



Western Norway
University of
Applied Sciences

Justice in practice

– what it means

and why it is our responsibility

Cecilie Hamnes Carlsen

ALTE 53rd meeting and conference, Gent, April 24-26, 2019

2015-16: Stricter immigration policy in Norway



Regjeringen.no

Tema ▾ Dokument ▾ Aktuelt ▾ Departement ▾ Regjering ▾

Du er her: [Forsiden](#) • [Aktuelt](#) • Tiltak for å møte flyktningkrisen

Tiltak for å møte flyktningkrisen

Pressemelding | Dato: 29.12.2015
| Nr: 119 – 2015

Justis- og beredskapsdepartementet har sendt ut på høring en rekke tiltak for å stramme inn og gjøre det mindre attraktivt å søke asyl i Norge.

Norwegian conservative coalition government 2015:

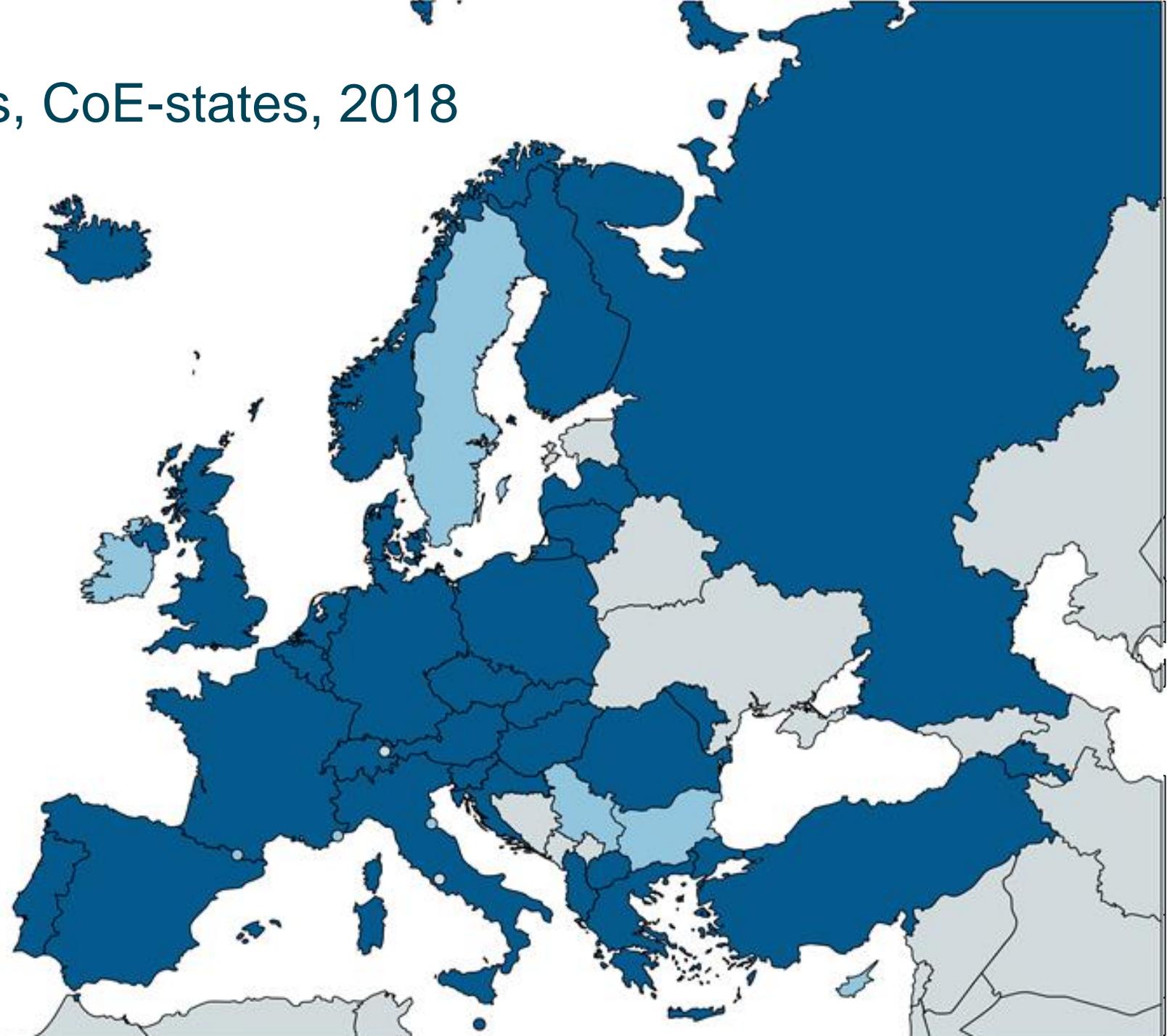
Measures to face the refugee crisis

Proposed language and knowledge of society requirements for permanent residency and citizenship as part of stricter immigration legislation

«purpose to make it less attractive to apply for asylum in Norway»

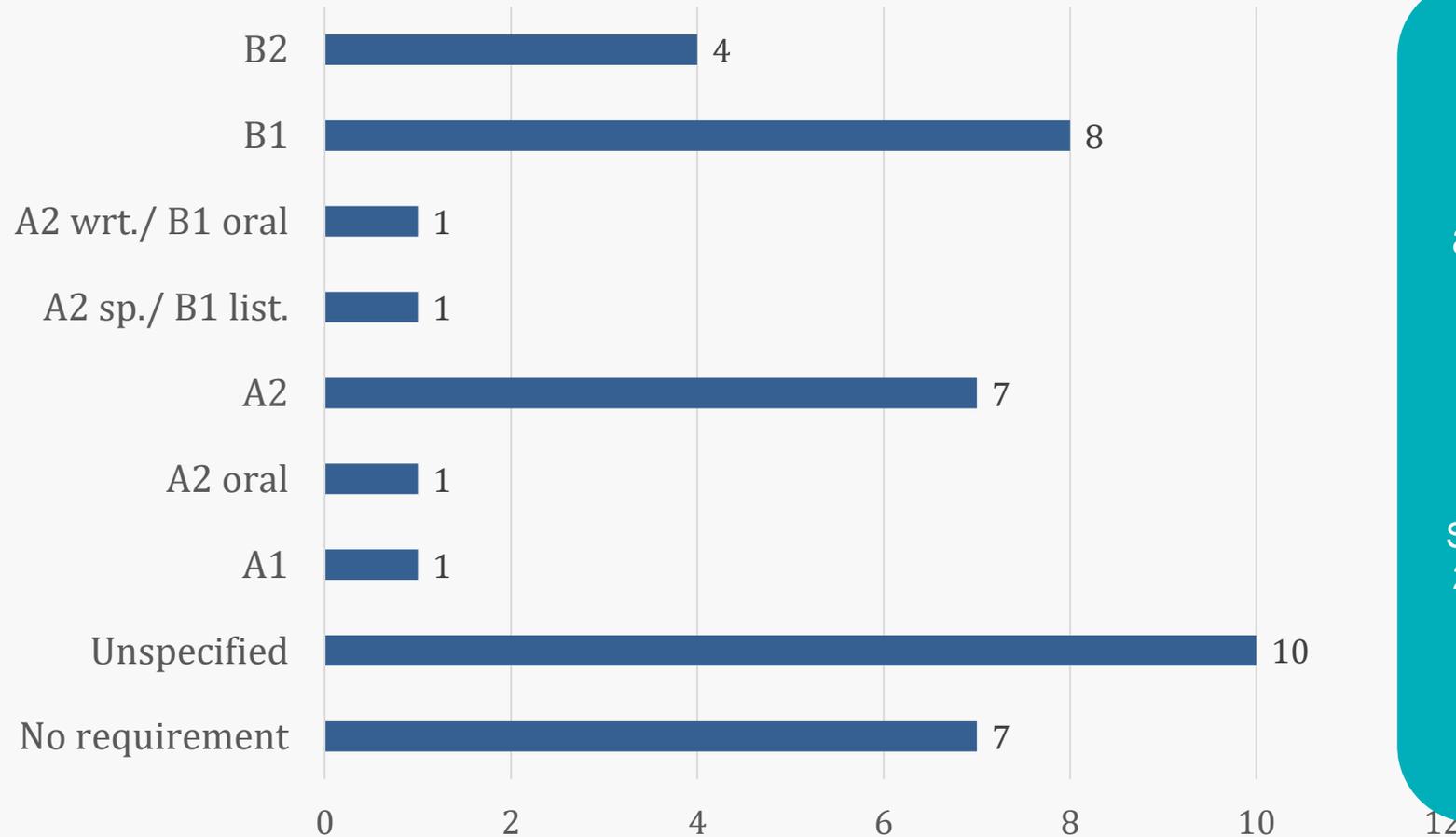


Language requirements, CoE-states, 2018



Lack of consistency > it is not really about language

Language requirements for citizenship (2018), CoE/ALTE-report



Language tests
as gate-keepers
(shibboleths)

(McNamara, 2005,
Gysen, Kuijper & Van
Avermaet, 2009;
Shohamy & McNamara,
2009; Strik et al., 2011;
Bruzos et al., 2018,
Khan, 2018)



Is it just?

“As it is difficult to see why some countries should have higher requirements than others for the same need, these differences throw doubt on the argument that immigrants need the knowledge they are required to demonstrate in order to successfully integrate.”

(Böcker & Strik, 2011: 182)



Is it just?

“Any ethical question of the legitimacy of such tests is in fact a political question: does the politics of the setting justify the use of the test? **Your answer will obviously depend on whose side you are on.**”

McNamara, 2005:356

Justice questions

“We need to examine the ramifications of tests, their uses, misuses, ethicality, power, biases, and the discrimination and language realities they create for certain groups and for nations [...].”

(Shohamy, 2007:144)

Is justice language testers' responsibility?

«Validity is an integrated evaluative judgement of the degree to which empirical evidence and theoretical rationales support the *adequacy* and *appropriateness of inferences* and *actions* based on test scores or other modes of assessment [...]» (Messick, 1989:13).

Is justice language testers' responsibility?

	TEST INTERPRETATION	TEST USE
EVIDENTIAL BASIS	Construct validity	Construct validity + Relevance/utility
CONSEQUENTIAL BASIS	Value implications	Social consequences

«The consequential aspect of construct validity includes evidence and rationale for evaluating the **intended and unintended consequences** of score interpretation and use in both the short and long term [...]» (Messick, 1996: 251)

Is justice language testers' responsibility?

	TEST INTERPRETATION	TEST USE
EVIDENTIAL BASIS	<i>Fairness</i> (McNamara & Ryan, 2011) Construct validity	Construct validity + Relevance/utility
CONSEQUENTIAL BASIS	<i>Justice</i> (McNamara & Ryan, 2011) Value implications	Social consequences

«The consequential aspect of construct validity includes evidence and rationale for evaluating the **intended and unintended consequences** of score interpretation and use in both the short and long term [...]» (Messick, 1996: 251)

Is justice language testers' responsibility?

«We need to examine the ramifications of tests, their uses, misuses, ethicality, power, biases, and the discrimination and language realities they create for certain groups and for nations [...]. **All these topics fall under the theoretical legitimacy of Messick's (1994, 1996) work on the consequences and values of tests.**» (Shohamy, 2007:144)

Is justice language testers' responsibility?

Spolsky (1980)	need to be concerned with test misuse
Hamp Lyon (1989)	must be aware of the potential consequences of what they do
Bachman (1990, 2005)	«It is the ways in which we use tests that is at the heart of language assessment”.
Lynch (1997)	need to engage with the broader sense of validity, i.e. test ethics
Shohamy (1997+)	need to be aware that tests are tools of power and control
Wall (2000)	need to investigate test impact on teaching and learning
McNamara (2005+)	need to be aware of the the social dimension of and values in language testing
Kunnan (2009)	need to investigate the wider context of testing
Davidson & Lynch (2012)	“Validity in educational assessment is advocacy on behalf of students».
Kane (2013)	test users and test developers have a shared responsibility for test use
Pulinx & Van Avermaet (2015)	language tests used to decide who are «true citizens»
Chalhoub-Deville (2016)	a validity framework needs to encompass test consequences
Bruzos, Erdocia & Khan (2018)	language testers are responsible that their tests are adequate for their purpose

Shared responsibility

“Those who make decisions about test use necessarily bear much of the responsibility [...], but a test developer [...] shares this responsibility. In particular, test developers who suggest that a test can be used in a particular way have an obligation to support the claims that they make” (Kane, 2013: 62).

Responsibility for justice – part of professional standards



ILTA Code of ethics

Principle 9

Language testers shall regularly consider the **potential effects, both short and long term** on all stakeholders of their projects, reserving the right to withhold their professional services on the grounds of conscience.



EUROPEAN ASSOCIATION
FOR LANGUAGE TESTING
AND ASSESSMENT

EALTA guidelines for good practice

3. **CONSEQUENCES**

What use is made of the results?

What are the **consequences** of the assessment procedures for classroom practices?

What are the **consequences** of the results of the assessment for learners?



ALTE code of practice

Define what each examination assesses and **what it should be used for**.

Describe the **population(s)** for which it is appropriate.

So...

If justice is language testers' responsibility, what does it mean in practice?

Language activism

“Once awareness of this process is evident, there is a need to engage in linguistic activism.» (Shohamy, 2006:xv)

Language activism

“*Language activism* is energetic action focused on language use in order to create, influence and change existing language policies” (Combs & Penfield, 2018:462)

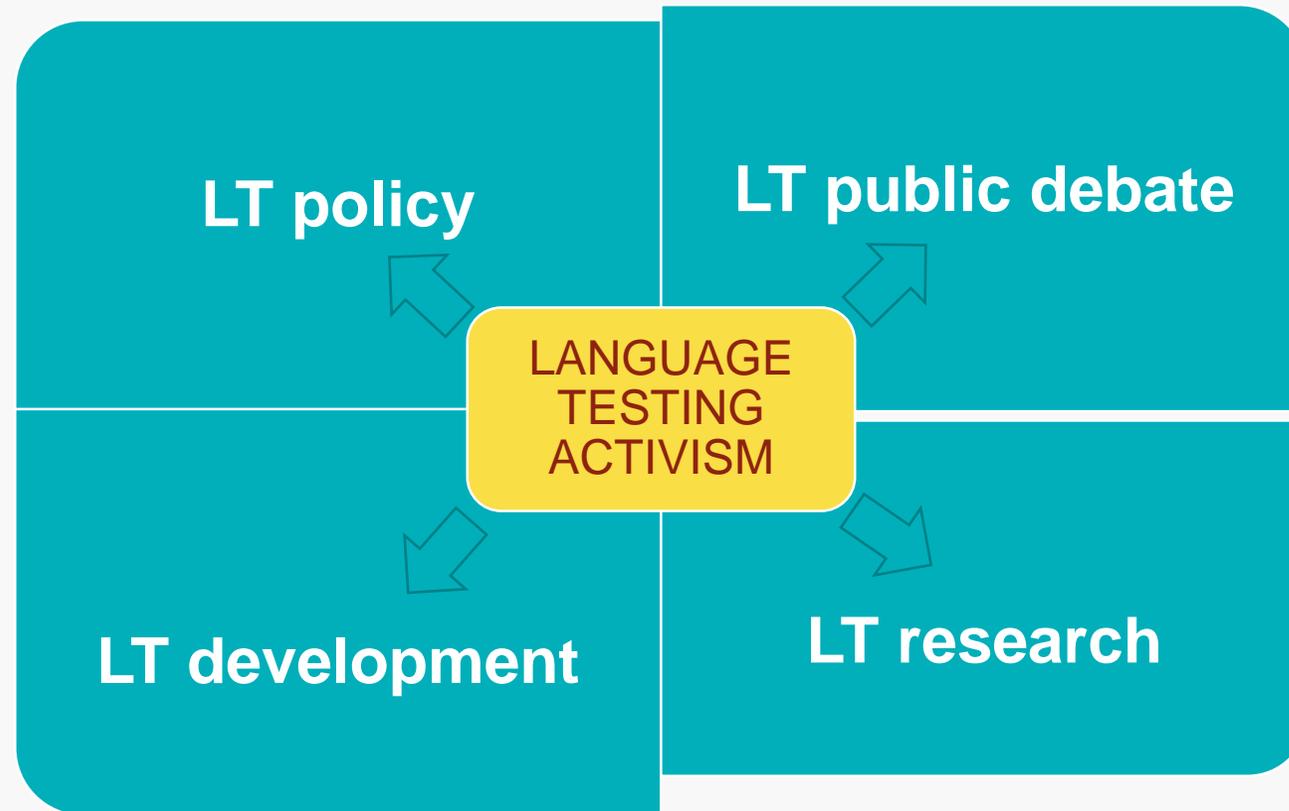
“[...] stakeholders are seen as activists if they choose to use their position to raise awareness and call for policy changes” (Combs & Penfield, 2018:471).

Language testing activism – justice in practice

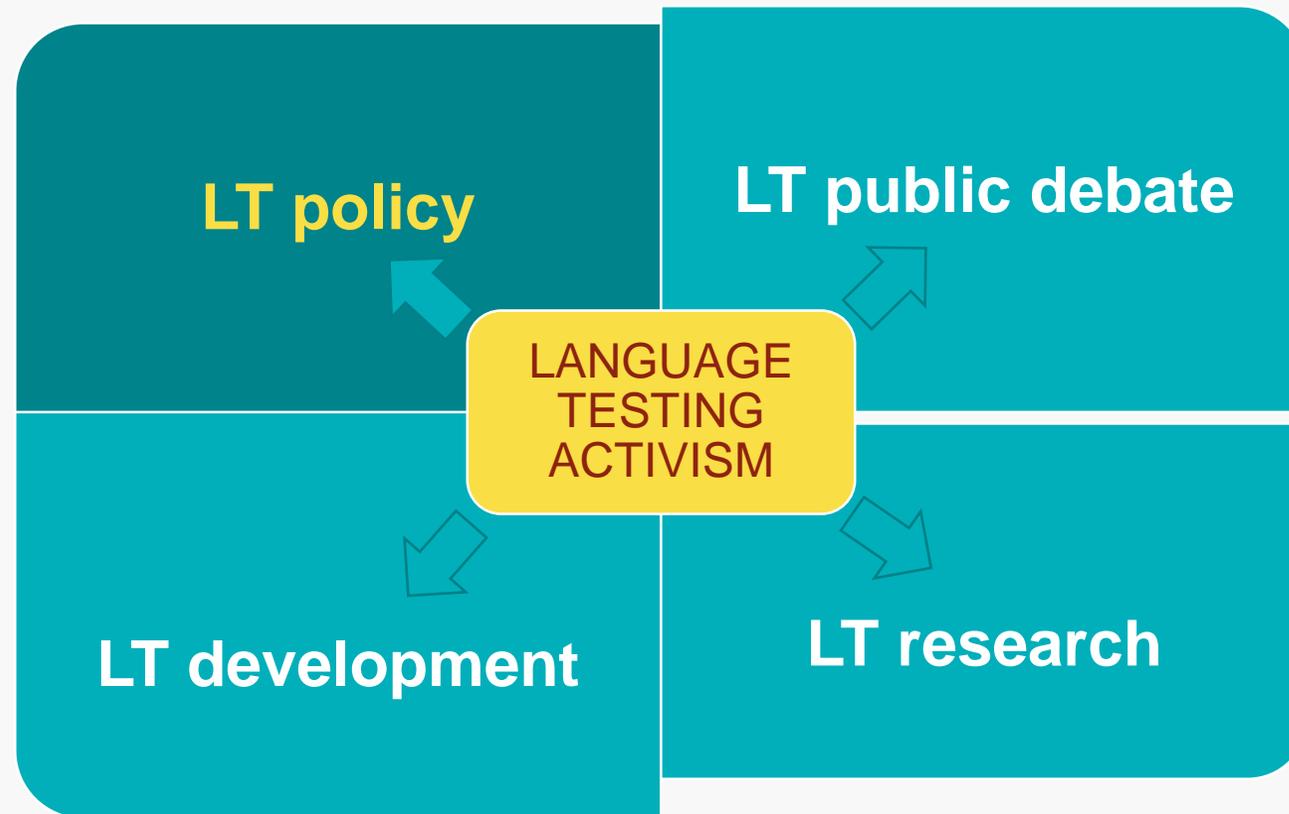
- › Messick's definition of validity gives us a licence to take action against injustice
- › It gives us a responsibility to act
- › What we consider unjust, however, depends on our values

Language testing activism – justice in practice

– examples from Norway

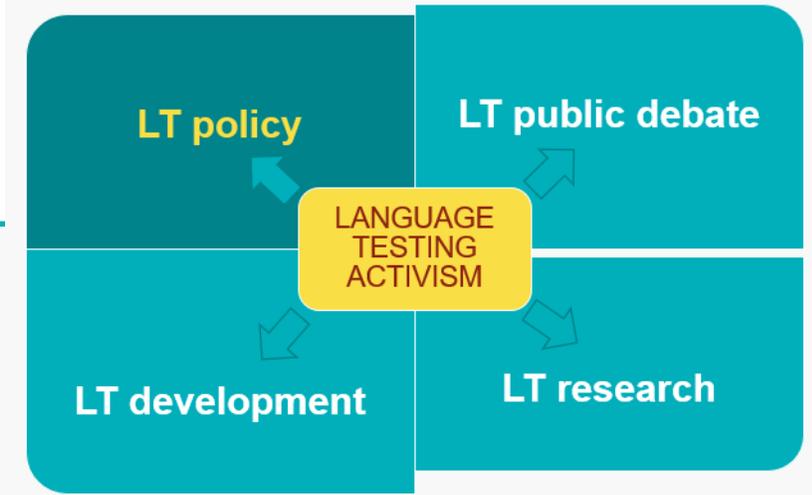


1. Language testing activism > policy

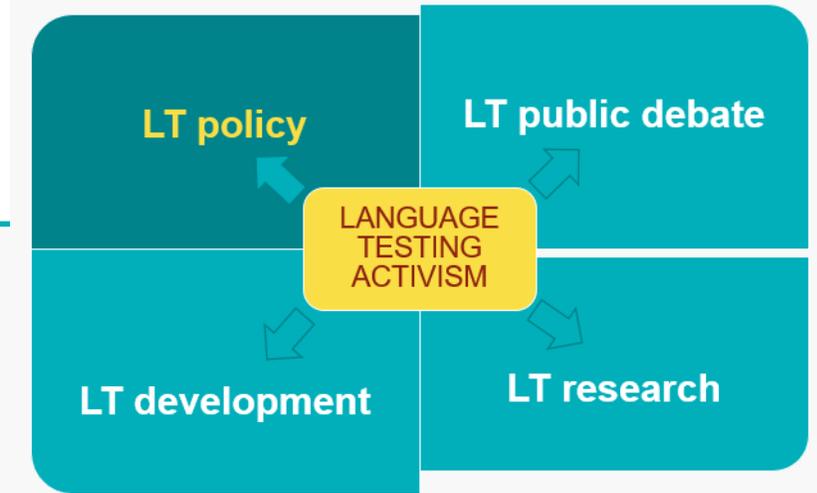


1. Language testing activism > policy

- › Regional policy proposal – language requirement for labour
 - › Non-native speaking kindergarden assistants
 - › B2 requirement in all four skills
- › Policy claim
 - › Necessary in order to secure minority childrens' Norwegian skills
- › Why is it hard to justify?
 - › only 5% of 20 000 test-takers gets B2 i the 4 skills
 - › potentially harmful consequences for migrant workers (women in particular)
 - › ignores the value of plurilingualism and multilingualism
 - › ignores minority childrens' need to communicate in a language they know



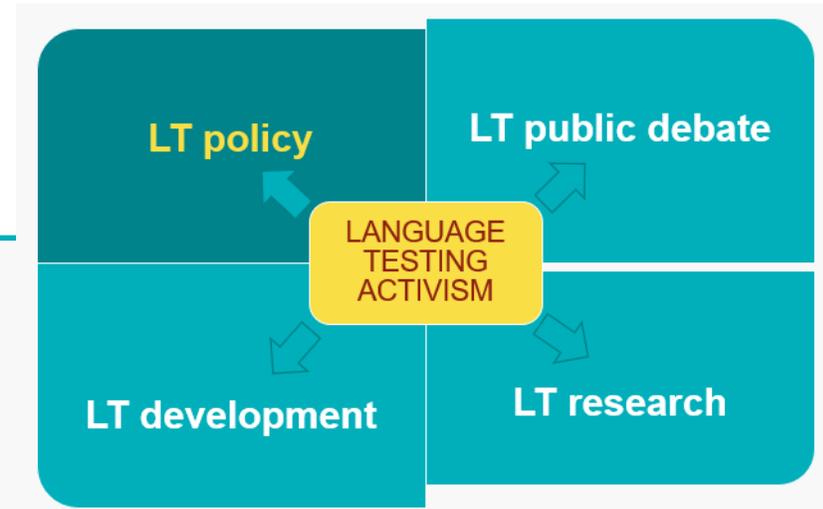
1. Language testing activism > policy



Action

- › Respons to public hearing
- › Arranged meeting with policy makers to inform about:
 - › the CEFR, proficiency levels and learner profiles
 - › B2-level being an academic level
 - › the number and profile of candidates who receive B2 in all four skills
 - › the value of plurilingualism and multilingualism
 - › the importance of L1 in language learning
 - › the potentially negative consequences of a B2-requirements on individuals and society

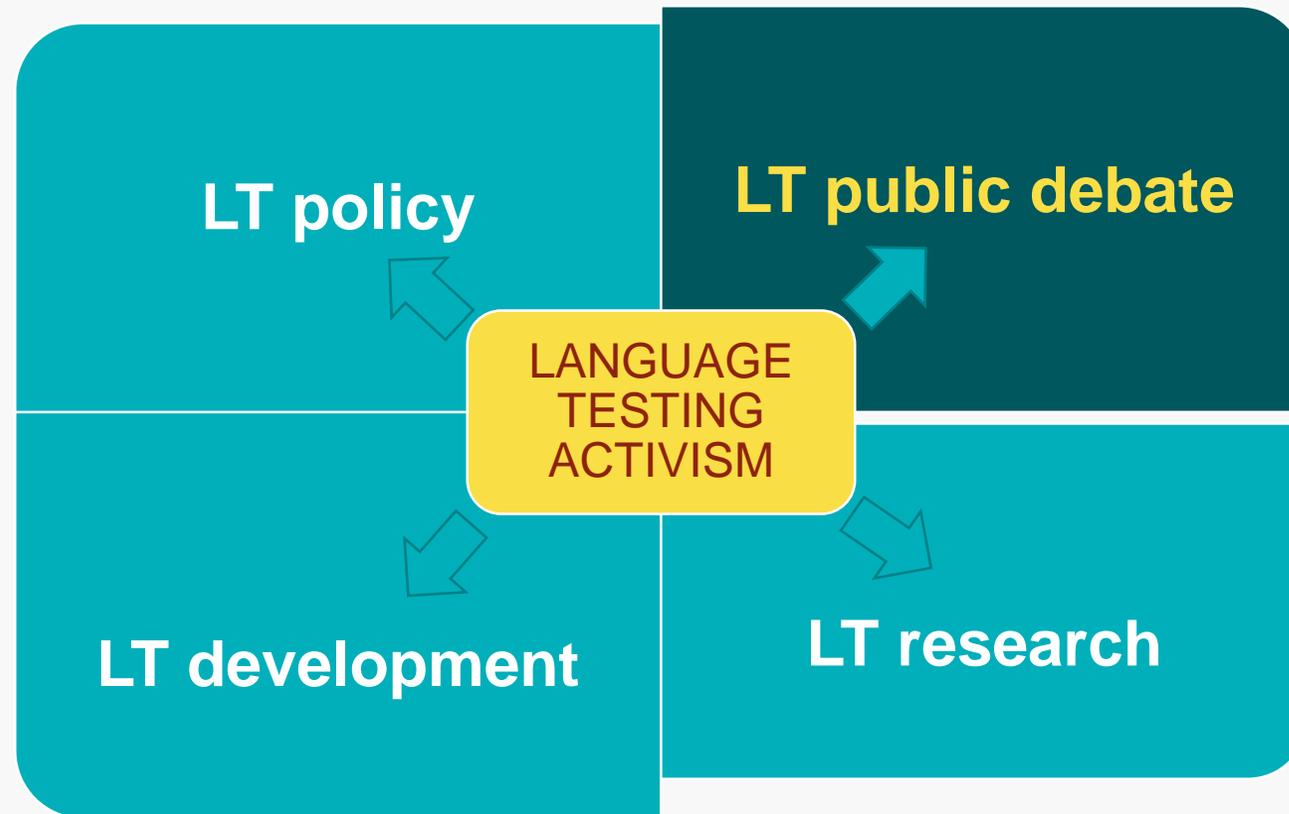
1. Language testing activism > policy



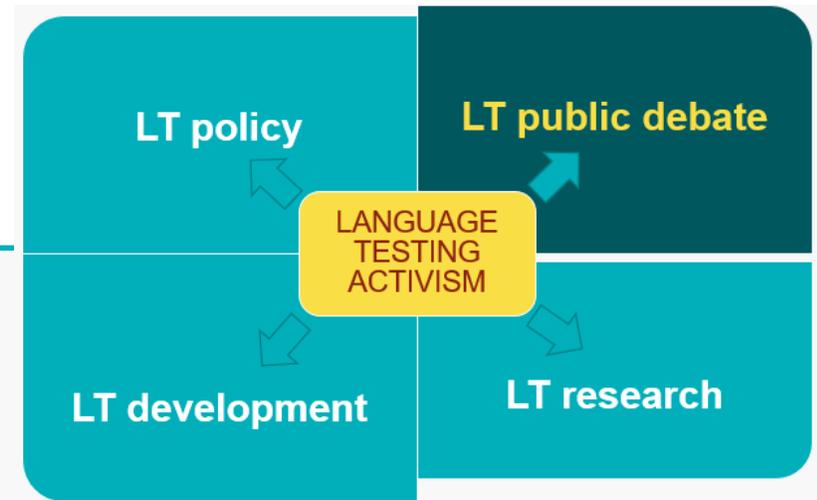
Result

- › Policy makers withdrew the B2-proposal
- › Introduced B1-requirement
 - › One could still question the justification of B1-level in writing for kinder garden assistants
 - › How much do kinder garden assistants write as part of their job?
 - › What kinds of texts do they need to write?
 - › Needs-analysis is necessary

2. Language testing activism > public debate

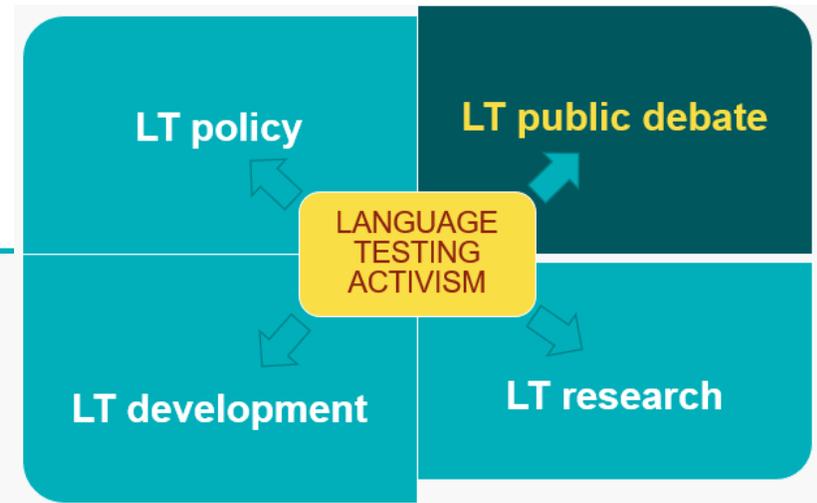


2. Language testing activism > public debate



- › Policy proposal – requirements for integration/immigration
 - › Language and knowledge of society (KoS) requirements
 - › Permanent residency: A1 oral + written KoS-test in minority language
 - › Citizenship: A2 oral + KoS-test in Norwegian
- › Policy claim
 - › «to make it less attractive to apply for asylum in Norway» (www.regjeringen.no)
- › Why is it hard to justify?
 - › language and KoS-learning is not equally easy for all learners
 - › such requirements are particularly harmful for vulnerable groups (low-literates, refugees)
 - › a danger that requirements get stricter once the law is implemented
 - › may lead to segregation rather than integration (Bruzos, Erdocia & Khan; Böcker & Strik, 2011)
 - › a validity problem – it is not really about language

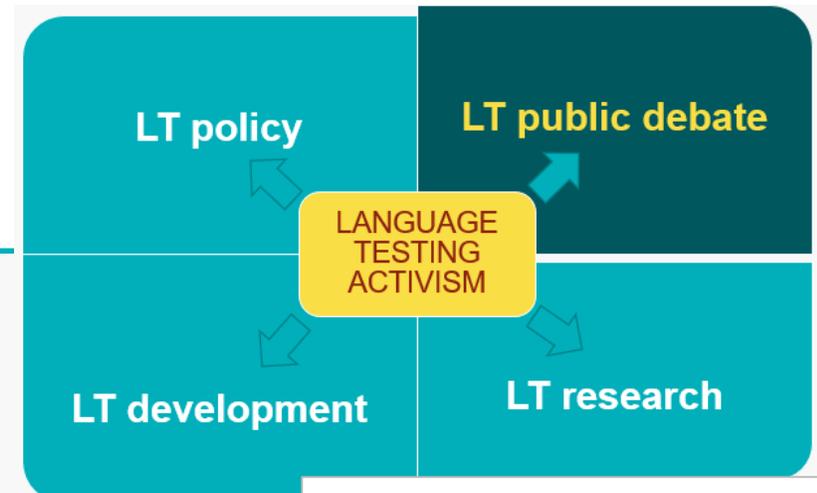
2. Language testing activism > public debate



Action

- › Respons to public hearing
- › Active participation in public debate meetings
- › Newspaper articles informing the public opinion about:
 - › the CEFR-levels
 - › KoS-test as implicit language and literacy requirement
 - › the potential dangers for individuals and society
 - › the experience from other countries
 - › research results on impact of such requirements

2. Language testing activism > public debate



Action

- > Response to public hearing
- > Part-taking in
- > Newspaper articles
- > CEFR-...

Språktester uten mening

KRONIKK: Selv om man innfører en språkprøve for å motivere norskopplæring og fremme integrering, kan konsekvensene bli og segregering.

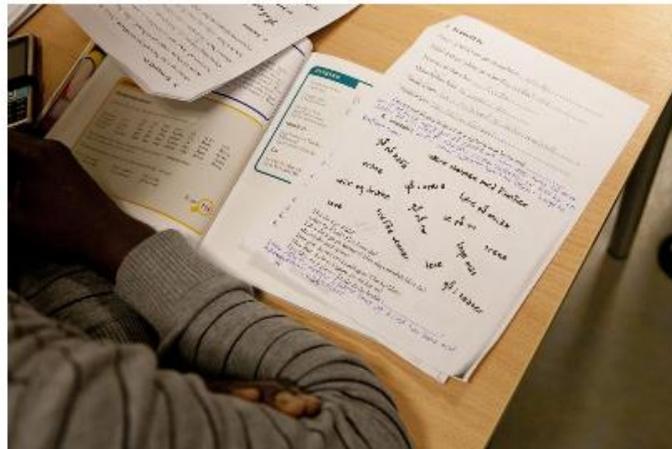


SPRÅKTEST FOR STATSBORGERSKAP: - Vi har ingen forskning som underbygger at statsborgerskap fremmer integrering, skriver artikkelforfatteren. Foto: ARKIV

Cecilie Hammes Carlsen
PUBLISERT 24. OKTOBER 2013 08:18
OPPDATERT: 24. OKTOBER 2013 09:16

Når tester blir politikk

Med skjærpede krav nekter man innvandrere med lite skolebakgrunn permanent opphold og familiegjenforening.



INGEN GARANTI: Et enkeltresultat på en språkprøve eller en kunnskapsprøve er verken en garanti for eller et mål på vellykket integrering, skriver kronikforfatterne. ILLUSTRASJONSFOTO: Scanpix

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PUBLISERT 9. FEBRUAR 2016 05:00

Nåløyet kan bli for trangt

Ikke alle kvinner kunne lese og skrive da de fikk stemmerett i 1913, men viktig at de fikk mulighet til påvirke samfunnet.



NYE NORSKE BORGERE: En statsborgerprøve kan lett føre til det motsatte av integrering, og til at færre innvilget statsborgerskap. Bildet er fra en statsborgerseremoni i Håkonshallen i 2008. ARKIVFOTO: Ørjan

Norsk Språktest Uib

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Uib

Dag Elgseten

Norsk Språktest

Dr. Art.

Cecilie Carlsen

PUBLISERT 9. JUNI 2010 06:00
OPPDATERT: 9. JUNI 2010 07:06

16 February 2016 19:30 - 21:00 | Åpent møte

Lista til Listhaug

SHARE

Lista til Listhaug- hva betyr den egentlig?

Som svar på økningen i asylkomster presenterte innvandrings- integreringsminister Sylvi Listhaug (FrP) i romjula en liste med bidra til å stramme inn asylpolitikken i Norge. IMER Bergen og debattmøte om innstrammingsforslagenes praktiske konsekvens

Hvis lista over forslag blir gjennomført vil den gjøre Norge til et landene i Europa når det gjelder asyl. Forslagene inkluderer innst om familiegjenforening, økt bruk av midlertidig opphold, krav til og krav å bestå prøver i norsk og samfunnsfag for å få permanen

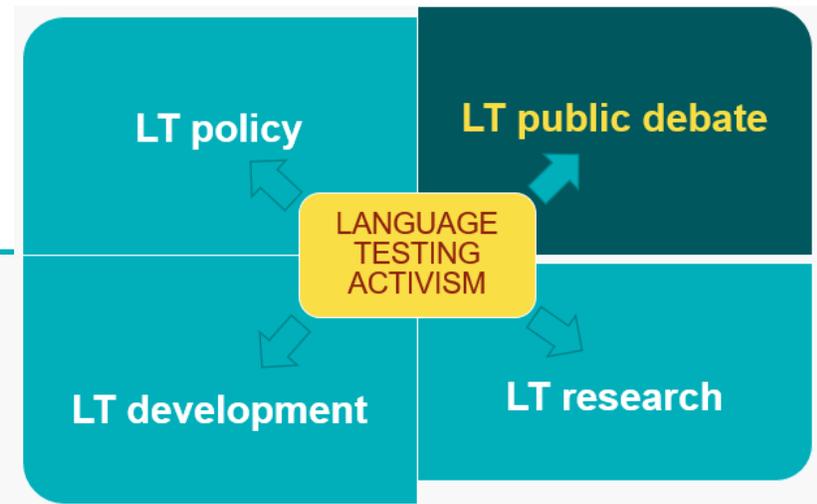
For mange kan forslagene til tiltak virke abstrakte. Hva betyr eg innstrammingsforslagene i praksis?

IMER Bergen og Christian Michelsens Institutt inviterer arrangement der fire eksperter gir innsikt i innstrammingsforslagenes konsekvenser. Du kan melde din interesse eller spre ordet på vår event.

Terje Einarsen (UiB): Professor i jus, ekspert på asylrett
Helga Eggebø (KUN): Doktorgrad på tema familiegjenforening
Anita Rathore (OMOD): Nestleder i Organisasjonen Mot Offentlig
Cecilie Hammes Carlsen (VOX): Ekspert på norsk- og samfunnsfag



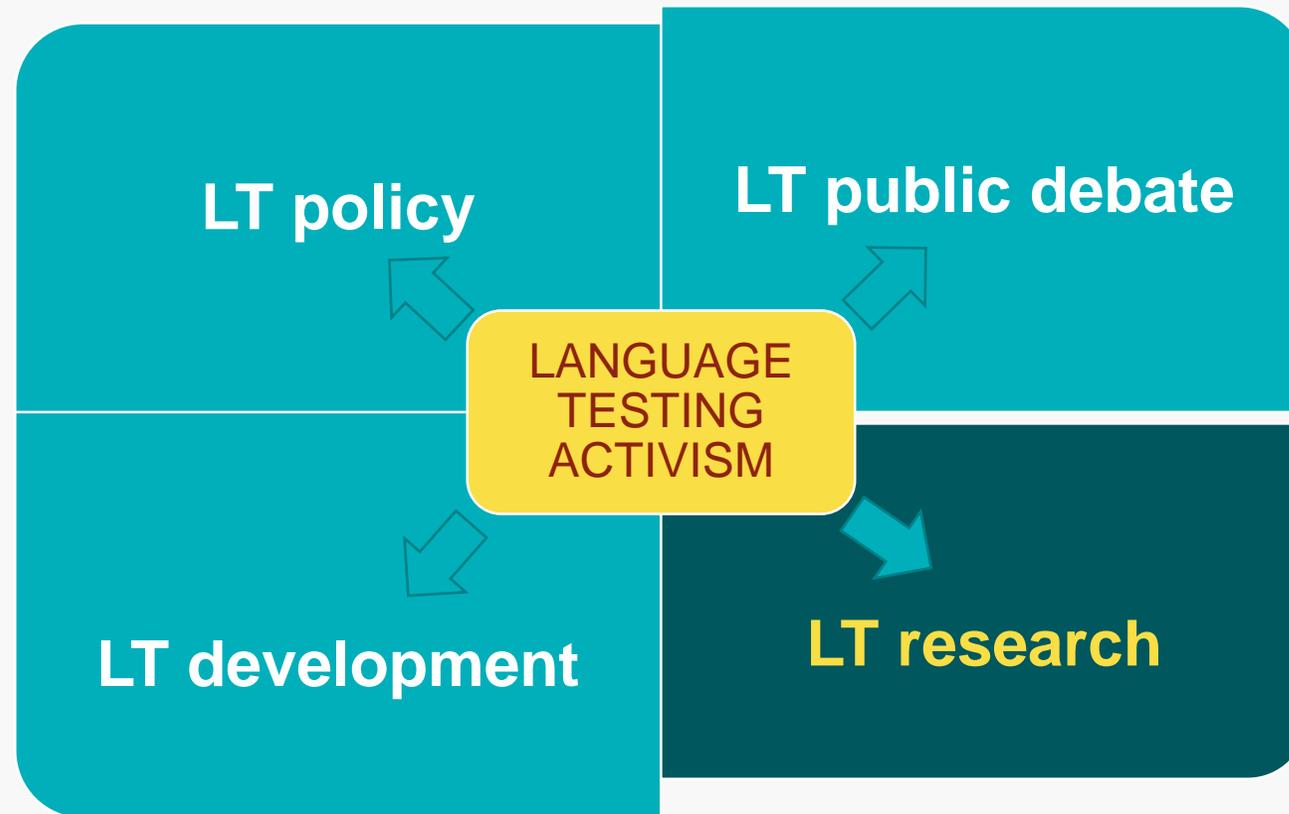
2. Language testing activism > public debate



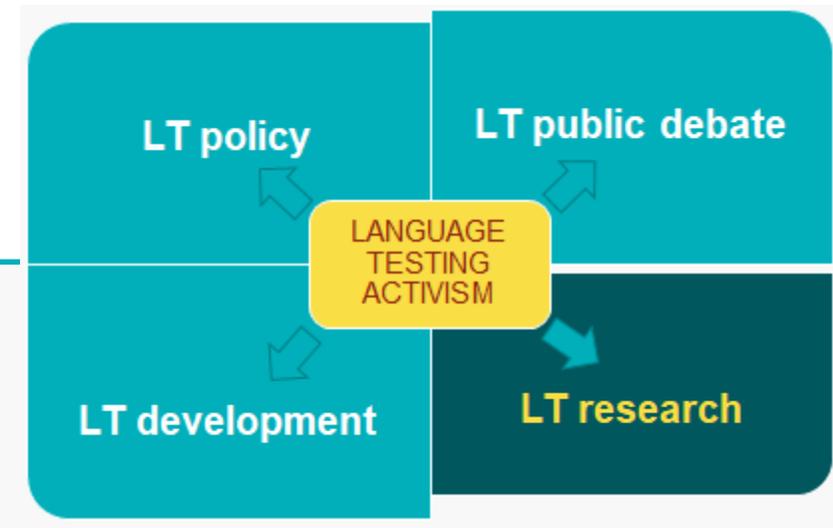
Result

- › Majority of hearing responses were negative to the proposed requirement
- › Yet – politicians chose to introduce language and KoS-requirements
- › 2019 – new proposal to increase the level from A2 to B1 for citizenship (regjeringsplattformen)
 - › New public hearing and new battles to fight

3. Language testing activism > research

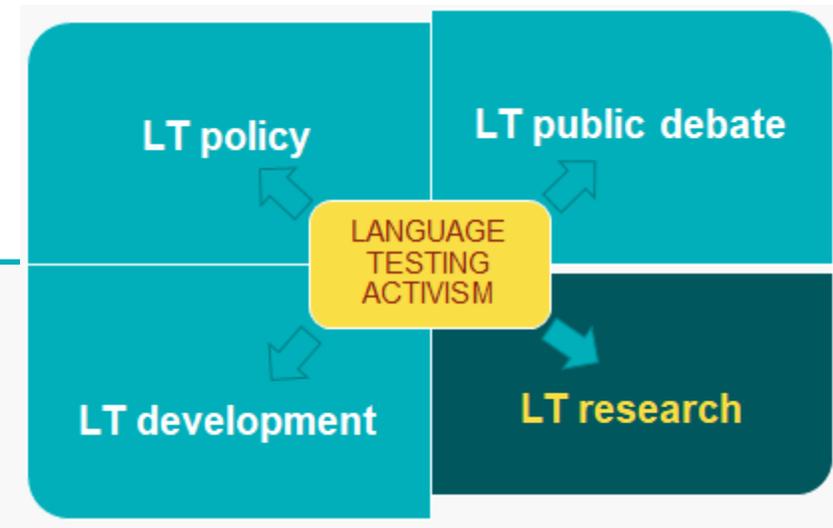


3. Language testing activism > research



- › Language requirement for university entrance
 - › Foreign students need to document their Norwegian skills
 - › Several different tests can be used to meet the requirement
 - › Admission requirements for the different tests are decided by policy makers
 - › Language test scores are recoded to the same scale (1-6) for calculation of credit points
- › Claim
 - › The different requirements are comparable
 - › Hence the entrance requirements can be recoded into the same point on the 1-6 scale
- › Why is it hard to justify?
 - › The different requirements do not appear to be aligned
 - › It is likely that candidates at the same level of proficiency do not get the same credit
 - › Potential discrimination of some candidates

3. Language testing activism > research



Action

- › Arranged meeting with policy makers
- › Explained why the current situation was potentially unfair
 - › Qualitative comparison of assessment criteria and level descriptions
 - › Prior correlation studies
- › Agreement to conduct new study
 - › Correlation of university admission requirements (three tests of Norwegian)
 - › Aim: to find out if the recoding to same scale was fair
 - › Same students taking several exams > compare scores
 - › External research company did analyses and wrote report

Trinn 3-eksamen

(Locally developed university entrance test)

Entrance requirement: **lowest pass grade**

E (F to A scale)

«Uses few and simple devices to create text binding»

«Vocabulary is limited, but sufficient»

«Syntax, morphology and orthography deviates considerably from target language norm, but the text is generally comprehensible»

Norskprøven for voksne innvandrere

(Standardized test developed by Skills Norway)

Entrance requirement: **highest level measured**

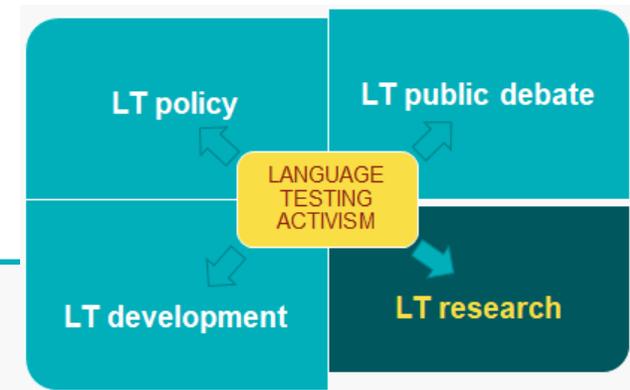
B2 (A1 to B2-scale)

«Can write a clear, coherent text which is easy to follow. Can structure a text well by using connectors and other text-binding elements to create textual cohesion and progression»

«Has a broad vocabulary regarding both words and expressions. Can express him/herself with variation and a high degree of lexical precision. Errors occur but do not lead to misunderstandings»

«Has a good command of basic grammatical structures – both word inflection and sentence patterns. Good variation in sentence types. For the most part successful use of complex sentences. Errors occur but do not hinder communication»

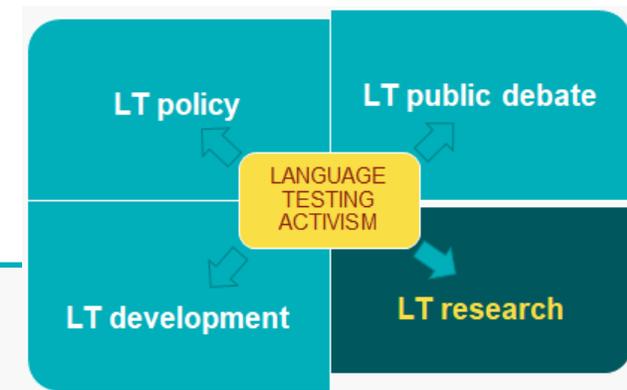
3. Language testing activism > research



New scale	1	2	3	4	5	6
Trinn 3-eksamen		E and D	C	B		A
Norskprøven for voksne innvandrere		B2				
Test i norsk-høyere nivå		B2				

Samordna opptaks table for recoding grades on different tests of Norwegian into the same 1-6 grade scale (complete scale available in Norwegian at: <https://www.samordnaopptak.no/info/om/lover-og-regler/rangering/index.html>)

3. Language testing activism > research

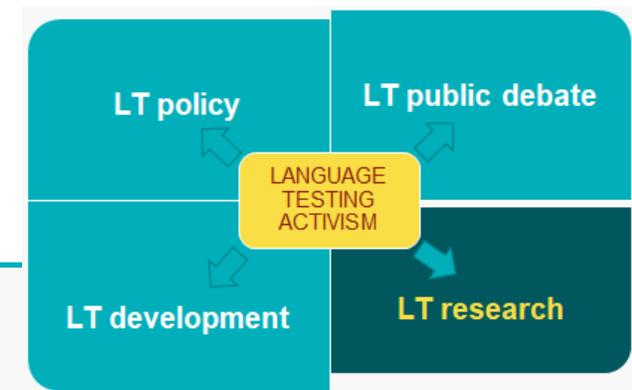


Design of the study

Trinn 3-eksamen (entrance req. E)	Norskprøven (entrance req. B2)	HN-testen (entrance req. B2)
Group 1 (<i>n</i> = 43)	Group 1 (<i>n</i> = 43)	
	Group 2 (<i>n</i> = 30)	Group 2 (<i>n</i> = 30)
Group 3 (<i>n</i> = 49)		Group 3 (<i>n</i> = 49)



3. Language testing activism > research

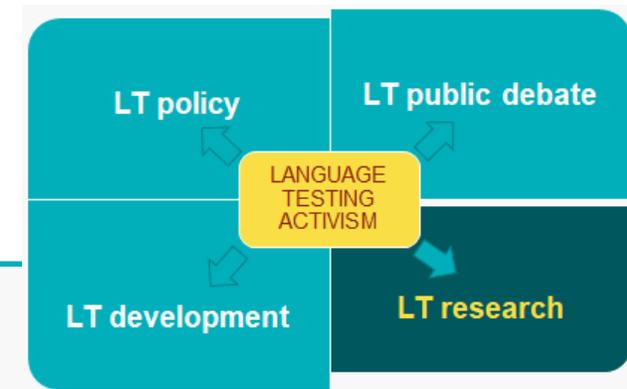


Trinn 3-eksamen	Norsk-prøven	Pass the admission requirement	Fail the admission requirement	Total
Pass the admission requirement		7 (16 %)	30 (72 %)	37 (88%)
Fail the admission requirement		0 (0%)	5 (12%)	5 (12%)
Total		7 (16%)	35 (84%)	43 (100%)

Samfunnsøkonomisk analyse. (2017). *Undersøkelse av samsvar mellom prøver i norsk språk for opptak til høyere utdanning.*



3. Language testing activism > research



Result

Clear recommendations from researchers:

- > B2 (Norskprøven) does not correlate with grade E (Trinn 3-eksamen)
- > B2 (Norskprøven) should not be equated to E and recoded into the same grade on the 1-6-scale (grade 2)
- > B2 (Norskprøven) correlates with grade B (Trinn 3-eksamen) and should be recoded into grade 4

- > **Change in policy!**

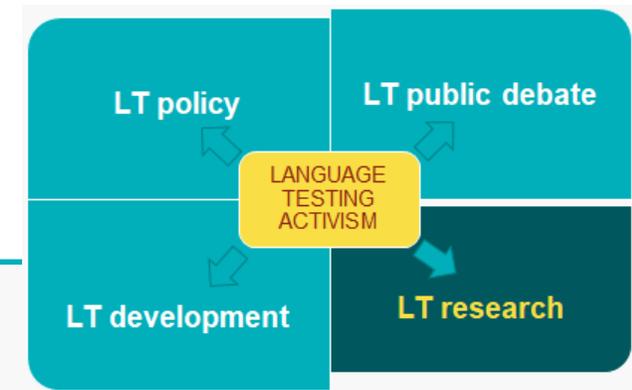
Undersøkelse av samsvar mellom prøver i norsk språk for opptak til høyere utdanning

Publisert: 2017 **Utgiver:** Samfunnsøkonomisk analyse AS
Forfatter: Mikkel Myhre Walbækken og Andreas Benedictow



<https://www.kompetansenorge.no/statistikk-og-analyse/publikasjoner/undersokelse-av-samsvar-mellom-prover-i-norsk-sprak-for-opptak-til-hoyere-utdanning/>

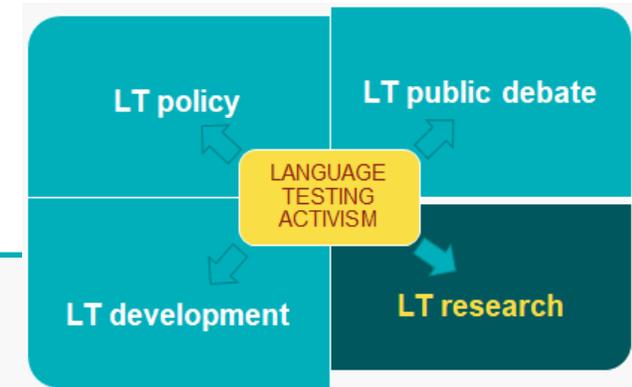
3. Language testing activism > research



New scale	1	2	3	4	5	6
Trinn 3-eksamen		E and D	C	B		A
Norskprøven for voksne innvandrere		B2				
Test i norsk-høyere nivå		B2				

Samordna opptaks table for recoding grades on different tests of Norwegian into the same 1-6 grade scale (complete scale available in Norwegian at: <https://www.samordnaopptak.no/info/om/lover-og-regler/rangering/index.html>)

3. Language testing activism > research



New scale	1	2	3	4	5	6
Trinn 3-eksamen		E and D	C	B		A
Norskprøven for voksne innvandrere				B2		
Test i norsk-høyere nivå				B2		

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Endelig uttelling for gode resultater på norskrøven

Fra våren 2018 får norskrøvekandidater med B2 på alle delprøver regnet om resultatet til karakteren 4 for Samordnet opptak. Samtidig likestilles B2 på norskrøven med karakteren B på universitetenes egne Trinn 3-eksamener.



Kompetanse Norge la ned mye arbeid høsten 2016 for at norskrøvekandidater skal få uttelling for sine resultater.

– Det var en urettferdighet i hvilken uttelling norskrøvekandidater med B2 på alle delprøver fikk sammenlignet med de som tok Trinn 3-eksamen på universitetet, sier Cecilie Hamnes Carlsen, seniorrådgiver i Kompetanse Norge. B2 på Norskrøven og Test i norsk – høyere nivå, ble omregnet til karakteren 2 og likestilt med laveste ståkarakter, E, på Trinn 3 eksamen.

Kompetanse Norge og Samordna opptak ble enige om å få gjennomført en korrelasjonsundersøkelse av opptakskravene i norsk, der Norskrøven for voksne innvandrere, Test i norsk - høyere nivå og Trinn 3-eksamen inngikk.

Resultatene av undersøkelsen viste blant annet at:

Publikasjoner

Bakgrunn

Utenlandske studenter som kommer til Norge, må dokumentere norskspråkkunnskap. Dette kan de gjøre ved hjelp av norskspråkkunnskapstesten, som for eksempel Norskrøven for voksne innvandrere, utviklet av Kompetanse Norge, Test i norsk – høyere nivå (HN-testen), utviklet av Norsk språktest eller Trinn 3-eksamen, utarbeidet ved landets ulike universiteter.

Hvilket resultat som kreves på de ulike prøvene, er regulert av Opptaksforskriften til Universitetsloven. I forskriften er det bestemt at de som tar Norskrøven for voksne innvandrere, må ha B2 på alle de fire delprøvene for å komme inn, de som tar Test i norsk – høyere nivå, må bestå skriftlig del (lytte, lese og skrive), tilsvarende B2-nivå, mens de som tar Trinn 3-eksamen kun trenger laveste ståkarakter, E, for å begynne å studere i Norge. Tidligere studier (Andersen 2006) har avslørt dårlig samsvar mellom opptakskravet E og Bestått på Test i norsk – høyere nivå.

LT policy

LT public debate

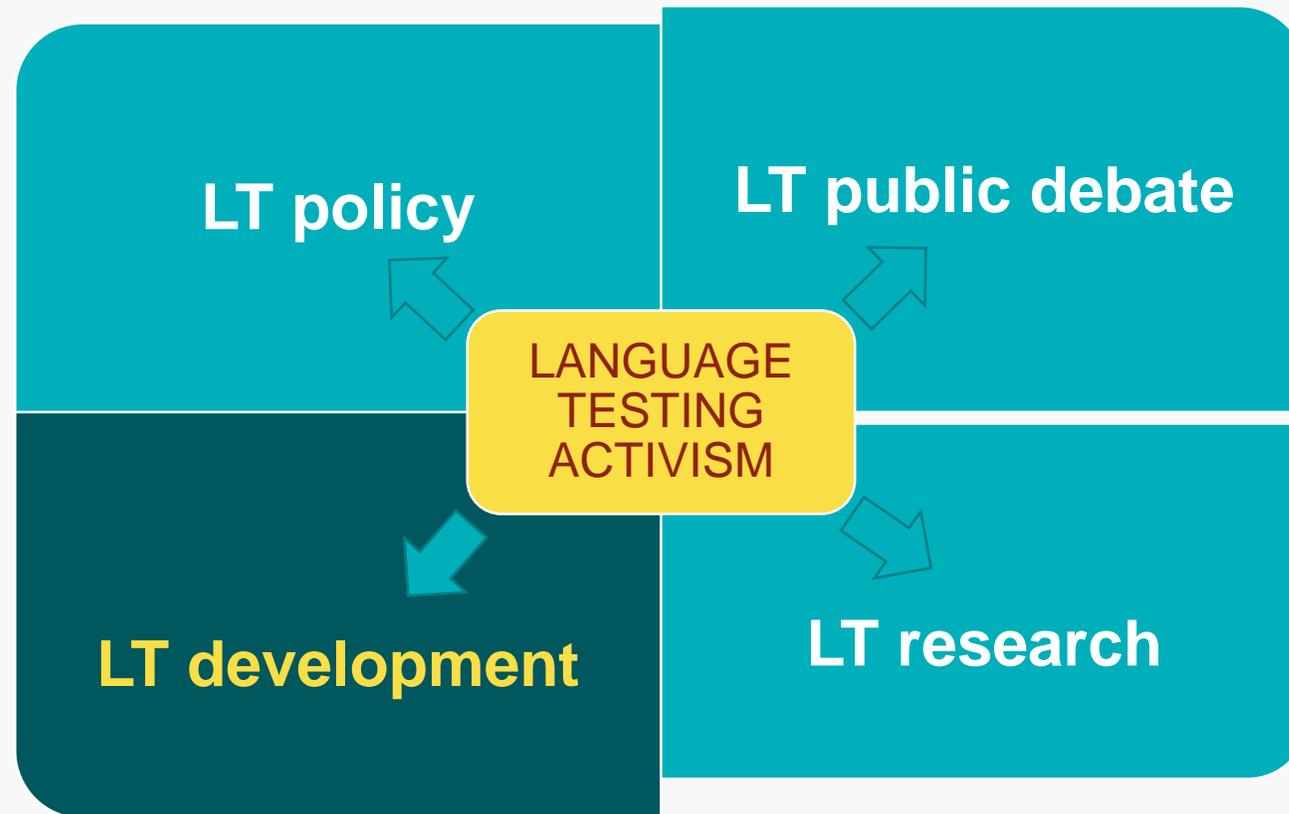
 LANGUAGE
TESTING
ACTIVISM

LT development

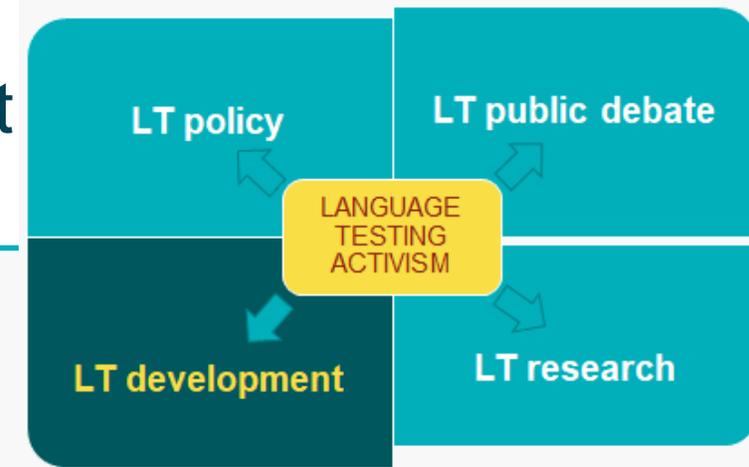
LT research



4. Language testing activism > test development

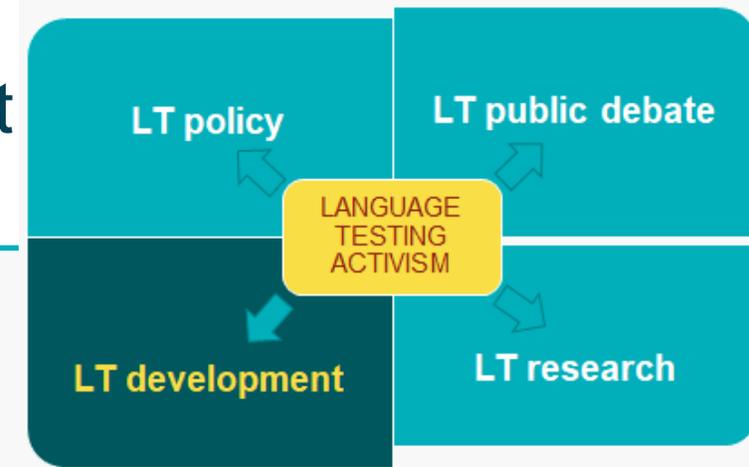


4. Language testing activism > test development



- › Minority childrens' language rights in school
 - › Special curriculum in Norwegian as a second language
 - › Subject teaching in their L1
 - › L1-tuition
 - › Only until they have «sufficient proficiency» in Norwegian to follow ordinary classes
 - › There is no standardized assessment tool available
- › Claim
 - › Teachers can assess what is «sufficient»
- › Why is it hard to justify?
 - › Teachers lack in SLA and LT-competence
 - › childrens' language proficiency is often overestimated because of good pronunciation
 - › The assessment is practiced very differently from school to school
 - › Many minority children do not get what they need to succeed

4. Language testing activism > test development



Action

- › Develop a test to assess what is «sufficient»
- › Collaboration between *Hordaland county municipality* & *Western Norway University of Applied Science*
 - › CEFR-based test of speaking, writing and reading
 - › Tasks and assessment criteria developed with teachers
 - › Systematic training of teachers in the county municipality > assessment literacy
 - › Test for both summative and formative purposes

(Assessment tool for minority pupils in upper secondary school)

Vurderingsverktøy for kartlegging av norskferdigheter - for minoritetspråklige elever i vgs

Forside Prøver Vurderingskjema Eksempelsvar Ressurser



Summing up the line of argument presented

- › Validity is in the core of language testers' responsibility
- › Messick's concept of validity encompasses justice
- › Hence justice is language testers' responsibility
- › Taking the responsibility for justice seriously, implies taking action
- › This action needs to take on different forms to be efficient

- › Examples of language testing activism in four contexts in Norway
 - › LT policy (> labour market)
 - › LT public debate (> permanent residency and citizenship)
 - › LT research (> university admission)
 - › LT development (> minority children's language rights in school)

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