

**From:** [Maaike Thomas](#)  
**To:** [FeedBack, Rule, PED](#)  
**Subject:** [EXTERNAL] 6.63.18 NMAC  
**Date:** Monday, September 19, 2022 8:41:39 AM

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Hello!

I would like to request the following competencies be added to this proposal. As a mental health professional in the schools for 15 years, the competencies should include something surrounding academic and career guidance. Having worked as a school social worker I have found that a core stressor and trigger for many students and families comes from areas surrounding making decisions and/or understanding academic needs and skills as well as planning towards future goals. I would suggest pulling some language from the school counselor license into this license as well. This would promote a more wrap-around approach to meeting students' needs within this license.

A. The counselor will develop and implement a comprehensive school level guidance program based on the American school counseling association national standards and focused on the physical, social, intellectual, emotional, and vocational growth of each student by:

- (1) determining guidance priorities based on local assessed needs;
- (2) formulating measurable objectives from identified needs and priorities;
- (3) formulating specific tasks relating to achieving the objectives;
- (4) coordinating a continuing evaluation of the program;
- (5) serving all students at the prevention level;
- (6) coordinating with the appropriate administration to achieve items in Paragraphs (1) to (4) of

Subsection A of 6.63.6.9 NMAC.

B. The counselor will coordinate activities in the guidance and counseling program by:

- (1) communicating the curriculum based on content standards and benchmarks;
- (2) working with other staff members to encourage the inclusion of a student-oriented philosophy in all school activities;
- (3) helping to integrate the guidance and counseling program within the total school program;
- (4) communicating with parents and the community about services available within the guidance and counseling program;
- (5) learning about available school and community resources;
- (6) establishing and maintaining contact with school and community resources;
- (7) working with the administration to utilize community resources related to the guidance program.

C. The counselor will provide information and facilitate guidance activities for students, staff, and parents by:

- (1) assisting others in their understanding of personal and social development;
- (2) serving as a resource to facilitate groups and presentations on pertinent issues;
- (3) providing prevention strategies which address current issues such as chemical dependency, teenage pregnancy, suicide, dropping out, and various forms of abuse;
- (4) conducting activities on educational career themes;
- (5) conducting orientation/training programs for students, parents, and staff;
- (6) interpreting test results to students, parents, and staff.

Thank you for your times and consideration

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**Maaike Thomas, LMSW**  
**School Social Worker/Student Success Advisor**  
**[maaike.thomas@carlsbadschools.net](mailto:maaike.thomas@carlsbadschools.net)**

(575) 234-3320 ext. 2808

Click provided link to book an Appointment:

<https://calendar.app.google/FN4ejBbxsHt5Nr5t8>

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**From:** [Lisa Clouthier](#)  
**To:** [FeedBack, Rule, PED](#)  
**Subject:** [EXTERNAL] Feedback  
**Date:** Sunday, September 25, 2022 3:33:59 PM

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Hello,

I would like to request the following competencies be added to this proposal. As a mental health professional in the schools for 11 years, the competencies should include something surrounding academic and career guidance. Having worked as a school social worker I have found that a core stressor and trigger for many students and families comes from areas surrounding making decisions and/or understanding academic needs and skills as well as planning towards future goals. I would suggest pulling some language from the school counselor license into this license as well. This would promote a more wrap-around approach to meeting students' needs within this license.

A. The counselor will develop and implement a comprehensive school level guidance program based on the American school counseling association national standards and focused on the physical, social, intellectual, emotional, and vocational growth of each student by:

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- (3) formulating specific tasks relating to achieving the objectives;
- (4) coordinating a continuing evaluation of the program;
- (5) serving all students at the prevention level;
- (6) coordinating with the appropriate administration to achieve items in Paragraphs (1) to (4) of Subsection A of 6.63.6.9 NMAC.

B. The counselor will coordinate activities in the guidance and counseling program by:

- (1) communicating the curriculum based on content standards and benchmarks;
- (2) working with other staff members to encourage the inclusion of a student-oriented philosophy in all school activities;
- (3) helping to integrate the guidance and counseling program within the total school program;
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- (4) conducting activities on educational career themes;
- (5) conducting orientation/training programs for students, parents, and staff;
- (6) interpreting test results to students, parents, and staff.

Thank you for your time and consideration!

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Respectfully,

Lisa Clouthier  
Social Worker

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Respectfully,

Lisa Clouthier  
Social Worker

Monterrey Elementary  
(575) 234- 3309 Ext 1728  
*Available Mornings 7:35 A.M.-11:00 A.M*

Sunset Elementary  
(575) 234-3315 Ext 1837  
*Available afternoons 11:45 A.M-3:15 P.M.*

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**From:** [Heather Fried](#)  
**To:** [FeedBack, Rule, PED](#)  
**Subject:** [EXTERNAL] 6.63.18  
**Date:** Tuesday, October 11, 2022 8:13:20 AM

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Feedback on proposed 6.63.18 NMAC, Licensure for School Behavioral Health Counselors

While I can see the need for this position within our schools, I am concerned by the fact that individuals have to possess both a school counseling license and be certified by the NM counseling and therapy practice board. Here are my concerns:

- The two licenses have a complete different set of ethical guidelines and standards and competencies. Which one do they follow? How does a person decide which to follow? Leaves too many things up to chance.
- School counselors fall under ASCA. We are bound to provide brief, solution focused counseling and then refer on for issues that are of a more serious nature or beyond what we can provide support for within a school. This is in conflict with a therapist.
- One license falls under FERPA, the other under HIPPA.
- It would be difficult for individuals to delineate between the two licenses.
- If you are doing this for the purpose of being able to bill Medicaid, there are many things that a school counselors does that would not be counted making it possible for billing errors to occur.

Please consider removing the dual licensure requirement, removing the school counseling license as a requirement. The proposed rule is a great idea but please consider taking out the school counselor license portion. I believe it muddies the waters too much, so to speak.

Sincerely,

Heather Fried  
Licensed School Counselor

**From:** [A. Owens](#)  
**To:** [FeedBack, Rule, PED](#)  
**Cc:** [Lipe, Tatia](#); [christyschneider1@me.com](mailto:christyschneider1@me.com); [eliseipock@gmail.com](mailto:eliseipock@gmail.com)  
**Subject:** [EXTERNAL] Public Comment for 6.63.18 NMAC  
**Date:** Tuesday, October 11, 2022 12:30:11 PM  
**Attachments:** [Public Comment on Proposed Regulations \(§6.63.18.1 NMAC et seq.\).pdf](#)

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Good afternoon.

I am attaching public comment for consideration regarding 6.63.18 NMAC, Licensure for School Behavioral Health Counselors, Grades PreK-12.

If you have any issues opening the attached file, please let me know.

Regards,  
Amanda Owens, **for OPEN**

To: NMPED  
 from: OPEN (Organizing Parents Education Network)  
 re: public comment on proposed regulations (§6.63.18.1 NMAC *et seq.*)  
 date: 10-11-22

regulation citation

<p>§6.63.18.6 and other sections</p>	<p>“School behavioral health counseling” is not a term of art and is not found in the New Mexico School Code; this term is also not defined in these regulations.</p> <p>Lack of a definition leads to questions:</p> <ol style="list-style-type: none"> <li>1) what is “school behavioral health counseling” and what are its objectives?</li> <li>2) who is served?</li> <li>3) is “school behavioral health counseling” simply an umbrella term which covers services for which the state/school districts intend to generate Medicaid reimbursement?</li> </ol>
<p>§6.63.18.10(A)-(K)</p>	<p>The “competencies” for School Behavioral Health Counselors does <b><i>not include</i></b> any reference to knowledge about IDEA, special education, Section 504, students with disabilities, knowledge about specific disabilities, ability to communicate with students through anything other than spoken English (assumed).</p> <p>The absence of any competencies touching on ability to work with students with disabilities appears to exclude students with disabilities from the proposed service of “school behavioral health counseling”. Is “school behavioral health counseling” offered only to nondisabled students and students who do not receive special education on the basis of disability?</p> <p>Why are these providers not be expected to be competent and proficient in understanding and meeting needs of students with disabilities who receive special education and/or accommodations under Section 504?</p>

<p>§6.63.18.10(D)(2)</p>	<p>If “school behavioral health counselors” are expected to be “providing intensive crisis intervention to remedy effects of abuse, neglect, adverse childhood events, or exploitation of children,” the regulation needs to clarify that these counselors will be advocates <i>against</i> any uses of restraint and seclusion in schools, since those practices are themselves “adverse childhood events” which occur in the school setting.</p> <p>The regulations (somewhere) need to prohibit “school behavioral health counselors” from serving on school crisis teams when those teams are called to physically restrain students. Physical restraint traumatizes students and should not be part of the job duties for “school behavioral health counselors”.</p>
<p>6.63.18.10(H)</p>	<p>This section should reference “disability” as an area of knowledge and remove “psychopathology” which is a stigmatizing term which does not convey embracing neurodiversity.</p>
<p>6.63.18.10(J)</p>	<p>This section should be removed. Threat assessments form no part of a therapeutic relationship with students and their families. If the goal is to have this group provide support to students, any participation in threat assessments is a contradiction.</p>

**From:** [Amy Oherron](#)  
**To:** [FeedBack, Rule, PED](#)  
**Subject:** [EXTERNAL] 6.63.18 NMAC  
**Date:** Friday, October 14, 2022 9:58:08 AM

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Greetings New Mexico Public Education Department,

As a practicing school psychologist in Albuquerque, I am very excited at the prospect of increasing behavioral health support in our schools. In my day to day work, I consistently witness the numerous benefits mental health strategies and behavior interventions have on our students' educational performance (academic, social, vocational, and personal skills). Mental health supports make for healthier, better functioning students, classrooms, and school communities. Sadly, there are not enough of them.

While School Behavioral Health Counselors will fill a critical void, in order for this new role group to be most effective, it will be important for the mental health providers who do not have a background in education (licensed alcohol and drug abuse counselor, LMFT, LPAT etc.) to receive sufficient training in the unique ways mental health impacts children in school settings. Therefore, a condition of supervision should be that all supervisors have experience working in schools.

Furthermore, in an effort to expand the number of mental health practitioners in schools, I strongly encourage the Public Education Department to adjust New Mexico's current level system. School-based mental health professionals who have moved here from out of state should get credit for their experience, instead of having to begin at a level 1 license which requires supervision. In that vein, it is also important that a school-based professional who already holds a New Mexico license (school social worker, school counselor, school psychologist) and is working at a level 2 or 3 start at the same level as a School Behavioral Health Counselor. This seems self-explanatory, since their training and experience already encompasses all aspects of the School Behavioral Health Counselor position.

Thank you for your consideration of these points. I appreciate your efforts to ensure every student in New Mexico has access to the mental health support necessary to succeed in school and life.

Amy O'Herron

Nationally Certified School Psychologist

**From:** [Joseph Escobedo](#)  
**To:** [FeedBack, Rule, PED](#)  
**Cc:** [Vicki Price](#); [Brenda Yager](#); [REISER FERRELL, TEISE](#)  
**Subject:** [EXTERNAL] Albuquerque Public Schools Feedback on Licensure for School Behavioral Health Counselors  
**Date:** Monday, October 17, 2022 1:49:21 PM  
**Attachments:** [Letter to PED on Licensure for School Behavioral Health Counselors.pdf](#)

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Attached is a letter from Albuquerque Public Schools on the proposed rule 6.63.18 NMAC, Licensure for School Behavioral Health Counselors, Grades Pre K-12.

Thank you,

Dr. Joseph D. Escobedo  
Government Affairs Team  
[Albuquerque Public Schools](#)  
505-362-6847 - [escobedo\\_j@aps.edu](mailto:escobedo_j@aps.edu)



October 17, 2022

Policy and Legislative Affairs Division  
New Mexico Public Education Department  
300 Don Gaspar Ave., Room 121  
Santa Fe, New Mexico 87501  
Sent via Email: [Rule.Feedback@state.nm.us](mailto:Rule.Feedback@state.nm.us)

Included are comments on the proposed rule for **6.63.18 NMAC, Licensure for School Behavioral Health Counselors, Grades Pre K-12:**

- Remove the School Counselor requirement and make this a clinical license.
  - This will eliminate confusion.
  - Counseling and therapy licenses have different ethical standards, competencies, and licensing requirements.
  - Having staff with separate licenses will help schools to diversify their staff by having counselors or therapists.
- Remove the requirement of being a “school” social worker and change it to a “clinical” social worker.
- We recommend that this be the first requirement *“Hold a national certified counselor credential issued by the national board for certified counselors by the New Mexico counseling and therapy practice board as one of the following type of counselors:*
  - *Licensed professional counselor*
  - *Licensed mental health counselor*
  - *Licensed professional clinical mental health counselor.”*
- We recommend that you remove *“licensed alcohol and drug abuse counselor,”* as they do not get enough training to be included in this new career path.
- The competencies listed in 6.63.18.10 do not align to school counselor competencies, it is recommended that the school counselor requirement be removed. If removed, this section would not be in contradiction with the school counselor competencies.
- The licensing process described in 6.63.18.11 does not include the school counseling license through the New Mexico Public Education Department. If the school counseling requirement is not removed, this section will need to be aligned.

Thank you very much for allowing Albuquerque Public Schools to provide input into this proposed rule. If you have any questions, please contact Dr. Joseph Escobedo, APS Government Affairs Team at [escobedo\\_j@aps.edu](mailto:escobedo_j@aps.edu) or at 505-362-6847.

Sincerely,

Scott Elder  
Superintendent