It’s hard to believe how quickly ASWB operations have grown in the last 18 months. Examination Services registered a record number of candidates for the licensing exams in 2013 and is on track to exceed that number in 2014. The increase resulted in additional staffing of the Candidate Services Center. ASWB’s Member Services department has added staff to support an expanding array of services to our member jurisdictions. Even more growth is anticipated over the next two years to achieve the initiatives of the 2014-2018 Strategic Plan.

With its current staff size of 39, the organization has filled the offices of its three-building campus in Culpeper to capacity. The Board of Directors and executive staff began strategizing at the beginning of the year to accommodate projected staff growth. An investigation into available office buildings in Culpeper revealed a lack of suitable space to bring everyone under one roof. The Finance Committee was brought into the conversation, and they recommended that ASWB begin exploration for land to build a new headquarters. Staff began working with a developer to conceptualize plans, which were presented at the August board meeting.

As plans are still in preliminary stages, much work remains to be done before the Board can share more details with members. Stay tuned!
Two Foundation grants announced

The most recent research projects sponsored by the ASWB Foundation involve two studies that could impact social work education and regulation.

Two promising research projects have been awarded grants by the American Foundation for Research and Consumer Education in Social Work Regulation, ASWB’s research foundation. One will study common elements of social work programs in states where licensure pass rates are the highest, and the other is an exploratory study into social work regulation and sociology in Canada.

Research team Deborah Holt and Melinda Pilkinton and researcher Ian Rice submitted the winning applications and were notified in July that their proposals would receive funding.

Awardees: Deborah Holt and Melinda Pilkinton, Mississippi College, Clinton, MS

Grant: $25,000/24 months


The research team of Holt and Pilkinton seeks to identify factors common to social work programs in the five states identified by ASWB as having the highest social work licensure exam pass rates. Using a combination of qualitative and quantitative methods, the researchers hope to identify heretofore unaddressed information describing various elements of the identified social work programs by interviewing the program directors and surveying the program faculty members in a representative sample of programs in each of the five states. The researchers explained: “Understanding how successful programs are delivering social work education in ‘successful’ states will provide valuable information for states that struggle with licensure pass rates and are below the national average.”

Awardee: Ian Rice (Ph.D. student), University of New Brunswick, Grand Bay-Westfield, New Brunswick

Grant: $5,000/9 months

Project: “The Regulation of Social Work in Canada: An Exploratory Study in the Sociology of Professions”

Researcher Ian Rice’s study of the professional regulation of social work in Canada seeks to collect information from two specific data sources: a document and legislative review of Canadian social work regulation, and interviews with individuals from the social work community in Canada. The interview method proposed for this study is the semi-structured interview. Themes to be addressed...
include regulation; the importance of regulation from the point of view of practitioners, academics, and regulatory bodies; social action and regulation; legislative variation; and issues of globalization and professional regulation from a Canadian perspective. The purpose of the study, he explains, is to “access a dialogue ... that will allow for a clear insight into the nature of the professional regulation of social work and more broadly a discussion of professional regulation in general.”

The Foundation was created by ASWB in the early 1990s when the association was known as the American Association of State Social Work Boards. It published two monographs in those early years, then went inactive while ASWB focused on other work. In 2007, the ASWB Board of Directors voted to reactivate the Foundation and fund its proposed grants program. To date, the Foundation has sponsored research on complaints and disciplinary actions taken against social workers, knowledge of licensure and regulation among social work faculty and students in New Jersey, access to clinical supervision in rural areas of Minnesota, the exploration of online information about sanctioned social workers, the importance of licensing among Aboriginal people, and the efficacy of continuing education.
ASWB gets “LinkedIn” with its new Social Work Regulation Forum

LinkedIn discussions will focus on sharing information about the role of regulation, the value of licensure, and issues that will shape the future of social work regulation.

With awareness of ASWB’s presence on social media growing rapidly—3,000+ followers on Facebook and 800 on Twitter—the timing seemed right to reach out to even more members of the social work community through the professional networking platform LinkedIn. More than 680,000 social workers have profiles on LinkedIn. There are 2,200 social work discussion groups on the platform—some with up to 200 active discussions per month.

Despite the large number of social work discussion groups on LinkedIn, none as yet has focused on the topic of regulation. There are groups that concentrate on practice issues and groups that focus on employment. Unlike these groups, ASWB’s Social Work Regulation Forum concentrates on the importance of licensing and public protection.

"LinkedIn is a professional platform that will allow us to further our mission to educate stakeholders about the value of professional regulation for public protection," said ASWB CEO Mary Jo Monahan, MSW, LCSW. “It’s an ideal forum for engaging professional, academic, and public audiences.”

Various regulation topics will be presented in the form of posts, much like on a blog. Members of the group are able to make comments and ask questions about the posts, and also create their own posts. Moderation by ASWB will ensure that no unwanted or inappropriate comments will end up on the forum discussion board.

Who does ASWB want to join in this conversation? Essentially anyone interested in the subject of social work regulation—social work regulators, professionals, educators, and students, as well as consumers. (All members must be approved for membership.)

ASWB did its legal research before launching the group; therefore, if you are serving on a social work regulatory body, please make sure that your participation on the forum is allowable by law. Also, because ASWB wants to protect the integrity of the laws relevant to open meetings, open records, freedom of information, and ethics, it reserves the right to limit the subject matter of the discussion forum.

If you have questions about LinkedIn, the discussion group, or your participation, please contact ASWB Information and Social Media Coordinator Tracey Daniels at tdaniels@aswb.org.

If you feel that this group is appropriate for you, you are encouraged to join the conversation!

If you don’t already have a LinkedIn profile, you need to create one. Simply go to LinkedIn.com and follow the prompts to generate a profile. You need to add items, like your current and recent jobs, your education, and, if you like, a photo. (You have control over how much information you want to include, beyond a few required basics.)

Once you have a profile, go to the group and click on "Join." Soon you will be involved in the exciting discussion about the future of social work regulation.

If you have questions about LinkedIn, the discussion group, or your participation, please contact ASWB Information and Social Media Coordinator Tracey Daniels at tdaniels@aswb.org.
ACE Committee discussion runs the gamut

A full plate of topics occupied the ACE Committee meeting on July 18-20 in Alexandria, Va.

Process changes, key policy considerations, and provider issues dominated the slate of topics discussed at the July meeting of the Approved Continued Education (ACE) Committee meeting. Here are some highlights:

• The committee engaged in a vigorous discussion of characteristics of high-quality social work ethics courses versus high-quality professional ethics courses.

• The roles and tasks of the ACE provider’s social work consultant were reviewed and discussed.

• The committee members responded to an inquiry from an ACE provider related to requirements for evaluating Grand Rounds continuing education.

• An ACE subcommittee is developing a report about continuing competence issues, researched from the growing body of knowledge about the topic.

• Committee members discussed feedback from ACE providers related to the ACE requirement for pilot testing distance learning courses.

• Many changes to expedite the ACE application process, renewal, and audit procedures were reviewed.

• The ACE Committee agreed to offer consultation on any policy issues that may arise concerning ASWB’s new role as a CE course approval entity for the State of New Jersey.

Also occupying the attention of the committee were a report from ASWB staff on the revisions to the laws and regulations database, as well as a mentoring session on best practices in using Dropbox for review of materials and for posting comments.

The July meeting was the second of two in-person meetings held by the ACE Committee this year. The committee will continue its work by teleconference, scheduled for Sept. 24, Oct. 15, and Nov. 19.

Volunteer members of the 2014 ACE Committee are: Anwar Najor-Durack of Michigan, chair; Ellen Costilla of New Mexico; Joan Davis-Whelan of Newfoundland and Labrador; Donna Ennis of Minnesota; Jan Fitts of Nebraska; Elaine Halsall of British Columbia; Marcia Heitz of Illinois; Micki Lilly of North Carolina; Alison MacDonald of Saskatchewan; and John McBride of Louisiana, serving as Board liaison.
Built to last

ASWB’s Model Social Work Practice Act is in the middle of a comprehensive tune up.

Last year, ASWB’s Regulation and Standards (RAS) Committee embarked on an ambitious three-year review of the entire Model Social Work Practice Act, a resource document developed by ASWB in 1997. (The task force that developed the document was co-chaired by none other than current CEO Mary Jo Monahan.)

The Model Social Work Practice Act, more commonly referred to as the model law, is a 68-page booklet that contains the text of a sample social work regulatory statute, intended to illustrate best practices in social work regulation. Since its inception, the model law has been continually updated, with modifications to the text of the statute requiring approval by the Delegate Assembly and changes to the comments approved by ASWB’s Board of Directors.

The RAS Committee in 2013 was charged with undertaking a comprehensive review of the entire model law, and this year’s committee meeting, held in Arlington, Va., in July, completed the second segment of the process. In 2013, the committee looked at Articles I, II, and III; this year, members reviewed Articles IV and V, which focus on discipline and confidentiality.

As part of the review, the RAS Committee solicited comments from ASWB members about these sections of the model law. The survey comments, along with the collaborative conversations of the committee members, will form the basis of the committee’s recommended changes. Because the comprehensive review will not be complete until 2015, there will be no changes to the model law on the agenda for the 2014 Delegate Assembly.

In 2015, the RAS Committee will complete the three-year review process with a discussion of Articles VI and VII. At that time, the committee will also be able to incorporate electronic practice standards now being developed by the International Technology Task Force.

Particularly, the committee members believe that the model law needs to reflect not only the growing impact of electronic practice, but also the broader regulatory perspective of the association, as its membership has expanded to include all ten Canadian provinces.

Serving on this year’s RAS Committee were: Committee chair Steven Pharris of Tennessee; Spencer Blalock of Mississippi; Renée Cardone of Pennsylvania; Lisa Crockwell of Newfoundland and Labrador; Brock Greek of Wyoming; Laura Thiesen of Alaska; and M. Jenise Comer of Missouri and Patricia O’Reilly of West Virginia, Board liaisons.
Recognizing the “Iron Men (and Women)” of exam development

A tote bag and “tool kit” were among the keepsakes given to departing members of the Exam Committee at the awards ceremony held during the Exam Committee meeting in Philadelphia in August. The gift-giving is a tradition of the committee chairs that accompanies the formal recognition of completion of service by ASWB. Exam Committee members may serve three one-year terms.

The tote bag with ASWB logo was presented by Greg Winkler (WI), co-chair of the Clinical exam committee, to Marlienne Christian (NY). He then asked the other members of his committee to join him in filling the bag with items representing their home communities. Among the mementos: earrings in the shape of cheese wedges from Winkler to represent Wisconsin, and Mardi Gras beads from committee member Bora Sunseri of Louisiana. Winkler gave Trish Smith (AB), the other Clinical committee member whose service ended this year, a cap with an Iron Man insignia. The cap, he said, represented

Mementos both touching and funny made meaningful gifts

A special thank you

Ann McAllister, an item development consultant with the Bachelors exam committee, began working with ASWB at the very beginning of the exam development program, some 30 years ago. Her service was recognized at the Exam Committee awards ceremony in August as she retired from the program. Over the last 30 years, McAllister had a signature role in helping ASWB develop the exam, providing continuity as the program evolved. She was part of the administration of the first exams, trained countless item writers, and gave the association the benefit of her wisdom and her expertise to ensure that the exam met the standards for high-stakes testing.

In thanking McAllister for her years of dedicated service, ASWB President Dorinda Noble recalled working with Ann and learning from her. Noble presented McAllister with a Bulova maritime wall clock with thermometer/hygrometer in recognition of her dedicated service to ASWB and to the exam program. Nancy Sidell, another item development consultant and a former item writer trained by McAllister, presented her with a handcrafted wall hanging signed by members of the Exam Committee.

Ann McAllister

Marlienne Christian (NY)

Nancy Sidell and Ann McAllister

Trish Smith (AB)
both her contributions and character as a committee member and her training for and competing in triathlons.

The “tool kit” was presented by Stacey Owens (MD), Bachelors exam committee co-chair, to the departing members of her committee, Mary Stebbins (VA), Nikki Barfield (FL), and Miriam Balen (BC). Each item in the kit, whimsical or practical, was given with an explanation for its meaning and use. Sujata Pai (NY), another member of the Bachelors exam committee who remains to serve another term, also had a gift for her committee peers and for Owens, who finished her term as co-chair this year.

Co-chair Brent Meyer (GA) presented Karen Tamminga (OR) with handwritten tributes from himself and the other members of the Masters exam committee.

President and Board liaison Dorinda Noble (TX) opened the awards program by describing the committee members as “iron men (and women)” in recognition of the long hours they serve and the hard work they do to ensure that the exams remain valid, reliable, and defensible. The service awards she presented to each departing committee member are engraved glass plaques, befitting of the nickname of “tombstone” that the awards were given many years ago. Owens, as committee co-chair, received an engraved rosewood box.
Guess who…raises and hybridizes orchids and has about 3,000 in his greenhouse? Learned to play the tuba in the last two years and is part of a seniors band (although he is younger than the band’s minimum age of 60)? Is part of an annual “camp meeting” that dates from the 1840s and includes “500 of her closest relatives from around the world”? 

All the volunteers described above are members of the 2014 Bylaws and Resolutions Committee. These little-known nuggets of personal history were part of the information members shared at the beginning of the committee’s meeting in July in Arlington, Va. Bylaws Chair Kristi Plotner of Mississippi requested that members tell about their backgrounds because the committee will be working closely together over a two-year period. Spending time getting to know each other helped the group coalesce.

During the next two years, Plotner explained, the committee is charged with completing a thorough review of ASWB’s bylaws as part of the larger governance review begun last year by the Board of Directors. The last time the Bylaws were reviewed was 1996, when the Board of Directors was established.

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effectively. Their comments and notes were recorded in a working document that will be shared with the Governance Task Force. The Bylaws Committee will also assist the task force in its work and bring any proposed revisions of the bylaws to the 2015 Annual Meeting for the consideration of the Delegate Assembly. Because the work is just beginning, there were no recommendations provided to the Board of Directors for consideration by the Delegate Assembly in 2014.

In addition to Plotner, Bylaws Committee members include Winifred Anthony-Todman of the Virgin Islands, Tim Brown of Texas, Mary Macomber of Florida, Carla Moore of Louisiana, Steve Polovick of Ohio, and Mark Scales of Nova Scotia.

Oh, and in case you were playing: Tim Brown raises orchids, Mark Scales plays the tuba, and Kristi Plotner has more than 500 family members who join her each year at camp.
A few weeks ago I watched “The Evolution of Juggling,” a TED Talk by Jay Gilligan on TEDxHelsinki, where he discussed the differences and similarities among jugglers from North America and Europe, and the different shapes, materials, and techniques used in juggling. He stated that juggling has a rhythm and steady beat that talented jugglers must develop to succeed.

I was impressed with the precision of the Juggler—how the performer keeps multiple objects in the air, moving them together in harmony for all to see. Juggling truly is an art form, with certain dynamic principles that make it work: maintaining balance and control, while taking risks; adding complexity to performance, while giving the appearance of simplicity; and creating excitement, while not dropping any flying objects!

It seems to me that juggling is a fitting analogy for the implementation phases of the ASWB Strategic Plan to date. The responsiveness and forethought of the 2013 ASWB board, staff, and delegate assembly set the stage for the association to take on multiple interrelated projects that depend on each other to move forward. I would like to describe three current ASWB projects—building collaborative international relationships, setting regulatory standards for electronic practice, and licensee mobility—that require the dynamic principles of juggling.

### International relationships

In July, Dr. Dorinda Noble, ASWB’s president, and I had the opportunity and privilege to participate in the 2014 conference of the International Federation of Social Workers in Melbourne, Australia. While there, we attended the preconference meeting of the International Network of Social Work Regulators (INSWR). The INSWR includes social work regulators from New Zealand, England, Wales, Scotland, Ireland, Canada, and the United States. Social workers from Australia, who expect to implement regulatory legislation in the near future, also attended. The four-hour agenda consisted of reports from each organization of critical accomplishments of the past year and challenges going forward, and a lively discussion of commonalities across countries. The meeting gave attendees an appreciation of differences created by legal, structural, and political “contexts.”

A key commonality among countries is regulators’ dedication to the mission of public protection through setting minimum standards for safe,
competent, and ethical practice. All countries set qualifying standards that require levels of social work education and that strive to promote “equivalency” in educational requirements to permit registration/licensure mobility across jurisdictions. Regulators also set qualifying standards for “fitness to practice” or “good moral character”; but how countries define and assess these standards differs. For example, the U.S. uses background checks, while Wales relies on self-evaluation. Most countries require practitioners to demonstrate continuing competency; for example, by acquiring continuing education credits or having practice skills assessed by a third party.

Since all regulation is “local,” differences naturally exist. Each country is bound by its own governmental and legal structures, which are controlled and affected by local and national politics. By statute, many countries combine the roles of the professional association, whose purpose is to protect the profession and advocate for professionals, with the professional regulatory function. Some countries regulate both degreed social workers and nondegreed social service workers employed by the different ministries, such as children’s services or aging adult services. Some countries emphasize rehabilitation of professionals who have strayed from professional behavior, while countries like the U.S. provide sanctions and discipline for licensed professionals who harm clients or violate practice standards. Finally, it appears that the use of an objective, high-stakes examination to demonstrate minimal competence to become licensed/registered may be unique to the U.S. and certain Canadian provinces.

The major “takeaway” from these conversations is the importance of understanding the context in which regulation occurs to protect the public. There is much to be gained by maintaining a worldwide support system as each of us juggles the educational, professional, and regulatory roles for the social work profession.

Electronic Practice and Licensee Mobility

Interestingly, ASWB took part in two presentations focusing on social work licensee mobility and electronic practice at the IFSW conference. During the INSWR panel, I presented on licensee mobility. This is definitely a hot topic across the world. Dr. Noble and I outlined the draft work of the ASWB International Technology Task Force, chaired by Dr. Frederic Reamer and including social work educators, practitioners, and regulators from the United States, Canada, Ireland, Wales, and New Zealand. Regulatory standards for electronic practice are being developed in the following areas: informed consent, privacy and confidentiality, boundaries in the professional relationship, colleague to colleague relationships, competency, documentation and recordkeeping, and jurisdictional boundaries.

Social work educators and practitioners at the conference were particularly interested in the uses of technology in education and
practice, but technology was not on the international “regulatory radar” to the same extent that it is in North America. I believe that the work of the ASWB International Technology Task Force is trendsetting for both electronic practice and mobility—other countries will benefit as they take these standards and translate them into their own regulatory context.

As electronic practice becomes more prevalent, the urgency grows for the social work regulatory community to tackle issues of licensee mobility across jurisdictions. In response, ASWB has designed both the 2014 Annual Meeting of the Delegate Assembly in Boise, Idaho, and the 2015 Spring Education Meeting in Seattle, Washington, to continue these important conversations about electronic practice and licensee mobility with our members. Using live-feed technology, we will beam Dr. Reamer from Rhode Island to Boise to unveil the first draft of the “Regulatory Standards for Electronic Practice.” Delegates will be able to take part in a Q & A session with Dr. Reamer in real time.

The ASWB Board of Directors chose Mobility to be the theme of the 2015 Spring Education Meeting. The Regulatory Education and Leadership (REAL) Committee is planning a highly participatory experience for attendees. Regulators from the fields of medicine, nursing, and pharmacy will discuss their efforts over the years to achieve licensee mobility and to regulate telehealth practice, highlighting their processes and challenges. They will, of course, dispense valuable advice. Current consistencies across jurisdictions in social work will be presented. Dr. Reamer will discuss the uses of technology in social work education and practice, and attendees will be able to meet members of the ASWB International Technology Task Force. Other speakers are being contacted to add to the conversation. We will end the two-day conference with World Café “conversational leadership” sessions. The summary report from the World Café will be compiled and distributed to all member boards.

As you can see, the projects that ASWB is engaged in require the juggler’s art to keep a balance and a rhythm so that all the elements come together harmoniously. I am excited to share with you some of the highlights of the Annual Meeting and the Spring Education Meeting so that you can see how the international conversations we are participating in are informing the work of ASWB’s volunteers and staff. I hope you share the excitement.
Your board in action

A summary of the work of ASWB’s Board of Directors at its August 9, 2014, meeting in Philadelphia, Pa.

The ASWB Board of Directors met in person on Saturday, August 9, at the Westin Philadelphia hotel in Philadelphia, Pa., in conjunction with the Exam Committee meeting. Here is a recap of the activities of the board at that meeting.

Consent agenda: Reports approved via consent agenda included: Chief Executive Officer’s report, Executive Vice President’s report, Examination Services report, evaluation summary from the 2014 Spring Education Meeting, and evaluations from the year’s second New Board Member Training in June.

Financial report: Board members reviewed second quarter financial statements through June 30, 2014, and statements from ASWB’s investment accounts through July 30.

Second quarter business plan reports: The Board reviewed the business plan reports prepared by staff regarding results of activities undertaken in support of the 2014-2018 Strategic Plan.

Review of building plan: Board members reviewed preliminary plans for a new headquarters building to be located in Culpeper.

Locations for 2016 and 2017 ASWB meetings: Board members approved the following locations for ASWB meetings in 2016 and 2017: Jersey City, N.J., for the 2016 Spring Education Meeting; San Diego, Calif., for the 2016 Annual Meeting of the Delegate Assembly; Las Vegas, Nev., for the 2017 Spring Education Meeting; Atlanta, Ga., for the 2017 Annual Meeting of the Delegate Assembly.

Fall 2014 Delegate Assembly: The Board approved the draft agenda for the annual business meeting, which will be held in Boise, Idaho. The conference will begin on Thursday, November 13, and will adjourn on Saturday, November 15.

Board service awards: Board members selected recipients of the 2014 Sunny Andrews Award and the award for outstanding administrator. Awards will be presented at the 2014 Annual Meeting.

Examination Security Manual/Examination Security Policy: Board members approved a minor wording change to the comprehensive Examination Security Manual and a similar change to ASWB Policy 2.11, Examination Security, to make the documents consistent.

Board training: A presentation about ASWB starting a new Social Work Regulation and Licensing discussion group on LinkedIn as part of outreach and education to social work professionals and regulators was presented by staff. (See related story.)

Strategic discussions: The Board held generative discussions about a number of topics, including planning efforts for the 2015 Spring Education Meeting, ASWB participation at conferences during second quarter, and a process for completing the annual evaluation of ASWB’s chief executive officer.
Committee, Task Force, and Meeting reports: The following summarizes the highlights of the committee, task force, and meeting reports made to the Board of Directors.

- **Exam Committee report:** Form reviewers attended the June Exam Committee meeting to review Bachelors, Masters, and Clinical forms for release in October. Masters and Clinical exam subcommittees also met in June and reviewed a total of 304 items. Of those, only 21 items were deleted. Item writer recruiting will begin in the fall and run through December 2014.

- **International Technology Task Force report:** All reports were submitted and chair Ric Reamer compiled the reports into a single document that was returned to committee for review and comment. Goal is to introduce a draft document at ASWB’s Annual Meeting for review and comment by delegates and to have a final document ready at year end for review by the Regulation and Standards (RAS) Committee.

- **Approved Continuing Education (ACE) report:** At its July meeting, the ACE Committee reviewed new application procedures to streamline the application process. The committee also discussed outreach to ACE providers regarding New Jersey course approval application process developed by ASWB as a New Jersey CE Approval Entity beginning September 1, 2014.

- **Bylaws Committee report:** At its July meeting, the Bylaws Committee reviewed the ASWB bylaws and developed a working document with comments about sections to be considered for potential revision as part of a larger review in collaboration with the Governance Task Force.

- **Regulation and Standards (RAS) Committee:** The RAS Committee completed a review of Articles IV and V of the Model Social Work Practice Act based on comments received from a survey of member board members and administrators conducted in June and July. This is Year Two of a three-year review of the model law.

- **Nominating Committee report:** The Nominating Committee received a large number of nominations this year. Candidates for four positions on the Board of Directors and two positions on the Nominating Committee have been slated.

- **NASW National Conference:** Director at Large John McBride attended the NASW 2014 National Conference and provided a written report to the Board. Staff reported that ASWB exhibited and also gave the presentation “Why my license matters: Understanding professional regulation and public protection.”

- **CAC Public Outreach Conference:** The Board received a report about staff attendance at the Citizen Advocacy Conference titled “Public Outreach: Promoting Awareness and Stimulating Community Involvement.”

Recap of the Foundation Board Meeting

Immediately following the ASWB Board of Directors meeting, the Board reconvened to hold a board meeting of the American Foundation for Research and Consumer Education in Social Work Regulation (the Foundation). The Foundation is ASWB’s 501(c)3 organization that sponsors a grant program for research on topics relevant to social work regulation, consumer protection, and related areas. The Foundation Board of Directors comprises the members of ASWB’s Board of Directors.

- **Foundation Review Board:** The Foundation Board tabled a discussion about establishing terms of service for the Foundation Review Board.

**Statement of revenue and expenditures:** The Foundation Board reviewed the current statement of revenue and expenditures and approved a motion to move ahead with a yearly cycle of grants when funds are available and projects meet qualification standards.

**Ratification of research applications:** Five research applications received during the 2014 application cycle were reviewed by the Foundation Review Board. The Foundation Board ratified the two projects recommended for approval and ratified a third project subject to successful revision and resubmission. (See related story.)
In general, government operates with an eye toward transparency, which allows for public involvement and accessibility to government operations and information maintained. Boards of social work are statutorily created and empowered through government acts and are subject to the applicable laws related to open records and open meetings. Open meetings laws require public notice of when and where board meetings are to be held, allowing for public attendance. While the public may be allowed to attend board meetings, participation by the attending public can be limited and customarily is restricted to a designated public comment period during the meeting. Boards of social work generally have the authority to meet in closed session (which prohibits public attendance) for certain reasons identified in the law, including protection of confidential information, protection of attorney-client privilege, and discussion of personnel matters.

Open records laws require disclosure of records maintained by the board when requested, as set forth in the law. Disclosure of records is subject to various exceptions that can be quite complex and varied from jurisdiction to jurisdiction. Under the majority of open records laws, all records and materials in possession of the social work boards are subject to disclosure unless delineated as exceptions to accessibility. However, records not maintained by the board need not be created merely for the purpose of disclosure and compliance with the sunshine laws. Distinguishing between records already maintained and records that must be created to comply with an open records request can be subject to debate. Persons or entities dissatisfied with the form of materials or the materials disclosed (or refused to be disclosed) by the board have a right to challenge the decision by seeking a judicial order. Consider the following.

In February 2010, the Chicago Tribune Company (Tribune) requested under the applicable Freedom of Information Act (FOIA) provisions that the Illinois Department of Financial and Professional Regulation (Department) and the director of the Division of Professional Regulation disclose certain general information as well as specific data related to multiple identified licensed physicians. In particular, the Tribune sought records related to:

1. The number of licensees overseen by the Department’s medical prosecutions unit who have
been identified as sex offenders

2. The names of such identified sex offenders

3. The total number of initial claims, complaints, and formal complaints against each such identified sex offender

4. The dates of all such claims and the dates of and resolution of such claims, complaints, and formal complaints

5. What types of disciplinary action were taken and when

6. The number of claims since 2000 of sexual misconduct of any kind that have been made against medical license holders that fall under the medical prosecutions unit

Thereafter, the Tribune made a second FOIA request seeking the following information on nine identified physician licensees:

1. A timeline of each case dating back to the initial claim

2. A copy of the formal complaint

3. A copy of the final order and any transcripts

4. Identification of any other initial claims, complaints, and formal complaints against the nine identified licensees

5. Whether the Department was aware of any criminal charges against the identified licensees

6. The dates the Department was notified of any such criminal charges

In March 2010, the Department responded to the second Tribune FOIA request, providing the information sought with the exception of the “additional claims and complaints made against these licensees.” The Department claimed that such data were exempt from disclosure under the applicable law. The Department also claimed that information related to the disclosure of criminal complaints was maintained in the investigative files and, thus, also exempt from disclosure.

In April 2010, the Department responded to the first FOIA request and provided the Tribune with a list of 17 individuals, their license numbers, associated case numbers, the date each case was opened, and the current status of the individuals’ licenses. Regarding the more general information requested, the Department stated that it did not maintain such data in an “accessible format” and, thus, such was not produced.

The Tribune requested from the Attorney General Public Access Counselor an administrative review of the denial of disclosure as is allowed under the law. In its request for administrative review, the Tribune attempted to clarify its request, noting that it sought: the number of claims and complaints against the identified individuals, when such claims were made, and how they were resolved. Additionally, the Tribune requested the number of claims and complaints made against licensed medical professionals identified by the Department as sex offenders. The Tribune abandoned its other outstanding requests for information. In response to the internal appeal, the Department noted its refusal to provide information regarding the initial claims and complaints because such data could not be separated from the investigative files, which were exempt from disclosure. The parties eventually agreed that the only question at issue was whether the number of initial claims and complaints against individual license holders is protected from disclosure under the FOIA. In October 2010, the Public Access Counselor, in a nonbinding opinion, found that the Department “failed to sustain its burden of establishing that disclosure of the number of initial complaints filed against a specific physician is exempt” under the FOIA.

Thereafter, the Tribune filed action in the circuit court alleging that the Department improperly withheld the number of claims or informal complaints filed against each of the identified physicians. Both parties filed motions for summary judgment, a procedure whereby the litigants agree to the important facts and ask the court to rule on the legal issues without the need for a trial on the merits. The circuit court ruled in favor of the Tribune and ordered the disclosure of the requested information. The Department appealed the case to the appellate court.

On appeal, the Department argued that initial claims received by the Department against named physicians are exempt under the FOIA and that the lower court erred by requiring disclosure. Specifically, the Department argued that the Medical Practice Act of 1987 prohibits the disclosure of the number of claims or informal complaints received by the Department against named physicians. Further, the Department argued that FOIA does not require a state agency to prepare for disclosure records not maintained in the ordinary course of its operations. Finally, the Department argued that previous
judicial precedence recognizes a protectable interest in a “blemish-free license to practice medicine.”

After reviewing the standard of review for summary judgment cases, the court turned its attention to the merits of the legal arguments. First, the purpose of the FOIA is to “open government records to the light of public scrutiny.” Thus, there is a presumption of open and accessible public records. The court quoted the legislative intent of the statute and noted the public policy of the State of Illinois to include access by all persons. It noted the fundamental obligations of government to operate openly and provide public records as expeditiously and efficiently as possible. However, it noted that the FOIA is “not intended to cause an unwarranted invasion of personal privacy, nor to allow the requests of a commercial enterprise to unduly burden public resources, or to disrupt the duly undertaken work of any public body... .”

The court next focused on the Department’s argument that it does not maintain the number of initial claims received against individual physicians and, accordingly, has no duty to compile and produce information necessary to satisfy that FOIA request. In response, the Tribune argued that the Department waived this argument because it did not raise this defense in its denial letters, in the administrative proceedings, or before the Public Access Counselor.

The appellate court reviewed the options available to a person requesting circuit court review of a denial under the FOIA. In the current case, the Tribune sought and received a nonbinding review by the Public Access Counselor. Thereafter, the Tribune sought judicial relief from the circuit court, which ruled in its favor. The appellate court noted the fact that circuit court review is de novo; that is, reviewed without consideration of any previous rulings. Based on the de novo review, coupled with the unambiguous language of the statute, the appellate court held that the Department did not waive its defenses related to the fact that the Department does not maintain the requested information in the ordinary course of business.

The court was also troubled by the ambiguous nature of the Tribune request for information and the exact nature of what data were sought. After an analysis of the request, the court concluded that the information requested included the number of initial claims received. Under the FOIA, public records are defined to include:

all records, reports, forms, writings, letters, memoranda, books, papers, maps, photographs, microfilms, cards, tapes, recordings, electronic data, processing records, electronic communications, recorded information, and all other documentary materials pertaining to the transaction of public business, regardless of physical form or characteristics, having been prepared by or for, or having been or being used by, received by, in the possession of, or under the control of any public body.

According to the appellate court, “it is apparent that the [Tribune] does not seek production of ‘public records’ as that term is defined in the FOIA but requests the Department to perform a review of its investigative files and prepare a tally as to the number of initial claims made against certain license holders.” The court further noted that the FOIA does not compel the agency “to provide answers to questions posed by the inquirer.” Accordingly, the court held that the Tribune FOIA inquiry requested that the Department “compile” the number of initial claims received by the Department against a set of 22 physicians. Because the Department does not maintain nor was it required to maintain under law the requested information, the circuit court erred in granting the Tribune’s motion for summary judgment. The appellate court reversed the opinion of the circuit court and remanded the matter for an entry of an order granting the Department’s motion for summary judgment and upholding its right to not produce the requested information.

As regulation in general is under scrutiny and in need of justification for continued existence, the likelihood of requests by the media and others for information from social work boards may increase. Understanding the parameters of FOIA laws is essential to complying with any such requests.

Tracey Daniels joined the ASWB Communications and Marketing department in May to steer the association’s social media presence. Daniels, who has an extensive background in nonprofit communications, is particularly interested in online social media. “I like the direct contact with the audience,” says Daniels, “engaging people in a personal and sometimes fun way.”

“The power of social media is sometimes underestimated,” Daniels says. “There’s really high value in being able to engage directly with the audience.” She cites ASWB’s activity on Facebook as an example. “Our Facebook audience is primarily made up of social work licensing candidates… they’re really eager to learn more about the exams, which is completely understandable, because it’s important to their career.” The association first set up a Facebook page a few years ago and has posted regularly on a broad range of topics. Daniels has begun to focus more on that audience, most of whom are early-career social workers. “Right now, we’re doing a series about test day tips, and that’s getting a lot of attention.” She has been particularly interested to see that beyond the usual liking and sharing, users are tagging their friends in the comments for some of these posts. By doing so, they are pointing their friends to ASWB’s message, rather than just rebroadcasting it. “We want to be seen as the source for finding out about the exams and licensing, and Facebook is one more channel for us to reach those people.”

“The biggest response so far [on Facebook] is a post we did about PTSD Awareness Month.” Daniels says. “Sometimes we share information that is relevant to social workers in a broad way,” and that post was the most shared ASWB post, with more than 40 people sharing that message with their own networks.

“Twitter is a more diverse audience, with a bigger range of messages. …It has potential for reaching journalists and the media and other organizations more than Facebook does,” says Daniels. But she also notes that several ASWB volunteers are active on Twitter and are great resources for sharing ASWB’s information. Claude LeBlond of Québec, for instance, has re-tweeted several of ASWB’s messages, and also tweeted about ASWB meetings he attended.

While there are many social media networks online—including Pinterest and Instagram, for example—ASWB is currently sticking to just a few. “We can get a lot more value” says Daniels,
“by becoming more deeply involved in a few networks, rather than doing a little bit everywhere.” For now, ASWB has a strong presence on Facebook (ASWBOnline), Twitter (@ASWB) and LinkedIn.

“One of the main measures of success in social media is engagement. Are people commenting, liking, and sharing our content?” Daniels says. “Growth in the audience is important, but you’re not going to have growth without that engagement. The last thing you want to do is put a bunch of stuff out there and just have it go into a black hole. With social media, you can tailor what you’re doing and refine it as you get feedback from your audience.”

In the three months since she joined ASWB, Daniels has also gotten away from her social media accounts to attend New Board Member Training, which opened her eyes to the importance of ASWB’s work. “I really appreciated having [social work regulation] made tangible…You hear about regulation and it sounds so abstract, but then you meet these people and they’re regular people who’ve taken a volunteer position…and we’re helping them to learn what they need to learn to be effective regulators.”

Likewise, attending the National Association of Social Workers National Conference in July helped her see the association’s role from the perspective of social workers and licensure candidates, she says.

LinkedIn is the association’s most recent foray into social media, with a discussion group started this month to talk about social work regulation. “LinkedIn is considered the professional network for social media,” Daniels says. “We wanted to have a presence in that forum. It’s a great venue for helping to distribute accurate information about regulation and engaging people in conversation.” Already the discussion group has more than a dozen members, both people known to the association and newcomers. “We’re trying to reach multiple audiences [on LinkedIn]: social workers, regulators, educators, even the general public,” Daniels says.

Daniels’ background in communications is combined with a work history of nonprofits and advocacy organizations, making her a particularly good fit for the mission-focused ASWB. “I have a long history of jobs that are related to social work. …I worked for a prison ministry and an inner-city drug rehab program. I trained to be a teacher and taught in public school early on,” she says. “Being able to work in an environment related to social work is great. The values of social work are important to me, and I see this as furthering the cause and helping social workers get their credentials so they can help more people.”
**ASWB member boards, in their own words**

**Name of jurisdiction:** Saskatchewan  
**Name of board:** Saskatchewan Association of Social Workers  
**Number of board members:** Up to nine. Currently we have seven social workers, one public member, and one vacancy.  
**Licensure levels offered:** RSW  
**Number of licensees:** Approximately 1,600

**Biggest achievement in the past 12 months:** In 2013, our legislation was changed to allow social workers with appropriate education and supervised practice to begin issuing diagnoses using the DSM. In May of 2014, our membership approved the bylaws (rules) that will allow this to move forward. We are now waiting for final government approval and anticipate having the first group of authorized social workers active in 2015. We will be using the ASWB Clinical Exam as part of the assessment to ensure that authorized members have the appropriate knowledge and skills.

**Biggest lesson learned in the past 12 months:** A lesson that keeps coming back is that we need to plan for at least four times as much time as we think something should take, particularly when dependent on action by volunteers and government. While we appreciate and understand the necessity of both, the delays can be very frustrating.

**Biggest challenge facing the board:** We decided to move forward with plans to implement online registration and license renewal in 2014 rather than 2015 as had originally been planned. We also made a decision that all members will have to use the new system and pay online immediately (i.e., we will not be sending out or accepting paper renewals). It will be interesting to see how members react to this change, particularly given that many of them have their fees paid by their employer. We are anticipating some push back but hope that members will see that it is for their own benefit in the long run.

*(complete the sentence) “I would really love to hear about how other jurisdictions...* respond to complaints from licensees about internal processes.

**Completed by:** Alison MacDonald, Executive Director and Registrar

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**Useless tidbits from the association news editors:**

- Estevan, Saskatchewan, is the sunniest place in Canada with 2,537 hours of sunshine per year.
- Saskatchewan is the world’s largest producer of potash.
- In Saskatchewan, they call a hoodie a “bunny hug.”
- It is rumored that the Saskatchewan Science Centre is haunted by at least three mischievous ghosts.
- You know you are a true Saskatchewanian when you know all 4 seasons: almost winter, winter, still winter, and road construction.
CAROLE BRYANT of Saskatchewan, ASWB treasurer, is thrilled to announce the arrival of her first grandchild, Alexander Hunter Haalboom Bryant. He was born June 6 in Wellington, New Zealand. CAROLE made a special trip to hold the new arrival.

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ASWB welcomes new jurisdictional staff members:

MICHELLE JOHNSTON, Alaska

BRIAN CARNAHAN, Ohio

STAN WEINSTEIN, Maryland

MAY LY FERRER, Hawaii

SYLVIO RIOUX, Québec

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ASWB says good-bye to Registrar JOYCE HALPERN of Nova Scotia, who retired in June.

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Nice to see you again, BRIAN! BRIAN PHILSON (center), vice-chair of the Michigan Board of Social Work, stopped by ASWB’s exhibit booth at the NASW National Conference in Washington, D.C., in July to talk with JENNIFER HENKEL, ASWB member services senior manager. BRIAN was accompanied by a colleague, Tim Monroe, also from Michigan. BRIAN also visited the booth when ASWB exhibited at the NASW-Michigan conference earlier this year.

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Also stopping by the ASWB booth at NASW National for a photo op with ASWB Executive Vice President DWIGHT HYMANS and Exam Development Manager LAVINA HARLESS were ASWB volunteers SAUNDRA STARKS of Kentucky, former member of the ASWB Board, and GARY BAILEY of North Carolina. Both served on the 2007 Supervision Task Force. SAUNDRA also was presenting as part of a symposium on women and leadership at the conference.

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When ASWB CEO MARY JO MONAHAN was tagged in the ALS Ice Bucket Challenge, the staff held a fundraiser and brought in $552 for the cause! Executive VP DWIGHT HYMANS was the highest donor, so he had the “honor” of dumping the bucket.

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ANN MCALLISTER, an item development consultant with ASWB for 30 years, retired from the program this year. The Exam Committee honored ANN at its awards ceremony in August in Philadelphia,
Pa. Here ANN shows off the handcrafted wall hanging created by item development consultant NANCY SIDELL and signed by members of the committee.

A shout out from Down Under: MELINDA PILKINTON of Mississippi, ASWB CEO MARY JO MONAHAN, and ASWB president DORINDA NOBLE of Texas attended the International Federation of Social Workers conference in Melbourne, Australia, in July.

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