



Faculty of Education

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REGULAR MEETING OF THE FACULTY COUNCIL, FACULTY OF EDUCATION
TUESDAY, FEBRUARY 2ND, 12:30 P.M., VIA WEBEX CONFERENCING

AGENDA

1. **Approval of the Agenda**
2. **Approval of Minutes of Previous Meeting**
 - 2.1 Approval of Minutes of December 1st, 2020 [attached]
3. **Business Arising**
4. **New Business**
5. **Correspondence**
 - 5.1 Correspondence from Deputy Minister, Department of Education, Government of Newfoundland & Labrador, dated January 20, 2021 (attached)
 - 5.2 Correspondence from Health Minister, Government of Newfoundland & Labrador dated January 25, 2021 (attached)
 - 5.3 Correspondence from Chair, Newfoundland & Labrador Psychology Board dated January 25, 2021 (attached)
6. **Reports of Committees**
 - 6.1 Nominating Committee
 - 6.2 Committee on Undergraduate Studies
 - 6.3 Admissions Committee
 - 6.4 Research & Development Committee

6.5 Graduate Studies Committee

6.5 Doctoral Studies Program Committee

7. **Dean's Report**
8. **Associate Dean's Report – Undergraduate**
9. **Associate Dean's Report – Graduate**
10. **Reports from Representatives from other Councils**
11. **Other Business**

Secretary
Faculty Council, Faculty of Education

Attachments (8)

REGULAR MEETING OF THE FACULTY COUNCIL, FACULTY OF EDUCATION
TUESDAY, DECEMBER 1, 2020 AT 12:30 PM VIA WEBEX CONFERENCING

Chairperson: Dr. Karen Goodnough

Attendees: C. Arnold, S. Azam, J. Buley, A. Burke, A. Doyle, R. Elliott, E. Furey, G. Galway, M. Gardner, D. Gill, G. Harris, J. Hoben, N. Hurley, R. Joy, R. Kelly, U. Kelly, M. Kondratieva, L. Lewis, K. Maich, B. Mann, H. McLeod, A. Moghaddam, S. Moore, W. Okshevsky, S. Penney, P. Phillips, L. Redmond, D. Reynolds, J. Rodway, M. Stordy, K. Szego, D. Vaandering, G. Young.

Regrets: C. Badenhorst, D. Buley, J. Crane, J. Godfrey Anderson, D. Kelly.

1. **APPROVAL OF AGENDA**

It was **moved** by Dr. Rob Kelly, and **seconded** by Dr. Christine Arnold, that the Agenda be accepted as circulated.

CARRIED.

2. **APPROVAL OF PREVIOUS MINUTES**

It was **moved** by Dr. Gabrielle Young, and **seconded** by Dr. Leslie Redmond, that the previous Minutes be approved as distributed.

CARRIED.

3. **BUSINESS ARISING**

There was no business arising presented.

4. **NEW BUSINESS**

4.1 Request for collegial consultation re: Coordinator for Technology Education

Dr. Goodnough provided an overview of the criteria established to determine if this Coordinator position would be a good fit for the Faculty of Education. Dr. Gill sought the support of the Membership to legitimize the administrative work he has been doing and to enable a title and compensation in recognition of the same. Dr. Gill outlined aspects of this administrative work including managing student attendance, coordinating hiring and supervision as well as course order/scheduling.

Support of this appointment was evident by the membership through discussion and comments in the chat. Dr. Goodnough will consider this when making her decision.

4.2 Formation of Search Committees

Dr. Goodnough requested feedback on the formation of one or two search committees for upcoming academic recruitment for Music Education and Special Education-Reading positions. Discussion ensued with concerns raised about the specialization of each subject area and the value of having separate committees. Dr. Goodnough established a poll for voting on the same.

Collegial consultation showed overwhelming support for two search committees. Poll results confirmed this as 26/34 respondents indicating “no” there should not be one search committee.

5. **CORRESPONDENCE**

There was no correspondence circulated.

6. **REPORTS OF COMMITTEES**

6.1 Nominating Committee

Dr. Jan Buley indicated that Dr. Noel Hurley has agreed fill the final vacancy on the Committee on Graduate Studies, Education Leadership Representative.

6.2 Committee on Undergraduate Studies

Dr. Leslie Redmond indicated that this is an increase in requests from students for waivers as well as increased student support requests for accommodations and mental health issues.

6.3 Admissions Committee

There was no report presented at this time.

6.4 Research & Development Committee

There was no report presented at this time.

6.5 Graduate Studies Committee

6.5.1 Proposed new Post-Secondary Studies course - E6810 - Assessment and Evaluation in Student Services

It was **moved** by Dr. David Gill, and **seconded** by Dr. John Hoben, that the proposed new Post Secondary Studies course - E6810 - Assessment and Evaluation in Student Services be approved as circulated.

CARRIED.

6.5.2 EDLS calendar change

It was **moved** by Dr. Gerald Galway, and **seconded** by Dr. Rob Kelly, that the EDLS calendar change to move elective 6203 into required core courses be approved as circulated.

CARRIED.

6.6 Doctoral Studies Program Committee

Dr. Gabrielle Young thanked Dr. Joy for her guidance and indicated that the committee invited the first-year rep to sit on the committee to share information with that cohort. They also determined that comprehensive exams should not be open to others outside of the exam committee. Dr. Young indicated that the committee continues to discuss full-time versus part-time status and the format of 701. Further discussion as a future Faculty Forum topic.

6.7 Committee on Ethics in Human Research

There was no report presented at this time.

7. **DEAN'S REPORT**

The Dean's Report was presented by Dr. Karen Goodnough as attached.

Dr. Goodnough requested an update from Dr. Joelle Rodway re: EdD Survey. Dr. Rodway reported there is lots of interest, particular in NL (but also across Canada) in an EdD program. The committee's mandate is to make a recommendation to dean re: whether or not the Faculty should continue its exploration of EdD programming, and survey findings support this work. We are working on our final report, which will include the findings from a comprehensive environmental scan of EdD programming in Canada as well as the survey. Our educational partners in the province are aware of this work. Further consultation with key community stakeholders is planned for future work if the Faculty moves ahead with this work.

8. **ASSOCIATE DEAN'S REPORT- UNDERGRADUATE**

The Associate Dean's Report (Undergraduate) was presented by Dr. Edith Furey as attached.

9. **ASSOCIATE DEAN'S REPORT- GRADUATE**

The Associate Dean's Report (Graduate) was presented by Dr. Rhonda Joy as attached.

10. **REPORTS FROM REPRESENTATIVES FROM OTHER COUNCILS**

Ms. Pam Phillips posted the student survey results in the chat in the interest of time
<https://citl.mun.ca/studentsurveyresults.php>

11. **OTHER BUSINESS**

There was no other business presented.

Adjournment

Motion to adjourn, Dr. Gabrielle Young, seconded by Dr. Noel Hurley.

CARRIED.

Council adjourned at 2:03pm.

Chairperson

Date

Secretary

Dean's Report- December 1, 2020
Faculty Council

1. The semester will be extended and start again January 11, 2020. This does not apply to staff and will allow more time for students and faculty to prepare for the upcoming semester. The end date for classes will be determined by SCUGS.
2. The return to campus will occur in January for staff (a minimum of two days per week). Safety protocols will be in place, with Plexiglas in reception areas. Everyone is reminded to wear a mask and social distance in all areas, including hallways and public spaces in the building.
3. A friendly reminder to ensure that items related to grants that involve the use of money need to be approved (e.g., contract work). Some practices are not supported by University policy; consequently, you should always check first to see if particular expenses are allowable.
4. Support for remote and online learning: A reminder that Pam Philips is available through CITL and Maurice Barry can provide support to faculty and students.
5. Congratulations to Ursula on being awarded the 2020 John Lewis Paton Distinguished University Professorship Award. This award recognizes faculty members who embody Memorial's mission by demonstrating exceptional teaching, undertaking world-class research, and sharing their knowledge and expertise widely. This is Memorial University's highest faculty honour — a truly outstanding accomplishment. We are so proud!
6. Research Framework - fieldwork and face-to-face research needs to be supported with an application and be approved by me.
As the Province of Newfoundland and Labrador begins to relax some of the public health measures put in place during the COVID-19 pandemic, Memorial has proceeded – as of June 25 – to resume additional on-campus research activities, fieldwork and research involving low-risk face-to-face interactions with research participants. This process is in accordance with an updated Framework for a Phased Approach to Returning to On-Campus Research Spaces, Fieldwork and Face-to-Face Interactions with Research Participants.
7. 100th Anniversary Celebrations – Dr. Gerald Galway is chairing the Gathering event; Dr. Jan Buley is leading the teachers' stories project; Dr. Sharon Halfyard is leading a K-12 curriculum project; artwork will be commissioned; our student will create an art display.
8. Congratulations to Kimberley Maich for the publication of her new book: *Autism Spectrum Disorder in the Canadian Context* with Sharon Penny, Kelly Alves, and Carmen Hill.
9. Let's Discuss – The next installment is scheduled for December 16, 2020; the topics is social and emotional health.
10. Doctor of Education Committee – a survey was administered; Dr. Rodway will report on the themes that emerged.
11. Reminder - Nominations for Faculty of Education Dean's Awards
Deadline: December 15, 2020.

ASSOCIATE DEAN'S REPORT – UNDERGRADUATE STUDIES

1. Internships.

1a. Bachelor of Education Primary/Elementary Second Degree (Year 1). Students missed 401T (5 days) in Fall, 2020 and will miss 402T (10 days) in Winter, 2021. NLESD was unable to approve these short internships due to COVID-19 restrictions. However, discussions are ongoing about the possibility of 401T and 402T being completed as a 15 day internship block when classes end for Winter semester and prior to commencement of Intersession.

Instructors of this cohort are advised to course plan for no field placement during Winter semester classes (Jan. 11 – April 9).

Bachelor of Education Primary/Elementary Second Degree (Year 2). Because students were unable to complete 403T (10 day) internship in Fall, 2020, it will be combined with 404T (50 day) internship in Winter, 2021. Internship will begin on January 4.

1b. Bachelor of Education Primary/Elementary First Degree (Post-Professional Year). Students in their final year completed 401X (65 days) this fall semester.

Bachelor of Education Primary/Elementary First Degree (Professional Year). Students missed 5 days in Fall, 2020 and will miss 5 days in Winter, 2021. NLESD was unable to approve these short internships due to COVID-19 restrictions. Currently, two (2) options are being explored: i) the possibility of students completing the 10 days at the end of Winter, 2021 semester or ii) completing the 10 missed days with 401X in Fall, 2021 semester.

1c. Bachelor of Education Intermediate/Secondary & Bachelor of Education Intermediate/Secondary Conjoint with Diploma in Technology Education. Because students were unable to complete 406T (10 day) internship in Fall, 2020, it will be combined with 407T (60 day) internship in Winter, 2021. Internship will commence on January 4.

2. Winter Course Planning.

St. John's Campus. Planning for Winter, 2021 semester is almost completed. Most of the per course instructors have been hired. Program schedules are finalized and available on our website.

Nunavut Arctic College (NAC). Regular meetings with NAC administration have continued. Fall and Spring disruptions to the Bachelor of Education Primary/Elementary First Degree Program due to COVID-19 and Fall registration issues are being addressed. Program audits of students in their final year are being completed. As well, planning has begun for Winter 2021 semester.

3. Oceans Learning Partnership (OLP). Our fellows of this Partnership are concluding their fellowship experience which, as mentioned earlier, has been offered remotely. Fellows have developed lesson plans related to oceans which they hope to use during their Winter internship.

4. Upcoming Discussion of Proposed Calendar changes. Several calendar changes will be discussed in the New Year.

In conclusion, thank you everyone for your ongoing commitment to K-12 and post-secondary education and for your understanding, flexibility and support over this semester.

Edith Furey

Associate Dean of Graduate Programs and Research Faculty Council Report

December, 2020

1. **Applications** have been reviewed and offers gone out. The time and effort that has gone into application review to ensure students are treated fairly has not gone unnoticed... thank you for your work!!

Student ADVISORS: it is especially critical that you reach out to the students to whom you have been assigned as advisor and welcome them to the faculty. If you have not received a list of students or would like a template of a sample email to students please let Andy know.

2. **Job ads**.... Some program groups have already reviewed their job ads that are available in the office and offered updates for them. Thank you!! We will be attempting to continue with this review in the coming months as time allows but would also like to encourage program groups to reach out to the office and request the ads we have available and review and offer suggested updates.
3. **Remote/online teaching**: Please check in with your students on a regular basis. Students are being impacted in many ways by COVID and we need to be sensitive to their health and well being.

Students in distress link:

https://www.mun.ca/studentwellness/guide/Guide_Students_In_Distress.pdf

4. **Instructor check in session** was held a few weeks ago. I think instructors seemed to appreciate the opportunity to chat about the terms, issues and to be reminded of available resources. We hope to continue these meetings into the Winter term.
5. PHD students:

Julia Halfyard is prepping for her oral examination next week. We wish Julia good luck. A special thanks to her supervisory (Dr. McLeod, Dr. D. Buley, Dr. Arnold) and examination committee (Dr. McLeod, Dr. D Buley, Dr. J Buley, Dr. Hoben) members for their work and support!

Taylor Stocks is writing their comprehensive examination with an oral exam coming up in December. We wish Taylor good luck. A special thanks to their supervisory (Dr. Galway, Dr. Rodway, Dr. Arnold) and examination committee (Dr. Galway, Dr. Rodway, Dr. Kelly, Dr. Hurley) members for their work and support!

Chinwe has her final Defense on December 7. She recently presented at the Doctoral series seminar in preparation for the defense! We wish Chinwe good luck. A special

thanks to her supervisory committee (Dr. Burke, Dr. Stordy, Dr. Young) for their work and support of Chinwe!

Congratulations to Keith Power on passing his oral defense yesterday! Congratulations as well to his supervisory committee, Dr. Seifert, Dr. Redmond and Dr. Card.

6. CITL student remote experience survey: worth reviewing as it provides data for UG and GRAD Education students.... Some concerns worth noting... workload, access to bookstore resources, lack of knowledge re: campus resources... counseling, career, leadership etc
<https://citl.mun.ca/studentssurveyresults.php>
7. **The Thesis Journey session for Graduate students on thesis route....** Our PHD students together with Dr. Fitzpatrick offered a session this past month to the university community in which they discussed the journey of writing a thesis from start to finish. The session was attended by graduate students from our faculty and across the campus. *We hope to offer other sessions in the coming months and encourage you or your students to contact Diana or myself with any suggested topics.*
8. The new Diploma in Reading Development and Instruction has 47 plus applications at present for a January 2021 start. We plan to offer admission to two cohorts! A wonderful start to this NEW diploma program! Thanks again to those involved with making this happen!!
9. CP program.... The group presented at the most recent Faculty Forum. They are still finalizing aspects of the program and hope to bring the proposal to Faculty council in the near future.
10. Grants Facilitator

Research Week:

From the feedback we have received our session for Research WEEK was a HUGE success. We co-hosted again with other Faculties: HSS, Nursing, Medicine, Engineering, Business etc. **Radical Distal Multidisciplinarity** was our topic and we had over 25 submissions from 8 faculties across campus. We also had 3 guest presenters, one from SIRI research office and two international presenters (Dr. Strang and Dr. Spinks). Dr. Strang has kindly offered to return to MUN for future discussions. I would like to extend a BIG thank you to Lisa Charlong and the other GFOs across campus who worked tirelessly to make this important event happen!

Lisa will also be adding some information to the website re: EDI as it relates to research.

Upcoming Grants: Please check the website and emails re: deadlines and extensions. Also please keep in mind our internal deadline for application review.

12. Reminder: **As per the CA, please submit Undergraduate and graduate syllabi** to office as soon as possible.



Government of Newfoundland and Labrador
Department of Education
Office of the Deputy Minister

EXC/21/1/56

January 20, 2021

To Whom It May Concern:

The Department of Education (EDU) supports the development of a new Counselling Psychology, Master of Education (MEd) Program at Memorial, safeguarding that Memorial's Counselling Psychology program is at least as rigorous as similar programs offered at other Canadian universities. Welcome proposed changes include: expanding the credit hours from 360 to 600; offering a thesis or project option with embedded course supports; requiring 500 hours of supervised practicum; increased practice and laboratory work; new content in theory and practice, diversity and assessment; Canadian Counselling and Psychotherapy Association (CCPA) accreditation; and offering both full and part-time opportunities. Though certification with the CCPA is not currently a requirement for a guidance counsellor in NL, meeting CCPA registration criteria is an asset for potential guidance counsellors. EDU supports a **provincial program, which reflects the minimum requirements for a guidance counsellor in Newfoundland and Labrador (NL), as outlined in the Standards of Practice for Guidance Counsellors.**

The role of a guidance counsellor in NL has evolved to emphasize student mental wellness and counselling. We expect that the new MEd program, as proposed, will reflect this evolution through the study of diversity, inclusion, and counselling theory and practice. However, the role of the guidance counsellor also includes comprehensive assessment, which may require the administration, scoring and interpretation of Level C assessment. Currently, Pearson Canada Incorporated recognizes Memorial's ED 6709 Assessment course as meeting this criteria.

The NL Comprehensive Assessment Guidelines state that the results of a comprehensive assessment, which may include Level C assessment, will inform the teaching and learning decisions of the school based program planning team. To meet this expectation, an understanding of the Kindergarten to grade 12 education system is required. A BEd is not a requirement of the proposed MEd program, and though it is a Masters of Education, it does not require candidates to focus on the educational system. Nor does it require a focus on children or adolescents. It is acknowledged that a MEd candidate may choose to focus on the Kindergarten to grade 12 school system within a course (through research and practice), but there is no requirement to do so; nor is there an indication upon graduation, what (if any) area of focus was evident. There are no courses, as proposed, that provide a dedicated Kindergarten to grade 12 or child and youth focus.

To support the new Counselling Psychology program at Memorial, EDU would require that it include graduate-level courses that:

1. continue to meet Pearson's criterion for Level C assessment; and
2. clearly provide and indicate a choice to focus on the Kindergarten to grade 12 school system, including
 - a. student mental health and wellness
 - b. student development and learning
 - c. educational programming and interventions
 - d. integrated and collaborative service delivery

Further learning and skill development in Level C assessment, interpretation, and diagnosis of specific learning disorder and intellectual disability, will provide guidance counsellors opportunity to enhance their expertise as interpreters of Level C assessment and diagnosticians (as is the case for newly trained professionals in many fields of work). Memorial, school districts and the EDU may all have a role to play in this. Practical expectations of the Comprehensive Assessment Guidelines, such as team assessment, will also support such mastery. EDU anticipates that mentoring of newly trained assessors will occur within the school districts and plans to provide continued opportunity for skill development, collaboration, and mastery.

After careful consideration of the proposed program offerings, and the opportunity to discuss with Memorial faculty (Sarah Pickett, Leah Lewis and Jacqueline Hesson) and Associate Dean, Rhonda Joy, EDU cannot support the program as currently proposed. As proposed, the program does not permit graduates to meet the minimum requirements of the NL Guidance Counsellors Standards of Practice, specifically the ability to administer, score and interpret Level C assessments and it does not require or indicate to potential employers, a focus on children and youth or the Kindergarten to grade 12 school system.

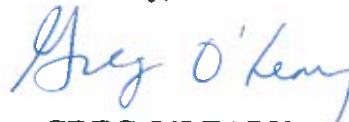
We welcome the opportunity for further discussion and possible options.

Referenced documents are available:

https://www.gov.nl.ca/education/files/k12_studentsupportservices_s_and_p_guidance_counsellor_standards.pdf

<https://www.gov.nl.ca/education/k12/studentsupportservices/comprehensive/>

Sincerely,



GREG O'LEARY
Deputy Minister

Newfoundland and Labrador Psychology Board

P.O. Box 8275, Station A, St. John's, NL A1B 3N4

website: <http://www.nlpsychboard.ca>

January 25, 2021

Honourable John Haggie
Minister of Health and Community Services
P. O. Box 8700
1st Floor, West Block
Confederation Building
100 Prince Philip Drive
St. John's, NL A1B 4J6

Dear Minister Haggie:

We wish to express our concern regarding assessment practices that, we understand, are occurring within Newfoundland and Labrador.

The recent Position Paper (attached) from the Canadian Psychological Association (CPA) has outlined some grave concerns with the use of specialized psychological tests by individuals who are unqualified to do so. The Psychologists Act (2005) mandates the Newfoundland and Labrador Psychology Board to ensure protection of the public, so it is incumbent upon us to express serious concerns and reservations if we are aware – in this instance – that insufficiently trained individuals are utilizing these specialized psychological tests and making potentially life altering decisions based on incomplete or inaccurate training.

We understand that historically, in the Province of Newfoundland and Labrador, allowance for the use of tests by individuals who may not meet the current criteria for Qualification Level C, defined at <https://www.pearsonclinical.ca/en/ordering/qualification-levels.html> has been granted by some test publishers. While the Board can appreciate that this may have been acceptable and maybe even necessary at the time, diagnostic testing has become much more sophisticated and complex, making it crucial that those who are carrying out assessments in 2021 have a level of training and knowledge which allows them to make informed, meaningful decisions which are in the best interest of, and for the benefit of, their clients. The training and knowledge required to perform a complete and thorough assessment on an individual in 2021 is far more extensive than it had been in the past. It is imperative that individuals who are conducting assessment and diagnoses be sufficiently trained to enable the provision of an appropriate, valid, and reliable assessment. Without this, assessment results may be

inaccurate and/or incomplete, which may result in decisions and diagnoses which may have a profound impact on the future of the person being assessed.

In 2021, individuals who are trained in the interpretation of these results, and who make diagnoses based on this information, have often undergone up to 10 courses, including supervised practica and/or internships, in the areas of assessment and diagnosis. We understand that many of the individuals who are currently conducting diagnostic assessments may have received, many years ago, as few as two courses in their graduate training. As well, they have often received only minimal supervision in this area in their practica/internships.

As is pointed out in the position paper, current training in diagnostic testing requires a specialized body of complex knowledge and expertise. Advanced graduate training in the areas of psychometrics, advanced statistics, cognitive and behavioural sciences, learning and memory, personality and psychopathology are essential for safe use of diagnostic tests in the 21st century.

It should also be pointed out that a serious consequence of psychological testing by insufficiently trained individuals may be misdiagnosis which has the potential to compromise an individual's future in several areas including health care, education and development and may, indeed, result in a future of pain and anxiety.

Unless the professional conducting the assessment is fully qualified to understand the complex matrix, which is psychological measurement, there is a very real danger that wrong decisions may be made which may impact them for their entire lifetime.

The Newfoundland and Labrador Psychology Board is very concerned about some current practices in assessment and diagnosis within the province. There are specific professional qualifications for individuals who are authorized to administer and interpret Level C tests. These criteria are outlined at <https://www.pearsonclinical.ca/en/ordering/qualification-levels.html>. We would ask that, in order to avoid potential harm to the public, you ensure that individuals within your agency, organization or department who are administering Level C tests indeed are qualified to do so.

Sincerely:



Charles Penwell

Chair, Newfoundland and Labrador Psychology Board

cc. Hon. Tom Osborne, Minister of Education
Hon. Gerry Byrne, Minister, Department of Immigration, Skills and Labour
Mr. David S. Diamond, President & CEO, Eastern Health Authority
Ms. Andrée Robichaud, President & CEO, Central Regional Health Authority
Ms. Michelle House, Interim CEO, Western Regional Health Authority

Ms. Heather Brown – President & CEO, Labrador-Grenfell Regional Health Authority
Mr. Tony Stack, CEO/Director of Education, NLESD
Ms. Jackie Lake Kavanagh, Child and Youth Advocate
Dr. Karen Goodnough, Dean, Faculty of Education, Memorial University of Newfoundland
Ms. Edie Dunphy, Executive Director, LDANL
Mr. Dean Ingram, President, NLTA
Dr. Janine Hubbard, President, APNL
Mr. Gary Hunter, President, NLCPA
Dr. Karen Cohen, Chief Executive Officer, Canadian Psychological Association

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Inappropriate Psychological Test Use: A Public Safety Concern

A Position Paper of the Canadian Psychological Association

Prepared by the CPA's Professional Affairs Committee

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Approved by the CPA's Board of Directors (May 2019)

Inappropriate Psychological Test Use: A Public Safety Concern

The assessment, diagnosis, and treatment of physical and mental health disorders are regulated health services under the authority of provincial and federal bodies. In recent years, there has been growing concern that the safe use of specialized psychological tests and measures *in clinical practice* has become compromised by their increased availability to unqualified users in an unregulated marketplace. The Canadian Psychological Association (CPA) is deeply concerned that the availability and use of diagnostic tests by unqualified individuals puts public safety at risk.

Clinical instruments to assess and diagnose psychological conditions and health disorders with psychological components are generally proprietary and are distributed and sold by commercial firms. While there are strict regulatory controls governing the distribution, sale, and use of medical devices to protect public safety, there is currently no federal or provincial regulatory oversight of the psychological test market.

Historically, the psychological test industry has relied on self-regulation by commercial firms in developing, distributing, and selling clinical instruments. Most commercial suppliers have self-limited sales by using standards or policies that restrict the distribution and sale of psychological tests to individuals who have levels of training and education required to administer and interpret test results. To do this, psychological tests and measures have been informally classified within the industry by their degree of technical complexity and clinical sensitivity. This practice has resulted in commercial suppliers limiting the sale of complex or sensitive instruments, *such as intellectual and neuropsychological measures*, to specific professional designations, usually a licensed psychologist with additional and specialized training in psychological test administration and interpretation.

The voluntary self-regulation by test publishers, limiting access and use of specialized diagnostic tools to those who are appropriately trained, has provided a modest, albeit inconsistent degree of public protection from the risks of harm that may arise from misuse by unqualified users. However, there now appears to be a concerning trend in Canada where psychological tests and diagnostic tools are being accessed by widespread circulation to unqualified users. Across Canada, there are complaints of under-qualified practitioners using psychological tests and instruments for the diagnosis and treatment of a wide range of clinical conditions, including head injuries, stroke, intellectual disability, and autism to name but a few.

The risks associated with unregulated access to psychological tests and improper test use by unqualified practitioners are real, significant, and not infrequent. For example, in a British Columbia case where an unqualified health provider obtained access to neuropsychological tests, the test results were misinterpreted as a brain injury resulting in inappropriate and costly recommendations. In another instance, special needs children were excluded from much required treatment because a health administrator who obtained psychological tests of development, improperly used the instrument and test scores to assign care. Tests of intelligence and other diagnostic tools are also routinely used by

PSYCHOLOGICAL TEST USE

unregulated professionals in Newfoundland and Labrador, risking misdiagnosis and harm to children and families when inaccurate test results prevent access to special education and treatment. Finally, in Ontario, there have been multiple reports of unqualified providers improperly using psychological tests, resulting in harms ranging from loss of benefits in motor vehicle accident claims; misdiagnosis of learning disabilities, autism, and emotional disorders; and improper planning of medical treatment.

There is a well-developed regulatory system in Canada that approves medical devices and ensures that medical testing is done safely. Use of medical tests are limited to specially trained and qualified practitioners to reduce the risk of harm as a result of improper use, misinterpretation, and misdiagnosis. Yet, when it comes to psychological tools, an increasing number of untrained providers are obtaining complex tests of psychological and neuropsychological functioning and interpreting the results in the absence of any specialized knowledge or training.

The safe, valid, and reliable use of psychological tests requires a specialized body of complex knowledge. Expertise in the areas of psychometrics, advanced statistics, cognitive and behavioural sciences, learning and memory, personality, and psychopathology are essential for safe psychological test use. Neuropsychological tests regularly used to assess child development, motor vehicle accident injuries, learning disorders and so on, require sophisticated knowledge and training in neuroanatomy, behavioural neurology, and neuropathology. Knowledge and skill for the safe and effective use of psychological tests is an area of specialization, acquired through a dedicated training program and extensive supervised practice *over the course of years. In the case of neuropsychological practice, the amount hours of training in administration and interpretation is increased to reflect the complex interface between tests and brain and behaviour.*

The wide use of psychological tests in almost every sphere of human activity, and their significance in making critical decisions, creates the potential for grave consequences when misused by unqualified practitioners. Psychological testing is a critical tool in medical treatment decision making; determining access to health, social and educational services; stroke and brain injury rehabilitation planning; and eligibility for disability and motor vehicle insurance benefits. A major consequence of misuse of psychological tests is misdiagnosis, which will compromise health care, education and child development; can cause pain and suffering; and may lead to economic loss. The professional tasked with psychological testing must be qualified to fully understand the complex matrix that is a psychological measurement. The sensitivity of situations and the critical types of decisions that rely on psychological testing leaves no room for an unqualified user.

It is commonly accepted that health assessment and diagnosis is complex and requires safeguards. Psychological health assessment is no less complex, but safeguards around the access to test devices and their use has been slower to develop. The CPA supports the principle that there needs to be a process to establish safeguards for access and use of complex psychological tests. The CPA also holds the position that psychological tests should be restricted in their availability to purchasers who are licensed in their jurisdiction to practice the profession of psychology and hold the title of psychologist. Finally, the CPA is of the view that commercial suppliers and distributors of psychological tests ought to

PSYCHOLOGICAL TEST USE

be subject to regulations that control the sale and distribution to qualified users only. Federal and provincial legislative and regulatory bodies are asked to further examine this issue in order to assess additional mechanisms to ensure public health and safety.

Newfoundland and Labrador Psychology Board

P.O. Box 8275, Station A, St. John's, NL A1B 3N4

website: <http://www.nlpsychboard.ca>

January 25, 2021

Honourable Tom Osborne
Minister of Education
PO Box 8700
St. John's, NL A1B 4J6

Dear Minister Osborne:

We wish to express our concern regarding assessment practices that, we understand, are occurring within Newfoundland and Labrador.

The recent Position Paper (attached) from the Canadian Psychological Association (CPA) has outlined some grave concerns with the use of specialized psychological tests by individuals who are unqualified to do so. The Psychologists Act (2005) mandates the Newfoundland and Labrador Psychology Board to ensure protection of the public, so it is incumbent upon us to express serious concerns and reservations if we are aware – in this instance – that insufficiently trained individuals are utilizing these specialized psychological tests and making potentially life altering decisions based on incomplete or inaccurate training.

We understand that historically, in the Province of Newfoundland and Labrador, allowance for the use of tests by individuals who may not meet the current criteria for Qualification Level C, defined at <https://www.pearsonclinical.ca/en/ordering/qualification-levels.html> has been granted by some test publishers. While the Board can appreciate that this may have been acceptable and maybe even necessary at the time, diagnostic testing has become much more sophisticated and complex, making it crucial that those who are carrying out assessments in 2021 have a level of training and knowledge which allows them to make informed, meaningful decisions which are in the best interest of, and for the benefit of, their clients. The training and knowledge required to perform a complete and thorough assessment on an individual in 2021 is far more extensive than it had been in the past. It is imperative that individuals who are conducting assessment and diagnoses be sufficiently trained to enable the provision of an appropriate, valid, and reliable assessment. Without this, assessment results may be inaccurate and/or incomplete, which may result in decisions and diagnoses which may have a profound impact on the future of the person being assessed.

In 2021, individuals who are trained in the interpretation of these results, and who make diagnoses based on this information, have often undergone up to 10 courses, including supervised practica and/or internships, in the areas of assessment and diagnosis. We understand that many of the individuals who are currently conducting diagnostic assessments may have received, many years ago, as few as two courses in their graduate training. As well, they have often received only minimal supervision in this area in their practica/internships.

As is pointed out in the position paper, current training in diagnostic testing requires a specialized body of complex knowledge and expertise. Advanced graduate training in the areas of psychometrics, advanced statistics, cognitive and behavioural sciences, learning and memory, personality and psychopathology are essential for safe use of diagnostic tests in the 21st century.

It should also be pointed out that a serious consequence of psychological testing by insufficiently trained individuals may be misdiagnosis which has the potential to compromise an individual's future in several areas including health care, education and development and may, indeed, result in a future of pain and anxiety.

Unless the professional conducting the assessment is fully qualified to understand the complex matrix, which is psychological measurement, there is a very real danger that wrong decisions may be made which may impact them for their entire lifetime.

The Newfoundland and Labrador Psychology Board is very concerned about some current practices in assessment and diagnosis within the province. There are specific professional qualifications for individuals who are authorized to administer and interpret Level C tests. These criteria are outlined at <https://www.pearsonclinical.ca/en/ordering/qualification-levels.html>. We would ask that, in order to avoid potential harm to the public, you ensure that individuals within your agency, organization or department who are administering Level C tests indeed are qualified to do so.

Sincerely:



Charles Penwell

Chair, Newfoundland and Labrador Psychology Board

cc Hon. Dr. John Haggie, Minister of Health and Community Services
Hon. Gerry Byrne, Minister, Department of Immigration, Skills and Labour
Mr. Tony Stack, CEO/Director of Education, NLESD
Mr. Dean Ingram, President, NLTA
Mr. Gary Hunter, President, NLCPA
Dr. Karen Goodnough, Dean, Faculty of Education, Memorial University of Newfoundland
Dr. Janine Hubbard, President, APNL
Mr. David S. Diamond, President & CEO, Eastern Health Authority

Ms. Andrée Robichaud, President & CEO, Central Regional Health Authority
Ms. Michelle House, Interim CEO, Western Regional Health Authority
Ms. Heather Brown – President & CEO, Labrador-Grenfell Regional Health Authority
Ms. Jackie Lake Kavanagh, Child and Youth Advocate
Ms. Edie Dunphy, Executive Director, LDANL
Dr. Karen Cohen, Chief Executive Officer, Canadian Psychological Association

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Inappropriate Psychological Test Use: A Public Safety Concern

A Position Paper of the Canadian Psychological Association

Prepared by the CPA's Professional Affairs Committee

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Approved by the CPA's Board of Directors (May 2019)

Inappropriate Psychological Test Use: A Public Safety Concern

The assessment, diagnosis, and treatment of physical and mental health disorders are regulated health services under the authority of provincial and federal bodies. In recent years, there has been growing concern that the safe use of specialized psychological tests and measures *in clinical practice* has become compromised by their increased availability to unqualified users in an unregulated marketplace. The Canadian Psychological Association (CPA) is deeply concerned that the availability and use of diagnostic tests by unqualified individuals puts public safety at risk.

Clinical instruments to assess and diagnose psychological conditions and health disorders with psychological components are generally proprietary and are distributed and sold by commercial firms. While there are strict regulatory controls governing the distribution, sale, and use of medical devices to protect public safety, there is currently no federal or provincial regulatory oversight of the psychological test market.

Historically, the psychological test industry has relied on self-regulation by commercial firms in developing, distributing, and selling clinical instruments. Most commercial suppliers have self-limited sales by using standards or policies that restrict the distribution and sale of psychological tests to individuals who have levels of training and education required to administer and interpret test results. To do this, psychological tests and measures have been informally classified within the industry by their degree of technical complexity and clinical sensitivity. This practice has resulted in commercial suppliers limiting the sale of complex or sensitive instruments, *such as intellectual and neuropsychological measures*, to specific professional designations, usually a licensed psychologist with additional and specialized training in psychological test administration and interpretation.

The voluntary self-regulation by test publishers, limiting access and use of specialized diagnostic tools to those who are appropriately trained, has provided a modest, albeit inconsistent degree of public protection from the risks of harm that may arise from misuse by unqualified users. However, there now appears to be a concerning trend in Canada where psychological tests and diagnostic tools are being accessed by widespread circulation to unqualified users. Across Canada, there are complaints of under-qualified practitioners using psychological tests and instruments for the diagnosis and treatment of a wide range of clinical conditions, including head injuries, stroke, intellectual disability, and autism to name but a few.

The risks associated with unregulated access to psychological tests and improper test use by unqualified practitioners are real, significant, and not infrequent. For example, in a British Columbia case where an unqualified health provider obtained access to neuropsychological tests, the test results were misinterpreted as a brain injury resulting in inappropriate and costly recommendations. In another instance, special needs children were excluded from much required treatment because a health administrator who obtained psychological tests of development, improperly used the instrument and test scores to assign care. Tests of intelligence and other diagnostic tools are also routinely used by

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unregulated professionals in Newfoundland and Labrador, risking misdiagnosis and harm to children and families when inaccurate test results prevent access to special education and treatment. Finally, in Ontario, there have been multiple reports of unqualified providers improperly using psychological tests, resulting in harms ranging from loss of benefits in motor vehicle accident claims; misdiagnosis of learning disabilities, autism, and emotional disorders; and improper planning of medical treatment.

There is a well-developed regulatory system in Canada that approves medical devices and ensures that medical testing is done safely. Use of medical tests are limited to specially trained and qualified practitioners to reduce the risk of harm as a result of improper use, misinterpretation, and misdiagnosis. Yet, when it comes to psychological tools, an increasing number of untrained providers are obtaining complex tests of psychological and neuropsychological functioning and interpreting the results in the absence of any specialized knowledge or training.

The safe, valid, and reliable use of psychological tests requires a specialized body of complex knowledge. Expertise in the areas of psychometrics, advanced statistics, cognitive and behavioural sciences, learning and memory, personality, and psychopathology are essential for safe psychological test use. Neuropsychological tests regularly used to assess child development, motor vehicle accident injuries, learning disorders and so on, require sophisticated knowledge and training in neuroanatomy, behavioural neurology, and neuropathology. Knowledge and skill for the safe and effective use of psychological tests is an area of specialization, acquired through a dedicated training program and extensive supervised practice *over the course of years. In the case of neuropsychological practice, the amount hours of training in administration and interpretation is increased to reflect the complex interface between tests and brain and behaviour.*

The wide use of psychological tests in almost every sphere of human activity, and their significance in making critical decisions, creates the potential for grave consequences when misused by unqualified practitioners. Psychological testing is a critical tool in medical treatment decision making; determining access to health, social and educational services; stroke and brain injury rehabilitation planning; and eligibility for disability and motor vehicle insurance benefits. A major consequence of misuse of psychological tests is misdiagnosis, which will compromise health care, education and child development; can cause pain and suffering; and may lead to economic loss. The professional tasked with psychological testing must be qualified to fully understand the complex matrix that is a psychological measurement. The sensitivity of situations and the critical types of decisions that rely on psychological testing leaves no room for an unqualified user.

It is commonly accepted that health assessment and diagnosis is complex and requires safeguards. Psychological health assessment is no less complex, but safeguards around the access to test devices and their use has been slower to develop. The CPA supports the principle that there needs to be a process to establish safeguards for access and use of complex psychological tests. The CPA also holds the position that psychological tests should be restricted in their availability to purchasers who are licensed in their jurisdiction to practice the profession of psychology and hold the title of psychologist. Finally, the CPA is of the view that commercial suppliers and distributors of psychological tests ought to

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be subject to regulations that control the sale and distribution to qualified users only. Federal and provincial legislative and regulatory bodies are asked to further examine this issue in order to assess additional mechanisms to ensure public health and safety.