rights and responsibilities of test takers seems excellent, and the committee are to be commended on their work. It has been difficult to find flaws, but some omissions may be noted, and some change of emphasis may be needed. Keeping the number of rights and responsibilities small, and presenting them on one sheet is especially good. That presentation should be kept, even as we make suggestions for elaboration.

Rights

Tests are found in two quite different arenas in the workplace. Tests are regularly used in selecting persons to be hired, from among those applying for work. Tests are also used regularly, in licensure and certification, generically called credentialing. These two uses more or less parallel two major uses in education: educational admissions, and competency testing. Because these types of test are so different, some rights are quite different in these two types of testing whereas other rights are similar in both types.

Selection and admissions tests are norm-referenced; applicants are in competition for positions. A person's test score indicates how she or he stands in the reference population of applicants. The score's meaning is relative, indicating how much better or worse the candidate is than the other candidates. By contrast, in competency and credentialing, test takers are striving to exceed a standard; I shall call such testing mastery testing, although in the literature it goes by the name of criterion-referenced testing. The score on a mastery test is intended to indicate how much of a specified domain is mastered by the candidate. The referent is not other test takers, but is a certain domain of knowledge and skill, such as accounting, or law, or driving an automobile.

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Norm-referenced selection tests and mastery tests differ in the amount and nature of information needed in advance by the test taker. The job applicant and the credential seeker would both like to know something about the kinds of items to be asked, especially if there is a performance component. But applicants for a job, or for educational admission, do not need to know much detail about the test specifications. It is enough for the applicants to know that they will be tested on word knowledge and use, on reading, on arithmetic, math problem solving, etc.

On the other hand, the person seeking a credential needs detailed knowledge about the domain to be tested. The test taker needs advanced, detailed knowledge about the coverage of the test. Will the Certified Public Accountant examination cover tax law? Could the test for a driver's license include parallel parking?

Right #4 covers the topic of advanced information by saying that the test taker has a right to a *description of the test...* " In elaboration, the document offers only, *"You should receive information about.. the characteristics of the test ... (e.g., what kinds of questions are on the test ..)"* To be more explicit requires a differentiation of kinds of tests. I have distinguished between norm-referenced tests, and criterion-referenced mastery tests. A third large category is tests of typical performance (that is, personality and interest inventories.) For tests of typical performance, descriptions should be kept very global. Job applicants and educational aspirants need a general knowledge of test characteristics. Detailed statements about test coverage are crucial for mastery tests. Clearly the Committee seeks a single document that is applicable to all testing situations, but that may need some adjustment.

In addition to differences in how much the test taker needs to know before taking the test, there are differences in how much a test taker needs to know after taking the test. The applicant probably doesn't need much detailed information about how they did on various types of questions. Their main concern is where they stand. Their overriding question is, "How did I do?" If the test has subscores for different parts, it might be useful for the applicant to know about relative performance on the different parts, in general terms, but detailed information won't help much. Moreover the tests are not designed to diagnose difficulties.

Credentialing is quite different. Here, information about how you did, if you failed the test, would be critical. Often, the only information available is the scores the test taker received on various parts of the total test. In fact, how you did if you passed the test would also be informative. I very nearly failed the driving test in California. I hadn't realized that on the streets of Santa Monica, at intersections, the right hand parking lane became the right turn lane, and I had not gotten over, before turning right, which had my test administrator looking slightly green around the gills.

The person who takes a personality or interest inventory needs an interpretation of their test performance. There is little meaning to the question, "How did I do?" Moreover, usually won't do the test taker much good. An interpretation is required.

With respect to test results, Right #8 says, "You have the right to have any test results that are explained to you done so in terms that are understandable to you as soon as possible after taking the test." The further elaboration admirably reflects the different needs arising from the different kinds of testing. It seems to me that Right #4 could be modified to reflect the different test types, just as Right #8 has done.

Before leaving rights, there is one further right that might be included in the discussion of Right #4 about the test taker's knowledge of the characteristics of the test. If specialized equipment is to be used in the testing process, the test-taker should receive directions and practice in using the equipment, unless it is clearly understood that knowledge of the equipment is part of the knowledge tested. Thus a dentist has to know how to use a drill, and should not need practice on the day of the licensing test. But, persons who will be taking a computer-administered test may need practice with the equipment. Even if test takers are familiar with the use of computers, the particular rules of usage for the computer-administered test need explaining. The test taker needs to know how to respond, how to review, and how to change answers, if reviewing and altering are allowed. If the test is timed, they need to know how to tell how much time is left, and so on.

Moreover, the practice should be forced on the test taker. That is, I believe that the test taker has the right to be forced to practice on the equipment. As you know, many educational applicants are quite self-confident. Those taking the Graduate Record Examination are supremely self-confident. They have, for the most part, gotten through high school and college without doing much work, and thus feel that they are ready for any intellectual challenge. They are in for a big surprise when they get to graduate school, but they don't know that yet. Many years ago, the GRE Board did some experiments on test taker use of the information bulletin sent to all registered test takers. They found that many applicants did not read the bulletin, and that those who did read it got higher scores than those who didn't.

Even the computer whiz kids need practice on the equipment. They, most of all, seem to be allergic to reading directions. When I asked a whiz kid among our graduate students how to find out about using the internet, he said, "The best thing is just to play around with it." I suppose like a game of dungeons and dragons. I hate that game. So the computer-based test must begin with some "playing around" time, until the test taker demonstrates that they know what they are doing.

One more piece of information to which test takers may or may not have a right, has to do with scrutiny of test responses. How much, if anything, should the test taker know about the possibility of special scrutiny of their test responses, to check for internal evidence of lack of honesty in responding. The scrutiny of their test responses may extend to a comparison with records of earlier test responses. It seems appropriate to inform the test takers that there may be some special study of their responses, without explaining specifically what form that scrutiny may take. Certainly, those who take the MMPI should not be told that the MMPI has a lie scale. On the other hand, they might be told that their responses may be analyzed in comparison with other responses.

Checking on cheaters is an aspect of fairness. I am a devoted fan of "Car Talk", the public radio call-in program about car problems hosted by "Click and Clack, the Tappet Brothers". They offered one of their "puzzlers" a few weeks ago about two undergraduates who went out on the town the night before a final exam in economics. They got home so late, and in such a state that they awoke late, with awful hangovers, and they missed the exam. They went to the professor with a sad tale about getting a flat tire on the way to the exam, and consequently not being able to arrive on time. The professor agreed to give them a special make-up exam. He put them in separate rooms. The exam had one question about the subject, worth 5%. The other question was worth 95%. The Car Talk puzzler was, "What was that question?" Not to waste time, that question was, ""Which tire?"

Responsibilities

Turning to the responsibility side, all of the responsibilities are reasonable. Of course, the test takers have a responsibility to themselves to prepare themselves for the test, but that would seem to be implicit in the testing situation, and some might even argue that it is in some subtle way, a part of the test. -

There is one additional responsibility that might be considered, and I have wondered about the thinking of the Committee on this point: the responsibility not to disclose test content to other persons. Actually, disclosing the general nature of the test, and the general content of the test would be acceptable; such information is widely available to anyone. But disclosing the details of particular questions is inappropriate. It is in the best interests of the candidate not to disclose anything that could give an unfair advantage to others, with whom he or she might be in competition. Perhaps the way to phrase it is that the test taker has the responsibility to respect the copyright provisions of the test by not disclosing any of the questions on the test to any other person.

Standards

I will close with the most important issue, which was brought home by an experience I had earlier this week. I testified before a Senate subcommittee hearing on the Immigration and Naturalization (INS) Service testing of applicants for U. S. Citizenship. The law states that one qualification for citizenship is "...an understanding of the English language, including an ability to read, write, and speak words in ordinary usage in the English language, ..." and "a knowledge and understanding of the history, and of the principles and form of government, of the United States." I testified in favor of such testing meeting our Standards. Part of the hearing included charges of political pressure, and of security breaches, which were fascinating but irrelevant to us. From the spotty information about testing given at the session, I got the impression that the testing is far from standardized. Indeed, I inferred that tests are developed and given by different organizations in different parts of the country, and I strongly doubt that any of these organizations ever heard of our Standards. In the face of such a situation, all of our fine-tuning of the Standards, and all of our lists of rights and responsibilities seem secondary.

The fundamental fight is the right to fair and equitable treatment, and the fight to be tested with tests that meet the Standards.

Right #3 now says "[as a test-taker, you have the right to] be tested with measures appropriate for you, given the manner in which the test results will be used " The elaboration of Right #3, Section 3b, say: "You are entitled to be tested using measures that meet professional standards and to be tested using a measure that is current, unless there is a reason to use a more dated instrument. "

I would strongly urge that the first part of 3b be elevated to primary status. Right #3 should be the right to "Be tested using measures that meet professional standards."

If it desired to maintain the number of rights at ten, then there are several ways to rearrange the remaining rights. One way would be to leave the current #3 intact, although with a new number, and repair the elaboration, part of which has become a right all by itself. Then, make #6 into an elaboration of #3. #6 is the right to *Have your tests administered and your test results interpreted by appropriately trained individuals*. That is surely a right, but it may well be a part of being tested by a test that meets professional standards. Presumably there have been many discussions of which things are most important, and I do not mean to go against any of that discussion except in this one matter. Being tested by a test that meets the Standards should be a major right, on its own. I do not suggest that the other rights are not important, but in the world outside APA, AERA and NCME there are some remarkably sloppy practices that must be met head-on. We need to urge *The Rights and Responsibilities of Test-Takers*, as well as the *Standards*, on outside organizations, and in doing so we need to maintain a perspective that can get lost when talking among ourselves.

Summary

1. Insert, as Right #3: "Be tested using measures that meet professional standards." Rearrange the remaining rights and their elaboration to maintain balance, and if necessary, to keep the number to ten.
2. Modify Right # 4, about what the test takers should be told about test content.
3. Modify Right 5, or in some other way, include the notion that in a computer-based environment, the test taker has the right to some simple practice on the equipment.
4. Tentatively, the test taker may have a right to know about scrutiny of responses
5. Tentatively, the test taker has the responsibility to honor the test copyright.