February 10, 2017

Dear Applicant:

Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act (Our File #: EDU/004/2017)

On January 19, 2017, the Department of Education and Early Childhood Development received your request for access to the following records/information:

“I would like all correspondence between the Dept of Education and the Newfoundland and Labrador Psychology Board between Oct 1, 2015 - January 19, 2017.”

On January 26, 2017, your request was clarified to:

“I would like all correspondence between the Dept of Education and the Newfoundland and Labrador Psychology Board between Oct 1, 2015 - January 19, 2017 regarding guidance counsellors and their training/qualifications to administer Assessments, as well as the Agreement with Pearson.

A decision has been made by the Deputy Minister for the Department of Education and Early Childhood Development (EECD) to provide access to the requested information. In accordance with your request for a copy of the records, the appropriate copies have been enclosed.

You may appeal this decision and ask the Information and Privacy Commissioner to review the decision to provide partial access to the requested information, as set out in section 42 of the Act. A request to the Commissioner must be made in writing within 15 business days of the date of this letter or within a longer period that may be allowed by the Commissioner. Your appeal should identify your concerns with the request and why you are submitting the appeal.

The appeal may be addressed to the Information and Privacy Commissioner is as follows:

Office of the Information and Privacy Commissioner
2 Canada Drive
P. O. Box 13004, Stn. A
St. John’s, NL A1B 3V8
Telephone: (709) 729-6309
Toll-Free: 1-877-729-6309
Facsimile: (709) 729-6500

You may also appeal directly to the Supreme Court Trial Division within 15 business days after you receive the decision of the public body, pursuant to section 52 of the Act.

Please be advised that responsive records will be published following a 72 hour period after the response is sent electronically to you or five business days in the case where records are mailed to you. It is the goal to have the responsive records posted to the Completed Access to Information Requests website within one business day following the applicable period of time. Please note that requests for personal information will not be posted online.
If you have any further questions, please feel free to contact the undersigned by telephone at 709-729-1841 or by e-mail at brianevans@gov.nl.ca.

Sincerely,

Brian Evans, CIPP/C
Director of Information Management & Special Projects
ATIPP Coordinator

Attachment
At the last Board meeting, I was asked to forward this letter to you.

**John Harnett, R. Psych.**  
*Registrar*

Newfoundland and Labrador Psychology Board  
13 – 15 Pippy Place, Suite 303  
P.O. Box 8275, Station A  
St. John’s, NL  
A1B 3N4

This e-mail communication and accompanying documents is intended only for the individual or entity to which it is addressed and may contain information that is confidential, privileged or exempt from disclosure under applicable law. Any use of this information by individuals or entities other than the intended recipient is strictly prohibited. If you have received this in error, please notify the sender and delete all the copies (electronic or otherwise) immediately.
December 17, 2015

Ms. J. Nightingale
Director Sales and Marketing
Pearson Canada Assessment
55 Horner Avenue
Toronto ON M8Z 4X6

Dear Ms. Nightingale,

I am writing on behalf the Newfoundland and Labrador Psychology Board (NLPB), the regulatory body for registered psychologists in Newfoundland and Labrador. This letter is to clarify the NLPB’s position on a prior agreement between Pearson Assessment Canada, the Department of Education of the Government of Newfoundland and Labrador, Memorial University and the Newfoundland and Labrador Psychology Board.

We have been made privy to a letter written by yourself dated October 28, 2015 to Ms. Bernie Ottenheimer, Director of Student Support Services, NL Department of Education and Early Childhood Development. This correspondence refers to an agreement between Pearson Assessment Canada., the Department of Education of the Province of Newfoundland and Labrador, Memorial University of Newfoundland and our Board regarding the use of Level C assessment instruments by school guidance counsellors.

While the NLPB does not doubt the existence of such an agreement many years ago, we were unable to locate any correspondence or written statements referencing the agreement in our files. We believe the agreement was made verbally and in good faith. Our Board is of the opinion this agreement was made to provide a solution specific to the assessment needs of Newfoundland and Labrador at the time.

Since the original agreement, provincial legislation governing the regulation of psychologists in Newfoundland and Labrador defines who may use the title “Psychologist”’. Only individuals who meet the criteria for registration are permitted to use the title in Newfoundland and Labrador. Thus, the NLPB does not view school guidance counselors acting as “school psychologists” nor do we view the formal training and qualifications of guidance counsellors as equivalent to the formal training of registered psychologists. Consequently, the NLPB is withdrawing its participation in this prior agreement.
I trust this clarifies the NLPB’s current position. If you require further clarification, please do not hesitate to contact the undersigned or the NLPB Registrar, Mr. John Harnett at (709) 579-6313.

Sincerely,

Heather Paul, R. Psych.
Chair, Newfoundland and Labrador Psychology Board

cc Ms. Bernie Ottenheimer, Director of Student Support Services, NL Department of Education and Early Childhood Development

Dr. R. Joy, Interim Associate Dean of Graduate Programs and Research, Faculty of Education
Memorial University