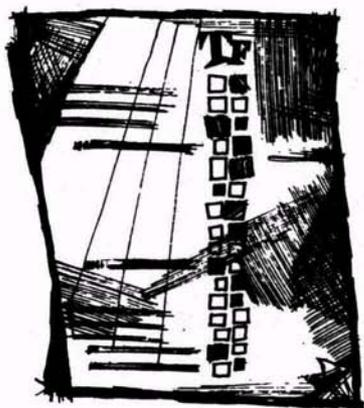


PSYCHOLOGICAL TESTING: INVASION OF PRIVACY?



KAORU YAMAMOTO

Department of Educational Psychology
University of Iowa, Iowa City

AN EX-SENATOR recently expressed a feeling which seems to be shared by many citizens with regard to psychological measurement. In his words, such testing constitutes "indirect inquisition into" one's "most personal affairs."¹ The most dramatic expression of this feeling is seen in the test-burning incidents reported in two communities.²

Several books have been written about the alleged "tyranny of testing" and abolishment of all testing, or at least some radical revision of the current testing procedures, has been proposed by critics.³ Specific charges are many and varied, but the essence of their argument may be categorized into three: (a) inadequacy of the instruments of measurement, (b) misuse of the test results, and (c) infringement upon testees' right of privacy.⁴ The first is more or less technical in nature, the second is practical, and the third, legal.

Actually, the instruments of psychological measurement come in all sizes and colors, although the two basic functions, common to most of them, seem to be (a) assessment and description of a person in his present and past, and (b) prediction of his future. Tests may be used for many specific purposes but none serves all.

In general, tests in the cognitive domains (aptitude, achievement, thinking, etc.) are employed in student selection and placement, academic advising, institutional analysis, and research; while the inventories in the affective domains (personality,

¹ Michael Amrine. "Psychology in the News." *American Psychologist* 19:216-18; 1964.

² Leonard D. Eron and Leopold O. Walder. "Test-burning: II." *American Psychologist* 16: 237-44; 1961.

Gwynn Nettler. "Test-burning in Texas." *American Psychologist* 14: 682-83; 1959.

³ Hillel Black. *They Shall Not Pass*. New York: William Morrow, 1963.

Martin J. Gross. *The Brain Watchers*. New York: Random House, 1962.

Banesh Hoffman. *The Tyranny of Testing*. New York: Crowell-Collier Press, 1962.

William H. Whyte, Jr. *The Organization Man*. New York: Simon and Schuster, 1956.

⁴ Starke R. Hathaway. "(1) 'MPI: Professional Use by Professional People.'" *American Psychologist* 19: 204-10; 1964.

Howard B. Lyman. "Review of M. L. Gross, *The Brain Watchers*, and B. Hoffman, *The Tyranny of Testing*." *Journal of the Association of College Admissions Counselors* 8: 31-32; 1963.

interest, attitude, and values) give information useful in vocational-personal-social counseling, therapy and research. In most school systems, a large-scale group testing such as the American College Testing Program, College Entrance Examination Board Program, and National Merit Scholarship Program, includes only the cognitive-type instruments, while the affective types are less frequently administered on a mass-testing basis. Maybe for this reason, most critics have centered their discussion on the tests of aptitude and achievement.

Technical Adequacy of Tests

Now, as for the first category of criticism, namely, the inadequacy of tests, no professional will deny the fact that any instrument is technically fallible and no test has perfect reliability and validity in every conceivable situation. It is true that "good modern tests can measure reasonably well what a person *knows*, less well what *interests* he has, and only poorly what he *is* and may *become*."⁵ Nevertheless, it is one thing to point out the imperfect status of the present-day tests, while it is quite another to argue for abolishment of all testing.

To begin with, a test merely represents our efforts to obtain the best possible samples of a testee's behavior within the practical confines of the testing situation and to infer from the results his outside-of-testing, everyday behavior through comparison with other individuals' responses under the same or similar testing conditions. Accordingly, it is extremely unlikely for us to come up with a test without any measurement errors, since a perfectly representative sampling of behavior (situation, stimulus, and response) as well as a perfectly relevant selection of reference groups are impossible to achieve for each and every testee.

Second, it would be very difficult to replace our tests with anything better for the purposes of assessment, description and prediction. After all, the present-day tests are the products of a half-century of collective wisdom of western men to enhance our knowledge and understanding of human behavior and to improve our educational practices.⁶ Poor as these products may be, they should not be lightly discarded before we are sure of some better substitutes.

Unfortunately, such other possibilities as teacher judgment, observation, and interview have been even less convincing in their technical adequacy than objective tests. Even worse, these devices do not readily allow estimation of the errors involved in measurement which is more feasible in standardized tests. Thus, a question legitimately may be asked: Is it wiser and "more humane to use methods which have low validity and low reliability . . . in place of objective tests which have moderate validity and high reliability?"⁷

How about the possibility that the current, multiple-choice type achievement tests do not tap the integrative, imaginative and original quality of mind, while

⁵ Henry Chauncey. "Testing in Perspective and Context." *The Annual Report of the Educational Testing Service, 1960-61*. Princeton: Educational Testing Service, 1961. p. 12.

⁶ Arthur Hughson. "The Case For Intelligence Testing." *Phi Delta Kappan* 46: 106-108; 1964.

⁷ John L. Holland. "A Little Learning Is . . ." *Teachers College Record* 64: 510-14; 1963.

favoring "the candidates who read rapidly and are quick witted and superficially brilliant?"⁸

No elaborate examination of this point is attempted here, since such has been done already by several competent scholars.⁹ Suffice it to emphasize the fact that tests are and should remain as tools instead of goals. Instruments of measurement are made to evaluate students' status and progress in reference to such goals, not *vice versa*.

How Tests Are Used

"Tests . . . can be powerful, useful educational tools. Like all educational tools, they are always more or less imperfect, and sometimes they may be used improperly."¹⁰ Thus, the second category of criticism concerns the ways in which tests are currently used. Partially, the matter is that of the quality of test users and, partially, it centers on the fairness of tests for, especially, selection and placement purposes.

It should be at once clear that there is possibly no other way to assure professional competence and morality than (a) establishment of clear standards, both technical and ethical, of test preparation and use and (b) self-regulation and constant upgrading of test users. There are in fact such standards to be followed and, in addition, no professional man will disagree about the constant need to improve his skills and conduct through educational media of various kinds.¹¹

Note, however, the peculiar dilemma here that the higher psychologists and counselors set such standards for themselves, the more the public expects from the professionals, thus forcing the latter to continue to examine their current practice. This is in general good. However, it should also be remembered that the demand from an unenlightened public can easily wreck the whole enterprise instead of strengthen it for the benefit of all parties concerned.

As long as the essential function of education is to influence and change students' behavior and as long as the general societal values dictate the direc-

⁸ Banesh Hoffman. "Towards Less Emphasis on Multiple-Choice Tests." *Teachers College Record* 64: 183-89; 1962.

⁹ Stanley E. Ballinger. "Of Testing and Its Tyranny." *Phi Delta Kappan* 44: 176-80; 1963.

James R. Barclay. "The Attack on Testing and Counseling." *Personnel and Guidance Journal* 43: 6-16; 1964.

Henry Chauncey and John E. Dobbin. *Testing: Its Place in Education Today*. New York: Harper, 1963.

Robert L. Ebel. "External Testing: Response to Challenge." *Teachers College Record* 64: 190-98; 1962.

William W. Trunbull. "Testing for Guidance and Selection." *Phi Delta Kappan* 44: 372-78; 1963.

¹⁰ Robert Ebel. *Ibid.*, p. 198.

¹¹ American Personnel and Guidance Association. "Ethical Standards." *Personnel and Guidance Journal* 40: 206-209; 1961.

American Psychological Association. "Technical Recommendation for Psychological Tests and Diagnostic Techniques." *Psychological Bulletin* 51: 201-38; 1964.

American Psychological Association. "Ethical Standards of Psychologists." *American Psychologist* 18: 56-60; 1963.

tion of the desired changes, any effort to improve testing practices must necessarily involve the general public.¹² One of the reasons for unsympathetic reactions to tests "by large numbers of otherwise well-informed persons" may indeed be the fact that "tests, unlike some measuring instruments, must be used in full view of, and with the cooperation of, the public."¹³ Thus, we must study and understand the social implications of the use of tests.¹⁴

When we turn to the problem of fairness of tests to certain subgroups in the population, such as the colored or the culturally deprived, the social character of testing becomes clearer. As mentioned before, tests are tools and as such they merely reflect human behavior under the prevalent social-educational milieu. When a test is given to an underprivileged child, for example, the results may not represent his maximum potential to perform (assuming,

for the moment, that such basic potential is somehow appraisable). Yet the test itself should not be blamed as unfair. What is really unfair is the social and educational circumstance which has prevented the child from blooming into a fully-developed individual. "No test can eliminate causality. Nor can a test score, however derived, reveal the origin of the behavior it reflects."¹⁵

Even admitting the possibility that rigid usage and inappropriate interpretation of test results by undertrained persons may result in classifying "close to half of the city's public school pupils" as "culturally deprived,"¹⁶ discontinuation of testing does not certainly remedy the hard social reality that many children are in fact deprived. And, ironically, had it not been for standardized tests, the day might not have come when our attention was forced to the alarming fact of cultural deprivation.

The criticism that testing is undemocratic is also indefensible if we consider the fact that men are physically and psychologically different, even though all should have equal value as human beings and equal opportunities. The uniqueness of individuals is a basic, unchangeable, biological fact, while the equality of man is a philosophy or proclamation of our belief. No gain can be expected by confusing these two aspects.

As a matter of fact, any minority group should welcome the use of objec-

¹² Ralph F. Berdie. "Science, Values, and Psychometry." *Teachers College Record* 64: 199-203; 1962.

Edmund G. Williamson. "Some Issues Underlying Counseling Theory and Practice." Willis E. Dugan, editor. *Counseling Points of View*. Minneapolis: University of Minnesota Press, 1959. p. 1-13.

¹³ Harold Webster, Mervin Freedman, and Paul Heist. "Personality Changes in College Students." Nevitt Sanford, editor. *The American College*. New York: Wiley, 1962. p. 811-46.

¹⁴ Ralph F. Berdie. "The Ad Hoc Committee on Social Impact of Psychological Assessment." *American Psychologist* 20: 143-46; 1965.

Warren G. Findley, editor. *The Impact and Improvement of School Testing Programs*. Chicago: University of Chicago Press, 1963.

David A. Goslin. *The Search for Ability: Standardized Testing in Social Perspective*. New York: Russell Sage Foundation, 1963.

John M. Stalnaker. "Psychological Tests and Public Responsibility." *American Psychologist* 20: 131-35; 1965.

¹⁵ Anne Anastasi. "Psychological Tests: Uses and Abuses." *Teachers College Record* 62: 389-93; 1961.

¹⁶ Julius Yourman. "The Case Against Group I.Q. Testing." *Phi Delta Kappan* 46: 108-10; 1964.

tive tests in place of subjective, discriminatory means of evaluation. The standardized tests do not know race or color or creed since they constitute "a universal standard of competence and potential."¹⁷ And, since any citizen is required to compete and perform well in our highly verbal and technological society, it makes sense to compare his standing with that of his compatriots on a test which samples behavior relevant to success in that particular society.¹⁸ Again it must be concluded that tests serve as helpful tools rather than as harmful means of discrimination.

Invasion of Privacy

The third category of criticism concerns the infringement upon the right of privacy. This problem has many facets and much confusion surrounds the topic. First of all, an individual's participation in testing would not appear, in and of itself, to constitute any more threat to his privacy than his daily verbal and nonverbal behaviors which cannot but reveal his personality.

Especially when an individual is tested for purposes of vocational or educational selection and placement in an institutional setting, insistence upon the individual's right to refuse to give out information about himself is tantamount to refusing to allow him to partake of any benefit such compliance may bring. A person certainly has the right to say no to an entrance examination or employment interview so far as

he is willing to do so at his own risk.

The *Ethical Standards* of the American Psychological Association state that a psychologist must make certain that his client is "fully aware of the purposes of the interview, testing, or evaluation and of the ways in which the information may be used" before he requests the individual to reveal personal information.¹⁹ This requirement is readily understandable if we think of a psychotherapeutic situation or of a research study with responsible adults, even though there are many unanswered questions under close scrutiny.²⁰

Yet what about school children? On this point, legal precedents have made clear that, legally speaking, the school stands in the same position to its students as that of a parent—in *loco parentis*—and school can thus direct and control students' conduct to the same extent that a parent can.²¹

Now, some people are thinking ahead a little when they object to testing, particularly affective-domain testing, on the ground of possible future invasion of privacy. Since psychologists enjoy no legal immunity, there is actually nothing to prevent any test results from becoming a matter of public record.²²

¹⁷ American Psychological Association. "Ethical Standards of Psychologists." *Op. cit.*, Principle 7d.

¹⁸ Orville G. Brim, Jr. *Op. cit.*
Samuel Messick. "Personality Measurement and the Ethics of Assessment." *American Psychologist* 20: 136-42; 1965.

¹⁹ Thomas E. Blackwell. *College Law—A Guide for Administrators*. Washington, D.C.: American Council on Education, 1961. p. 104.

²⁰ Orville G. Brim, Jr. *Op. cit.*
Charles J. Krauskopf. "Schmidt Is Wrong on Privileged Communication." *Journal of Counseling Psychology* 9: 279-80; 1962.

Joan M. Krauskopf and Charles J. Krauskopf. "Torts and Psychologists." *Journal of Counseling Psychology* 12: 227-37; 1965.

¹⁷ Orville G. Brim, Jr. "American Attitudes Toward Intelligence Tests." *American Psychologist* 20: 125-30; 1965.

¹⁸ Philip E. Vernon. "Ability Factors and Environmental Influences." *American Psychologist* 20: 723-33; 1965.

The usual promise of confidentiality is no protection against a subpoena by any group with proper legal authority.

This is a legitimate problem which cannot be easily brushed aside and which should be studied by all parties concerned. Nevertheless, it should be pointed out that the charges of invasion of privacy are legally rather difficult to establish. It is up to the plaintiff to prove that the defendant (most likely a psychologist or a counselor) has acted quite unreasonably and that his interference with the plaintiff's private life was outrageous.²³

Finally, the question of accessibility of test results should be briefly mentioned. It is natural for any testee to expect adequate feedback of information about his test performance²⁴ and it is likewise understandable that parents want to learn the results of tests administered to their children. If people are given tests without being told anything about the results or without having any opportunity to discuss their test performance with a counselor or a psychologist, tests will be regarded as "snooping around" and strongly rejected.

However, this does not mean that all confidential files should be indiscrimi-

nately opened to the public in their highly technical format. This will merely cause added confusion, anxiety and misunderstanding, just as will naive disclosure of complex medical information to laymen. Effective public relations are indeed crucial for successful conduct of professional activities. Teachers, counselors, and psychologists must respect the respondent's interest in and the public's concern about the test data but, at the same time, the professional workers should not assume too much technical sophistication from lay people.²⁵

A certain amount of adverse response should in any case be expected from the public even when a solid but reasonable presentation of test information has been attempted. A person's reaction to such information is a function of the relationship between the revealed picture of himself and his own self image of the past.²⁶ And these two sets of "self" often disagree, thus requiring new adjustments on the part of the testee either within or outside himself. Actually, such self examination is among the basic goals of testing. After all, one of the fundamental purposes of education is to let one know himself, is it not? ❧

²³ Joan M. Krauskopf and Charles J. Krauskopf. *Ibid.*

²⁴ Orville G. Brim, Jr. *Op. cit.*

Clarence Mahler and Harry Smullenburg. "Effects of Testing Program on the Attitudes of Students, Teachers, Parents, and the Community." Warren G. Findley, editor. *The Impact and Improvement of School Testing Programs*. Chicago: University of Chicago Press, 1963. p. 103-25.

²⁵ Gene R. Hawes. *Educational Testing for the Millions*. New York: McGraw-Hill Book Company, 1964.

²⁶ See, e.g., David A. Hills and John E. Williams. "Effects of Test Information Upon Self-Evaluation in Brief Educational-Vocational Counseling." *Journal of Counseling Psychology* 12:275-81; 1965.

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