

Frequently Asked Questions about the New York State School Psychology Licensure Bill

What does the licensure bill do?

The licensure bill defines the “scope of practice,” which is a description of what a licensed school psychologist can and cannot do. It also describes the pathway to licensure, or how one would become licensed in the first place.

OK, so what can a licensed school psychologist do?

Basically, a licensed school psychologist would do whatever she or he does now – assessment; educationally related psychotherapy; consultation with families, schools and agencies, and; the design of educationally related programs. Licensure would provide for the freedom of the practice of school psychology from the four walls of the school. Licensed school psychologists would be able to work in 4410/preschool programs and agencies without a restriction on their practice.

Wait, school psychologists don’t do psychotherapy!

Yes, we do! The setting that psychotherapy is practiced determines its “look”. Psychotherapy looks different when conducted in a clinic, hospital inpatient unit, mental health clinic, adoption agency, or a school. The setting does not determine psychotherapy – it’s about the techniques, procedures and the interaction between the therapist and the client(s). When we sit and work with children who are anxious about state tests or are distraught about being bullied, why is that different or inferior to what is done in other settings?

Why is freedom from the four walls so important?

Some federal agencies will not reimburse schools for psychological services provided to eligible children if the service providers are “bound by the four walls” of the institution. Currently in New York State, school psychologists’ services are locked up within the school setting, meaning that we can only provide services within the school setting and no where else. This licensure bill seeks to free the school psychologist and allow schools to bill for federal money.

Yeah, but aren’t we already licensed?

If you work for the NYC DOE, you are licensed to work only in a NYC DOE public school. This licensure bill will apply to all of New York State and will apply to settings above and beyond the school.

I heard that once this licensure law passes, that certification will be lost.

No, school based certification will be maintained, and in order to work in a public school in New York State, you will still need to be certified by the state.

Will districts demand that SP's become licensed?

While certification will remain the standard for working in a public school, licensure will be an added advantage as schools and districts would be able to bill for Medicaid related services. 2/3 of all children who attend the NYC DOE are Medicaid-eligible, so realistically there is a desire for schools and districts to get at these federal monies.

How would someone become licensed?

Individuals will need to do three things to become licensed: (a) complete at least 60 graduate level credits in school psychology, taking specified courses as part of this training (b) undergo 1200 hours pre-graduate supervised hours (while in school) and 1200 hours post-graduate supervised hours (usually on the job), and (b) pass a test that is either developed or approved by the licensure board.

Ugh - I've been a school psychologist for so many years. I really wouldn't want to do more supervision hours or take a test.

The licensing bill provides for grandparenting pathways where school psychologists who have been working for at least two of the last five years and meet all of the educational and supervision requirements or who have worked as a school psychologist for the past five years would simply process their paperwork and then become licensed school psychologists.

I'm afraid that moving forward with licensure will just allow the DOE to slash the numbers of school psychologists and "contract out" for services.

There is a good deal of state case law that has established that that practice is illegal.

For example, Education Law § 2510(1) clearly states that if a position is cut, and then re-instated then the person who held that position in the first place must be appointed to that position. In fact, there are only limited times when districts are allowed to contract out for related services, for example, when a child with an IEP is hospitalized for a long-term duration (Education Law §3202(6)), or when a child requires the setting of a specialized school or residential placement (Education Law §§4401(2) and 4402(2)(b)).

There has been a case in New York State where a district abolished a social worker position and then contracted with a for-profit corporation to provide similar services. The State Education Department ruled against the district in that case (Appeal of Barker and Pitcher, 45 Ed Dept Rep 430, Decision No. 15,375). While this case was not in New York City, the laws of New York State govern all corners of the state, including the five boros.

Where can I get more information about licensure?

The following links can be very helpful for you:

- To read the body of the bill to license school psychologists as it stands now, go to: https://nyassembly.gov/leg/?default_fld=&leg_video=&bn=A01182&term=2019&Summary=Y&Text=Y
- To read a summary of the bill that highlights the scope of practice as well as the pathway to licensure, go to: <http://nyasp.wildapricot.org/Licensure-of-School-Psychologists>
- If you still have more questions, please email one of the following:
- John Garruto, President of NYASP: president@nyasp.org
- Kelly Caci, or John Kelly, Legislative Chair of NYASP: legislative@nyasp.org