IPMA-HR’s 2008 Needs Assessment Survey will be open starting on May 1st. In order to better meet your needs as an HR professional, IPMA-HR asks that you complete this survey to assess what other products and services you may need for the purposes of selection and promotion. Some of the issues that will be addressed include expanding the Customized Test Service to include more items and to allow the creation of semi-stock tests (a combination of a stock test and a customized test).

The survey, which is operated through Survey Monkey, will be open from 05/01/08 to 06/01/08. An invitation to participate will be sent to you if you have a valid email address on file at IPMA-HR. The survey should take approximately ten minutes to complete. All data will be kept strictly confidential and will never be used for marketing purposes or distributed to third parties.

To thank you for your participation, your email address will be entered into IPMA-HR’s Needs Assessment Survey Lottery. When the survey closes at midnight EST on 06/01/08, three email addresses will be drawn randomly. Each winner will receive a $50 gift card to a national electronics retailer, which can be used in store or online. Please note that you must complete the survey in order to be entered into the drawing. This offer is only valid for those with a current email address on file at IPMA-HR. If you have any questions regarding the survey, please contact Dianna Belman.

Cheating with Cell Phones

Cell phones are not just for making phone calls anymore! They can be used for text messaging, web browsing, taking pictures, and listening to audio. Even the most basic of cell phones are powerful communicative devices capable of a wide range of tasks. The next time you administer an exam, please keep these multifunctional devices in mind when thinking about what items candidates should and should not bring into the testing room with them.

IPMA-HR has become aware of cheating rings where candidates have collaborated to cheat on a test by transmitting text messages to one another either while sitting in the testing room or from an area outside the testing room (e.g., during a restroom break).

Even working alone, candidates can easily record notes to any number of electronic devices (e.g., cell phones, iPods) before the test and then
When the Supreme Court writes constitutional rules to govern the day-to-day actions of police, it always seeks to make rules as simple as possible, to leave little for the officers on the ground to guess about. But drawing up a constitutional rule along what the Court hopes will be bright or clear-cut lines may not be simple at all. Some rather complex theory may get in the way of the aspiration for an easily understood and easily applied rule. That is what the Court discovered anew in its hearing Monday in Virginia v. Moore (06-1082), a police arrest and search case.

If the hearing had been confined to the two core arguments of opposing counsel, the discussion would have been simple. The state of Virginia, backed by the federal government, argued for a starkly simple rule: if police have a reason to believe a crime has been committed—that is, they have probable cause—they may make an arrest, even if that is illegal under state law. And, having made the arrest, they may search for evidence of crime and that will not violate the federal Fourth Amendment. Defense counsel for David Lee Moore argued for a rule of equal simplicity: if an arrest is illegal under state law or otherwise, no search may follow, and any evidence found in a search that occurs anyway is barred by the Fourth Amendment. The Court, in reaction, seemed at times to lean each way, but mostly seemed to be diverted by difficult theoretical complications.

If one judged the hearing by its tonal quality, one could have left with the impression that the state fared a bit better than Moore. Part of that would be due to the fact that Virginia’s lawyer, Deputy State Solicitor General Stephen B. McCullough, was rigorously devoted to keeping it simple—even to the point of saying that a Justice Department janitor zealously caught up in the Department’s mission could go out and make arrests, as long as he had probable cause; the same for an administrative law judge for the Bureau of Customs (comments that led Justice Antonin Scalia to say: “That’s fantastic...Do you really think that?”) On the other hand, Moore’s lawyer, Thomas C. Goldstein, allowed a great deal of nuance to get into his argument, such as the antique law of trespass and the differing legal consequences of searches of arrested people and impounded cars.

But to suggest that this argument was about atmospherics would be too simple. The Court, it seems plain, will not be able to rule one way or the other until it sorts out some basics about Fourth Amendment law, and before it scours pretty rigorously its past precedents in this field. Along the way in Monday’s hearing, it became rather obvious that the Court is not so sure that it wants to allow arrests in defiance of state law for mere trivialities (like, perhaps, spitting, still a crime under Virginia law but not one for which an arrest is legal), but is not sure it wants to expand the exclusion of evidence under the federal Constitution because of a violation of state law. It also seemed unsure of whether it wants to reward Virginia with a federal constitutional suppression remedy for an illegal arrest that leads to a search, when perhaps Virginia would not require suppression under its own law. Most of all, it seemed in doubt about whether it can rule in this case without casting aside some precedents—including, perhaps, a noteworthy 1988 decision (California v. Greenwood) in which the Court refused to follow California law that police need a warrant to search someone’s garbage at curbside because the Court found that the Fourth Amendment treats the garbage as no longer containing anything private.
Uniform Selection Guidelines Will Not Include Internet Applicant Questions

The Equal Employment Opportunity Commission (EEOC) will submit the Uniform Guidelines on Employee Selection Procedures (UGESP) without change to the Office of Management and Budget (OMB) for a three-year period under the Paperwork Reduction Act of 1995.

The UGESP was adopted in 1978 and requires employers covered by Title VII and Executive Order 11246 to collect information on a job applicant’s race, gender and ethnicity. There are an estimated 846,156 such employers in the public and private sectors including colleges, universities and referral unions.

The submission will not include the questions and answers created in 2004 to address Internet applicants. That document was titled, “Agency Information Collection Activities: Adoption of Additional Questions and Answers to Clarify and Provide a Common Interpretation of the Uniform Guidelines on Employee Selection Procedures as They Relate to the Internet and Related Technologies,” and was published in the March 4, 2004 Federal Register.

Based on comments received in response to the 2004 notice, the EEOC does not intend to finalize the five additional questions and answers that clarified the definition of an applicant. The three-year period is designed to allow the UGESP to remain in effect while the agency works with other federal agencies to determine the appropriate way to handle Internet applicants.

The decision to proceed without the additional language was made during the March 17, 2008 meeting of the EEOC commissioners and all four agreed to proceed without the Internet applicant language. The EEOC agreed to accept comments on this notice until May 27, 2008. For more information, see the March 25, 2008 Federal Register at http://a257.g.akamaitech.net/7/257/2422/01jan20081800/edocket.access.gpo.gov/2008/pdf/E8-5903.pdf.

discreetly listen to that information while taking the exam. Before you say, “Well wouldn’t I see the earphone wires?” These days, there are extremely small, in-ear listening devices available, which can be used to wirelessly listen to material. So, unfortunately, the answer is no; you may not notice any wires because there might not be any!

Candidates should be notified in advance that cell phone, iPods, and other similar electronic devices are prohibited from the testing room. If candidates arrive with such devices, consider asking them to leave those devices outside the testing room (e.g., in a car or a locker) or check them with a proctor prior to entering the testing room. Simply asking candidates to turn off their cell phones and other electronic devices is not a sufficient security measure, as it is possible to surreptitiously activate the device without notice, especially during a busy time of the administration when proctors are otherwise engaged.

Even if you allow cell phones into the testing room, it is extremely important that proctors be on the look out for questionable and repetitious behavior during the test administration. Repeated gestures, such as reaching into a pocket or cupping a hand over an ear, may indicate that candidates are receiving outside communication to gain an unfair advantage on the test. Careful observation of candidates by proctors during test administration is a powerful deterrent for prospective cheaters.

For more tips on test administration, check out IPMA-HR’s new Test Administration Handbook, which will be available for purchase in June 2008.

Join our test development efforts today! Visit testing.ipma-hr.org to download a copy of IPMA-HR’s 2008 Test Development Brochure.
ABOUT IPMA-HR: IPMA-HR has provided high-quality, reliable test products and services to the public sector since 1953. IPMA-HR provides more than 200,000 tests annually to public jurisdictions including the United States, Canada and the European Union. Developed by experienced psychometricians, IPMA-HR tests have been validated and are backed by more than 50 years of experience. Let us assist you as you make the difficult hiring and promotional decisions specific to your field. Our customers agree that we always provide excellent customer service, from the ordering process until long after test administration. IPMA-HR is your trusted source for test products and services.

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* If the addressee is no longer a Test Security Agreement signer for your agency, please call (800) 381-TEST (8378) or e-mail assessment@ipma-hr.org to update your records.