Ethical Decision Making for School Psychologists
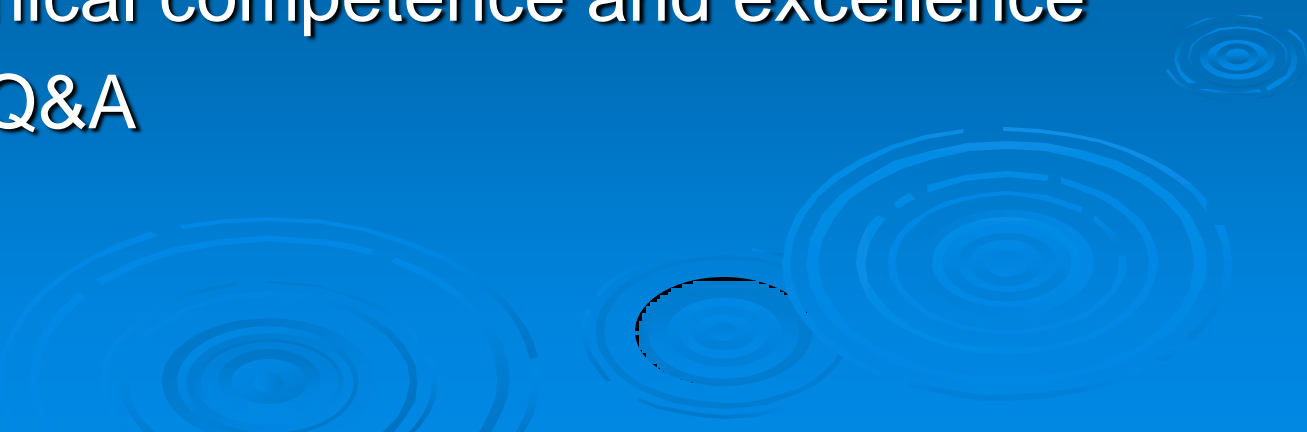
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NASP

Workshop topics

1. Introduction to applied professional ethics
2. 2010 revision of NASP *Principles for Professional Ethics*
3. Ethical decision-making model
4. Small group problem solving
5. Applying the model
6. Achieving ethical competence and excellence
7. Discussion, Q&A

Workshop objectives

➢ Learn a general ethical & professional practices (EPP) problem-solving model

➢ Practice the model in small groups

➢ Learn about resources to use the model in daily practice

➢ Make specific plans for implementation of the model

Note: The NASP and APA guidelines for approved CPD activities prompt our disclosure that we're the authors of a casebook for ethical and professional practices published by NASP.

What are ethics?

➢ Ethics is composed of a range of acceptable (or unacceptable) social and personal behaviors, from rules of etiquette to more basic rules of society.

➢ Develop within the context of a particular society or culture.

➢ W. D. Ross (1930), a 20th-century Scottish philosopher, identified these as the moral duties of the ethical person:

1. Nonmaleficence
2. Beneficence
3. Fidelity
4. Justice
5. Autonomy

Applied professional ethics

The application of broad ethical principles and specific rules to problems that arise in professional practice.
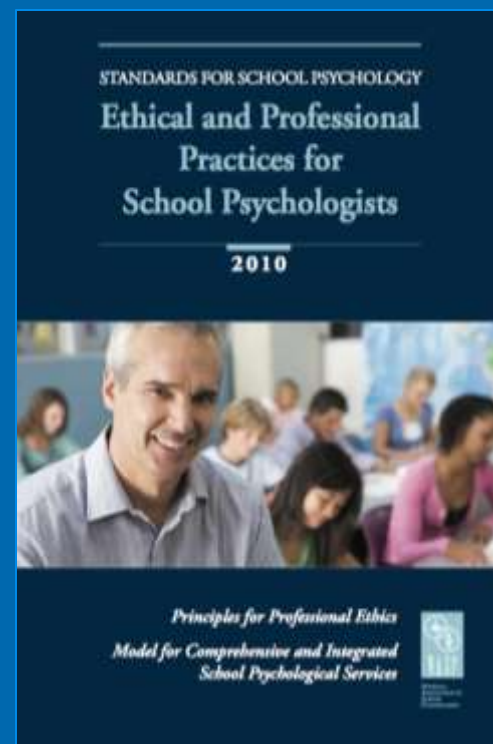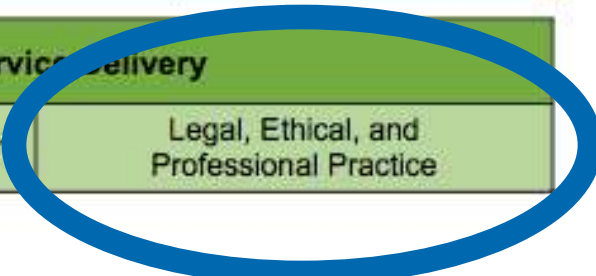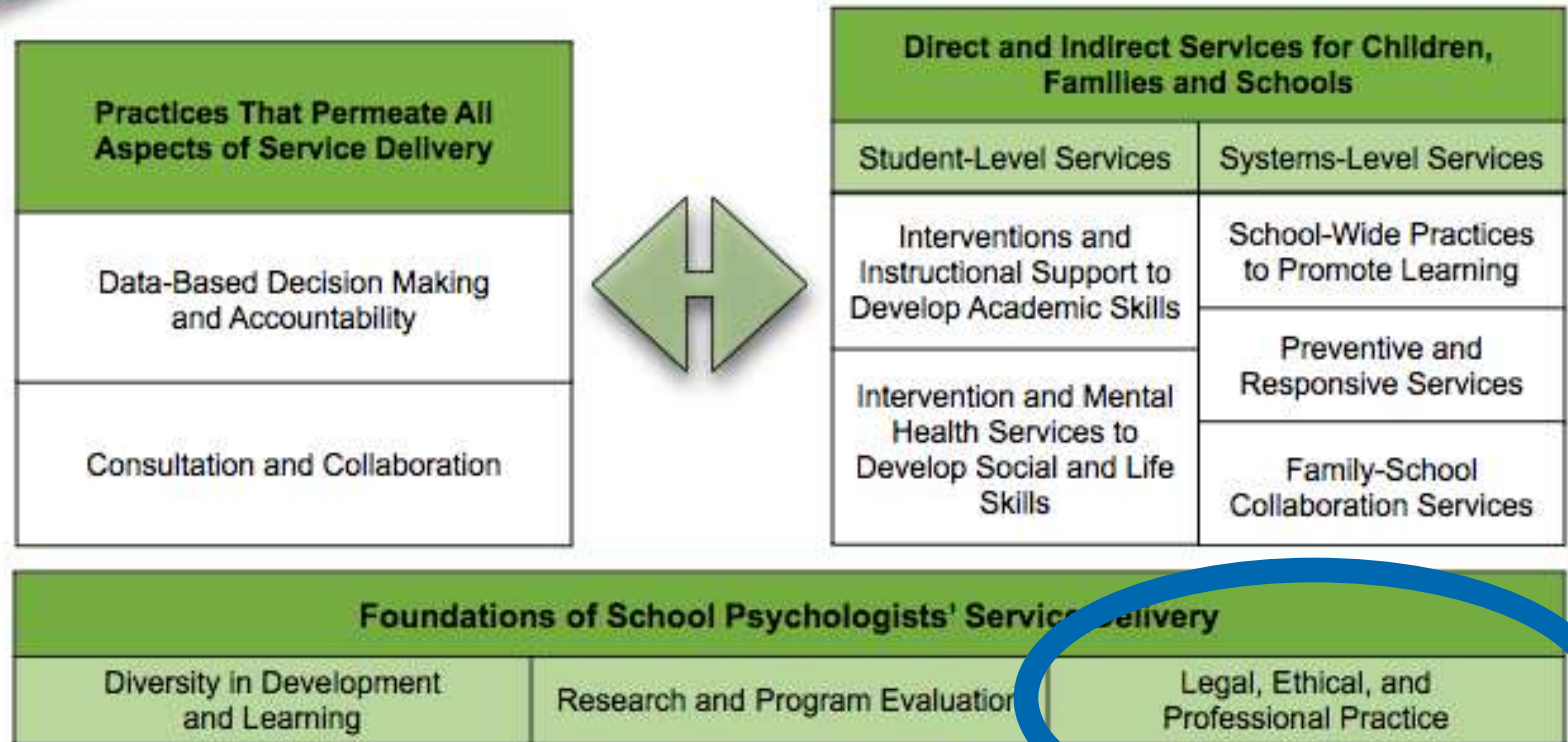
Professional guidelines

- NASP 2010 *Principles for Professional Ethics*

- NASP 2010 *Comprehensive and Integrated Model of School Psychological Services*

- Available at www.nasponline.org

- Other codes: APA, CPA

Codes of ethics

STANDARDS FOR SCHOOL PSYCHOLOGY
Ethical and Professional Practices for School Psychologists
2010

Principles for Professional Ethics
Model for Comprehensive and Integrated School Psychological Services

➢ Protect the public and maintain public trust.

➢ Show profession's commitment to self-regulation.

➢ Enhance prestige of a profession.

➢ Educate professionals and assist them in monitoring their own behavior.

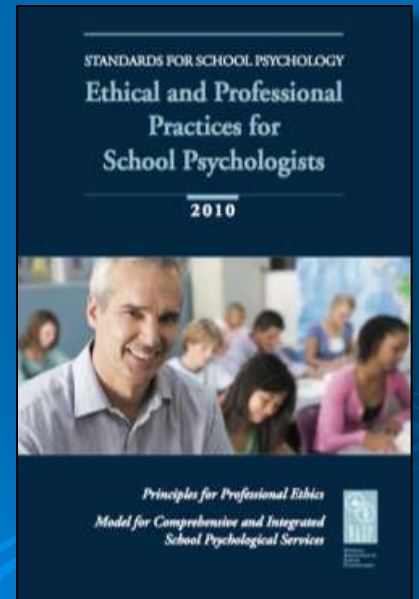➢ Guidelines for adjudicating complaints.

Professional Services by School Psychologists

Practices That Permeate All Aspects of Service Delivery

Data-Based Decision Making and Accountability

Consultation and Collaboration

Direct and Indirect Services for Children, Families and Schools

Student-Level Services	Systems-Level Services
Interventions and Instructional Support to Develop Academic Skills	School-Wide Practices to Promote Learning
Intervention and Mental Health Services to Develop Social and Life Skills	Preventive and Responsive Services
	Family-School Collaboration Services

Foundations of School Psychologists' Service Delivery

Diversity in Development and Learning	Research and Program Evaluation	Legal, Ethical, and Professional Practice

NASP's 2010 *PPE*

➢ Organized differently

➢ Most current ethical principles are included

➢ Internal conflicts in 2000 *Principles* were resolved

➢ Recent laws and court opinions were taken into account

➢ Revised code should be easier to teach, learn, and interpret

➢ Code is optimized for school-based practice

STANDARDS FOR SCHOOL PSYCHOLOGY

Ethical and Professional Practices for School Psychologists

2010

Principles for Professional Ethics
Model for Comprehensive and Integrated School Psychological Services

Reorganization

➢ Code is organized around four broad ethical themes derived from other ethical codes, especially that of the Canadian Psychological Association.

➢ The four broad themes subsume 17 ethical principles.

➢ Each principle is then further articulated by specific standards of conduct.

Themes

Principles

Standards

Four broad ethical themes*

I.   Respecting the Dignity and Rights of All Persons

II. Professional Competence and Responsibility

III. Honesty and Integrity in Professional Relationships

IV. Responsibility to Schools, Families, Communities, the Profession, and Society

*   **Adapted from A Canadian Code of Ethics (2000)**

I. Respecting the Dignity and Rights of All Persons

"School psychologists engage only in professional practices that maintain the dignity of children and other clients. In their words and actions, school psychologists demonstrate respect for the autonomy of persons and their right to self-determination, respect for privacy, and a commitment to just and fair treatment of all persons."

II. Professional Competence and Responsibility

"Beneficence, or responsible caring, means that the school psychologist acts to benefit others, or at least do no harm. To do this, school psychologists must practice within the boundaries of their competence, use evidence-based knowledge from psychology and education to help clients and others make informed choices, and accept responsibility for their work."

III. Honesty and Integrity in Professional Relationships

"To foster and maintain trust, school psychologists must be faithful to the truth and adhere to their professional promises. They are forthright about their qualifications, competencies, and roles; work in full cooperation with other professional disciplines to meet the needs of students and families; and avoid multiple relationships that diminish their professional effectiveness."

IV. Responsibility to Schools, Families, Communities, the Profession, and Society

"School psychologists promote healthy school, family, and community environments. They maintain the public trust in school psychologists by respecting law and encouraging ethical conduct. School psychologists advance professional excellence by mentoring less experienced practitioners and contributing to the school psychology knowledge base."

I. Respecting the Dignity and Rights of All Persons

School psychologists engage only in professional practices that maintain the dignity of children and other clients. In their words and actions, school psychologists demonstrate respect for the autonomy of persons and their right to self-determination, respect for privacy, and a commitment to just and fair treatment of all persons.

Principle I.1. Autonomy and Self-Determination (Consent and Assent)

Principle I.2. Privacy and Confidentiality

Principle I.3. Social Justice

II. Professional Competence and Responsibility

Beneficence, or responsible caring, means that the psychologist acts to benefit others, or at least do no harm. To do this, school psychologists must practice within the boundaries of their competence, use evidence-based knowledge from psychology and education to help clients and others make informed choices, and accept responsibility for their work.

Principle II.1. Competence

Principle II.2. Accepting Responsibility for Actions

Principle II.3. Responsible Assessment and Intervention Practices

Principle II.4 Responsible School-based Record Keeping

Principle II.5 Responsible Use of Materials

III. Honesty and Integrity in Professional Relationships

To foster and maintain trust, school psychologists must be faithful to the truth and adhere to their professional promises. They are forthright about their qualifications, competencies, and roles; work in full cooperation with other professional disciplines to meet the needs of students and families; and avoid multiple relationships that diminish their professional effectiveness.

Principle III.1. Accurate Presentation of Professional Qualifications

Principle III.2. Forthright Explanation of Professional Services, Roles, and Priorities

Principle III.3. Respecting Other Professionals

Principle III.4. Multiple Relationships and Conflicts of Interest

IV. Responsibility to Schools, Families, Communities, the Profession, and Society

School psychologists promote healthy school, family, and community environments. They maintain the public trust in school psychologists by respecting law and encouraging ethical conduct. School psychologists advance professional excellence by mentoring less experienced practitioners and contributing to the school psychology knowledge base.

Principle IV.1. Promoting Healthy School, Family, and Community Environments

Principle IV.2. Respect for Law and the Relationship of Law and Ethics

Principle IV.3. Maintaining Public Trust by Self-Monitoring and Peer Monitoring

Principle IV.4. Contributing to the Profession By Mentoring, Teaching, and Supervision

Principle IV.5. Contributing to the School Psychology Knowledge Base

Principle I.2. Privacy and Confidentiality

School psychologists respect the right of persons to choose for themselves whether to disclose their private thoughts, feelings, beliefs, and behaviors.

Standard I.2.1 School psychologists respect the right of persons to self-determine whether to disclose private information.

Standard I.2.2. School psychologists minimize intrusions on privacy. They do not seek or store private information about clients that is not needed in the provision of services. School psychologists recognize that client-school psychologist communications are privileged in most jurisdictions, and do not disclose information that would put the child or family at legal, social, or other risk if shared with third parties except as permitted by the mental health provider-client privilege laws in their state.

Standard I.2.3. School psychologists inform children and other clients of the boundaries of confidentiality at the outset of establishing a professional relationship. They seek a shared understanding with clients regarding the types of information that will and will not be shared with third parties. However, if a child is in immediate need of assistance, it is permissible to delay the discussion of confidentiality until the immediate crisis is resolved. School psychologists recognize that it may be necessary to discuss confidentiality at multiple points in a professional relationship to ensure client understanding and agreement regarding how sensitive disclosures will be handled.

If the new *Principles* are so good…???

➢ Why do we all need to learn and practice an ethical decision making model?

➢ Because…codes are imperfect guides for solving problems.

➢ And they certainly wouldn't help you with this problem…

Codes are imperfect guides

➢ They comprise broad, abstract principles (plus some specific mandates)

➢ They can be vague

➢ May include competing ethical principles

➢ May set up conflicts between ethical principles and laws or regulations

Codes are imperfect guides (cont.)

➢ Conflicting interests of multiple clients (e.g., student, parents, classmates)

➢ Dilemmas inherent in the dual roles of employee and pupil advocate

➢ Whether and how to confront unethical conduct of colleagues

➢ Often fail to address new and emerging ethical issues in a timely manner

Why use a decision-making model?

➢ A decision making model assists practitioners in making choices that are principled, reasoned, & universalizable.

➢ Can help anticipate and prevent problems from arising . . . a proactive approach.

➢ Can describe how a decision was made. Important when actions come under the scrutiny of others.

An eight-step model

1. Describe the problem situation.

2. Define the potential ethical or legal issues involved.

3. Consult ethical/legal guidelines, if any, that might apply. Consider broad ethical & legal principles as well as specific mandates. Consult others as needed.

4. Evaluate rights, responsibilities, & welfare of all affected parties (student, teachers, classmates, parents, siblings)

An eight-step model

5. Generate a list of alternative decisions for each issue

6. Consider the possible consequences of each alternative. Evaluate short-term, on-going, & long-range consequences.

7. Review any evidence that the various consequences or benefits resulting from each decision will actually occur.

8. Make the decision and accept responsibility for the decision making. Monitor the consequences of the decision.

Based on Jacob-Timm & Hartshorne (1998)

Brief version

1. Describe the situation.
2. Define the potential ethical-legal issues. Review guidelines. Consult others as needed.
3. Evaluate the rights, responsibilities, and welfare of all affected parties.
4. Consider alternative actions, and the consequences of making each decision.
5. Make the decision; take responsibility; monitor outcomes.

Meet Gary

Model Step 1. Describe the situation

So, how would you describe Gary's situation?

Step 2. Define potential ethical/legal issues, review guidelines, consult others

Step 2. Define potential ethical/legal issues, review guidelines, consult others

➢ What do you think Christine said?

➢ Any cautions about Christine's opinion?

➢ Should he talk to anyone else?

3. Evaluate rights, responsibilities, & welfare of all affected parties

➢ Who are *all* the affected parties?

➢ What should Gary be considering?

4. Consider alternative solutions, and the consequences of each. Make the decision

- ➤ Alternatives solutions?
- ➤ Consequences?
- ➤ What would you do?
- ➤ Why?

5. Make the decision; take responsibility; monitor outcomes

What about the complainant?

➢ How would you suggest Gary respond to the colleague who made the complaint?

➢ What are the complainant's options?

Small Group Problem Solving

Applying the model to your situations

1. Describe the situation.

2. Define the potential ethical-legal issues. Review guidelines. Consult others as needed.

3. Evaluate the rights, responsibilities, and welfare of all affected parties.

4. Consider alternative solutions, and the consequences of making each decision.

5. Make the decision; take responsibility; monitor outcomes.

Four broad ethical themes*

I.   Respecting the Dignity and Rights of All Persons

II.   Professional Competence and Responsibility

III. Honesty and Integrity in Professional Relationships

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*   **Adapted from A Canadian Code of Ethics (2000)**

Scenario #1, Zen

Joyce wrote: "I've been seeing Lonnie, a 6th grade student, for individual counseling services as specified in his IEP, primarily for anxiety and mild depression. Lonnie made some progress with social skills training intended to increase assertiveness, improve friendship skills and increase socialization. However, he still reported high levels of anxiety prior to some school activities especially during tests and class presentations. I decided to help Lonnie learn to use progressive muscle relaxation and systematic desensitization techniques. He responded enthusiastically, practiced diligently at home, and reported decreasing levels of anxiety. Lonnie's father, however, objected strenuously to the use of what he calls, 'Zen Buddhism and other pagan practices' with his child. He has told me to continue to provide counseling but forbids the use of these techniques with his child. My supervisor said the father is a 'religious nut' and I should do what I think is in the best interests of the student. What do you think?"

(Adapted from Williams, Armistead & Jacob, 2008)

Scenario #2, The Server

Anonymous email: "This year, I'm mentoring a new school psychologist in our district. She was recently divorced and undergoing some financial challenges so she took a part-time job working as a cocktail waitress in a bar in the evenings. The Director of Special Services, her supervisor, has become very uncomfortable with the situation as it relates to the credibility and reputation of the school psychologist and believes it reflects badly on our department. Questioning her judgment, he's considered terminating her employment. As her mentor, I'm not sure what to suggest."

(Adapted from Williams, Armistead & Jacob, 2008)

Scenario #3, The Note

Mrs. French, an 8th grade English teacher, stops by to see you, the school psychologist. Mrs. French is upset about a love note she intercepted between two students in one of her classes. The note was written by a 14-year-old boy named Derek to another boy in the class. Derek knows that Mrs. French has read and kept the note, but she has not spoken with him about the matter. Mrs. French wants *you* to confront Derek with the note and talk with his parents so that they will get help to cure him of this "sick stuff" before it's too late. How will you handle this situation?

Adapted from Jacob & Hartshorne (2007)

Scenario #4 Experienced School Psychologist

A school psychologist in your district has twenty years experience. Recently, it was discovered that consistent scoring errors on the *WISC-III* were made for many years resulting in students' Full Scale scores being inflated. Similar scoring errors occurred on the *WISC-IV*.   She recently became concerned about potential parent requests to view his/her child's test protocols. She believed that allowing a parent to inspect items on a standardized test would be an impermissible breach of test security. Consequently, she decided to shred all test protocols as soon as the psychological report on a child was completed. She has been shredding the protocols for the past year. The school psychologist's first error resulted in a one-week suspension (as determined by the Superintendent of Schools). Now that the second issue has been discovered, the Superintendent would like to suspend the school psychologist immediately for an indefinite period of time, but is asking for your opinion. What are the ethical issues? What are your recommendations?

Caution!

➢ Consulting with colleagues is just *one* decision making

➢ The responsibility for ethical conduct rests with the individual practitioner (YOU).

➢ Be sure to seek consultation from respected practitioners and those with expertise relevant to the problem

Best practices

- Be aware of ethical codes
- But…ethics codes often don't give clear cut answers to professional dilemmas.
- Decision-making models help.
- Having a professional support group helps.
- Having a professional association as a resource is important.
- CPD and supervision is important for long-term career development in this area

Maintaining ethical competence and achieving excellence

➢ Keep up to date regarding developments in ethics and law by reading professional publications and newsletters and attending conferences and workshops.

➢ Be sensitive to the ethical and legal components of service delivery and adopt a proactive stance; that is, work to anticipate and avoid ethical and legal problems. When difficult situations arise, use a decision-making model to choose the best course of action.

➢ Develop a positive approach to ethics; that is, strive for excellence rather than meeting minimal obligations outlined in codes of ethics and law (Knapp & VandeCreek, 2006).

Maintaining ethical competence and achieving excellence

➢ Take care to discuss confidentiality and its limits with each student, his or her parents, and other clients at the onset of offering services, and maintain confidentiality as promised.

➢ If at all feasible, negotiate a job description that encompasses advocacy for evidence-based practices and the freedom to adhere to NASP and APA codes of ethics.

➢ When advocating for changes in school policies or practices (or for services to better address the needs of a student-client), emphasize the potential positive effects of new practices or new or modified services rather than simply criticizing existing practices.

Maintaining ethical competence and achieving excellence

➢ Consistent with the broad ethical principles of beneficence, responsible caring, and responsibility to community and society

➢ Work to build the capacity of systems to better address the academic, wellness, and mental health needs of children. This requires ongoing evaluation of services provided at the universal, targeted, and intensive levels, and a commitment to continuous improvement.

➢ School psychologists encounter so-called difficult teachers, administrators, staff, parents, and student-clients in the course of their careers. Regardless of personal feelings and frustrations, engage in conduct that is respectful of all persons at all times.

   (Adapted from Jacob, 2008)

So, where do you go from here with this problem-solving model?

➢ What can you do to adopt this model in your daily practice?

➢ What tools/info, if any, do you need to get started?

➢ Does your district psych services dept or other work setting need to do anything?

What's your next step?

Write one concrete
next step you will take
Monday to begin
using the information
in this workshop:

_____

_____

_____

Professional Ethics for School Psychologists

A PROBLEM-SOLVING MODEL CASEBOOK