

Submitted May 1, 2023

**Testimony of
Brad Swinney, Chair
Appraiser Qualifications Board
The Appraisal Foundation**

**Public Hearing on Appraisal
Regulatory System**

Appraisal Subcommittee

May 19, 2023



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INTRODUCTION

Madam Chair and members of the Appraisal Subcommittee, I greatly appreciate the opportunity to appear before you as the Chair of the Appraiser Qualifications Board as their representative and to offer the viewpoint of the body entrusted with writing and maintaining the *Real Property Appraiser Qualification Criteria*.

Appraisal bias has eroded trust in the appraisal profession and has led the Appraiser Qualifications Board to begin reexamining the *Criteria* to identify new opportunities to welcome in the next generation of appraisers while ensuring that they are meaningfully qualified and prepared to succeed in the profession. Through this process, we have identified initiatives already in place that offer new pathways into the profession, like the Practical Application of Real Estate Appraisal (PAREA), expansion of eligible experience hours for non-traditional client work and practicum courses from 50% to 100%. Additionally, we found new opportunities to better prepare appraisers to promote public trust in their appraisal practice through a proposal of required education on valuation bias and fair housing laws and regulation.

The Appraiser Qualifications Board was authorized by Congress under Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act (FIRREA) of 1989 to set the minimum qualification criteria for real property appraisers. While the AQB is empowered to write and maintain these criteria, the AQB, unlike federal agencies with rulemaking authority, has no enforcement authority.

In this unique regulatory structure, the AQB is one of the three bodies interacting to make the system work. We are pleased that for more than three decades, we have worked hand in hand with the ASC and the states to create the minimum requirements to become a Licensed or Certified Appraiser that are meaningful and sufficient to uphold public trust.

It is important to note that these minimum qualification requirements are adopted by states into law or regulations. Furthermore, our requirements are simply the minimum criteria states are required to adopt. States can always add additional requirements an appraiser needs to meet before receiving a credential, and many states often do. This has resulted in a patchwork of requirements with many states exceeding the AQB's *Criteria*. These additional requirements can be confusing and make it harder for new appraisers to enter the profession. It also complicates the work of appraisers who are credentialed in multiple states and must meet the unique requirements of each state in order to maintain multiple credentials. The AQB is pleased that the ASC has used its authority to encourage harmonization among the states in recent letters and compliance reviews.

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Given the focus of this hearing on appraisal bias, I have also included as an appendix a recent update letter to PAVE outlining the actions the AQB has taken related to their recommendations.

SPECIFIC TOPICS OF DISCUSSION REQUESTED **BY THE SUBCOMMITTEE**

The Appraisal Regulatory System

The Appraiser Qualifications Board (AQB) is charged with writing and maintaining several different qualification criteria. The profession itself consists of personal property appraisers, business valuation appraisers, property assessors and real property appraisers. But only real property appraisers are required by state regulatory bodies to follow the AQB's *Real Property Appraiser Qualification Criteria*.

The AQB is responsible for writing and maintaining qualification criteria but, like our counterparts on the Appraisal Standards Board, has no enforcement authority. Congress gave the enforcement role to state and federal regulators. States are charged with credentialing appraisers and ensuring new entrants to the profession have met the qualification criteria. The ASC routinely audits states to ensure appraisers are meeting the minimum requirements in the AQB's *Criteria*.

A challenge of the current appraiser regulatory system is that states can and do layer additional qualification criteria on top of the *Real Property Appraiser Qualification Criteria*. The AQB *Criteria* is just a minimum, so individual states often have additional requirements that go beyond what is laid out in the *Criteria* and differ from other states. This can create a confusing patchwork of qualification criteria for appraisers to meet if they move states or wish to be credentialed in multiple states. The ASC has used its Title XI authority to encourage states to harmonize their qualification requirements for reciprocal licensing, and the AQB hopes they will continue these efforts.

An additional complication is that even if the AQB lowers the *Criteria* in some way, for example by cutting the required number of experience hours, states are not obligated to make the same change. They can still require appraisers to meet the more stringent previous version of the *Criteria* because it still meets the newly required minimum.

Given the way the appraiser regulatory system was designed by Congress, it is critical that the AQB and state and federal regulators all work together to ensure consistency for those seeking to enter the profession. We will continue to work collaboratively with our regulator counterparts toward harmonization so the profession can best welcome in a new generation of appraisers.

Appraisal Bias

Appraisal bias undermines public trust in the profession. The AQB shares the view of regulators and stakeholders that both the public and appraisers must understand an appraiser's obligation to act without bias. The AQB has a role to play in this regard, and the board takes this responsibility seriously.

The AQB *Criteria* has included fair housing as an allowed education topic for decades. As concerns around appraisal bias came to the forefront, the AQB reexamined the *Criteria* and proposed making the topic of fair housing laws and regulations into their own focused education course, along with valuation bias. The AQB is currently proposing new fair housing education requirements as part of all appraisers' qualifying and continuing education. A Second Exposure Draft outlining these proposed changes should be made available in the month of May, and we urge regulators, stakeholders and members of the public to all take time to review this proposal and to provide their feedback and comments to the AQB during the public comment period.

Changes to Education Requirements

The AQB is in the midst of taking a hard look at all of the qualification criteria to determine if the current *Criteria* are necessary for an aspiring appraiser to be considered meaningfully qualified. This is a deliberative process requiring research and feedback from a wide range of stakeholders. One of the first opportunities the AQB identified in the *Criteria* was proposing the addition of a required fair housing course for all appraisers as part of their qualifying and continuing education. As of the submission of this testimony, the AQB is currently working on the Second Exposure Draft related to this proposed change and hopes to make it available for public comment by the time of the May 19th hearing.

Another component of the education criteria the AQB has identified for further study is the college degree requirement for appraisers seeking the Certified General credential as well as the college degree and college course requirement alternatives applicable to those wishing to enter the profession at the Certified Residential credential level. The current path to a Certified Residential credential without a college requirement applies only to those having held a Licensed Residential credential for five or more years as further described in the *Criteria*. The Licensed Residential credential does not require a college degree. The AQB plans to conduct research and solicit additional feedback from appraisers and stakeholders to determine if a college degree should remain a required component of earning a Certified General credential and if college degree or college course requirements should remain components of the Certified Residential credential requirements.

Ultimately, it is hard to assign a timeline to any task because it takes time to thoroughly vet and understand these issues before issuing an initial exposure draft. It also takes time, once an exposure draft is out, to solicit and receive public feedback and incorporate that feedback into future drafts. Without this thorough research and public comment, the AQB runs the risk of implementing changes that would negatively impact the profession and public trust. It is imperative that we follow our process and carry out our work in a way that results in meaningful qualification criteria that will properly prepare new appraisers to succeed in this profession.

Changes to Experience Requirements

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Over the last ten years, the AQB has examined the experience requirements and made a number of changes to the experience portion of the *Criteria*. In 2015, the AQB cut the number of required experience hours in half. Input into that decision was extensive and included insights from the ASC staff who also issued a letter to the AQB which stated, “The reduction in [experience] hours appears reasonable given increased education requirements over the years.”

The AQB also allowed for 100% of all experience to be gained via an approved practicum course, as of January 1, 2022, or a Practical Application of Real Estate Appraisal (PAREA) program, as of January 1, 2021. These two alternatives to the traditional method for gaining experience under the guidance of a supervisor open additional paths for aspiring appraisers to enter the profession.

A practicum course offers aspiring appraisers the opportunity to gain their experience in a hands-on setting with other aspiring appraisers without the need for the trainee to find a supervisor. Practicum courses must be approved by either the AQB or the state that allows this alternative method of gaining experience, and we are pleased that the ASC is partnering with states to develop and fund these courses.

PAREA, on the other hand, is simulated training, essentially a “flight simulator” for appraisers. PAREA also, as an online program, has the added benefit of providing aspiring appraisers more flexibility in their work/life balance. This gives participants the ability to, for example, continue working a job or completing a degree at the same time they gain experience. Currently, there are eight PAREA programs in development, and nearly 40 states have approved PAREA as an option for aspiring appraisers. We anticipate one or more PAREA programs will be available on the market by this fall.

In recent years, other entities have asked us to review the experience requirement to consider further reductions or even eliminate experience all together. As part of our work plan for this year, we have committed to begin considering how experience in related professions, such as real estate brokers, home inspectors, etc., might count towards an aspiring appraiser’s experience requirements.

These proposals to further reduce experience do pose a challenge to the AQB in that reducing experience hours contradicts policies of federal regulators. For example, the number of experience hours required now for both the Licensed Residential and Certified Residential credentials are below the 2,000 minimum required hours for any of the Department of Labor’s 64 approved apprenticeship programs in the United States.

Currently the Federal Housing Administration and lender clients require their appraisers conducting residential mortgage work to have experience before they can perform work on their behalf. Given this, there are concerns that reducing the number of hours could result in newly qualified appraisers the public is unwilling to hire. These mixed messages will be carefully weighed by the AQB as it considers the minimum requirements needed for new appraisers to succeed in the profession and to uphold public trust.

National Uniform Licensing and Certification Examination

Title XI of FIRREA of 1989 requires that *“No individual shall be a state certified real estate appraiser, under this section unless such individual has achieved a passing grade upon a suitable examination administered by a State or territory that is consistent with and equivalent to the Uniform State Examination issued or endorsed by the Appraiser Qualification Board of the Appraisal Foundation.”*

Prior to 2008, states wrote their own exams. However, because numerous problems emerged, including inconsistencies in the level of difficulty and content being tested, the AQB worked to create a single national exam which is provided to the states for free. This exam is the result of careful research. It is written, maintained, updated, and monitored by expert test developers who assist with design and rigorous analysis from psychometricians. The tests meet the industry standard for being reliable, fair, and accurate, and they are reviewed on a regular basis to ensure that they continue to meet this high standard.

APPENDIX A- Letter to PAVE



February 2, 2023

Ambassador Susan Rice
Assistant to the President for Domestic Policy
Director
White House Domestic Policy Council
1600 Pennsylvania Avenue, NW
Washington, DC 20500

The Honorable Marcia Fudge
Secretary, U.S. Department of
Housing and Urban Development
451 7th Street, SW
Washington, DC 20210

Dear Ambassador Rice and Secretary Fudge:

Thank you for your January 17th letter on the *Real Property Appraiser Qualification Criteria* and the changes proposed in the Property Appraisal and Valuation Equity (PAVE) Task Force Action Plan.

We appreciate our shared commitment to building an appraisal profession that is truly reflective of the United States, and we are pleased to have the opportunity to work together. The Appraiser Qualifications Board has been carefully reviewing the recommendations made in the Action Plan and has been conducting research on how these proposed changes would impact the profession. I would like to take this opportunity to provide you with a brief update on where we are on a wide range of PAVE Task Force Commitments, including the specific recommendations cited in your letter.

Strengthening guardrails against unlawful discrimination in all stages of residential valuation

Clarify the application of the Fair Housing Act and ECOA to the appraisal industry to ensure appraisers have clear guidance on antidiscrimination obligations under current federal laws.

In fall 2022, the Appraisal Standards Board released an update to the 90-minute section

of the 7-Hour National USPAP Update Course focused on bias and discrimination. The update to these course materials was conducted with the advice of fair housing law firm Relman Colfax. With their guidance, the Appraisal Standards Board added relevant citations of fair housing laws and additional information about each of these laws is now included as well. This is a required course for all appraisers, and the updated information in this section was sent to all appraisers who had previously taken the course.

Issue guidance and implement new policies to improve the processes by which a valuation may be reconsidered if the initial valuation is lower than expected.

In conjunction with subject matter experts, The Appraisal Foundation developed a White Paper on Reconsideration of Value that offers proposed best practices for those who wish to build a more relationship-driven and consistent method. This White Paper is available [here](#) on our website. In addition to this White Paper, the United States Department of Veterans Affairs' Tidewater Initiative has been a well-received Reconsideration of Value process and can be looked to as a model for those who wish to develop their own Reconsideration of Value procedure.

Address potential bias in the use of technology-based valuation tools through rulemaking related to Automated Valuation Models (AVMs).

The Appraisal Foundation's Industry Advisory Council brought together industry leaders and subject matter experts to form an AVM Task Force. The product of their initial efforts was [published](#) last year. This publication examines the current generation of Automated Valuation Models used in housing and makes recommendations on potential standards for AVMs going forward.

Following the publication of this first task force report, the group was asked to present their findings to the federal banking regulator interagency work group charged under Dodd-Frank with drafting regulations for AVMs. This presentation was well received, and the task force has turned their attention to crafting more detailed guidance on proposed regulations.

Develop a legislative proposal that modernizes the governance structure of the appraisal industry to improve transparency and public participation in the establishment of appraisal standards and appraiser qualification criteria, and to advance diversity in the profession.

The Appraisal Foundation prides itself on its transparent process for maintaining standards and minimum qualification criteria for real property appraisers. The process followed by our independent boards closely mirrors federal rulemaking with frequent opportunities for public comment. The PAVE Task Force Report led us to expand that public participation through a new web form where comments, questions, and requests for the boards may be submitted on any topic at any time.

The observations of the PAVE Task Force Report also helped us identify where we were lacking in receiving public feedback on proposed rules: consumer and civil rights organizations. This led to the creation of the Council to Advance Residential Equity (CARE). This council is made up of non-profit organizations with a mission of civil

rights, fair housing, or consumer advocacy. Identifying this gap also spurred the Board of Trustees to eliminate the requirement that a majority of trustees be appraisers and has sparked outreach specifically aimed at advocates of consumers, fair housing or civil rights to apply for open public interest trustee seats. This targeted outreach has brought perspectives The Appraisal Foundation was missing to the table and has helped the independent boards get more feedback from these important stakeholders in the appraisal profession.

Enhancing fair housing/fair lending enforcement and driving accountability in the industry

Strengthen coordination among supervisory and enforcement agencies to identify discrimination in appraisals and other valuation processes.

The Appraisal Foundation strongly supports this commitment to more robust and coordinated enforcement, and we encourage the enforcement entities to use their authority to root out discrimination and require adherence to USPAP. To assist regulators in these efforts, the Appraisal Standards Board has been conducting a comprehensive review of the Ethics Rule resulting in proposed changes that make it crystal clear that bias and discrimination against protected classes has always been prohibited by USPAP and that appraisers must comply with all relevant fair housing laws. These proposed changes were developed with advice from fair housing law firm Relman Colfax and with input from federal regulators. The Appraisal Standards Board hopes that these proposed changes will offer regulators stronger tools for enforcement.

We are eager to identify opportunities to collaborate with the Appraisal Subcommittee to further this goal. Possible suggestions we have made to the Subcommittee include reinstating the Investigator Training program which was a partnership of the Appraisal Subcommittee, Association of Appraiser Regulatory Officials, and the Foundation. This training program offered free training to state regulators on how to investigate appraisal complaints and was well-received for many years.

We also urge the Subcommittee to use their position providing oversight to state regulators to ensure that state boards are correctly applying USPAP to their complaint reviews and ensuring they are requiring their state's appraisers to comply with the anti-bias mandates contained within USPAP.

Building a well-trained, accessible, and diverse appraiser workforce

Update appraiser qualification criteria related to appraiser education, experience, and examination requirements to lower barriers to entry in the appraiser profession.

Based on information shared at the fall Board of Trustees meeting, we anticipate that Pathways to Success grant recipient the Appraisal Institute will submit their Practical Applications of Real Estate Appraisal (PAREA) module to the Appraiser Qualifications Board for review and approval this spring. We look forward to reviewing their module along with any other modules the Board receives this year. In addition, we are in the early stages of working to develop a scholarship program that could assist aspiring appraisers in defraying the costs of a PAREA module.

We are also pleased to share that nearly 40 states have approved PAREA as an acceptable alternative to the traditional experience model. The Appraiser Qualifications Board is actively working with the remaining states to answer questions as they work to incorporate PAREA into their laws and regulations.

In addition to the traditional supervisor/trainee experience model and the forthcoming PAREA modules, there is a third alternative available for aspiring appraisers to fulfill their experience requirements: practicum. Practicum programs are approved by the state and give aspiring appraisers hands on experience in a classroom and field setting. We are appreciative of the Appraisal Subcommittee's grant program to support states in building these practicum programs and hope more states will open up this additional pathway to aspiring appraisers.

In 2017 - 2018, the Appraiser Qualifications Board conducted a comprehensive review of the experience requirement with input from state and federal regulators, appraisers, consumers and users of appraisal services. As a result of this careful study and public input, the Appraiser Qualifications Board made the decision to cut the experience requirements for aspiring residential appraisers in half. At that time, there was solid consensus that public trust was best protected by aspiring appraisers having experience. With the advent of PAREA and practicum as additional models for obtaining experience, aspiring appraisers now have more options than ever to fulfill these requirements. The Appraiser Qualifications Board looks forward to partnering with you to continue examining these requirements to ensure they uphold public trust.

In terms of the education requirements, the Appraiser Qualifications Board is working in conjunction with the Board of Trustees' Special Committee on Diversity, Equity and Inclusion to grow the number of degrees approved through the Real Estate Degree Review Program, specifically focusing on Historically Black Colleges and Universities, Hispanic Serving Institutions and women's and tribal colleges. Students who have a degree from an approved school can potentially fulfill all their education requirements with the exception of the 15-Hour National USPAP Course to become an appraiser.

The Appraiser Qualifications Board is continuing to study the additional recommendations made in the PAVE Task Force Report relating to the college degree requirement for Certified General appraisers and a comprehensive examination. The Board members are looking forward to the opportunity to meet with you to discuss these action items in more detail to ensure that the minimum qualification criteria provide meaningful assurances that public trust will be protected by new appraisers entering the profession.

Increase engagement with states' appraisal regulatory agencies to help remove barriers to entry and advance diversity in the appraiser workforce.

Organizations from Fannie Mae to the Appraiser Diversity Initiative have pointed out that additional state criteria that go beyond the Appraiser Qualification's Board's minimum criteria are having a negative impact on bringing new, diverse appraisers into the profession. We strongly support the Appraisal Subcommittee's letter to the states encouraging states to harmonize their criteria to the Appraiser Qualifications Board's *Real Property Appraiser Qualification Criteria*. We appreciate the Subcommittee's

encouragement that states be able to justify any additional criteria they have in place.

Require appraisal anti-bias, fair housing, and fair lending training for all appraisers who conduct appraisals for federal programs and work with the appraisal industry to require such trainings for all appraisers.

The Appraiser Qualifications Board has released an exposure draft of proposed changes to the *Real Property Appraisal Qualification Criteria* that would require fair housing education for incoming and existing credential holders, building off a recommendation from the National Fair Housing Alliance report on the appraisal profession released in 2022. This draft was developed with guidance from fair housing law firm Relman Colfax, and they partnered with the Appraiser Qualifications Board to draft a recommended course outline for these required courses as well. The exposure draft of proposed changes is currently available for public comment with a comment deadline of March 13. Following this period, the board will consider the comment received to determine whether another exposure draft is needed or if these proposed changes are ready for adoption.

Empowering consumers to take action

Update and clarify government resources for consumers who believe they may have experienced appraisal bias.

The Appraisal Foundation's [Consumer Resources webpage](#) offers a host of resources for consumers looking to learn more about the appraisal process. For those consumers who believe they may have experienced appraisal bias, there is an entire section of this webpage with regulatory links to guide them to those state and federal groups who are responsible for enforcing appraisal standards. We have recently published a new video which outlines what action a consumer can take if they need to make a complaint.

We hope the Appraisal Subcommittee will join us in these efforts by strengthening the Appraisal Complaint National Hotline to provide resources for consumers who believe they may have experienced appraisal bias. In addition, the ability to track the complaints the Appraisal Subcommittee receives and how they are adjudicated would be a valuable resource in developing future appraiser education on issues around fair housing, bias and discrimination. We hope the Subcommittee will work with us to ensure these resources are strengthened for the public and the profession.

Incorporate appraisal bias information into first-time homebuyer education courses.

In 2016, The Appraisal Foundation developed a module geared toward first-time homebuyers titled [“What Every Homebuyer Should Know About an Appraisal.”](#) This program is designed to assist those teaching first-time homebuyer education classes around the country. It includes vital information and resources for consumers on what an appraisal entails, how an appraiser determines value, and how to interpret an appraisal report. We would be pleased to build off this initial offering to provide further expertise to those educating first-time homebuyers.

We welcome the opportunity to meet with Executive Director Melody Taylor and other PAVE Task Force members to begin a collaborative conversation on how we can move

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forward and share more details on the updates I have provided here. Please send us dates and times that would be convenient for your team, and we will be pleased to schedule the first of hopefully many meetings. We look forward to working together with you on this important issue.

Sincerely,



David S. Bunton
President



Brad Swinney
AQB Chair

cc: Melody Taylor, Executive Director
PAVE Interagency Task Force
Via email: Melody.C.Taylor@hud.gov

James R. Park, Executive Director
Appraisal Subcommittee
Via email: jim@asc.gov

APPENDIX B- Bias Review of National Exam

The AQB, as a service to help the states, writes the National exams the states can elect to use.

Here is the protocol our exam provider follows related to bias in exams:

Our test development procedures are conducted in accordance with the principles and practices outlined in the Standards for Educational and Psychological Testing (American Educational Research Association, American Psychological Association, & National Council on Measurement in Education, 2014). The Standards for Educational and Psychological Testing (2014) describe principles and guidelines for all aspects of test development, including content validation. Relevant Standards that apply to the creation of exams using a job analysis are:

Standard 14.8 – Evidence of validity based on test content requires a thorough and explicit definition of the content domain of interest.

Standard 14.10 – When evidence of validity based on test content is presented, the rationale for defining and describing a specific job content domain in a particular way (e.g., in terms of tasks to be performed or knowledge, skills, abilities and other personal characteristics) should be stated clearly.

Standard 14.14 – The content domain to be covered by a credentialing test should be defined clearly and justified in terms of the importance of content for credential-worthy performance in an occupation or profession. A rationale should be provided to support a claim that the knowledge or skills being assessed are required for credential-worthy performance in an occupation and are consistent with the purpose for which the licensing or certification program was instituted.

Item Selection

Items are reviewed by PSI Test Development Specialists to ensure that they adhere to sound item-writing principles. Specifically, each item is reviewed for:

1. **Style** - Whether the item conforms to good item-writing principles, such as using parallel alternatives (responses) and avoiding overlapping alternatives;
2. **Grammar** - Whether the item is grammatically correct, has accurate spelling and punctuation, and is clearly worded;
3. **Understandability** - Whether a problem is clearly worded in both the stem and alternatives;
4. **Plausibility of Distractors** - Whether the distractors are plausible and attractive to examinees who lack the information or ability tested by the item; and
5. **Cultural and Gender Group Appropriateness** - Whether the item may be offensive to cultural and gender subgroups.

Item Sensitivity Review

PSI reviews all items for material that may be judged offensive to cultural, gender, and disabled subgroups. Items that might be construed to imply sexual, ethnic, or other kinds of bias are either changed to eliminate bias or deleted. Where feasible, items using gender specific pronouns (“he” or “she”) are rephrased to eliminate any gender reference. Where this is not possible, “he” and “she” are used equally to strike a reasonable balance throughout the test; specific roles (such as manager and employee) are assigned equally to men and women. Where usage of specific cultural or racial groups is necessary in an item (e.g., items on Fair Housing Laws, etc.), care is taken to reduce the possibility of stereotypic bias. In order to emphasize knowledge of the topic presented in an item (rather than a specific subgroup mentioned in an item), such items are phrased to require an in-depth knowledge of the topic. Where feasible, such items also include identification of a source (e.g., “According to ...”) to indicate neutrality.

A portion of the item review process involves evaluating each item based on sensitivity criteria. The SMEs are instructed on the importance of reviewing items to determine if they are worded in such a way that offends particular groups, or gives an unfair advantage to a particular group. During the training, the following item sensitivity criteria are discussed:

- Does the item use an obsolete or politically incorrect name for a racial/ethnic group or a name that is not the most acceptable current term (e.g., Negro, Latino)?
- Does the item contain sensitive words or phrases (e.g., lower class, cripple, disadvantaged, ghetto, inner city, white, black, social class, housewife, underprivileged, old, Chicano, Hispanic, Latino)? If so, the item’s content should be reviewed carefully to be sure that no negative impressions are conveyed.
- Does the item perpetuate negative stereotypes of certain groups (i.e., imply inferiority or deficiency in physical or psychological characteristics generally regarded as desirable)?
- Does the item portray groups of people in stereotypical roles? (e.g., Asians as dry cleaners; African-Americans as sports figures; men as breadwinners, decision makers, and powerful figures with women as passive bystanders or housewives)
- Does the item assume that members of a particular profession are of one sex or the other? (e.g., use phrases such as “male nurse” or “female doctor” that suggest that this is the exception for the profession)
- Does the item use masculine language? (e.g., “man” to mean “people,” “the best man for the job,” “businessman” rather than “business executive”)
- Does the item use nonparallel language when referring to men and women? (e.g., call a woman by her first name and a man by his last name; use phrases like “men and ladies” when parallel terms would be “men and women” or “gentlemen and ladies”)
- Does the item use “he” or “she” when it can be written in the plural using “they”? (Note: where the use of “he” or “she” is necessary, alternate between the two.)
- Does the item use words or expressions that have different meaning for different racial/ethnic groups?

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- Does the item include offensive subject matter? (e.g., slang words for body parts)
- Do all groups have equal access to the concepts and knowledge, skills, and abilities assessed by the item?

Subject Matter Expert Input

During the item review meetings, if a SME identifies an item that violates any of the sensitivity criteria listed above, the SME is instructed to make the meeting facilitator aware of his/her concerns so that the concerns could be addressed by the entire SME group.