

**TESTIMONY ON 19-H 5228,
AN ACT RELATING TO PSYCHOLOGISTS
February 5, 2019**

H 5228 provides for the licensing of school psychologists. While the ACLU has no position on the merits of creating this new licensing designation, we do wish to raise a concern about the qualifications established for obtaining this license. Like the statute in place for the licensing of psychologists generally, H 5228 would require school psychologist applicants to submit “written evidence” that they are of “good moral character.”

No other detail is provided in the bill regarding what that evidence would consist of. However, we assume that a major form of this evidence would be an examination of the applicant’s past criminal record. The ACLU, along with a number of other advocacy groups, is concerned about the barriers that broad-based criminal record check requirements can have on a person’s ability to obtain an occupational license in Rhode Island.

It is our position that any use of such information should be focused and limited to only those past criminal offenses that have a direct and relevant impact on the license being sought. All too often, though, a person’s past criminal record – even if in the distant past and not related to the occupation for which the license is sought – ends up disqualifying them. Nothing in this bill would prevent that scenario from happening.

Rather than perpetuate this pattern of discrimination against ex-offenders, we urge this Committee to begin examining these licensing bills with a fresh eye, and to impose in them specific and strict limitations on the use of old and often irrelevant criminal records that inappropriately prevent a person from entering an employment field for which he or she may eminently qualified.

Thank you for considering our views.