

## HISTORY OF NYASP

### Issues We Have Dealt With

#### APA's MODEL LICENSURE ACT

Summarized by Ruth Steegmann  
February 21, 2013

##### Background

The American Psychological Association has traditionally defined itself as the entity that establishes standards of training and practice throughout the field of psychology. They first established a Model Act in 1955, to serve as a prototype for drafting legislation in states which would regulate the practice of psychology. While no state has adopted APA's Model Act in its entirety, it has served as an important tool both in establishing initial regulations and advocating for change in licensing requirements. Revisions of the Model Act were enacted in 1967 and 1987.

APA has consistently asserted that the doctoral degree is the minimal credential for entrance into the field of psychology. Admission to full membership in the APA has been limited to doctoral level applicants. Those with Masters degrees could become Associate members, but did not have immediate voting privileges nor could they hold office. (Voting privileges could be conferred after five years of Associate membership.)

Since 1987, APA's Model Licensure Act has included an exemption from state licensure requirements, which allowed school psychologists to use the title "school psychologist" and to practice school psychology, provided that they are appropriately credentialed by their state education department and limit their practice to public school settings. This exemption is also contained in the New York State psychology licensing law, additionally allowing employment of certified school psychologists in pre-school settings and within state-level agencies.

In 2007 APA again drafted a revision of its Model Licensure Act, this time proposing changes which would impact significantly upon the field of school psychology and of the children, schools and families we serve. The proposed changes included:

Eliminating the exemption for certified school psychologists to use their title and work as school psychologists in their previously approved settings.

Restricting the terms "psychologist", "psychology" and "psychological" to persons who have earned a doctorate in psychology.

Limiting the practice of psychology to those who hold doctoral degrees.

The 2007 proposed revision of the MLA would have the use of the term "school psychologist" or "certified school psychologist" restricted to persons who have a doctoral degree in psychology, and (in the case of those who are not licensed) are certified by the state education agency. They would be able to use the terms only during their practice in the public schools. However, it was noted that this provision was not intended to apply to licensed psychologists. NYASP's interpretation of how this would play out was that any doctoral level psychologist holding any credential from a state education department could use the title "school psychologist" and could practice psychology in public schools. At the same time, licensed psychologists would be able to bypass the credentialing requirements of state education departments and permit them to use the title "school psychologist" or "certified school psychologist".

APA's justification for these recommended changes was to protect the public from unqualified practice. They additionally claimed that the title "psychologist" was associated with doctoral level training in the public mind, and that having sub-doctoral level practitioners caused confusion and diminished confidence in the profession.

A 90 day period of public comment was scheduled, during which organizations and individuals could weigh in on the proposed revisions in the MLA. Both NASP and NYASP, along with other state level school psychology organizations, went into damage control and advocacy modes, posting information and sample response strategies on their websites, blasting their memberships with ongoing information via e-mail, making presentations at national and state conferences as well as at local levels, and organizing lobbying efforts.

John Kelly, then president of NYASP and Nancy Evangelista, Legislative co-chair and past president, drafted a statement in September, 2007, which was forwarded to the practice directorate of APA. Major arguments are summarized as follows:

The proposal does not appear to serve the best interests of New York's children, parents and teachers by protecting them from unqualified practice. Instead, the proposal suggests removing thousands of qualified school psychologists from schools, and opening the classroom doors to mental health providers with lesser qualifications and less relevant training for this area of practice.

Only about 25 % of New York's 3500 school psychologists (825 psychologists) are trained at a doctoral level, leaving 2625 non-doctoral school psychologists who could be considered ineligible for practice. There are currently 9363 licensed psychologists in New York State; 74% residing within the metropolitan New York City area, accounted for by only 6 of New York's 62 counties. Of the remaining counties, 25 have 10 or fewer licensed psychologists and two counties have no licensed psychologists at all. This is simply insufficient to serve New York's 3.3 million school children.

There are currently 12 APA accredited doctoral programs in school psychology within our state; not nearly enough to meet the need. Hiring faculty to expand doctoral programs is difficult, as positions in school psychology programs remain vacant each year due to a lack of qualified candidates.

Standards for training of school psychologists have increased during the 30 years since the inception of the exemption. Current standards developed by NASP for nondoctoral practice are comprehensive, rigorous and widely adopted. These standards specify the Specialist level of training, which exceeds the level of all other mental health professionals currently licensed in New York, save doctoral psychologists. While members of New York's other licensed mental health professions: social workers, marriage and family therapists, mental health counselors, psychoanalysts, and creative arts therapists, are all prepared at a Masters level, none have training in assessment, academic and school-related disabilities, or curriculum and school consultation that make school psychology a distinct and substantive practice area of psychology. In the two years since these licenses have been available, 6237 have been issued. It is therefore difficult to rationalize the elimination of the exemption's setting a higher standard for qualification, when licenses are available for other mental health professionals.

According to the 2003 President's New Freedom Commission on Mental Health, the vast majority of children diagnosed with a mental health disorder do not receive counseling or support. Of those who do receive services, the majority receive them within the school setting. Eliminating non-doctoral school psychology will mean even higher numbers of children will go unserved, which could result in higher levels of learning and behavioral problems and lower levels of academic success. It can be predicted that shortages will not be distributed according to need, as children in poor urban neighborhoods or rural areas, and from culturally diverse or minority

backgrounds, are more likely to rely on schools as the sole provider of mental health services and school support services.

APA's stated response to the public comment was to clarify the exemption to use the title "psychologist" for individuals with doctoral degrees in psychology who do not practice or provide services but are involved in teaching psychology or conducting psychological research provided that those activities do not involve the provision or supervision of direct psychological services. Persons with a doctoral degree who are credentialed by state education agencies to practice in public schools may also use the title 'psychologist' in those practice settings.

Once again, APA confirmed its policy to consistently affirm that the doctoral degree is the minimal educational standard to enter the profession as a psychologist. Their justification continued to be one of "protecting the public", asserting that allowing the title to be used by subdoctoral persons creates confusion; as members of the public "naturally assume that someone with the title "psychologist" has a doctorate".

APA's Revision Task Force clarified that the modifications which the MLA proposed were meant to affect title only. Their intention was to allow individuals with a Masters or Specialist degree in school psychology to continue to carry out the duties and responsibilities for which they have already been trained and certified. They would expect state educational agencies to devise titles that are "appropriate to the degree and training of the individual providing such services and will not include the words "school psychologist".

No provision for "grandparenting" was suggested, as, consistent with APA's position that the doctoral degree is the minimal credential for use of the title, only persons who hold this degree would qualify, and they are already eligible for licensure if they so chose.

The Model Licensure Act contained additional revisions which do not directly affect school psychologists. In March, 2009 the Revision Task Force reported that they had reviewed all comments and because of the extensive revisions that were promoted, they decided to hold a further period of public comment, to conclude on June 5, 2009.

During this period, NYASP and NASP renewed their efforts at education with our own membership as well as with other school psychologists across the country, boards of education, and the public, through position statements, articles, presentations and face-to-face meetings with stakeholders and policy makers. Supporting NYASP's efforts were New York State United Teachers, which was also representing the New York State Psychological Association (NYSPA), Division 16 of APA (Division of School Psychology) and the Suffolk County NYSPA affiliate, along with a number of other professional groups.

On February 20, 2010, following the second period of public commentary, the APA Council of Representatives approved their revised Model Licensure Act. The long standing exemption for Master's and Specialist level certified school psychologists was once again included, as was the language restricting those individuals to practice within the school settings. Additionally, emphasis was placed on the requirement of always including the qualifier "school" when identifying one's title and practice.

A summary of the revised MLA, published in the APA Monitor, quoted the assistant executive director for practice research and policy in APA's Practice Directorate as stating, "we no longer explicitly endorse the use of the title "school psychologist" by individuals who provide psychological services but we're no longer explicitly restricting it either".

It is uncertain whether or not APA will wait another 20 years to draft a new set of revisions to their Model Licensure Act.

References

Clay, Rebecca A., *APA Updates its Model Licensure Act*, (2010) Washington D.C. APA Monitor Vol. 41 number 5

Kelly, J. Ph.D., Evangelista, Nancy, Ph.D., *Comments on the Model Act for State Licensure of Psychologists: American Psychological Association Proposal 3/5/09*, (2009) NY School Psychologist Volume XXVII number 3

*Model Act for State Licensure of Psychologists*, (2010), Washington, D.C., American Psychological Association

*NASP Analysis of APA's Proposed Model Licensure Act*, (2007) Washington, D.C., National Association of School Psychologists

,