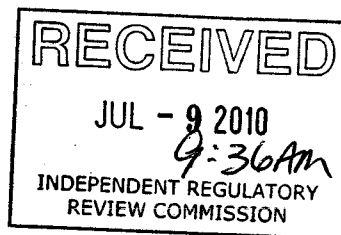


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From: Alex Muller [amuller@4roi.com]
Sent: Tuesday, July 06, 2010 3:15 PM
To: McNally, Christopher
Subject: Comments to be Posted on Proposed Law 16A-7101
 To State Attorney, Christopher McNally:



Please include my letter in the comments being reviewed and posted on this topic for the IRRC.

My name is Alexandra Muller. I have a Ph.D. in Psychology and am a Senior Consultant at 4ROI, a highly experienced assessment company. We worked with Crane Institute Certification Division (CIC), to help them objectively develop and administer their certification assessments for crane operators.

We are opposed to the current language in Proposed Law 16A-7101 because:

- **Requiring both NCCA and ANSI accreditation is redundant.**
- **Referencing a specific testing company such as NCCCO instead using a more general statement like "a crane operator testing organization approved by a nationally recognized accrediting agency" unfairly excludes other nationally accredited crane operator testing companies.**
- **Specific details with regard to administration of the certifications are decided with crane expert input and are part of the accreditation process. Including language in the law regarding banning calculators or multiple practical exams is unnecessary and will inappropriately favor NCCCO.**
- **NCCA accreditation ensures independence of the certification division from a parent training company.**

The reasons for our request to change the language in the Proposed Law 16A-7101 are described in greater detail below.

CIC certification assessments have been nationally accredited by the National Committee for Certifying Agencies (NCCA), created in 1987 to accredit certification programs that assess job competence. Certification programs that receive NCCA Accreditation demonstrate compliance with the NCCA's *Standards for the Accreditation of Certification Programs*, as well as *The Standards for Educational and Psychological Testing* produced by a long-term collaboration of: American Educational Research Association (AERA), the American Psychological Association (APA) and the National Council on Measurement in Education (NCME). These are the standards used by examination developers nationwide. Adherence to these standards by 4ROI and CIC guarantees that CIC crane operator certification examinations are fair and reliable. To date, NCCA has accredited over 200 certification programs from more than 100 organizations, such as, the Board of Safety Professionals, which examines and issues Certifications for Safety Professionals (CSP).

NCCA accreditation requirements include, but are not limited to:

- Structuring the certification program to ensure autonomy and independence in decision making over key certification activities from a parent company or any other training company.
- Conducting a job/practice analysis to clearly define the tasks, knowledge and skills used as the basis for each type of assessment
- Ensuring assessment instruments, (including details such as items, exhibits, instructions, scoring procedures, and training procedures for assessment administration), are the products of an appropriately designed and documented development process.

CIC has met all these requirements and more. CIC's nationally accredited crane operator certification programs are the result of the experience and input of experts from a broad spectrum of crane-related companies, industry groups, and assessment experts. CIC subject matter experts include crane operators and supervisors, inspectors, manufacturers and training professionals throughout the U.S. The crane operating knowledge, experience and wisdom of these experts is unparalleled. Hundreds of experienced crane industry experts were

involved in the job analysis process to determine the critical tasks, knowledge and skills required to safely operate cranes. The input of many more industry experts was included to develop psychometrically valid and reliable crane operator certification assessments.

NCCA is recognized by OSHA at the federal level as meeting their requirements for a nationally recognized accrediting agency. OSHA has specifically recognized CIC certifications as meeting their requirements for a testing organization approved by a nationally recognized accrediting agency in a formal signing ceremony.

In other words, it is clear that federal OSHA regards NCCA:

1. **Accreditation as sufficient by itself without requiring dual accreditation by NCCA and ANSI.**
2. **Accredited certifications such as those offered by CIC to be equivalent to any certifications offered by NCCCO.**
3. **Accredited certifications to be appropriate for use as described by the testing organization, without additional requirements (e.g. banning calculators, requiring multiple administration of practical exams)**
4. **Requirements to sufficiently demonstrate the independence of CIC from its parent training organization**

Therefore, I am writing to say that the language in Proposed Law 16A-7101 should:

- Require OSHA recognized, NCCA or ANSI accredited certification of crane operators (instead of NCCA and ANSI which adds unnecessary costs which are passed on to certification candidates)
- Strike all specific references to NCCCO (instead refer to a crane operator testing organization approved by a nationally recognized accrediting agency)
- Strike all specific references to details the certification must include. Remove details such as:
 1. not allowing approved calculators
 2. requiring multiple practical exams for fixed or swing cab when one practical exam will more than sufficiently test operator's skills.
- Not restrict training providers from providing accredited certification exams (NCCA accreditation requires clear business separation between a training provider and its certification division, so that the certification division is completely independent from its parent company)
- Not include any wording in the final law that states a NCCCO exam is required (As stated in Licensure without certification by practical examination.6.22.§. Section 506(a)(2) of the act specifically requires a passing score on a practical examination administered by NCCCO. The act does not authorize or permit the Board to accept the results of examinations administered by another testing organization, even if that organization has been approved by the Board as a certifying organization.) This is inappropriate.

Failure to make these changes to the language in this law would be detrimental to certification access and crane safety in the marketplace. An unfair monopoly by NCCCO would also lead to higher costs to candidates and employers due to lack of competition and redundant requirements.

Sincerely,

Alexandra Muller, Ph.D.

Senior Consultant

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