

Clearinghouse Rule 16-062

STATE OF WISCONSIN
PSYCHOLOGY EXAMINING BOARD

IN THE MATTER OF RULE-MAKING : PROPOSED ORDER OF THE
PROCEEDINGS BEFORE THE : PSYCHOLOGY EXAMINING BOARD
PSYCHOLOGY EXAMINING BOARD : ADOPTING RULES
: (CLEARINGHOUSE RULE)

PROPOSED ORDER

An order of the Psychology Examining Board to repeal Psy 3.02, 3.03, 3.04, 3.05, 3.06, 3.08, 3.09 and 3.10; to repeal and recreate Psy 3.01 and 3.07 relating to the licensure of private practice school psychologists.

Analysis prepared by the Department of Safety and Professional Services.

ANALYSIS

Statutes interpreted: ss. 455.04 and 455.045, Stats.

Statutory authority: ss. 15.08 (5) (b) and 455.08, Stats.

Explanation of agency authority:

The examining board shall promulgate rules for its own guidance and for the guidance of the profession to which it pertains and define and enforce professional conduct and unethical practices not inconsistent with the law relating to the particular profession. [s. 15.08 (5) (b), Stats.]

The examining board shall adopt such rules as are necessary under this chapter. [s. 455.08, Stats.]

Related statute or rule:

Plain language analysis:

The Board updated the rules to conform to statutory requirements and remove obsolete provisions.

Section 1 repeals and recreates the requirements for licensure to align the requirements with statutes. An applicant shall submit: an application; fee; official transcript with a doctoral degree in philosophy, psychology or education or master's degree in psychology consisting of a minimum of 60 graduate credits or an education specialist degree; one academic year of

experience or internship; holds a school psychologist license from Department of Public Instruction; successful completion of the Praxis School Psychology and jurisprudence examinations; and any information relating to a pending criminal charge or conviction of a crime.

Section 2 repeals Psy 3.02 and 3.03 due to being redundant with the new section Psy 3.01. This section also repeals Psy 3.04, 3.05 and 3.06 due to obsolete examination procedures. The Board does not schedule either examination nor places any time limits or controls on the examinations. Chapter SPS 1 addresses procedures for cheating on examinations.

Section 3 indicates the passing score on the examinations represents minimum competency and the board may adopt the examination provider's recommended passing score.

Section 3 repeals Psy 3.08, 3.09 and 3.10. The review and error procedures are obsolete. The Board is removing restrictions relating to limits and frequency a person may take an examination.

Summary of, and comparison with, existing or proposed federal regulation: None

Comparison with rules in adjacent states:

Illinois: Illinois does not have a credential for the private practice of school psychology.

Iowa: Iowa does not have a separate credential for the private practice of school psychology. It is considered under the scope of the credential issued by the department of education.

Michigan: Michigan does not have a credential for the private practice of school psychology.

Minnesota: Minnesota does not have a credential for the private practice of school psychology.

Summary of factual data and analytical methodologies:

The Board conformed the rule to the statutory requirements.

Analysis and supporting documents used to determine effect on small business or in preparation of economic impact analysis:

This rule was posted for economic comments and none were received.

Fiscal Estimate and Economic Impact Analysis:

The Fiscal Estimate and Economic Impact Analysis is attached.

Effect on small business:

These proposed rules do not have an economic impact on small businesses, as defined in s. 227.114 (1), Stats. The Department's Regulatory Review Coordinator may be contacted by email at Jeffrey.Weigand@wisconsin.gov, or by calling (608) 267-2435.

Agency contact person:

Sharon Henes, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Board Services, 1400 East Washington Avenue, Room 151, P.O. Box 8366, Madison, Wisconsin 53708; telephone 608-261-2377; email at DSPSAdminRules@wisconsin.gov.

Place where comments are to be submitted and deadline for submission:

Comments may be submitted to Sharon Henes, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Board Services, 1400 East Washington Avenue, Room 151, P.O. Box 8366, Madison, WI 53708-8366, or by email to DSPSAdminRules@wisconsin.gov. Comments must be received at or before the hearing to be held on November 17, 2016 to be included in the record of rule-making proceedings.

TEXT OF RULE

SECTION 1. Psy 3.01 is repealed and recreated to read:

Psy 3.01 Application. An applicant for licensure as a private practice school psychologist shall submit all of the following:

- (1) Completed and signed application form.
- (2) The application fee authorized by s. 440.05(1), Stats.
- (3) Official transcript indicating one of the following:
 - (a) Doctoral degree in philosophy.
 - (b) Doctoral degree in psychology.
 - (c) Doctoral degree in education.
 - (d) Education specialist degree.
 - (e) Master's degree in psychology consisting of a minimum of 60 graduate semester credits.
- (4) Written verification from a supervising psychologist, school official or administrator that the applicant has successfully completed one academic year of experience or internship consisting of at least 1200 hours in school psychology under the supervision of a school psychologist licensed by the department of public instruction.
- (5) Evidence applicant holds a regular license as a school psychologist issued by the department of public instruction.
- (6) Evidence of successful completion of the Praxis School Psychology examination. This section does not apply to an applicant who is licensed in another state if the applicant submits proof of completion of at least 40 hours of board approved continuing education obtained within 2 years prior to application.
- (7) Evidence of successful completion of the jurisprudence examination.

(8) Verification of the applicant's credentials in all states or countries in which the applicant has ever held a credential.

(9) For applicants who have a pending criminal charge or have been convicted of a crime, all information necessary for the board to determine whether the circumstances of the pending criminal charge or conviction are substantially related to the private practice of school psychology.

SECTION 2. Psy 3.02, 3.03, 3.04, 3.05 and 3.06 repealed.

SECTION 3. Psy 3.07 is repealed and recreated to read:

Psy 3.07 Passing score. The passing score on each examination is determined by the board to represent minimum competence. The board may adopt the recommended passing score of the examination provider.

SECTION 4. Psy 3.08, 3.09 and 3.10 are repealed.

SECTION 5. EFFECTIVE DATE. The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin Administrative Register, pursuant to s. 227.22 (2) (intro.), Stats.

(END OF TEXT OF RULE)
