

**TEXAS PROFESSIONAL EDUCATIONAL DIAGNOSTICIANS
BOARD OF REGISTRY
STANDING RULES**

TABLE OF CONTENTS

- I. Purpose
 - II. Duties of the Board
 - III. Membership of the Board
 - IV. Transaction of Official Business
 - V. Financial Policy
 - VI. Seal
 - VII. Ethical Responsibility
 - VIII. Professional and Application Standards
 - IX. Application
 - X. Policy on Applicants with a Disability
 - XI. Impartiality
 - XII. Discrimination Policy
 - XIII. Examination Procedures
 - XIV. Certificate of Registration
 - XV. Types of Registration
 - XVI. Fees
 - XVII. Handbook/Directory
 - XVIII. Consumer Information
 - XIX. Decisions
 - XX. Complaints and Violations
 - XXI. Definitions
 - XXII. Amendments
- Appendix A
Appendix B

STANDING RULES

I. PURPOSE

These rules shall be to set out the organization's administrative and other general procedures and policies governing the operation of the Texas Professional Educational Diagnosticians Board of Registry.

II. DUTIES OF THE BOARD

The duties of the Board of Registry shall be to:

- A. Determine policies of the Board.
- B. Disseminate, review, approve or disapprove applications for registration.
- C. Act upon such official recommendations and petitions as may be received.
- D. Approve the annual budget.
- E. Assume and discharge such other duties and responsibilities as are or may be assigned through the Registry Bylaws and Standing Rules.
- F. Review and act upon the reports of the officers and committees as presented.

III. MEMBERSHIP OF THE BOARD

The Board of Registry shall consist of the members chosen as described in the Bylaws of the Texas Professional Educational Diagnosticians Board of Registry.

A. Officers

The officers shall be Chairperson, Vice-Chairperson, Secretary, Treasurer, Legislative, Credentials, Continuing Education, and Professional Visibility.

B. Elections

1. At the meeting held nearest to August 31 of each year, the Board shall, by a simple majority vote of those Board members present, elect the Officers of the Board and such chairs from its membership as the Board deems appropriate.
2. A simple majority vote of those Board members present at any regular meeting shall fill a vacancy which occurs in any of the offices for the duration of that term.

C. Term of Office

The Board Officers will serve a term of six years, being elected at the September meeting and taking office at the first meeting of the new term.

D. Duties

1. The **CHAIRPERSON** shall:

- (a) Serve as chief executive of the Board with the powers and duties usually belonging to the office.
- (b) Give professional leadership to the Board's planning and program.
- (c) Call and preside at meetings of the Board and of Registered Professional Educational Diagnosticians.
- (d) Serve as an Ex-Officio member of all committees.
- (e) Recommend to the Board the types of temporary committees and other appointive bodies needed.
- (f) Prepare an annual report to be distributed to all interested parties.
- (g) Serve as the official representative to other organizations.
- (h) Serve as official spokesperson for the Board.
- (i) Serve as liaison to other professional organizations as directed by the Board.
- (j) Advise the Registered Professional Educational Diagnosticians and the Executive Board of Texas Educational Diagnosticians' Association (hereafter known as TEDA) by November 1 of odd numbered years of the category(ies) of Board positions to be filled.

(k) Appoint Parliamentarian

- (l) Transfer all records to the new Chairperson within fifteen (15) days after expiration of term.

2. The **VICE-CHAIRPERSON** shall:

- (a) Serve in the place and authority of the Chairperson in his/her absence.
- (b) Assume responsibility for updating/distributing Procedural Manuals and Bylaws and Standing Rules. Bring Procedural Manual (including Bylaws and Standing Rules) to each Board meeting.
- (c) Assume responsibility for the Complaint Procedure.
- (d) Assume responsibility for Professional Visibility.
- (d) Transfer all records to the new Vice-Chairperson within fifteen (15) days after expiration of term.

3. The **SECRETARY** shall:

- (a) Keep a careful record of the proceedings of all official meetings.
- (b) Keep updated copies of Bylaws and Standing Rules.
- (c) Distribute copies of minutes to the Board within ninety (90) days after each meeting.
- (d) Assume custody of all records not specifically assigned to others.
- (e) Arrange and develop advertisements as directed by the Board.

- (f) Distribute, receive, and cause to be counted and reported all ballots to the Board and the Registered Professional Educational Diagnosticians.
 - (g) Notify any Board member who has been absent for two successive regularly scheduled Board meetings.
 - (h) Assume responsibility for necessary mailings to those deemed necessary by the Board.
 - (i) See that all information directed by the board is contained within the *Update* and that the *Update* is mailed in a timely manner following all meetings.
 - (j) Coordinate with Webmaster to see that all appropriate information is posted on the web page in a timely manner.
 - (k) Transfer all records to the new Secretary within fifteen (15) days after expiration of term.
4. The **TREASURER** shall:
- (a) Serve as custodian of the funds of the Board.
 - (b) Deposit funds received from the Administrative Assistant.
 - (c) Disburse funds according to policy stated in Section V.
 - (d) Maintain financial records necessary for preparation of all required reports.
 - (e) Prepare and submit financial statements to the Board and Auditor according to policy stated in Section V.
 - (f) Have responsibility for preparation of the annual budget according to policy stated in Section V in order that the budget may be presented to the February meeting of the Board.
 - (g) Have responsibility for preparation of all financial reports to outside agencies.
 - (h) Arrange on a yearly basis for a review of the treasurer's records by a CPA or other person independent of the Board. The report will be sent to the Chairperson with a copy to the Treasurer no later than June 30.
 - (i) Transfer all records to the new Treasurer within fifteen (15) days after the expiration of terms.
5. The duties and responsibilities of Legislative, Credentials, Continuing Education, and Professional Visibility are outlined in each officer's Procedural Manual.

IV. TRANSACTION OF OFFICIAL BUSINESS

A. **QUORUM** The Board may transact official business only when a legally constituted meeting (including electronic means of meeting and voting) with a quorum is present as described in Section 6 of the Bylaws.

B. STATEMENTS AND ACTIONS The Board shall not be bound in any way by any statement or action on the part of a Board or staff member except when a statement or action is in pursuance of the specific instructions of the Board.

C. RULES OF ORDER “Robert’s Rules of Order, Revised,” shall be the basis of parliamentary decisions except as otherwise provided by Board rules.

D. AGENDAS

1. The Chairperson shall prepare and submit to each member of the Board prior to each meeting, an agenda which includes items requested by Board members, items required by the Bylaws or Standing Rules, and other matters of Board business which have been approved for discussion by the Chairperson.

2. Additional items may be added to the agenda during the meeting either by common consent or majority vote of the Board.

E. DISPUTES In matters of dispute, formal votes by the Board in a legally constituted meeting shall be the final authority.

F. MINUTES

1. The minutes of any Board meeting are official only when affixed with the original signatures of the Chairperson and the Secretary or designee(s) as attested by written authorization by the Chairperson or Secretary respectively. This authorization will be affixed to the minutes by the Secretary.

2. Drafts of the minutes of each meeting shall be forwarded to each member of the Board for review and comments or correction prior to approval of the Board.

3. The official minutes of the Board shall be kept by the Secretary and shall be made available to Registered Professional Educational Diagnosticians upon written request and for a reasonable fee.

G. RECORDS

1. Retention of records – Paper records of the organization, other than financial records, shall be retained for a period of five years. Minutes of board meetings shall be scanned and retained electronically.

2. Destruction of records – Paper records of the organization, other than financial records, shall be destroyed (shredding, burning, etc.). Records will be retained for a period of five years before being destroyed.

H. ATTENDANCE

1. Board members shall attend regular and committee meetings as scheduled.

2. If a Board member is absent from three successive scheduled Board meetings, that position will be declared vacant by the Board. The Secretary is responsible for notifying any Board member who has been absent from two successive scheduled meetings of the Board. Because awareness of personal attendance and all requirements of membership on the Board are the responsibility of the Board member, failure of the Secretary to give such notice shall not constitute grounds for waiving the provisions of this paragraph.

3. Any member who is unable to attend a meeting shall:

(a) Notify the Chairperson as soon as possible.

- (b) Submit a report of the actions taken in regard to any responsibilities which have been assigned.
- 4. The Board may report to the Registered Professional Educational Diagnosticians the attendance records of the Board members.
- 5. Failure to fulfill responsibilities of position. If a Board member refuses, is unable, or unwilling to perform the duties of the office, the Board will declare the position vacant. A majority vote of those Board members in attendance at a duly called meeting will establish the vacancy, which will be filled as indicated in Section III.B.

V. FINANCIAL POLICY

- A. Funds in excess of that required for current operation will be deposited in interest-bearing accounts. In the absence of specific Board direction recorded in the minutes, the place and type of account will be at the discretion of the Treasurer.
- B. There shall be two (2) authorized signatures on each bank account (Board Chairperson, and Treasurer).
- C. The Treasurer will pay all usual and necessary expenses as authorized by the annual budget or specific action of the Board.
- D. The fiscal year shall be from January 1 to December 31.
- E. A financial statement shall be presented to the board each meeting. The proposed budget shall be presented at the first annual meeting of the fiscal year.
- F. Financial Records
Financial records of the organization shall be maintained for a period of seven (7) years as required by the Internal Revenue Service.
- G. Compensation
 - 1. Members of the Board are entitled to reimbursement for real and justifiable expense.
 - 2. At Board meetings and when out of town on official authorized business of the Board, the meal allowance is \$30.00 per day prorated, if necessary, to \$6.00, \$7.00, and \$17.00 for breakfast, lunch, and dinner, respectively. The travel allowance will reflect the rate established by the Board or the price of the lowest practical round trip airfare, whichever is less. Exception will be made in the case of need to transport Board related materials or equipment, with prior approval. No reimbursement will be made for rental vehicles.
 - 3. Board members will be expected to stay in prearranged accommodations to be eligible for reimbursement of those accommodations. Board members who travel and room with other persons will be financially responsible for the cost of the room. Board members are expected to pay their registration fees prior to the end of the registration year. Reimbursement for expenses will not be paid during the time of lapsed fees.
 - 4. The Registry Board will pay the Conference registration fee of the Chairperson (or designee) to attend the TEDA Conference.
 - 5. Other Board-approved compensation will follow the above guidelines.

VI. SEAL

The official Seal of the Board shall consist of a shield divided into three parts. Beginning at the point of the shield shall be an open book, the universal symbol for Education; the stylized person in the upper left corner of the shield is the Egyptian symbol of the letter “E”, the first letter in the word “Education”; the key in the upper right corner of the shield is surrounded by the Egyptian symbol for the letter “D”, the first letter in the word “Diagnosis”.

VII. ETHICAL RESPONSIBILITY

While the Board seeks to restrict registry to those of high professional ethics and performance, the Board does not assume responsibility for the individual professional ethics or performance of its registered members.

VIII. PROFESSIONAL AND APPLICATION STANDARDS

Until such time as otherwise determined by the Board, the Code of Ethics which defines the professional Standards of Registered Professional Educational Diagnosticians shall be incorporated in the Standing Rules as Appendix A.

IX. APPLICATION

A. An applicant must supply documentation of his/her qualifications, which includes, but is not limited to, the following items:

1. Education
2. Experience - Refer to Standing Rules XXII. M.
3. References
4. Felony conviction statement

B. Falsification or misrepresentation by an applicant or certificate holder of his/her qualifications or any of the information requested is grounds for denial or revocation of the Certificate of Registration.

C. Applications will be declared void and the application fee forfeited if there has been no response from the applicant for one calendar year despite reasonable requests from the Board for communication.

D. Applicants may appeal the Board decision in writing within thirty (30) days after receiving notification of denial. Applicants have until thirty (30) days before the next scheduled Board meeting to complete their applications.

X. POLICY ON APPLICANTS WITH A DISABILITY

A. The Board recognizes that applicants with special needs may encounter unusual problems in applying for registration and will make an effort to accommodate these applicants.

B. The Board, on a case-by-case basis, may consider requests for special arrangements for applicants with special needs, including assistance in taking the examination provided that such requests are reasonable and do not violate other rules.

XI. IMPARTIALITY

- A. Any Board member who is unable to be impartial in the determination of an applicant's eligibility for Registry shall so declare this to the Board and shall not participate in any Board proceedings involving that applicant.
- B. No elected Board member may provide a reference for an applicant; nor provide any direct assistance to an applicant in the process of completing the application packet.
- C. Board members may not respond to any questions of applicants, nor provide any assistance to an individual in the application process that might constitute unfair treatment nor that could lead to an advantage for that individual.

XII. DISCRIMINATION POLICY

All decisions of the Board will be made without regard for any person's race, religion, color, sex or national origin.

XIII. EXAMINATION PROCEDURES

Until such time as otherwise determined by the Board, the Examination Procedures shall be incorporated in the Standing Rules as Appendix B.

XIV. CERTIFICATE OF REGISTRATION

- A. The Board shall prepare and provide to each Registered Professional Educational Diagnostician a certificate which contains the registered diagnostician's name and registry number.
- B. Official Certificates of Registration shall be signed by the Chairperson and Secretary, and be affixed with the Seal of the Board.
- C. Any Certificate of Registration issued by the Board remains the property of the Board and must be surrendered to the Board on demand.

XV. TYPES OF REGISTRATION

- A. **PROFESSIONAL** For certificate holders who have completed all professional requirements for registry and continue to maintain active status.
- B. **ASSOCIATE** For certificate holders who have retired or who are in a position other than educational diagnostician.
- C. **Continuing Professional Education**
 - 1. As of 2006-2007 ten (10) Continuing Professional Education Hours (CPEs) are required for Professional status as a Registered Professional Educational Diagnostician. If you are working in any capacity as an educational diagnostician, i.e., contract testing, part-time, self-employed, and sign reports as a RegPED, you are considered Professional.
 - 2. Documentation of the CPEs does not need to be submitted, however, it does need to be retained by the RegPED. These hours can be selected from Intervention, Evaluation/Interpretation, Legal Issues, or Professional Issues,

including but not limited to, report writing, time management, communication, or technology.

3. When submitting fees for more than one membership year, a written statement must be submitted indicating completion of 10 continuing education hours per membership year. (1 year arrears = 20 hours, 2 years in arrears = 30 hours)

Note: Registered Professional Educational Diagnosticians who hold Associate status are not required to maintain CPEs.

XVI. FEES

- A. The Board shall establish fees to provide the funds to support its activities.
- B. Schedule of Fees:
 - 1. Application Processing and Examination Fee: \$100.00
 - 2. Re-application or re-examination fee: one re-application or re-examination within two years of the first examination: \$10.00
 - 3. Professional annual renewal fee: \$50.00 (June 1 through May 31) entitles the Registered Professional Educational Diagnostician to all registry mailings, symposium registration, and a current renewal sticker.
 - 4. Associate annual renewal fee: \$40.00 (June 1 through May 31) entitles the Registered Professional Educational Diagnostician to all registry mailings and symposium registration.
 - 5. An associate certificate holder may become a professional certificate holder at any time upon payment of professional fees.
 - 6. All fees in arrears must be paid in full to reinstate the certificate.
 - 7. Certificate Duplication or Replacement Fee: \$45.00
 - 9. Returned Check Fee: \$25.00
- C. Processing and examination fees are not refundable.
- D. Any remittance submitted to the Board in payment of a required fee must be in the form of a credit card, personal check, certified check, or money order.
- E. The Board shall make periodic reviews of its fee schedule and make any adjustments necessary to provide funds to meet its expenses without creating an unnecessary surplus.

XVII. HANDBOOK/DIRECTORY

- A. The Board shall publish the Handbook/Directory of Registered Professional Educational Diagnosticians annually.
- B. The Directory of Registered Professional Educational Diagnosticians shall include, but not be limited to, the name, home address, and home and business telephone numbers as contained in current Board records.
- C. The Handbook shall include, but not be limited to, Bylaws, Standing Rules, and Ethical Standards.

D. The Board shall make copies of the Handbook/Directory available to Special Education Programs within the State and may sell to other agencies for a nominal fee.

XVIII. CONSUMER INFORMATION

A. The Board shall prepare information of consumer interest which describes the regulatory functions of the Board and Board procedures to handle and resolve consumer complaints regarding Registry.

B. The Board shall make consumer information regarding Registry available to the general public and appropriate State agencies.

XIX. DECISIONS

A. Decisions of the Board in granting or denying registration are final.

B. Beginning September 1, 1981, any person who represents that he or she is a Registered Professional Educational Diagnostician without being registered by the Board, and who persists in such misrepresentation after having been notified by registered mail that this is a misrepresentation, is subject to legal action by the Board.

XX. COMPLAINTS AND VIOLATIONS

A. The purpose of rules on complaints and violations is to set forth the valid causes for the revocation or suspension of a Registered Professional Educational diagnostician, and the procedures for filing and adjudicating complaints and allegations or rule violations.

B. The Board may revoke or suspend the Certificate of Registration of a person who is proved to have been:

1. in violation of any provision of the Board of Registry Bylaws or Professional Standards;
2. in violation of any rule of professional conduct adopted by the Board;
3. legally committed to an institution because of mental incompetence of any sort; or
4. convicted of a felony.

C. The Board may institute a suit in its own name and avail itself of any other action, proceeding, or remedy authorized by the corporate laws of the State of Texas to enjoin the violation of the use of the title of Registered Professional Educational Diagnostician.

D. Complaint Procedure

1. A person wishing to report a complaint or alleged violation against a Registered Professional Educational Diagnostician or other person shall notify the Vice-Chairperson. The initial notification of a complaint may be in writing, by telephone, or by personal visit.
2. Upon receipt of a complaint, the Vice-Chairperson shall send an acknowledgment letter to the complainant and an official form which the complainant must complete and return to the Board before further action can be taken.
3. Upon receipt of the official form, the Board shall determine if there appears to be sufficient basis to proceed with the complaint. Alternatively, to formal Board action at a

duly called meeting, if the Chairperson and Vice-Chairperson concurrently choose, this determination can be made by the Chairperson, the Vice-Chairperson and any two other Board members in a conference telephone call.

4. The Vice-Chairperson shall then notify the person against whom the complaint has been made, investigate the complaint(s), and gather information in writing as required by the Board. This will include a written request for notarized response from the Registered Professional Educational Diagnostician or other person against whom a complaint or alleged violation has been filed.

5. The Vice-Chairperson may, if the situation does not involve a serious violation, attempt to resolve the issues of the complaint to the satisfaction of all parties involved as evidenced by a signed written statement of agreement from each party to the complaint. The Vice-Chairperson shall keep the Board informed of attempts at resolution and any final agreement among the parties involved must be approved by the Board before a file is considered closed.

6. At least once each quarter, the Board shall notify all parties to a complaint of the status of the complaint until final disposition of the complaint.

7. A complaint or allegation not resolved by the Vice-Chairperson of the Board shall be referred to the Board which shall determine if there is sufficient basis to set a formal hearing to resolve the complaint or if the complaint should be dismissed or otherwise disposed.

8. The Board, on its own motion or on petition or application from a person or party, may initiate a formal hearing and shall conduct it in accordance with the provisions of the Standing Rules.

9. A complaint is a serious matter which has the potential of unjust injury to the accused party. Therefore, until the Board has issued a final ruling on a complaint, with the exception of the Vice Chairperson in the course of his or her investigation or in the course of the various parties in developing evidence, all parties to a complaint other than the accused party shall not communicate concerning the complaint except with other parties to the complaint and their representatives.

10. There is nothing more valuable to a professional than his/her reputation, and unsubstantiated rumor and gossip can cause serious injustice. Therefore, all Registered Professional Educational Diagnosticians shall refrain from any communication on any disciplinary matter before the Board other than with parties to the complaint as part of the complaint to make this rule known to all persons with whom they speak concerning the complaint.

E. Rules for Formal Hearings:

1. Unless otherwise determined by the Board, all formal hearings will be held in Austin, Texas.

2. The Vice-Chairperson shall notify all parties to a complaint of the time and place of the formal hearing not later than sixty (60) days prior to the formal hearing. Notice shall be considered properly served upon being sent by registered or certified mail, return receipt requested, to the last known address as reflected in the records of the Board.

3. The Board, or appointed representative, shall rule on the admissibility of the particulars of the complaint, who the official parties are, and admissibility of any questions put to any party as part of the process of preparing for the formal hearings.

4. The Vice-Chairperson shall promptly notify all parties to a complaint of all rulings made during the process of preparation for the hearings.
5. The accused party shall be served by registered mail with a formal written complaint mailed not later than sixty (60) days prior to the formal hearing to the last known address of the accused party.
6. The formal written complaint will specify:
 - (a) the charges;
 - (b) a written description of the evidence upon which the complaint is based; and
 - (c) the date and place of the formal hearing.
7. The rights of the accused party shall include:
 - (a) the right to be assisted or represented by counsel of his/her own choosing;
 - (b) the right to request up to a ninety (90) day postponement of the hearing date if the request is received by the Vice-Chairperson not later than twenty (20) days prior to the date of the hearing;
 - (c) the right to depose witnesses, submit interrogatories to those giving evidence against them, and have copies of all written evidence prior to the hearing;
 - (d) the right to cross examine witnesses, to submit evidence, and to present witnesses;
 - (e) the right to be presumed innocent until proven guilty to the satisfaction of the Board;
 - (f) the right to have a formal written finding by the Board; and
 - (g) the right to file with the Board a formal written request for a rehearing with the Board. This request must be filed with the Chairperson of the Board within two (2) weeks after the Board has ruled.
8. If the Board deems it necessary, the Board will appoint a person to present the evidence to the Board. If this person is a member of the Board, that person will not participate in the deliberations of the case by the Board.
9. The Board will follow such procedures in the conduct of the hearing as the Board deems adequate to fairly protect the rights of all parties and to develop a sufficient record to arrive at a decision. In this regard, the Board will be guided but not bound by the usual practices of judicatory hearings.
10. All deliberations by the Board shall be in executive session and no record shall be kept of these deliberations except for the formal ruling of the Board.
11. A tape recording of the hearing will be made and made available at cost to the accused party, or upon Board approval, to any other party to the hearing. Obtaining a written transcription of the hearing shall be the responsibility of the party desiring it.
12. The Board will determine:
 - (a) admissibility of evidence; and
 - (b) matters of order during the hearing.

13. The failure of the accused party to cooperate in the hearing process will in itself constitute grounds for disciplinary action by the Board which action may include revoking or suspending the Certificate of Registration.
14. The Board ruling will be final two (2) weeks after it has been mailed by registered mail to the address of record of the parties to the hearing. If, however, the accused party requests a rehearing, the ruling will not be final until the Board completes action on the request.
15. In response to a request for rehearing, the Board may:
 - (a) deny the request upon which denial the Board ruling becomes final;
 - (b) modify the ruling of the Board which modified ruling then becomes the final ruling;
or
 - (c) grant the request and set a schedule for the hearing.
16. At the discretion of the Board, or upon request by the accused, the final ruling of the Board will be conveyed to the body of Registered Professional Educational Diagnosticians and to those agencies employing educational diagnosticians in the State of Texas, and to such others as the Board deems appropriate.

XXI. DEFINITIONS

- A. "Bylaws" means the Bylaws of the Registered Professional Educational Diagnosticians Board of Registry.
- B. "Standing Rules" means the Standing Rules of the Texas Registered Professional Educational Diagnosticians Board of Registry.
- C. "Board" means the Texas Professional Educational Diagnosticians Board of Registry.
- D. "Contested Case" means a proceeding in accordance with the Bylaws and Standing Rules, including, but not restricted to, rule enforcement and registration to which the rights, duties, or privileges of a party are to be determined by the Board.
- E. "Formal Hearing" means a formal hearing in accordance with these rules and includes a contested case as defined in these rules and other required formal hearings.
- F. "Certificate of Registration" means the whole or part of any Board certificate approved or similar form of permission required by Board Rules or Bylaws.
- G. "Registered Professional Educational Diagnostician" means any person registered by the Board.
- H. "Registering" means the Board process respecting then granting, denial, renewal, suspension, or withdrawal of registration.
- I. "Party" means each person, agency, or officer or employee of any agency named by the Board as having a justifiable interest in the matter being considered.
- J. "Person" means any natural person, partnership, corporation, association, agency, or public or private organization.
- K. "Pleading" means any written allegation filed by a party concerning its claim or position.

L. “Rule” means any statement of general applicability which has been officially adopted by the Board that implements, interprets, or prescribes policy, or describes the procedures or practices of the Board.

M. “Full-time experience as an educational diagnostician” means working as a certified professional educational diagnostician at least 40 hours per week for a minimum of two years (18 months), working as a certified professional educational diagnostician at least 20 hours per week for a minimum of four years (36 months), or an equivalent amount of experience as determined by the Board. Persons with certifications such as alternative, emergency, or other types of conditional certification that require mentorship will be required to have at least one additional year of full-time independent experience without a mentor prior to application for the Registry examination.

XXII. AMENDMENTS

Amendments to these Standing Rules shall become a part of these rules by a simple majority vote of the Board at any legally constituted meeting of the Board.

APPENDIX A

ETHICAL STANDARDS OF CONDUCT FOR REGISTERED PROFESSIONAL EDUCATIONAL DIAGNOSTICIANS

ETHICAL CONSIDERATIONS

Ethical considerations define the type of ethical conduct the public has the right to expect in all matters pertaining to professional conduct. These ethics are aspirational in character and represent the objectives toward which every member of the profession should strive.

In fulfilling the professional responsibilities, an Educational Diagnostician necessarily assumes various roles in pursuing objectives unique to duties so assigned in the district or so assumed in private practice within the parameters of documented skills and training. Educational Diagnosticians' individual expertise and job requirements encompass a wide range of skills that beg for professional standards as a vehicle for quality growth. Within the framework of these, the professional person must seek knowledge and contribute in some fashion to the self-monitoring and constructive growth of the profession. No general statement of the responsibilities of the profession can encompass all of the situations in which the Educational diagnostician can be placed as each position held makes its own peculiar demands. These demands the professional must clarify for him/herself in the light of the role in which he/she serves. Education and its institutions change as society changes. They must change in order to preserve and advance the social values that are their reasons for being. Under the conditions of modern practice, it is peculiarly necessary that the Educational Diagnostician should seek to understand the rationale underlying the disciplinary rules. One who seeks a clear understanding of his/her duties will be led to reflect on the special services his/her profession renders to society and the services it might render if its full capacities were realized. Understanding the nature of one's profession, one will then discern that restraints are necessary to keep that profession whole and effective. Each Educational Diagnostician must find within his/her conscience the touchstone against which to test the extent to which his/her actions should rise above minimum standards. In the last analysis, it is the desire for the respect and confidence of the members of his/her profession and of the society which he/she serves that should provide the Educational Diagnostician the incentive for the highest possible degree of ethical conduct.

DISCIPLINARY RULES

Disciplinary rules, unlike the ethical considerations, are mandatory in character. They state the minimum level of conduct below which no Educational Diagnostician can fall without being subject to disciplinary action. Within the framework of due process, the disciplinary rules should be applied uniformly. The severity of judgment against one found guilty of violating a disciplinary rule should be determined by the character of the offense. The Board of Registry, as the enforcing agency, may find interpretive guidance in the basic principles embodied in these rules. The disciplinary measures taken are discretionary, including censure or support for the accused. An accused professional who has been disciplined and has paid the penalty may be reinstated into the professional body on an equal status with all other professionals. In the final analysis, the disciplinary rules should be viewed as a form of due process protection for the individual and the professional body and as a means of quality control by the professional body.

REVIEW BOARD

The Review Board shall be composed of the elected members of the Board of Registry of Texas Professional Educational Diagnosticians.

CANONS

The canons are statements of axiomatic norms, expressing in general terms the standards of professional conduct expected of Registered Educational Diagnosticians in their relationships with the public and the educational profession. They embody the general concepts from which the ethical considerations and the disciplinary rules are derived.

CANON 1. A Registered Professional Educational Diagnostician shall assist in maintaining the ethics and integrity of the educational profession and the use of psycho educational instruments.

DISCIPLINARY RULE 1 - PROFESSIONAL CONDUCT

- A. A Registered Professional Educational Diagnostician shall not engage in conduct involving dishonesty, fraud, deceit, misrepresentation, or unprofessional communication.
- B. A Registered Professional Educational Diagnostician is responsible for the control of psychological tests and other devices and procedures when their value might be damaged by revealing to the general public their specific contents or underlying principles.
- C. A Registered Professional Educational Diagnostician shall assure that the instruments and methods selected have been validated for the purpose for which they are used.
- D. A Registered Professional Educational Diagnostician shall communicate test results in such a manner as to guard against misinterpretation or misuse.

CANON 2. A Registered Professional Educational Diagnostician shall follow professional ethical standards in providing diagnostic services to the public.

DISCIPLINARY RULE 1 - PUBLICITY IN GENERAL

- A. A Registered Professional Educational Diagnostician shall not prepare, cause to be prepared, use or participate in the use of any form of public communication that contains professionally laudatory statements calculated to attract lay clients.
- B. A Registered Professional Educational Diagnostician shall not compensate or give anything of value to representatives of the press, radio, television, or other communication medium in anticipation of or in return for professional publicity in a news item.

**DISCIPLINARY RULE 2 - PROFESSIONAL NOTICES, LETTERHEADS,
OFFICES AND DIRECTORIES**

A. A professional card identifying him/her by name as a Registered Professional Educational Diagnostician, giving address, telephone numbers, and the professionals with whom he/she associates is acceptable.

B. A letterhead identifying him/her by name and as a Registered Professional Educational Diagnostician, giving address, telephone numbers and the name of the association, and associates is acceptable. The words Registered Professional Educational Diagnostician and/or logo may be used.

C. A professional card or a brief professional announcement card stating types of services, new or changed associations or addresses, change of similar matters pertaining the professional office may be mailed to Registered Professional Educational Diagnosticians, clients, former and potential clients, and personal friends. It shall not state biographical data except to the extent reasonable to identify the Registered Professional Educational Diagnostician or to explain the change in his/her association.

D. A listing in a directory sponsored by a business profession, professional services, communications company, or professional body is acceptable.

E. A Registered Professional Educational Diagnostician shall display the Certificate of Registration in his/her principal place of business and shall make available credentials and a copy of the **ETHICAL STANDARDS OF CONDUCT FOR REGISTERED PROFESSIONAL EDUCATIONAL DIAGNOSTICIANS**.

APPENDIX B

APPLICATION & EXAMINATION PROCEDURES

1. The applicant submits the completed application forms and fees.
2. The Board of Registry considers the application and requests more information if needed.
3. Upon satisfactory completion of the application, the Board of Registry declares the applicant a candidate and eligible to take the examination.
 - A. The applicant must supply documentation of his/her qualifications which includes, but is not restricted to, the following items.
 - (1) Education
 - (2) Experience - Refer to Standing Rules XXII. M.
 - (3) References
 - (4) Felony conviction
 - B. Falsification or misrepresentation by an applicant of his qualification or any of the information requested is grounds for denial of the certificate upon satisfactory completion of the above.
 - C. Applications will be declared void and the fee forfeited if there has been no response for one calendar year despite reasonable requests from the Board for communication.
4. The candidate is sent notice of eligibility for the examination and a questionnaire.
5. The candidate completes the questionnaire and response form and mails them to the directed address by the designated time.
6. Examination site is subject to change or cancellation.
7. The candidate shall present photo identification to the proctors at the examination site.
8. Exams are processed by the certification officer or member appointed by a board vote. (to ensure the exams can be graded if a certification officer is unavailable)
9. The board will vote to approve candidates who pass the exam.
10. If the candidate fails the exam, he/she will be notified of his/her failure along with the results of his/her examination. The candidate may request a re-examination within two years of the first examination. The candidate will be given an alternate form of the examination at the next scheduled examination administration. If the candidate fails the re-examination, he/she must wait two years before requesting a new application for Registry.
11. Location and time of exam administrations will be determined by the board.