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House Education Committee
Pat D. Heinert

Subject: Opposition to House Bill 1490

Dear Mr. Pat Heinert and Members of the House Education Committee,

I am writing to express my strong opposition to House Bill 1490, which seeks to enact a new section to chapter 15.1-13 of the North Dakota Century Code, relating to **mandatory psychological evaluations for school counselors**. As a **dually licensed professional counselor and school counselor** in North Dakota, I am deeply concerned about the **discriminatory** nature of this bill, its **lack of justification**, and the harmful precedent it would set for both **our profession and the students we serve**.

School counselors are among the **most highly trained** professionals in the school system. Unlike other school personnel, we are required to **hold a master's degree** in counseling or a closely related field. This **rigorous graduate-level education** includes advanced coursework in **mental health, ethics, child development, crisis intervention, and trauma-informed practices**. Additionally, we must **complete supervised clinical experience**, pass licensure exams, and adhere to **ongoing professional development and continuing education requirements** to maintain our credentials.

Furthermore, many school counselors, including myself, hold **dual licensure**, meaning we have met the **stringent clinical requirements** to work in both **educational and mental health settings**. This level of training goes **far beyond the qualifications required for other school personnel, including teachers and administrators**, yet **House Bill 1490 unfairly targets only school counselors for psychological evaluations**.

House Bill 1490 **directly conflicts** with the ethical guidelines established by the **American Counseling Association (ACA) and the American School Counselor Association (ASCA)**:

- The **ASCA Ethical Standards for School Counselors (2022, A.2)** emphasize the importance of **confidentiality**, stating that school counselors must "protect the

confidentiality of students and adhere to all legal and ethical obligations to safeguard students' privacy."

- The **ACA Code of Ethics (2014, B.1.c)** explicitly states that "counselors protect the confidential information of prospective and current clients," reinforcing that **trust is the foundation of effective counseling**.

If enacted, this bill would **undermine that trust**, deterring students from seeking support and creating unnecessary barriers between school counselors and the students who rely on them for guidance.

One of the most alarming aspects of House Bill 1490 is that it **singles out school counselors while ignoring all other school personnel**. **If psychological evaluations are necessary for ensuring a safe and effective school environment, then why are they not required for teachers, administrators, or school board members?**

This bill **implies an unfounded mistrust of school counselors**, despite our **advanced training, professional ethics, and licensure requirements**. If anything, the higher educational standards and ongoing licensure requirements of school counselors should make it clear that **we are already rigorously vetted professionals**.

To selectively impose psychological evaluations **only on school counselors** is **not only discriminatory but also a direct attack on our profession**. If this bill were genuinely aimed at ensuring the well-being of all school professionals, then it should apply **equally to everyone in the education system**, not just school counselors.

Negative Impact on Students and Schools

Beyond its unfair targeting of school counselors, House Bill 1490 will have a **harmful impact on students**:

- **Reduced Access to Support:** Creating unnecessary bureaucratic hurdles discourages students from seeking the help they need, particularly **those struggling with mental health challenges, family crises, or academic stress**.
- **Chilling Effect on the Profession:** By unfairly singling out school counselors, this bill may **deter qualified professionals from entering or remaining in the field**, exacerbating the current shortage of mental health professionals in schools.
- **Violation of Best Practices in School Counseling:** The **ASCA National Model** underscores the importance of school counselors as trusted advocates for students. This bill **undermines that trust and creates unnecessary obstacles** for counselors to effectively serve students.

Conclusion: House Bill 1490 is Unnecessary and Harmful

School counselors are **already among the most highly trained and regulated professionals** in education. **Our master's degrees, licensure requirements, ethical codes, and ongoing professional development ensure that we are fit to support students.**

Requiring **only school counselors** to undergo mandatory psychological evaluations, while ignoring all other school staff, is **discriminatory, unjustified, and harmful to the students who rely on our support.** If this bill is truly about ensuring the well-being of school personnel, then it **must apply equally to all educators and administrators—not just school counselors.**

For these reasons, I strongly urge you to **oppose House Bill 1490.** The integrity of the counseling profession—and the well-being of North Dakota's students—depends on **maintaining trust, fairness, and accessibility in school counseling services.**

I appreciate your time and consideration and welcome any further discussion on this matter.

Sincerely,

Danielle Luebke