



Considerations for Using Third-Party Providers for School Psychological Service Provision

The specialty of school psychology has been recognized as having a critical shortage of qualified practitioners nationally. This has led professional associations, university training programs, and school districts to seek solutions to manage limited resources efficiently while ensuring that students, families, teachers, and other school personnel receive the comprehensive services that school psychologists can provide. The National Association of School Psychologists (NASP) recommends one school psychologist for every 500 students. As documented below, Florida far exceeds this recommendation and has been identified as one of the states with the most significant shortages.

Table 1
School Psychologist to Student Ratio

NASP Recommended Ratio	National Average Ratio	Florida Average Ratio
1:500	1:1,119	1:2,060

Note: Adapted from NASP Data Dashboard and Florida Department of Education Staff Statistics

An external measure that has evolved to help school districts address shortages of school psychologists is third-party companies who contract with districts to provide services of school psychologists and, sometimes, speech/language pathologists, occupational therapists, and other allied professionals. These companies seek to fill an important void in school districts that do not have adequate staff to provide evaluations and related services in order to meet Child Find obligations under the Individuals with Disabilities Education Improvement Act (IDEIA, 2004).

It is critical that school district leaders, individual school psychologists, and third-party service providers recognize the laws, rules, and regulations governing the provision of school psychological services before entering into a contractual agreement and/or attempting to provide such services. With specific regard to the practice of school psychology in Florida, school psychologists *must* be licensed by the Florida Department of Health in order to be contracted by a third-party service provider in the state. Professionals who hold certification as a school psychologist from the Florida Department of Education but are not licensed through the Florida Department of Health are *not eligible* to be hired through a third-party to provide services to school districts or others and can only provide school psychological services as a direct employee of a school district or private school. Specifically, the Psychology Practice Act Exemptions, Florida Statutes Chapter 490.014, 2(d) states: “No person shall be required to be licensed or provisionally licensed under this chapter who...is certified in school psychology by the Department of Education and is performing psychological services as an employee of a public or private educational institution. Such exemption shall not be construed to authorize any unlicensed practice which is not performed as a district employee of an educational institution.”

A related issue is that of the virtual provision of remote school psychological services, or telehealth. While largely propelled by the need of school districts to evaluate students suspected of a disability during COVID-19 school closures, this practice has continued as a popular service delivery model by third-party service providers. Those who provide remote school psychological services must also hold Florida Department of Health licensure. The Florida Department of Health has included a license verification field for this purpose for those residing outside of Florida, titled “School Psychologist Out of State Telehealth.” As of July 1, 2024, only two school psychologists held Florida licensure under this verification field. Note that this licensure requirement must be met whether providing remote assessments as an independent practitioner or through a third-party provider.

In addition to the critical licensing components, it is also important to determine whether the instruments being used for remote evaluations have been standardized for remote assessments. As of July 2024, very few instruments have been standardized for remote assessments. Evaluators and those making educational decisions with the data should seek reliability and validity studies by those well-trained in evaluating the psychometric properties of assessment instruments that provide a non-biased review. In addition, school psychologists providing psychological evaluations remotely should receive formal professional development related to variables impacting virtual assessments before administering assessments remotely. Consideration should be given as to whether the remote assessment is appropriate for the student or other person being evaluated based on both their unique characteristics and external factors, such as privacy of the evaluation, the reliability of technology used, and internet speed and consistency. Further guidance regarding the remote practice of school psychological services is included in the embedded article in the references of this document, titled “Remote Assessment: Origins, Benefits, and Concerns” (Mulligan & Ayoub, 2023). Of further importance, the legal foundation that addresses school districts’ responsibilities for evaluation procedures that are valid, reliable, and not discriminatory on a racial or cultural basis is codified in Florida Administrative Code 6A-6.0331: General Education Intervention Procedures, Evaluation, Determination of Eligibility, Reevaluation and the Provision of Exceptional Student Education Services.

While the Florida legislature addressed telehealth in 2023 in Florida Statute 1006.041 Mental Health Assistance Program, this bill is specific to services contracted by “*local community behavioral health providers or providers of Community Action Team services to provide a behavioral health staff presence and services at district schools.*” It is noteworthy that this statute also specifies that school district mental health plans *must* include a plan for the direct employment of school-based mental health providers to expand and to enhance school-based student services and to reduce the ratio of students to staff in order to align more closely with nationally recommended ratio models. The providers listed include school psychologists who are direct employees of school districts. The statute does not include school psychologists who are indirect employees and are contracted through third-party services providers.

While there are benefits to remote assessments and contracting with third-party service providers in instances when an in-person evaluation is not possible and/or when districts need additional personnel, there are consequences that can be detrimental to both districts and students. Studies have indicated that students who lack access to appropriate internet speed or who have internal

factors such as attentional issues or certain suspected disabilities may be at a disadvantage when engaging in remote assessments. These factors can make the high stakes educational decisions that follow a psychoeducational evaluation potentially problematic and inequitable. There are also potential and serious ramifications to school districts which utilize the services of school psychologists who are not direct hires and who do not hold Florida licensure as school psychologists. These ramifications can include not being able to utilize assessment results for exceptional student education (ESE) eligibility and potential fines through Medicaid for services provided by personnel not appropriately credentialed. Regardless of the cause or consequence, the potential harmful effects on students should remain in the forefront when determining who will conduct necessary assessments and the format in which they will be conducted.

Considerations for school psychologists:

- Licensure through the Florida Department of Health is required when providing school psychological services independently or through a third-party service provider.
- When engaged in service provision via telehealth, ensure that:
 - all assessment instruments being used have been determined to be psychometrically valid for remote assessment,
 - cultural and linguistic factors have been considered and that instruments used have been validated for virtual use with multicultural populations,
 - the student is a good candidate for a remote evaluation,
 - privacy considerations have been appropriately addressed, and
 - test security is ensured.
- Avoid situations that may be ethically compromising, such as those that can occur when engaging as a dual practitioner or as a provider of Independent Educational Evaluations (IEEs). Adhere to the NASP Standards of Practice for the profession.
- Access training that is specific for school psychologists providing telehealth services prior to engaging in the practice and ensure that the individual assisting the student during the remote assessment is also properly trained.
- Note that it is the school psychologist's responsibility to hold and to maintain appropriate liability insurance when practicing independently or for a third-party service provider.

Considerations for district leadership:

- Avoid situations that can be legally and/or ethically compromising, such as those which can occur when contracting with agencies and their employees who do not hold appropriate credentials to provide school psychological services as third-party employees. To avoid such violations, adhere to the Principles of Professional Conduct for the Education Profession in Florida and, for school psychologists, also adhere to the Principles of Professional Conduct as set forth by NASP.
- Monitor state and federal statutes, rules, and regulations and seek guidance regarding the legislative and regulatory intent to ensure that your district remains practicing in a legally and ethically defensible manner.
- Ensure that the adult who may be assisting the student at school during a remote assessment (e.g., a paraprofessional) is professionally trained to do so and follows all legal and ethical requirements.

- District leaders are encouraged to problem-solve barriers to the recruitment and retention of school psychologists in their district with those who are qualified and able to implement solutions (e.g., school psychology supervisors, exceptional student education (ESE) and student services administrators, superintendents, human resources personnel, and school board members). These barriers are reportedly often due to lack of appropriate compensation.
- Prioritize the compensation of direct hire of school psychologists and ensure that competitive packages are offered. Note that funding through the Mental Health Assistance Plan, in part, is to improve the ratio of school psychologists to students to align more closely with the NASP recommended ratio of one school psychologist to every 500 students.
- Supervisors of school psychological services are often tasked with determining whether the data within third party psychological reports can be used for high-stakes educational decisions, such as ESE eligibility. This determination is largely based on whether the evaluator holds appropriate credentials in Florida for the assessment results to be considered. It is imperative that the reviewer determine that the school psychologist (or psychologist) who conducted the evaluation is appropriately licensed under the Florida Department of Health. A link to this site is included in the references of this document for that purpose.
- Monitor the academic and behavioral health of your district through a data-based decision-making model, which should include analyzing the percentage of students who are identified as having disabilities compared to state and national rates. Prevention strategies and early intervention can result in better outcomes for students and schools. School psychologists who are direct hire employees of school districts are excellent resources in providing these comprehensive services.

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