

**An exploratory investigation of the common ethical dilemmas
experienced by psychologists assessing black African school children**

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Declaration

“Unless specifically indicated to the contrary, this thesis is the product of my own original work”

Signed.....

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Abstract

This is an explorative study into the challenges and ethical dilemmas that practitioners face when assessing the intellectual functioning of black learners. Participants were registered psychologists and intern psychologists involved in assessing black African learners. Data were collected by means of an interview schedule that had been designed for this purpose, based on the literature in the field. All participants were interviewed individually. The psychological practitioners interviewed in this study reported linguistic barriers, limited cultural knowledge, and lack of scientific validation as posing the major challenges for them in assessing black African learners. Among the ethical dilemmas that were reported were confidentiality and informed consent which were sometimes compromised by their dual responsibilities to the client and the schooling system or another third party. Forming discussion forums, development of new and appropriately normed assessment tools and incorporating relevant skills in training programs were recommended as some of the strategies to overcome these challenges and ethical dilemmas.

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Chapter 1

Introduction

Ethical issues have been reduced more often than not to legal issues involving rules and standards that must be followed. Bricklin (2001) argues that ethics are central to all psychological processes; they are not “add ons”. It is therefore crucial to address ethical challenges to their fullness, making certain that psychological practitioners are adequately equipped to engage with clients. In a country such as South Africa, which values fairness and non-discrimination, it is contradictory to have and to utilize assessments that discriminate against certain members of the population.

There has been intense research (Armour-Thomas, 1992; Hayman & Covert, 1986; Okazaki, 1998) into the ethical dilemmas inherent in cross-cultural psychological assessments.

However, in South Africa, there is little research on the ethical challenges in cross-cultural assessment. As far as the challenges of cross-cultural psychological assessment are concerned, Hinkle (1994, p. 3) raises issues such as “the lack of appropriate cultural norms, differences in response sets across different cultures, composition of test items, and differing attitudes across cultures toward testing”. This study explores these difficulties and challenges experienced by psychologists in assessing black learners.

This research takes as its point of departure the guidelines stipulated in various documents such as the South African Constitution 1996, the Bill of Rights (part of the 1996 Constitution), Health Professions Council of South Africa (HPCSA): Professional Board for Psychology, 1998 that inform practitioners in this field. The study investigates the common and challenging ethical dilemmas faced by psychological practitioners when assessing black South African learners. Zolner (2000) argues that even though assessment in itself is useful when used in an appropriate and skilled manner, the results of the assessment rely heavily on the skill and knowledge of the clinician interpreting that data. If the clinician knows little about the culture and experiences of the population being tested, he/she “runs the risk of, perhaps unwittingly, misinterpreting assessment data in a biased way. In this context, bias refers to test-taking disadvantages among people whose origin is in a culture different from that in which the test was developed” (Tallent, 1992, p. 88, in Zolner 2000, p. 31).

Furthermore, the study explores how psychological practitioners handle such dilemmas. It is the aim of this research to make recommendations on how best to deal with these ethical challenges in cross-cultural psychological assessment in the context of South Africa.

Background

South Africa is faced with multiple challenges, one of them being to formulate policies that best represent the country's diverse population. The South African constitution explicitly acknowledges citizens' right to equality. Chapter 9 Section 2 of the South African Bill of Rights explains that equality means "the full and equal enjoyment of all rights and freedoms" (Bill of Rights, 1996, p. 2). Furthermore, "the state may not unfairly discriminate directly or indirectly against anyone on one or more grounds, including race, gender, sex, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language and birth" (Bill of Rights, 1996, p. 2). In addition, the Health Professions Act (Act No. 56 of 1974) stipulates that the practice of any health profession to be conducted in a way that does not harm or disrespect the participant. This is embedded in the core ethical values enforced in the Professional Board for Psychology (1998), autonomy, respect for persons, non-maleficence, beneficence, integrity, truthfulness, confidentiality, compassion, tolerance and justice. These values promote and encourage psychological research and professional practice to be conducted in a way that is inclusive of all the people of South Africa.

However, in psychological testing, there is an alarming need to monitor the cross-cultural issues that arise. This is particularly because the world is rapidly turning into a global society whereby people from different cultural, religious and social backgrounds are communicating and forming relationships with one another. One such global development is psychological assessment of intellectual functioning. There have been several attempts to translate and adapt intelligence tests to different cultural contexts. Williams (1975, in Kwate, 2001) developed an intelligence test using test items based on the African-centred epistemology. This was known as the Black Intelligence Test of Cultural Homogeneity (BITCH). Lewis (1978, in Kwate, 2001) formulated the System of Multicultural Pluralistic Assessment (SOMPA). Despite these attempts, Helms (1992, in Kwate, 2001, p. 223) argues that "because intelligence tests are heavily loaded with white cultural influences, test scores

essentially measure mastery of white culture.” This is a critical point at understanding the dynamics and implications involved when assessing black African learners.

In an attempt to highlight the problematic nature of the use of psychological tests on black children, Kwate (2001) first argues that the Wechsler Intelligence Scale for Children-Third Edition (WISC-III), developed in an European-centred context, has been standardized on a population that comprises of 70.1% of European American children, 15.4% of African children, 11% of Latino children and 3.4% of Other children. This means that the WISC-III is developed in a Western context that is loaded with White cultural influences because the majority of the population used to norm the test is European-American. This has detrimental implications for black African children who are not significantly represented in the standardisation population. This causes concern as intelligence tests tend to be built on taken-for-granted assumptions concerning the *values and meanings* of responses to particular questions, the nature of the knowing subject as well as the process of knowing incorporating the relationship between the knower and the object of her or his knowledge (Greenfield, 1997).

As far as values and meaning are concerned, cultures need to be in agreement with regard to the value and merit of specific responses to questions, assuming that the measuring instrument has been translated adequately. The cultures also need to agree not only with respect to the unit of knowing (the individual versus knowing as a shared human activity) but also in terms of their understanding of the relationship between the knower and that which is to be known (for example, in most Western societies, the person is separate from the object which is to be known; the knower stands apart and is unaffected by the object to be known) (Greenfield, 1997). Finally, for the tests to travel across cultures, the cultures in question need to share some basic communicative practices about the testing situation (for the example, the understanding that it is meaningful for the psychologist to ask someone questions when it is clearly evident that the answers to those questions are known to the psychologist). Greenfield (1997) argues that psychological tests are cultural genres and as such, should be approached from a perspective of cultural psychology, with an emphasis on human capacity for meaning making. This argument resonates with Bruner’s (1990, in Greenfield, 1997) view that human beings are involved in ‘acts of meaning’ and should be understood as such.

Kwate (2001) also objects to the use of psychological tests on African-American children not only on the basis of standardisation but also on the grounds that the tests are in standard

American English while the majority of the world's population does not hold American Standard English as their first language. The issue of language is of particular importance as several theorists have shown that higher mental functioning is mediated by language. Vygotsky (1964) explains that there is a very clear relationship between thought and language. He holds it that language is more than an expression of knowledge one has acquired but rather a interactive connection between thought and speech as thoughts provide as a resource for speech (Vygotsky, 1964). This shows the inseparable connection between language and thought.

It is because of the demand and need for cultural representativeness that cultural sensitivity in psychological testing is critical. This study aims to explore the most common and most challenging ethical dilemmas and challenges experienced by psychologists in assessing black African learners. Following Greenfield's observation, it is hypothesized that the impact of implicit assumptions embedded in psychological tests will be most telling when the tests are used with black African children (Greenfield, 1997). This is because black African children differ from American children on whom the tests are based not only with respect to language (for example. English as a second, third or even fourth language) but also in terms of values and meanings, the understanding of the knower in relation to the process of knowing and also in terms of communicative practices. It is also envisaged that there will be challenges emanating not only from having to work within the school setting and thus having to report to non-psychological personnel, additional challenges could emanate from having to work with black parents who in general have not had a long exposure to Western Psychology in general. It is thus important to first learn the ethical dilemmas and challenges experienced by psychologists assessing black African learners and also important to know is how psychologists respond to these challenges in their practices.

Aim and Rationale

Ethics are of central importance in the practice of Psychology. However, because ethical issues are rarely in black and white, it is important to study ethical considerations in the practice of Psychology in different cultural contexts. It is the aim of this research to explore the most common and challenging ethical dilemmas that practitioners face when assessing the intellectual functioning of black African learners by asking practitioners about their daily

lived experiences with assessments tools, the dilemmas which they face, and how they overcome these challenges. Answering these questions will aid the research in eliciting information about the glaring ethical injustices posed by the lack of South African culture-sensitive assessment tests.

Study Objectives

Foxcroft (2002) discusses the ethical issues related to psychological testing in Africa drawing from the International Guidelines for Test Use established by the International Test Commission (ITC). The guidelines emphasize that the assessment practitioner “will use tests appropriately, professionally, and in an ethical manner, paying due regard for the needs and rights of those involved in testing the process, and the broader context in which the testing takes place” (ITC, 2001, p. 7, in Foxcroft, 2002, p. 2). This draws emphasis to the values of inclusion, equality and ethical conduct raised in the South African Constitution for psychological assessment.

Korman (1973, in Foxcroft, 2002) suggests that one of the core ethical considerations facing psychological practitioners is the performance of psychological testing on linguistically and culturally diverse populations. The greatest challenge is how best to accommodate the diversity by being sensitive to the test-takers’ cultural background and their values during test selection, administration, interpretation and reporting of the findings (Foxcroft, 2002).

The objectives of the current study are thus:

1. To identify the most common and most challenging ethical dilemmas in the psychological assessment of black African learners;
2. To identify the strategies used by psychologists to address these ethical dilemmas in the short term as well as in the long term;
3. To develop recommendations for the training of psychologists in South Africa with regard to psychological testing in different cultural contexts; and
4. To contribute to the literature on the standards for cultural competency in psychological assessment, from a South African perspective.

Research Questions

The primary objective of the research project is to investigate the most common ethical dilemmas experienced by psychologists involved in assessing the intellectual potential of black African learners. The study also seeks to explore the most challenging of these ethical dilemmas, as well as the strategies used by psychologists to resolve them. The research questions are as follows:

1. What are the common ethical dilemmas encountered by psychological practitioners in assessing the intellectual abilities of black African learners?
2. Of these ethical dilemmas, which are experienced as the most challenging?
3. What methods or strategies are used to resolve these ethical dilemmas?

Definitions of terms

Ethical dilemmas: The primary objective of this study is to explore ethical dilemmas in assessment settings. Hayman and Covert's (1986, p. 64) definition of *ethical dilemmas* is fitting. They define ethical dilemmas as "a situation in which a counselor experiences conflict in determining an appropriate standard of conduct regarding obligations to two or more constituencies (eg, the client, the employer, the profession, the law)." Similarly, Kitchener (1984, p. 43 in Bricklin, 2001) defines ethical dilemmas as a situation for which "no course of action seems satisfactory. The dilemma exists because there are good, but contradictory ethical reasons to take conflicting and incompatible courses of action." Both definitions engage with practitioners in conflicting situations where moral principals give contradictory actions.

Psychological testing: The study explores ethical dilemmas in the field of *psychological testing* which is defined by Anastasi (1988, p. 23, in Brislin, 1990) as "objective and standardized measures of a sample of behaviour". The purpose of psychological testing is to "sort persons into a specific category (or categories) so that they can be described and understood better" (Anastasi, 1988, in Brislin, 1990, p. 75). According to the Health Professions Act, 56, of 1974, Section 37, 2 (a), (b), (c), (d), and (e), a psychological act with respect to assessment is defined as being "the use of measures to assess mental, cognitive, or behavioural processes and functioning intellectual/cognitive ability or functioning aptitude,

interest, emotions, personality, psychophysiological functioning or psychopathology (abnormal functioning)” (Foxcroft, Roodt & Abrahams, 2001, p. 108). It is also important to note that this study will focus on the use of measures to assess cognitive intellectual ability of black African learners. According to Foxcroft (2002) a limited number of authors have focused on clinical aspects of testing and cultural fairness but emphasis has been on some cross-cultural training needs (Carey, Reinat & Fontes, 1990), attitudes towards cultural diversity (Parker & McDavis, 1979), multicultural communication (Pedersen, 1977) and gender-culture issues (Davenport & Yurich, 1991). It is these particular instances that account for the urgency to address the ethical dilemmas that arise during psychological assessment.

Black African learners: The term ‘*black African learners*’ refers to learners of African descent who in most instances were not part of the standardization sample when the tests were developed. Even if these learners were part of the standardization process, they remain marginalized by the tests on a number of grounds nevertheless. These are grounds such as the educational, socio-economic, cultural, linguistic, political, and historical, to mention a few, all of which may account for differences in intellectual functioning.

Delimitation and Scope of the Study

The study has included the experiences of psychologists registered with the Health Professions Council of South Africa (HPCSA) as qualified psychologists or interns. These psychologists are geographically located in the province of KwaZulu-Natal. Participants were from the Pietermaritzburg and Durban area and the sample was mainly comprised of females. Ethical dilemmas and challenges explored may be unique to the circumstances of this region.

Overview of Dissertation

Chapter One introduces the research, including a basic background to the study of intelligence and intelligence tests. A brief background on the use of imported tests and the possible cross-cultural dynamics of psychological testing prescribed. Chapter Two provides an argument substantiating the conduct the research is made. The development of intelligence as a Western concept is contrasted to African understandings of intelligence. The impact of using tests developed for one cultural group in a different context, where the understanding of

the concept at hand is different, is problematized. Chapter Three presents a detailed account of sampling techniques, and participants involved in the study are discussed. A profile of the study participants is also provided. A discussion of the method used to analyse the data, namely content analysis, follows. Considered, the results of the research are reported and discussed in relation to the literature in Chapter Four. The study findings are summarized, drawing out implications for theory, research and practice. The limitations of the study are discussed.

Chapter 2

Literature Review

This chapter aims to review relevant literature in the area of psychological assessment in South Africa and beyond. First, we look at the history of psychological tests, particularly intelligence tests. Secondly, we explore the international and local literature of psychological tests and the use of intelligence tests in the education systems. Lastly, we look at international and local ethical challenges documented as ‘most common’ in the context of intellectual assessment and how South Africa has sought to address these in its legislative framework.

History of Psychological Assessments: Intelligence Tools

Psychological assessment has a long history and an even longer past. Ethical dilemmas in intellectual functioning assessment have existed from the earliest accounts of the use of intelligence tests. Some of the earliest albeit less scientific attempts to measure human attributes included Astrology, Physiology, Humorology and Chirolgy (Foxcroft & Roodt, 2005). The 19th century and the beginning of the 20th century saw tremendous progress in scientific psychological assessment. Challenges in cross-cultural psychological assessment were however evident even in these early stages. The history of intelligence testing in particular portrays these challenges. Galton (1880) used physical measures of one’s height, weight, breathing power, head size and physiological strength to ascertain a person’s mental ability. Later, French psychologist Alfred Binet was to introduce the understanding that intelligence involved a higher-order of reasoning component. Soon thereafter the Simon-Binet intelligence scale, organized into 54 intellectual tasks, was introduced. In 1912 French psychologist A. H. Goddard translated the Binet-Simon scale into English and then imported it to the United States of America. Even though the original use of the scale was not intended for individual assessment of intelligence, Goddard used the test to monitor immigration to America. Because the tests were inappropriate when used on non-Americans, the scale predicted low intellect scores. It is reported that a score of 13, 08 was the average score for a white American and anything between 8 and 12 was indicative of a low intellect. In further

studies conducted by Goddard, it was found that 75 percent of the non-White and non-native American population belonged to the lowest intellect status (Foxcroft & Roodt, 2005).

The differences in intellectual functioning that were observed with the different cultural groups, as described above, could be accounted for by the multi-dimensional nature of intelligence (Foxcroft, 2005). Foxcroft and Roodt (2005) notes that there are several types of intelligence, among which are the emotional (social, adaptive behaviour), biological (physical structure, reaction time to stimuli), and psychometric components. The understanding is that intelligence is socially constructed. Thus, the evaluation of intelligence should consider different accounts of the conceptualization of intelligence. In view of this, it is important to review accounts of intelligence in different cultural contexts.

Intelligence Tests: International Context.

As evident from the above discussion of the history of intelligence testing, assumptions embedded in psychological tests by definition discriminate those who are not from the same context in which the tests were not developed. This section explores the impact of psychological testing on special populations. In particular, the use of psychological tests for school placement purposes in the United States of America (Conahan, Burggraf, Nelson, Bailey & Ford, 2003).

The United States of America has identified disproportionate representation of minorities in special schools as an issue to be addressed. Thus, Conahan *et al.*, (2003) have investigated overrepresentation in special schools. Conahan *et al.*, (2003) argue that there is a disproportionate representation of African American male children in special education programs and that though there have been no conclusive indicators as to why race is a persuasive predictor of placement in special schools some factors have been indicated as key. Artiles (2000 in Conahan *et al.*, 2003) has suggested that group membership is significant to one's likelihood of placement in special education. It is said that economic status, class, language, race and family of origin are issues that may account for over-representations of black, African-American learners in special education programs.

This means that the science used to systematically group learners as ‘disabled’ is not value-neutral. Conahan *et al.*, (2003, p. 4) argue that the “science of assessment tends to generate a methodology that affects not only the way we measure events, but the number of possible outcomes that we can conceive and their meaning.” The structural flaws of the systems are evident even in the special education systems and a critique suggested by Patton and Meyer (2001, in Conahan *et al.*, 2003) is relevant. It is thus important to uncover the marginalization and dehumanizing effect of a system that disproportionately relegates large numbers of a cultural group into programs proven to be dysfunctional to their development” (Patton & Meyer 2001, p. 30, in Conahan *et al.*, 2003). It is argued the psychological tests form a greater part of the system that disproportionately allocates large numbers of cultural groups into these programs. Intelligence tests could actually be an evaluation of educational abilities or language mastery instead of a measure of one’s intelligence. It follows that the investigation of the use of psychological tests in special education programs is imperative.

The disproportionate representations of African-American children in special education programs (Conahan, *et al.*, 2003) lends credence to Kwate’s (2001) distinction between education and training. Kwate (2001) first illustrates his point by drawing on Akbar’s (1982, in Kwate 2001) metaphor of the intellectual state of minority groups. He writes as follows:

The dog that knows how to bury bones and hunt more effectively for meat to feed himself and his family-that dog is educated. When that dog learns how to stand on its two hind legs and wear a dress and dance to music that dog is simply trained. He is miseducated. He is cute, and you will pay money to see him do it, but he is not an educated dog; he is a trained dog (Akbar, 1982, p. 3, in Kwate, 2001, p. 221).

The quotation above illustrates the potential disadvantages black learners are exposed to when they are assessed by means of tools that are developed and normed in Western cultural contexts. The psychological tests used to evaluate intelligence are loaded with Western assumptions of intelligence (i.e. abstract, logical, rational thinking and reasoning built around individualistic understanding of self and knowledge). Inevitably, those who do not share similar ideas of intelligence are going to fail. Expecting learners from backgrounds where intelligence is conceptualized differently (i.e., intelligence as socially-oriented behaviour to the benefit of the collective) is illustrative of Akbar’s (1982, in Kwate, 2001) distinction between training and education. The over-representation of black learners in special education programs in the United States (Conahan *et al.*, 2003)) illustrates that populations

on whom the IQ tests were not normed or, where the assumptions embedded in IQ tests do not form part of the population's way of life, are disadvantaged by intelligence tests.

Table 1 shows the significant discrepancies in tests scores in the Wechsler Intelligence Scale for Children (WISC) and Wechsler Intelligence Scale for Children –Revised (WISC-R) between White and Black participants at the University of Los Angeles in the United States of America. These discrepancies have existed since the development of these assessment tools. Thus, what was initially established to assist, guide and improve education for all learners had turned into a means to discriminate, marginalize and oppress other groups (Gould, 1981).

Table 1: Means of WISC and WISC-R IQs for Black and White children

Race	Verbal Scale IQ		Performance Scale IQ		Full Scale IQ	
	WISC	WISC-R	WISC	WISC-R	WISC	WISC-R
Black	92.20	87.10	94.00	89.95	92.50	87.50
White	101.85	100.65	100.05	103.95	103.70	102.40

It is evident that there are biases that are embedded in intelligence tests in that there are significant discrepancies between black and white participants completing WISC-R favouring the White participants, particularly because the WISC has been developed in a Western European context, and thus leaning towards Anglo-Saxon conceptions of intelligence. Moreover, there is still no consensus on a universal meaning of intelligence and this poses a difficulty in assessing intelligence in different cultural contexts.

Tests developed in the West are training children from African cultural backgrounds to master maladaptive techniques of intelligence. Such as the dogs trained to wear cute outfits and walk on their hind legs, those from African cultural contexts are “trained” to master an intelligence that is contrary to their upbringing and social-cultural context. Assessment tools such as the WISC do not “assess African children’s ability to problem solve within a liberating framework or to produce self-sustaining behaviours” (Kwate, 2001, p. 222). Hinkle (1994, p. 3) also argues that “differences in language, speed, tempo of daily life, and urban

and rural subcultures make fair testing difficult” which makes it vital to consider other factors that influence the applicability of intelligence tests in various cultures. Whitworth (1988, in Hinkle, 1994) found the discrepancies in student intelligence quotient scores between Anglo and Mexican high school students were a result of English proficiency and other socio-cultural factors, showing that learners exposed to a Western education system will have a higher performance in IQ test scores.

Patton (1998, p. 25) argues that “the consequences...of such misidentification, classification, and placement are often deleterious” especially when the quality of education is not life-enhancing and intellectually engaging. In addition, the stigma and negative connotations and labelling in those attending special education schools also plays long lasting consequences. Concerns about the placement of the learners in the schools are particularly alarming as there are racial disproportions in the placement procedures (Patton, 1998). Intelligence tests remain the main assessment tools to evaluate learners for suitability for special education programs. It is argued that the tests used are based on Western beliefs, assumptions, worldviews, ways of knowing and cultural inclinations. These refer to Western beliefs about intelligence centred on individualistic, abstract worldviews and an independent perspective of knowing from that which is known (Greenfield, 1997; Patton, 1998). As a result those who share different beliefs, assumptions, worldviews, and ways of thinking and cultural inclinations will be disadvantaged when completing these tests. Several theorists argue therefore that “given the ambiguity and subjectivity embedded in the mild disabilities categories, teacher judgments in the referral process combined with inherent biases of the assessment process contribute to the disproportionate referral and special education placement of African American students” (Anderson, 1994; Artiles & Trent, 1994; Gould, 1981; Harry & Anderson, 1994; Nobles, 1991, in Patton, 1998, p. 26).

Looking first at some objectives or goals given by Anastasi (1988 in Hinkle, p. 4) regarding the practice of cross-cultural assessment, we notice the following points:

1. Providing equality of opportunity for all individuals
2. Maximizing success rates and productivity
3. Increasing the demographic mix and representativeness of the work force

These goals are indeed ideal however, if not achieved some of the consequences of neglecting the impact of Western assessment tools in cross-cultural contexts may have detrimental consequences.

Intelligence Tests: South African Context.

The historical development of psychological assessment in South Africa is inseparable from the political history of this country. While psychological assessment can be used for healing, understanding, increased insight and personal development, Nell (1999, in Gaylard, 2005) suggests that psychological assessment can also be used to perpetuate discriminatory beliefs, exclusion and inequity as in the case of South African apartheid history. Neisser *et al.*, (1995, in Gaylard, 2005) state that scientific and political issues became blurred in South Africa. Apartheid government passed employment and education legislation to ensure variations of quality by race (Gaylard, 2005) using scientific assessment tools. The Bantu Education Act of 1953 ensured that there was a separate, education system for each race (then classified white, black, Indian and coloured). By law, different races were required to perform different levels of work which meant the quality of education would vary according to race.

In her study of cross-cultural differences in IQ test performances in the Wechsler Adult Intelligence Scale-III (WAIS-III), Gaylard (2005) argues that the quality of education is a crucial factor in determining one's IQ score in this test. While some black South Africans were enrolled in private schools during the 1980s and soon after the end of apartheid in 1994, more black South Africans received an improved quality of education from Model C schools. This means some black South Africans have been presumably receiving quality education at the same level as white South Africans. However, race and school-based differences in IQ scores remain vast. Shuttle-Edwards *et al.*. (2004) compared the following group of learners on the WISC-III: First language (black African versus white English), level of education (Grade 12 versus Graduate), quality of education (disadvantaged Department of Education & Training (DET) versus advantaged, Private/Model C). Table 2 illustrates that quality of education and primary language group had an impact on performance.

Table 2: A comparison of the WAIS-III Full Scale (FSIQ) scores of South African stratified for race, language, and level and quality of education (Adapted from Shuttleworth-Edwards et al., (2004).

Black African first language	Black African first language	White English first language
DET (Grade 12)	Private/Model C (Grade 12)	Private/Model C (Grade 12)
74.40	99.90	106.57
SD	SD	SD
7.00	14.28	12.15

Table 2 demonstrates that black participants from the DET background scored an average FSIQ score of 74.40 while black participants who received Private/Model C schooling obtained an average of 20 points more. White South Africans obtained on average scores of 106.57 on average, which is more that 30 points above participants from DET backgrounds and 6 points more than black first language learners in Private/Model C schools. Gaylard (2005) shows that assessment tools such as the WAIS-III are better suited to participants from a Western education background. It shows also that even when adopted for the South African population, there are still discrepancies in scores between participants who have been exposed to Western concepts of intelligence and those who have not. This study highlights possible ethical implications the use of intelligence tests in South Africa.

Culture-free Intelligence Tests

The Ravens Matrices was developed in an attempt to create a culture-free intelligence test. It has been argued, however, that it too would hold the belief systems and values of the designer (Rushton & Skuy, 2000). A comparative study between black and white South Africans shows that there are discrepancies in performance between black and white participants in the Ravens. Rushton and Skuy (2000) explain that race and sex showed significant main effects and marginally significant interaction as whites averaged higher scores than Africans

difference between the two groups being 1.2 standard deviations. Whites scored a mean of 54 and a standard deviation of 5 and Africans scored a mean of 44 with a standard deviation of 9. The difference (as depicted in Figure 1, adopted from Rushton & Skuy 2000) in educational, socio-economic, cultural and language, politics and historical status between black and white learners accounts for the difference in performance in psychological testing.

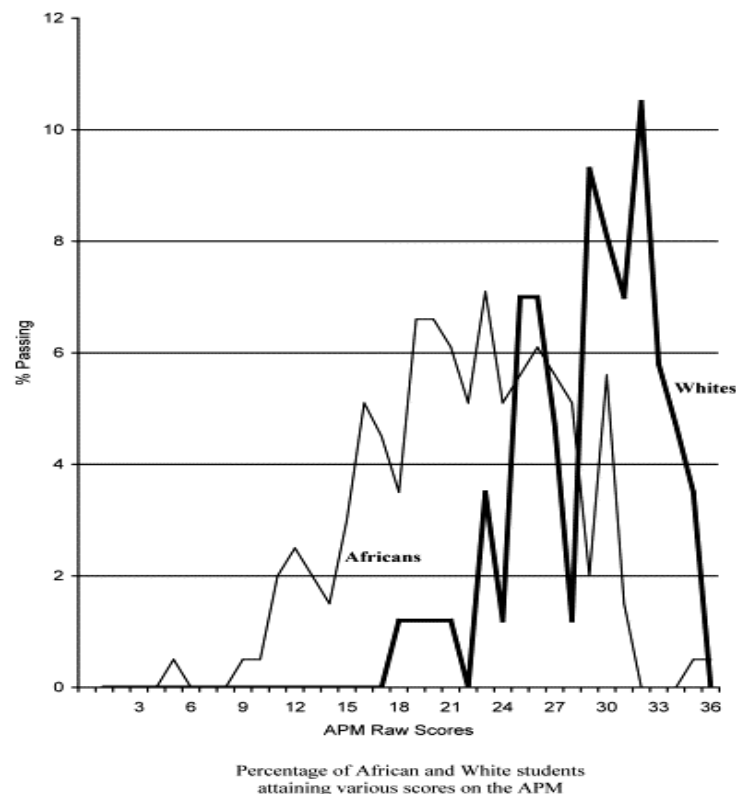


Figure 1: Percentage of African and White 17 - 23-year-olds first year engineering students attaining various scores on the Raven's Advanced Progressive Matrices Test. (Rushton & Skuy, 2000, p. 5)

South Africa's Legislative Response: Intellectual Assessment

South Africa has come a long way since 1994 when new laws as stipulated in the South African Constitution were established to ensure equality and non-discriminatory assessments. The new legislative laws regarding assessment have allowed for new ways of defining what intelligence is and how assessment should take place in order to ensure fair and equal assessment results.

As a response to the psychological test ills created by the apartheid laws of segregation and discrimination, South Africa's legislation took a drastic turn at the introduction of democracy. The democratic laws post apartheid incorporated inclusion, fairness and equality.

South African Constitution: Bill of Rights.

The Bill of Rights captured in the Constitution of the Republic of South Africa stipulates in Chapter 2:

(1) This Bill of Rights is a cornerstone of democracy in South Africa. It enshrines the rights of all people in our country and affirms the democratic values of human dignity, equality and freedom... The Bill of Rights applies to all law, and binds the legislature, the executive, the judiciary and all organs of state (section 8(1)).

Central to the Bill of Rights and other South African laws is the value of equality (section 9). It has been incorporated in all laws, defined and captured in the following ways:

9.(1). Everyone is equal before the law and has the right to equal protection and benefit of the law.

(2). Equality includes the full and equal enjoyment of all rights and freedoms. To promote the achievement of equality, legislative and other measures designed to protect or advance persons, categories of persons, disadvantaged by unfair discrimination may be taken.

(3). The state may not unfairly discriminate directly or indirectly against anyone on one or more grounds, including race, gender, sex, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language and birth.

(4). No person may unfairly discriminate directly or indirectly against anyone on one or more grounds in terms of subsection 3.

(5). Discrimination on one or more grounds listed in subsection (3) is unfair unless it is established that the discrimination is fair.

Regardless of the laws stipulated by the Bill of Rights in 1994, there still exist some difficulties within psychological testing in South Africa. Because of the historically controversial nature of psychological testing, it is important to explore the most common and most challenging ethical dilemmas encountered or experienced by psychologists in working with black African children.

Common challenges faced in cross-cultural assessment

There have been several studies (Brislin, 1990; Foxcroft, Paterson, le Roux & Herbst, 2004; Hinkle, 1994; Mpofu, 2002; Prediger, 1994) exploring the challenges faced by practitioners during cross-cultural assessment. This field of cross-cultural assessment has been met with a variety of challenges and discussed hereafter are challenges identified by psychologists as common difficulties during cross-cultural assessment. These include (a) conceptions of intelligence, (b) scientific validation, (c) language and culture, (d) test-wiseness, and (e) the role of the practitioner.

Conceptions of Intelligence.

It has been argued that, in general, the dominant Western understandings of intelligence privilege individualistic ways of knowing where the person is separate from the object which is to be known. For example, Davis (1983, in Mwamwenda, 1995, p. 271) defines intelligence as “the ability to learn quickly, solve problems, understand complex and abstract issues, and generally behave in a reasonable, rational and purposeful manner.” Similar definitions have been met with much criticism. Mwamwenda (1995) questions whether those who work slowly at successfully solving problems or whether a child (because of age) can not understand abstract issues are then without intelligence?

Contrary to the western understanding of intelligence as primarily involving ability to think in abstract terms, Wober (1974, in Mpofu, 2002) notes that intelligence is generally considered in social terms in traditional African cultures. Wober (1974, in Mpofu, 2002) reported on the Baganda and Batoro understandings of intelligence. The villagers of these ethnic groups appreciated intelligence as “a socially orientated behaviour of benefit to the collective” (Mpofu, 2002, p. 2). This understanding of intelligence is shared by most African

and Eastern societies. This is evidently significantly different from a Western understanding of intelligence which prioritizes the cognitive component. Further to this, Kwate (2001, p. 228) reports that in ancient Kemet (Egypt), “intelligence was thought to be located in the heart and was understood as adherence to Maat.” The term ‘Maat’ refers to an Egyptian concept of truth, order, balance and justice. It represents harmony, what is right and is the example of what things should be like (Karenga, 2004).

Furthermore, the Zimbabwean population has been shown to conceptualize intelligence as a “public-spirited behaviour or achievements that benefit the group” (Irvine, 1970 and 1988, in Mpofu, 2002). This understanding of intelligence includes components such as dispositional intelligence, social intelligence, wisdom, social responsibility and socially constructive disposition. The fact that there are cross-cultural differences in conceptions of intelligence means that ethical dilemmas are bound to arise if career, employment and other life important decisions are taken without due regard to the fact that intelligence tests do not necessarily travel across different cultural settings (Greenfield, 1997). Given the absence of consensus on what intelligence is, Armour-Thomas (1992) questions the validity of interpretations made when evaluating difference of performance between cultural groups.

With the increased level of uncertainty in the nature of cognitive processes underlying intellectual behaviour, the critical question firstly is, which processes do intelligence tests tap into? Secondly, what criteria do assessors use to evaluate these processes? In attempting to answer these questions, it is vital to note the glaring problem of defining the nature of the processes underlying intelligent behaviour in relation to the contribution of specific or general processes in producing the desired behaviour. Estes (1979, in Armour-Thomas, 1992) argues that, in assessing for intelligence, the assessor should be aware of the possibility of the other components (unable to be kept constant) interacting with each other. Thus the lack of theoretical specificity when describing intellectual functioning when testing cognitive capacity puts other cultural groups at a disadvantage. That the scientific credibility of psychological assessment tools will be questioned is inevitable, given the lack of consensus on what constitutes intelligence, amongst others.

Scientific Validation.

Hodos and Campbell (1969) advocate that all organisms are equally intelligent for the environment in which they live; implying that psychological tests should then be developed in such a way as to evaluate each organism's intelligence in its unique and appropriate environment. Kaplan and Saccuzzo (1989, in Hinkle 1994) argue that psychological tests are often validated on White, middle class cultured populations and thus norms elicited from there will be cushioned for this population. Using these tests on a different population would be inappropriate and unjust (Smith, 1977, in Rushton & Skuy, 2000). Rushton and Skuy (2000) compare performance between White and Black university students in South Africa in the Ravens Matrices as it is predicted to be a test free of cultural biases. They argue that it is very important to have test takers to be of similar cultural, educational and social backgrounds as those on whom the test has been standardized and test norms based. Often academic test developers assume translation as the equivalence of standardization. This is inaccurate as fundamental concepts in the test cannot be carried through translation. The issue of language and cultural concepts is critical in understanding cross-cultural assessment.

Language and Culture.

In a study conducted by Foxcroft *et al.* (2004), language was identified as one of the major difficulties experienced by practitioners when administering a test. This happens in two-ways, firstly in the language of the test, and secondly, the language competence of the testee (Foxcroft *et al.*, 2004). Participants in the study felt that there is a close relationship between language and culture, thus certain constructs may be experienced and expressed differently, which may not be an accurate representation of the testee's abilities. For example, because time is experienced differently between African and Western cultures there is likely therefore to be a difference in performance in time-based assessments (Foxcroft *et al.*, 2004). It has been explained that generally in the Western context speed is valued whereas in African contexts time is experienced in things that need to be done instead of *when* they must be done. Participants as reported by (Foxcroft *et al.*, 2004, p. 143) accounted for the current limitations in the psychological tests used today as being, 1. "Old and outdated (in terms of item content, the language used, norms, and the alignment of the test with the rapidly changing world of work and nature of education) 2. Not culturally appropriate and can only

be applied to an elite group of South Africans, 3. Not available in all languages spoken in South Africa.” Another ethical challenge is that of using nonbiased test instruments and procedures that could be culturally or racially discriminatory. Knauss (2001) argues that the use of English tests on learners who do not have English as their first language is tantamount to a test of one’s language skills rather than a test of intelligence or intellectual functioning.

Test-Wiseness.

Others report that test-wiseness is a concerning aspect in psychological testing. Test-wiseness refers to knowledge which allows others from a particular group to perform better than those from other groups. Hinkle (1994) has defined various terms related to test-wiseness. First we look at test unfairness or test bias which is defined as “constant or systematic error as opposed to chance error (Anastasi, 1988). An illustration shows that certain items in tests of intellectual functioning, such as, “A pig is to sty, as chicken is to---” allow individuals from a farming environment to perform better than those from an urban environment. This is understood as construct bias and is represented in the WISC-R where Eskimo children scored significantly low scores and the discrepancies were accounted for by social, cultural, and linguistic abilities from the normative sample. The test situation may also account for test-wiseness and power dynamics (between examiner and testee) may also influence performance for the testee. For example, there may be certain cultural expectations that the testee holds that may contradict with the testing situation. This is in terms of the manner of answering some questions that the examiner may interpret as maladaptive. An example of such is, an African learner may answer questions in short mono-symbolic answers without making eye contact with the examiner which may be interpreted as maladaptive. The examiner should be aware of and sensitive to these dynamics.

The role of the Practitioner.

Psychologists also rely on the therapeutic relationship with the client to facilitate the assessment process. Unlike other professionals, such as medical practitioners, where tools to perform surgical procedures are tangible, the tools a psychologist needs to perform therapy

lie within her/him. It makes it central therefore, for this study to look at the role of a psychologist in psychological testing beyond the assessment tools.

Hinkle (1994) argues that assessment practitioners need to have a thorough and comprehensive understanding and awareness of not just the administration techniques but assumptions associated with each test. It is relevant for practitioners to intensely familiarize themselves with the process and material as the process involves administration, interpretation, diagnosis and report writing. Practitioners should also be aware of their influence in the testing situation. Practitioners' expectations about the assessment may be implicitly communicated to the client thus influencing the interaction and performance of the client. It is thus important for the practitioner to continuously reflect on the expectations and how are these being expressed or contained. Kaplan and Saccuzzo (1989, in Hinkle, 1994) and Vasques (1988, in Hinkle, 1994) also argue that "interpretation of tests can be strongly influenced by the practitioner's predispositions and personal and moral convictions." It is thus imperative that practitioners are aware of their own ideas, cultural beliefs and attitudes, traditions and family organizations so as to counter conscious or unconscious perceptions that may be imposed on the examinee during an assessment.

Responding to the common challenges faced in cross-cultural assessment.

Suggestions provided to counter the challenges (conceptions of intelligence, language and culture, scientific validation and test-wiseness) that may arise during these processes (administration, interpretation, diagnosis and report writing) in cross-cultural assessment are:

- (a). A practitioner needs to work in collaboration with others familiar and experienced with the culture. Supervision with competent professionals is vital.
- (b). Attending special conferences to acquire skills and information can also prove helpful. Vasques (1988, in Hinkle, 1994) and Westermeyer (1987, in Hinkle, 1994) also suggest reading relevant journal articles and getting appropriate training or taking courses can also widen the ability of practitioners to work more effectively within a cross-cultural environment.
- (c). It has also been suggested that reliance only on quantitative measures of intelligence may be detrimental. Practitioners should also engage in structured interviews, clinical observations

and symptom checklists to come to conclusions about one's intellectual ability. So in essence, a multi-method approach to assessment should be adopted.

Common ethical dilemmas faced in cross-cultural assessment.

There has also been a clear distinction between the most common and most challenging ethical dilemmas that psychologists face in intellectual assessing intellectual functioning. This section discusses the most challenging ethical dilemmas presented by psychologists in the literature.

Confidentiality.

In a study conducted by Bodenhorn (2006) in the United States, school counselors were asked to distinguish between the most common and most challenging ethical dilemmas. It was found that the most common dilemmas were less challenging because there were clear-cut guidelines to attend to the presenting dilemma. The most common ethical dilemma reported by 67 % of the school counselors was confidentiality, with respect to the following in particular: parental rights; dual relationship with faculty/staff; confidentiality of student records and breaching confidentiality.

Dual relationship with faculty/staff.

This refers to the counsellor's dual loyalties to the employing organization and the client. The tensions arise from the obligation the counsellor has with the organization (e.g. school) and the responsibility to the client. This particularly refers to dual relationships with school personnel that might infringe on the integrity of the counsellor/learner relationship. An example is that a school counsellor may also be a class teacher at a school (Bodenhorn, 2006).

Informed Consent.

The right to informed consent “reflects respect for individual freedom, autonomy, and dignity” (Pope & Vasquez, 2007, p. 135). It is a critical process in assessment. Meisel and Roth (1983, in Gasa, 1999) state that there is a need in obtaining informed consent to describe, define, and operationalize understanding. Informed consent is more than information giving but rather an interactive ongoing process. This is a challenging task when work is conducted cross-culturally (Gasa, 1999). Christakis (1988, in Gasa, 1999) asserts that “the type of informed consent practised in the West, which entails the signing of an informed consent document with scientific terminology”, is inappropriate for other cultural contexts (p. 35). The Health Professions Act, 1974 and the Canadian Ethical Code of Conduct for psychologists also promotes the ethical implementation of informed consent.

School and employment placement: South African Legislation.

Psychological testing has been used extensively to place learners in special school programs and for employment purposes. South Africa’s history of apartheid necessitated the revision of legislation regarding psychological testing. With the advent of democracy in 1994, laws such as the Labour Relations Act (66 of 1995) and the Employment Equity Act (1998) responded to the challenges in these areas, addressing amongst others the injustices in the use of psychological tests. As a response to the difficulties and inequities of psychological testing in employment placement, South Africa introduced the following laws (namely the LRA 1995 and EEA 1998) to monitor this process. In South Africa, practitioners are guided by two main strands of laws when dealing with psychological assessments, namely the 1996 South African Constitution incorporating the Bill of Rights and the Health Professions Act stipulated by the HPCSA Professional Board of Psychology, 1974.

Labour Relations Act (66 of 1995) (LRA).

The Labour Relations Act (66 of 1995) (LRA) together with the Employment Equity Act (75 of 1998) (found within the Bill of Rights) form the basis on which labour and employment related matters are dealt with within the South African legislature. Looking first at the LRA it is explained in the document that

The purpose of the Act is to advance economic development, social justice, labour peace and democratization of the workplace by fulfilling in primary objects of this Act, which are:

(a). to give effect and to regulate the fundamental rights conferred by section 23[6] of the Constitution;

(b). to give effect to the obligations incurred by the Republic as a member state of the International Labour Organisation;

(c). to provide a framework within which employees and their trade unions, employers and employees' organizations can-

(i). collectively bargain to determine wages, terms and conditions of employment and other matters of mutual interest; and

(ii). Formulate industrial policy and

(d). to promote

(i). orderly collective bargaining;

(ii). Collective bargaining at sectorial level;

(iii). Employee participation in decision-making in the workplace and

(iv). The effective resolution of labour disputes.

It is clear from the above mentioned clauses that primarily the LRA seeks to promote equity and fairness among all South African employees as is the objective of the South African constitution of 1996. Illustrated in (a) to (d) of the LRA, is also the aim of collaborative collective decision making in order to advance economic development and social justice. It is imperative that psychological assessment as a part of labour relations also serves this purpose. Psychological assessments in the workplace also need to advance economic development and social justice. And failure thereof would constitute injustice. The LRA addresses a broad range of guidelines within the employer-employee relationship. Schedule 7 of the LRA is devoted to unfair labour practices. This Act states:

(1). For the purposes of this item, and unfair labour practice means any unfair act or omission that arises between an employer and an employee, involving-

- (a) the unfair discrimination, either directly or indirectly, against an employee on any arbitrary ground, including, but not limited to race, gender, sex, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, political opinion, culture, language, marital status or family responsibility;*
 - (b). the unfair conduct of an employer relating to the promotion, demotion or training of an employee or relating to the provision of benefits to an employee;*
 - (c). the unfair suspension of an employee or any other disciplinary action short of dismissal in respect of an employee;*
 - (d). the failure or refusal of an employer to reinstate or re-employ a former employee in terms of any agreement.*
- (2) For the purposes of sub-item (1) (a) employee includes an applicant for employment...”*

The introduction of the LRA in democratic South Africa follows the principles of equality and fairness stipulated in the Bill of Rights. Post Apartheid psychological assessment however still has injustices and inequalities as assessment tools used are discriminatory by definition. This law tries to ensure that the people of South Africa access employment opportunities fairly and without discrimination. However, evidence provided by psychologists conducting assessments pose a great question of how much these tests infringe on the rights of South Africans. This Act provides psychologists with guidelines to act ethically in terms of the employer-employee relationship as stipulated in Schedule 7 (1) and (2). However, the ethical dilemmas raised by psychologists are not clearly guided in terms of a plan of action around these dilemmas. Closely related to the LRA is the Employment Equity Act, also advocating for fairness and equity in the employment industry specifically addressing the issue of psychological testing in South Africa.

Employment Equity Act (EEA).

Mauer (2000) brings to our attention that what constitutes an unfair labour practice may either be an omission or an act. Most relevant in this study is Mauer (2000, p. 5) argument that “unfair labour practices relate to a wide range of dealings with employees for which

assessment could, conceivably, be used.” This is further emphasized in the Employment Equity Act (EEA). First, it is vital to understand that:

The purpose of this Act is to achieve equity in the workplace by-

(a). promoting equal opportunity and fair treatment in employment through the elimination of unfair discrimination; and

(b). implementing affirmative action measures to redress the disadvantages in employment experienced by designated groups, in order to ensure their equitable representation in all occupational categories and levels of the workforce.

In addition Section 8 of the Act determines that

(8). Psychological testing and other similar assessments of an employee are prohibited unless the test or assessment being used-

(a). has been scientifically shown to be valid and reliable;

(b). can be applied fairly to all employees;

(c). is not biased against any employee or group.

It is important to note that the infringement of these laws results in the severe penalty stipulated in Schedule 1 of the EEA. It is without doubt that the laws of this country have carefully considered and strongly prohibit exercising practices that will discriminate others in any way. Psychological testing as well has been carefully considered and addressed within the constitution providing guidelines to which practitioners should abide in order to uphold the values of non-prejudice, equality and human dignity that the country prides itself in.

Implications of these laws on psychological testing fundamentally mean the existence of great injustice and criminal offence. This is because current psychological testing tools need to be such that they uphold the LRA, 1995 and EEA, 1998 by using tests that are according to EEA Section 8 (a)-(c), be scientifically reliable and valid, be fair and not bias against any group.

Health Professions Act (56 of 1974).

The Health Professions Act (56 of 1974) considers and addresses matters of practice in the Health Professions. Even though the Act addresses a wide range of issues regarding the practice of Psychology, these provisions have an impact on other professions and acts of people not registered as psychologists. Section 1 of this Act defines “*psychologist*” as *a person registered under this Act, and that an “intern-psychologist” means a person registered as such under this Act.* The Health Professions Council of South Africa (HPCSA) was established under Section 2 of the HPCSA Act. The Professional Board for Psychologists promotes and regulates *interprofessional liaison between registered professions in the interest of the public* in which the Minister on any matter falling within the scope of this Act in order to support the universal norms and values of health professions, with greater emphasis on professional practice, democracy, transparency, equity, accessibility and community involvement (HPCSA Act Section 3).

There has been much debate and amendment of laws and Acts regarding psychological testing in South Africa. In 1999, the Psychometrics committee of the Professional Board for Psychology was mandated to report to the Professional Board on:

- i. *All matters pertaining to the practical and theoretical training of psychometrists, and psychotechnicians within the current policy parameters as determined by the Professional Board;*
- ii. *To classify and regularly revise any device, instrument, questionnaire, apparatus, method, technique or test aimed at the evaluation of emotional, behavioural and cognitive processes or adjustment of personality of individuals or groups of persons, or for the determination of intellectual abilities, personality make-up, personality functioning, aptitude or interest by the usage and interpretation of questionnaires, tests projections or other techniques or any apparatus, whether of SA origin or imported, for the determination of intellectual abilities, aptitude, personality make-up, personality functioning or psycho-pathology and to report thereon to the Professional Board.*

Regarding the illegal use of psychometric tests including the polygraph, the committee issued a statement on the 1 July 1999 stating:

It has come to the attention of the Professional Board for Psychology that there is great uncertainty and confusion in South Africa regarding the use and possible misuse of psychological test.

The Professional Board for Psychology wishes to bring to the public's attention that the Board is the controlling statutory body with the authority to classify and legalise the use of psychological tests... The Board is aware that unsuspecting members of the public may have their rights infringed by being subjected to psychometric tests which are inappropriate for the South African context, e.g. educational assessment and personnel selection.

The Board wishes to stress that it is the right of members of the public to enquire of psychometrists or psychologists whether a specific test has been classified by the Board.

The HPCSA accounts for culturally fair psychological assessments in the face of cultural diversity in Annexure 12, Chapter 5, Section 48 (a), (b) and (c). These report that psychologists must have sufficient knowledge on the test's validity, reliability and standardization processes and relevant studies conducted in the reference group. Studies identified in previous sections illustrate that in fact psychologists have identified that scientific validation is one of the common ethical dilemmas in cross cultural assessment. Psychologists should also be cautious of the limits to diagnosis, findings and predictions to individuals of cultural diversity and make every effort to identify situations where particular methods or norms may not be applicable or need adjustment.

Even though, there are clear guidelines (HPCSA-Professional Board for Psychology) as to how to approach ethical dilemmas in psychological assessment especially in culturally diverse communities, there still exists a gap as far as the implementation is concerned. South African practitioners are also held accountable by the Health Professions Act in which the HPCSA has duly, and legitimately, established a Psychometrics Committee. This committee stipulates who may and may not practice in these capacities and states consequential penalties if these rules were to be infringed. There are clear guidelines to the ethical dilemmas that practitioners face in practice; however there are implicit ethical dilemmas that rise in the assessment of intelligence of black African learners using Western tests.

Conclusion

Literature reviewed has shown that the history of psychological tests has transformed throughout the years, from the early ideas of measuring intelligence to scientific methods of conceptualizing intelligence. There are significant similarities in the international and South African historical contexts of psychological assessment. The Western education systems internationally and locally have been proven to favour participants exposed to this system, as far as IQ testing is concerned. However, there are some issues that have lingered throughout the development of psychological assessment. Practitioners have also identified common challenges and ethical dilemmas faced in intelligence testing that impact on the interpretation and reporting of the assessment. These include the concept of intelligence, scientific validation, language and culture, and the role of the practitioner. Literature also shows an over-representation of black learners in special education programs, as a result of the ethical injustices in the tests used. The section has also explored South Africa's response (in terms of legislation) to the challenges and ethical dilemmas experienced by practitioners. The development of the Bill of Rights within the South African Constitution of 1996; Labour Relations Act, 1995; the Employment Equity Act, 1998 and the establishment of the HPCSA, 1974 committee demonstrate an attempt to respond to the challenges and ethical dilemmas reported.

Chapter 3

Methodology

Research Design

The study took on a qualitative design approach. Marshall and Rossman (1995) acknowledge that qualitative research is increasingly becoming an important mode of research in social sciences however; much attention needs to be spent responding to criteria for the soundness of the project; and demonstrating the usefulness of the proposed work” (Marshall & Rossman, 1995, p. 142). As a qualitative study the research “takes as its departure point, the insider perspective on social action” (Babbie & Mouton, 2005, p. 270). This is meaningful as the primary goal for this study is to investigate the challenges and ethical dilemmas of assessing black African learners. The aim is to acquire rich, in-depth data from the participants that assist in describing and understanding the experiences of the participants. Babbie and Mouton (2005, p. 274) explain that the aim of a qualitative paradigm design is “to provide an understanding of the meaning which one or two people attribute to a certain event.” Maxwell (2009) explains in a qualitative study the design is also in essence a “reflective process operating through every stage of the project” (Maxwell, 2009, p. 214).

Participants

The participants were selected using purposive sampling and were intern and qualified psychologists practicing in KwaZulu-Natal. Participants were racially diverse psychologists of various fields. The sample comprised of 8 females and 2 males as there is significantly a greater proportion of females than males in the profession. The sample was made up of three English-speaking psychologists and seven of indigenous languages of South Africa. Nine of the ten participants studied in a local, historically white university and the other from a historically black local university. Half of the sample was qualified, registered psychologists and rest intern psychologists placed in various institutions. The registered psychologists were in private practice, the Department of Education and universities. Participants were drawn from a variety of settings such as private practice, academic institutions and the Department

of Education- Special Needs Education. Purposive sampling was used as only those psychologists involved in the psychological assessment of black African learners were interviewed. Neuman (2000) explains that purposive sampling is appropriate for explorative studies where the researcher selects distinctive and unique informative participants. Participants had obtained their Masters degree as their highest education qualification. Of the 5 qualified participants are between the 35 - 50 age range and have been practicing for more than 5 years. Black and non-black participants were sampled in order to obtain a diversity of views. Ten psychologists were interviewed using Appendix B.

Procedure

Participants were contacted via telephone and were introduced to the research. An interview with the participant was then scheduled. At the interview, the participant was further familiarised with the research and issues of consent, voluntary participation and confidentiality were discussed.

Data Collection

The data were collected through semi-structured interviews (Appendix B). The interview scheduled was developed using a pilot study which was conducted to determine appropriate questions for Appendix B. The pilot involved three trainee psychologists as participants. The researcher approached psychological practitioners registered with the Health Professions Council of South Africa. The interviews were audio-taped and transcribed by the researcher. Following a review of the literature (Bodenhorn, 2006; Knauss, 2001, Ochoa, Rivera & Ford, 1997) and also based on the standards of psychological testing, the interview questions focused on eliciting the common and challenging ethical dilemmas experienced by psychologists assessing black African learners. Previous training in the cross-cultural psychology in general and assessment in particular was evaluated establish how prepared psychologists were to deal with the challenges brought by bilingual learners.

Data Analysis

The data were analysed using content analysis. White and Marsh (2006) understand that content analysis in qualitative research comes from a humanistic tradition. The aim in content analysis is “to identify concepts and patterns” (White & Marsh 2006, p. 34) and is inductive in that hypotheses are replaced by open questions that guide the data collected (White & Marsh, 2006). This basically entailed reading through the collected text in order to derive codes. In qualitative content analysis coding, the focus is on the questions the study wishes to answer rather than pre-existing codes (White and Marsh, 2006). The process involves careful analysis of the interview transcripts, identifying phrases and extracts (expected and unexpected) that correspond with the research questions. Codes were also formed by looking at various literatures around other reported ethical dilemmas with assessment black African learners. The coding process involved new and already established codes. The codes were divided into three sections in an attempt to answer the questions. The first was the common ethical dilemmas that the participants reported. Then codes under the second theme of proposed interventions were established as participants engaged with solutions to their challenges.

Graneheim and Lundman (2003) have outlined the basic decisions that a researcher, using content analysis, has to take when interpreting the data:

1. Selecting the *unit of analysis*: This refers to the variety of objects of the study. These include, “a program, an organization, a classroom, a clinic, a nation or a community” (ibid, p. 106). Individuals and observations can also be understood as a unit of analysis. The current study looks at a sample of psychologists who assess black African learners as the unit of analysis as it is the experiences of this group of psychologist the study wishes to explore.
2. Identifying the *content area*: This refers to the explicit area of content, i.e part of the text dealing with a specific issue. This also includes “parts of the text that address a specific topic in an interview” (ibid, p. 107). This refers to the main research questions.
3. Identifying *codes*: This refers to the label of a meaning unit. It is argued that “labeling a condensed meaning unit with a code allows the data to be thought about in new and different ways.” (ibid, p. 107).

4. Creating *categories*: This is described as one of the core features of content analysis. These are described as exhaustive and mutually exclusive, meaning no data related to the “purpose should be excluded due to lack of a suitable category” (ibid, p. 107). The purpose of categories is to answer the question of “What?” concentrating on the descriptive level of the content.
5. The creation of *themes*: This is thought of as way to link the underlying meanings together in categories. Looking at the question of “How?” themes occur within categories seen as an “expression of the latent content of the text” (ibid, p. 107).

The data were analysed using latent content meaning; analysis was by means of interpretation of the underlying meaning of the text (Graneheim & Lundman, 2003). Looking at the current study, though the practitioners discussed their challenges in assessing black African children, the researcher was looking for implicit biases embedded in psychological tests. In addition, looking at the latent content enhanced the level and depth of abstraction.

Achieving Trustworthiness.

Graneheim and Lundman (2003) advocate that in qualitative research, credibility, dependability and transferability account for various aspects of trustworthiness. Credibility refers to how well the data collection and the interpretation of the data account for the focus of the study. This involves selecting the appropriate research question, selection of the context, participants, data collection methods and analysis. There had to be a valid understanding and integration of the above mentioned aspects in ways that show compatibility for the best possible results and knowledge generated. The purpose of credibility was to ensure confirmability rather than verification. This was accounted for in this study by means of focus and consistent reflection on available literature on this topic. Using available literature on cross-cultural psychological testing, credibility of the study was confirmed.

Dependability “seeks means for taking into account both factors of instability and factors of phenomenal or design induced changes” (Graneheim & Lundman 2003, p. 110). In other words, this refers to the factors of data changing over time and the changes made in the researchers decisions during the analysis process. This was maintained in the study in that data collection did not extend over a long period of time.

Transferability looks at the extent to which the results of the study can be transferred to other settings and contexts. Graneheim and Lundman (2003) suggest that giving an extensive account of the group, context, culture, data collection methods and process of analysis assist in the transferability of the findings. In sections above, an extensive account of the participants involved in the study including data collection methods are described. This gives an account of the participants' context and cultural backgrounds. The study scope in Chapter 1 also sets the context in terms of accounting for the geographical location of the study and how this limits the range of settings to which the results may be transferred. Kvale (1996, p. 231) also helps us understand that "the present approach is not to reject the concepts of reliability, generalizability, and validity, but to re-conceptualize them in forms relevant to interview research"

Ethical Considerations

This study has obtained ethical clearance from the Social Sciences Research Ethics Committee of the University of KwaZulu-Natal. The ethical clearance number is HSS-0060-10M.

The study is grounded on the perceived ethical dilemmas that rest in psychological assessment. It follows that the topic at hand is sensitive and requires intricate attention when handling data collected from the participants. Voluntary participation and informed consent were obtained from the participants. Participants' rights to participate or not to participate were explained to them. Participants were also made aware of the right to withdraw at any time they wished to do so. Informed consent was also obtained in that the participants were informed of the exact procedures and outcomes of the study (Appendix A). The study was of no direct benefit to the participants, in that no material benefits were distributed.

Benefit to this professional population is in the form of knowledge. This means that by answering the questions of the study, psychologists and other practitioners can access this pool of information to influence their decisions on intellectual assessment of black African learners. One form of knowledge anticipated is to provide psychologists with the ethical and legal implications of the current use of tests. Furthermore knowledge could influence psychologists on how then to use these intellectual tests on black African learners. Psychologists can also benefit from the study as knowledge of the nature and consequences

of the tests may assist in school placement. Psychologists may be more cautious at placing black African learners in special education programs as they have been assessed using inappropriate tests.

The study anticipates minimal risk to the participants as a result of participating in the study. As the study is exploring sensitive information around ethical conduct of psychologists when assessing black learners, confidentiality and voluntary participation has been maintained in an attempt to maintain minimal risk. The sample of participants has full capacity ethically and legally to have consented to participating in the study in an informed way.

Chapter 4

Results and Discussion

This section reports on the study findings. It presents the common assessment tools employed by psychological practitioners in assessing black African learners. The common ethical challenges and dilemmas that practitioners experience as they assess the intellectual functioning of black African learners, are presented. Illustrative examples of how these ethical dilemmas play themselves out are presented, as are the strategies used by the practitioners to address these ethical challenges. Recommendations on how best to address the ethical dilemmas inherent in assessing black African learners in South Africa are then presented.

Assessing black learners' intellectual functioning: The most commonly used tests

Practitioners interviewed reported on the use of several intellectual functioning tests. However, some are reported to be more commonly used than others. Various reasons for the use of certain tests and not others are discussed later in this chapter. Table 3 profiles the commonly used assessment tests, as reported by the practitioners. The commonly used assessment tests are the Ravens Coloured Progressive Matrices (CPM); Junior and Senior South African Intelligence Scales (JSAIS and SSAIS) Wechsler's Intelligence Scales for Children (WISC-IV), projective tests such as the Draw-a-Person (DAP); Kinetic-Family-Drawing (KFD) and House-Tree-Person (HTP).

Table 3: Tests commonly used by practitioners in assessing black African learners

TEST	PRACTITIONERS WHO USE THIS TEST	NORMING GROUP	NORMING AGE	YEAR PUBLISHED
JSSAIS and SSAIS	7 of 10	Afrikaans & English speaking (SA)	7-16years	1991
WISC & WISC- R	6 of 10	United Kingdom	7-16yrs	2004
Projective Tests (DAP,KFD,HTP)	5 of10	-	-	1963-DAP 1972-KFD 1998-HTP
Bender Gestalt II	4 of 10	4000 USA sample	4-85yrs	2003
Ravens Coloured Progressive Matrices	3 of 10	Anglo, Mexican Americans, Blacks & Hispanics (USA)	5.5 to 11.5 years	1990

Other tests used include the Cattell's Culture Fair test, Wechsler's Adult Intelligence Scales (WAIS), Vinelands Social Maturity Scales, Connor's, Wide Range Achievement Test (WRAT) and Tell-a-Story Test. Clinical observation was also reported as vital as these assessments needed to be interpreted in context. Practitioners felt that using these assessment tools in isolation was not accurate in assessing the intellectual functioning of black African learners in South Africa.

It is concerning from these reports that the most commonly used intellectual functioning tests have not been standardized for a multicultural population such as South Africa let alone black African learners. The most commonly used tests, the JSAIS and the SSAIS have been standardized for a South African population much different from the South African population today. In 1991 when these tests were normed for the South African population, the governing politics of South Africa were discriminatory and prejudiced by definition (under

the apartheid law) and as a result the sample population is of a specific racial, socio-economic group, the English and Afrikaans speaking. Three of the five most commonly used intellectual functioning tests have been normed in first-world countries with minimal or no representations of a minority group in the sample. Tests imported from Western-European countries do not have full-scale national studies conducted to provide practitioners with relevant normative scores. Ethical repercussions of using intellectual functioning tests are centred on invalid and unreliable test scores as standardization has not been obtained for all South African cultural groups. The study explores various other ethical dilemmas in detail as a result of employing these assessment tests on black African learners. The use of tests that are compromised in terms of their scientific validity violates the South African Constitution (1996) and the Health Professions Board (1998) as it is stipulated that all practitioners should ensure the scientific validity and reliability of the tests used on any client ensuring that the tests are not biased nor discriminatory towards any person as a result of their culture, religion, language, race, gender or ethnicity.

Scientific validity of psychological tests: Inadequate or lack of standardization

Some psychologists (four of the ten interviewed participants) have discussed the nature of the intelligence tests, questioning the validity in the South African context. Psychologists have explored various ways in which psychological tests pose an ethical dilemma as a result of non-standardization and the lack of cultural knowledge, amongst other things, on the part of the test takers. Assessment tests used by practitioners in South Africa are not all normed for the South African population and thus are not an accurate representation of the abilities and intellectual functioning of the South African population. Foxcroft *et al.*, (2004) also confirm this in their needs analysis report of psychological assessment in South Africa, Foxcroft *et al.*, (2004, p. 143) also report that internally adapted psychological tests “are also often only available in English, and where they have been translated, standardization and scientifically sound principles have not always been employed when performing the translation.” The current study also reports on psychologists who struggle with the lack of standardized tests as first, they report the commonly used tests are not adequately normed for the South African population and second adaptation in the form of translation, as not being enough.

Extract 1

And we say that the SSAIS and JSAIS are standardized intellectual assessment for South African learners Black learners and all that you have done is pretty much translate an intellectual measure which is European and just make it more Black or more African and you tell me you are measuring intelligence; then ja, they say so. Because that's all they are... I am very sceptical so I would never take the results that I get from the assessment in isolation.

(Participant 7)

The participant in extract 1 explains his frustrations as inadequate standardization by means of translation has not been adequate to assess the intellectual abilities of South African children. Foxcroft *et al.*, (2004) also reports on practitioners in their study who indicated a need for relevant norms for tests as these have not been established. The HPCSA List of Tests Classified as being Psychological Tests of 1974 (p. 3) stipulates that users of psychological tests, measures and instruments need “to be valid for the purposes for which it is being used; appropriate norms are consulted; and where tests have been developed in other countries, appropriate research studies need to be undertaken to investigate whether the test is culturally biased and special care should be taken when interpreting the results of such tests”

Another participant explains that the tests she commonly uses are not standardized for the South African population and how as a result it influences her assessment process in this manner:

Extract 2

I'm actually unsure if it's [referring to SSAIS and JSAIS] actually standardized for black learners because there is a lot of stuff that I feel that if we were to actually standardize it we would have to change quite a lot... So as I am assessing the child, I've got to like translate some of the things and by translating it means basically it's no longer valid because I'm no longer asking what the test seeks to ask. But I don't know some of them I do but most of them I know I don't translate them the same every time. So if I were to do the test on a child again, like a week later it would probably give me different results and if someone else had to give the assessment to the child they would get different results.

(Participant 10)

Common and Challenging Ethical Challenges

The reports of common and challenging ethical dilemmas have been organized into the following codes: language, cultural knowledge, test-wiseness, confidentiality, informed consent and communication with parents. Psychologists reported their most challenging dilemmas as the most commonly experienced in assessment of intellectual functioning for black African learners.

Language.

Practitioners reported language as one of the most common dilemmas that they experience in their practice of assessments of black African learners. This report was common among all races of practitioners however, it was noted that English speaking psychologists dealt with this difficulty differently from the black African psychologists. Whereas English speaking psychologists would continue with the assessment and compensate using other observations to determine ability for learners, black African psychologists would use code-switching and translate on the spot during the assessment process. In a study conducted by Foxcroft, *et al.*, (2004) language was identified as one of the major difficulties experienced by practitioners when administering a test. Table 3 above illustrates how currently used tests are not standardized on black African learners. This means black African learners are compromised from the beginning and these ethical dilemmas that psychologists report, are further injustices. On-the-spot translation is problematic as measures of standardization are further compromised. Language is presented as a dilemma in code switching and conceptual understanding.

CODE SWITCHING AND 'ON-THE-SPOT' TRANSLATION

African psychologists found themselves code switching and translating on the spot during tests administration. Psychologists reported that bilingual learners (i.e. learners who come from a family where they speak a vernacular language but attend at an English medium

school) would often switch between the languages during the assessment. More problematically, practitioners (sharing the same vernacular as the learner) would also be inclined to switch between languages (i.e. on-the-spot translation) as learners may at times understand instructions better in vernacular language than in English. Practitioners report that it is evident that learners have the potential of completing the task but need the instructions to be given in vernacular for maximum understanding. One participant reports that:

Extract 3

With the group of children we have got [there] who attend Model C schools, they don't have one language that they speak. They come from families that they speak vernacular and others come from families where they mix all languages and they go to school where they talk in English. And you will also experience that confusion when you assess the child, because at one point the child understands in this language in the next section of the test the child just doesn't understand what you are talking about while you are still conversing in the same language. Sometimes I would ask the child what language she prefers for us to use and work together and she would say English. And then when we continue with the test and we talk English, you just see this blank face that is not very healthy and you know it's not the blankness of not understanding the question and then you change the language and then the child understands.

(Participant 1)

A participant explains how on-the-spot translation affects standardization for black African learners during administration.

Extract 4

I've got to like, translate some of the things and by translating it means basically it's no longer valid because I'm no longer asking what the test seeks to ask. But I don't know some of them I do but most of them I know I don't translate them the same every time. So if I were to do the test on a child again, like a week later it would probably give me different results and if someone else had to give the assessment to the child they would get different results.

(Participant 9)

The account reported in extract 4 illustrates how practitioners compromise standardization in order to deliver test instructions. This is unscientific as stated in HPCSA guidelines Annexure 12, Chapter 5, Section 48 (a), (b) and (c) that “*psychologists must have sufficient knowledge on the test’s validity, reliability and standardization processes and relevant studies conducted in the reference group*”. In the case cited above, this is clearly infringed as ‘on-the-spot translation’ compromises validity, reliability and standardization. Another participant also argues that because of the variety of ways in which one can express themselves, be it in Zulu or in English, learners who speak the two languages will have difficulty with understanding all expressions of one instruction.

Extract 5

If the child just stares at you with this blank face, you know one example we agree on language but the language changes all the time till you finish the test. I would say to the child, and you know that in Zulu we have many ways of expressing. One minute I say “Zungeza lesitulo” maybe in the culture fair test “Zungeza lesitulo kabili ubese ubuye uze kumina” the child just lifted up the chair and then I said, “Hamba ujikeleze isitulo kabili” and then the child walks around but sometimes I say zungeza, the child doesn’t know, I say jikeleza, the child doesn’t know and I say walk the child walks.

(Participant 1)

This extract also enlightens us of the difficulty the practitioners face as the learners, though apparently fluent in English for their everyday conversations, still struggle to follow psychological testing instructions in English only. In extract 5 the practitioner has communicated to the child to “go around the chair” however the child has recognised one communication and not the other. As illustrated in extract 5, even though learners may be taught in English, they would not understand the instructions of the assessment but would understand when the same instruction is communicated in vernacular however, even in vernacular there are difficulties as learners would not engage with the instruction because of the outdated language used in the tests.

Language plays a vital role in the assessment of learner’s intellectual functioning. The study has also reported on various ethical dilemmas that arise for psychologists when assessing learners. The Professional Board for Psychology (1998) addresses the issue of language by

acknowledging that it is every person's right to receive a service in the language of their choice. Chapter 1 of the 1996 South African Constitution also stipulates that "recognising the historically diminished use and status of the indigenous languages of our people, the state must take practical and positive measures to elevate the status and advance the use of these languages" meaning that it is in our constitution to advance the usage of the residents preferred language. The assessment tests have been reported in extracts 1 and 2 to be available in English and learners of indigenous origin are tested by means of on-the-spot translation which in turn compromises the validity and reliability of the test scores; meaning that not all official languages enjoy parity of esteem as it is specified in the South African Constitution, 1996 Chapter 1, 3b.

Ochoa *et al.*, (1997) also acknowledges the difficulties in assessing bilingual learners as they report that nearly 70% of practitioners in their study described their training in bilingual psycho-educational assessment as less than adequate. This means that majority of practitioners are confronted with ethical dilemmas during assessments in which they are accountable for however are not confident to deal with. Practitioners in the current study also reiterate similar sentiments in terms of the challenge of assessing bilingual learners. Ochoa *et al.*, (1997, p. 329) report that 80% of their participants reported lack of competency in these areas "a. knowledge of second language acquisition factors and their relationship to assessment; b. knowledge of methods to conduct bilingual psycho-educational assessment; and c. ability to interpret the results of bilingual psycho-educational assessments." This illustrates the extent to which practitioners are not adequately equipped to assess bilingual learners as there is vital knowledge and skills which they have not acquired enough to compromise the results and interpretation for the learners' abilities. Moreover, practitioners in Ochoa *et al.*, (1997) and the present study, practitioners are assessing learners with inadequate skills.

In 1994, South Africa made provision for the equal status of 11 languages in the country; however there still remain a few mental health professionals (besides nurses) who speak indigenous black African languages (Drennan, 1999). In a study looking at the use of interpreters with patients who are speakers of African languages at a then recently integrated psychiatric institution in post apartheid South Africa, Drennan and Swartz (2002) report on some of the challenges of language in the mental health program. It is reported that clinicians will communicate with African-language speakers in broken English or Afrikaans and this

“language-gap” between the patient and the clinician has become institutionalized, even ritualized aspects of everyday practice of health care. The language-gap identified by Drennan and Swartz (2002) mirrors the on-the-spot translation and code switching that is reported by the participants in this study. The results of this language-gap are reported as crippling the patients of an appropriate service. In his study, Drennan (1999) also brings attention to the discrepancies between the available services for white people in South Africa as compared to patients admitted into the then recently integrated hospital. These discrepancies emulate the over representation of black learners in special education programs within the education system as discussed earlier. Drennan, (1999, p. 7) also identifies that “black service users and members of ethnic minorities have different access and treatment in health care” which constitutes as alienation of ethnic minorities (Littlewood & Lipsedge, 1989, in Drennan, 1999). In the same way, the western values embedded in the South African education system violate the integrity of black African learners in the psychological services provided.

CONCEPTUAL UNDERSTANDING

Linked to the above mentioned is the dilemma that even though learners will speak English fluently and verbally state their preference for English which would give the appearance that English intellectual assessments are appropriate for them, the conceptual understanding and background information that is embedded in the tests lacks. In the study by Foxcroft *et al.* (2004), discussed earlier, it is explained that language and constructs are closely linked thus the testees’ performance may be a reflection of a cultural understanding of a construct rather than his/her abilities. This becomes a difficulty when one practitioner reports that learners from English medium schools who have fluent verbal ability still battle with the assessment tasks. The psychologist asks the learner what their language preference is and the learner responds:

Extract 6

“Don’t give me Zulu words” but when you focus a lot in English words and then the child seems to not really understand exactly what is this? Like telling a story for instance in Zulu, you find that they are in tune with that more. So I think there is a bit

of dilemma, much when the child is speaking English, but if the child doesn't understand the context then it's a problem. (Participant 3)

This participant shares the difficulty of assessing learners who may have some grasp of the English language but have difficulty handling conceptual understanding and background information of assessment tasks.

Extract 7

... then secondly sometimes you have to explain concepts that don't make sense to the child, so for instance, like for similarities when you ask in what way are a fork and a spoon the same and the child is like, they are not the same. But you know initially you try and help them understand but you know it [is] a concept that does not exist for them so I don't know, it gives you a challenge as a therapist cause you think how am I going to explain this subtest to the child cause this is a thing that does exist for them and I think that children are different

(Participant 9)

In Foxcroft *et al's*, (2004) study on psychological testing in South Africa difficulties around language were addressed. A link between language and culture was noted and it is argued that language carries cultural constructs that may influence performance in assessments. Foxcroft *et al.* (2004, p. 146) also discusses how practitioners in their study also suggest that “certain concepts might be more accessible to them in the language in which they have been educated, while others will be more accessible in their home language. This poses a challenge to fair testing practices”. Hinkle's (1994) argument on the role of the practitioner in assessment is particularly important here, as it is the responsibility of the practitioner to familiarize themselves with the process of administration, interpretation and diagnosis using assessment tests.

Cultural Knowledge.

In the current study, participants reported that psychological tests used today are outdated in terms of language and norms. One of the important aspects that lacks in the assessments is that practitioners have reported that the tests are not culturally sensitive. This would include a variety of dimensions one of which is acknowledging and tapping into local cultural

knowledge. This refers to the evaluation of the learner's ability to know about information and skills appropriate for their cultural context. According to participants, cultural knowledge is the appreciation of the knowledge and skills relevant to the learner's experience. Participants discuss that intellectual functioning tests evaluate a particular kind of understanding of intelligence (that which is western) and is not necessarily appropriate and relevant to the South African context.

Helms (1992, in Kwate, 2001) concurs with this argument; he argues that although there are some similarities in cognitive processing between cultures, it is accepted that cultural differences have an impact on performance in standardized tests. Tests currently used are not standardized for the South African population and norms are not representative of the intellectual abilities of the learners, in particular black African learners of this country.

Extract 8

I think, as I have mentioned one of the things has been cultural knowledge, very few of the tests even though standardized in South Africa. . . ever . . . tap into cultural knowledge and that really is problematic because it goes back into the whole argument of what really is intelligence.

(Participant 5)

The Health Professional Board, 1998 maintain that standards for assessment that need to be met require the practitioner to be "familiar with reliability, validation and related standardization or outcome studies and proper applications and uses of the methods" (48, a). This means it is the responsibility of the practitioners to use assessment tests that are not biased against any persons taking the test. Participants reported on the absence of culturally-relevant information in the tests to assess intelligence of Black South African learners: in most cases, the tests do not have a component evaluating knowledge relevant to the South African population. If intelligence tests do not have the capacity to evaluate the testee's ability to cope and survive within their context, it then questions how valid is the construct of intelligence that they seek to assess.

Differing constructions of intelligence.

Extract 9

And I think it's very much a, I don't know, it depends what you choose for intelligence to be and you know with these assessments that we use, using scholastic achievement and all of that but it's like, it's not about global assessment of this child. Perhaps the child is better at home than they are at school. They can't write their B's and C's but you know the parents see them doing other things and they think the child is very intelligent like they respect people, they know how to behave in certain situations and they know how to do this and that but in terms of school work they are not that good so when you are writing the actual report you feel like what have I assessed here really

(Participant 9)

The participant in Extract 9 is tapping into the idea that intelligence is understood differently depending on the context. Thus, intelligence tests elicit particular answers which are judged as 'intelligent' or 'not so intelligent' responses depending on the assumptions embedded in the test. Because the assessment tools used on black African learners are developed primarily in Western contexts, constructions of intelligence embedded in the tests reflect their Western origins. The social component of intelligence, prized in African settings, does not feature strongly in these tests (Foxcroft *et al.*, 2004).

Another participant argued that incorporating South African conceptions of intelligences would go a long way towards the recognition of the country's diversity and needs:

Extract 10

Because if intelligence is about, if you look at intelligence in terms of intelligence being about the survival of the people our people come up with the skills of how to survive in that particular context, then the intellectual assessments need to be able to measure that; the people's ability to survive in their particular context. Even when you look at native South Africans, now I am talking about your Black people, there is some diversity there but there are a lot of similarities. I think when we are talking about developing assessments and intellectual assessments, they need to reflect the needs of this country, for [the] survival of the people of this country, that's what the

assessments need to be able to do and they need to equip (I suppose I will be speaking from an Educational perspective) the education system needs to reflect those and they need to reflect it in a way that helps us solve our problems

(Participant 8)

Participants have argued that the concept of intelligence is to be understood within a specific cultural context. Intelligence in Western nations is understood in abstract ways placing emphasis on cognitive abilities whereas an African understanding of intelligence prioritizes a social behaviour that benefits the collective. Greenfield (1997) explains that Western and African cultures differ in their attribution of what is meaningful, valuable, modes of knowing and conventions of communication. It is imperative therefore to consider these differences when developing assessment tools as this participant explains that current assessment tools evaluate intelligence in the context of where the tools were developed and using these tools here serves actually as an injustice to the population in which the tools were not developed.

Kwate's (2001) illustration of the *trained* dog versus the *educated* dog is illustrated in this dilemma as participants argue that intellectual functioning tests they use measure a western construct and understanding of intelligence and hence the challenges that are surfacing in this regard. In fact the participant in extract 10 argues that because assessment tests are not developed and normed for the South African population, then the assessment does not cater for the survival needs of this country. In a similar way to Akbar's account in Kwate (2001) of a trained dog, South African's are not being educated to best survive in their own context. Furthermore, the participants of the current study also question the education system which favours positive performance in Western assessment tools.

Intelligence as social and adaptive functioning.

Practitioners propose an understanding of intelligence that requires attention to the skills and knowledge unique and relevant to a particular context and group. For example when assessing a learner for intellectual functioning, one of the points psychologists want to assess is the level and quality of social functioning. This allows the practitioner first to look into what is appropriate and relevant in that context and skills are required for learners to cope well in that context.

Extract 11

And it feels like when you [are] writing the report you feel like, this is not even a true reflection of the child, you feel like you should actually be asking the child's parents like, what level of functioning, like when you look at this child how do they compare with other children, when they are playing, when they are playing different games, some children can make cars from wire you know, and when they are playing more indigenous games, that's when you can actually look at intelligence I think, when it comes to children.

(Participant 9)

This suggests that the assessment tests used by the practitioners do not adequately provide the information needed to predict a child's intellectual level of functioning as it would be important for the practitioner to account for the learners social functioning when evaluating the learners' intellectual abilities. However, it is clear that the assessment tools do not assess social intelligence as an indicator of intellectual ability. This may be the result of the Western cultural loadings embedded in the tests. Greenfield (1997) explains that values and meanings need to be considered if assessment tests are to move freely across cultures. These would need to consider "a. a universal agreement on the value or merit of particular responses to particular questions, and b. the same items must mean the same things in different cultures, given good linguistic translation of the instrument" (Greenfield, 1997, p. 2). The account given by participant in extract 11, illustrate that this has not been achieved as psychologists still have the challenge of evaluating intellectual functioning of a learner without the confidence of evaluating culturally relevant functioning in the learners' contexts.

Test Wiseness.

Another aspect of cultural appropriateness is test wiseness; the testees' familiarity with the testing situation. Psychologists report that they are often caught in a dilemma of evaluating a Black learner's test wiseness versus a potential cognitive difficulty. Participants were aware that there is a cultural position embedded within the assessment tools and thus by definition, a learner would have to be educated in this culture in order to perform well. Compromising the performance of black African learners in South Africa is the fact that there are inequities within the formal education systems thus those receiving poor education (Black learners) are

compromised even further (Gaylard, 2005). Participants report that test wiseness refers to a learner's familiarity with the test situation and tests of evaluation. It has been shown that populations exposed to a particular education system (that which is western) are more likely to perform better in assessment situations as these learners are favoured by the familiarity to the equipment and nature of the assessments (Gaylard, 2005). This is echoed by the participants in the current study.

Extract 12

... you are not sure if they have been exposed to them, so if they are not doing well is that because they have never done a puzzle or is it because of some sort of cognitive difficulty. It is difficult. (Participant 6)

Extract 13

For example you give a child a picture of a subtest, say for example I think its called the Absurdities subtest where you have a man sitting backwards on a horse, who is to say that is culturally relevant for a child who has never seen a horseman on a horse[who is to say] whether they can determine whether something is absurd in a picture? (Participant 5)

Extracts above show how practitioners grapple with assessing whether the performance is due to learners' exposure or lack of exposure to the testing material. It is clear; however, that exposure to a particular educational system does increase performance in tests of intellectual functioning. Ostrosky-Solis *et al*, (2004) and Salvia and Ysseldyke (1995, in Gaylard, 2005) argue that while all ethnic groups have the ability to link and process information, different cultural groups will value specific skills; their cognitive abilities will be shaped by their exposure to these opportunities. The following extract illustrates a participant's dilemma in terms of exposure to the test situation.

Extract 14

So in fact you are telling them what to be looking for whereas there would be less of that with children like, say white children who are more accustomed to this sort of

thing, so you see you motivate them, you kind of give them an idea of, you introduce them to [a] particular context and then a way of thinking about things and you do a lot more than just translate...you introduce them to[a] particular context and then a way of thinking about things and you do a lot more than just translate.

(Participant 7)

This means that an individual's cultural context will influence cognitive abilities and depending on exposure one can redefine and mould their cognitive abilities. Neisser *et al.* (1995) illustrate this by comparing the performance of white English children in the United Kingdom with black Zambian children from Zambia. These children were asked to make clay models and complete pen-paper tasks and wire modelling tasks. Both groups of children performed equally in the clay modelling tasks as both groups were familiar with the material. White English children performed better in the pen-paper tasks while Zambian children performed better in the wire-modelling tasks. This shows how exposure to a material influenced performance in the assessment.

Test wiseness elicits many arguments about the exposure to a particular education system. Nell (1999, in Gaylard, 2005, p. 8) argues that "testees who are exposed to western schooling systems and have a higher level of acculturation, develop the ability to respond to the items by paying attention, concentrating, following directions and have a higher level of confidence, as well as specific skills, such as pencil use and copying" whereas "individuals from non-western cultures may believe that intelligence is reflected in cautious, careful work, which will impact on his or her response to the test items and consequently the test result". Lezak, Howieson and Loring (2004) support this argument; they report that one's level of education affects both verbal and non-verbal skills in that there is an improved performance for those with a higher level of education.

Confidentiality.

Participants have reported that confidentiality has commonly been an ethical challenge that they have encountered in their assessment of Black learners. It has been reported that one of the ethical dilemmas that practitioners face is that which infringes on the key ethical principles set out in the legislative guidelines of psychologists. When South Africa broke away from discriminatory laws of the apartheid system, a key issue that was addressed was

the employment and labour related laws. The new laws in the 1996 South African Constitution and the Bill of Rights ensure in principle that no persons should be assessed by tools that will disadvantage or discriminate them. Assessments tools used on employees have to be verified to be scientific, valid, and reliable, applied fairly and show no bias against or towards any employee. The South African Constitution in its whole, advocates for fairness across all areas of service. The Bill of Rights (of 1996 South African Constitution) embraces diversity, human freedom and equality across all races, genders, religion, social and economic class. The rules and regulations established in LRA (1995) EEA (1998) and HPCSA Professional Board for Psychology (1998) were developed to guide practitioners with ethical dilemmas that may arise. Practitioners however have reported to struggle with confidentiality when assessing intellectual functioning in way that have manifested in these themes: Employer-employee relationships; multidisciplinary settings; and dual roles.

EMPLOYER-EMPLOYEE RELATIONSHIPS

There is a proportion of the clientele (Black domestic worker with White employer) that has been lead by the employer to get an intellectual functioning assessment conducted and usually has limited or no knowledge of the process and purpose of the services. However, is this limited knowledge on the part of the parents or is it lack of skill on the practitioners side to convey and unpack the process of psychological services? According to the South African law it is the duty of the practitioner to know and understand the client and to ensure voluntary participation and informed consent. With similar difficulties, learners who have been endorsed by a company to attend private schools are also of disadvantaged family backgrounds thus parents are not exposed to psychological processes.

Extract 15

As a result of outside funding or scholarship sometimes their parents speak very little English. So its often hard to understand why the testing is necessary, its hard to get background, its hard to talk about what the outcome of that testing is and what you are going to do with that material. That has been difficult...That situation is tricky because ethically you want to inform the parents as much as you can but in that case

the liaising was done with the funders so it was up to them to engage it with the parents.

(Participant 4)

Further more, the employer or funder is also taking the financial obligation for the services. It is reported that this poses as a dilemma as confidentiality is often stretched in these instances. Even though the practitioners' first point of contact is the employer or funder, it is of vital importance that the parents are the primary contact. This is difficult also because often, the parents are not educated about psychological services. The power dynamics added by the financial responsibility, first because the employer is the initiator of the process and second, that they are the employer causes power dynamics that infringe on the confidentiality between the practitioner and the index family.

Extract 16

Ok, I have come across employers of domestic workers and you will find that it is the employer who knows much about psychological services. The domestic worker does not know much, ok. And the employer pays for services and the employer has a genuine interest in the child's academic success [and because] they want to pay so there is no way that they would pay if they don't know about the child's abilities. They had suggested the assessment anyway, so that's one setting.

(Participant 1)

This participant expresses the interest of the employer and as a result the employer is involved in the process and the mother of the child is explained to in vernacular. HPCSA Guidelines for Psychology (1998) have made provision by stating that practitioners should ensure confidentiality of all assessment results and the participant should be informed of all persons who will have access to the results and interpretation reports. However, there is evident difficulty as practitioners explain difficulty with ensuring confidentiality.

DUAL ROLES

Practitioners with dual roles have also experienced ethical dilemmas in this respect. It is often a dilemma of confidentiality and ethical obligation when a practitioner is playing dual roles.

One practitioner gives an account of how such a situation has caused distress and challenge in her practice.

Extract 17

Hey it's a problem because some parents would say, for instance, there are parents and say the child is HIV positive the child is within the system of Education, and unfortunately I am also within the system...you must please assist me with my child maybe the child has a behaviour problem, so I look at the case, but then sometimes you find that the child is as I said is HIV positive and the parent doesn't want to declare that and the child is having problems coping maybe with the medication, the delays are caused by problems that started way back the school don't understand and that maybe that particular school doesn't know that information and the parent is not prepared to divulge and so then it becomes a problem of placements because where do you place the child cause the child looks severe but taking into consideration the level the child is functioning the child has actually progressed, just need to be given more time you can't declare that information just leave it to the parent and educating about the importance of involving other partners so in a way well it's a challenge

(Participant 3)

This extract shows how a practitioner received personal medical information (that the learner is HIV positive) in her position as a psychologist in the Department of Education but cannot share that information with the teachers even though the child was referred by the school as a result of poor academic performance. This participant was concerned that the child may have needed to be placed at a special needs school but because the parents have practised their right to withhold disclosure the process may not be applied. Bodenhorn (2006) notes that loyalties refer to situations where the counselor has conflicting obligations between his/her employers and the client. Similarly in the current study, participants have reported to be in a dilemma of breaching or maintaining confidentiality as a result of dual obligations to the client and the organisation.

Informed Consent.

The issue of informed consent has been discussed mainly in terms of the dilemmas of having to educate both parents and learners about the purpose and process of the intelligence assessment. First, participants reported that parents are often overwhelmed by their own emotional and psychological experiences and so the participant would have to assist the parents (who appear somewhat resistant as it may appear irrelevant for the parent) to deal with their difficulties in order to best assist the learner. The practitioner is then faced with the difficulty of first educating the parents about the requirements of the process and how other role players (such as school, teacher, other professionals and Dept of Education) may be of assistance in the process. Participants have reported to have communicated in vernacular (as explained in extract 18) as there is often a limited command of English by the parents and learners. However, it is also interesting to note again that the practitioners are silent about the fact and right (according to the Bill of Rights, 1996) of the parent to have this information of the process communicated in their vernacular. It is in fact not the duty of the client to be fluent in English but the duty of the practitioner to provide a service that is accessible to the client in the language of the client. In other words, the client is not limited in their command of English but rather the practitioner is limited in the language of the client.

Following from here would be the need to discuss the process and its impact with the learner. This would require the practitioner to do more than dissemination of information but to educate the learner of the process of assessment. Practitioners report to do this in vernacular and at a pace that is containing for the parents and the learner.

Extract 18

I bring both the child and the parent and say this is what this is about, and this is how we are going to do it and as much as we've been told let them do it, let them find a new concept, there's just no time for that. The most important is that the parent to understand the process and also going to a process of saying no this is not standardized, at times I do explain but, its too much...How informed is informed consent, I cannot guarantee I just say, I explain as much as I can.

(Participant 3)

Often if informed consent is not adequately achieved, the question of informed consent and voluntary participation is questioned, as practitioners are then not completely guaranteed that the client has fully understood and appreciates the information enough to be able to give informed consent. Practitioners report that parents and learners often will engage with the process as a command from an authority figure, ‘the doctor’, without considering the ramifications of the assessment. Another English-speaking participant (extract 19) emphasizes this as she reports that:

Extract 19

Not in all cases but in probably most of the cases... Black parents are more quick to sign the form and tick the boxes and I have thought, either they have trust in me or the profession, like when you go to the doctor and you get a form, you don't necessarily read you would just like tick, tick, tick and the same if you get the medication, you don't necessarily read about it you just take it twice because that's what he [the doctor] told you. (Participant 6)

Extract 20

Have the parents been scared by other parents or teachers about the child's non-performance and they just really want their child to be helped. So then you ask yourself the questions whether they are really consenting in an informed way or are they just reacting to what the educators have told them about their children and they really want to help their children. Informed consent, eish I don't know. The questions you are asking me are very difficult. (Participant 7)

This draws attention to the evident difficulties in ensuring informed consent to those seeking to use these psychological services. Pope and Vasquez (2007) discuss that ensuring that the client fully understands the nature, purposes and techniques of an assessment tool helps the client give or withhold consent in an informed way. However, determining “that the client understands the testing is different from just providing information aloud or in written form” (Pope & Vasquez, 2007, p. 157). The extracts provided above lead us to question implicit ethical dilemmas that arise during psychological assessment. First, the underlying point

deduced from this extract is that of the potential power dynamics between the teacher-parent relationships. Pope and Vasques (2007, p. 157) also argue that “some clients may be anxious, distracted, preoccupied, or so eager to please the clinician that they nod their heads as if to acknowledge that they understand” when in fact little or nothing is actually understood. The authority in the relationship compromises the voluntariness and informed consent for parents seeking and engaging in the assessment process. Secondly, how is the practitioner engaging with the parent to allay those power dynamics so that the parent is able to provide informed consent? Bearing in mind that it is the duty of the practitioner (according to the HPCSA Professional Board for Psychology) to discuss with the client details of the assessment process in such a way that the client understands and appreciates the process.

Extract 21

Whereas for the younger ones, parents are just looking [for] help or they've either been scared by other parents or teachers about the child's non-performance and they just really want their child to be helped. So then you ask yourself the questions whether they are really consenting in an informed way or are they just reacting to what the educators have told them about their children and they really want to help their children.

(Participant 7)

Though this participant is of the view that that the parent's lack of participation is due to avoidance, it can also be argued that the parents could have found no significance in the assessment. It is thus important to trace back and question power dynamics in the referral process. Power dynamics between the practitioner and the client may possibly be because of differing economic, social and educational status of the clinician as compared to the parents, thus participation in an assessment may rather be a way of pleasing the practitioner instead of genuine understanding of the process of assessment (Gasa, 1999). Drennan (1999) also looks at the power dynamics between the interpreter, clinician and the patient drawing attention to the power dynamics in this relationship. One has to question whether the parents were involved in the decision of placing a referral to a psychologist for an intellectual assessment. Questions of informed consent are raised in terms of implicit power dynamics between a teacher or other authorities and the parent. According to the Professional Board for Psychology, 1998, Chapter 5 (46, 2b) the practitioner needs to ensure that informed consent requires that the clients understands the “exact nature of the psychological service(s) to be

provided.” Consequences of inadequate informed consent are hypothesized to manifest in alternative ways. What has been presented and constructed by the participants as a lack of commitment to the process, as extract 22 suggests:

Extract 22

I did offer a parent to just bring the child was so in need but the parent was like “no I don’t have money” But bring the child, but still the mother didn’t because I have discovered- it’s not about money, people can pay it’s just that sometimes they run because they don’t want to deal with the issues that the child is coming for.

(Participant 3)

Extract 22 suggests that parents would attend assessments once or twice and would not continue with the process until its closing stages and this would not be result of genuine financial constraint but a fear and avoidance of the psychological matters that are clearly to arise from the assessment. In other words, though practitioners have understood this as a financial phenomenon where parents are overwhelmed with their personal issues that they are unable to deal with the difficulties of the learner and thus abscond from the consultation; this is challenged by this study that lack of consistency in consultation may actually be in fact a result of un-informed consent. Pope and Vasquez’s (2007, p. 136) suggestion of moving away from an understanding of informed consent as a unilateral process in the form of giving adequate information but rather “the process of informed consent provides both the patient and therapist an opportunity to make sure that they adequately understand the shared venture”.

Communication with Parents.

Practitioners also stated that another challenging dilemma that they experience when assessing black African learners is during the initial intake and feedback with the parents. One of the crucial evaluations when a black African learner has been referred for intellectual assessment is to evaluate the linguistic abilities of the child, parents and siblings. Even though practitioners have reported that this is to assist with tailoring the assessment for the unique learner it is also important as a significant amount of the information gathered about the learner is from the parents or primary caregiver. Practitioners report, therefore, that it is

particularly difficult to gather the relevant history of the learner and communicate the findings of the assessments if the parents are not fluent in English, while the practitioner is also not fluent in the language of the parents or the child. A participant reports

Extract 23

I think some of it would come back more in the feedback... some difficulties that I have experienced are with parents you know, who are not adequately educated. You would often find that understanding [the child's] learning difficulty would be difficult because they haven't been exposed to it themselves. (Participant 5)

Extract 24

Sometimes where the child is a lot more fluent in English; the parents are not. They speak English but not necessarily. So giving feedback it is sometimes quite difficult to get information and when giving feedback it's difficult to know whether they understand it and what is their understanding of it. (Participant 6)

This participant illustrates that the challenge of language in intellectual functioning assessment of black African learners is embedded throughout the process of assessment and is not a dilemma of the administration process. Practitioners report that this is a common ethical challenge because a significant proportion of Black learners being assessed will have parents that do not have an adequate command of English which then leads to other ethical dilemmas such as informed consent and confidentiality. The South African Constitution of 1996 in the Bill of Rights (1996, p. 15) specifies that “everyone has the right to use the language and to participate in the cultural life of their choice”. However the adequacy of the practitioner’s education and training in this regard is not critically reflected on by the participants in this study. Pillay and Kramers (2003) also bring attention to the fact that in a 20-year period (1981 - 2001) the Midlands Hospital complex in KwaZulu-Natal enrolled 128 interns into their program in which more than three quarters of those students were English-speaking with no skill in African indigenous language of the area. There has been no significant change in the number of students who are able to speak African languages even after the end of the discriminatory laws of apartheid in 1994. This magnifies the violation of the South African Constitution, 1996 which promotes equity and fairness for all persons of South Africa. It is the duty of the practitioner to familiarize themselves with the client’s

needs. The onus is on the practitioner to provide linguistically appropriate services to the client. Practitioners are silent however, about on their own inability to speak African languages. The ethical principles such as those stipulated in the Professional Board for Psychology (1998) show that practitioners need to familiarize themselves with culturally fair practice.

Extract 25

It has been tough. It has been very difficult especially with parents who have a limited command of English just using psychological terminology to explain has also been a challenge. Like just saying that the child has a learning difficulty but there is nothing... You don't want to say the child is disabled in some way because you understand that there is still the potential.

(Participant 5)

Furthermore, it has also been discussed that the difficulty in assessing black African learners with parents of limited command of English is the task to deconstruct the inaccurate conceptualizations of the difficulties a learner is experiencing. Again, one questions whether it is the parents with a limited command of English or the participants with limited command of the client's vernacular language. The account given by the practitioner above is that of a child (parents with limited exposure to education and English of a different culture and race to the participant) constructed and understood as a "lazy" child; however after assessment the participants found a significant learning impairment. The challenge was then for the participant to communicate the findings appropriately about the difficulties the learner was experiencing. Participants report that the dilemma is whether they have appropriately communicated the results bearing in mind that they are not equipped with the language to adequately explain to parents who are unable to communicate in English.

Strategies employed to overcome Dilemmas & Recommendations

Another aim of the study was to explore various recommendations that practitioners have employed in order to deal with the current difficulties when assessing black African learners and some recommendations for the future assessment of black African learners. Research and development of new tests, forums and documentation and training programs were the main

suggestions of dealing with the current dilemmas in intellectual functioning assessment of black learners.

Research and Development of new Tools.

Participants have also reported that there is a dire need for South African psychologists to develop assessment tools developed and normed on the South African population for the South African population. This requires a set beyond translation of tests but intensive qualitative and quantitative research in order to develop comprehensive assessment tools that will appropriately and fairly assess learners in South Africa.

Extract 26

So in as far as assessment is concerned, assessment comes out of research, there is no other way except to do research and develop instruments and keep on refining them like it is done all over the world. (Participant 1)

Extract 27

South Africa needs to develop and standard their own tests. Translation is not enough we need to develop our own measures of assessment. (Participant 2)

Extract 28

I think this needs to take place with people in the practice, especially because we are well aware of what our work does and where the faults may lie. Ok, this is not something we can do alone but I think because I think people listen to people like us we need to use those voices properly. (Participant 7)

The extract below calls for cultural sensitivity in assessment. Here the practitioner calls for caution and careful interrogation of the interpretations practitioners give for observations of behaviour during assessments. Thus development of new assessments would account for this.

Extract 29

I think cultural sensitivity is also an important issue that needs to be accounted for in the assessment. For example, the eye contact issue we could all believe that an inability to maintain eye contact could be due to a range of factors and psychologically its usually stigmatizing but we need to be aware that certain cultural groups would not be comfortable with doing that. Sitting directly across an examiner, many children are not comfortable with that so sitting a bit further from the child and not constantly starring at the child would be more culturally sensitive.

(Participant 5)

Forums and Documentation.

Documentation of which assessment instruments work best is also a recommended strategy as reported by participants. Another report was that of a need for participants to unite into formal forums where documentations of this nature can be discussed. The common factor in the recommendations reported above is the call to unite and work together as psychologists to discuss which instruments work best when assessing black African learners but a greater goal would be establishing a platform to initiate the development of new, more relevant assessment instruments. The change needed to deal with these difficulties is reported to lie within the population of psychologists.

Extract 30

Yes, I feel that as psychologists, it helps to be with a group of other psychologists, maybe forming formal forums where people talk about their ideas... cause that's where you actually get to discuss... but it should get to that point where you can bounce your ideas with someone else.

(Participant 3)

Extract 31

We want to define Psychology in a way that speaks to our people... I think we really need to stand up and own it. Because Psychology as it is it speaks to a particular person, to a particular people and if we just want to borrow it, then we must understand that we have just borrowed it and it will tell us what things are. If we aren't willing to create our own then we have nothing to complain about.

(Participant 7)

Training Programs for new practitioners.

In addition, appropriate training of psychologists in cross-cultural assessment is also reported. Participants have reported to have been limited in terms of training for cross-cultural assessment thus resulting in practitioners equipping themselves with relevant information and tools to conduct useful assessments after formal training programs have been completed.

Extract 32

In psychology you really have to have a mentor and also for developing yourself professionally. There are so many laws [in place], so many legislations and how do we keep abreast with such- by reading, go to your books, buy even your own books.

(Participant3)

As suggested above, the training programs for current and future practitioners may play a vital role in the alleviation of some of these ethical dilemmas. The South African Constitution, Bill of Rights of 1996 calls on practitioners to provide services that are relevant and appropriate for all peoples of South Africa, regardless of race, religion, ethnicity, socio-economic background, gender or historical background. However the ethical dilemmas that have been reported above present that South Africans are being done an injustice.

Conclusion

This section has looked at the commonly used intellectual assessment tests namely the JSAIS/SSAIS, WISC-IV, Bender Gestalt II, Projective tests and the Ravens Coloured Progressive Matrices. Participants interviewed have account for their common and challenging ethical dilemmas as language, cultural knowledge, test-wiseness, confidentiality and communication with parents. Literature also suggests that other practitioners using Western-European psychological tests in cross cultural contexts also report similar challenges. It has been concerning to note the link between the ethical challenges reported by the psychologists and the South African legislation stipulated in the Bill of Rights in the South African Constitution of 1996; the HPCSA, Professional Board for Psychology, 1998;

LRA, 1995 and the EEA, 1998. Psychologists have also recommended that research and development of new tests, forums and documentation and training programs be carefully considered as platforms to address and resolve the current ethical dilemmas.

Limitations to the Study

The study reported on the common ethical dilemmas experienced by psychological practitioners. However, because of the qualitative nature of the research design, the study could only tap into the experiences of ten practitioners. This is a limitation to the study as it is vital to explore ethical dilemmas in a bigger and more diverse sample of psychological practitioners. Therefore, a quantitative study may enrich the results from the current study. Further, the participants in the study were from one geographical area, namely KwaZulu-Natal. It would be interesting to contrast and compare the ethical dilemmas reported by psychologists across different provinces in South Africa

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Appendices

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Appendix A: Consent form

Hi, my name is Lindiwe Bayi and I am Counselling Psychology Masters student at the University of KwaZulu-Natal in the Pietermaritzburg campus. I am doing research into the challenges and ethical dilemmas that arise when assessing black learners. The aim of the study is to report the difficulties that psychological practitioners face when assessing black children. The study also aims to provide information on how practitioners overcome these challenges.

I am interested in finding out more about your everyday challenges when using psychological tools on black learners. I would like to find out about what being a psychological practitioner is like when using psychological tests on black learners and how you overcome the challenges you may encounter.

The results of this research study will be available in the form of an academic report for my Masters programme (i.e. dissertation). Apart from me, only my supervisor will have access to all the information collected as part of this research in its raw form. Your real name will not be used, both during the interview and the write-up process. Confidentiality will be protected by means of a pseudonym and all personally identifying information will be edited out from the dissertation report.

You have been requested to volunteer for this interview, in which we will specifically be discussing your experiences as a psychological practitioner. Your participation in this study is voluntary. Although your participation will be greatly appreciated, should you wish to discontinue at any stage, you are free to do so. You are also free to omit the questions you do not wish to answer. The purpose of the study is to collect information in order to improve psychological services offered to black learners. As such, there are no foreseeable harms to you should you participate in the study. However, should you feel not comfortable to discuss something, please feel free to do so and this will be respected. On my part, while I will be reporting to my academic advisor for supervision purposes, only those issues pertaining to the

research will be discussed and not the individual participants. Only the researcher (myself) will deal with you directly.

The study will not favour or benefit you in any direct way. However, it may be a valuable source of information for other psychological practitioners.

If you have been selected for the interview part of the research, participation will be in the form of one semi-structured interview which is estimated to take last about 1 hour (60 min). If you have been sampled for the survey part, you will be requested to complete a brief anonymous survey which should take about 10-15 minutes of your time.

The current study has been ethically approved by the University of KwaZulu-Natal Humanities Research Ethics Committee. Should you require additional information regarding the study at any stage, please feel free to consult me via the School of Psychology (033-260 5853) (Email: 205515724@ukzn.ac.za). Alternatively, you can contact my supervisor, Prof Nhlanhla Mkhize, at 033 260-5963/5853 (Email: Mkhize@ukzn.ac.za). You should also contact my supervisor at any point should you not feel comfortable with the conduct of the study.

CONSENT FORM

I (Full names of participant) hereby confirm that I understand the contents of this document and the nature of the research project, and I consent to participating in the research project.

.....

.....

Signature of Participant

Date

In addition, I also consent to the tape recording (audio recording) of the interview session. I understand that the audio recording is solely for the benefit of accurate data collection in that the researcher will use the tapes to refer to when reporting on the information found. Furthermore, I also understand that the tapes used will be kept safe in a locked cabinet in the supervisor's office.

Signature of Participant

Date

Appendix B: Interview Schedule

(Please circle one option)

Age: 20-24yrs 25-29yrs 30-34yrs 35-39yrs 40-44yrs
45-49yrs 50-54yrs 55yrs and above

Gender: Male / Female

Highest Educational Qualification: Masters Ph. D.

Where Qualifications obtained: Local University Abroad Other
African state

Nature of training institution: Historically Black Historically White

Race¹: African Coloured Indian White Other

Category of Training: Educational Clinical Counselling Other

No. of years since qualified: Less than 1 year; 1-4 yrs; 5-9yrs 10-14yrs 15-19yrs 20-24 yrs 25 yrs and above

Employment: Private practice School setting Government setting
Department of Education Other_____

Thank you for agreeing to be part of this interview conversation. Your participation is highly appreciated.

1. First, let us begin by discussing, in general, how you would go about assessing a Black African child referred to you for scholastic difficulties, be they intellectual (cognitive), social-behavioral or a combination of both?
2. Could you please identify the test you most commonly use in assessing the intellectual and scholastic aptitudes of black African children? Name between 3 and 5 tests. / Which psychological tests do you use most often to assess the intellectual functioning of black African children/learners?
3. Which of these tests have been standardized on Black African children? How does this influence the way in which you work with the learner for assessment?
4. What are some of the challenges you have faced on assessing the intellectual potential of black children? Mention as many as you can.

¹ Required for research purposes only

5. Ok, let's take each of the challenges you have mentioned. Please explain thoroughly the nature of the challenge, giving examples from your personal practice as a psychological practitioner.

- Could you please explain a situation where *Challenge X* was a challenge? What was happening?
- How was this eventually resolved?
- You have also mentioned *Y* to be a challenge; could you please explain how you experienced this as a challenge in your own practice? Please tell me more.

If not all these challenges are brought forward,

6. Ok, in previous studies, language, confidentiality, informed consent and communication of assessment findings have been reported as some of the ethical dilemmas. Do you identify with any of the above mentioned? *Depending on the response*

7. How does language influence your administration of the psychological tools?

8. What do you do to address these challenges? / How do you deal with these challenges? What strategies can be used to resolve these? / What other recommendations can you bring to resolve the ethical dilemmas you have identified?

9. Are there other issues you would like to mention that I have not covered?

10. Once again, thank you very much for availing yourself and sharing this information with me.