

Administrative Rules for Assessing Professional Credentials Obtained Outside of the United States

Part 1: Purpose

- 1-1 The Office is not equipped to determine whether professional qualifications (e.g., professional licenses, education, work experience and examinations) obtained in a country or jurisdiction other than the United States are equivalent to similar qualifications obtained in a United States jurisdiction.
- 1-2 There are independent, private credential evaluation services (CES) that specialize in evaluating professional qualifications obtained in a country or jurisdiction other than the United States, and in determining whether such qualifications are equivalent to state qualifications for professional licensure.
- 1-3 These Rules provide a process for applicants, who obtained qualifications for their profession in a country or jurisdiction other than the United States, to provide an evaluation and equivalency determination to the Office as part of their application for professional licensure in Vermont.

Part 2: Definitions and Clarification of Terms

- 2-1 “**Applicant**” means an individual applying for a professional license in Vermont in a profession attached to the Office that does not have laws addressing the verification and recognition of credentials obtained in a country or jurisdiction outside of the United States.
- 2-2 “**Director**” means the Director of the Vermont Office of Professional Regulation.
- 2-3 “**Office**” means the Vermont Office of Professional Regulation.
- 2-4 “**Credential Evaluation Service (CES)**” means a third-party entity that specializes in the review and evaluation of professional credentials, education, work experience, examinations and other professional qualifications earned in a country or jurisdiction other than United States, and that is capable of providing a determination regarding equivalency of those professional qualifications, as compared to Vermont qualification requirements for a license in the relevant profession.

2-5 “United States” for the purposes of these rules means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States.

Part 3: Waiver or Variance

3-1 The Director will not grant routine waivers or variances from any provisions of these rules without amending the rules. *See* 3 V.S.A. § 845. Where, in extraordinary circumstances, application of a rule would result in manifest unfairness, an absurd result, unjustifiable inefficiency, or an outcome otherwise inimical to the public health, safety, and welfare, the Director may, upon written request of an interested party, grant a waiver with or without particular conditions and limitations, and record the action and justification in a written memorandum. This rule shall not be construed as creating any hearing right or cause of action.

Part 4: Procedures

4-1 Applicants, who acquired all or part of the qualifications for a profession for which they are seeking licensure in a country or jurisdiction other than the United States, shall have the qualifications obtained in a country or jurisdiction other than the United States evaluated by a CES that is a member of the National Association of Credential Evaluation Services (NACES) or of the Association of International Credential Evaluators, Inc. (AICE).

4-2 Process

- a)** Applicants shall apply for and obtain from a CES one or both of the following, as applicable:
 - i.** If educational qualifications for licensure in the relevant profession were obtained in a country or jurisdiction other than the United States, a detailed, course-by-course translation and evaluation report of foreign transcripts;
 - ii.** If the applicant has obtained other qualifications for professional licensure in a country or jurisdiction other than the United States, including, but not limited to, a professional license, supervised practice or work experience hours, or professional competency examination passage, a determination

of equivalency of that qualification as compared to the qualification requirements for licensure in the relevant profession in Vermont.

- b) Applicants shall comply with the procedures required by the CES for obtaining a translation and evaluation report regarding educational equivalency or an equivalency determination for other licensure qualifications.
- c) The CES must send the education report and/or the determination of equivalency directly to the Office as part of the applicant's application for licensure in the relevant profession. Only original reports and equivalency determinations from a CES will be accepted by the Office as part of the applicant's application for licensure in the relevant profession in Vermont. No copies of reports or determinations of equivalence will be accepted from applicants.
- d) In addition to the report and all accompanying determinations of equivalency from the CES, applicants shall submit, as part of their application for a professional license, all other materials and documentation of qualifications required for a license in the relevant profession.

4-3 Cost

- a) The cost of a third-party, credential-evaluation agency evaluation, report and determination shall be in addition to and separate from the license application fee assessed by the Office in the relevant profession.
- b) The cost of a third-party, credential-evaluation agency evaluation, report and determination shall be paid by the applicant.

Part 5: Effect of Third-Party, Credential-Evaluation Agency Determination Regarding Equivalency
--

5-1 Determination of Equivalence

- a) Upon a determination of equivalence of education or other qualifications from a CES, the Office shall accept the education or qualification obtained in a country or jurisdiction other than the United States as equivalent to and in substitution of the same education or qualification obtained in the United States.
- b) In addition to a determination of educational equivalence or qualifications equivalence from a CES, applicants shall pass the examinations required in relevant professional statutes and rules for licensure in that profession.

5-2 Determination of Non-Equivalence

- a)** Upon a determination from a CES that an applicant's education or qualifications are not equivalent to the educational or qualification requirements required for licensure in the relevant profession in Vermont, OPR shall preliminarily deny the applicant's application for the relevant professional license.
- b)** The provisions relating to preliminary denials of applications for licensure set forth in 3 V.S.A. § 129(e) shall apply to a license application that is preliminarily denied for nonequivalence under this section.

5-3 Determination of Partial Equivalence

- a)** Upon a determination from a CES that an applicant's education and/or qualifications in a profession that were obtained in a country or jurisdiction other than the United States fulfill some, but not all, of the education and/or qualifications requirements for licensure in the relevant profession in Vermont, the CES shall submit to the Office a report detailing which Vermont education and/or qualifications for licensure in the relevant profession remain unfulfilled.
- b)** Upon completion of the unfulfilled education and/or qualifications and submission of documentation of completion of the education and/or qualifications to the Office, the applicant may be eligible for licensure in the relevant profession.

5-4 The Director may verify the accuracy and sufficiency of a CES's report and determinations regarding equivalency. If the Director finds that a CES report or determination regarding equivalency is inaccurate or insufficient, the Director may

- a)** Preliminarily deny the applicant's application for the relevant professional license in accordance with 3 V.S.A. § 129(e), or
- b)** Take the steps necessary to address and remedy the insufficiency or inaccuracy of the report or determination regarding equivalency with the CES responsible for the report. The Director may preliminarily deny the applicant's application for the relevant profession license, in accordance with 3 V.S.A. § 129(e), should the insufficient or inaccurate report or determination regarding equivalency not be able to be remedied.