

**From:** Falls, Dana  
**Sent:** Wednesday, June 03, 2009 7:35 PM  
**To:** pracgovt@apa.org; ppo@apa.org  
**Cc:** Cashdollar, Mary; Ecker, Charles  
**Subject:** Opposition to the proposed changes to of the Model Licensure Act

Dear Sir / Madam,

On behalf of Carroll County Public Schools I strongly oppose the proposed changes to of the Model Licensure Act that removes the exemption for specialist level school psychologists to use their titles. I 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. Specialist and doctoral level school psychologists in Carroll County have expertise in psychology and education. They provide high quality psychological and educational services in our schools and improve the educational, behavioral, adaptive, social, and emotional outcomes of children and youth. These specialized professionals are highly valued in our schools because of the rigorous graduate training that they attain, and the subsequent invaluable services to our children and families that they are able to provide. 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. The proposed change in the MLA exemption would unjustly remove the rights of our practicing school psychologists to use the title for which they are qualified and legitimately credentialed.

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 multiple changes would occur and have a significant impact: 1. state and federal legislation; 2. state boards of education; 3. school districts; 4. supervision practices in schools by professionals other than doctoral level school psychologists or licensed psychologists; and 5. individual specialist level school psychologists. This will not only cause confusion in every area mentioned above but will also undoubtedly impede the delivery of needed educational, behavioral, emotional, and social services to children, all of which is currently done by our school psychologists. This needless change in the MLA exemptions, especially at this time of great need in schools, and the indefensible removal of a title most associated with school-based practice has a high risk of hurting our children, families, and schools by creating barriers to receiving services. Placing such barriers by limiting available and essential personnel has the potential to cause physical and/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 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 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.

Further, the proposed changes in the MLA exemption would 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 comprehensive graduate program or completing a re-specialization 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.

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.

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. I 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 our schools.

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.

Model Act proposed language 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. 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.

For the reasons stated above, I strongly advise the APA to revise their MLA such that the practice of school psychologists will not be limited or changed. There is no cause to make such a change and there are sizable demonstrated benefits of school psychologists providing services in the areas in which they are credentialed and qualified. Indeed, our children and families deserve no less.

Sincerely,

***Dana A. Falls***

Director of Student Services  
Carroll County Public Schools  
125 North Court Street  
Westminster, MD 21157  
410-751-3120  
410-751-3695 (Fax)  
dafalls@carrollk12.org

