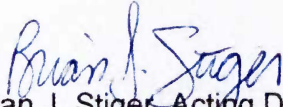




<b>TITLE</b>	<b>Participation in Examination Development Workshops</b>		
<b>POLICY OWNER</b>	Office of Professional Examination Services (OPES)		
<b>POLICY NUMBER</b>	OPES 11-01	<b>SUPERSEDES</b>	New
<b>ISSUE DATE</b>	March 1, 2011	<b>EFFECTIVE</b>	IMMEDIATELY
<b>DISTRIBUTE TO</b>	All Executive Officers, Bureau Chiefs, Division Chiefs, and Executive Staff		
<b>ORIGINAL APPROVED BY</b>	 Brian J. Stiger, Acting Director Department of Consumer Affairs		
<b>PAGE</b>	1 of 3	<b>ATTACHMENT</b>	None

**POLICY**

It is the policy of the Department of Consumer Affairs (DCA) that board members, committee members, and instructors not serve as expert consultants in the licensure examination development process.

**APPLICABILITY**

This policy applies to all employees, governmental officials, consultants, and temporary staff of DCA; and any of its divisions, bureaus, boards, committees and other constituent agencies. Within this policy, the generic acronym "DCA" applies to all of these entities.

**PURPOSE**

The purpose of this policy is to set forth the restrictions and principles related to participation in the licensure examination development process.

A licensure examination serves a regulatory purpose by ensuring that each candidate who successfully passes an examination for a given profession is qualified to practice in that profession.

Expert consultants are essential to the development of licensure examinations. Their participation ensures that the examinations accurately assess whether candidates possess the minimally acceptable knowledge, skills, and abilities necessary to perform tasks on the job safely and competently. Therefore, the selection of expert consultants by boards, bureaus, and committees critically affects the quality and defensibility of their licensure examinations.

**AUTHORITY**

Business and Professions (B&P) Code sections 101.6, 123, and 139.

## DEFINITIONS

For purposes of this policy, the following definitions apply:

**Board members** are defined as people who are appointed to a regulatory board, commissioners, exam committee members, and/or other committee members appointed to serve in an advisory capacity to a board or bureau within the statutory authority of the Director of the Department of Consumer Affairs.

An **instructor** is defined as any teacher, trainer, mentor, or other person engaged in formal or informal instruction to candidates for licensure in a profession AND who has a personal and/or financial interest in increased pass rates for his or her student(s) and/or the training institution for which he/she is employed.

An **expert consultant** is defined as a person whose services are retained for, among other tasks, developing, but not proctoring, professional licensing examinations. An expert consultant is a person who actively works in the target profession, has a current license in good standing by the State of California, meets established selection requirements, and is able to articulate specialized technical knowledge related to their profession. In licensure examination development work, expert consultants are referred to as Subject Matter Experts.

## PROVISIONS

Due to potential conflict of interest, undue influence, and/or security considerations, board members, and instructors, as defined above, shall not serve as expert consultants for, nor participate in, any aspect of licensure examination development or administration.

In consultation with the relevant board(s); licensure examination developers will determine any exceptions on a case-by-case basis. For instructor participation in examination development workshops, those exceptions will be based on, but not limited to, the following factors:

- Number of hours spent as a licensee relative to the number of hours spent as an instructor;
- Size of the pool of qualified licensees available to attend workshops;
- Availability of licensees for attending workshops; and
- Existence of a licensing/accrediting relationship between the board, bureau, or committee and training schools.

## VIOLATIONS

With the concurrence of the relevant board(s) and the approval of management, licensure examination developers will dismiss any expert consultant selected by any board, bureau, or committee who does not meet the provisions of this policy.

**REVISIONS**

For questions regarding revisions to this policy, please contact OPES at (916) 575-7240. Specific questions regarding the status or maintenance of this policy should be directed to the Division of Legislative and Policy Review at (916) 574-7800.