AMERICAN PSYCHOLOGICAL ASSOCIATION

APA RESOLUTION on Protecting Psychological Test Security, Test Validity, and Public Safety

FEBRUARY 2025

That Council adopts as APA policy the following *APA Resolution on Protecting Psychological Test Security, Test Validity, and Public Safety*.

WHEREAS, APA's mission includes promoting the application of psychological science and knowledge to benefit society and improve lives;

WHEREAS, the integrity of psychological tests is an integral part of conducting psychological evaluations that directly contributes to protecting public safety;

WHEREAS, "*test security*" means protection of the content and key operational characteristics of a test, including test materials, test data, raw data, audio and video recordings, laboratory test results, protocols, technical manuals, testing cards, plates or other stimuli, computerized reports, electronic software, publisher databases, and any other resources derived or used in psychological assessments, and is best protected when disseminated to other psychologists and other experts properly trained in test administration and interpretation who have a legal and ethical obligation to protect the integrity of test scores so that they are valid for their intended use;

WHEREAS, "*test materials*" refer to manuals, instruments, protocols and test questions or stimuli and exclude "test data;"

WHEREAS, "*test data*" means raw scores, responses to test questions or stimuli, and psychologists' notes and recordings concerning statements made and behavior exhibited during an examination. Those portions of test materials that include evaluees' responses are included in the definition of test data;

WHEREAS, "*test results*" refers to documents produced after the administration of psychological tests and assessments including scaled scores, test reports, and testing summaries, analysis, and interpretations;

WHEREAS, the American Psychological Association has a long history of seeking to protect the integrity of psychological test materials (APA, 1997);

WHEREAS, APA's *Ethical Principles of Psychologists and Code of Conduct*, referred to as the *APA Ethics Code*, states that "Psychologists make reasonable efforts to maintain the integrity and security of test materials and other assessment techniques consistent with law and contractual obligations, and in a manner that permits adherence to this Ethics Code" (APA, 2017);

WHEREAS, APA's *Guidelines for Psychological Assessment and Evaluation*, asks psychologists to "guard against reports generated by untrained individuals who could misunderstand or misuse this information in such a way that could harm a client, a recipient of test results such as an employer, a court, or a health care system or test publisher. Copyrights on proprietary assessment material are designed to be unavailable to individuals without proper training and ethical obligations to maintain security" (APA Task Force on Psychological Assessment and Evaluation Guidelines, 2020);

WHEREAS, APA's *Standards for Educational and Psychological Testing* explains the procedures by which testing materials should be protected to ensure valid results and decrease the likelihood of test contamination (AERA, et al., 2014);

WHEREAS, failure to protect both the scientific integrity of test materials and the practitioner's own professional responsibility to uphold their current and future test safeguards may result in fewer psychologists agreeing to complete psychological evaluations, resulting in reduced access to services and further narrowing the pool of linguistically and culturally competent providers available to serve under-resourced, historically under-represented, and justice-involved populations;

WHEREAS, tests used in psychological assessments and evaluations contribute to high-stakes decisions, including forensic decisions (e.g., child custody disputes and competency to stand trial), educational decisions (e.g., identification of educational disabilities or qualifying for educational programs, accommodations, or interventions), occupational decisions (e.g., preemployment evaluations and fitness for duty evaluations), medical and health-related decisions (e.g., presurgical evaluations), and clinical decisions (e.g., diagnostic decisions; qualification for programs, supports, and accommodations; social security eligibility; and treatment recommendations);

WHEREAS, coaching individuals to perform in specific ways on tests or to appear more or less impaired (Boone, et al., 2024; Essig, Mittenberg, Petersen, Strauman, & Cooper, 2001) decreases the validity of test results, contaminates test data, and compromises public safety;

WHEREAS, some jurisdictions have attempted to remove or nullify legislative language protective of maintaining test security;

WHEREAS, some jurisdictions use judicial protective orders to attempt to maintain psychological test security;

WHEREAS, states have different test security laws and courts vary in their interpretation and enforcement of such laws that sometimes result in judicial decisions that may create tensions among the APA Ethics Code, legal evidence rules, and due process requirements (American Academy of Forensic Psychology, 2024; Frederick, Mikesell, Otto, Boone, Beattey, Sweet, Krauss, & Scroppo, 2024);

WHEREAS, once test items are compromised, generating replacement items expends extraordinary time and financial resources thereby adding financial burdens on psychologists and the clients they serve through increased costs associated with test development;

WHEREAS, maintaining and supporting psychological test security protects the public and the reputation of the psychology profession;

THEREFORE, BE IT RESOLVED that APA affirms the importance of protecting public safety, well-being, and equitable access to psychological services by maintaining the security of psychological test materials and test data when they contain test questions or test materials.

BE IT FURTHER RESOLVED that APA supports state and federal statutes, regulations, and policies that enhance test security.

BE IT FURTHER RESOLVED that APA supports development of model language as a resource in drafting judicial protective orders in psychological test security cases.

BE IT FURTHER RESOLVED that APA's position is that fair and reasonable transparency and access to psychological test data and test materials in legal proceedings is best achieved and scientific validity best preserved when psychologists share test materials and test data with other psychologists and other experts properly trained in test administration and interpretation who have a legal and ethical obligation to protect test data and test materials.

REFERENCES

American Academy of Forensic Psychology (2024). Balancing Test Security and Discovery Rules in Forensic Psychological Practice. https://aafpforensic.org/wp-content/uploads/2024/11/balancing-test-security-and-discovery-rules-in-forensic-psychological-practice-official-copy.pdf

American Educational Research Association, American Psychological Association, & National Council on Measurement in Education (Eds.). (2014). *Standards for Educational and Psychological Testing.* American Educational Research Association.

American Psychological Association. (2017). *Ethical Principles of Psychologists and Code of Conduct* (2002, amended effective June 1, 2010, and January 1, 2017).

American Psychological Association, APA Task Force on Psychological Assessment and Evaluation Guidelines. (2020). *APA Guidelines for Psychological Assessment and Evaluation*. Retrieved from https://www.apa.org/about/policy/guidelines-psychological-assessment-evaluation.pdf

American Psychological Association, APA Committee on Psychological Tests and Assessment. (2022). *Statement on Third Party Observers in Psychological Testing and Assessment: An Updated Framework for Decision Making*. Retrieved from https://www.apa.org/science/programs/testing/third-party-observers.pdf

American Psychological Association. (1997). *Detroit Edison Co. v. National Labor Relations Board*. Retrieved from https://www.apa.org/about/offices/ogc/amicus/detroit

Boone, K.B., Kaufmann, P.M., Sweet, J.J., Leatherberry, D., Beattey, R.A., Silva, D., Victor, T.L., Boone, R.P., Spector, J., Hebben, N., Hanks, R.A., & James, J. (2024). Attorney demands for protected psychological test information: Is access necessary for cross examination or does it lead to misinformation? An interorganizational position paper. *The Clinical Neuropsychologist*, 38 (4), 889-906.

Essig, S.M., Mittenberg, W., Petersen, R.S., Strauman, S., & Cooper, J.T. (2001). Practices in forensic neuropsychology. *Perspectives of neuropsychologists and trial attorneys. Archives of Clinical Neuropsychology,* 16(3): 271-91.

Frederick, R. I., Mikesell, J. W., Otto, R. K., Boone, K. B., Beattey, R. A., Jr., Sweet, J. J., Krauss, D. A., & Scroppo, J. (2024). Ethical considerations for demands for evidence in forensic examinations. *Professional Psychology: Research and Practice, 55*(3), 179–196. https://doi.org/10.1037/pro0000581

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