

have them to do their jobs properly; parents, children and taxpayers in general also need them and have a right to them as citizens and as consumers.

That right is threatened by the provision for the blanket disclosure of test questions. Good intentions notwithstanding, such provisions are dangerous because they severely undercut the key method used to maintain constant standards. This method is known as equating and it involves including samples of previously used test questions on each new version of a test to make sure that each new edition of the test is no easier or no harder than the old ones. Different tests require different methods of equating and the restrictive provisions of these laws may make constant equating difficult if not impossible for some tests. This is a very serious matter. Any insistence on the disclosure of all or more test questions after each test administration necessarily and inevitably jeopardizes test constancy and the essential educational truths it permits us to see.

We are aware that some test-producers have promised to try to maintain test constancy in spite of these blanket disclosure requirements, but we find these vague promises totally unsatisfactory. We would also question their ability to produce an endless series of quality tests with all new questions in every single edition. We doubt that the testing agencies can or will maintain test constancy given the factual circumstances confronting them.

Quality tests

There is another consideration that must be raised here, the issue of quality. Once the process of test development is speeded up, and at the same time each test is subject to the rigorous scrutiny of test critics, I believe that the quality level of the tests will also be subject to dangerous fluctuation. Some will argue that particular items are inappropriate for a given region of the country, or a particular sex group, or a particular ethnic group, or for people who live in rural areas, ad infinitum. I believe that particularist groups will argue for items peculiar to their own experience or orientation and this will have the effect of eroding a common quality standard.

Too much Federal control

This legislation's potential effect on test quality and constant standards are the most compelling arguments against it, but there are others well worth noting. Why should the requirements it outlines be a matter for the federal government? Do we really want the federal government to determine that "no educational or occupational admissions test which tests knowledge or achievement (rather than aptitude) shall be graded (for purposes of determining the score required to pass the test for admission) on the basis of the relative distribution of scores of other tests subjects." (H.R. 3564)? Do we really want the federal government defining admissions standards in such detail? Besides, what is wrong with evaluating comparative performance, and selecting the most competitive candidates?

I have predicted that the creation of a new and separate bureaucracy for education at the federal level will bring increased federal intrusion into educational matters that are more appropriately decided by individual states, school districts and universities. I cannot help noticing that many supporters of this intrusive legislation are also among those who advocated that separate Department of Education, and who are waging a campaign against testing.

I opposed the creation of a national test when it was proposed by Admiral Hyman Rickover two years ago, and I oppose federal government regulation of tests today for many of the same reasons. The reports required of test publishers and of the Commissioner of Education by this legislation actually amount to a series of federally mandated conclusions about the effects of the tests given. These requirements are virtually designed to produce conclusions that will amount to national verdicts on tests, and I view this as one step short of granting the federal government the authority to approve some tests and not others—in effect, to nationally control tests.

Why, for example, should each testing agency provide a comparison of the average score and percentiles of test subjects by major income groups only, unless the legislation's authors think this is the only meaningful set of relationships for test publishers to look at?

Why should the Commissioner report to Congress on the relationship between the scores of test-takers and income, race, sex, ethnic and handicapped status only, unless it is assumed that these are the only meaningful sets of relationships he and the Congress both should look at?

These kinds of provisions in the law amount to the legislation of a particular research methodology. Why not look at test scores as related to family size, for example, or class size, or school size, or family composition, or number of books in the home, or any of the many other variables researchers suspect may relate to test

performance? Should federal legislation insist that a federal official view limited data in a limited way? Obviously the answer is, no. These types of provisions are extremely dangerous. They are precisely why we should be very cautious about legislating in this area.

Cost, availability, and other arguments

There are other arguments which must be considered, many of which have already been presented to this committee:

The cost of test development, and ultimately to students will inevitably go up. Should the application of disclosure requirements be made to employment testing and oral examinations, as is provided for in H.R. 3564, the cost to government and to private industry would magnify as well.

The number of times a test is offered will inevitably go down as a result of cost factors.

While some in New York—ourselves included—had a tendency to dismiss these arguments as simply the contrived opposition of the testing industry, their validity must be given some weight when we now see that test publishers are voting with their feet by deciding not to administer some tests in the state and not to forward test results to New York Colleges and Universities.

The federal government does not require what this legislation would require for its own civil service examinations and armed services examinations. In fact, its testing records are specifically protected from disclosure. Since this legislation has clear implications for existing government policies their apparent inconsistencies should be thoroughly examined.

While the intentions of this legislation's authors are good, I do not believe that the ramifications of the enactment of either of these bills has been adequately thought through. I welcome the discussion that has surrounded them as a great contribution to education of the public and educators on the subject, including that of my own organization. But, after reviewing criticisms that have been made of this legislation by others, and after witnessing the initial confusion that is accompanying the enactment of similar legislation in New York, I am convinced that federal legislation of this type would be dangerously premature. My concern for the preservation of test quality and constant standards, and my fears regarding a drastically altered federal role in education are behind my recommendations to you to delay quick consideration of these measures until all of their potential hazards have been thoroughly reviewed.

STATEMENT OF ALBERT SHANKER, PRESIDENT, AMERICAN FEDERATION OF TEACHERS, AFL-CIO; DR. GEORGE JACKSON, NATIONAL ASSOCIATION OF BLACK PSYCHOLOGISTS, ACCOMPANIED BY ALVIS ADAIR; DR. D. KAY CLAWSON, DEAN, COLLEGE OF MEDICINE, UNIVERSITY OF KENTUCKY; DAVID GASTFRIEND, CHAIRMAN, MEDICAL EDUCATION COMMITTEE, AMERICAN MEDICAL STUDENTS ASSOCIATION; DR. LLOYD BOND, RESEARCH ASSOCIATE, LEARNING RESEARCH & DEVELOPMENT CENTER, UNIVERSITY OF PITTSBURGH; KENNETH DREXELER, PRESIDENT, STUDENT GOVERNMENT, NORTH SENIOR HIGH SCHOOL, GREAT NECK, N.Y.; DR. CLARK R. CAHOW, ASSOCIATE PROFESSOR, HISTORY AND ASSISTANT PROVOST, DUKE UNIVERSITY, CONSORTIUM ON FINANCING HIGHER EDUCATION; WILLIAM GEER, JR., PRINCIPAL, FRANCES W. PARKER SCHOOL, CHICAGO, ILL.

STATEMENT OF ALBERT SHANKER, PRESIDENT, AMERICAN FEDERATION OF TEACHERS, AFL-CIO

Mr. SHANKER. Thank you very much for this opportunity to be here and testify on this important matter.

I am Albert Shanker. I represent the American Federation of Teachers, which has over 500,000 members in elementary, secondary, and higher education.

We are very much concerned with the issues which have been raised around this proposed legislation. In hearing some of the testimony this morning, I am reminded of something which came up a few years ago when Sidney Marland was U.S. Commissioner of Education.

I remember at that time the Office of Education proposed to invest some money in a school district in Brooklyn which would develop a new set of tests which would be normed in such a way that the students in that particular district which chose the same range of distribution as students did nationally.

This was a district which had great educational problems. The students were not achieving as well as the norms. It was a district with heavy minority concentrations.

What I found was very interesting in that situation was when the Commissioner proposed that such a test be created, there was an outcry from the parents of children in that community who came down to Washington and said, "We don't want a test that is going to tell us that our children are doing as well as other children when we know that they are not."

Finally that project was abandoned. I would be happy to go back into the archives of the Washington Post and the New York Times to pull out those clippings and to see how rapidly a government ventured into the testing business for a few weeks, how quickly it got out. It was driven out, I am sure, by the very people that some of the people in the Office of Education thought they were going to appeal to and help.

Before we get into a few of the specifics here, I have submitted written testimony, which I am not going to read. I will just make a few points.

I believe that someone is misreading the current American temper. I do not think that the No. 1, or 2, or 3, or 5 items on the minds of the American people is a whole list of complaints against tests.

I think most people out there think that they took tests, and most of them never thought that the tests were not fair, or they were biased. When they did well on the tests, they knew the tests were good. When they flunked them, they thought that they hadn't prepared themselves.

Most people still think that way, that it is a very, very small group of people in this country who have developed this sophistication about what it is the tests measure, don't measure, and what the difficulties are.

The big public concern in the country today is not with the problems of testing. It is with the declining standards, and everywhere you go, whether it is local or national or at the State level, there is a demand for a greater use of objective tests.

There are problems with that, we know, but I think that that context is very important, that we are considering here developing a cure for a disease which most people don't recognize.

As a matter of fact, the cure for the disease that we are working on is likely to create problems in terms of achieving what the public wants to achieve, which is a tightening of standards and a raising of standards.

If you create confusion in administration of tests and everything else at a very time when you are trying to improve standards and tightening up, you start raising questions about this test and how much additional work has to be done and what it means, and so forth.

You begin a long process of changing the measuring instrument and you will have a public out there that is going to believe that the reason we are changing the measuring instrument at the very time when scores are going down is because we don't want them to know what the results are.

I do not believe that we have a public in this country that is going to spend billions of dollars for education, elementary, secondary, and higher education, and deprive itself of information as to whether that money is buying anything, and whether we are getting better or worse from time to time in terms of the delivery of that service.

So I hope that the points I raise are taken in that context of what I believe is a concern.

I happen to agree with that concern. I think it is important before we go into all the negatives of testing that there are some positive things, positives that may be destroyed. If others get into this active business of bringing about some major modifications—and let me start with one very clear and simple one.

The existence of tests pretty much the same tests which are given over a long period of time creates one of the few reliable pieces of knowledge we have in our society about how well our schools and our students are doing.

The interesting thing when the SAT scores declined, you did not have a bunch of people saying they didn't really decline. They are measuring something.

The tests have changed. Every expert in the country who looked at those said yes, there is no way you can deny it. There are things that students were able to do x years ago that they are not able to do now. I wish the scores had gone up.

I wish we didn't have the bad news, but we have very little reliable information in the field of education. As all of you know, you propose almost anything and you will get a whole bunch of people here interpreting one thing or another.

It is very good to have a piece of legislation that no one has contested; namely, that whatever those tests measure students are not doing as well as they once did. It is important to have that.

I think secondly those tests are used as one piece of information and evidence as to whether or not students should be admitted into certain colleges or into programs or in terms of one piece of legislation, perhaps in terms of employment relationships, et cetera.

I don't know of anyone who has come forward and said the only evidence that has been used is an objective test. It is one piece of evidence, and I will submit that my experience as a teacher, not in higher education, but in elementary and secondary, that for every time a test was used to classify a student, and perhaps deny him some opportunity, I would submit that my experience is that it worked 20 to 1 the other way, that if you had a student who did not test well but who responded well in class and who did well on the work and everything well, the tendency of the teacher or the

institution was to question the validity of the test because you had the evidence of the student's performance right in front of you.

On the other hand, if you had a student who was not doing particularly well but the test showed that that student supposedly had great ability, you started working on that student and sit down with the student and say, "This test shows you are really very able and you are not doing as well as you should."

You talk to the parents and we have to give them help and provide outreach, guidance, so forth.

Now, I think that what we are caught in here is a conflict between what I think is the overwhelming pressure of the American public now to use tests more and to tighten up against a coalition of forces.

Some of it is part of a very good consumer movement but you have to go very carefully and make sure you are not destroying old values with the new ones you are trying to create.

But also there is a movement in this country that is kind of naive that believes if you get rid of the tests you automatically create quality.

If you get rid of the yardstick, everything is equal, and I am not making that up. I have been in major national debates here in the Capitol sponsored by the National Institute of Education and others where prominent organizational leaders stood up and said tests rank people, so that somebody is first and somebody is second and somebody is third. That makes people unhappy, et cetera.

I would say that we ought to be rather careful that we are not overresponding to the views of I think, very small groups that believe that achievement should not be a purpose in the schools, that the schools are designed for happiness or for play or for pleasure or for all sorts of other things.

I certainly think we should try to make those in our institutions happy and try to make learning as pleasant as possible. But we ought to keep our eye on what schools are about and what education is about. Achievement, of course, is a main part of it.

Now, it is our belief that a program which would require the kind of disclosure which is being proposed here will destroy the knowledge base that now exists. If you keep creating new tests each time because you can't give the one that was given last time because you had to release it, you are not going to be able to tell the public 10 years from now whether the SAT's went up or down because it will be a different test each time.

We think that is a very big price to pay, and we ought to think long and hard before paying that price.

We are impressed with the evidence that making up new tests constantly will substantially increase the costs.

We are impressed with the evidence that as these tests are opened up and made public, that we will definitely further the industry of cram courses and that we will in a sense be determining the curriculum of many of our schools by making the passage of these tests the major subject of study for quite a period of time.

I would say that it is certainly open to question whether any of these things are going to help the rich or the poor. I don't think the evidence is in, and anyone who is going to support this on the basis

that they know what the answer is, I think they are developing answers which are not there yet.

Now, just a point on this question of the way these tests are supposed to be reported in terms of race, in terms of ethnicity, in terms of sex, income, and so forth.

If you are going to have a research program, I would agree with Dr. Howe, who just spoke about the dangers of that, and associate myself with the remarks of Congressman Ford.

If you want to conduct research into what it is that makes students not do as well, you ought to find out how often these students move from one school to another, while they are with the elementary school and secondary school, what the psychological and social services were in the community, you might throw in something about the medical care they received and the question of how many hours a week they watch television.

If we are going to do some of the research, let's do some research. But I am very worried that in deciding that these are going to be reported on an ethnic basis, for example, that we are really determining something.

We are really saying that if year after year given ethnic groups do poorly on certain questions, therefore those questions must be culturally biased and must be thrown out. That was one of the debates I had with Dr. Marland when he was Commissioner of Education.

What we are going to do is get the companies and testing outfits to keep throwing out those questions which tend to separate. Some do better, others do worse, et cetera.

I think it is kind of a nonsensical approach. It may very well be the questions of simple arithmetic or questions in the use of the language in a sophisticated way, that these skills because of past discrimination and recent entry into the country, language difficulties and so forth are not equally distributed at the present time, but that does not mean that they are not valid questions to ask.

If we go through this process of getting rid of these questions, what we are really doing is destroying standards and an adequate testing program and really politicizing it. We will end up, I think, the public is not going to lose faith in testing because of this. They will lose faith in government and lose faith in education because they are not going to believe that we are maintaining the standards that they want.

I want to finally point to what is happening in New York State, that testing publishers have made a decision there not to give certain tests, not to provide results within that State.

There are already members of the legislature in the State who are rethinking legislation and there may very well be some changes there. I will stop at this point just saying that I am not ready to say that there are never under any circumstances, that we should absolutely stay away from any legislation.

I think it might very well be that after lengthy study on this that there is some greater scrutiny to which these tests can be subjected, but I don't like the rush. The issues are very complex and the consequences are pretty serious, if we make a wrong mistake.

I would hate to sit here with a list of actions which have been taken in recent years by the Congress in the name of advocacy and consumerism which boomeranged with all the unanticipated consequences that are sitting there.

There are as many unanticipated consequences as in any of these other fields, so I am here to urge that you couldn't look at this and move very slowly.

Mr. PEYSER. Thank you, Mr. Shanker, for your testimony.

The way we are going to proceed is to go through the panel and then the member will have an opportunity of questioning.

The next witness is Dr. George Jackson, National Association of Black Psychologists.

Dr. Jackson?

STATEMENT OF DR. GEORGE JACKSON, NATIONAL ASSOCIATION OF BLACK PSYCHOLOGISTS, ACCOMPANIED BY ALVIS ADAIR

Dr. JACKSON. My name is Dr. George Jackson, National Association of Black Psychologists, 1417 16th Street, NW., Washington, D.C. I speak for the association. I am a professor at Howard University.

At the school of social work where I am currently a professor—excuse me, Dr. Adair is also with me from the association and will be among the persons who will answer questions, if there are any, for us.

At the school of social work we turn out approximately 125 students a year with MSW's. We refuse to use standardized testing as a means of looking at our students. Our students we would stack up against any group of students throughout the country.

One of the reasons, many of the reasons why we are successful in what we do is because we do not countenance falsehood.

It is our contention that to suggest that the standardized tests are able to measure the aptitude of an individual, the aptitude of an individual, even as a partial predictor, even as a partial predictor, is a fallacy.

We believe that it is time for the Federal Government to move into the arena because the test companies have been recalcitrant. They have not behaved as honest scholars. Indeed, they have attempted to place within the marketplace insidious comparisons based on false assumptions.

The Association of Black Psychologists in 1969 decided to call for a moratorium on the testing of oppressed people in this country. It was not a response to those individuals who said that black people were inferior.

What we were addressing is the inherent nature of the tests itself. It was our contention that—and it is our contention now—psychometry in its current condition cannot and does not measure what it purports to measure.

If you are talking about prediction, which is what SAT, GRE say they are talking about, measure an aptitude which they are then able to predict from, if you are talking about prediction, it is incumbent upon the person who has a theoretical formulation for

doing this to demonstrate not only prediction but a logical relationship between the predictor and the criteria.

You can use any variable as a predictor—skin color, hair color, union membership, et cetera—in terms of how people behave. So it is incumbent to talk about not only prediction but also to talk in terms of the logical relationships.

If we talk in terms of prediction, and we use multiple equation, as you enter more predictors into the equation each of your components decreases in its predictability.

If you are talking about using correlations for cause and effect or relationships because of a statistic called the coefficient of alienation which uses the standard deviation and square root of your variables.

You need to have over a 0.90 correlation before you can talk about any significant degree of variance which is describable. It being describable to your predictors under consideration, or as we put forth in 1969, there is an issue of what we call the moderating variable which suggests that when you make correlations between, say, test scores and GPA in racist institutions, such as are all over this country, that you may be talking about not only a correlation which is high because the two variables are related but because there is a third variable, a moderating variable, a racist curriculum.

These and other things are what led us in 1969 to call for a moratorium for testing the disadvantaged. I will not go through the whole list of considerations.

I would remind you again that we also suggest that the assumption of the norm curve as a measurable, as a measure of continuous variables of ability across ethnic groups, we regard as a fallacy.

So at the very least it seems to me if companies are compelled to place their questions on the table annually, it will foster. It will compel a new technology within the psychometry industry, and possibly we might then through being able to get feedback and knowing what the instrument is, maybe eventually they will stop developing what might possibly be called the achievement test, which they are not either, instead of aptitude tests.

Some years ago, many years ago, in fact, the New Jersey Commission for the Blind made it essential for a blind person to take the SAT and to score at some level. I don't know what, in order to get a scholarship to pay for blind persons' tuition, and so on.

I don't know how it happened, but somehow I was 2 years in the university and suddenly someone noticed that I hadn't taken the SAT, and they called me up and said you have to come in and take the SAT in order to get a continuation of your scholarship.

I was getting all A's at that time, excepting in religion, and went down to take this test, which I later learned I flunked, so there I was moving into my junior year in college, full scholarship, A average, and they were telling me the only thing we can let you do is take the test over again.

I asked, "What am I going to do?" I was told, "Well, we don't know." I said, "What can I study?" They said, "We have a Braille booklet we will send you which gives you some sample items, but we can't tell you what to do," so I did nothing.