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HB 1490
Testimony of Amy De Kok
House Education Committee
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Chairman Heinert and members of the House Education Committee, thank you for the opportunity to provide testimony today. My name is Amy De Kok, and I serve as the executive director for the North Dakota School Boards Association. NDSBA represents all 168 public school districts and their governing boards. Thank you for the opportunity to testify today. I am submitting this testimony in strong opposition to HB 1490, which would require school counselors to undergo a psychological evaluation as a condition of providing services to students without another faculty member present.

This bill presents several significant concerns. First, there is no evidence suggesting that school counselors, as a profession, require psychological evaluations to ensure student safety. School counselors are already subject to rigorous licensure requirements, ethical standards, and professional oversight that safeguard their ability to provide services. This bill appears to be a solution in search of a problem, imposing an undue burden on these essential professionals without a clear rationale.

In addition, schools across North Dakota, like much of the nation, face difficulties in recruiting and retaining qualified counselors. Adding a new psychological evaluation requirement would further delay the hiring process and discourage potential candidates from entering the profession. At a time when students need greater access to mental health support, this bill creates an unnecessary barrier to providing those critical services. Moreover, the bill does not specify who bears the cost of the required psychological evaluation. If this cost falls on the counselor, it represents an unfair financial burden that could deter qualified professionals from pursuing or continuing their careers. If it falls on schools, it introduces an unfunded mandate at a time when school budgets are already stretched thin.

Finally, no other category of school personnel—teachers, administrators, or other support staff—is subject to such a requirement. Singling out school counselors for mandatory psychological evaluation, absent any individualized concerns, is not only unnecessary but also stigmatizing. If concerns arise about a specific counselor’s ability to perform their duties, existing professional review and disciplinary processes are already in place to address them.

For these reasons, I urge the committee to reject HB 1490. Rather than imposing unnecessary requirements that make it harder for schools to fill these critical positions, we should be focusing on policies that support and expand access to counseling services for students.

Thank you for your time and consideration.