

## **ILTA Code of Ethics and beyond**

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### **1. The need for ethical practice**

Tests are often the basis for high-stakes decision-making; Testing may involve vulnerable and disempowered participants; Testing generates sensitive personal data; Testing professionals need guidance for practice in real world situations

### **2. Current trends and practices**

Professionalization of the field of language assessment; Increase in the use of language assessments and types of delivery methods; Demand for accountability and responsiveness to clients; Influence from concepts such as validity and fairness; Use of new measurement and other analytical techniques

### **3. How to create an ethical milieu?**

#### *a. Standards and Codes*

Code of Testing Practices in Education (Joint Code, 1988)

ALTE Code of Practice (1994; based on Joint Code, 1988)

ILTA Task Force on Testing Standards (1995)

APA, AERA, NCME Standards (1999)

ILTA Code of Ethics (2000)

ALTE Principles of Good Practice for ALTE examinations (2001)

ALTE Quality Management System (2003)

JLTA Draft Code of Practice (2003)

Code of Fair Testing Practices in Education (2004)

ILTA Draft Code of Practice (2006)

#### **b. Understanding the literature in ethics and moral philosophy**

#### **c. Training to strengthen professional ethics**

### **4. Tensions in the development of ethical codes 1**

#### **a. Universalist or Kantian approach** (one set of codes for all based on principles):

“Language testers ought to have respect for the humanity and dignity of each test taker” (ILTA CoE, Principle 1); “Language testers shall not allow the misuse of their professional knowledge or skills, in so far as they able” (ibdi, Principle 4)

#### **b. Consequentialist approach** (approach based on consequences or utility):

Oral proficiency tests for employment in tape-mediated delivery is acceptable (as opposed to face to face); If two human raters are not available, one rater is acceptable (if one rater is highly trained)

#### **c. Virtue-based approach**

#### **c. Mixture of a & b approaches**

### **5. Tensions in the development of ethical codes 2**

#### **a. General principles (CoE) vs. Guidelines for practice (CoP)**

#### **b. Legalistic or Enforcement vs. Advisory provisions**

**6. The Way forward:** Develop a casebook for language assessment professionals (using the experience of ALTE members) through case vignettes

### 7. Conclusion

No one should suppose it could ever be possible to devise a set of rules or laws to provide us with the answer to every ethical dilemma, even if we were to accept religion as the basis of morality. Such a formulaic approach could never hope to capture the richness and diversity of human experience. It would also give grounds for arguing that we are responsible only to the letter of those laws, rather than for our actions. (Dalia Lama, 1999, p. 27)

In sum, principles of ethical conduct will need to be developed through a “discourse ethic” developed by reasoned agreement (see Habermas, 1982, for more on this view).

### Case Vignettes from Kunnan and Davidson (2003)

#### Scenario 1: “*The last test was not well designed*”

Bellare University decided to develop its own Test of English, the medium of instruction at the university, for all its applicants for admission. The Dean of Graduate Studies assembled the English teaching faculty and asked them to develop an appropriate test in three weeks that was no more than two hours long and required only 10 minutes to grade. The faculty members were not happy about the timeline and the constraints and they aired their concerns but the Dean was very clear – the test had to be ready in three weeks and designed within the constraints mentioned.

The faculty members went about their task quickly. They designed a two-hour test that involved different language abilities; they experimented with new response formats; and the tasks required test takers to use English in a communicative way. Before they got around to designing scoring guidelines for these tasks, however, the three-week time limit was up. The faculty members went to the Dean and expressed their difficulty. The Dean was happy that the test was ready even though the scoring guidelines were not. The test was used the following week with the graders given 10 minutes to grade each paper although the graders had no uniform criteria for failure and success.

When the results were ready, the Dean set an arbitrary passing cut-score of 90% and therefore only 10% of the test takers ‘passed’ the test and were admitted to the University. But within the few weeks, faculty members started to complain that many students in the classes were not able to follow the lectures and instructions, read the textbooks and answer questions, and work on assignments and present project reports. The Dean then called the faculty and said, “The last test was not well designed; I’ll give you another three weeks to design a new test. I want a better test on my desk but once again the test has to be only 2 hours long and take only 10 minutes to grade.”

### References

- Dalia Lama (1999). *Ethics for a New Millenium*. New York: Riverhead Books.  
 Habermas, J. (1982). *Discourse Ethics*. New York: Heinemann.  
 Kunnan, A. J. & F. Davidson (2003). Situated Ethics in Language Assessment. In D. Douglas, (Ed.) *English Language Testing in U.S. Colleges and Universities* (pp. 115-132). Washington, D.C.: NAFSA