

February 9, 2025

House Education Committee

Pat D. Heinert

Subject: Testimony Regarding House Bill 1490

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

I am writing to express my opposition to House Bill 1490 that would enact a new section to chapter 15.1-13 of the North Dakota Century Code, relating to required psychological evaluations for school counselors. I am writing to you as a professional school counselor that has been licensed and working since 2013. Although I understand why Rep. Vigesaa felt the need to hear out his constituents and to hopefully help keep children out of harms way, this bill is not the right course of action for this. Many of my colleagues have written wonderful letters explaining the professional standards that we are trained in and must adhere to as school counselors.

There are several reasons why I am opposed to this bill. One mostly being the confidentiality piece and how that would affect counselors' relationship with their students. School counselors are bound by an ethical code of conduct and integral to that code of conduct and any type of counseling relationship is confidentiality. By mandating that another adult is always in the room in lieu of a psychological evaluation you completely undermine the counseling relationship between the counselor and client(student) in this case. Unfortunately, due to the critical shortage of mental health professionals in our state, wait times for these evaluations will be incredibly long, which inevitably will result in counselors not being able to obtain them as well as clogging up the already bogged down system for those who desperately need to access mental health services.

A second reason is that psychological evaluations cannot predict future behavior. According to the APA psychological evaluations cannot be passed or failed. The information gathered during these evaluations is used to diagnose and form treatment plans for a specific condition. Which then raises the question of who would have access to these documents? These tests are protected under a patient's HIPPA rights, so what information would then be used to okay someone to be a school counselor?

Thirdly, where is the money for this going to come from? Psychological evaluations are not cheap and many of us would not be able to afford to pay for an expensive psychological

evaluation. What financial burden would this place on school districts, which ultimately are funded by taxpayers? Is this being fiscally responsible?

I think we can all agree that we want our children to be safe, school counselors are at the top of this list. There are many other ways to help the children of our state be safe and loved, this legislation is not one of them. If you want more ideas on what we can do to ensure safety and success for our students, I am confident many of my colleagues would be willing to share some of those ideas with you.

Sincerely,

Danielle Giesler

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