

May 29, 2009

James H. Bray, President
American Psychological Association
750 First Street, NE
Washington, D.C. 20002-4242

Dear Members of the Model Licensure Act Task Force:

I am writing to express my profound concerns with several changes in the new Model Licensure Act (MLA). I list these concerns below by section. I am a practicing school psychologist in Vermont; I hold my NCSP and I am a member of the National Association of School Psychologists. I am also the current president of my state association of school psychologists (Vermont Association of School Psychologists).

Section J: Exemptions

I strongly oppose the proposed change to section J of the MLA 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. Implementing this change would inevitably have a negative impact on children and their education.

Specialist and doctoral level school psychologists are experts in psychology and education. 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.

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. This 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."

Section B: Definitions

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.

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.

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

Section G. Limitations of Practice; Maintaining and Expanding Competence

I strongly oppose the proposed revision to section G (Limitation of Practice; Maintaining and Expanding Competence) of the MLA that changes school psychology from an area of specialization to a foundation of psychology. I strongly urge the APA to reject this proposed change and maintain that school psychology is an area of specialization.

By maintaining that school psychology is an area of specialization, the public is protected from being provided school psychological services by a professional that is not adequately trained in school psychology. Allowing professionals who lack proper specialization to work in schools with the vulnerable population of children is in direct violation of APA’s Ethical Principles of Psychologists and Code of Conduct, which under 2.01 Boundaries of Competence states that, “(a) Psychologists provide services, teach, and conduct research with populations and in areas only within the boundaries of their competence, based on their education, training, supervised experience, consultation, study, or professional experience.”

Preamble

I strongly oppose language in the APA MLA that would potentially limit and change the practice of school psychologists without empirical or evidentiary grounds, and I urge APA to revise the proposed changes in the MLA that may cause this problem, including the Preamble.

Section A. Declaration of Policy

I strongly oppose language in the APA MLA that would potentially limit and change the practice of school psychologists without empirical or evidentiary grounds, and I urge APA to revise the proposed changes in the MLA that may cause this problem, including Section A, Declaration of Policy.

This section states that, “...the intent of legislation for state licensure of psychologists is to ensure the practice of psychology in the public interest. The consumer

should be assured that psychological services will be provided by licensed and qualified professionals...”

While many claim that the MLA is primarily an act that is focused on standards for professional titles (i.e., psychologist), the Preamble clearly states that, “This is the fifth set of guidelines for state legislation regulating the *practice* of psychology that has been developed by the American Psychological Association (APA).”

In light of the potentially harmful impact on children and education resulting from proposed changes to the Model Act specific to school psychologists and the failure of APA to adequately document or support any benefits of their proposed change, I strongly suggest the APA strike these revisions, and specifically reinstate the exemption for all school psychologists. Furthermore, as many of these revisions would limit and change the practice of school psychologists without compelling justification, I strongly recommend that APA revise the MLA in a manner that conserves and respects highly qualified, skilled, and dedicated school psychologists and the psychological services that they provide in order to improve the outcomes of children and families.

Sincerely,

Dylan McNamara, Ph.D., NCSP
President of Vermont Association of School Psychologist