
Wisconsin Legislative Council

AMENDMENT MEMO



Memo published: November 13, 2023

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2023 Assembly Bill 251

**Assembly Substitute
Amendment 1**

BACKGROUND

Very generally, current law requires school boards to ensure that teachers, supervisors, administrators, and professional staff members hold a certificate, license, or permit issued by the Department of Public Instruction (DPI), and further directs the State Superintendent of Public Instruction to promulgate administrative rules governing these various licenses. Current DPI administrative rules specify educator licensure requirements using a tiered-licensing system for teachers, administrators, and pupil services professionals.

Specifically, under DPI's administrative rules, the State Superintendent may issue a tier I license authorizing the license holder to work as a school social worker, school psychologist, or a school counselor, if certain other conditions, including educational requirements, are met, and the applicant does not otherwise meet all of the requirements for a tier II, III, or IV license. Current DPI rules also allow for issuance of a tier I license as a speech-language pathologist or clinically trained social worker, if the applicant holds certain educational and professional credentials.

2023 ASSEMBLY BILL 251

2023 Assembly Bill 251 directly modifies DPI's administrative rules to authorize the State Superintendent to issue a tier I license as a clinically trained marriage and family therapist, if the applicant holds: (1) a master's degree in marriage and family therapy; and (2) a valid marriage and family therapy certificate, training license, or clinical license issued by the marriage and family therapy section of the Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board (MPSW Examining Board).

The bill creates the authority for this license within a DPI rule governing other types of pupil services professionals, which specifies that such licenses are valid for one year. The bill specifies that the new type of license may be renewed if the applicant continues to meet the requirements and has not yet become eligible for tier II licensure.

ASSEMBLY SUBSTITUTE AMENDMENT 1

As under the bill, Assembly Substitute Amendment 1 authorizes the State Superintendent to issue a new type of tier I license for certain mental health professionals. However, the substitute amendment creates such authority in a new provision within DPI's rules, rather than within the current rule governing licensure for certain pupil services professionals, and further clarifies various aspects of the new tier I license.

Under the substitute amendment, the State Superintendent may issue a tier I license to an applicant who satisfies all of the following requirements:

- Holds a master's degree in marriage and family therapy, mental health counseling, social work, or a similar field.
- Holds a valid clinical marriage and family therapy license, clinical professional counselor license, or clinical social worker license issued by the MPSW Examining Board.
- Agrees to manage and maintain records in compliance with the federal Health Insurance Portability and Accountability Act of 1996.

The substitute amendment specifies that this new type of license authorizes a license holder to work as a clinically trained mental health professional, but does not authorize the license holder to work as a school social worker or a school counselor. Under the substitute amendment, the license is valid for two years and renewable.

BILL HISTORY

Representative Steffen offered Assembly Substitute Amendment 1 on November 8, 2023. On November 9, 2023, the Assembly Committee on Children and Families recommend adoption of the amendment, and passage of the bill, as amended, on votes of Ayes, 11; Noes, 1.

For a full history of the bill, visit the Legislature's [bill history page](#).

AO:ksm