



RECOMMENDATION TO SUNSET COMMISSION

1. *Rename licensure from "Licensed Specialist in School Psychology (LSSP)" to "School Psychologist"*

Background

In 1995, the Texas Education Code was revised to require professionals (e.g., school psychologists, speech and language pathologists) previously certified by the Texas Education Agency (TEA), to hold a professional license to practice in the public schools. The Legislature adopted the LSSP as the credential required to offer the full range of school psychological services within the public schools. The Texas State Board of Examiners of Psychologists (TSBEP) was named as the regulatory agency for the LSSP. The Revised Texas Education Code required that the LSSP be modeled after national training standards. TSBEP reviewed the training standards from both the National Association of School Psychologists (NASP) and the American Psychological Association (APA) and chose to adopt the NASP training standards as the model for the LSSP. Approximately 3000 professionals have obtained the LSSP since its inception. In addition, the Texas Education Code has already codified the term "school psychologists," providing guidance to school districts on hiring these individuals. "A person may not be employed by a district as a school psychologist unless this person is licensed by the state agency that licenses that profession."

Applicable Current State/Federal Law

- Texas Occupations Code, Chapter 501.260
- Texas Administrative Code Title 22, Part 21, Chapter 465
- Texas Education Code 21.003(b)

How Issue is Addressed in Other States

47 of the 50 states with the same credentials/level of training allow for the title of "School Psychologist". Exceptions: Texas and Louisiana-"Licensed Specialist in School Psychology" and Arkansas "School Psychology Specialist"

Benefit to the Community

TASP continues to support the TSBEP decision to use the National Association of School Psychologists professional standards as the model for the LSSP. However, the TSBEP rules and regulations are not consistent with current training standards. The NASP training standards allow for the use of the title "school psychologist" for those professionals who meet the NASP training standards. The title LSSP is confusing to the public and is not descriptive of who we are as professionals. Past surveys of our membership indicated overwhelmingly in favor of a name change, primarily due to 'a lack of understanding of what an LSSP is' by the general public. With the creation of the LSSP, the entry-level training standards were significantly elevated which has improved the quality of services provided to the state's public school children, their parents, and teachers.

Financial Cost to the State

None



Suggested Statute Language

Replace all mentions of "Licensed Specialist in School Psychology" with "School Psychologist" in Chapter 501 of the Occupations Code and in the Texas Administrative Code Title 22, Part 21.

Sec. 501.002. DEFINITIONS. In this chapter:

- (2) "School psychologist" means a person who holds a license to engage in the practice of psychology under Section 501.260.

Sec. 501.260. SCHOOL PSYCHOLOGIST.

- (a) The board by rule shall issue a license to a school psychologist. A license issued under this section constitutes the appropriate credential for a person who provides psychological services as required by Section 21.003(b), Education Code.

(a-1) "School psychologist" means a professional licensed by the Texas State Board of Examiners of Psychology as a school psychologist who provides school psychological services consistent with the national standards articulated by the most current Model for Comprehensive and Integrated School Psychological Services as published by the National Association of School Psychologists. "School psychologist" includes a school psychologist - doctoral and a school psychologist - specialist.

(a-2) "School psychologist - doctoral" means a professional who meets the qualifications established in subsection a-2 and holds a doctoral degree in psychology or a related field.

(a-3) "School psychologist - specialist" means a professional who meets the qualifications established in subsection 3 and holds a master's degree or specialist-level degree.

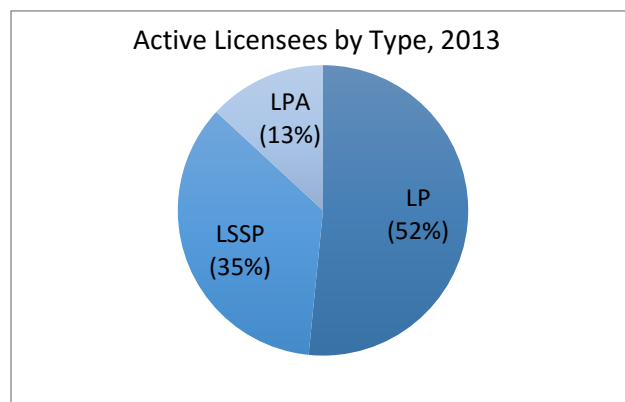
(d) Persons licensed under this section may hold themselves out as school psychologists but must include the word "school" in the designation, or as nationally certified school psychologists if they hold the credentials as designated by the National Association of School Psychologists or a successor organization. Persons licensed under this section may not hold themselves out as psychologists, psychological examiners or any business name incorporating variations of those titles other than school psychologists or nationally certified school psychologists unless they are appropriately licensed.

RECOMMENDATION TO SUNSET COMMISSION
2. Proportionate Representation of LSSPs on TSBEP

Background

Per the Psychology Licensing Act (Texas Occupations Code Section 501.051) the Texas State Board of Examiners of Psychologists (TSBEP) is comprised of nine members consisting of: four licensed psychologist members who have engaged in independent practice, teaching, or research; two psychological associate members who have been licensed as psychological associates, and three public members. The 2013 legislative session resulted in an amendment that added a subsection to Texas Occupations Code Section 501.051 that reads: *(a-1) One of the members appointed under Subsection (a)(1) or (a)(2) must practice as a licensed specialist in school psychology under Section 501.260.*

This act delineates board positions for licensed psychologists (LP) and licensed psychological associates (LPA) but not licensed specialists in school psychology (LSSP) specifically. That is, the amendment indicates that the aforementioned licensed psychologist or licensed psychological associate must concurrently be practicing as an LSSP. Under the current act a professional who *solely* holds the LSSP cannot serve on the TSBEP board.



The chart to the left illustrates the active licensees by type, as of 2013. LSSPs account for 35% of active licensees, as compared to 13% held by LPAs. Of the 16,413 active licensees (per 2013), 649 were an LP/LSSP and 531 LPA/LSSP. These account for 3.95% and 3.24% of all licensees respectively.

Approximately 200 LSSP licenses are granted every year, with numbers continuing to grow. Data collected between 2007 and 2013 show that the number of LSSP licenses issued increased 24%. This compared to 19% growth in

LP issuance and 0.6% decrease in LPA issuance during the same date range.

Applicable Current State/Federal Law
 Texas Occupations Code: Chapter 501

How Issue is Addressed in Other States

Of the 48 states where board membership could be located (Iowa and Wisconsin not reporting), five states allocate a specific seat on the board for school psychologists (West Virginia, Virginia, South Carolina, Ohio and New Mexico). A notice of intent issued by the Louisiana State Board of Examiners of Psychologists indicates an LSSP advisory committee to the LSBEP board that includes two LSSP seats.

Benefit to the Community

The Texas Association of School Psychologists believes that every licensure category should be required to be represented on the TSBEP. The change will not increase or decrease the scope of duties of LSSPs. The change will not remove or undermine the authority of other health professionals practicing



psychology in or outside schools. The change will not change the requirements for licensed specialists in school psychology. TASP proposes that the TSBEP reflect proportionate membership of licensees and include those that hold that LSSP as their sole licensure to ensure accurate representation of the school psychology field and interests.

Financial Cost to the State

None

Suggested Statue Language

Sec. 501.051. BOARD MEMBERSHIP.

(a) The Texas State Board of Examiners of Psychologists consists of nine members appointed by the governor with the advice and consent of the senate as follows:

(1) three psychologist members who have engaged in independent practice, teaching, or research in psychology for at least five years;

(2) two licensed specialists in school psychology who have been licensed as licensed specialists in school psychology under this chapter for at least five years;

(3) one psychological associate member who has been licensed as psychological associate under this chapter for at least five years; and

(4) three members who represent the public

(a-1) One of the members appointed under Subsection (a)(1) or (a)(2) must practice solely as a licensed specialist in school psychology under Section 501.260.



RECOMMENDATION TO SUNSET COMMISSION

3. Allow LSSPs to practice in private schools.

Background

TSBEP Rule 465.38 defines Psychological Services in the Schools. It states, “The specialist in school psychology license permits the licensee to provide school psychological services only in Texas public schools. A person utilizing this license may not provide psychological services in any context or capacity outside of their employment or contract with public schools.”

The intent of this rule, when written, was to prevent the LSSP from providing services outside of the school setting, such as in hospitals, clinics, and in private practice. LSSPs are trained and have experience in helping all children to achieve educational success, whether in public or private school settings. This rule prohibits the LSSP from working with students in private school settings and limits the allowable services to students educated in private school settings. As a result, students in private schools are denied access to these specialized, psychological services that are afforded to students in the public school system, which, in turn, may prevent students with disabilities or social/emotional concerns from receiving needed services.

Applicable Current State/Federal Law

Texas Occupations Code, Chapter 501

How Issue is Addressed in Other States

Nationally, 81% of school psychologists are employed in public school settings. School psychologists also work in private schools and university settings. The range of services provided in the private school setting is consistent with best practices in school psychology which includes providing only school psychological services and only in the area of one’s competence.

Benefit to the Community

This provision would give more Texas school children broader access to school-based psychological services. There are 1,750 private schools in Texas, serving 306,394 students. If approximately 10% of school-age students experience learning difficulties and educational disabilities, these schools represent more than 30,000 children who are not receiving targeted, evidence-based interventions designed by school psychologists to improve their learning experiences.

Financial Cost to the State

None



RECOMMENDATION TO SUNSET COMMISSION

4. *Align State Law and Regulation for Practice to Reflect National Standards for the Practice of School Psychology*

Background

The National Association of School Psychologists Model for Comprehensive and Integrated School Psychological Services is designed to be used in conjunction with the NASP Standards for Graduate Preparation of School Psychologists, Standards for the Credentialing of School Psychologists, and Principles for Professional Ethics to provide a unified set of national principles that guide graduate education, credentialing, professional practice and services, and ethical behavior of effective school psychologists and reflect the following principles:

- Foundation in the knowledge bases for both psychology and education.
- The use of effective strategies and skills to help students succeed academically, socially, behaviorally, and emotionally.
- Application of knowledge and skills by creating and maintaining safe, supportive, fair, and effective learning environments and enhancing family–school collaboration for all students.
- Knowledge and skills relevant for professional practices and work characteristics in their field.
- Understanding and respect for human diversity and promote effective services, advocacy, and social justice for all children, families, and schools.
- Integrated knowledge and professional skills that result in direct, measurable outcomes for children, families, schools, and/or other consumers.

The current statute and rules and regulations are based on national standards that were adopted in 2000. The revised and improved standards adopted in 2010 reflect evidence-based best practice in all areas of school psychology.

Applicable Current State/Federal Law

Individuals with Disabilities in Education Act, Public Law 108-446
Elementary and Secondary Education Act, Public Law 107-110

How Issue is Addressed in Other States

Other states, most notably Maine, Nevada, Connecticut and New York, have begun implementing the practice model into statutes describing school psychological services, professional evaluations and job descriptions.

Benefit to the Community

The model provides direction to school psychologists, administrators and consumers of school psychological services regarding excellence in professional school psychology. It also delineates what services might reasonably be expected to be available from most school psychologists and, thus, should help to further define the field. In addition, the model is intended to educate the profession and the public regarding appropriate professional practices and, hopefully, will stimulate the continued development of the profession.



Financial Cost to the State

None

Suggested Statute Language

Sec. 501.260. SCHOOL PSYCHOLOGIST.

(c) The rules of practice for a school psychologist must comply with the most current Model for Comprehensive and Integrated School Psychological Services and ethics standards as published by the National Association of School Psychologists or a successor organization for the practice of school psychology.



RECOMMENDATION TO SUNSET COMMISSION

5. *LSSPs must have a conferred degree in School Psychology or a Re-Specialization Certification from a School Psychology Program*

Background

In 1995, the Texas Education Code was revised to require professionals (e.g., school psychologists) previously certified by the Texas Education Agency (TEA), to hold a professional license to practice in the public schools. The Legislature adopted the LSSP as the credential required to offer the full range of school psychological services within the public schools with the Texas State Board of Examiners of Psychologists (TSBEP) named as the regulatory agency. Currently, an individual may apply and receive a license (LSSP) by completing graduate coursework in five domains (Sec 501.260 (b)(2)); however, the Board rules also indicate that the rules of practice must comply with nationally recognized standards for the practice of school psychology. Currently, various training programs, (e.g., Clinical/Counseling Psychology (doctoral) and Counseling (masters level) programs within accredited universities provide internships and coursework to meet the minimum requirements of the board, but may not meet the nationally recognized standards as they are not approved or accredited School Psychology programs.

Applicable Current State/Federal Law

- Texas Occupations Code, Chapter 501.260
- Texas Administrative Code Title 22, Part 21, Chapter 465
- Texas Administrative Code Title 22, Part 9, Chapter 463

How Issue is Addressed in Other States

Most individuals in other states have completed School Psychology training programs to apply for certification or licensure in that state. At the doctoral level, for those wishing to re-specialize in another area they must complete a sequence of coursework/activities from a school psychology program to satisfy training requirements/verify competencies in the practice of school psychology.

Benefit to the Community

TASP continues to support the TSBEP decision to use the NASP training standards as the model for the LSSP; however, accredited programs specializing in other domains (e.g., Clinical/Counseling) may not follow nationally recognized standards of practice as those taught and trained within accredited/approved School Psychology programs. Requiring applicants to have completed a training program or re-specialization program entitled School Psychology will ensure that recipients of services from LSSPs meet national standards for training.

Financial Cost to the State

None



RECOMMENDATION TO SUNSET COMMISSION

6. *Maintain the Texas State Board of Examiners of Psychologists*

Background

In 1995, Senate Bill 1 recommended the Texas Education Agency no longer provide certifications to licensed psychologists and associate school psychologists. Therefore, credentialing became the responsibility of the Texas State Board of Examiners of Psychologists (TSBEP), who then created the license called the “Licensed Specialist in School Psychology” (LSSP). The TSBEP is the state agency authorized by state law to regulate the practice of psychology in the state of Texas, originally established by the Texas Legislature in 1969. The TSBEP provides oversight of all licensees and certified professionals involved in the practice of psychology. Those professionals include all psychologists, provisionally licensed psychologists, psychological associates, and licensed specialists in school psychology. According to the Texas Department of State Health Services (DSHS), as of 2010, TSBEP had oversight of 6,547 licensees.

The TSBEP board consists of 9 members consisting of four LPs, two LPAs and three public members who are appointed by the Governor for six year terms. Additionally, one of the LP or LPA appointments must be a practice licensed specialist in school psychology. According to the DSHS, other health professionals regulated by state boards of examiners in Texas include professional counselors, dietitians, marriage and family therapists, medical physicists and speech language pathology and audiology.

Applicable Current State/Federal Law

- Texas Occupations Code, Title 3, Chapter 501- The Psychologists’ Licensing Act
- Texas Administrative Code, Title 22, Part 21

How Issue is Addressed in Other States

In 48 states, the practice of school psychology is regulated by the state department of education. In Texas and Louisiana, the practice of school psychology is exclusively regulated by state board of Psychologists. In recent years states have demonstrated interest in moving toward the regulation of school psychology by a board of psychologists, rather than a state department of education.

Benefit to the Community

TSBEP ensures the safety of the public through regulation of the practice of psychology within the state of Texas by competent, qualified professionals; including the Licensed Psychologist, Licensed Psychological Associate, and Licensed Specialist in School Psychology. The composition of the board includes four LPs, two LPAs and three public members who are appointed by the Governor for six year terms. One of the LP or LPAs appointed to the board must also be a practicing LSSP. These appointed board members ensure public safety through regulation including enforcement of the rules of practice including violations of the Act. The TSBEP should be maintained as the composition of the board affords informed regulation of the practice of psychology within the state of Texas, as those with knowledge and experience in psychology oversee the enforcement of the Act and rules. The TSBEP has disciplined members of the psychology profession appropriately based on the Act and rules.

Financial Cost to the State:

None



RECOMMENDATION TO SUNSET COMMISSION

7. *Remove the Prohibition of LSSPs Ability to Practice in Private Clinics*

Background

TSBEP Rule 465.38 defines Psychological Services in the Schools. It states, “The specialist in school psychology license permits the licensee to provide school psychological services only in Texas public schools. A person utilizing this license may not provide psychological services in any context or capacity outside of their employment or contract with public schools.”

The intent of this rule, when written, was to prevent the LSSP from providing services outside of the school setting, in settings such as hospitals and clinics. LSSPs are trained and have experience in helping all children to achieve educational success, no matter the location of the pupil. This rule prohibits the LSSP from working with students outside of public school settings and limits the allowable services to students accessing services in clinic and hospital settings, denying access to these specialized, psychological services that are provided to students in the public school system.

Moreover, school psychologists are trained, per TSBEP Rule 463.9, in Psychological Foundations and Interventions, which are applicable across treatment settings. Only one aspect of LSSPs training, Educational Foundations, requires training specific to school settings. Additionally, TSBEP Rule 463.9 allows for 600 hours of the 1200 hour internship to be completed outside of the public school setting, provided that the “internship which is not obtained in a public school must be supervised by a licensed psychologist.”

Applicable Current State/Federal Law

Texas Occupations Code, Chapter 501

How Issue is Addressed in Other States

Nationally, 81% of school psychologists are employed in public school settings. Other primary places of employment are private schools, community agencies, hospitals and clinics, and universities. The NASP Practice Model does not prevent school psychologists from practicing in clinics or hospitals.

Benefit to the Community

According to the Department of State Health Services (2014), Texas is facing a shortage of mental health service providers. By allowing school psychologists to practice, under supervision, in clinical settings, part of this problem could be ameliorated.

Financial Cost to the State

None