

Translating BAR Licensure Examinations: Discussion and Recommendations

DISCLAIMER NOTICE: The following is an accessible outline of the DCA Office of Professional Services Examination Services presentation provided at the BAR Advisory Group meeting on April 27, 2023. A webcast recording of the presentation is also available on the BAR Advisory Group page at www.bar.ca.gov.

Slide 1: Translating BAR Licensure Examinations: Discussion and Recommendations

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Slide 2: Presentation topics

- OPES overview
- Why translate examinations?
- Considerations for deciding to translate examinations
- Translating vs. adapting examinations
- Requirements for adapting examinations
- Unintended consequences of translating or adapting examinations
- OPES recommendations

Slide 3: The Office of Professional Examination Services Provides

- Professional consulting services for examination validation and development
- Recommendations based on regulations, professional guidelines, and technical standards related to licensure examinations
- Management of DCA-wide computer-based testing contract for examination administration

Slide 4: Why translate examinations?

- Concerns about diversity, equity, and inclusion
- Provides consideration to candidates whose first language is not English
- Reduces language barriers that may not be job-related
- Helps ensure test results produce valid scores and licensing decisions for candidates whose first language is not English

Slide 5: Considerations for deciding to translate examinations:

- Data indicating a substantial number of limited-English-speaking candidates
- Requests from regulatory stakeholders
- Requests from candidates
- Availability of Subject Matter Experts to assist with translation process
- Essential resources for the profession accessible in other languages
- Ability to absorb time and cost of translation process

Slide 6: Translating vs. adapting examinations

- Examination translation is only one step in the adaptation process
- Examination adaptation - the process of preparing a test in one language and culture for use by candidates from a different language and culture
- Linguistic and cultural differences must be considered
- Translated words may appear to be the same but can have significantly different meanings in different languages

Slide 7: Requirements for adapting examinations

- Requires multiple groups of bilingual SMEs
- Requires translating individual items and then having native speakers of a language evaluate those items
- Requires bilingual SMEs to participate in passing score determination
- Failure to appropriately adapt examinations can lead to inaccurate licensing decisions

Slide 8: Unintended consequences of translating or adapting examinations

- Candidate complaints about translation or adaptation
- Time and cost of maintaining translated and adapted forms
- Differential passing rates
- Requests for examination translations or adaptation into additional languages

Slide 9: OPES recommendations

- Take steps to increase the diversity of the profession
- Recruit a diverse group of Subject Matter Experts to develop examinations
- Continue to offer in-person translators for candidates who request them
- Periodically reevaluate the need to translate examinations

Slide 10: Questions?