

NECESSITY OF ESTABLISHING A PERIOD OF VALIDITY FOR LEVEL 6

The outcomes of the IELP Workshop, held in Kuwait from 9-11 November 2015, suggest a limited period of validity for Level 6. To support this suggestion by evidence arguments were collected to substantiate the necessity. The arguments found are based partly on research or facts, partly on the results of monitoring of tests and test standards conducted by several EASA or ICAO Member States since 2008. The main arguments are:

1. LANGUAGE LOSS

Evidence for the argument:

- It is no secret that a language decays when it is not used (i.e. “it is gradually forgotten”). This fact has been recognized by internationally accepted “high-stakes” tests such as TOEFL and IELTS, which restrict the score / grade validity of their tests generally to a period of two (!) years. Yet with TOEFL and IELTS usually there are no “physical” lives at stake.
- There is no proof that even a level 6 granted by ICAO recognized tests such as ELPAC is still a level 6 many years after the test. Here, a limited period of validity would provide recurrent opportunity to reassure / revalidate every single level-6 endorsement, which in turn would verify and substantiate the reliability of these ICAO endorsed tests (by having a closed test-retest cycle).

2. NO COMPARABLE STANDARDS OF LANGUAGE TESTING

Evidence for the argument:

- 2008:
Conclusions drawn by Prof. Charles Alderson (University of Lancaster) in his “Final Report on a Survey of Aviation English Tests”:
 - a) little confidence in the meaningfulness, reliability, and validity of aviation English tests
 - b) monitoring is required of the quality of tests to ensure they follow accepted professional standards to language tests and assessment procedures.
- 2010 and 2011:
In at least one EASA MS for an overall level 6 it used to be enough to assess level 6 in only four out of the six categories of the ICAO rating scale, while level 5 in the remaining two categories would be enough. It is unclear whether retesting of affected license holders has taken place since 2012, nor how many level tests have been accepted by other EASA MS due to mutual recognition. Nevertheless, in this country the number of pilots having a level-6 endorsement is at around 60 per cent of all license holders.
- 2011:
In at least one EASA MS, that applies two different tests for pilots and air traffic controllers, several pilots were assessed level 4 or 5 with ATC language examiners after having been assessed level 6 with pilot language examiners.
- 2013:
A pilot having been awarded a level 6 in one EASA MS was retested by another EASA MS on the occasion of a license transfer and renewal. The result of that retest, which took place only four months later, was 5-4-4-5-5-4 instead of formerly 6-6-6-6-6-6. In a similar case the result was 4-4-4-4-4-4 in one EASA MS and 6-6-6-6-6-6 in another EASA MS, while the second test took place only three days later.
- 2014 and 2015:
During courses for language examiners, taking place within an EASA MS and being conducted in English, it turned out that the language proficiency of some participants

was not at level 6 as it had been assessed in language tests before. This might have something to do with unreliable testing but also with language loss, if the test took place several years previously.

- 2013 till 2016:
At least one EASA MS checks level-6 examiners for their ability to recognize errors in oral utterances (“error spotting” in terms of structure and vocabulary). In 2016 one examiner who had already rated almost 3000 holders of pilot licenses, was checked the first time. The examiner failed the check twice. Though the examiner is not authorized to conduct level-6 tests anymore, there remain doubts about whether his ratings in the past were correct. Retesting of pilots with level-6 endorsements has not taken place, as it is impractical also due to administrative constraints (no audio recordings, no clear proofs). In the meantime, many of these level 6 tests have been accepted for license endorsement in at least six other EU MS. Changing the period of validity of level 6 - at least on a European level - would be by far easier, more practical and more efficient.
- At present ICAO has recognized only one test, the validity and reliability of which satisfy ICAO standards, namely ELPAC. The outcomes of the IELP Workshop 2015 also suggest that licenses should be endorsed based on tests recognized by ICAO’s Aviation English Language Test Endorsement Service. Unfortunately, most of EASA or ICAO MS have not yet got their tests evaluated nor do they use ELPAC.
- Generally, when it comes to language testing, many academic researchers agree on a statement like “there is no ideal test” (e.g. p.123 in Desmond Allison. 1999. *Language Testing & Evaluation*. Singapore University Press; et al.)

3. MUCH BIAS AND LITTLE TEST SECURITY

Evidence for the argument:

- When recruiting pilots some airlines / employers (often with only a small numbers of pilots) expect their applicants to have an English level 6 as an entry requirement, which puts an enormous pressure on both pilots and language assessors.
(Note: By doing this, operators make use of the “loophole” of an unlimited level 6 to get rid of their obligation to ensure language proficiency of their pilots. The same is true if ICAO MS use testing formats, which are too easy.)
- There are cases of falsified language documentation to get level-6 license endorsements (in at least two EASA MS)
- Many EASA and ICAO MS do not require their test providers to record the oral interaction between test-taker and interlocutor as it is recommended in 6.3.6.1 ICAO Doc 9835, 2nd ed., 2010.
- In at least one EASA MS level 6 is granted by one examiner, being the interlocutor and rater at the same time, while the test is not being audio-recorded.
- Test versions of some major ICAO MS can be found on the internet.

4. CONSTRAINTS OF OVERSIGHT AND PRACTICALITY

Evidence for the argument:

- LPRI oversight of ICAO / EASA MS is often conducted using very small numbers of personnel, with one official (at best) being responsible for overseeing dozens of language assessment bodies and / or hundreds of language examiners.
- The LPR and / or licensing personnel of a CAA must be familiar with numerous testing methods of various EASA or ICAO MS for accepting foreign language results, including level 6, which is hardly feasible (apart from the question of comparability stated earlier).

- Safety measures stipulated by EASA or ICAO to ensure the integrity of tests and test standards regarding LPRI have not been actively implemented and only exist in written form (ICAO USOAP CMA).
- The process of revoking an endorsement in a pilot / ATCO license is often difficult and lengthy. Even if there is clear evidence, a CAA still has to follow many administrative regulations until the license can be finally revoked. E.g. if an appeal or objection is made regarding the final result, the candidate still remains suspended until this is clarified. Therefore, many level 6 endorsements still exist, though there are considerable doubts. As a consequence, a CAA does not react until forced to do so as a result of an accident or incident and this then results in all efforts being spent on one single case. Legislative organs, both of EU and the governments of ICAO MS outside the EU would be well advised to take real proactive steps by limiting the period of validity of level 6 in European or respective national regulations.

5. UNEQUAL TREATMENT BETWEEN PILOTS AND CONTROLLERS WITHIN EUROPE

Evidence for the argument:

- According to ATCO.B.035 of Commission Regulation (EU) 2015/340 the validity of an **English** language endorsement for a **controller** shall be **nine years** from the date of assessment.
- As FCL.055 c) of Commission Regulation (EU) No 1178/2011 has not been changed the validity of level 6 for **pilots** still remains **unlimited**, though pilots and controllers communicate in English directly with each other and in the same airspace.

CONCLUSION AND SUGGESTION

Drawing on the arguments and the evidence from above, and the fact that aviation language testing still remains unregulated, while, at the same time, being about high stakes, regulating bodies such as ICAO and EASA should take proactive steps to recommend (ICAO) or stipulate (EASA) a limited period of validity for level 6. Seeing as the forthcoming limited validity for European ATCOs will be 9 years for a level 6, the period of validity for pilots should be also nine years for the English language. As an exception and parallel to ATCO.B.035 of Commission Regulation (EU) 2015/340 the validity for native language speakers and / or local languages could still remain unlimited (Arguments: practicality; administrative constraints; English as *the global lingua franca* in aviation).