

April 5, 2023

Testimony re: LD 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” – OUGHT TO PASS

Senator Rafferty, Representative Brennan, and honorable members of the Joint Committee on Education and Cultural Affairs:

Thank you for the opportunity to provide comment on LD 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”. My comments here will closely mirror the public testimony I gave last fall during the Rule Change process facilitated by Maine’s Department of Education (DOE). My name is Chris McLaughlin, and I am a clinical social worker with over 22 years of experience providing behavioral health services to children and families across a variety of treatment settings here in Maine. As the Executive Director of the Maine Chapter of the National Association of Social Workers (NASW), and a former school social worker myself, I applaud the efforts of the DOE in providing clarification to school districts, administrators, and practitioners around the role of social work in Maine’s schools. This is a topic not only relevant here in Maine but across the country, so much so that the NASW created a practice section specific for school social workers several years ago. Here in Maine, our School Social Work Committee is an active membership-driven group that meets regularly to support the high quality delivery of services to youth and families across Maine. According to the NASW, “School social workers are an integral link between school, home, and community in helping students achieve academic success. They work directly with school administrations as well as students and families, providing leadership in forming school discipline policies, mental health intervention, crisis management, and support services.” Without question, the title of “school social worker” is one that is worn with pride both here in Maine and around the country and is founded in professionalism, evidence-based best practices, quality, and integrity, and I’m humbled to speak on behalf of school social workers from all across our great state.

NASW ME has additionally offered comments on this particular LD with a coalition comprised of the Maine Counseling Association, Maine Mental Health Counselors Association, National Association of Social Workers Maine, Maine School Counselor Association and Maine Psychological Association. I want to also take this opportunity to offer some specific thoughts from a social work perspective.

Simply put, Chapter 117 outlines standards and qualifications/duties of both school counselors and school social workers and also addresses the use of their time within these school environments. Passage of LD 394 will allow representatives of Maine’s DOE to provide guidance and clarification to school districts who are seeking support in best addressing student mental health concerns and wellness. This will be a welcome service to the hundreds of districts across Maine who are struggling to effectively meet the behavioral health needs of their students and families. Without passage of LD 394, Maine’s DOE will be challenged to provide this needed guidance.

NASW ME is appreciative of the work the Maine DOE has done to establish these roles and distinctions between the various types of support services schools employ. We are in support of language that recognizes the uniqueness of the different behavioral health professions and honors their skills in addressing student’s mental health needs. We further acknowledge that each role is focused on different systems, requiring unique training and skills.

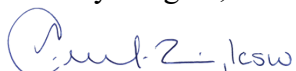
As you may know, in 2021 Maine added title protection for social workers to Maine law which essentially states that anyone practicing under the title of a “social worker” must be licensed as such accordingly. This was an important step forward in ensuring consistency and a standard of practice for those working under the description of a “social worker”. Unfortunately though, many organizations, including schools, continue to hire individuals without social work licenses in positions labeled as “social worker”. NASW ME believes that Chapter 117 provides important distinctions between the role of school social worker (at both the Bachelors and Masters levels) and the role of a school counselor. We further recognize that another title of “school-based clinician” (or something similar) is also gaining traction across Maine, and we support the use of this title to hire any clinically licensed individual (LMSW-CC, LCSW, LCPC-C, LCPC, LMFT, and Psychologist, for example) needed to provide direct clinical services (evaluation, assessment, and therapy for individuals, groups, and families) to students and families within a school or district.

Given the recent results of the 2021 Maine Integrated Youth Health Survey (MIYHS), the need for a wide range of behavioral health providers who can cast a broad net of support in our schools has never been greater. According to the Maine CDC, 1/3rd (32%) of middle school students and almost half (43%) of high school students reported poor mental health including stress, anxiety, and depression “most of the time” or “always” during the COVID-19 pandemic. 9% of high school students reported at least one suicide attempt in the past 12 months with girls both considering and attempting suicide at a much higher rate than their male counterparts. A quarter of all high school students reported 4 or more Adverse Childhood Experiences with noted higher rates within minority groups such as LGBTQ+ students and students of color. Just 55% of middle schoolers reported that they feel as though they matter to people in their community. Only 73% of high schoolers said that they had at least one teacher that cares and supports them. Clearly, students need more adults who can respond to their current emotional and mental health needs, and LD 394 (DOE Chapter 117 Rules) provides excellent progress towards this goal.

It's important to keep in mind that the language contained in Chapter 117 is pulled from current state statutes. There is nothing new in Chapter 117 that doesn't already exist in law that, in some places, is over 3 decades old. NASW ME also believes that in the passage of LD 394, the Maine DOE can be helpful in providing some additional clarification and guidance in some of the other aspects of Chapter 117 that may require further clarification (such as the definition of “client”). Passage of LD 394 is the first step in bringing much sought after guidance in schools' efforts to keep all their students safe, healthy, and successful. We urge you to pass LD 394.

Again, thank you for your work on these guidelines, clarifications, and definitions. NASW ME looks forward to continued partnerships with the Committee, the Legislature, and the Maine DOE and other stakeholders to best support youth and families during these post-pandemic times ahead. I am willing to answer any questions or provide further clarification at any time. Please do not hesitate to reach out to NASW ME for any support we can offer, including any representation and participation in any future Work Sessions for LD 394.

Thank you again,

A handwritten signature in blue ink, appearing to read "Chris McLaughlin", followed by the text "lcsw" in a smaller font.

Chris McLaughlin, MSW, LCSW
Executive Director
Maine Chapter - NASW