

An Investigation into Alternate Licensure

**Board of Social Work
Report to the Legislature**

October 2004

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BACKGROUND

Legislative Charge to the Board of Social Work

In 2001, the Minnesota Legislature enacted legislation “temporarily exempting certain persons, who are refugees or immigrants to the United States and for whom English is a second language (ESL), from the examination requirement for social work licensure and for obtaining a temporary permit to practice social work”. (Chapter 90, 2001 Laws)

In addition to changing licensure eligibility requirements for foreign-born, ESL applicants, the new law required the Board, upon receipt of funding from federal or private sources, to commission a study by an independent researcher to determine the extent to which the licensure exam fail rate for foreign-born, ESL applicants is greater than the failure rate for applicants from other populations, and the underlying cause of any such disparity. Upon conclusion of the study, a report was to be submitted to the legislature by September 1, 2003. This date was later extended to September 1, 2004 during the 2003 Legislative Session.

The Board successfully (1) implemented the alternate method of licensing, and (2) obtained the required funding to conduct the study as required by the Legislature. The study findings and final report were presented to the Board in September, 2004. Therefore, the Board is respectfully submitting this report to the Legislature.

Community Initiatives

In the last decade, the state of Minnesota has experienced unprecedented growth in immigrant and refugee populations creating a more racially and ethnically diverse state. The 2000 Census confirmed Minnesota’s changing demographics. (Minnesota State Demographic Center, 2002) Minnesota’s Asian population nearly doubled from 1990 to 2000. Hmong (148%) and Vietnamese (101%) constitute the fastest growing Asian groups in Minnesota (2002). While the Census could not determine the exact number of Somali arrivals to the state, officials estimate that 15,000 to 20,000 Somalis reside in Minnesota (MN State Planning, 2001). Minnesota has also experienced a huge growth in its Latino population.¹ Projected to more than triple by 2025, Hispanics will become Minnesota’s second largest minority group by 2025 (Minnesota Planning, 1998). (Minnesota Board of Social Work: Reducing Disparities in Social Work Licensure – United Way Grant Application (2004) Colleen McDonald, Program Consultant).

While local, county and state governments have made excellent progress in meeting the needs of the diverse populations, there still exists great disparity in the availability and quality of culturally appropriate mental health services for these newcomers. Although

¹ Although the U.S. Census Bureau uses the term Hispanic, *Latino* will be used to describe this population since the term Hispanic may also imply people of white European descent who speak Spanish. The term Hispanic designates Spanish-speaking but not necessarily people of indigenous backgrounds. Latino explicitly refers to populations of Latin American origin and is more linguistically neutral. Latinos, however, is still a broad term used to describe a people of differing national origins, histories and experiences.

limited culturally-specific mental health services exist for Latinos, Somalis, and Southeast Asians in the Twin Cities metropolitan area, rural Minnesota has virtually no mental health services for these populations. (Minnesota Board of Social Work: Reducing Disparities in Social Work Licensure – United Way Grant Application (2004) Colleen McDonald, Program Consultant).

In 1999, a concerned group of mental health social workers examined ways to increase the number of foreign-born social workers for whom English is a second language. While evaluating the number of licensed social workers, the community group discovered that foreign-born applicants had a significantly lower rate of passage for the social work licensure examination. Although all licensure exam applicants have completed a bachelor's or master's degree in social work at accredited universities or colleges, anecdotal evidence pointed to an estimated 32 percent difference between failure rates for foreign-born applicants for whom English is a second language and failure rates for other applicants. During the 2001 Legislative Session the community group requested that the state of Minnesota conduct an in-depth evaluation to quantify the disparity and determine the root causes of this disparity. (Minnesota Board of Social Work: Reducing Disparities in Social Work Licensure – United Way Grant Application (2004) Colleen McDonald, Program Consultant).

Board Discussion of Issues

During the past five years the Board had periodic discussions of whether the Association of Social Work Boards (ASWB) examination, the national licensing examination used across the United States and some Canadian Provinces, discriminates against ESL applicants. The Board's investigation of this question did not yield any firm evidence to support examination discrimination. Also, the Board did not identify any agreed upon options for dealing with any such problems if they should be proven to exist.

Then in 2001, the concerned group of mental health social workers made a formal presentation to the Board voicing their concerns and asking for Board support of a bill to offer an alternative option for licensure for Foreign Born, ESL applicants. After making a presentation to the Board, the community group of mental health social workers, individuals representing refugee and immigrant groups in the community went directly to the legislature to request passage of a bill. Initially, the Board did not support the bill, because at that time the Board believed that the same basic standards should apply to all applicants and sufficient accommodations were already made by ASWB. ASWB allows ESL applicants the use of a dictionary and extra time to complete the test.

After much discussion, the Board passed a motion "to support the ESL bill, provided it is amended to include a sunset provision of no more than five years and a mandated study, and to delegate authority to the board's executive committee to provide further direction to the board's executive director as needed during the legislative session."

PASSAGE OF LEGISLATION

In 2001, the Minnesota Legislature enacted legislation “temporarily exempting certain persons, who are refugees or immigrants to the United States and for whom English is a second language (ESL), from the examination requirement for social work licensure and for obtaining a temporary permit to practice social work”. (Chapter 90, 2001 Laws)

The legislation included the provisions requested by the Board. The major components of the bill are described below, and a copy of the legislation is attached.

Alternate Method of Licensure

For each license (LSW, LGSW, LISW, and LICSW), the bill provides a means of license eligibility provided the following conditions are met:

- A. The applicant was born in a foreign country;
- B. The applicant has taken and failed to pass the examination at least once since January 1, 2000; and
- C. English is a second language for the applicant.

An applicant who meets these conditions is eligible for licensure if:

- A. The applicant has met all eligibility requirements for licensure other than passing the examination; and
- B. The applicant provides to the board letters of recommendation and experience ratings from two licensed social workers and one professor from the applicant’s social work program who can attest to the applicant’s competence.

The alternative method of licensure expires August 1, 2005.

Following passage of the legislation, the Board established a Policy Committee to consider a range of issues relating to implementation of the alternate method. The Board established an Application Review Committee (ARC) to review the letters of recommendations, experience ratings, and attestations of competence to determine their adequacy. After the process became routine, the ARC went inactive, and turned the review over to Board staff with the provision that the committee could become involved at any point.

The Board maintains data on the applications received and the number of licenses granted. Since the inception of the program through November 8, 2004, the Board has received 53 FB/ESL applications and has granted 44 licenses. Attached are three sheets which provide more detailed information.

1. A summary of the historical data at periodic intervals from the inception of the program to date. (“Historical Data”);
2. The number of applications received and licenses granted by level and by application basis. (“Foreign Born/English as a Second Language Applications Received and Licenses Granted”); and

3. The number of applications received and licenses granted by level and by ethnic background. (“Foreign Born/English as a Second Language Applications Received and Licenses Granted by Ethnic Background”).

Study of the Social Worker License Examination

The study requirement had two sections, the first relating to the study, and the second relating to a report to be made to the Legislature.

Section 1 - The section relating to the study contained the following provisions:

- A. The Board was required to obtain funding for the study “from federal or private sources.” The Board was not authorized to use its own funds to conduct the study.
- B. The Board was required to “commission a study by an independent researcher.”
- C. The purpose of the study was to determine (1) “the extent to which the social work licensure examination failure rate for applicants who were born in a foreign country and for whom English is not their first language is greater than the failure rate for applicants from other populations taking the study,” and (2) “the underlying cause of any such disparity.”
- D. The study required “consultations with and the collection of data from Minnesota social work educators; representatives of culturally based community organizations, including, but not limited to, the Asian-Pacific, Chicano/Latino, and Somali populations; and the national organization [ASWB] that develops, owns, and maintains the social work examinations used by the board.”
- E. In addition, the study required “the collection and review of relevant data from other health-related licensing boards in Minnesota, as well as relevant data from social work and health-related boards in other states.”
- F. The legislation required that “the results of the study ... be reported directly to the board.”

Section 2 - The second section, requiring a report to the Legislature, had the following provisions:

- A. If funds were available to conduct the study, the Board was required to submit a report to the Legislature by September 1, 2004. (Originally, the report was due September 1, 2003, but at the Board’s request, the Legislature amended the due date to 2004.)
- B. The report was required to include (1) “the results of the study,” and (2) “recommendations on possible remedies to address any disparity in examination failure rates among different populations.”

Note that it is the Board’s responsibility, not the researcher’s, to make the recommendations.

IMPLEMENTATION: STUDY OF SOCIAL WORK LICENSE EXAM

Leveraging Internal and External Resources

The Legislature mandated that the Board seek outside funding for the research study. Therefore, the Board relied primarily on external resources. A committee was convened with community experts and professional social workers, including representation from the Southeast Asian community. The Board did provide some very limited financial support from licensing fees in order to contract with a grant writer to secure outside funding for the research. Proposals were submitted and funding was secured from two organizations. An independent researcher was contracted to analyze data, conduct interviews with candidates, and to convene community focus groups. There was not sufficient funding, however, to convene town meetings as proposed during the initial stages of the research.

The Board provided some internal resources. Board staff compiled exam data for the researcher to use to conduct statistical analysis. Consultation was provided as necessary. Board staff coordinated committee activities and provided meeting space. As stated above, the Board provided limited financial support to contract with a grant writer to most efficiently and effectively comply with the legislative mandate. Board staff also participated in site visits to recruit potential funding sources.

Foreign-Born ESL Study Committee

The Board established a Foreign-Born ESL Study Committee to (1) solicit proposals from researchers with interest and ability to conduct the study required by the legislation, and (2) obtain funding from “federal or private sources,” as required by the legislation. The committee consists of Board members, Board staff, and representatives from the community.

Researcher

Committee members identified individuals whom they thought might have the interest and ability to conduct the study, and solicited research proposals from these individuals. The committee chose the proposal submitted by Dr. Ralph Holcomb, a professor at the University of St. Thomas/College of St. Catherine, who offered extensive research experience, in-depth knowledge of the issues, and a high degree of interest in doing the study.

Grant Consultant

The committee hired Colleen McDonald, grant consultant, to assist the Board in securing funds to carry out the study proposal submitted by Dr. Holcomb. McDonald assisted the committee in identifying possible sources of grants, writing the grant proposals, and following up as necessary with the granting organizations. McDonald was successful in obtaining two grants: one for \$8,125, from the Otto Bremer

Foundation, and a second grant for an additional \$10,000, from the Greater Twin Cities United Way.

Project Cost Breakdown

	2003 and 2004 Income
Greater Twin Cities United Way	10000
Other (please list source)	
• Otto Bremer Foundation (secured)	8125
• In-kind support through licensure fees (to secure grant writer)	2200
• In-kind support through licensure fees (for staff)	1500
Total Income	21,825
	2003 and 2004 Expenses
Salary expenses for Agency Staff	1500
Consultant & Professional Fees: Grant Writer Services (In-kind support)	
• Proposal submissions and revisions; meetings	2200
Consultant & Professional Fees: Researcher	
• Data collection; conducting interviews; creation of survey instrument; "snowball sampling"	13100
• Report writing and generation (including distribution costs); completion of statistical analysis; presentation meetings	5025
Total Expenses	21,825

Research Design

The research design developed by Dr. Holcomb used as a basis for obtaining the grants stated that the researcher do the following:

1. "Gather information to determine if there is a disparity in the licensure exam by compiling a list of foreign-born applicants who have taken the exam. Since the Board of Social Work does not currently collect demographic data in its application for licensure, foreign-born applicants will be identified three ways:
 - A. The names and ethnic or racial identities of all social workers now licensed by the State will be examined for evidence suggesting that they are foreign-born or for whom English is a second language.
 - B. Starting March 2003, all social workers and candidates receiving the Board of Social Work correspondence will receive a sheet asking them to participate in the study.

- C. A “snowball sampling” technique will be utilized to identify foreign-born social workers in the community. A core of social workers known to meet study criteria will contact these identified social workers and ask the same question until no more names are identified.
2. Disseminate surveys to all identified foreign-born social workers who meet the criteria of the study. Respondents will consist of foreign-born English language learners who have taken the exam and those who have not taken the exam. The survey will be available online and in a paper format for those who do not feel comfortable utilizing a computer.
 3. Implement a literature review to ascertain information and experiences of testing and racial and ethnic minorities whose first language is not English.
 4. Conduct three focus groups, seven participants each, to gather qualitative data regarding the reasons for the disparity in the licensure success rate.
 5. Perform a minimum of ten interviews with Minnesota social work educators, the ASWB and ACT (examiners), and other health-related licensing boards in Minnesota.
 6. Perform phone interviews with social work and health-related boards in other states to determine what, if any, efforts have been made to promote the licensure of immigrants and refugees with limited English proficiency.
 7. Interview a minimum of 26 community members and social workers from Hmong, Somali, Laotian and Hispanic communities.
 8. After having analyzed the data, forward the findings and conclusions of the study to the Minnesota Board of Social Work.
 9. The Board of Social Work will submit the researcher’s findings and make recommendations to the state legislature.”

RESEARCH FINDINGS AND STUDY RESULTS

Statistical Analysis

The research design contained both in-depth quantitative and qualitative research methods to determine whether or not the nationally recognized ASWB examination is equitable for all social work applicants. The following methods were used to analyze application examination data provided by the Board. Of the more than 11,000 applications on record with the Board, 80% of all applicants self-report “Caucasian” as race, 1265 or 11 % of all applicants did not report race or that data was lost, and the remaining 9% was comprised of applicants self-reporting African American, Asian Pacific Islander, Hispanic, Multi-Racial, or Native American/Alaskan Native as race. Overall almost 10% failed the exam. Two non-parametric statistical procedures were conducted:

- (Chi-square) on exam outcome (pass/no pass) by race;
- Series of t-tests were conducted to determine if a significant difference exists between exam scores for majority and Asian-American candidates.

In the first Chi-Square analyses a five percent random sample of Caucasians was reviewed compared with Asian Americans and it was found that:

- 4% of Caucasians were repeat exam takers; comparatively, 50% of Asian Americans were repeat exam takers;
- The passage rate for Caucasians is 80%, while the passage rate for Asian Americans is 47%.

These results suggest that a candidate self-reporting as “white” is 2.6 times more likely to pass a licensure exam than a candidate self-describing as “Asian-American.”

A second Chi-Square analysis was conducted on whites vs. all other racial categories. In this analysis, whites were 1.2 times more likely to pass any exam than all other candidates.

The data clearly indicate that the exam rate is (1) substantially higher for whites than for non-whites, and (2) much higher for whites than for those reporting “Asian American” on the exam. More specifically, whites have significantly higher scores at all exam levels when compared to Asian Americans. (An Investigation into Alternate Licensure: A Report to the Minnesota Board of Social Work [September 2004] Dr. Ralph Holcolmb, MSW, Ph.D., LISW).

Interview Data

The report also contains extensive information gathered from interviews with foreign-born English language learner candidates who have taken the exam. The following issues were identified as contributing to the difficulties experienced by these individuals.

- Candidates coming to the United States at an older age have greater difficulty navigating the dominant culture.
- The dictionary allowed was at best a psychological boost, and did not help with unfamiliar words and in fact wasted precious time.
- Candidates suggested the exam be given in Hmong, or administered orally through a tester.
- Academic language is very different in vocabulary and syntax compared to communicative language.
- The multiple choice structure of the exam is confusing and “what would you do first” questions were especially tricky.
- Respondents spoke of the “split personality” needed to navigate the majority culture plus one’s own culture and volunteered that the daily exercise was “exhausting and somewhat disorienting”.
- Exams are too costly, especially when you must take the examination multiple times.

The study identifies barriers which contribute to higher exam failure rates for non-white, and specifically Asian Americans, which are complex and interactive. These barriers include individual attributes, such as level of acculturation, educational background, cultural orientation, and environmental attributes, such as exam subject areas, exam question format, and exam cultural appropriateness, and the interaction between the two.

- Exam format: There is a genuine difference between oral cultures and written cultures. Oral cultures rely on oral communications which emphasize process, underlying messages, nonverbal cues, and context. Written cultures rely on precise detail, objectivity, and written tradition. Licensure exams, which are based on the written tradition, create a hurdle for foreign-born social workers that cannot be overcome merely by linguistic translation. Cultural translation is also necessary.
- Exam construction: Exam format and construction may be problematic as minority social workers may engage in practice that is different from mainstream practice.
- Educational system: Even though there are not enough differences in academic social work programs to influence the data, it may be reasonable to suggest that variations exist. Foreign-born students might also receive accommodations in testing or assistance in writing to compensate for their limited English proficiency.

- Language: Language structure and the ability to understand language can be a significant barrier, particularly if learned later in life. Technical language, including linguistic subtleties, can be difficult.
- Cultural orientation: Each person's worldview or way they view the world according to their cultural framework causes individuals to experience the world differently.
- Individual: Individual differences in temperament, intelligence or emotional maturity may predict different outcomes when taking a professional examination.

Interviews were also conducted with other Minnesota Health Licensing Boards and mental health licensing boards in other states. Interviews with other state boards generally indicated that there is not a formed opinion on the topic of bias toward immigrants. When asked, most boards were silent on the issue. For most boards the issue simply had not even surfaced, so the questions were not even being considered.

The State of Texas is the only other state in the nation providing alternative licensure similar to the provision in place in Minnesota. The Texas provision applies to *any* candidate who has the required academic degree but cannot pass the examination. The alternative for demonstrating competence is a very structured and detailed set of requirements that must be satisfied while under supervision of a board-approved social work supervisor over the course of one year. The alternative licensure provision heavily emphasizes written skills and the production of reports. While providing a comprehensive alternative, this method would likely increase board costs for administration and assessment.

As ASWB oversees construction and revision of the various exams it takes responsibility for validity and reliability through ACT, its testing agency, using conventional item construction and validation methodology. A job analysis is conducted about every seven years, a blue print is developed, a diverse group of item writers produce questions and the Examination Committee evaluates items. ASWB sincerely works to eliminate bias from its exams. Changes to the exam are being discussed which will avoid long lists, rely more on exam items that end in a question, and make other stylistic changes to improve clarity. Currently, ASWB and ACT do not track immigrant status on applicants and may consider collecting that data in the future which could provide an opportunity for further study on the effects of the exam on immigrants.

SUMMARY

Key Lessons Learned

A key lesson learned is that the data and analysis support anecdotal information shared in recent years. “The data clearly indicate that the exam passage rate is substantially higher for whites than for non-whites, and much higher for whites than for those reporting “Asian American on the exam. More specifically, whites have significantly higher scores at all exam levels when compared to Asian Americans.” “...passage rates for minority candidates remain between one-half to two-thirds the passage rates of whites”. In fact, the Chi-Square analysis conducted on whites vs. all other racial categories, demonstrated that whites were 1.2 times more likely to pass any exam than all other candidates. (An Investigation into Alternate Licensure: A Report to the Minnesota Board of Social Work [September 2004] Dr. Ralph Holcomb, MSW, Ph.D., LISW).

The study demonstrates that the issues, barriers and possible strategies are complex and involve many stakeholder groups and systems. In addition, the issues are barely “on the radar screen” in most states and at a national level, which makes addressing the issues even more challenging.

Board Action and Recommendations

A copy of “An Investigation into Alternate Licensure – A Report to the Minnesota Board of Social Work” by Ralph Holcomb, MSW, PH.D, LISW, is attached. The data and analysis demonstrate that the failure rate for applicants who were born in a foreign country and for whom English is not their first language is greater than the failure rate for applicants from other populations taking the licensure examination.

The Foreign Born/ESL Study Committee proposals and subsequent Board action show the Board’s serious commitment to consider the findings of the study and transform the concepts into possible solutions. The committee’s recommendations to the Board are noted in “Foreign-Born ESL Study Committee Report to the Board, September 17, 2004”, and includes “Options for Recommendations to Legislature – August 27, 2004”, which is attached for reference.

Based on information contained in the report and the committee’s recommendations to the Board, the Board engaged in extensive and thoughtful discussion on the issues. The Board, at its September, 2004 meeting, acted to approve the following two committee recommendations:

- 1) Include in the Board’s 2005 legislative proposal a provision to extend the Board’s current method of alternative licensure to July 1, 2007.
- 2) Have the committee examine options for ways to address the disparity and make recommendations to the Board.

While the committee and Board have not identified any specific initiatives beyond the Board action stated above, the study suggests the following initiatives may be helpful.

- Collaboration with ASWB may be warranted. Currently there is no data gathered at a national or state level, at the time of application or examination, to identify whether an applicant is born outside of the United States. In addition discussions may be initiated regarding the format and construction of the exam.
- Engage in dialogue with academic institutions and professional associations regarding assisting students and applicants with preparation for the exam and other mentoring strategies.
- This research may provide an opportunity for other professions at a state and national level to engage in a dialogue, without minimizing public protection, to appropriately meet the needs of our changing population.

The Board recognizes the complexity of the issues raised and the many stakeholder groups impacted by these issues. Clearly, the Board must always focus on its mission of protecting all residents of Minnesota through the establishment and enforcement of practice and ethical standards. Board members struggled with the concepts of “equity versus equality” presented in the report and how these concepts relate to measuring competence through standardized methods. As immigrant populations continue to grow in number, the demand for competent, licensed social workers to serve these populations will also grow. Ensuring public protection while providing access to competent, licensed social workers for all populations is the charge and challenge of the Board.

The Board of Social Work sincerely appreciates the funding provided by the Otto Bremer Foundation and Greater Twin Cities United Way. In addition, the Board is grateful to all who contributed their time and expertise in moving forward initiatives which resulted in a comprehensive research study and implementation of the alternative method of licensure.

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ATTACHMENTS

An Investigation into Alternate Licensure: A Report to the Minnesota Board of Social Work (September 2004) Dr. Ralph Holcolmb, MSW, Ph.D., LISW.

Foreign-Born ESL Study Committee Report to the Board, September 17, 2004, includes Foreign-Born ESL Study Options for Recommendations to Legislature – August 27, 2004.

Alternate Method of Licensing Data:

- Historical Data: A summary of the historical data at periodic intervals from the inception of the program to date.
- Foreign Born/English as a Second Language Applications Received and Licenses Granted by Ethnic Background: The number of applications received and licenses granted by license and by application basis.
- Foreign Born/English as a Second Language Applications Received and Licenses Granted: The number of applications received and licenses granted by license and by ethnic background.

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