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EDUCATION AND CULTURAL AFFAIRS

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**STATE OF MAINE
SENATE
125TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 327, L.D. 1094, Bill, “An Act To Improve the Delivery of School Psychological Services to Children”

Amend the bill by striking out all of section 2 and inserting the following:

Sec. 2. 20-A MRSA §13022, as enacted by PL 1993, c. 207, §3, is amended to read:

§13022. School psychologists

1. Definitions. For purposes of this section, a ~~“school psychological service provider” is a professional who provides psychological assessment, consultation or direct services, other than psychotherapy, to students enrolled in a public school or approved private school unless the context otherwise indicates, the following terms have the following meanings.~~

A. “School psychologist” means a professional certified by the department 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.

B. “School psychologist - doctoral” means a professional who meets the qualifications established in subsection 3 and holds a doctoral degree in psychology or a related field as determined by the advisory committee established in subsection 7.

C. “School psychologist - specialist” means a professional who meets the qualifications established in subsection 3 and holds a master’s degree or specialist-level degree.

1-A. Scope of services. A school psychologist delivers services to children from birth to grade 12 who are eligible to be enrolled in educational and intermediate educational units, special education programs and approved private schools. The services

COMMITTEE AMENDMENT

1 delivered are the services articulated under the domains of practice in the current Model
2 for Comprehensive and Integrated School Psychological Services developed and
3 published by the National Association of School Psychologists.

4 **2. Certification by commissioner.** The commissioner shall certify school
5 ~~psychological service providers~~ psychologists pursuant to rules adopted by the state
6 board. The rules must include ~~a code of ethics and~~ practice standards for ~~school~~
7 ~~psychological service providers~~ certified school psychologists that follow national
8 standards set forth by the National Association of School Psychologists or a successor
9 organization and ethics standards set forth by the National Association of School
10 Psychologists or a successor organization and the American Psychological Association or
11 a successor organization, violation of which constitutes grounds for suspension or
12 revocation of the certification.

13 **3. Qualifications.** State board rules governing the qualifications for a school
14 ~~psychological service provider~~ psychologist certificate must require that a certificate be
15 issued only to an applicant who has met the academic and preprofessional requirements
16 established by the state board for the provision of school psychological services and who,
17 at a minimum:

18 A. Holds a graduate degree from an accredited program in school psychology that
19 was approved by the National Association of School Psychologists/National Council
20 for Accreditation of Teacher Education or the American Psychological Association in
21 School Psychology at the time the degree was awarded;

22 B. Has completed graduate work that is determined by the commissioner to be
23 substantially similar to the programs referred to in paragraph A; or

24 C. Holds a valid license from the State Board of Examiners of Psychologists with
25 demonstrated competency in the area of school psychology as established by the state
26 board.

27 **4. Term of issuance.** The commissioner shall issue a school ~~psychological service~~
28 ~~provider~~ psychologist certificate for a term of years consistent with rules adopted by the
29 state board. The length of the term may vary among certificate holders so as to be
30 coterminous with any other professional license or certificate held by the school
31 ~~psychological service provider~~ psychologist. The school ~~psychological service provider~~
32 psychologist certificate may be renewed in accordance with academic and professional
33 requirements established by the state board. A certificate holder must be supervised for
34 the first year following initial certification at no additional cost to the school
35 administrative unit or the department. The state board shall require evidence of
36 supervision prior to renewing a first-year certificate. Supervision of the first-year school
37 psychologist must be in accordance with supervision standards established by the
38 National Association of School Psychologists or a successor organization and provided
39 by a person who is certified as a school psychologist under subsection 2 and is:

40 A. A member of the Maine Association of School Psychology or a successor
41 organization; or

42 B. Employed by or under contract with a school administrative unit.

1 **5. Exclusive regulatory authority.** The provisions of Title 32, chapter 56 do not
2 apply to persons certified as school ~~psychological service providers~~ psychologists under
3 this section except to the extent that ~~such~~ the persons are also licensed or seek licensure
4 under that chapter, engage in the practice of psychology beyond the scope of this section
5 or hold themselves out as psychologists or psychological examiners.

6 **6. Designation.** Persons certified under this section may hold themselves out as
7 school ~~psychological service providers~~ or may use any business name incorporating
8 ~~variations of that title but may not hold themselves out as psychologists, psychological~~
9 ~~examiners or any business name incorporating variations of those titles~~ psychologists but
10 must include the word "school" in the designation, or as nationally certified school
11 psychologists if they hold the credentials as designated by the National Association of
12 School Psychologists or a successor organization. Persons certified under this section
13 may not hold themselves out as psychologists, psychological examiners or any business
14 name incorporating variations of those titles other than school psychologists or nationally
15 certified school psychologists unless they are appropriately licensed under Title 32,
16 chapter 56.

17 **7. Advisory committee.** There is established within the department, in accordance
18 with Title 5, section 12004-I, the Advisory Committee on School ~~Psychological Service~~
19 ~~Providers~~ Psychologists, referred to in this subsection as "the committee."

20 A. The duties of the committee are:

21 (1) To advise the state board in the adoption of rules and a code of ethics and
22 practice standards for school ~~psychological service providers~~ psychologists; and

23 (2) To assist the commissioner in:

24 (i) Certifying school ~~psychological service providers~~ psychologists;

25 (ii) Investigating alleged violations of the code of ethics and practice
26 standards adopted by the state board; and

27 (iii) Investigating alleged violations of section 13020 and certification rules
28 governing school ~~psychological service providers~~ psychologists.

29 B. The committee consists of 9 members appointed by the commissioner. The
30 membership consists of 2 certified ~~psychological service providers~~ school
31 psychologists, 2 licensed psychologists, one faculty member from a graduate program
32 in school psychology, one educator from a public school or approved private school
33 and 3 parents or guardians of students.

34 C. Three members of the committee must be initially appointed for a term of one
35 year, 3 for a term of 2 years and 3 for a term of 3 years. All appointments must be for
36 a term of 3 years thereafter. Any member may serve beyond the expiration date of
37 that member's term until a successor has been appointed and qualified. Any vacancy
38 on the committee must be filled for the unexpired portion of the term. The committee
39 shall elect its own chair.

40 D. Members of the committee are entitled to receive compensation according to the
41 provisions of Title 5, chapter 379.

