



Board of Behavioral Sciences

Memo

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To: Committee Members

Date: July 21, 2025

From: Christy Berger – Regulatory Manager

Subject: Discussion and Possible Recommendation to Initiate a Rulemaking to Amend the Board's Experience Requirements for Licensed Educational Psychologists (Title 16 of the California Code of Regulations (16 CCR) § 1856)

Background

The purpose of this agenda item is to discuss potential amendments to the Board's regulations that specify experience requirements for licensed educational psychologist (LEP) applicants and a possible recommendation to the Board to initiate a rulemaking to implement the proposed changes once related statutory amendments are enacted. At the Policy and Advocacy Committee's meetings in January and August 2024, the Committee discussed potential amendments to the sections of statute and regulations that specify licensing requirements for LEPs and gave feedback and direction to staff regarding both proposed legislation and regulations. Since that time, previously discussed statutory changes have been placed in Senate Bill (SB) 775, which is currently pending review in the Legislature.

Attachment A shows proposed regulation amendments if SB 775 is enacted.

Attachment B shows proposed statutory amendments to LEP licensure requirements currently pending via [Senate Bill \(SB\) 775](#).

Summary of Requirements for LEP licensure:

- 60 semester hours of postgraduate work in pupil personnel services; and
- Two years of full-time (or equivalent) experience as a credentialed school psychologist; AND
- One of the following:
 - One year of supervised professional experience in an accredited school psychology program; OR

- One additional year of full time (or equivalent) experience as a credentialed school psychologist in the public schools under the direction of an LEP.

Pending Statutory Amendments (Attachment B)

The proposed statutory amendments (BPC § 4989.20) via SB 775 fall into three categories:

- a. Specifying Experience Requirements in Greater Detail
 - Replace the current measurement of experience in “years” to instead be measured in “school terms.”
 - Provide a definition of “full time” and “equivalent to full time,” so that school districts and supervisors are able to attest that an LEP applicant has met precise standards.
 - Specifying that all required experience as a credentialed school psychologist be gained over a period of at least one or two school terms (depending on whether the section of law specifies one or two school years of experience is required).
 - Specifying that all required experience as a credentialed school psychologist be no more than 6 years old prior to filing the application for licensure.
 - Clarifying that supervised professional experience in an accredited school psychology program must be 1,200 hours (instead of one year).
 - Clarifies that for California credential holders, the one school term of additional experience must be under the direction of an LEP with a California license.
- b. Clarifying Requirements for In-State Versus Out-of-State School Psychologists

Specifies that if the required two school terms of experience as a credentialed school psychologist was not gained with a California credential in a school located in California, that an additional one school term of experience must be gained with a California credential in a school located in California and under the direction of a California-licensed LEP.
- c. Adding an Age Limit to a Passing Score on the LEP Exam

Proposed Amendments to Regulation (16 CCR §1856)(Attachment A)

Amendments are proposed to be made to LEP experience requirements in Title 16, California Code of Regulations (16 CCR) section 1856, as shown in **Attachment A**.

The changes would be run after the statutory changes are enacted into law. The proposed changes would do all of the following:

1. Strike language that would be covered by statute as follows:

- Delete subsection (a) which specifies that no more than one year of experience will be granted for any 12-month period. This will no longer be necessary due to the proposed statutory changes that set forth the required length of experience in “school terms” and provides a definition of such.
- Delete subsection (b) which specifies requirements pertaining to part-time experience. The proposed statutory changes define “equivalent to full-time” and therefore this subsection will no longer be necessary.

2. Specify documentation required for experience gained in a private or parochial school (subsection (a)):

For license eligibility, two years of full time, or the equivalent to full-time, experience as a school psychologist is required by statute to be in the public schools (BPC § 4989.20(a)(5)). However, existing regulations at 16 CCR section 1856 specifies that the Board may accept experience gained in a private or parochial school “at the Board’s discretion.” However, the regulation does not define how the Board shall apply its discretion, and this needs to be specified.

The proposed regulations would clarify under what circumstances experience would be allowed in private schools and parochial schools. The proposed text was formulated in consideration of the fact that special education services are often limited for students with disabilities who are parentally placed in a private or parochial school. Under federal law and regulations, no child with a disability parentally-placed in a private school has an individual right to receive some or all of the special education and related services that the child would receive if enrolled in a public school (20 U.S.C. §§ 1412(a)(10)(B) & (C); 34 C.F.R. § 300.137). This means that not only may the school psychologist be limited in the duties performed, they are also unlikely to become knowledgeable about the complex laws that govern special education, which is critical for an LEP who practices independently.

However, some private or parochial schools may choose to employ a credentialed school psychologist, so it would be reasonable to allow experience in these settings if the duties performed by the credentialed school psychologist is comparable to those duties performed in a public school.

The proposed language would require certification from the supervisor or other authorized representative of the school stating under penalty of perjury that the applicant performed the “full range of duties of a school psychologist” as set forth by the Commission on Teacher Credentialing (CTC). The CTC’s regulations (Title 5, CCR section 80049.1(a)(3)) specify the authorized duties of a Pupil Personnel Services School Psychology Credential, as follows:

- Provide services that enhance academic performance.
- Design strategies and programs to address problems of adjustment.
- Consult with other educators and parents on issues of social development, behavioral and academic difficulties.
- Conduct psycho-educational assessment for purposes of identifying special needs.
- Provide psychological counseling for individuals, groups, and families.
- Coordinate intervention strategies for management of individuals and school-wide crises.

3. Specify documentation required for experience gained while employed by a temporary employment agency (subsection (b)):

Credentialed school psychologists are more frequently working in schools under a temporary employment agency contract. Often these positions are limited term and for the purpose of helping with student assessments. However, sometimes these positions may cover the full range of duties performed by school psychologists.

Similar to the proposed requirement for private and parochial schools, the regulations would require certification from the supervisor or other authorized school representative stating under penalty of perjury that the applicant performed the “full range of duties of a school psychologist” as set forth by the CTC’s regulations.

4. Specify the documentation of experience required to be submitted by applicants:

The proposal adds subsections (c), (d) and (e) to specify the documentation that the staff believes would be the minimum necessary required to verify completion of experience required for licensure, which helps to ensure that experience meets the specifications required in law and helps to ensure the accuracy and reliability of the information provided to the Board.

5. Specify additional requirements for experience gained under the direction of an LEP:

The proposal adds subsection (e)(1) to define “under the direction of” as meaning the applicant was under the licensee’s supervision, and to provide a definition of “supervision” for clarity since these phrases are subject to more than one interpretation. Subsection (e)(2) would require that the supervisor held a current, active and unrestricted California LEP license while the experience was gained, and would prohibit the supervisor from having a financial, personal, business, or therapeutic relationship with the supervisee to prevent bias in the supervision

process. Subsection (e)(3) would require the supervisor to be competent in the areas of practice and techniques being supervised and would provide a definition for “competent” to help ensure only qualified supervision occurs.

Recommendation

Conduct an open discussion regarding the proposed amendments to regulation shown in **Attachment A**. After review, the staff request the Committee consider one of the following motions:

Motion A: (No changes are requested by the Committee to Attachment A):

Recommend to the Board approval of the proposed regulatory text in Attachment A and recommend the Board consider all of the following actions:

- (1) After enactment of SB 775, direct staff to submit the text in **Attachment A** to the Director of the Department of Consumer Affairs and the Business, Consumer Services, and Housing Agency for review and if no adverse comments are received, authorize the Executive Officer to take all steps necessary to initiate the rulemaking process, make any non-substantive changes to the package, and set the matter for a hearing if requested.
- (2) If no adverse comments are received during the 45-day comment period and no hearing is requested, authorize the Executive Officer to take all steps necessary to complete the rulemaking and adopt the proposed regulations as noticed for Title 16, California Code of Regulations section 1856.

Motion B: (The Committee has suggested changes to the text in Attachment A)

Recommend approval of the proposed regulatory text in **Attachment A** with the following changes (describe what the Committee would recommend changing here) and recommend the Board consider all of the following actions:

- (1) After enactment of SB 775, direct staff to submit the text in **Attachment A** as revised to the Director of the Department of Consumer Affairs and the Business, Consumer Services, and Housing Agency for review and if no adverse comments are received, authorize the Executive Officer to take all steps necessary to initiate the rulemaking process, make any non-substantive changes to the package, and set the matter for a hearing if requested.
- (2) If no adverse comments are received during the 45-day comment period and no hearing is requested, authorize the Executive Officer to take all steps necessary to complete the rulemaking and adopt the proposed regulations as noticed for Title 16, California Code of Regulations section 1856.

Attachments

Attachment A: Proposed Amendments to Regulation (16 CCR § 1856)

Attachment B: SB 775 Relevant LEP Statutory Changes Excerpt (BPC § 4989.20)

ATTACHMENT A
PROPOSED REGULATORY CHANGES
Title 16, Division 18, California Code of Regulations

§1856. EXPERIENCE REQUIREMENTS FOR A LICENSE AS AN EDUCATIONAL PSYCHOLOGIST EQUIVALENT TO THREE (3) YEARS FULL-TIME EXPERIENCE AS CREDENTIALLED SCHOOL PSYCHOLOGIST

To demonstrate “proof satisfactory to the board” of meeting the education and experience requirements of section 4989.20 of the Code, an applicant for a license as an educational psychologist shall meet all requirements of this section.

~~(a) No more than one year of experience will be granted for any 12 month period.~~

~~(b) Part time experience may be accumulated provided that the experience is obtained within six (6) calendar years.~~

~~(c)~~ Applicants submitting experience gained at a parochial or private school:
Experience as a credentialed school psychologist employed by a parochial or private school ~~may, at the board's discretion, shall~~ be deemed equivalent to experience as a credentialed school psychologist in the public schools if, in addition to the documentation required by subsections (b), (c) or (e)(3), as applicable, a statement is provided that is signed and dated by the school psychologist's supervisor or other authorized representative of the school where services as a credentialed school psychologist were provided by the applicant. This individual shall certify under penalty of perjury under the laws of the State of California that the applicant performed the full range of duties of a school psychologist as described in California Code of Regulations, title 5, section 80049.1(a)(3).

(b) Applicants submitting experience gained while employed by a temporary employment agency: In addition to the documentation required by subsections (a), (c) or (e)(3), as applicable, an applicant who gained experience toward meeting the requirements of sections 4989.20(a)(5), 4989.20(a)(6)(B), or 4989.20(a)(7)(B) of the Code while employed by a temporary employment agency shall provide a statement, signed and dated by an authorized representative of the school or school district where services as a credentialed school psychologist were provided by the applicant. This individual shall certify under penalty of perjury under the laws of the State of California that the applicant performed the full range of duties of a school psychologist as described in California Code of Regulations, title 5, section 80049.1(a)(3).

(c) Documentation of claimed experience as a credentialed or licensed school psychologist in accordance with section 4989.20(a)(5) of the Code shall be verified

by an authorized representative of the school or school district, and shall include all of the following:

- (1) School's name, telephone number and address.
- (2) School district's name, telephone number and address.
- (3) Telephone number, name, and title of the authorized representative.
- (4) A statement regarding whether the school or school district where the experience was gained was public, private or parochial.
- (5) Name of the position occupied by the applicant.
- (6) Start and end dates of the applicant's experience.
- (7) Number of hours worked during the dates specified in paragraph (6) as a credentialed or licensed school psychologist.
- (8) A statement, signed and dated by the authorized representative, certifying under penalty of perjury under the laws of the State of California that the information provided by the authorized representative in paragraphs (1) through (7) is true and correct.

(d) Documentation of claimed supervised professional experience in an accredited school psychology program accordance with section 4989.20(a)(6)(A) or 4989.20(a)(7)(A) of the Code ("supervised professional experience") shall be verified by an authorized representative of the school or school district where the experience was gained. Such documentation shall include all of the following:

- (1) School's name, telephone number and address.
- (2) School district's name, telephone number and address.
- (3) Telephone number, name, and title of the authorized representative.
- (4) Name and title of applicant's supervisor.
- (5) Start and end dates of the applicant's supervised professional experience and number of supervised professional experience hours gained during those dates.
- (6) A statement, signed and dated by the authorized representative, certifying under penalty of perjury under the laws of the State of California that the information provided by the authorized representative in paragraphs (1) through (5) is true and correct.

(e) Experience claimed as a California credentialed school psychologist under the direction of a licensed educational psychologist as specified in section 4989.20(a)(6)(B) or 4989.20(a)(7)(B) of the Code shall comply with all of the following:

- (1) "Under the direction of" means the applicant was under the licensee's supervision. "Supervision" is defined as providing oversight and direction of the services provided by the supervisee.

(2) The licensed educational psychologist who supervised the applicant's experience shall meet all of the following requirements:

(A) Possessed a current, active, and unrestricted California license as a licensed educational psychologist at the time the applicant obtained the experience.

(B) Did not have a financial, personal, business, or therapeutic relationship with applicant.

(C) The supervisor shall be competent in the areas of practice and techniques being supervised. For the purposes of this section, "competent" shall mean an individual possesses and exercises the degree of learning, skill, care and experience ordinarily possessed and exercised by a licensed educational psychologist when practicing or providing supervision in practice.

(3) Documentation of claimed experience shall be verified by the supervisor referenced in paragraph (2) above and shall include all of the following:

(A) Supervisor's name and telephone number.

(B) Supervisor's license type, license number and date of issuance.

(C) Name of the school and school district where the experience was gained.

(D) Whether the school or school district where the experience was gained was public, private, or parochial.

(E) Name of the position occupied by the applicant.

(F) Start and end dates of the applicant's experience.

(G) Number of hours worked during those dates as a credentialed school psychologist.

(H) A statement, signed and dated by the supervisor, certifying under penalty of perjury under the laws of the State of California that the information provided by the supervisor in paragraphs (A) through (G) is true and correct.

Note: Authority cited: Section 4990.20(a), Business and Professions Code. Reference: Section 4989.20, Business and Professions Code.

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ATTACHMENT B

SB-775 Board of Psychology and Board of Behavioral Sciences. (2025-2026)

As Amends the Law Today

SECTION 1. *Section 25 of the Business and Professions Code is amended to read:*

25. (a) Any person applying for a license, registration, or the first renewal of a license, after the effective date of this section, as a licensed marriage and family therapist, a licensed clinical social worker, a licensed psychologist, *a research psychoanalyst*, or a licensed professional clinical counselor shall, in addition to any other requirements, show by evidence satisfactory to the agency regulating the business or profession, that they have completed training in human sexuality as a condition of licensure. The training shall be creditable toward continuing education requirements as deemed appropriate by the agency regulating the business or profession, and the course shall not exceed more than 50 contact hours.

(b) The Board of Psychology shall exempt from the requirements of this section any persons whose field of practice is such that they are not likely to have use for this training.

(c) "Human sexuality" as used in this section means the study of a human being as a sexual being and how a human being functions with respect thereto.

(d) The content and length of the training shall be determined by the administrative agency regulating the business or profession and the agency shall proceed immediately upon the effective date of this section to determine what training, and the quality of staff to provide the training, is available and shall report its determination to the Legislature on or before July 1, 1977.

(e) If a licensing board or agency proposes to establish a training program in human sexuality, the board or agency shall first consult with other licensing boards or agencies that have established or propose to establish a training program in human sexuality to ensure that the programs are compatible in scope and content.

SEC. 2. *Section 28 of the Business and Professions Code is amended to read:*

28. (a) The Legislature finds that there is a need to ensure that professionals of the healing arts who have demonstrable contact with victims and potential victims of child, elder, and dependent adult abuse, and abusers and potential abusers of children, elders, and dependent adults are provided with adequate and appropriate training regarding the assessment and reporting of child, elder, and dependent adult abuse that will ameliorate, reduce, and eliminate the trauma of abuse and neglect and ensure the reporting of abuse in a timely manner to prevent additional occurrences.

(b) The Board of Psychology and the Board of Behavioral Sciences shall establish required training in the area of child abuse assessment and reporting for all persons applying for initial licensure and renewal of a license as a psychologist, clinical social worker, professional clinical counselor, or marriage and family ~~therapist~~ *therapist or registration as a research psychoanalyst*. This training shall be required one time only for all persons applying for initial licensure or *registration or* for licensure *or registration* renewal.

(c) All persons applying for initial licensure or renewal of a license as a psychologist, clinical social worker, professional clinical counselor, or marriage and family therapist *or registration as a research psychoanalyst* shall, in addition to all other requirements for licensure or renewal, have completed coursework or training in child abuse assessment and reporting that meets the requirements of this section, including detailed knowledge of the Child Abuse and Neglect Reporting Act (Article 2.5 (commencing with Section 11164) of Chapter 2 of Title 1 of Part 4 of the Penal Code). The training shall meet all of the following requirements:

(4) Complies with the fingerprint submission requirements established **by the board in regulation. in Section 144.**

SEC. 41.SEC. 60. Section 4984.7 of the Business and Professions Code is amended to read:

4984.7. (a) The board shall assess the following fees relating to the licensure of marriage and family therapists:

(1) The application fee for an associate registration shall be one hundred fifty dollars (\$150). The board may adopt regulations to set the fee at a higher amount, up to a maximum of three hundred dollars (\$300).

(2) The annual renewal fee for an associate registration shall be one hundred fifty dollars (\$150). The board may adopt regulations to set the fee at a higher amount, up to a maximum of three hundred dollars (\$300).

(3) The fee for the application for licensure shall be two hundred fifty dollars (\$250). The board may adopt regulations to set the fee at a higher amount, up to a maximum of five hundred dollars (\$500).

(4) (A) (i) The fee for the **clinical examination board-administered clinical examination, if the board chooses to adopt this examination in regulations,** shall be two hundred fifty dollars (\$250). The board may adopt regulations to set the fee at a higher amount, up to a maximum of five hundred dollars (\$500). *If the board chooses to adopt an examination administered by a public or private organization, as specified by the board in regulations, then the examination fee shall be determined by, and paid directly to, that organization.*

(ii) The fee for the California law and ethics examination shall be one hundred fifty dollars (\$150). The board may adopt regulations to set the fee at a higher amount, up to a maximum of three hundred dollars (\$300).

(B) An applicant who fails to appear for an examination, after having been scheduled to take the examination, shall forfeit the examination fee.

(C) The amount of the examination fees shall be based on the actual cost to the board of developing, purchasing, and grading each examination and the actual cost to the board of administering each examination. The examination fees shall be adjusted periodically by regulation to reflect the actual costs incurred by the board.

(5) The fee for rescoring an examination shall be twenty dollars (\$20).

(6) The fee for the issuance of an initial license shall be two hundred dollars (\$200). The board may adopt regulations to set the fee at a higher amount, up to a maximum of four hundred dollars (\$400).

(7) The fee for the two-year license renewal shall be two hundred dollars (\$200). The board may adopt regulations to set the fee at a higher amount, up to a maximum of four hundred dollars (\$400).

(8) The renewal delinquency fee shall be one-half of the fee for license renewal. A person who permits their license to expire is subject to the delinquency fee.

(9) The fee for issuance of a replacement registration, license, or certificate shall be twenty dollars (\$20).

(10) The fee for issuance of a certificate or letter of good standing shall be twenty-five dollars (\$25).

(11) The fee for issuance of a retired license shall be forty dollars (\$40).

(b) This section shall become operative on January 1, 2021.

SEC. 42.SEC. 61. Section 4989.20 of the Business and Professions Code is amended to read:

4989.20. (a) The board may issue a license as an educational psychologist if the applicant satisfies, with proof satisfactory to the board, the following requirements:

(1) Possession of, at minimum, a master's degree in psychology, educational psychology, school psychology, counseling and guidance, or a degree deemed equivalent by the board. This degree shall be obtained from an educational institution approved by the board according to the regulations adopted under this chapter.

(2) Attainment of 18 years of age.

(3) Is not subject to denial of licensure pursuant to Section 480.

(4) Successful completion of 60 semester **hours units or 90 quarter units** of postgraduate **work study** in pupil personnel services.

(5) Two **years** *school terms* of full-time, or the equivalent to full-time, experience as a **licensed or** credentialed school psychologist in the public **schools**. *The schools or in another school setting as specified in regulations. The experience shall be gained over a period of at least two school terms. The* applicant shall not be credited with experience obtained more than six years **prior to filing the application for licensure. immediately preceding the date on which the application for licensure was received by the board.**

(6) *If the experience required by paragraph (5) was completed while holding a California credential in a school located in California, completion of one of the following:*

(A) *A minimum of 1,200 hours of supervised professional experience in an accredited school psychology program.*

(B) *One school term of full-time, or the equivalent to full-time, experience as a California credentialed school psychologist in the California public schools, or in another school setting as specified in regulations, obtained under the direction of a California-licensed educational psychologist. The experience shall be gained over a period of at least one school term. The applicant shall not be credited with experience obtained more than six years immediately preceding the date on which the application for licensure was received by the board.*

(6) (7) **One of** *If the experience required by paragraph (5) was not completed while holding a California credential in a school located in California, completion of one of* the following:

(A) **One year of** *A minimum of 1,200 hours of supervised professional experience gained in California in an accredited school psychology* **program. program, gained no more than six years immediately preceding the date on which the application for licensure was received by the board.**

(B) **In addition to the requirements of paragraph (5), one year of** *One school term of* full-time, or the equivalent to full-time, experience as a **California** credentialed school psychologist in the **public schools** *California public schools, or in another school setting as specified in regulations,* obtained under the direction of a **licensed educational psychologist or a licensed psychologist. California licensed educational psychologist. The** *experience shall be gained over a period of at least one school term. The applicant shall not be credited with experience obtained more than six years immediately preceding the date on which the application for licensure was received by the board.*

(7) (8) **Passage of an examination specified the licensed educational psychologist written examination** *administered by the board. A passing score on this examination shall be accepted by the board for a period of seven years from the date the examination was taken.*

(b) *For purposes of this section, the following definitions apply:*

(1) *"Full time" means the days or hours of creditable service the employer requires to be performed by the employee in a school term under their collective bargaining agreement or employment agreement. It shall consist of a minimum of 175 days, or 1,050 hours, per school term.*

(2) *"Equivalent to full time" means the days or hours of creditable service that a person who is employed on a part-time basis would be required to perform in a school term if they were employed full time in that part-time position.*

(3) *"School term" means a minimum period of 35 weeks beginning the first day and ending the last day creditable service is required to be performed by a member employed on a full-time basis, excluding any period that has been excluded pursuant to a publicly available written contractual agreement. The school term shall also be the same for an individual who is not employed on a full-time basis who is performing the same duties as a member employed on a full-time basis.*

SEC. 43. SEC. 62. Section 4989.45 of the Business and Professions Code is amended to read:

4989.45. (a) (1) The board shall issue, upon **application submission of a completed application as prescribed by this section** and payment of the fee fixed by this chapter, a retired license to a licensed educational psychologist who holds a license that is current and active or a license that is inactive, and whose license is not suspended, revoked, or otherwise punitively restricted by the board or subject to disciplinary action under this chapter.

(2) *A licensed educational psychologist license that has expired shall be issued a retired license by the board upon submission of a completed application as prescribed by this section and payment of the fee fixed by this chapter if all of the following requirements are met:*

(A) *The license expired within three years from the date of the board's receipt of a completed application.*