

**THE 2016-2018 BIENNIUM CONTRACT BETWEEN
THE OHIO SCHOOL PSYCHOLOGIST ASSOCIATION AND
THE STATE BOARD OF PSYCHOLOGY
REGARDING PROCEDURES FOR MANDATED SERVICES UNDER OHIO
REVISED CODE SECTIONS 4732.14 AND 4732.141 AND OHIO
ADMINISTRATIVE CODE 4732-2**

STATEMENT OF PURPOSE

In accordance with Ohio Revised Code (ORC) 4732.141 and Ohio Administrative Code (OAC) 4732-2, this contract delineates the procedures by which the Ohio School Psychologists Association (OSPA) will record, maintain and certify an official record of mandatory continuing education (MCE) credits for registered psychologists and registered school psychologists (“registrants”), and report such record of credits to the State Board of Psychology (“Board”). All OSPA matters relating to MCE will be administered by the OSPA Office of Mandatory Continuing Education (“OSPA-MCE”), under oversight review of the OSPA Executive Board.

DATABANK TO BE MAINTAINED

In accordance with ORC 4732.141 (B)(2), OSPA-MCE will maintain a databank of all Ohio licensed psychologists and all Ohio licensed school psychologists who contract and register with OSPA-MCE to maintain their MCE records necessary to document their completion of twenty-three (23) hours of continuing education, which shall include no fewer than four (4) hours in the area of professional conduct, ethics, and/or the role of culture in the provision of psychological and school psychological services every two years or the appropriate prorated number of hours based on date of licensure. Information for each registrant will include the licensee’s name, preferred mailing address, psychology/school psychology license number, telephone/e-mail information, date licensed, date of most recent renewal, specialty areas (if any are identified), an identifying code word or number (PIN) for secured release of information, and other identifying information as may be relevant.

In addition, the following information will be recorded for each registrant: 1) MCE programs/courses that they report attending or that an OSPA-approved provider reports they attended in accordance with the OSPA-MCE provider agreement; 2) dates of attendance; 3) number of approved hours for each program/course; 4) cumulative total of approved MCE credits, by year and by licensure renewal period. Any Board override/disapproval pursuant to OAC 4732-2 reported to OSPA-MCE of any otherwise approved credits will also be recorded, and credit for such disapproved work will be deducted from the cumulative record. Additionally, the following information will be available in a registrants OSPA-MCE file: 1) name of each program/course presenter; 2) name of the approved providing organization; 3) name of the authorized organization granting the MCE

program/course approval;

Once registered, a licensee's record will be maintained in the OSPA-MCE system and, in cases where the registrant subsequently receives a waiver of the MCE requirements from the Board, the record will be labeled "exempt" or similar, and the registrant will receive a prorated refund of the registration fee.

PROCEDURES FOR ASSURING ACCURATE RECORDING OF DATA

In recording MCE course attendance, OSPA acts as a recording agent for the registrant, not as a certifying agent to the Board as to the accuracy of the registrant's report (ORC 4732.141 (A) and (E)). Licensees of the Board are required to retain documentary evidence of his/her MCE course/program completion, in accordance with ORC 4732.141 (E) and OAC 4732-2.

In order to protect the confidential nature of individual records and facilitate efficient record access, the databank of MCE records for individual registrants will be maintained in a computer system with appropriate security access, with daily backup of the computer files. The remaining filing systems will be locked and secured. Licensees will be assigned PINs, which will be used by OSPA-MCE personnel to assure that records are released only to authorized requesters. The Board and its employees shall have access to all OSPA-MCE records relative to documenting registrants' MCE activities. Prior to the end (by September 10th) of each registration biennium, OSPA-MCE will make available to the Board a list of all OSPA-MCE registrants and their recorded MCE credits. Additional lists of OSPA-MCE registrants completing the MCE requirements pursuant to ORC 4732.141 after the established deadline of August 31, 2018 shall be sent to the Board office by OSPA-MCE to allow the Board to know which registrants owe the required late fee/reinstatement fee.

Accurate recording of data is a priority for OSPA-MCE, and will be accomplished in one of two ways: 1) In the case of an OSPA-MCE approved program or course, given by an OSPA-MCE approved provider, providers will be required to report registrant's attendance directly to OSPA-MCE; 2) In all other cases, the information gathering and reporting function is the responsibility of the individual registrant, and will be recorded by OSPA-MCE upon the registrant's submission of the necessary documentation required by OSPA-MCE (normally a signed and dated Certificate of Completion, with sufficient information to allow determination that the course/program was conducted by a provider of MCE approved by an authorized approver). OSPA-MCE will record all courses/programs submitted by a registrant in proper format.

In addition to recording specific MCE course information for each registrant, OSPA-MCE will compute a cumulative record, during each biennium for each registrant, of MCE credits, in accord with the standards of OAC 4732-2-01 (C). The cumulative record will be computed from information supplied by the

registrants and by OSPA-MCE approved providers in accord with the procedures outlined above. Before adding a course/program to the cumulative MCE credit for a registrant, OSPA-MCE will require evidence that the specific program or course was conducted by a provider that has been approved by an authorized approver, or that the course is at the graduate level, relevant to the field of school psychology or psychology and is presented by a qualified individual. Credit may also be given for teaching a graduate level course or published writings. Once it has been determined that the course has been provided by an approved provider, or that it meets the criteria for acceptance, such course will be entered into the registrant's record. In accord with the provisions of ORC 4732.141, it shall remain the responsibility of the registrant to present proof to the Board of completion of the MCE work, only if requested by the Board, and the responsibility of the Board to verify the accuracy of the registrants' assertions if it so chooses. It is anticipated that this cumulative count, when it equals or exceeds the required 23 hours per biennium, or the appropriate prorated number of hours based on date of initial licensure, will normally be accepted by the Board as a basis for licensure renewal, although the Board has clear authority and responsibility under ORC 4732.141 to require verification from the registrant if it so chooses, of the accuracy of the OSPA-MCE record. OSPA-MCE's contract with the registrant is thus limited to recording accurately what the registrant reports and does not extend to certifying the accuracy of the registrant's report.

OSPA-MCE will provide registrants with at least one copy of MCE courses completed and hours accumulated each year. OSPA-MCE will provide transcripts for its registrants on an ongoing basis throughout the biennium. Additional written copies of transcripts may be requested at any time by submitting a written request, including a PIN number, to OSPA-MCE. Registrants may use the OSPA website for information. Callers to OSPA-MCE will be provided with personal information only after providing a designated PIN.

If the registrant's personal MCE records indicate omissions of courses recorded for him/her by OSPA-MCE, then such omissions can be corrected by the registrant's submission of evidence of the omitted work for inclusion in the record. If the registrant disagrees with the MCE cumulative credits reported by OSPA-MCE, he/she may request an Accumulated Hours Review Audit (AHRA). OSPA-MCE staff will conduct this audit and the results will be reported to the registrant. If the AHRA fails to satisfy the registrant, the registrant can appeal through the following chain: 1) the OSPA Executive Director; 2) the OSPA-MCE Chair; and, 3) the Board. The decision of the Board will be binding as to the accumulative value of the registrant's MCE credits.

CHARGES FOR MAINTAINING RECORDS

The 2016-18 registration fees for each registrant under the terms of this contract will be **\$100.00** for OSPA Members and **\$165.00** for registrants who are not OSPA Members, due and payable to OSPA-MCE at the time of 2016-18 license

renewal or reinstatement. Late fees will be charged for registrations received after December 1, 2016, or beginning 3 months after the last day of the month of licensure or reinstatement, whichever is later.

RETENTION OF MCE RECORDS

OSPA-MCE shall maintain records in accord with policy established by the Board. Upon the request of and in consultation with OSPA and OSPA-MCE, the Board issued Policy 10.6 (b), "MCE Records Retention" effective December 1, 2005.

Pursuant to Policy 10.6 (b), records of MCE participation filed by licensees with OSPA-MCE pursuant to Board law and rules are subject to the following retention schedules:

1) **Certificates of completion and other raw data.** Certificates of completion and other coursework-related data filed by registrants with OSPA-MCE shall be retained by OSPA-MCE for two (2) biennia (48 months) following the relevant license registration deadline (September 30 of each even-numbered year dating to 1998), after which they may be destroyed.

2) **Course Transcripts.** OSPA-MCE compiles summaries of coursework for their registrants in the form of MCE transcripts, which represent summaries of certificates and which are maintained by those entities electronically. Said MCE transcripts include the title of the MCE program or course, date of its completion, and the number of MCE credits satisfied by the course or program. Said electronic transcripts shall be retained by OSPA-MCE for a minimum period of twelve (12) years following the relevant license registration deadline for which the credits on the transcript were applied (September 30 of each even-numbered year).

LICENSE RENEWAL PROCEDURES

1. Pursuant to ORC 4732.141 the deadline for completing all required MCE hours for the 2016-2018 biennium is August 31, 2018. Courses/CE hours taken after that date will not be accepted for the 2018 renewal of license, although said hours may be used by the registrant to supplement an application for reinstatement of license, so long as OSPA-MCE policy is adhered to relative to registration fees for the 2018-20 biennium.

2. The Board will not accept certificates, documents, statements, or other proof of MCE hours for review. Pursuant to OAC 4732-2-01 (B), MCE hours may only be reported to the Board by either OSPA-MCE or OPA-MCE. All licensees must be registered with either OSPA-MCE (or OPA-MCE) in order to have MCE hours reported to the Board or face automatic expiration of the license. Staff members of the Board and OSPA-MCE agree to consistently advise those making inquiry

that the prohibition against licensees directly reporting MCE hours to the Board is set by administrative rule OAC 4732-2-01 and not by Board policy.

3. The Board gives permission to OSPA-MCE to require its registrants to submit MCE certificates to OSPA-MCE within ninety (90) days of the MCE experience and to refuse acceptance of certificates that are older than 90 days.

4. OSPA-MCE agrees to accept certificates/documents of completed MCE hours taken during the month of August 2018 if submitted with a postmark or FAX dated on or before September 25, 2018. The Board gives OSPA-MCE permission to refuse to accept MCE certificates/documents for courses taken in August, 2018 that are submitted after September 25, 2018.

5. The Board does not issue any extensions of time to complete MCE requirements for any renewal period.

6. Board-granted excuse or waivers from MCE requirements is addressed in ORC 4732.141. (F), which specifies that the Board may grant a waiver from some or all requirements because of "...unusual circumstances, emergency, or special hardship." Licensees wishing to petition the Board for waiver of CE requirements shall do so consistent with OAC 4732-2-01 (C) (10) and Board policy.

7. OSPA-MCE will submit a report of all registrants who have 23 hours of CE or 13 hours of CE as required to the Board as soon as possible after the August 31, 2018 deadline.

8. OSPA-MCE will submit a report of all registrants who have **not** completed 23 hours of CE or 13 hours of CE as required to the Board of Psychology as soon as possible after the August 31, 2018 deadline.

9. OSPA-MCE will submit its final report to the Board as soon as possible after the September 25, 2018 submission deadline.

10. In May 2018 the Board shall convene a meeting with OSPA-MCE to plan for the end of the 2016-2018 biennium and the beginning of the 2018-20 biennium. In the period of June 1-June 10, 2018, OSPA-MCE will be asked to submit to the Board 300 tri-folded registration forms for the 2018-2020 biennium.

11. OSPA-MCE will provide the Board with a complete list of all registrants enrolled in the 2018-2020 biennium as soon as possible after closing out the 2016-2018 biennium.

12. The Board recognizes that by administrative rule OAC 4732-2-01 (C) (9), there is established a timeline for appropriate proration of CE hours required for the initial license renewal for new licensees. The Board no longer applies this

proration to those individuals seeking the reinstatement of an expired license, as such policy may conflict with requirements in OAC 4732-1-06 (C). Therefore, individuals seeking reinstatement of the license at any time following suspension pursuant to ORC 4732.14 shall provide with the application for reinstatement evidence reported to the Board by OSPA-MCE or OPA-MCE of having completed twenty-three (23) hours of MCE during the biennium preceding the application. Hours reported to the Board to meet the requirements for reinstatement may not be used toward any subsequent renewal applications.

13. OSPA-MCE agrees to these requirements and will not deviate from them without written permission of the Board of Psychology.

14. The terms of this contract may be amended by joint agreement between the parties as an addendum to this contract.

APPROVAL

State Board of Psychology

Signature: _____ Date: _____

Title: _____

Ohio School Psychologists Association

Signature: _____ Date: _____

Title: _____

Rev. July 2016

MATTERS OF RELEVANCE BUT NOT INCLUDED IN THIS CONTRACT

OSPA-MCE will exercise its best professional judgment to approve MCE programs/courses that will enhance the skills of the licensed psychologists and licensed school psychologists in Ohio. The Board retains the authority to veto any OSPA-MCE approval that the Board finds unacceptable. OSPA-MCE will function independently of all other OSPA authority except the authority of the OSPA Board of Trustees and its deferred authority to the OSPA Executive Committee and OSPA officers. OSPA-MCE may from time to time advise OSPA or other potential provider organizations about desirable MCE policies or desirable MCE courses, but OSPA-MCE will not participate in the offering of any MCE courses, and will require courses offered by OSPA and all other OSPA-MCE approved providers to meet the same standards.

OSPA-MCE will make every effort to keep all aspects of the review/approval process, the record keeping process, and the associated paper work simple and "user friendly." The working assumption of OSPA-MCE will be that all parties are interested in improving the quality of the profession of psychology in Ohio, with as little inconvenience for all parties involved and at as little cost to the professionals as is consistent with sound and sustainable business practices and with effective quality standards. Toward such ends and within such context, OSPA-MCE will seek to be as cooperative as possible with all relevant parties.

As specified by ORC 4732.141 (B)(1), OSPA is one of four groups authorized to approve MCE programs and courses for licensed Ohio psychologists and Ohio school psychologists, and one of seven groups authorized to approve MCE courses for licensed Ohio school psychologists and licensed Ohio psychologists. The procedures set forth here will in general describe the approach OSPA will follow in approving MCE courses, but will be subject to change from time to time, at the sole discretion of OSPA, if such change seems indicated.

Standard Approval of Providers, Courses and Programs. OSPA-MCE will review and approve all providers of OSPA-approved courses and programs. As part of the provider approval, the ability of the provider to prepare and present MCE programs and courses meeting OSPA-MCE standards will be assessed. Such a provider should be capable through organizational structure or demonstrated ability to: plan appropriate program content; advertise and publicize the event or activity; conduct the program and gather a meaningful evaluation; report attendance and outcome results to OSPA-MCE; maintain records as required; and provide opportunities for attendance without regard to race, gender, ethnicity, or handicap. OSPA-MCE approval will be granted to all courses and programs presented by such providers in accord with their provider agreement with OSPA-MCE. As part of that agreement, each provider will agree to:

1. Present all courses from an unbiased factual basis, by presenters free

of conflict of interest with regard to the course content or presenters whose possible biasing affiliations or income sources or other conflicts of interest are clearly indicated to potential course participants in all course advertising materials.

2. Submit to OSPA-MCE in a timely fashion the name, date, location, and a brief description of each course or program they present for which they offer MCE credit to one or more Ohio Board of Psychology licensees.
3. Submit to OSPA-MCE in a timely fashion and as specified in the provider agreement a list of all Ohio Board of Psychology licensees actually accruing credit by attending any such course or program.

Review Process for Denial of Provider Status. If OSPA-MCE provider approval or provider deemed approval is denied, the provider organization may appeal the decision according to the procedures specified in the OSPA-MCE provider agreement process. The final determination of OSPA-MCE following any such appeal shall be binding, regardless of the implications such decision may have for the provider or for psychologists or school psychologists pursuing their courses/programs. Until such time as approval is finally granted, OSPA explicitly makes no promise, direct or implied, to approve any particular MCE provider. OSPA does recognize that OSPA-MCE determination is not binding on any other organization authorized under ORC 4732.141 (B)(1) to approve MCE courses or programs for Ohio psychologists or school psychologists, and any provider rejected for approval by OSPA is free to pursue approval from any such alternative authority.

Individualized Program or Course Approval. Psychologists and/or school psychologists often appropriately take continuing education courses or programs that have not sought and do not choose to seek independent approval for MCE under the terms of ORC 4732.141. Authorized approval of such work is nevertheless required for it to accrue to the MCE credit of the registrant. OSPA-MCE will review such individual coursework upon request by the attending registrant when the request is submitted in the form specified by OSPA-MCE.

Under its individualized review procedures, OSPA-MCE may allow one-time MCE credit for individuals teaching a particular post-baccalaureate-level course, for individuals completing other special projects such as a significant publication or a significant research project, or for individuals participating in relevant video teleconferencing or distance learning projects, or for other activities that typically result in significant educational growth.

Each such activity will require individual evaluation, and no promises are made, either direct or implied, that any such particular activity will be approved by OSPA-MCE for MCE credits. It is explicitly recognized that the Board can disallow any such approval, for cause. Procedures and charges for review of

such individualized activities will be negotiated on an individual basis with the individual psychologist or school psychologist.

If OSPA-MCE approval is denied, the requesting psychologist or school psychologist may appeal the decision, under a formal review process established by OSPA-MCE. The final determination of OSPA-MCE following any such appeal shall be binding, regardless of the implications such decision may have for the requesting psychologist or school psychologist. Until such time as approval is finally granted, OSPA explicitly makes no promise, direct or implied, to approve any particular MCE offering. OSPA does recognize that OSPA-MCE determination is not binding on any other organization authorized under ORC 4732.141 to approve MCE courses for Ohio psychologists or school psychologists. In conformance with this contract and ORC 4732, OSPA-MCE will record as acceptable all cumulative MCE credits for programs and courses acceptably approved by such other authorized approving organizations, even if such courses have been denied approval by OSPA-MCE.

PROVIDER FEES

Effective for the period of September 1, 2016 through August 31, 2018.

The two-year registration fees for providers are follows: (Note: Providers may pay these fees in annual installments). Additional fees will be due for courses that are offered as described in the following fee schedule:

OSPA-MCE Provider Application Fee	\$100.00
1 course offered per 2-year period	\$50.00
2-5 courses offered per 2-year period	\$100.00
6-14 courses offered per 2-year period	\$140.00
15-29 courses offered per 2-year period	\$180.00
30+ courses offered per 2-year period	\$200.00

\$10.00/month for failure to submit both the completed Course Notification Form and the attendance sheet within 45 days from the course completion date.

REGISTRANT FEES

- \$100.00 OSPA Member Registration
- \$165.00 Non-OSPA Member Registration
- \$5.00 Fee for additional written copies of transcripts from OSPA
- \$30.00 Late fee for registration after 12/1/16 or three months after licensure or reinstatement
- \$50.00 Late fee for registration after 3/1/17 or six months after licensure or reinstatement
- \$70.00 Late fee for registration after 6/1/17 or nine months after licensure or reinstatement
- \$90.00 Late fee for registration after 9/1/17 or twelve months after licensure or reinstatement
- \$110.00 Late fee for registration after 12/1/17 or fifteen months after licensure or reinstatement
- \$160.00 Late fee for registration after 3/1/18 or eighteen months after licensure or reinstatement
- \$210.00 Late fee for registration after 6/1/18 or twenty-two months after licensure or reinstatement
- \$300.00 Late fee for registration after 8/1/18 or twenty-four months after licensure or reinstatement

SUMMARY OF OAC 4732-2-01(C) (9): MCE AND RENEWAL REQUIREMENTS BY DATE OF LICENSURE

Persons licensed by the Board prior to October 1, 2016 shall be required to renew the license during the 2016-18 biennium and shall evidence completion of 23 hours of MCE (including no fewer than 4 hours in the area of professional conduct, ethics, and/or the role of culture in the provision of psychological and school psychological services) by August 31, 2018.

Persons licensed by the Board between October 1, 2016 and September 30, 2017 shall be required to renew the license during the 2016-18 registration period and shall evidence completion of 13 hours of MCE (including no fewer than 4 hours in the area of professional conduct, ethics, and/or the role of culture in the provision of psychological and school psychological services) by August 31, 2018.

Persons licensed between October 1, 2017 and December 31, 2017 shall be required to renew the license during the 2018 license registration period but are exempt from completion of any MCE for that first renewal period.

Persons licensed after January 1, 2018 but before September 30, 2018 are first scheduled to register their license during the 2020 registration period, at which time 23 hours (including no fewer than 4 hours in the area of professional

conduct, ethics, and/or the role of culture in the provision of psychological and school psychological services) are required, or whatever number of hours is specified in ORC 4732.