

STATE OF OREGON
BOARD OF LICENSED PROFESSIONAL COUNSELORS AND THERAPISTS

In the Matter of the Application FINAL ORDER AFTER RECONSIDERATION
for Licensure by REFUSAL TO ISSUE LICENSE

Lisa R. Anderson
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Eugene, OR 97401

After notice and hearing before a majority of the Board on August 25, 1995, and reconsideration of its final order by a majority of the Board on August 23, 1996, regarding the proposed refusal to issue a license as a professional counselor to Lisa R. Anderson (Applicant), the Board makes the following disposition:

FINDINGS OF FACT

(1) Lisa R. Anderson made application for licensure as a professional counselor on August 23, 1994.

(2) Applicant received a master of arts degree in counseling psychology from Antioch University, School for Adult and Experiential Learning, May 31, 1991.

(3) The degree program was a non-residential or external degree program, designed for student self-direct learning, focusing on an integration of theory with experience outside of the traditional classroom, working in their community. It is not a residential program. The school uses the term "limited residency" because it requires the student to be on campus for nine days. The degree program delegates to the student the responsibility for managing the student's own education.

(4) Standards for accreditation of graduate degree programs by the Council on Accreditation of Counselor and Related Educational Programs (CACREP) exclude external degree programs or programs that are not designed and structured for students by faculty. CACREP accreditation is for programs for which the graduate program takes responsibility for content and structure of the program.

(5) Antioch cautioned potential enrollees that the program might not meet state licensing standards.

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(6) The school does not select or evaluate a student's review committee or faculty. The student is given general guidelines as to the type of professional to select. Those selected are called "adjunct faculty," but are not employed by the school. The education level of faculty, master's vs. doctoral, is at the discretion of the student.

(7) The school does not identify the goal of the individual program or evaluate the program in terms of success or failure. Nor does the school set the standards for the programs, but allows the student to set standards based on local standards -- such as those for state licensure.

(8) The school did not operate a clinic or provide clinical sites for experiential training within the program. The student had to find a site for experiential training, but the sites were not operated by or supervised by the school.

(9) The Antioch school did not have or provide basic resource facilities for faculty and students in the independent learning program. The "adjunct faculty" was arranged for by the student and student sought basic resources elsewhere, in her community.

(10) The Antioch program was an "individualized master of arts degree (IMA)." There was no counseling program. The school did not provide training in any specific occupational field. The student designed the training, including the degree plan, the schedule, and the academic budget. The IMA degree program was established to accommodate "a variety of liberal arts fields," including "applied psychology fields," but not specifically counseling.

(11) Antioch's individualized program did not maintain a file on all courses offered, and it did not offer any specific courses.

(12) Antioch IMA program did not provide a director of counseling instruction. It provided administrative direction through a faculty advisor. A faculty advisor was assigned to all unspecified "individualized" learning students.

(13) Antioch IMA program did not provide or otherwise assign any faculty, beyond the advisor, to counseling or to any specialization within the "individualized" program.

(14) The Antioch IMA program did not require specific courses in areas of study, but identified learning components that should be covered "whenever possible" for IMA students in the applied psychology fields.. The student identified course areas and content, and located

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classes to be taken or created a syllabus for a reading and conference class.

(15) Neither the school, Antioch faculty nor the IMA program selected or approved a clinical experience site via agreement, or provided any direct supervision or periodic review of the site.

(16) The Antioch IMA program did not provide a clearly identified counselor education program, operated no clinic or placement sites, maintained no course files, offered no required courses or non-required courses, had no counseling program director, had no counseling faculty, provided no staff or faculty supervision for a practicum or internship, and had no graduates with the "same" degree program to provide feedback on the program. There was no counselor education program to evaluate because each course of study was individually designed by each student.

(17) The IMA program provided a faculty advisor, but the record does not show that the school required the advisor to be one qualified in the area of counseling. The record does not show the advisor's background.

(18) Applicant practiced as a counselor while enrolled in the degree program and documented work experience at the Eugene Family Institute and Children's Services Division.

(19) As part of the degree program, Applicant completed three clinical placements: Field Placement I during Autumn 1989, Field Placement 2 during Winter 1990, and Field Placement 3 during Spring 1990.

(20) Applicant completed 400 hours of supervised work experience at the Eugene Family Institute from September 1989 through June 1990.

(21) Applicant's 400 hours of supervised work experience at the Eugene Family Institute were completed as part of the degree program.

(22) The school records no Field Placements in 1988 or in 1991. Sandra Cheldelin indicates placement at Children's Services Division was not recorded as a practicum.

(23) Work experience at Children's Services was not part of degree program.

(24) Applicant received degree May 31, 1991.

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(25) Applicant completed 1,830 hours of post-degree work experience which count toward licensure: 1,200 hours of work experience, supervised by Cori Taggart, and 500 hours of work experience, supervised by Dr. Noparstak, and 120 hours of work experience supervised by McGee.

(26) Applicant received only 10 hours of individual supervision by Cuba O'Neill for 640 hours of work experience. The 640 hours of work experience supervised by Cuba O'Neill do not meet the standards for supervision and do not count toward licensure.

(27) Applicant has not documented 2,400 client contact hours of pre- and post-degree supervised work experience meeting the standards for licensure.

(28) Applicant passed the National Counselor examination April 13, 1991.

ULTIMATE FINDINGS OF FACT

(1) Lisa R. Anderson did not complete a counselor education program meeting the degree standards, therefore, does not hold a degree meeting the licensing standards.

(2) Lisa R. Anderson has not documented 2,400 client contact hours of supervised work experience meeting the licensing standards.

(3) Lisa R. Anderson has passed an examination that meets the criteria for licensure.

CONCLUSIONS OF LAW

(1) Lisa R. Anderson does not hold a graduate degree in counseling from a program approved by CACREP, or a graduate degree, under standards explicitly adopted in OAR 833-25-001 through OAR 833-25-005, that is determined to be comparable or meets a majority of the as required for licensure by ORS 675.715(2).

(2) Lisa R. Anderson has not completed three years or 2,400 supervised client contact hours meeting the standards adopted in OAR 833-20-050 required by ORS 675.715(3).

OPINION

Lisa R. Anderson completed a degree program in which the student took responsibility for the design and implementation of the program. The content and quality of the program depended upon the individual

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student's efforts and not upon the program itself. National standards and Oregon standards require the graduate program to be responsible for training the student, providing appropriate faculty, designing and requiring specific areas of studies, determining course content and, in some cases, course sequence.

The Applicant worked while completing the degree. The Board had to rely upon the transcript to identify which work experience was part of the degree program and which was employment not associated with or related to the degree program. The Board has consistently interpreted its rules to include only pre-degree hours which were part of a degree program as opposed to work experience that may have taken place separate from the degree program. Therefore, only the client contact hours obtained during the degree program from the practicum or internship may be applied to the total 2,400 client contact hours required for licensure.

Board's rules require that degree candidates receive a certain level of supervision for the hours to count toward the total minimum hours needed to receive a license. The Board has not permitted applicants to compare total numbers of client hours and total the numbers of supervision hours to show that supervision was adequate. Rather applicants must show that each supervisory experience met the requirements of the rules.

For example, Ms. Anderson asserts that she has enough total hours and enough total supervision hours. Accepting this argument would result in permitting an applicant to extend the supervision quantity and quality received at one job or during a separate time period to client hours at another job or from another time period. It is the opinion of the Board that this interpretation makes supervision meaningless, because if some of the experience hours received little if any individual supervision, they were not clearly supervised hours as needed for licensure. If the group of hours at one job, during a specific time period, or under one supervisor, did not meet the minimum standards, the Board excludes those hours.

It is the opinion of the Board that the Applicant did not document to its satisfaction that her degree program and work experience meet the standards for licensure, as follows:

(A) ORS 675.715(2)(c) requires the graduate degree to meet standards adopted by rule that show the degree to be comparable in content and quality to a degree program approved by CACREP. ORS 675.715(2)(d) requires the graduate degree to meet an acceptable level of the adopted standards as long as the applicant's training meets full

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standards. OAR 833-25-001 and 833-25-005 list the full standards and list just those standards that must be in place for the Board to determine that an acceptable level has been met. The Board noted that some of the publications describing the program described the program as it existed in 1993, after the Applicant's enrollment. The Board found that the Antioch University School of Adult and Experiential Learning's Individualized Master of Arts program did not meet all of the standards nor all those standards needed for an acceptable level.

(B) OAR 833-25-001(1)(a)(D) and 833-25-001(2)(a)(D) require that the degree must have been issued by a school that operated an on-site clinic or provided representative sites. The Antioch School of Adult and Experiential Learning did not operate a clinic or provide sites. The student had to find a site not operated by or supervised by the school in the student's own community.

(C) OAR 833-25-001(1)(a)(E) and 833-25-001(2)(a)(E) require that the degree must have been issued by a school that had basic resource facilities for faculty and students. Antioch did not have or provide basic resource facilities for faculty and students in the independent learning program. Except for an academic advisor, the only existing faculty, the "adjunct faculty" arranged for by the student, were not employees of the school; and were not recruited, selected, or monitored by the school. Therefore, the school did not provide staff, teaching or research assistants, training opportunities, subscriptions to publications, developmental opportunities, etc. The only resource provided the student was the faculty advisor. Traditional resources such as library facilities, research centers, computer access, lab settings were not made available to the students. The student had to seek resources elsewhere, in her community.

(D) OAR 833-25-001(1)(b)(A) and 833-25-001(2)(b)(A) require that the degree must be from a graduate degree program that provided training in counseling. The Antioch program was an "individualized master of arts degree (IMA)." There was no counseling program. Antioch did not provide training in any specific occupational field, the student designed the training: a degree plan, schedule, and academic budget. The IMA degree program was established to accommodate "a variety of liberal arts fields", including "applied psychology fields". The Board found no evidence to show that the IMA program offered a counseling education program, only that counseling and applied psychology were fields that lend themselves to the individualized field of study.

(E) OAR 833-25-001(1)(b)(D) and 833-25-001(2)(b)(D) require that the degree be from a program that maintained a file on all courses offered. Antioch's individualized program did not maintain a file on

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all courses offered, because it did not offer any courses. Students found courses at other universities or created their own syllabi for courses. The program cannot identify a series of courses offered at any given time to students in the program, because the course being taken are unique to each student.

(F) OAR 833-25-001(1)(b)(E) and 833-25-001(2)(b)(E) require that the degree be from a program that had a full-time faculty program director or coordinator at the doctoral level in counseling or related professional specialty. Antioch IMA program did not provide a director of counseling instruction because it did not provide a director in any specific occupational field. It provided administrative direction only for unspecified "individualized" learning. The Board did not consider the faculty advisor to be a program director or coordinator, because different students could be assigned different faculty advisors. And, the Board found no evidence to show the faculty advisor had to be or was a doctoral level mental health professional. Degree materials describing the program after 1993, state the degree committee chairperson should hold an appropriate practitioner-oriented doctoral degree; however, this person, selected by the student, is not an employee of the school, and has no control over direction of the program that issues degrees, only over the individual program that one student has designed. The Applicant did not provide specific information about her Committee Chair or even Members of her Committee. One member may have held a Ph.D., but Norma Cordell, who also signed a document as Chairperson, does not indicate that she held a doctoral degree.

(G) OAR 833-25-001(1)(b)(F) and 833-25-001(2)(b)(F) require that the degree be from a program with full-time assigned faculty at the doctoral level in counseling or at least one full-time faculty member at the master's level. Antioch IMA program did not provide or otherwise assign any faculty to counseling or to any specialization within the "individualized" program. The student provided her own faculty, none of whom were full-time at the school, but who were local practitioners or faculty teaching at other schools where courses were taken at the discretion of the student. The school approved resumes submitted by the student, but the record does not show that the school selected, rigorously screened, or monitored the abilities of faculty and appeared to rely heavily on the resumes without verifying the information. The Board cannot rely on the school for assurance that the faculty was qualified and performed adequately.

(H) OAR 833-25-001(1)(b)(G) and 833-25-001(2)(b)(G) require an approved faculty advisor. It appears there was a "school" advisor, but there was no proof that the school required the advisor to be one

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qualified in the area of counseling. Background on the advisor was not provided.

(I) OAR 833-25-001(1)(b)(K) and 833-25-001(2)(b)(K) require that the degree program require specific coursework as set forth in OAR 833-25-005. The Antioch IMA program did not require specific courses in areas of study, but identified learning components, that should be covered "whenever possible" for IMA students in the applied psychology fields. The student identifies course areas, content, and finds classes to be taken or creates a syllabus for a reading and conference class.

(J) OAR 833-25-001(1)(b)(M) and 833-25-001(2)(b)(M) require that the program provide or approve a practicum site that provided faculty monitoring of operations via agreement which detailed specific learning objectives. The program did not select or approve a site via agreement, nor was there any direct supervision or periodic review by the school's faculty. The school did not select the site, monitor operations, or evaluate operations. There was no evidence of periodic review. Selected by the student, there is little chance they will be used again. The Board finds that the school took no responsibility for the appropriateness of the clinical training site to offer adequate clinical experience.

(K) OAR 833-25-001(2)(b)(N) requires the program to have a mechanism for program evaluation. Because the Antioch IMA program did not have a counselor education program, operated no clinic or provided placement sites, maintained no course files, offered no required courses or even non-required courses, had no counseling program director, had no counseling faculty, and provided no staff or faculty supervision for a practicum or internship, and did not have graduates with the "same" degree to provide feedback or employers to comment on preparation, there was no counselor education program or consistent elements of a counselor education program to evaluate. Since each degree issued is from a unique program, having been designed by the student, the Board does not believe that an evaluation could be done in a meaningful way.

(L) ORS 675.715(3) requires three years of supervised experience or equivalent under a board approved supervisor in a board-approved setting. One year of the experience may be obtained prior to the granting of the master's degree.

(M) The Board interprets "prior to the granting of the master's degree" to indicate the experience is part of the degree program. Applicant practiced as a counselor during enrollment in the degree program. As part of the degree program, Applicant completed three clinical placements: Field Placement I during Autumn 1989, Field

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Placement 2 during Winter 1990, and Field Placement 3 during Spring 1990. The school records no Field Placements in 1989 or 1991. Ms. Anderson documented hours when she was working, but not all the dates coincide with the courses identified as "practicum" on the transcript. The time periods for work experience claimed as part of the degree program include 1988 and 1991 which do not match the dates for the transcript items identified as Field Placements. Applicant's transcript shows No Field Placement during 1988 or 1991 and Sandra Cheldelin indicates placement at Children's Services was not officially recorded as a practicum. There is no supporting documentation that the work experience claimed under the supervision of Noparsak, prior to her graduate in May 1991, was a clinical practicum portion of the degree program; therefore, because these were not part of the degree program they do not suffice.

(N) OAR 833-20-050 requires supervision at the rate of one hour for every 20 hours of direct client contact and at least one half of that ratio of supervision shall be one-to-one or individual supervision and must be occurring concurrently with the attainment of the client contact hours. The supervision, which the Board interprets to mean the situation where the Applicant was seeing clients while meeting the ratio and percentage for time spent with an approved supervisor (one who met training, experience, and credential standards). The Board noted that Debra McGee kept changing the numbers of client hours, the number of supervision hours, and the number of individual supervision hours. The Board found the most current information, based on actual billing records most persuasive. Based on this information, the Board recognized 120 hours of supervised experience. 120 hours at a ratio of 1:20 needs at least six hours of supervision, with 50 percent, or three hours, of individual and at least three hours of group. McGee listed three dates of individual supervision plus more than three hours of group supervision. Cuba O'Neill provided only 10 hours of individual supervision plus 35 hours of group supervision for the 640 client contact hours she supervised. At the ratio of 1:20, 640 hours requires at least 32 hours of supervision, with at least 50 percent, or 16 hours, of individual supervision. The Board did not find the level of supervision to meet the supervision standards and did not apply the 640 hours toward licensure. The Board identified a total of 2,230 hours toward licensure that meet standards for supervision, but not the 2,400 required.

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ORDER

IT IS ORDERED that Lisa R. Anderson's application for licensure as a professional counselor be refused and the file closed.

Dated this 26th day of August 1996

Oregon Board of Licensed Professional
Counselors and Therapists



Carol F. Fleming, Board Administrator

NOTICE: This order on reconsideration has been filed with the Oregon Court of Appeals. You are entitled to judicial review of this order. Judicial review may be made by filing an amended petition for judicial review with 60 days from the service of this order. ORS 183.482(6). Judicial review is pursuant to the provisions of ORS 183.482 to the Oregon Court of Appeals.