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Referred: Health, Education
& Social Services and
Judiciary

1 IN THE SENATE

BY STIMSON

2 SENATE BILL NO. 348

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the use of standardized tests to
7 determine admission to institutions of higher educa-
8 tion."

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

10 * Section 1. It is the purpose of this Act to

11 (1) ensure that persons, institutions, and agencies, and the
12 general public are fully informed about the characteristics, limitations,
13 and appropriate uses of standardized tests which are used to determine
14 admission to postsecondary programs of study;

15 (2) improve the quality of standardized tests, by promoting
16 accuracy, validity, and reliability in the development and administration of
17 standardized tests and to improve the use of the tests by better under-
18 standing of their characteristics and limitations and better interpretation
19 of test results; and

20 (3) protect the public interest by making available more informa-
21 tion about standardized tests.

22 * Sec. 2. AS 14 is amended by adding a new chapter to read:

23 CHAPTER 34. STANDARDIZED TEST DISCLOSURE.

24 Sec. 14.34.010, USE OF STANDARDIZED TESTS TO DETERMINE ADMISSIONS
25 TO INSTITUTIONS OF HIGHER EDUCATION. An institution of higher educa-
26 tion in the state may not use the results of a standardized test as a
27 basis for the admission of a student to a program of study, unless that
28 institution complies with this chapter and with the regulations adopted
29 under it.

1 Sec. 14.34.015. RIGHT OF PRIVACY. Standardized test answers and
2 scores are confidential and are not a public record. The test agency
3 shall protect the test subject's right to privacy under regulations
4 issued by the commission. The regulations shall provide for release of
5 the answers and scores to the test subject or his designee.

6 Sec 14.34.020. DISCLOSURE STATEMENTS. An institution of higher
7 education which uses the results of a standardized test as a basis for
8 admission of a student to a program of study at that institution shall
9 file with the commissioner, in the manner and form the commissioner
10 determines, a disclosure statement relating to that test. The dis-
11 closure statement shall include a statement describing the following:

12 (1) the purpose of the test and the purpose for which the
13 test results are to be used;

14 (2) the accuracy of the test in terms of

15 (A) reliability,

16 (B) validity, and

17 (C) measurement error;

18 (3) the procedures used in determining norms used for the
19 test;

20 (4) the format of the test, including the percentage of the
21 items which require true or false responses, essay responses, multiple-
22 choice responses, analogy responses, and other types of responses;

23 (5) the time allowed for test subjects to complete various
24 sections of the test and the rationale for using any time limitations
25 so imposed;

26 (6) the time allowed for scoring and returning the tests,
27 which time may not exceed 30 days;

28 (7) any minimum scores used by the institution or recommended
29 by the test agency and the purposes and rationale for the minimum

1 scores;

2 (8) the extent to which the test has been reviewed for
3 inherent racial, ethnic, sex, regional, and cultural biases;

4 (9) when the test was most recently updated and the policy
5 of the test agency for periodic updating of the test; and

6 (10) the costs of the test, including the costs of develop-
7 ment, production, promotion, administration, scoring, and reporting the
8 test.

9 Sec. 14.34.030. REGULATIONS. The commissioner shall adopt regu-
10 lations respecting any test for which a disclosure statement has been
11 filed in accordance with AS 14.34.020. These regulations shall provide

12 (1) that there shall be on file with the commissioner

13 (A) a copy of the test questions used in calculating
14 the test subjects' raw scores;

15 (B) the corresponding responses expected by the test
16 agency to these questions; and

17 (C) a description of the manner in which the raw scores
18 are transferred into the scores reported to the test subjects, to-
19 gether with an explanation of the procedures used in transferring
20 raw scores into reported scores;

21 (2) that, upon the request of a test subject, the test
22 agency or institution of higher education using the test shall make
23 available to the test subject at least 30 days after a test has been
24 scored

25 (A) a copy of the test questions used in determining
26 the subject's raw score;

27 (B) the test subject's individual answers to those
28 questions and the expected response to those questions; and

29 (C) a statement of the raw score used to calculate the

1 scores reported to the test subject;

2 (3) that reasonable fees may be charged to cover the cost of
3 making test results available to test subjects; and

4 (4) that test subjects' rights to privacy are protected and
5 that test results and scores are not made available to the general
6 public.

7 Sec. 14.34.090. DEFINITIONS. In this chapter

8 (1) "institution of higher education" means an educational
9 institution which is legally authorized to provide a program of study
10 beyond secondary education in Alaska and which provides an educational
11 program for which it awards credit toward an associate's degree, a
12 bachelor's degree or a higher degree;

13 (2) "program of study" means a course of study for a period
14 of at least one academic year for which credit toward a degree or
15 certificate is awarded;

16 (3) "standardized test" means a test that is given at the
17 expense of the test subject and is designed for use, or is used, in the
18 process of selecting students for admission to programs of study at
19 institutions of higher education;

20 (4) "test agency" means an organization, association,
21 corporation, partnership, or individual that develops, sponsors, or
22 administers a standardized test;

23 (5) "test subject" means a person to whom a standardized
24 test is administered.

25 Sec. 14.34.100. SHORT TITLE. This chapter may be cited as the
26 Standardized Test Disclosure Act.