



March 22, 2023

**CHAPTER 117: RULES REGARDING THE DUTIES OF SCHOOL  
COUNSELORS AND SCHOOL SOCIAL WORKERS**

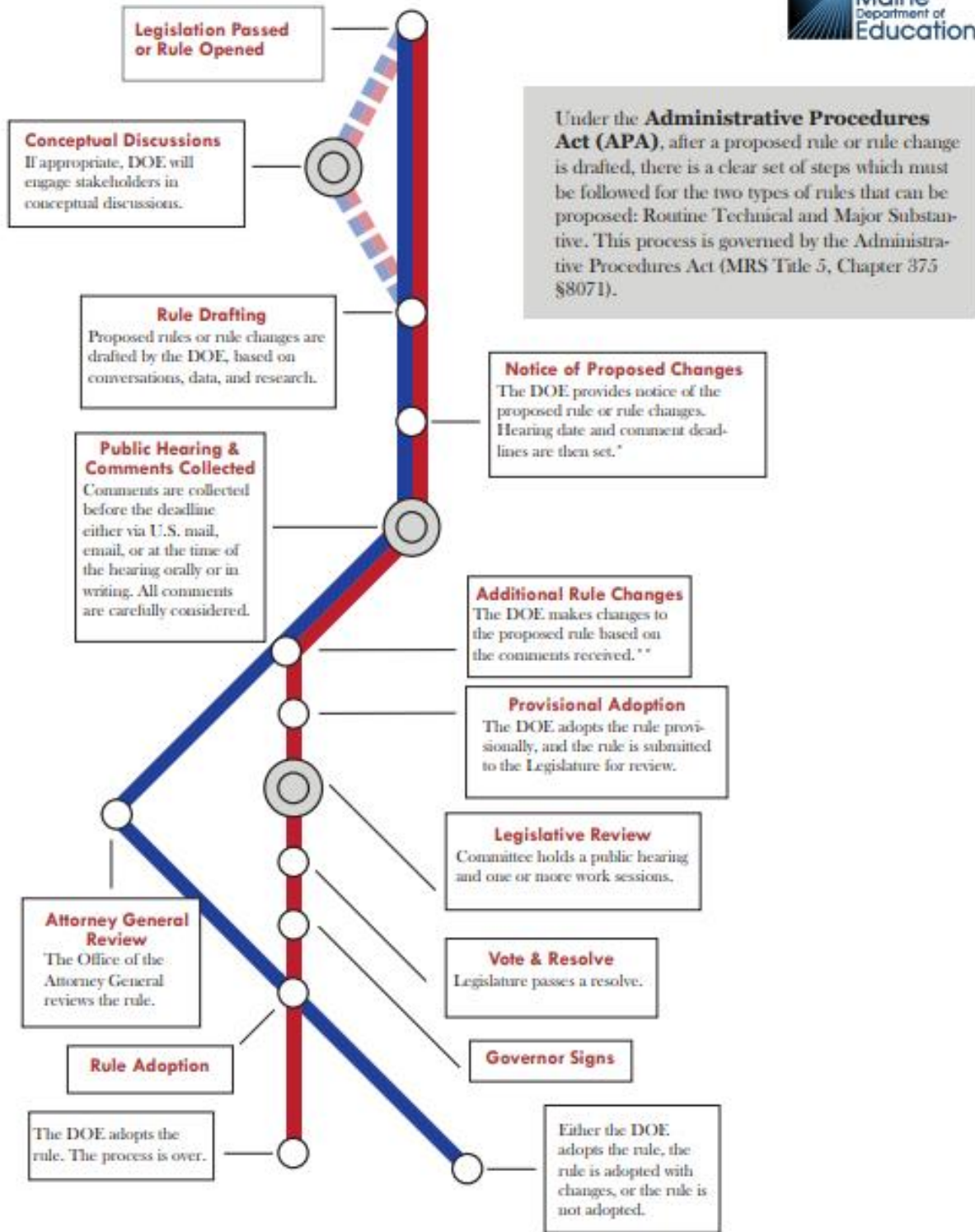
**How did we get here?**

In 1998, [Title 20-A MRS §4008 PRIVILEGED COMMUNICATIONS](#) was passed allowing school counselors with master's degrees to withhold private conversations from parents. The concerns of parents way back then, are now becoming our nightmare. This well-intended and very limited authority was rarely invoked.

In 2019, the Maine legislature and Governor passed [LD247](#) resulting in chapter law [Title 20-A Maine Revised Statute §4008-A SCHOOL COUNSELORS AND SCHOOL SOCIAL WORKERS](#). This charged the Maine Department of Education (MeDOE) with adopting a new major substantive rule to implement this new law. All agency rules are adopted in accordance with the [Maine Administrative Procedure Act](#) which requires public and legislative notice of rulemaking and the submission of [all major substantive rules](#), to the Legislature for review and approval. See page 2 for an infographic flowchart. On September 27, 2022, [Chapter 117: RULES REGARDING THE DUTIES OF SCHOOL COUNSELORS AND SCHOOL SOCIAL WORKERS](#) was filed as the proposed new rule. On October 6, 2022, the MeDOE released a [public notice](#) to open up the public comment period from October 5 through November 14, 2022. A public hearing was set and executed on October 24, 2022. Due to this rule being legislated as “new major substantive”, it is treated as an emergency and was provisionally adopted on December 8, 2022. Currently, the next step in the procedure is a legislative review by the education committee which on Tuesday, March 21, was scheduled for a public hearing on April 6, 2023 at 1:00 p.m. [LD 394](#) is the vehicle to deliver this new proposed rule to the education committee for review.



# Getting Involved in the Rulemaking Process



**Footnotes**

\* The Secretary of State's office is notified, Weekly Newspaper ad, posted on DOE website, notice in the DOE Newsroom, email blast (priority notice).

\*\* If the changes are substantial, APA requires the DOE provide a second comment period on the proposed rule with the change. The comment period must be at least 30 days. The process continues until the DOE is prepared to move forward.

**Key**

- Major Substantive Rules
- Routine Technical Rules
- ⊙ Opportunities for Stakeholder Input
- Standard Steps



## What was the purpose of LD 247?

“Many school counselors also spend time on clerical work, serving as substitute teachers, covering recess and lunch duties, proctoring testing, manually entering test data into state websites and performing other jobs that are not direct or indirect services to students. These extra duties interfere with their abilities to focus on their direct responsibilities, and LD 247 seeks to minimize these interruptions.” - [Senate Democrats](#)

- Increase direct one on one efforts with and for the student body by mandating each school counselor and school social worker spend at least 80% of their time providing direct services to and indirect services on behalf of students.
- Define the duties of school counselors, including that a school counselor deliver a ***comprehensive school counseling program***, and guidelines regarding the duties of school social workers. Is this the introduction to [mandated comprehensive sex education](#)?

## How was LD 274 received by the public?

- See [What did the experts say?](#) (attachment)

### EXPERT TESTIMONY OPPOSED -

#### February 25, 2019 - Sarah Adkins - Student Assistance Coordinator

- concerns include mandating what could be considered preferential treatment of one professional staff category over another. Teachers and counselors are all considered to be specialists and professionals, creating a challenge when mandating the way one group's time must be spent.
- this bill will require accounting for how professional time is spent, creating an undue burden in terms of recording professional time
- The additional record keeping required to manage percent of time on specific tasks may provide a disincentive for schools to hire their own providers, and they may revert back to the practice of using outside agency providers in lieu of hiring their own district mental health staff.
- Saturation affect instead of applying the most resources to those that require such

#### February 25, 2019 - Steve Bailey - MSBA

- We are opposed to the bill's premise that the way to provide more support to students is by restricting what counselors and social workers do.
  - We oppose the mandate in this bill that would define and limit how counselors or social workers spend 80 percent of their time. This is and should remain a local decision and not be dictated by Augusta.
-



## Why do I care?

This rule will, in essence, create an attorney-client privilege authority for school counselors and school social workers who are being instructed to indoctrinate students. This is aggressively undermining the inherent rights of parents. It requires unyielding opposition. This is yet another precedent being set to erode the family unit which has been the number one contributor in surveying successful educations for decades.

Alvin Lui with the 501(c)(3) non-profit [Courage is a Habit](#) (CIAH - SIGN-UP!) provided eye popping context to this question with video evidence from inside the [2021 American School Counselors Association Conference](#) (ASCA) and [follow-up investigative work](#). Last year, [Alvin helped lead the charge, provoking](#) countless parents and other stakeholders into submitting testimony for the original public comment period. Please check out his [uncovering of social workers](#) and the extremely activist nature of the [National Social Workers Association Maine](#), a quasi-state agency, whose purpose is to socially engineer children. All while benefiting financially from government grants and district contracts. The ASCA and MeSCA are the tip of the spear in terms of these state employees' "living activism" which is abusing their access to other people's children. Videos show they hold it as a badge of honor. This rule will supercharge an already rogue activist base of social workers and counselors inside Maine schools.

Below is the ASCA mission statement from 1998 verse 2021. They are saying the quiet part out



loud, so we must oppose without any reservations to protect our vulnerable kids.

**ASCA** is training school counselors to indoctrinate children towards CRT and the Transgender Cult. This is taken directly from their schedule of sessions as part of the ASCA 2022 Conference.

**No Limits**  
ASCA 2022 Annual Conference

- Anti-Racism Starts With Us
- Become an LGBTQ-inclusive school
- Legal and Ethical Considerations: Student Surveys
- Equity in Action Through Systemic Change
- Teach Grad Students Trauma-Informed Practices
- Support Transgender and Gender-Expansive Students
- School Counselors Legal Literacy and Ethical Practice
- DEI Townhall '22
- Anti-Racism Perspectives
- Middle School Matters and Build/Repair Relationships with Restorative Justice
- LGBTQ+ School Counselors Affinity Group

"It is an "expectation, not the exception" for school counselors to integrate multiculturalism and social justice perspectives into their work as advocates and leaders"

- ASCA  
2021 Position Statement

circa  
**1998**

"Refrains from consciously encouraging the counselee's acceptance of values, lifestyles, plans, decisions, and beliefs that represent the counselor's personal orientation."

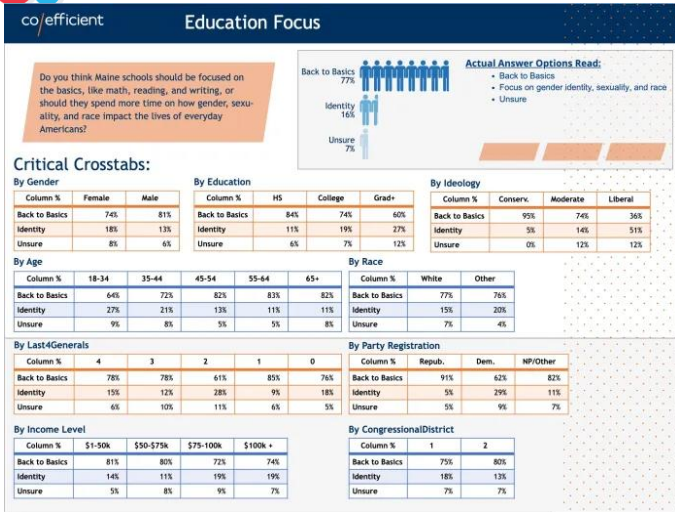
- 1998 ASCA Ethical Standards for School Counselors

**Is this aggressive ASCA/MeSCA campaign showing effects?**

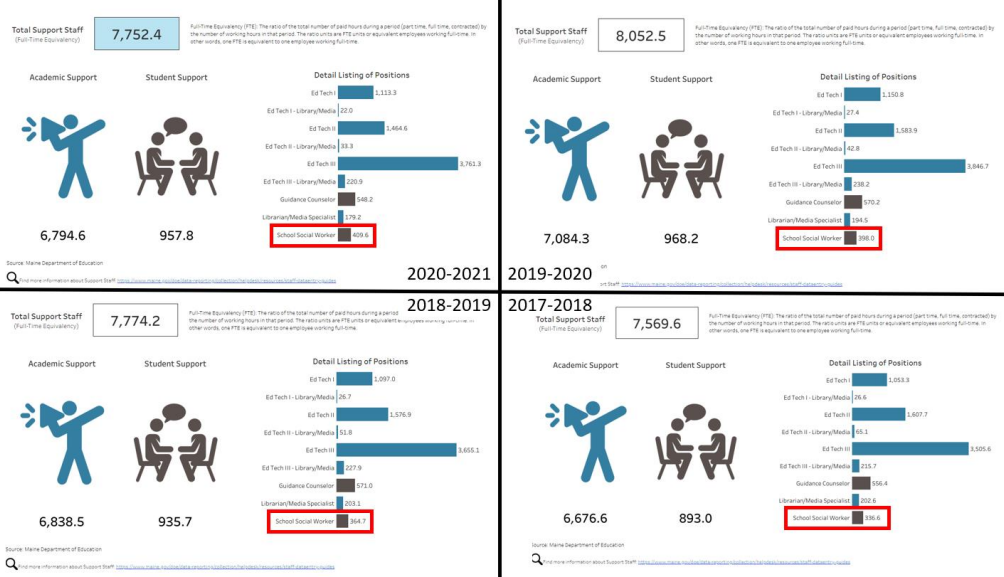
[An analysis of Maine survey data suggests the trends in students identifying as LGBT merit prudence and further study by school officials and educational professionals](#)

[Dr. Lisa Littmen starting with her interview below. The entire industry is aware of something having gone amiss, so why are our legislators and MeDOE rulemakers doubling down?](#)

[The Maine Wire / Co/Efficient poll was conducted from Feb. 28 to March 1](#)  
"While 95 percent of self-identified conservatives and 74 percent of moderates said schools should get back to the basics, 51 percent of self-identified liberals said schools should focus more on gender and race."



We pulled the full time employee statistics for the past 4 school years and only one type of employee has seen a major surge beginning prior to 2020.



## OK, how do I help?

### 1. Save the Date for oral testimony in Augusta on April 6 @ 1p

- We are requesting those able to attend this hearing to confirm, so we may make sure adequate arrangements are prepared such as parking and water and notify legislators. A sign up list will be created, but if you have already let us know do not use the form
- [Burton M. Cross Building directions](#)



LD 394  
HP0245  
CHAPTER 117

**APRIL 06**  
**1PM**

BURTON M. CROSS BLDG  
III JACKSON ST, AUGUSTA  
RM 208, VIRTUAL OPTIONS

Live Work Sessions  
March 24, 6p  
March 28, 6p  
April 4, 6p

MAINEPRIE@GMAIL.COM  
FOR ZOOM LINK

- INFORMATION PACKETS
- TESTIMONY PREP
- INSTRUCTIONS

SAVE  
THE  
DATE

2. Live virtual testimony (follow written testimony below, but select virtual option)
3. [Submit written testimony](#); Check status [here](#)

[Sample Testimony I](#) (Courage is a Habit messaging points 2022)

[Sample Testimony II](#) (MePRIE)

Support for submitting testimony and messaging will be expanded by the next zoom working session on Tuesday, March 28. Alvin Lui from CIAH will be featured at 8p!

Please utilize the Parent's Training Center at our new website:

<https://parentsrightsineducation.com/>

## Who am I speaking to?

### [Committee On Education and Cultural Affairs](#)

"[Education and Cultural Affairs](#). Department of Education; State Board of Education; school finance, governance and administration; school budgets; school facilities; curriculum, instruction and assessment; teachers and administrators; special education and child development services; education of deaf and hard-of-hearing students; career and technical education; alternative education, school choice and home schooling; truancy and dropouts; educational services at juvenile correctional facilities; adult education; Maine Education Policy Research



Institute; University of Maine System; Maine Community College System; Maine Maritime Academy; postsecondary education finance and governance; student assistance programs at Finance Authority of Maine; and cultural affairs, including Maine Arts Commission, Maine State Library, Maine State Museum and Maine Public Broadcasting Corporation.”

Interest in keeping up with committee affairs? [Join the mailing list.](#)

## [Full Committee Contact List](#)

### Email list:

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[James.Worth@Legislature.Maine.gov](mailto:James.Worth@Legislature.Maine.gov),  
[EDU@legislature.maine.gov](mailto:EDU@legislature.maine.gov),

## **Where may I ask a question or add input?**

We are always urged to reach out to our local representatives or committee clerk for assistance.

Maine Parents’ Rights in Education is inviting you to a scheduled Zoom meeting.

Topic: MeDOE New Rule Chapter 117 Action Plan





Time: Mar 28, 2023 06:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us06web.zoom.us/j/86758432123?pwd=ZnhPeElRaUFkSXB0SEZacWEwaWJydz09>

Meeting ID: 867 5843 2123

Passcode: chapter117

Join at 8p for a featured segment with Alvin Lui from CIAH

≡ EPOCH TV

The REVOLUTIONIST PLAYBOOK

AMERICAN THOUGHT LEADERS

EPOCH TV

Live chat

***Alvin Lui: How Schools Are Weaponizing 'Inclusion,' Empathy, and 'Social Emotional Learning' to Indoctrinate Children***

January 26, 2023 AMERICAN THOUGHT LEADERS Views 23.9K

## Support & Assistance

Please utilize the free training on our brand new website located at

<https://parentsrightsineducation.com/courses/how-to-testify-at-school-boards/>



Once you have drafted your testimony, sending a copy to [chapter117me@gmail.com](mailto:chapter117me@gmail.com) will allow us to maximize our efforts. All submitted testimonies are viewed as confidential unless noted otherwise.

We have scheduled three zooms to meet the demands of conflicting schedules and busy lives. They will be on March 24, 28 and April 4 from 6p to 9p. These time intervals are for people to pop in, get support, then leave. We will be available for times outside these working sessions as much as possible.

### FINAL PREP...

Maine Parents' Rights in Education is inviting you to a scheduled Zoom meeting.

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Time: Mar 28, 2023 06:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us06web.zoom.us/j/86758432123?pwd=ZnhPeElRaUFkSXB0SEZacWEwaWJydz09>

Meeting ID: 867 5843 2123

Passcode: chapter117

Topic: MeDOE New Rule Chapter 117 Action Plan

Time: Apr 4, 2023 06:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us06web.zoom.us/j/82655327790?pwd=WWxWYVFGOU93OHh6Wl0xMWMzUT09>

Meeting ID: 826 5532 7790

Passcode: chapter117