



AMERICAN
PSYCHOLOGICAL
ASSOCIATION

MEMO

To: APA-Approved Sponsors of Continuing Education for Psychologists and CE Sponsor Applicants

From: The Continuing Education Committee

CC: The Office of Continuing Education Sponsor Approval

Date: March 20, 2025

RE: Addressing Sponsors' and Applicants' Questions about the Enforcement of Standard B.5

We are aware of the evolving political and legal landscape and understand that some organizations which offer CE for psychologists may be uncertain of how to navigate adherence to applicable federal, state, and local laws regarding “illegal DEI” (diversity, equity, and inclusion) while also adhering specifically to Standard B.5 of the *Standards and Criteria for APA-Approved Sponsors of Continuing Education for Psychologists*. In recognition of the challenges faced by some organizations, the APA Continuing Education Committee (CEC) is introducing a time-limited option for sponsors and applicants to submit a waiver requesting temporary exemption from adherence to Standard B.5 for those concerned about violating law (federal and state) by complying with Standard B.5 of the *Standards and Criteria for Approval of Sponsors of CE for Psychologists*. Please note that rationale regarding legal restrictions related to adherence to Standard B.5 must be provided at the time of waiver submission. The CEC will review all waiver requests, and the Office of Continuing Education Sponsor Approval (CESA) will notify sponsors of the outcome.

In establishing the CEC's temporary waiver policy, the Committee considered several factors. First, the CEC received a number of inquiries from APA-approved sponsors concerned about how to comply with Standard B.5 when they operate in a state that prohibits EDI, they are a federal agency or contractor/grantee, and/or their employer (such as a state agency or private university) has banned such EDI-related activities. Second, the CEC reviewed current legal developments. Most recently, the Fourth Circuit Court of Appeals ruled that the Trump administration's [Ending Illegal Discrimination and Restoring Merit-Based Opportunity](#) (Jan. 21, 2025) is enforceable law that applies to federal contractors and federal grantees as well as the federal government while the parties litigate the matter. Following APA's commitment to human rights, fairness, dignity, and justice, as well as the developing state of the law, the CEC established this interim waiver program to provide a temporary solution for those APA-approved sponsors with legal concerns about complying with Standard B.5.

APA, including the CEC, remains committed to the value of DEI in continuing education. In particular, the CEC's dedication to diversity is embedded in APA's *Resolution on Equity, Diversity, Inclusion, and Accessibility in Quality Continuing Education and Professional Development*. Additionally, the Council of Representatives, at its most recent meeting, enacted APA's *Policy Statement on Reaffirming APA's Commitment to Justice, Human Rights, Fairness and Dignity*, which reaffirms APA's commitment to justice, human rights, fairness, and dignity for all, recognizing these values as central to psychology, including continuing education. The option for sponsors/applicants to apply for an interim waiver is a result of APA ensuring that it does not put its sponsors in the position of violating the law to maintain their status as an APA-approved CE sponsor.

The waiver program is retroactive to January 20, 2025, and it will remain in place until further notice. APA will provide all APA-approved CE sponsors at least three (3) months' notice in advance of the waiver program's expiry date.

To apply for a waiver, sponsors or applicants should send an email to SEducation-CESAS@apa.org with the subject line, "CEC Waiver," and the following information: 1) Organization name and 2) Rationale regarding legal restrictions related to adherence to Standard B.5. Please note that applicants who wish to apply for a waiver must do so by the specified application deadline. Approved waivers will be applicable to all programs offered by your organization under APA approval and any materials submitted to, or requested by, the CESA Office.