

Re: CONCERNS REGARDING BILL 35 AMENDMENTS TO THE EDUCATION ACT

To Whom it May Concern,

The New Brunswick Association of School Psychologists (NBASP) is a fraternal organization of psychologists and residents in psychology working, or who have formerly worked, in both Anglophone and Francophone school districts in New Brunswick. The NBASP is writing to express our concern regarding Bill 35, as it relates to psycho-educational assessments. The specific sections of concern include:

- *11.1(1) A teacher who holds a master's degree approved by the Minister and completes the training approved by the Minister may administer a test prescribed by regulation, score the test and interpret and apply the results of the test, for the purpose of developing a personalized learning plan for a pupil.*
- *11.1(2) This section and the regulations made under paragraph 57(1)(o.1) shall supersede all other provisions in the Psychologists Act and any regulation made under that Act*
- *25.1 For the purposes of section 11.1 of the Act, the test that may be administered is the Wechsler Intelligence Scale for Children (WISC)*

These amendments imply that teachers will administer the WISC-V, a cognitive test, to students in order to support the development of personalized learning plans (PLPs). There are many academic and curriculum-based assessments that are appropriate for use by qualified teachers to identify areas of academic concern, guide interventions, and monitor progress. The WISC-V, and any other measures of cognitive ability, are **not among them**.

The intention to have teachers administer and interpret intelligence tests is misguided, unethical, and grossly underestimates the level of training and expertise required to complete psycho-educational assessments. Psychologists develop the clinical judgment necessary to interpret assessment results and conduct differential diagnosis through at least nine years of post-secondary training, internships, and supervised practice before becoming licensed. No level of "training approved by the Minister", short of a graduate degree in psychology and licensure as a psychologist, will prepare teachers for the interpretation of psychological test results. Not only is this an unreasonable burden to place upon our teachers, but use of measures like the WISC-V by unqualified individuals poses significant risk to students, as decisions regarding their future are likely to be made with incorrect, partial, or misinterpreted information.

Furthermore, results from a cognitive test are not intended to be used in isolation, and any scores obtained are not meaningful until they are considered in context with a multitude of other factors. A standardized test such as the WISC-V is just one instrument that psychologists use to collect data as they undertake a comprehensive psycho-educational assessment. This process also includes the thorough collection of background information, interviews with the child, parents, and teachers, observations and behavioural rating scales, a review of work samples, and a specialized battery of assessment measures chosen by the psychologist for

that particular child. All results are interpreted within the context of the child's development, life experiences, and current environment to determine appropriate diagnoses and recommendations. The ability to interpret these assessments requires advanced training in statistics and psychometrics, ethics, child development, cognitive and learning processes, behaviour, and psychopathology.

In summary, there is no need for teachers to administer the WISC-V. Allowing them to do so poses very real risks to teachers (i.e. liability), and to students impacted by misinterpreted results. Having teachers administer psychological tests is not an acceptable solution to address the dearth of psychological services available to students, which has ultimately been created by an inability to recruit and retain psychologists in NB schools. Throughout the years, the NBASP has proposed a number of potential solutions to address these issues. A selection of these proposed solutions is presented below.

Potential Solutions - Short Term

Short term solutions are those that could immediately, or within a span of a few years, have an impact on psychological services delivered to students in NB.

Collaborative Problem-Solving with School Psychologists. Re-establish the School Psychology Steering Committee to open lines of communication between the Department of EECD and school psychologists across the province.

Review the role of school psychologists within the ISD model. School psychologists fill diverse roles on the Child and Youth teams, and many are the only psychologists supporting their teams, due to a general lack of psychologists in the public sector. Psycho-educational assessments are a small, yet important, part of the work they do. Ongoing review of roles that includes consultation with school psychologists can help ensure psycho-educational assessments are prioritized when needed, while also respecting their diverse skill sets and abilities to meet a variety of behavioural, social, emotional, and academic needs of children and youth in our schools.

Explore partnerships with Universities (e.g. UNB, UdeM). Graduate students and interns are often required to complete a number of psycho-educational assessments during their training. Partnerships with universities could help address assessment waitlists, and may also help with the recruitment of new psychologists to the public sector. It must be noted that the recruitment of students and interns will require psychologists who are able to supervise them, which can be a challenge when our numbers are so low.

Increase training and intervention resources for teachers. Training and resources for conducting evidence-based academic interventions in our schools must be a priority. Many times, upon completion of a psycho-educational assessment and delivery of the results and recommendations, a psychologist is met with the reality that school staff are not trained, resourced, or allotted the time necessary to engage students in evidence-based interventions needed to remediate or accommodate academic difficulties.

Focus on prevention and early intervention. A focus on prevention and early intervention through evidence-based approaches for teaching reading and other academic skills must also be a priority. Within a Response to Intervention (RTI) framework, a strong Tier 1 foundation can reduce the number of students who require more intensive assessment and intervention services.

Consider short-term private contracts. In cases where waitlists are unreasonably long and the school psychology capacity does not exist within a district or specific area of the province, consider engaging private psychologists to conduct psycho-educational assessments. This must be considered a short-term “band-aid” solution, and must be done collaboratively with school psychologists to ensure the appropriateness of cases referred for private assessment, as well as to ensure school teams are supported in interpreting and implementing assessment results and recommendations. A set of minimum standards for the private assessment reports would help to ensure results are useful to school teams.

Potential Solutions - Long Term

Addressing the long-term need for increased psycho-educational assessment capacity can only be done through the **recruitment and retention of psychologists**. The NBASP understands that recruitment and retention challenges are longstanding, and there are no simple solutions for increasing the number of psychologists in the public sector in NB.

However, over the years NBASP members have identified a host of possibilities to address recruitment and retention issues, both through their own experiences in the system, and research into models used in other provinces and jurisdictions. These include increasing the appeal of school psychology positions, through strategies like:

- Competitive salaries comparable to what school psychologists earn across Canada.
- The opportunity to work on a teachers’ calendar year, similar to other jurisdictions.
- Ongoing professional development opportunities (with dedicated funding/allowances)
- Improved working conditions, including access to materials and office space.
- Creating incentives for psychology students.
- Greater respect for, and understanding of, the profession of school psychology.

Recruitment and retention issues are complex and intricately linked to the amount and quality of psychological services available to our students most in need. Attempting to shift the role of a psychologist onto teachers is not an appropriate solution to recruitment and retention issues, and, in fact, undermines any efforts to build a school psychology workforce by disrespecting the profession and devaluing the expertise and extensive training undertaken by school psychologists to provide quality services in our schools.

In closing, Bill 35 demonstrates a fundamental lack of understanding of what it means to provide psychological services to children and youth. The proposed changes are unethical, and they carry a significant risk of long-term harm to students who are vulnerable and most in need of support. The NBASP stands in strong opposition of Bill 35. Instead, we urge the government to work collaboratively with school psychologists and other stakeholders to identify more appropriate solutions to increase access to psycho-educational services and, ultimately, address the shortage of psychologists in our school system.

Sincerely,

The Membership of the New Brunswick Association of School Psychologists (NBASP)