

## TESTIMONY NEITHER FOR NOR AGAINST

### L.D. 394

#### RESOLVE, REGARDING LEGISLATIVE REVIEW OF CHAPTER 117: RULE REGARDING THE DUTIES OF SCHOOL COUNSELORS AND SCHOOL SOCIAL WORKERS, A MAJOR SUBSTANTIVE RULE OF THE DEPARTMENT OF EDUCATION

Senator Rafferty, Representative Brennan and members of the Education and Cultural Affairs Committee. I am Steven Bailey, executive director of Maine School Management Association, testifying on behalf of the legislative committees of the Maine School Boards Association and Maine School Superintendents Association, neither for nor against L.D. 394.

L.D. 394 provides for the approval of major substantive Department of Education rules for new Chapter 117, a Rule Chapter that provides for guidance and provisions for social workers and school counselors working in our public schools.

School counselors and social workers have been hired and working in Maine's public schools for decades. School counselors are certified by the Maine Department of Education and social workers are licensed by an independent professional licensing board. Their individual and professional work is guided by their respective professional organizations. Each has their own professional standards and ethics they are required to uphold in order to keep their certification/license. These descriptions of their respective responsibilities within the written proposed rule have not changed and help to provide written notice of what is expected of each of these important professionals.

The addition to these professional responsibilities within L.D. 394 is the percentage of time school counselors and social workers are expected to be working with students during direct and indirect services. This percentage is to be 80% by statute in 20-A, §4008. Chapter 117 merely states what is in the law and what is expected of these important professionals. 20-A, §4008, sub-§2 provides definition for school counselors and social workers regarding privileged communication and has been in effect since 1989. Chapter 117 does not deviate from this statute.

MSSA and MSBA are providing testimony neither for nor against L.D. 394. These associations are providing testimony to support the work of the social workers and school counselors in our schools, and to recognize the time requirement for services to be provided to students.