



STATE OF MAINE
DEPARTMENT OF EDUCATION
23 STATE HOUSE STATION
AUGUSTA, ME 04333-0023

JANET T. MILLS
GOVERNOR

PENDER MAKIN
COMMISSIONER

April 23, 2025

Senator Rafferty, Senate Chair
Representative Murphy, House Chair
Members of the Joint Standing Committee on Education and Cultural Affairs

Senator Rafferty, Representative Murphy, and Distinguished Members of the Education and Cultural Affairs Committee:

LD 1398, An Act Regarding Behavioral Health Support for Students in Public Schools, provides a definition of “clinical mental health provider” in Title 20-A, and sets a student-to-clinical mental health provider ratio and a student-to-school counselor ratio into statute. The Maine Department of Education (DOE) currently provides guidance relating to the roles of school-based mental health professionals and clinical mental health positions in schools. As these professions have some overlapping roles in supporting students and families, as well as similar training in mental health and wellbeing, there has been some understandable confusion in hiring and employing these roles most effectively. Chapter 117, recently updated in December 2023, clearly defines and distinguishes school counselors' and social workers' roles and requirements.

School counselors in Maine are professionally certified individuals who help students succeed in school and transition to meet postgraduate goals. The position of school counselor is defined in state statute and included in the Maine Essential Programs and Services (EPS) funding formula under the “guidance/social work matrix” at a student/staff ratio of 250:1 for secondary school and 350:1 for primary grades. The National Association of School Counselors recommends a general ratio of 1:250 students, depending on the characteristics and needs of the student population served. School counselors are specifically prepared to work in schools at the elementary, middle, and high school levels and help all students form healthy goals, mindsets, and behaviors. With the aid of a school counselor, students learn to develop effective collaboration and cooperation skills, to practice perseverance, to develop time management and study skills, and to learn self-motivation and self-direction habits.

School social work is a specialized area of practice within the broad field of the social work profession. The position of school social worker is defined in state statute and included in the Maine Essential Programs and Services funding formula under the “guidance/social work matrix” at a student/staff ratio of 250:1 for secondary school and 350:1 for primary grades. The National Association of School Social Workers recommends a general ratio of 1:250 students,

depending on the characteristics and needs of the student population served. School social workers enhance the district's ability to meet its academic mission, especially where home, school, and community collaboration is the key to achieving student success. School social workers are mental health professionals who can assist with student mental health concerns, behavioral concerns, positive behavioral support, academic and classroom support, and provide consultation with teachers, parents, and administrators. Importantly, school social workers can also provide mental health evaluation, assessment, and treatment, including individual, group, and family therapy, which is beyond the scope of practice for a school counselor.

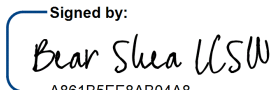
While the Maine DOE supports including a definition for Clinical Mental Health providers, it is recommended that the proposed definition be amended. Schools need the flexibility to hire the full range of available professionals, including psychologists, psychiatrists, or board-certified behavior analysts (BCBA), which are not included in the proposed definition. The Maine DOE recommends using a broader definition, such as: “Clinical mental health provider means any professional that is licensed in the state of Maine to provide clinical mental health services.”

The Essential Programs and Services (EPS) funding formula currently allocates funding for Counselors and Social Workers in the same line on section 1.B(2) of the ED 279 report. This bill will require the addition of two new positions into the EPS formula, one in the elementary/middle level calculation and one in the high school level calculation. The addition of these positions to the EPS funding formula would result in a significant increase in the total cost of education and both the state and local shares.

	FY 26 Enacted	FY 26 LD 1398 Estimate	Difference
Total Cost of Education	\$2,738,246,642	\$2,815,477,800	\$189,535,173
State Share @ 55%	\$1,506,035,654	\$1,548,512,790	\$106,444,345
Local Share Mill Rate	6.10	6.27	
Local Share	\$1,232,210,988	\$1,266,965,010	\$87,090,828

The Department will be available to provide additional information on LD 1398 and respond to any questions during the upcoming work session.

Sincerely,

Signed by:

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Bear Shea
Coordinator of Culture, Climate and Resilience Team

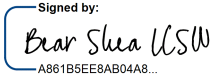
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Editor Delivery Events

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Agent Delivery Events

Status

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Intermediary Delivery Events

Status

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Certified Delivery Events

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Witness Events

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Envelope Summary Events

Status

Timestamps

Envelope Sent	Hashed/Encrypted	4/22/2025 1:33:05 PM
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Timestamps