

# SCHOOL COUNSELOR GUIDELINES

Office of **Catholic Schools**

Diocese of Wilmington



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*The School Counselor Policy and Procedures Manual serves as a guideline to aid principals and counselors in the schools of the Diocese of Wilmington to effectively integrate the philosophy of Catholic education into the school's counseling program.*

*The role of the school counselor has become increasingly important in Catholic schools. In our present society, children are exposed to modern-day stressors without the necessary tools to cope effectively. The school counselor can provide comfort, support, and a safe environment for a child who is experiencing these challenges, so that the child may continue to be engaged in the overall school program.*

*The school counselor plays a significant role as a consultant within the school and respects all members in the school community. Knowledge of child development, public health issues, mental health care, and educational support makes the school counselor an important partner in creating a healthy school environment. The school counselor provides on-going support for teachers as they address each child's needs in the classroom. As issues arise, the school counselor creates developmentally appropriate programs that support every student spiritually, emotionally, socially, and academically.*

*We extend heartfelt gratitude to the Counselors of the Diocese of Wilmington, who contributed their time and expertise to the revision of these guidelines.*

## **RATIONALE**

Catholic schools are unique expressions of the Church's effort to achieve the purposes of Catholic education among the young. Growth in faith is central to their purpose. (NCD 229)

- A comprehensive school counseling program can help to promote success for all students. School counselors are available to encourage, support, and foster positive spiritual, academic, personal, social, and career development for all students.
- The school counseling program teaches specific skills and provides learning opportunities in a proactive and preventative manner to students in individual, group, and classroom settings.
- School counselors are available to consult with and to work collaboratively with parents, teachers, staff, and administration in order to reach every student. In their transactions with students and parents, it is important that school counselors support this purpose and demonstrate great sensitivity to the various issues which they may need to address.
- Counselors hired by the Catholic schools/parishes in the Diocese of Wilmington should have a working knowledge of Church teaching.

## **GUIDANCE AND COUNSELING PROGRAM**

Utilizing leadership, advocacy and collaboration, the school counselor promotes student success, provides preventive services, and responds to identified student needs by implementing a comprehensive school counseling program that addresses academic, career, spiritual, and personal/social development. The school counselor consults and collaborates with teachers, parents, and faculty to enhance their effectiveness in helping students. School guidance counseling is short-term, voluntary, and confidential. Referrals can be made by the student, his/her parent, teachers, administrators, or other appropriate school staff. Contact with parents will be made if additional sessions are needed for the student, or if an outside referral is recommended.

### **Program Components**

#### **Guidance Curriculum**

Conduct classroom guidance activities in each class; consult with and provide resources to teachers to facilitate their instruction of counseling content.

#### **Development of Life Skills**

Work with students in acquiring knowledge about the effective use of skills when interacting in home, academic and peer environments; aide students in acquiring the attitudes, knowledge, and skills that contribute to effective learning in school and across the life span.

#### **Individual / Small Group Counseling**

Conduct structured, goal-oriented counseling sessions in response to identified needs of individuals or groups of students. Topics may include: academic failure, family issues, attendance, peer pressure, alcohol/substance prevention and awareness, and/or behavior problems; serve as student advocate and avoid role of disciplinarian.

#### **Consultation / Collaboration**

Participate in faculty meetings; act as a resource for faculty and parents; conduct conferences with teachers and/or parents; conduct or provide opportunities for parent education programs.

#### **Referrals**

Consult and coordinate within diocesan and community-based specialists, such as school administrators, nurses, psychologists, service agencies, and physicians.

#### **Post-Secondary Prep**

Provide students with the essential resources to choose from a wide range of substantial post-secondary options; use technology and other sources to locate colleges, financial aid and job information; coordinate college visits; provide information for application deadlines, scholarship testing (PSAT, SAT, etc.), and financial aid information to students and parents.

**Career Awareness and Employment Readiness Skills**

Guide students to acquire the skills to investigate careers in relation to knowledge of self and to make informed career decisions; assist with resume and interview preparation.

**Effective Operation of the School**

Contribute to the diocesan and individual school's goals for enhancing education.

**Intervention Team Process**

Assume an active role in designing, implementing, monitoring, and adjusting educational plans for students including course selection, accommodation plans, etc.

**Evaluation of the Counseling Program**

Review the counseling program annually with faculty and administration; establish a counseling master calendar; complete an annual counseling program evaluation.

**Professional Growth**

Attend state and local sponsored staff development offerings; join associations; read professional journals and contribute to professional literature; attend relevant workshops and conferences sponsored by professional organizations; take post-graduate courses; conduct training for staff and other counselors.

## PARENTAL INVOLVEMENT

At the elementary level, it is Diocesan policy to obtain written parental consent if a student has conferred with the counselor beyond 2-3 sessions. For students whose parents are either divorced or separated, both parents must provide their consent.

Counselors will maintain a thorough list of referrals to provide parents with resources to obtain treatment for needs that are outside the realm of the school counselor's experience.

While the school counselor's primary obligation is to his/her student, the American School Counselor Association (ASCA) Ethical Standard regarding confidentiality mandates that in cases of "serious and foreseeable harm", confidentiality may be breached. Such a decision is not made lightly and only after sufficient professional consultation and supervision takes place. Students are made aware of the limits of confidentiality through Informed Consent.

A school counselor may assist students by:

- Assisting with academic, career exploration and personal/social development
- Providing classroom guidance lessons
- Facilitating groups: divorce, social skills, friendship
- Providing responsive services
- Providing outside speakers on relevant topics
- Working collaboratively with parents, teachers and school administrators, and outside clinicians when consent is given
- Ensuring that any recommendations from psycho-educational testing are routed to appropriate school personnel and implemented
- Providing referrals as necessary
- Attending student teacher conferences as deemed necessary

## CONFIDENTIALITY

The Diocese of Wilmington has published ***ETHICAL STANDARDS FOR CHURCH PERSONNEL*** in the Policy Statement; **FOR THE SAKE OF GOD'S CHILDREN** (revised 2013). In **Section One**, the document states, [Heading] **"Church Personnel assume the full burden for setting and maintaining clear, appropriate physical and emotional boundaries in all ministerial relationships."**

[Paragraph 2] "All information which is disclosed to an individual while serving as an employee of the diocese is to be kept confidential."

The document defines those individuals who are mandated to follow these standards; "For the purposes of the Standards the following are included in the definition of Church Personnel:

- (7) All paid personnel whether employed in areas of ministry or other kinds of services provided by the Diocese, it's parishes, schools or other agencies.
- (8) All volunteers: This includes any person who enters into or offers himself/herself for a Church related service."

It is the prime professional responsibility of the counselor and the principal to obtain and maintain the mutual trust of those students undergoing counseling. Students likely will feel betrayed and may abandon the process if unexpected disclosure is made of the students' confidential information. Students should be forewarned that unavoidable disclosure of confidences may be ordered by law in certain exceptional situations. The possibility of such exceptions should be made clear to the students by the counselor and principal prior to their first conference. Further, when law requires disclosure or legal proceedings have become imminent, the counselor and principal are required to advise both the involved students and the Superintendent of Schools.

### CONFIDENTIALITY GUIDELINES

Revelation of personal confidences by individuals within a group counseling session lessens the possibility of confidentiality because of the number of witnesses to it. Group counseling should usually concentrate only on generalities applicable to a number of students. Counselors and principals cannot guarantee confidentiality in such group sessions, and the circumstance of many listeners does not justify the expectancy of confidentiality by the student-speaker.

The counselor and principal should conduct all sessions in a setting that offers students an atmosphere in which they can share their concerns without fear of disclosure. A mutually trusting relationship heightens the likelihood of a successful counseling session. Privacy must be emphasized at all times and in all places. Counselors and principals have a similar responsibility in protecting information received through confidential relationships with teachers and parents.

Examples of situations in which a confidence given to a counselor or principal may be breached by force of law are:

- Subpoena or order of court
- Reasonable belief of impending harm or personal injury to the student or other persons
- Written release of information by student and/or parent or guardian
- Evidence of suspected child abuse or neglect requires a report to the proper authorities.  
**Counselors have a “duty to report” if they suspect a minor is being abuse or neglected.**

**If there are concerns about specific situations, e.g. child abuse, neglect, substance abuse, intended harm to self or others, or health issues, the Diocesan policy statements regarding these areas are to be followed.**



## ETHICAL AND LEGAL STANDARDS

As employees within the Diocese of Wilmington, counselors and principals must conform to all institutional policies and procedures:

- It is the responsibility of the counselor and principal/assistant principal to follow the orders of their supervisors. In the case of school counselors, their immediate supervisor is the principal or in the absence of the principal, the assistant principal of the school in which they work. In the case of assistant principals, their immediate supervisor is the principal. In the case of principals, their immediate supervisor is the pastor or religious superior (community owned schools), Assistant / Associate Superintendents and Superintendent of Schools.
- In the case of emergency, the principal/assistant principal needs to be informed.

In schools with guidance counseling programs, school counselors should:

- provide only the services and use only the techniques for which they are qualified by training and experience and which promote and enhance the learning process
- be familiar with Diocesan guidelines and policies that pertain to school guidance counseling programs
- be familiar with the National Standards for School Counseling Programs provided by the American School Counselor Association (Appendix A)
- abide by the Counselor's Code of Ethics (Appendix B)

## RECORDS

Recordkeeping is an important part of the counselor's tasks. Due to the sensitivity of the information and the related possible repercussions, it is imperative to carefully record actual facts, and to be mindful of omitting personal feelings or opinions.

A student's counseling file must be kept in a locked file cabinet in the counseling office. The school principal should have access to the counseling files if a need arises. These counseling files may contain the following:

- Counselor's student notes
- Release of Information Form
- Pre-referral data
- Copy of Psychological / Educational Evaluation
- Any correspondence considered important to the record

Counseling files should be kept for a period of five years, in the event that a student's records are requested by a legitimate authority. Files should be shredded five years after the student leaves the school.

### Psychological / Educational Evaluations

One copy of the Psychological / Educational Evaluation should be kept in the principal's office.

*No more than two copies of a Psychological / Education Evaluation should exist in a school – one in the student's counseling file and one in the principal's office.*

Members of the school faculty may review a student's academic/psycho-educational file for the purpose of educational decisions or parent conferences. The file may not leave the school premises and must be returned by the close of the school day. The principal should use the Examination of Student File Form to track files that are reviewed and to insure they are returned the same day.

## Appendix A – B – C

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**Appendix A            ETHICAL STANDARDS FOR SCHOOL COUNSELORS**

**Appendix B            ETHICAL TIPS FOR SCHOOL COUNSELORS**

**Appendix C            ASCA LEGAL AND ETHICAL FAQ**

**American School Counselor Association – used with permission**

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# Ethical Standards for School Counselors

(Adopted 1984; revised 1992, 1998, 2004 and 2010)

## Preamble

The American School Counselor Association (ASCA) is a professional organization whose members are school counselors certified/licensed in school counseling with unique qualifications and skills to address all students' academic, personal/social and career development needs. Members are also school counseling program directors/supervisors and counselor educators. These ethical standards are the ethical responsibility of school counselors. School counseling program directors/supervisors should know them and provide support for practitioners to uphold them. School counselor educators should know them, teach them to their students and provide support for school counseling candidates to uphold them.

Professional school counselors are advocates, leaders, collaborators and consultants who create opportunities for equity in access and success in educational opportunities by connecting their programs to the mission of schools and subscribing to the following tenets of professional responsibility:

- Each person has the right to be respected, be treated with dignity and have access to a comprehensive school counseling program that advocates for and affirms all students from diverse populations including: ethnic/racial identity, age, economic status, abilities/disabilities, language, immigration status, sexual orientation, gender, gender identity/expression, family type, religious/spiritual identity and appearance.
- Each person has the right to receive the information and support needed to move toward self-direction and self-development and affirmation within one's group identities, with special care being given to students who have historically not received adequate educational services, e.g., students of color, students living at a low socio-economic status, students with disabilities and students from non-dominant language backgrounds.
- Each person has the right to understand the full magnitude and meaning of his/her educational choices and how those choices will affect future opportunities.
- Each person has the right to privacy and thereby the right to expect the school-counselor/student relationship to comply with all laws, policies and ethical standards pertaining to confidentiality in the school setting.
- Each person has the right to feel safe in school environments that school counselors help create, free from abuse, bullying, neglect, harassment or other forms of violence.

In this document, ASCA specifies the principles of ethical behavior necessary to maintain the high standards of integrity, leadership and professionalism among its members. The Ethical Standards for School Counselors were developed to clarify the nature of ethical responsibilities held in common by school counselors, supervisors/directors of school counseling programs and school counselor educators. The purposes of this document are to:

- Serve as a guide for the ethical practices of all professional school counselors, supervisors/directors of school counseling programs and school counselor educators regardless of level, area, population served or membership in this professional association;
- Provide self-appraisal and peer evaluations regarding school counselors' responsibilities to students, parents/guardians, colleagues and professional associates, schools, communities and the counseling profession; and
- Inform all stakeholders, including students, parents and guardians, teachers, administrators, community members and courts of justice, of best ethical practices, values and expected behaviors of the school counseling professional.

## A.1. Responsibilities to Students

### Professional school counselors:

- a. Have a primary obligation to the students, who are to be treated with dignity and respect as unique individuals.
- b. Are concerned with the educational, academic, career, personal and social needs and encourage the maximum development of every student.
- c. Respect students' values, beliefs and cultural background and do not impose the school counselor's personal values on students or their families.
- d. Are knowledgeable of laws, regulations and policies relating to students and strive to protect and inform students regarding their rights.
- e. Promote the welfare of individual students and collaborate with them to develop an action plan for success.
- f. Consider the involvement of support networks valued by the individual students.
- g. Understand that professional distance with students is appropriate, and any sexual or romantic relationship with students whether illegal in the state of practice is considered a grievous breach of ethics and is prohibited regardless of a student's age.
- h. Consider the potential for harm before entering into a relationship with former students or one of their family members.

## A.2. Confidentiality

### Professional school counselors:

- a. Inform individual students of the purposes, goals, techniques and rules of procedure under which they may receive counseling. Disclosure includes the limits of confidentiality in a developmentally appropriate manner. Informed consent requires competence on the part of students to understand the limits of confidentiality and

therefore, can be difficult to obtain from students of a certain developmental level. Professionals are aware that even though every attempt is made to obtain informed consent it is not always possible and when needed will make counseling decisions on students' behalf.

b. Explain the limits of confidentiality in appropriate ways such as classroom guidance lessons, the student handbook, school counseling brochures, school Web site, verbal notice or other methods of student, school and community communication in addition to oral notification to individual students.

c. Recognize the complicated nature of confidentiality in schools and consider each case in context. Keep information confidential unless legal requirements demand that confidential information be revealed or a breach is required to prevent serious and foreseeable harm to the student. Serious and foreseeable harm is different for each minor in schools and is defined by students' developmental and chronological age, the setting, parental rights and the nature of the harm. School counselors consult with appropriate professionals when in doubt as to the validity of an exception.

d. Recognize their primary obligation for confidentiality is to the students but balance that obligation with an understanding of parents'/guardians' legal and inherent rights to be the guiding voice in their children's lives, especially in value-laden issues. Understand the need to balance students' ethical rights to make choices, their capacity to give consent or assent and parental or familial legal rights and responsibilities to protect these students and make decisions on their behalf.

e. Promote the autonomy and independence of students to the extent possible and use the most appropriate and least intrusive method of breach. The developmental age and the circumstances requiring the breach are considered and as appropriate students are engaged in a discussion about the method and timing of the breach.

f. In absence of state legislation expressly forbidding disclosure, consider the ethical responsibility to provide information to an identified third party who, by his/her relationship with the student, is at a high risk of contracting a disease that is commonly known to be communicable and fatal. Disclosure requires satisfaction of all of the following conditions:

- Student identifies partner or the partner is highly identifiable
- School counselor recommends the student notify partner and refrain from further high-risk behavior
- Student refuses
- School counselor informs the student of the intent to notify the partner
- School counselor seeks legal consultation from the school district's legal representative in writing as to the legalities of informing the partner

g. Request of the court that disclosure not be required when the release of confidential information may potentially harm a student or the counseling relationship.

h. Protect the confidentiality of students' records and release personal data in accordance with prescribed federal and state laws and school policies including the laws within the Family Education Rights and Privacy Act (FERPA). Student information stored and transmitted electronically is treated with the same care as traditional student records. Recognize the vulnerability of confidentiality in electronic communications and only transmit sensitive information electronically in a way that is untraceable to students' identity. Critical information such as a student who has a history of suicidal ideation must be conveyed to the receiving school in a personal contact such as a phone call.

### **A.3. Academic, Career/College/Post-Secondary Access and Personal/Social Counseling Plans**

**Professional school counselors:**

a. Provide students with a comprehensive school counseling program that parallels the ASCA National Model with emphasis on working jointly with all students to develop personal/social, academic and career goals.

b. Ensure equitable academic, career, post-secondary access and personal/social opportunities for all students through the use of data to help close achievement gaps and opportunity gaps.

c. Provide and advocate for individual students' career awareness, exploration and post-secondary plans supporting the students' right to choose from the wide array of options when they leave secondary education.

### **A.4. Dual Relationships**

**Professional school counselors:**

a. Avoid dual relationships that might impair their objectivity and increase the risk of harm to students (e.g., counseling one's family members or the children of close friends or associates). If a dual relationship is unavoidable, the school counselor is responsible for taking action to eliminate or reduce the potential for harm to the student through use of safeguards, which might include informed consent, consultation, supervision and documentation.

b. Maintain appropriate professional distance with students at all times.

c. Avoid dual relationships with students through communication mediums such as social networking sites.

d. Avoid dual relationships with school personnel that might infringe on the integrity of the school counselor/student relationship.

### **A.5. Appropriate Referrals**

**Professional school counselors:**

a. Make referrals when necessary or appropriate to outside resources for student and/or family support. Appropriate referrals may necessitate informing both parents/guardians and students of applicable resources and making proper plans for transitions with minimal interruption of services. Students retain the right to discontinue the counseling relationship at any time.

b. Help educate about and prevent personal and social concerns for all students within the school counselor's scope of education and competence and make necessary referrals when the counseling needs are beyond the individual school counselor's education and training. Every attempt is made to find appropriate specialized resources for clinical therapeutic topics that are difficult or inappropriate to address in a school setting such as eating disorders, sexual trauma, chemical dependency and other addictions needing sustained clinical duration or assistance.

c. Request a release of information signed by the student and/or parents/guardians when attempting to develop a collaborative relationship with other service providers assigned to the student.

d. Develop a reasonable method of termination of counseling when it becomes apparent that counseling assistance is no longer needed or a referral is necessary to better meet the student's needs.

## A.6. Group Work

### Professional school counselors:

- a. Screen prospective group members and maintain an awareness of participants' needs, appropriate fit and personal goals in relation to the group's intention and focus. The school counselor takes reasonable precautions to protect members from physical and psychological harm resulting from interaction within the group.
- b. Recognize that best practice is to notify the parents/guardians of children participating in small groups.
- c. Establish clear expectations in the group setting, and clearly state that confidentiality in group counseling cannot be guaranteed. Given the developmental and chronological ages of minors in schools, recognize the tenuous nature of confidentiality for minors renders some topics inappropriate for group work in a school setting.
- d. Provide necessary follow up with group members, and document proceedings as appropriate.
- e. Develop professional competencies, and maintain appropriate education, training and supervision in group facilitation and any topics specific to the group.
- f. Facilitate group work that is brief and solution-focused, working with a variety of academic, career, college and personal/social issues.

## A.7. Danger to Self or Others

### Professional school counselors:

- a. Inform parents/guardians and/or appropriate authorities when a student poses a danger to self or others. This is to be done after careful deliberation and consultation with other counseling professionals.
- b. Report risk assessments to parents when they underscore the need to act on behalf of a child at risk; never negate a risk of harm as students sometimes deceive in order to avoid further scrutiny and/or parental notification.
- c. Understand the legal and ethical liability for releasing a student who is in danger to self or others without proper and necessary support for that student.

## A.8. Student Records

### Professional school counselors:

- a. Maintain and secure records necessary for rendering professional services to the student as required by laws, regulations, institutional procedures and confidentiality guidelines.
- b. Keep sole-possession records or individual student case notes separate from students' educational records in keeping with state laws.
- c. Recognize the limits of sole-possession records and understand these records are a memory aid for the creator and in absence of privileged communication may be subpoenaed and may become educational records when they are shared or are accessible to others in either verbal or written form or when they include information other than professional opinion or personal observations.
- d. Establish a reasonable timeline for purging sole-possession records or case notes. Suggested guidelines include shredding sole possession records when the student transitions to the next level, transfers to another school or graduates. Apply careful discretion

and deliberation before destroying sole-possession records that may be needed by a court of law such as notes on child abuse, suicide, sexual harassment or violence.

- e. Understand and abide by the Family Education Rights and Privacy Act (FERPA, 1974), which safeguards student's records and allows parents to have a voice in what and how information is shared with others regarding their child's educational records.

## A.9. Evaluation, Assessment and Interpretation

### Professional school counselors:

- a. Adhere to all professional standards regarding selecting, administering and interpreting assessment measures and only utilize assessment measures that are within the scope of practice for school counselors and for which they are trained and competent.
- b. Consider confidentiality issues when utilizing evaluative or assessment instruments and electronically based programs.
- c. Consider the developmental age, language skills and level of competence of the student taking the assessments before assessments are given.
- d. Provide interpretation of the nature, purposes, results and potential impact of assessment/evaluation measures in language the students can understand.
- e. Monitor the use of assessment results and interpretations, and take reasonable steps to prevent others from misusing the information.

- f. Use caution when utilizing assessment techniques, making evaluations and interpreting the performance of populations not represented in the norm group on which an instrument is standardized.

- g. Assess the effectiveness of their program in having an impact on students' academic, career and personal/social development through accountability measures especially examining efforts to close achievement, opportunity and attainment gaps.

## A.10. Technology

### Professional school counselors:

- a. Promote the benefits of and clarify the limitations of various appropriate technological applications. Professional school counselors promote technological applications (1) that are appropriate for students' individual needs, (2) that students understand how to use and (3) for which follow-up counseling assistance is provided.
- b. Advocate for equal access to technology for all students, especially those historically underserved.
- c. Take appropriate and reasonable measures for maintaining confidentiality of student information and educational records stored or transmitted through the use of computers, facsimile machines, telephones, voicemail, answering machines and other electronic or computer technology.
- d. Understand the intent of FERPA and its impact on sharing electronic student records.
- e. Consider the extent to which cyberbullying is interfering with students' educational process and base guidance curriculum and intervention programming for this pervasive and potentially dangerous problem on research-based and best practices.

## **A.11. Student Peer Support Program**

Professional school counselors:

- a. Have unique responsibilities when working with peer-helper or student-assistance programs and safeguard the welfare of students participating in peer-to-peer programs under their direction.
- b. Are ultimately responsible for appropriate training and supervision for students serving as peer-support individuals in their school counseling programs.

## **B. RESPONSIBILITIES TO PARENTS/GUARDIANS**

### **B.1. Parent Rights and Responsibilities**

Professional school counselors:

- a. Respect the rights and responsibilities of parents/guardians for their children and endeavor to establish, as appropriate, a collaborative relationship with parents/guardians to facilitate students' maximum development.
- b. Adhere to laws, local guidelines and ethical standards of practice when assisting parents/guardians experiencing family difficulties interfering with the student's effectiveness and welfare.
- c. Are sensitive to diversity among families and recognize that all parents/guardians, custodial and noncustodial, are vested with certain rights and responsibilities for their children's welfare by virtue of their role and according to law.
- d. Inform parents of the nature of counseling services provided in the school setting.
- e. Adhere to the FERPA act regarding disclosure of student information.
- f. Work to establish, as appropriate, collaborative relationships with parents/guardians to best serve student.

### **B.2. Parents/Guardians and Confidentiality**

Professional school counselors:

- a. Inform parents/guardians of the school counselor's role to include the confidential nature of the counseling relationship between the counselor and student.
- b. Recognize that working with minors in a school setting requires school counselors to collaborate with students' parents/guardians to the extent possible.
- c. Respect the confidentiality of parents/guardians to the extent that is reasonable to protect the best interest of the student being counseled.
- d. Provide parents/guardians with accurate, comprehensive and relevant information in an objective and caring manner, as is appropriate and consistent with ethical responsibilities to the student.
- e. Make reasonable efforts to honor the wishes of parents/guardians concerning information regarding the student unless a court order expressly forbids the involvement of a parent(s). In cases of divorce or separation, school counselors exercise a good-faith effort to keep both parents informed, maintaining focus on the student and avoiding supporting one parent over another in divorce proceedings.

## **C. RESPONSIBILITIES TO COLLEAGUES AND PROFESSIONAL ASSOCIATES**

### **C.1. Professional Relationships**

Professional school counselors, the school counseling program director/site supervisor and the school counselor educator:

- a. Establish and maintain professional relationships with faculty, staff and administration to facilitate an optimum counseling program.
- b. Treat colleagues with professional respect, courtesy and fairness.
- c. Recognize that teachers, staff and administrators who are high-functioning in the personal and social development skills can be powerful allies in supporting student success. School counselors work to develop relationships with all faculty and staff in order to advantage students.
- d. Are aware of and utilize related professionals, organizations and other resources to whom the student may be referred.

### **C.2. Sharing Information with Other Professionals**

Professional school counselors:

- a. Promote awareness and adherence to appropriate guidelines regarding confidentiality, the distinction between public and private information and staff consultation.
- b. Provide professional personnel with accurate, objective, concise and meaningful data necessary to adequately evaluate, counsel and assist the student.
- c. Secure parental consent and develop clear agreements with other mental health professionals when a student is receiving services from another counselor or other mental health professional in order to avoid confusion and conflict for the student and parents/guardians.
- d. Understand about the "release of information" process and parental rights in sharing information and attempt to establish a cooperative and collaborative relationship with other professionals to benefit students.
- e. Recognize the powerful role of ally that faculty and administration who function high in personal/social development skills can play in supporting students in stress, and carefully filter confidential information to give these allies what they "need to know" in order to advantage the student. Consultation with other members of the school counseling profession is helpful in determining need-to-know information. The primary focus and obligation is always on the student when it comes to sharing confidential information.
- f. Keep appropriate records regarding individual students, and develop a plan for transferring those records to another professional school counselor should the need occur. This documentation transfer will protect the confidentiality and benefit the needs of the student for whom the records are written.

### **C.3. Collaborating and Educating Around the Role of the School Counselor**

The school counselor, school counseling program supervisor/director and school counselor educator:

- a. Share the role of the school counseling program in ensuring data-driven academic, career/college and personal/social success compe-



tencies for every student, resulting in specific outcomes/indicators with all stakeholders.

b. Broker services internal and external to the schools to help ensure every student receives the benefits of a school counseling program and specific academic, career/college and personal/social competencies.

## **D. RESPONSIBILITIES TO SCHOOL, COMMUNITIES AND FAMILIES**

### **D.1. Responsibilities to the School**

**Professional school counselors:**

- a. Support and protect students' best interest against any infringement of their educational program.
- b. Inform appropriate officials, in accordance with school policy, of conditions that may be potentially disruptive or damaging to the school's mission, personnel and property while honoring the confidentiality between the student and the school counselor.
- c. Are knowledgeable and supportive of their school's mission, and connect their program to the school's mission.
- d. Delineate and promote the school counselor's role, and function as a student advocate in meeting the needs of those served. School counselors will notify appropriate officials of systemic conditions that may limit or curtail their effectiveness in providing programs and services.
- e. Accept employment only for positions for which they are qualified by education, training, supervised experience, state and national professional credentials and appropriate professional experience.
- f. Advocate that administrators hire only qualified, appropriately trained and competent individuals for professional school counseling positions.
- g. Assist in developing: (1) curricular and environmental conditions appropriate for the school and community; (2) educational procedures and programs to meet students' developmental needs; (3) a systematic evaluation process for comprehensive, developmental, standards-based school counseling programs, services and personnel; and (4) a data-driven evaluation process guiding the comprehensive, developmental school counseling program and service delivery.

### **D.2. Responsibility to the Community**

**Professional school counselors:**

- a. Collaborate with community agencies, organizations and individuals in students' best interest and without regard to personal reward or remuneration.
- b. Extend their influence and opportunity to deliver a comprehensive school counseling program to all students by collaborating with community resources for student success.
- c. Promote equity for all students through community resources.
- d. Are careful not to use their professional role as a school counselor to benefit any type of private therapeutic or consultative practice in which they might be involved outside of the school setting.

## **E. RESPONSIBILITIES TO SELF**

### **E.1. Professional Competence**

**Professional school counselors:**

- a. Function within the boundaries of individual professional competence and accept responsibility for the consequences of their actions.
- b. Monitor emotional and physical health and practice wellness to ensure optimal effectiveness. Seek physical or mental health referrals when needed to ensure competence at all times.
- c. Monitor personal responsibility and recognize the high standard of care a professional in this critical position of trust must maintain on and off the job and are cognizant of and refrain from activity that may lead to inadequate professional services or diminish their effectiveness with school community members. Professional and personal growth are ongoing throughout the counselor's career.
- d. Strive through personal initiative to stay abreast of current research and to maintain professional competence in advocacy, teaming and collaboration, culturally competent counseling and school counseling program coordination, knowledge and use of technology, leadership, and equity assessment using data.
- e. Ensure a variety of regular opportunities for participating in and facilitating professional development for self and other educators and school counselors through continuing education opportunities annually including: attendance at professional school counseling conferences; reading *Professional School Counseling* journal articles; facilitating workshops for education staff on issues school counselors are uniquely positioned to provide.
- f. Enhance personal self-awareness, professional effectiveness and ethical practice by regularly attending presentations on ethical decision-making. Effective school counselors will seek supervision when ethical or professional questions arise in their practice.
- g. Maintain current membership in professional associations to ensure ethical and best practices.

### **E.2. Multicultural and Social Justice Advocacy and Leadership**

**Professional school counselors:**

- a. Monitor and expand personal multicultural and social justice advocacy awareness, knowledge and skills. School counselors strive for exemplary cultural competence by ensuring personal beliefs or values are not imposed on students or other stakeholders.
- b. Develop competencies in how prejudice, power and various forms of oppression, such as ableism, ageism, classism, familyism, genderism, heterosexism, immigrationism, linguicism, racism, religionism and sexism, affect self, students and all stakeholders.
- c. Acquire educational, consultation and training experiences to improve awareness, knowledge, skills and effectiveness in working with diverse populations: ethnic/racial status, age, economic status, special needs, ESL or ELL, immigration status, sexual orientation, gender, gender identity/expression, family type, religious/spiritual identity and appearance.
- d. Affirm the multiple cultural and linguistic identities of every student and all stakeholders. Advocate for equitable school and school counseling program policies and practices for every student and all stakeholders including use of translators and bilingual/multilingual school counseling program materials that repre-



sent all languages used by families in the school community, and advocate for appropriate accommodations and accessibility for students with disabilities.

e. Use inclusive and culturally responsible language in all forms of communication.

f. Provide regular workshops and written/digital information to families to increase understanding, collaborative two-way communication and a welcoming school climate between families and the school to promote increased student achievement.

g. Work as advocates and leaders in the school to create equity-based school counseling programs that help close any achievement, opportunity and attainment gaps that deny all students the chance to pursue their educational goals.

## **F. RESPONSIBILITIES TO THE PROFESSION**

### **F.1. Professionalism**

**Professional school counselors:**

a. Accept the policies and procedures for handling ethical violations as a result of maintaining membership in the American School Counselor Association.

b. Conduct themselves in such a manner as to advance individual ethical practice and the profession.

c. Conduct appropriate research, and report findings in a manner consistent with acceptable educational and psychological research practices. School counselors advocate for the protection of individual students' identities when using data for research or program planning.

d. Seek institutional and parent/guardian consent before administering any research, and maintain security of research records.

e. Adhere to ethical standards of the profession, other official policy statements, such as ASCA's position statements, role statement and the ASCA National Model and relevant statutes established by federal, state and local governments, and when these are in conflict work responsibly for change.

f. Clearly distinguish between statements and actions made as a private individual and those made as a representative of the school counseling profession.

g. Do not use their professional position to recruit or gain clients, consultees for their private practice or to seek and receive unjustified personal gains, unfair advantage, inappropriate relationships or unearned goods or services.

### **F.2. Contribution to the Profession**

**Professional school counselors:**

a. Actively participate in professional associations and share results and best practices in assessing, implementing and annually evaluating the outcomes of data-driven school counseling programs with measurable academic, career/college and personal/social competencies for every student.

b. Provide support, consultation and mentoring to novice professionals.

c. Have a responsibility to read and abide by the ASCA Ethical Standards and adhere to the applicable laws and regulations.

## **F.3 Supervision of School Counselor Candidates Pursuing Practicum and Internship Experiences:**

**Professional school counselors:**

a. Provide support for appropriate experiences in academic, career, college access and personal/social counseling for school counseling interns.

b. Ensure school counselor candidates have experience in developing, implementing and evaluating a data-driven school counseling program model, such as the ASCA National Model.

c. Ensure the school counseling practicum and internship have specific, measurable service delivery, foundation, management and accountability systems.

d. Ensure school counselor candidates maintain appropriate liability insurance for the duration of the school counseling practicum and internship experiences.

e. Ensure a site visit is completed by a school counselor education faculty member for each practicum or internship student, preferably when both the school counselor trainee and site supervisor are present.

## **F.4 Collaboration and Education about School Counselors and School Counseling Programs with other Professionals**

School counselors and school counseling program directors/supervisors collaborate with special educators, school nurses, school social workers, school psychologists, college counselors/admissions officers, physical therapists, occupational therapists and speech pathologists to advocate for optimal services for students and all other stakeholders.

## **G. MAINTENANCE OF STANDARDS**

Professional school counselors are expected to maintain ethical behavior at all times.

### **G.1. When there exists serious doubt as to the ethical behavior of a colleague(s) the following procedure may serve as a guide:**

1. The school counselor should consult confidentially with a professional colleague to discuss the nature of a complaint to see if the professional colleague views the situation as an ethical violation.

2. When feasible, the school counselor should directly approach the colleague whose behavior is in question to discuss the complaint and seek resolution.

3. The school counselor should keep documentation of all the steps taken.

4. If resolution is not forthcoming at the personal level, the school counselor shall utilize the channels established within the school, school district, the state school counseling association and ASCA's Ethics Committee.

5. If the matter still remains unresolved, referral for review and appropriate action should be made to the Ethics Committees in the following sequence:

- State school counselor association
- American School Counselor Association

6. The ASCA Ethics Committee is responsible for:
- Educating and consulting with the membership regarding ethical standards
  - Periodically reviewing and recommending changes in code
  - Receiving and processing questions to clarify the application of such standards. Questions must be submitted in writing to the ASCA Ethics Committee chair.
  - Handling complaints of alleged violations of the ASCA Ethical Standards for School Counselors. At the national level, complaints should be submitted in writing to the ASCA Ethics Committee, c/o the Executive Director, American School Counselor Association, 1101 King St., Suite 625, Alexandria, VA 22314.

**G.2. When school counselors are forced to work in situations or abide by policies that do not reflect the ethics of the profession, the school counselor works responsibly through the correct channels to try and remedy the condition.**

**G.3. When faced with any ethical dilemma school counselors, school counseling program directors/supervisors and school counselor educators use an ethical decision-making model such as Solutions to Ethical Problems in Schools (STEPS) (Stone, 2001):**

1. *Define the problem emotionally and intellectually*
2. *Apply the ASCA Ethical Standards and the law*
3. *Consider the students' chronological and developmental levels*
4. *Consider the setting, parental rights and minors' rights*
5. *Apply the moral principles*
6. *Determine Your potential courses of action and their consequences*
7. *Evaluate the selected action*
8. *Consult*
9. *Implement the course of action*

## Appendix B

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### ETHICAL TIPS FOR SCHOOL COUNSELORS

Act in the best interests of the student at all times. Act in good faith and in the absence of malice.

Inform the student of possible limitations in the counseling relationship prior to the beginning of the relationship.

Increase awareness of personal values, attitudes and beliefs; refer when personal characteristics hinder effectiveness.

Actively attempt to understand the diverse cultural backgrounds of the student with whom you work, including your own cultural/ethnic/racial identity and its impact on your values and beliefs about the counseling process.

Function within the boundaries of personal competence. Be aware of personal skill levels and limitations.

Be able to fully explain why you do what you do. A theoretical rationale should undergird counseling strategies and interventions.

Encourage family involvement, where possible, when working with minors in sensitive areas that might be controversial.

Follow written job descriptions. Be sure what you are doing is defined as an appropriate function in your work setting.

Read and adhere to the ethical standards of your profession. Keep copies of the [ASCA Ethical Standards for School Counselors](#) on hand, review them periodically and act accordingly.

Consult with other professionals (colleagues, supervisors, counselor educators, professional association ethics committee, etc.) Have a readily accessible support network of professionals.

Join appropriate professional associations. Read association publications and participate in professional development opportunities.

Stay up-to-date with laws and current court rulings, particularly those pertaining to counseling with minors.

Consult with a knowledgeable attorney, when necessary. In questionable cases, seek legal advice prior to initiating action.

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### ASCA LEGAL AND ETHICAL FAQ

#### CASE NOTES AND SUBPOENAS

*Are case notes truly my own or do I have to share them if ever lawyers get involved? Do I have to testify?*

The sharing of case notes depends on your state statutes and often your ability to advocate using the legal muscle your ethical standards provide you. In some states, the conversations between school counselors and students are considered privileged communication. In most states, however, school counselors are required to testify in court proceedings. Visit [www.schoolcounselor.org/ethics](http://www.schoolcounselor.org/ethics) to see your state's statutes. Even when your state statute grants privilege for the school counselor/student relationship, the statute often contains exceptions and caveats allowing a judge to determine when the needs of the state outweigh the privilege. If the case is tried in federal court, then the state statute may or may not extend.

If you deem it important to avoid testifying, then inform the attorney that you do not have any information to help the case (if this is true). Explain that your obligations are to your student, and cite your ethical standards, which support you in safeguarding your student's confidences. Explain that the state will gain no new knowledge should you testify, but on the flip side your student may be harmed and cite your reasons. If all else fails, you must testify unless your student has privilege under state statute.

Never respond to a subpoena until you have consulted with the legal representative for your school district, who may be able to get a motion to quash the subpoena. Try to keep your records and opinions out of court unless in a case of abuse. Our loyalty is to our students and the confidentiality we owe them. We want to protect their privacy to the extent possible. However, if all attempts to avoid relinquishing your records to the court fail, you must submit them for the court.

*What detail is necessary for case notes? Is it necessary to have notes on every conversation we have with students? What do we have to disclose to parents from these notes?*

Typically school counselors only keep minimal notes, containing student name, time and a few details as a memory aid. However, when we do write detailed notes, for example in the case of a child-abuse situation, you must write with great care as others can see your notes. In most states, your case notes can be subpoenaed, and parents can access them if they record anything other than your observations and professional opinion.

According to the Family Education Rights and Privacy Act (FERPA), case notes are “sole-possession records” and not educational records, which parents are entitled to see, if they meet specific criteria. They must:

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- serve as a memory aid
- not be accessible or shared in either verbal or written form
- be a private note created solely by the individual possessing it
- include only observations and professional opinions

Avoid being paralyzed by the fact that your notes may be subpoenaed. Filter what you write through the lens that it can be read in a court of law (if your students do not have privileged communication). Write down what you need to advocate for your students especially if it is a child sexual abuse case.

### **Read more on case notes and subpoenas:**

[Subpoenas, Court Orders and the Trusting Relationship](#) (ASCA School Counselor, March/April 2006)

[Case Notes, Educational Records and Subpoenas](#) (ASCA School Counselor, November/December 2003)

[Confidentiality, Privileged Communication and Your Legal Muscle](#) (ASCA School Counselor, March/April 2012)

### **CONFIDENTIALITY/NEED TO KNOW**

*In the past, administrators have asked me to break student confidentiality regarding matters that, in my opinion, aren't need-to-know. What should I do in cases like this? Is it insubordination to refuse to give that information?*

This situation challenges you to use your best political and collaborative skills to demonstrate respect for the position of authority while still adhering to your obligation to protect students' confidential and sensitive information. To simply refuse an administrator's request outright is to set up a power struggle that will cause you to lose time, energy and, in the case of a few lawsuits, money.

There are no hard and fast rules; rather your response to a request for confidential information has to be made in context of the school counselor/administrator history, relationship and trust. Confidentiality is much harder to respect with the competing interests in a school setting. In most all states, administration is entitled to information on students deemed need to know to optimize a student's learning. The onus is on you to figure out how to promote students' autonomy while also letting administrators know you're listening and respecting their requests. Here are some suggestions for dealing with the confidentiality issue:

- Look for opportunities to interject information about the critical importance of your confidentiality before it becomes an issue. Early on establish a trusting relationship with your teachers and administrators by letting them know you will immediately involve them in information affecting students' safety and well-being.
- Learn to deflect or address requests for confidential information in such a way that the teacher or administrator feels supported. For example: "What are you observing with this

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student?” “Is there a particular issue I can help you solve?” “Rather than have you labor through my notes, would it help you if I make a list of the most common problems students bring me?”

- Give your principal a copy of the ASCA Ethical Standards for School Counselors, and offer to highlight the most salient points. This may help set the stage so the administration will know not to seek sensitive confidential information from you.

If you believe the requester of confidential information would support and help a student if the requester had the information, then ask the student if you can share what the requester needs to know. Sometimes we may need to give out information without consulting a student, but this will be the rare exception.

If you do give information, then provide only the necessary information and nothing more. For example, if a student has witnessed domestic violence and comes to school the next morning traumatized and ready to fight it out with everyone in his or her path, it would help if the teacher understood the student has been through a great deal and may need extraordinary support and understanding from the teacher or administrator.

*Who needs to know what? How do I balance the issues of confidentiality with need to know for students, teachers, parents and administration, especially with what could be considered at-risk issues?*

The need-to-know rule requires school counselors reveal sensitive information only when the recipients of the information has a need to know and is in a position to benefit the student if they have the shared information. Without the assurance of confidentiality, many students would not seek our help. Breaching student confidentiality with teachers, parents and administrators requires continuously balancing the rights of students and parents against the criteria of need to know.

School counselors practice confidentiality through the following concepts: 1) in loco parentis; 2) substantial interest/need to know and 3) qualified privilege:

In loco parentis is a legal doctrine meaning educators assume custody of students in school because students are deprived of protection from their parents or guardians. The school counselor owes a special duty to exercise reasonable care to protect students from harm, and this includes protecting their right to privacy and respecting their confidences. Substantial interest requires school counselors only reveal sensitive information to educators who are in a position to benefit the student if they have the shared information. Qualified privilege protects educators when sharing unflattering information about a student to fulfill our obligations to educate and care for the student. Professionalism requires us to choose our words judiciously in an effort to maintain optimal communication with parents and students. Failure to recognize the power of words in conveying difficult information diminishes opportunities for growth and moves people away from rather than toward good resolutions.

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### **Read more on confidentiality and the need to know:**

[Confidentiality and the Need to Know](#) (ASCA School Counselor, January/February 2006)

[In Loco Parentis, Substantial Interest and Qualified Privilege](#) (ASCA School Counselor, September/October 2006)

[Bridging the Gap](#) (ASCA School Counselor, January/February 2012)

[Confidentiality vs. Principal Relationships](#) (ASCA School Counselor, September/October 2009)

### **REPORTING SUSPECTED ABUSE/NEGLECT**

*What do I do with families that resist getting much-needed mental health care for their children? At what point does it become a neglect issue?*

What constitutes neglect is governed by state child abuse laws. For example, Virginia law defines neglect as the “willful act or omission in the care of such child [that] was so gross, wanton and culpable as to show a reckless disregard for human life.” Louisiana law defines neglect as “the refusal or unreasonable failure of a parent or caretaker to supply the child with necessary food, clothing, shelter, care, treatment or counseling for any injury, illness or condition of the child, as a result of which the child’s physical, mental or emotional health and safety are substantially threatened or impaired.” Although these laws seem to define neglect differently, consulting the local child protection office for its interpretation of state law is your wisest move in these situations.

*Recently a student’s mother called me and told me her son had shared with her that one of his friends was being physically abused. When I met with the boy in question, however, he denied being abused. Am I required to pursue this situation further? If something happens in the future, will I held liable because I did not report it to the authorities?*

The action you must take related to reporting suspected child abuse is governed by state law. Most state laws require school personnel to report the suspicion of child abuse. It is not your job to investigate the suspected abuse. If you’ve been told of potential child abuse and don’t report the alleged abuse, even if the child denies the abuse, you can be fined or even sent to jail in some states. The safest course of action is to call the local child protection service, and report the information (including the other child’s parent’s concerns and the child’s denial).

School counselors also need to be aware of ASCA’s 2003 [position statement on child abuse and neglect prevention](#). ASCA takes the position that school counselors have a “legal, ethical and moral responsibility to report suspected cases of child abuse/neglect to proper authorities.” School counselors are also expected to provide appropriate services to abused or neglected children. Continuing education and consultation will be helpful for school counselors as they work with students who may be being abused or neglected.

Read more about reporting suspected abuse:

[Child Abuse: Who Must Report?](#) (ASCA School Counselor, November/December 2011)



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[Child Abuse Reporting: Advocacy vs. Interference](#) (ASCA School Counselor, January/February 2009)

### **PREGNANT STUDENTS**

*What do I do when a student who is a minor tells me she thinks she is pregnant? And, if she hasn't told her parents and plans to have an abortion, do I have a legal obligation to share the information with her parents and/or administration?*

There are many issues to consider when dealing with this difficult situation. It is most important to know your state laws around this topic (i.e., what is the age of consent, issues around pregnancy decision-making, etc.) as well as your school board policies regarding this issue and community norms. Find out how or if the student has confirmed her pregnancy. Other issues to consider include whether the sex was consensual and the age difference of both parties. It is also important to understand the legal issues on parental rights vs. student's right to confidentiality before proceeding any further. Understanding the student's relationship with her parents will help you initiate how to approach having the student tell the parents. It is imperative to monitor your own biases while at the same time helping the student process how to best disclose to the parents if at all possible.

### **APPROPRIATE DUTIES**

*There seems to be an ongoing struggle with putting school counselors in administrative roles, having them deal with disciplinary issues or even evaluative issues with teachers. How do I refuse to do these duties without looking like I'm not a team player?*

First and foremost, administrators who put their school counselors in quasi-administrative positions are often acting on historical role definition based on how their predecessors utilized the role of the school counselor. You need to educate your administrators and the faculty about the role of today's school counselor. Doing a presentation for the administrative team, faculty, parents and other stakeholders regarding current research on school counselor effectiveness and the ASCA National Model will go a long way in addressing the misuse of your time.

Check the [Careers/Roles](#) section of the ASCA Web site and the [ASCA Position Statements](#) for helpful materials to use in your presentations about the role of the school counselor.

### **SELF-HARM AND SUICIDE**

*One of my students has recently shared with me that she often cuts herself. Should I contact her parents immediately, or should I meet with her a few times first to establish trust and try to get her to either tell her parents herself or allow me to do so? For me, the issue is not as black and white as I wish it were.*



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Black and white doesn't always fit for ethical decision-making. In this case, you'll need to assess her cutting behaviors and intentions. If your assessment indicates her intentions are suicidal ideation, of course you should take immediate action and inform her parents and develop a crisis plan. If her actions don't indicate imminent danger, then it is important to understand her cutting conduct and assess the level of her addiction to this behavior. The relationship you have developed with the student may be the open door to guide her to disclosure of this behavior to her parents.

*What is the school counselor's role when a student threatens suicide? Should the parents be notified? Should the school administrators be notified?*

Until the *Eisel vs. Montgomery County Board of Education* court case (1991), courts consistently found that school counselors did not "owe a legal duty" to prevent a student's suicide. *Eisel* strengthened school counselors' legal obligation to students by satisfying for the first time the first element of negligence and declaring that school counselors have a special relationship with students and owe a duty to try to prevent a student's suicide. The court in the *Eisel* case cited as critical the *in loco parentis* doctrine, which means that educators, including school counselors, are legally standing in for parents and owe a special duty to exercise reasonable care to protect a student from harm. The court concluded school counselors have a duty to use reasonable means to attempt to prevent a suicide when they are placed on notice of a student's suicidal intent.

The Maryland Court of Appeals in the *Eisel* case ruled that school counselors had a duty to notify the parents of a 13-year-old student about the suicidal statements she made to fellow students.

A school counselors' legal liability ends when school authorities or parents have been notified that a student is at risk and appropriate actions have been recommended. School counselors should be sure to document their notification. However, a school counselor's ethical obligation to a suicidal student may extend beyond parental notification. If a student isn't helped after notifying parents or guardians, then the student's counseling needs haven't been met.

Read more about student suicide:

[Suicide: A Duty Owed](#) (ASCA School Counselor, March/April 2003)

[Student Suicide: Legal and Ethical Implications](#) (ASCA School Counselor, May/June 2012)

### DUAL RELATIONSHIPS

*I work as the only school counselor in a small middle school. Next year, my daughter will enter my school. How do I provide school counseling services to my own child?*

Counseling your own family member creates an unethical dual relationship. However, the ASCA Ethical Standards for School Counselors state, "If a dual relationship is unavoidable, the school counselor is responsible for taking action to eliminate or reduce the potential for harm to the

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student through the use of safeguards, which might include informed consent, consultation, supervision and documentation” (A.4.a.).

Say, for example, you provide your daughter information on career development and academic issues. In those cases, you might want to explain what you would say as a school counselor as well as your opinion as a parent. You will want to avoid personal counseling. If your daughter would benefit from personal counseling, you’ll need to find an outside source. Consultation will be necessary as you navigate the next few years.

*Are there ethical issues with high school counselors who also maintain an independent college counseling business outside of school hours? What if they only work with students outside their home district?*

Having a private college counseling business has the potential to create unethical dual relationships, yet the business can be maintained with careful consideration of ethical guidelines. The ASCA Ethical Standards for School Counselors state that school counselors provide students with opportunities to explore post-secondary opportunities and create post-secondary plans (A.3.c.). School counselors are also expected to avoid dual relationships that may impair objectivity (A.4.a.). Therefore, it would be unethical for a school counselor to refrain from providing services in the school setting but offer to provide those services to students for a fee in a private practice.

The American Counseling Association Code of Ethics provides some additional guidance. Section C.3.d. states that counselors do not use their work sites to recruit clients for their private practices. Accordingly, if school counselors provide ethically mandated services to students, avoid harmful dual relationships with students and don’t use their place of employment to recruit clients, a private practice won’t violate ethical standards. Working with students in different school districts would seem to help the school counselor avoid ethical challenges.

### **TIME CONSTRAINTS**

*Situations spill over and may extend into after-school time or the other half of a day for a part-time person. Ethically, we need to see situations through until they are resolved, but how do you balance that with time constraints? Am I ethically obligated to work beyond my normal work hours to deal with issues with the students?*

This situation identifies a common challenge for all school personnel. Typically teachers, administrators and school counselors can be found at school long after work hours have ended. Though a school counselor’s contractual legal obligations can be quantified, the defined schedule creates a minimum obligation. The legal standard of care, acting reasonably under the circumstances, would also include school counselors working with students in crisis until the crisis is resolved.

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As the question indicates, school counselors are ethically obligated to see situations through until they are resolved. If school counselors are consistently working well beyond school hours, the school counselor may wish to discuss the situation with an administrator and identify issues such as whether non-counseling activities can be delegated elsewhere or whether hiring additional school counseling personnel is necessary.

### **SOCIAL MEDIA**

*I have heard reports of a particular student being cyberbullied. I haven't seen any of the bullying myself as it's done via students' individual Facebook accounts and/or e-mail accounts. Additionally, the student being cyberbullied hasn't come to me for help. What's my role in this instance?*

If you heard about a student being bullying in a school setting, you would most likely talk with the student even if the student hadn't approached you. Simply because the bullying happens in cyberspace doesn't mean you wouldn't offer the same type of support. Cyber-antics will indubitably leak into the school setting; therefore every school district should develop a policy regarding cyber-bullying. As a pre-emptive approach, school counselors can educate students and parents about cyber-safety and cyber-bullying. Ethically educators cannot be unresponsive to this potentially deadly form of bullying.

*I have set up a Facebook page for the school counseling department for my students. Although I am careful not to friend any of my students on my personal Facebook account, sometimes I see things via this department page that make me worry for my students, such as underage drinking or other risky behaviors. If these activities happen off school grounds, what is my role as the school counselor?*

The prime directive of a school counselor is to advocate for our students. You can best address it in this situation by clarifying the boundaries of the school counseling department Facebook page. Put an informed consent statement on the front page. Avoiding the slippery slope of a dual relationship with a student on Facebook is a wise idea; however, cyber education is a proactive way to help students understand the impact and consequences of their posts online. React we must.

Read more about social media:

[Facing the Facebook Ethics](#) (ASCA School Counselor, November/December 2009)

[It's a Brave New World of Social Media](#) (ASCA School Counselor, May/June 2012)

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### LETTERS OF RECOMMENDATION

I've been asked to write a letter of recommendation for a part-time job at an animal shelter for a student who's frequently been called into the principal's office for disciplinary actions. I think, deep down, this student is a good kid, and the additional responsibility of the part-time job will help put this student on the right path. Ethically, should I disclose the student's disciplinary issues to the future employer or not?

In this case, you're protected from sharing the student's disciplinary record because that information is confidential. If you believe the student would do well in this job, you don't violate any ethical standards by writing a letter to that effect.