Federal government and private industry at odds over Department of Labor website and proposed career information products

Welcome to America's Career InfoNet is the greeting millions of Americans receive when they tap into the Department of Labor's Website located at www.acinet.org. But to hundreds of companies in the business of delivering career information to American job seekers -- "them's fightin' words".

For more than fifty years the Department of Labor ("DOL") provided labor projections, demand and wage information and made accessible to the public occupational handbooks and directories. Private industry took this information and delivered it to consumers in the form of assessments, counseling services, special publications and, in recent decades, computer software programs, videos and other more consumer friendly vehicles.

"The federal government created an entire industry -- and only now, when technology has made it possible for DOL to deliver this information directly to consumers without expensive software programs, they have chosen to compete with the very industry they
created," said Steve Thompson, Managing Editor of Chronicle Guidance Publications, Inc.

Chronicle Guidance Publications, Inc. is just one of more than a dozen Career Information Delivery Systems ("CIDS") vendors who have joined up to form the Career Development Alliance ("CDA"), which aims at putting a halt to what they call unfair government encroachment upon private industry. "The DOL is attempting to use public funds to duplicate and displace private sector resources and capabilities that already exist in the private sector," Thompson said.

Career Development Alliance Administrator Sherrie Wolff estimated the monetary loss to the private sector from the DOL initiative to reach $50 million per year.

One component of the DOL career information delivery system known as O*NET, which is located at [www.doleta.gov/programs/onet](http://www.doleta.gov/programs/onet), is of particular concern to test publishers since it will include assessment instruments such as the Interest Profiler, the Aptitude Profiler, the Work Values Profiler and the Skills Profiler.

O*NET is the automated replacement for the Dictionary of Occupational Titles ("DOT"). Prior to the introduction of O*NET, virtually all companies in the career guidance industry utilized the DOT to obtain up-to-date occupational information. The DOT has been used for over fifty years in developing products for schools, guidance counselors, educators and workers.

Wolff reported that CIDS vendors became further inflamed last fall when DOL circulated a license agreement to private CIDS vendors which, in essence, gave the government part ownership of any products they produced as a result of O*NET information. At the same time, she said, the agreement prohibited the use by private industry of certain portions of information found in O*NET.

"[In past years] none of these companies ever had to sign a license agreement or agree to allow the Government to utilize information created by the companies for free," Wolff said. She noted that the O*NET agreement is directly contrary to the historical partnership between the government and the CIDS industry.

In taking action to dissuade DOL from pursuing plans which have the potential of competing with all private CIDS and Career Assessment Providers, members of the Career Development Alliance have met with Congressional Representatives on Capitol Hill, dialogued with DOL leaders including James Vollman, Associate Assistant Secretary for Employment and Training, and convened meetings of Alliance members and DOL representatives at several industry conferences.

Despite these negotiations, Alliance members say the public-private partnership which has existed between the sectors for several decades has come to a halt.
"DOL is attempting to get into the delivery system for career information products...it is apparent that the public sector is becoming more like the private sector and is, in fact, becoming entrepreneurial," stated Wolff.

ATP Executive Director William G. Harris, Ph.D., reported that the Association would continue to monitor the situation and to explore ways to develop a meaningful dialogue between DOL and the Career Development Alliance. To date DOL has not negotiated with CDA.

Editor's Note: Representatives of O*NET and DOL declined to be interviewed for this report.

The development of technology-based guidelines for the testing industry was the focus of a one-day session held Monday, January 12, 1998 at the Redmond, Washington headquarters of Microsoft Corporation. The proposed guidelines would be used to aid in the development, delivery and use of computer-based certification examinations. The session was co-hosted by Microsoft and the Association of Test Publisher's Certification Division, and was attended by Information Technology ("IT") companies involved in developing and delivering tests.

"We want to see the proposed guidelines used to aid in the development, delivery and publishing of technology-based tests ("TBT") and assessment instruments. The guidelines would cover applications for use on the Internet and various multimedia computer strategies used to deliver, administer and score tests," said ATP Executive Director William G. Harris, Ph.D. He added that the goal for the proposed guidelines will be international adoption by companies involved in technology-based testing.

During the January 12, meeting attendees identified a host of issues that have not been adequately addressed by existing standards and guidelines. Some of these issues include the development of standards on immediate score reporting, item banking and models for estimating parameters. "TBT testing allows for a greater variety of access to multiple response models," said Certification Program Manager Jamie Mulkey, Ed.D., of Hewlett Packard Company. Psychometric and Certification Manager, Cyndy Fitzgerald, Ph.D. of Microsoft Corporation added, "We need to recognize these new models and create standards for them that everyone can use".

A two-day session which is planned this Spring in Chicago will focus on defining and preparing an action plan for drafting technology-based guidelines. More information, as it becomes available, will be posted on ATP's website. The ATP website can be accessed at http://www.testpublishers.org.
Test publishers, developers and test delivery organizations interested in the development of technology-based testing guidelines are invited to contact Dr. Harris via the ATP website or by calling 770.650.7592.

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Following is an open letter to ATP Executive Director William G. Harris from Marylin Hamilton, President of Consulting Resource Group International, a founding member of ATP. Dr. Harris had occasion to visit Consulting Group last fall and, based on his visit, invited Ms. Hamilton to share her perspective of the test publishing industry.

A voice from the "soft" side of the association

Open letter to G. Harris, Executive Director, ATP

Dear G,

The value of Association membership -- industry inclusivity -- test publishing -- these were some of the issues that you and I touched on when we met last October, in Vancouver, Canada.

You invited me to share some of my views with ATP members, so a little boldly from the back of the bus, I step forward.

The back of my ATP bus, is where the "soft" side of the Association hangs out. The "soft" side of ATP includes those companies who are publishing non-psychometric tools. Consulting Resource Group International, Inc. ("CRGI") is a publisher of learning and communications tools. CRGI creates, produces and distributes learning and leadership systems for individuals, groups/families and organizations.
CRGI prefers not to label our tools as tests. We call them indicators, inventories, instruments, tools. We are careful to point out that they have been designed for self-reference, self-reflection and self-learning.

So, why does CRGI find value in riding on the ATP bus? Why do we belong to an Association that in some instances would seem to prefer not to include a publisher with such a "soft" profile? CRGI finds value in ATP for a variety of reasons:

Professional Association

We value the professional standards, disciplines and representations established by the association with other publishers who care deeply about creating, producing and distributing publications for use in Human Resource Development and Organizational Development.

Industry Technical Knowledge

We value the industry knowledge that is surveyed, reported and shared on all matters relating to industry organization, practices, pricing and structures.

Industry Relationship Knowledge

We value the learning the relationships of industry members relating to size, scope, cooperative efforts and opportunities.

Access to Publishing Colleagues/Peers

We value the introductions through the newsletters, ATP staff and through the directory to other publishing organizations.

Social/Legal Issues

We value the updates about ATP initiatives regarding legal and social issues affecting test publishing.

I believe it is appropriate for CRGI to belong to ATP because it seems to be the only industry association where our interests in publishing, social and legal issues and organizational development are represented. Nevertheless, it sometimes seems that CRGI's "soft" strengths are sometimes sidelined, discouraged or even slighted. I would therefore, like to propose creating within ATP a Special Interests Group for publishers of non-psychometric development tools. I believe ATP could better represent the interests of publishers like CRGI, while at the same time expanding its application of professional standards to the representatives of qualitative tools in the
assessment industry. The synergy between the hard and soft sides of the equation could enrich all parties involved.

Just as the very organizations which have traditionally used tests have changed over the last ten years (indeed, as completely new kinds of organizations have come into existence in the same decade) I see that a new need has emerged in the industry. It is clear that, Human Resource Development and Organizational Development facilitators want different tools than those used by Personnel, Selection and Audit professionals. Facilitators want instruments that can be self-scored and self-interpreted in situ; are responsive to participant input; and support creative processes. The predictive outcomes that have long been the strengths of testing now need to be matched by the emergent and creative outcomes to which development tools can contribute.

I propose that in ATP the voice of the quantitative aspects of testing be complemented by the voice of developers of qualitative learning and communication tools.

Thus, I propose that ATP recognize the professional, albeit "soft" voice from the back of the bus, while at the same time continuing to represent the realities of "hard" test developers who have been leading at the front of the bus. I would like to think that the back of this bus might look more like an articulated trolley (guided by two rails instead of just one, and be able to go around tight corners without undue concern). I hope this voice can interest you in new routes for ATP in the near future by pursuing these ideas further.

...blessings, hearts and smiles (the true metrics of life)

Marilyn Hamilton, Ph.D. (Cand.)
President, Consulting Resource Group International, Inc.

About Marilyn Hamilton...President of CRGI, Hamilton is a business strategist, consultant, author, editor, publisher and community leader. She has worked internationally in the U.K., Europe, Canada, the Caribbean and the United States in multinational corporations and with entrepreneurs in all sectors.

About Consulting Resource Group International, Inc...CRGI strategically develops the people side of organizations by strengthening and developing leadership in organizations, teams and individuals. An internationally recognized human-resource development and change-management company, CRGI helps leaders help others develop their leadership potential. CRGI has helped clients in civic, state, provincial and federal governments, Fortune 2000 companies and Not-for-Profit organizations.
Association notebook

ATP welcomes its newest members...Alpine Media of Orem, UT, Assessment Systems, Inc. of Bala Cynwyd, PA, Electronic Selection Systems Corp. of Maitland, FL, Hewlett Packard of Roseville, CA and Question Mark Corp. of Stamford, CT.

The ATP Web Site...is up and running at http://www.testpublishers.org. ATP members should send a fax or e-mail to ATP Administrator Lauren Scheib giving permission to ATP to create a hot-link to their web site. Fax to 717.755.8962. Certain sections of the ATP Website are restricted to ATP Members Only. Members who need information regarding the password should contact Lauren Scheib at 717.755.9747.

February 1998 Board Meeting...The ATP Board of Directors met February 26-27 in Monterey, CA. At the meeting John Fremer, Ph.D., Senior Development Leader for the Educational Testing Service ("ETS") was elected to serve as 1998-99 ATP Chairman; Cyndy Fitzgerald, Ph.D., Manager, Psychometrics & Research, Microsoft Corp., was appointed to the ATP Board of Directors; and Jamie Mulkey, Certification Program Manager, Hewlett Packard, was elected to serve as Chair of the Certification/Licensure Division.

Upcoming Meetings...ATP Executive Director William G. Harris, Ph.D. will be chairing a symposium Test Adaptation, Use and Publishing: A Global Perspective, Tuesday, August 11, 2-4:20 p.m. in Plaza Room A of the San Francisco Hilton Hotel at the 24th International Congress of Applied Psychology being held Aug. 9-14.

The ATP General Meeting will be held in San Francisco in August, concurrent with the annual APA convention. Look for upcoming dates, times and locations.

Legal/legislative update

Legislation in Mississippi and Vermont that eliminate entrance tests for certain students, a family and pupil privacy bill in New Hampshire and a California test discrimination bill are among the 1998 bills highlighted at the recent ATP Board Meeting in Monterey, CA. ATP General Counsel David Arnold, reported that ATP is closely monitoring more than 25 bills nationwide that impact the test publishing/assessment services industry. Some of those he highlighted are as follows:

Mississippi House Bill 1301 "would provide that students graduating in the top ten percent of their high school class are not required to take any form of entrance examinations to be qualified to attend a state institution of higher education." Arnold noted that Vermont Senate Bill 255 was a parallel bill.
New Hampshire Senate Bill 451 is a family and pupil privacy bill, the provisions of which would ensure that statewide education assessment instruments be objectively measurable and not assess the values, beliefs or attitudes of individual pupils or their families; this bill would also require that assessment materials and questions used for statewide education assessment be made accessible to parents or legal guardians within thirty days of administering the test.

California Senate Bill 1807 would prohibit a test sponsor from doing business in the state of California unless the sponsor can demonstrate to the commission that its standardized test does not discriminate on the basis of gender, ethnicity, race or economic status of the test subject. For the purposes of this bill, "test sponsors" or "test agency" means an individual, partnership, corporation, association, company, firm, institution, society, trust or joint stock company which develops, sponsors or administers standardized tests.