



# SCHOOL BOARD OF POLK COUNTY

P.O. BOX 391  
BARTOW, FLORIDA 33831

(863) 534-0500

1915 SOUTH FLORAL AVENUE  
BARTOW, FLORIDA 33830

May 22, 2009

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Dr. James H. Bray  
President

Practice Research and Policy, Practice Directorate  
American Psychological Association  
750 First Street, N. E.  
Washington, D.C. 20002

Dear Dr. Bray:

The revision of the Model Act for State Licensure of Psychologists proposed by American Psychological Association (APA) in March 2009 has serious and detrimental implications for Florida's students, families, educators, school psychologists, and local school systems. If enacted, the proposed changes could eventually lead to significant limitations on the practice of school psychology in Florida. We strongly urge APA to reinstate the long-held exemption for non-doctoral level school psychologists.

## J. Exemptions

We strongly oppose the proposed change to section J of the MLA that removes the exemption for specialist level school psychologists to use their titles. We urge APA to strike this change from the proposed revisions and reinstate the long-held exemption for all school psychologists.

The reasoning for changing the school psychologist exemption is unsound and unscientific. Doctoral level and licensed school psychologists have not been found to have a level of psychological practice in schools that is superior to or of significantly higher quality than specialist level school psychologists. Specialist and doctoral level school psychologists are experts in psychology and education. They provide high quality psychological and educational services in schools and improve the educational, behavioral, adaptive, social, and emotional outcomes of children and youth enabling them to achieve in school and in life. These specialized professionals are highly valued in the schools because of the unique combination of rigorous graduate training (in psychology and education) that they work diligently to attain, and the subsequent invaluable services that they are able to provide. This proposed change in the MLA exemption would unjustly remove the rights of more than 75% of practicing school psychologists (20,000+) to use the title for which they are legitimately credentialed and qualified.

APA has a professional responsibility to recommend to state legislatures amendments to their state psychology licensing acts that are based only on empirical, evidentiary grounds for the purpose of protecting the public. No such grounds exist. Therefore, there is no justifiable need for this removal of exemption or for the removal of the title of non-doctoral school psychologists to take place.

Implementing this change would inevitably have a negative impact on children and their education. If this proposed change in the MLA is enacted in states, conflict would inexorably ensue. By nature, policy changes and implementation are complicated. In this case, multiple changes would occur and have a significant impact: 1. state and federal legislation (all laws and regulations that refer to “school psychologists”); 2. state boards of education (credentialing policies/procedures and funding mechanisms); 3. school districts (hiring and practice policies); 4. supervision practices in schools by professionals other than doctoral level school psychologists or licensed psychologists; and 5. individual specialist level school psychologists (disenfranchised from their title and professional identity). This will cause confusion in every area mentioned above and will undoubtedly impede the delivery of needed educational, behavioral, emotional, and social (psychological) services to children. This needless change in the MLA exemptions, especially at this time of great need in schools, and the untenable removal of a title most associated with school-based practice has a high risk of hurting children, families, and schools by creating barriers to receiving services. Placing a barrier by limiting available—and essential—personnel has the potential to cause physical or emotional harm to children and is in direct violation of APA’s Ethical Principles of Psychologists and Code of Conduct, which under Principle A: Beneficence and Non-Maleficence states that psychologists “take care to do no harm.”

The proposed changes in the MLA exemption would also allow licensed psychologists to bypass the credentialing requirements of State Education Agencies (SEAs), and permit them to use the title of “school psychologist” or “certified school psychologist” without having met the requirements established by the SEA. SEAs require that school psychologists have completed a comprehensive three year graduate program in school psychology, including a 1200+ hour internship. Because school psychologists who are credentialed through their SEAs practice in the schools with children, it is justifiable that SEAs require graduate preparation and internships in school settings before practice in the schools. Licensed psychologists who have taken one course in education are not equipped or qualified to work in schools as school psychologists and they should not be granted the title without attending a graduate program or completing respecialization in school psychology. Allowing licensed psychologists, who have not had adequate training and experience to work in schools as school psychologists may put children at risk for harm. Again, this is in direct violation of APA’s published Ethical Principles.

For the reasons stated above, we strongly advise the APA to reinstate the exemption in section J for all school psychologists.

## B. Definitions

We urge the Task Force to reinstate the exemption for non-doctoral level school psychologists in the March 6, 2009 proposed Model Act for State Licensure of Psychologists.

The proposed Model Act recommends to state legislatures that they disregard well-established, high quality credentialing standards for specialist level school psychologists without just cause or sound reasoning. For example, the Definitions Section (B) of the of the Model Act describes precisely the activities that school psychologists are trained and qualified to do in their daily work with children, educators, and families to enhance the school performance and mental health of children and youth and are practices for which school psychologists are credentialed by state boards of education. These functions are recognized in the professional *NASP Standards for Training and Field Placement in School Psychology, Principles for Professional Ethics, and Guidelines for the Provision of School Psychological Services*; requirements for the Nationally Certified School Psychologist credential; and the credentialing requirements of 49 state boards of education plus the District of Columbia. The elimination of the exemption for specialist level school psychologists would restrict the practice of non-doctoral school psychologists in public schools without justification.

Furthermore, the definition of the “practice of psychology” seeks to clarify the breadth of specific services rendered by psychologists. Within this definition, all of the services provided by school psychologists are addressed in whole or in part. This portion of the Model Act defines psychological practice and essentially *removes* the right of non-doctoral school psychologists legitimately credentialed by State Education Agencies to engage in these practices. This removal constitutes a restraint of trade (or professional practice), which could put states in violation of interstate commerce law and place them at risk for civil litigation. Accordingly, these recommended revisions should be reversed.

The exemption for specialist level school psychologists should be maintained because school psychological services are defined and recognized in most state codes for the regulation of schools and educational services. In federal law and regulations, the expertise of school psychologists is recognized as a source of expert testimony for the purpose of establishing impairment. According to federal guidelines, the credibility of this testimony by licensed or certified school psychologists at both the doctoral or specialist levels is given equal weight to that of licensed psychologists, licensed physicians, and other licensed or qualified professional.

APA’s proposed Model Act would attempt to remove the *right of state education agencies* to choose a title for a credential that the state education agency issues, and attempts to restrain states in its regulation of school based practices, both for the provision of school psychological services, and in its standards for providers of school psychological services. We oppose a Model Act that would attempt to remove state

education agencies' regulation of title, credentials, and practices of school psychologists, who are highly valued professionals in schools.

Section B4 (Definitions) also threatens the ability of specialist level school psychologists who have earned the "Nationally Certified School Psychologist" (NCSP) recognition to use this title as representation of their graduate education and competence, without empirical or evidentiary grounds for doing so. This national NCSP credential and the corresponding graduate education standards that it represents are highly regarded in states and in the accreditation standards adopted by NCATE. It also represents a level of accomplishment that is frequently rewarded by school districts as reflecting high levels of professional attainment worthy of annual bonuses or stipends. Further, under Model Act proposed language, the use of the legitimately earned specialty title of NCSP by a non-doctoral school psychologist could be unjustly classified by psychology boards as misleading or false advertising.

Finally, school psychology is a developed area of practice and meets all of characteristics identified on page 5 (Section B7, Definitions) of the Model Act. Substantial evidence exists that school psychology is an established practice area and specialist level school psychologists are appropriately prepared and credentialed to engage in school psychology practice.

It is for the reasons stated above that we strongly advise the APA to reinstate the exemption for specialist level school psychologists in the Model Act.

Sincerely,

Gail F. McKinzie, Ph.D.  
Superintendent

Nancy Woolcock  
Assistant Superintendent, Learning Support