

# B'More: Ethical Decision Making in Student Affairs Practice



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# Welcome

- Please fill out our brief survey.
- This survey is for discussion purposes and is not intended to be empirically-based data.
- The results will be tallied and shared during our presentation.

# Introductions

- Why are you here?
- What role do ethics play in your day-to-day work in student affairs?
- What are you hoping to take away from this presentation?

# Learning Outcomes

1. To understand the core ethical principles that guide the student affairs profession.
2. To help new professionals promotes ethical growth and self-awareness, including balancing personal with professional values.
3. To demonstrate how participants can use an ethical decision-making model when faced with ethical dilemmas in their daily work.
4. How to use a multicultural lens when examining ethical situations.

# What is Ethical Decision-Making in Student Affairs?



# Ethical Decision-Making

- Is an organized, intentional process of reflection, information gathering, and consultation used when faced with a professional ethical dilemma.
- Ethical decision-making involves weighing of core ethical principles, consulting the law/legal issues, and reviewing our professional code of ethics.

- At times a code of ethics will provide prescriptive guidance on how to handle an ethical situation. However, other times a student affairs professional will have to rely on his/her own knowledge, worldview, life experiences, professional judgment, etc. when tackling ethical conundrums.

# Types of Potential Ethical Issues in Student Affairs

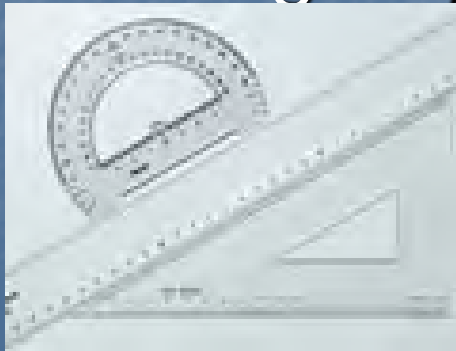
- Confidentiality
- Consultation & Supervision
- Technology
- Social Networks
- Power Differential
- Competency
- Boundary Issues (Dual Relationships)
- Boundary Crossings
- Multicultural/Diversity Issues
- Mental Health Issues
- Documentation/Record Keeping



# Tools in Ethical Decision-Making



- professional codes of ethics/professional standards
- student affairs/counseling/business literature
- colleagues/supervisors



- ethical decision-making models

# Ethical Decision-Making

- Which values do I rely on and why?
- How do my values affect my work with students/colleagues/supervisors?
- Are there values/biases/beliefs that would negatively impact my work with students? (i.e. values conflict)
- Ethical decision-making is a combination of cognitive and affective processes
- There is no single "right" ethical decision-making model. Find a model that fits your own personal/professional vision for ethical practice.



# Ethical Principles

- Autonomy – respect for the inherent dignity and freedom of each person; individuals are to make choices for themselves.
- Nonmaleficence – Do no harm; avoiding preventable risks.
- Beneficence – The responsibility to do good.
- Justice – The obligation to act fairly.
- Fidelity – Being faithful to one's commitments; following through on promises made; truthfulness & loyalty.
- "Collectivistic autonomy" (Kocet, 2009)

# Are you involved in U.U.P.?

- In order to avoid Unintentional Unethical Practice or UUP, it is critical for student affairs professionals to adopt an ethical decision-making model to guide professional practice and stay on the course to making sound ethical judgments.
- Having "good intention" may not be enough to avoid unethical conduct. Even if we do not intend to harm students or others, if the other person or person believe they have been harmed, then harm may have been committed unintentionally.

# Questions for Group Discussion

- Why is an ethical decision-making model important to use when faced with a challenging ethical/professional situation?
- What are the strengths and limitations of using the ethical decision-making models in a student affairs context?
- Discuss the role of values and beliefs in the student affairs profession. What do you do if your values/beliefs conflict with your student? Your supervisor? Your colleague? Your institution?

# Data on Professional Organizations with Codes of Ethics/Professional Standards

- Handout
- Informal Survey Results

- It is important to point out that there is very little research in the student affairs literature on ethical decision-making models. The fields of counseling and psychology have made a substantial contribution to putting a framework around making ethical decisions.

# Additional Ethical Decision-Making Models

- Corey, Corey, & Callanan (2010)
- Forest-Miller & Davis (1996)
- Hill, Glaser, & Harden (1995)
- Keith-Spiegel & Koocher (1985)
- Stadler (1986)
- Steinman, Richardson, & McEnroe (1998)
- Welfel (2010)



# Ethical Decision-Making Model for Student Affairs

(Kocet, McCauley, & Thompson, 2009)

as cited in Fried, J. (2011). Ethical standards and principles. In J. Schuh, S. Jones, & S. Harper (Eds.). (2011). *Student services: A handbook for the profession (5<sup>th</sup> ed.)*. San Francisco: Jossey-Bass.

1. Develop an ethical worldview.
2. Identify the ethical dilemma/problem.
3. Weigh competing ethical principles.
4. Select relevant ethical guidelines/professional standards.
5. Examine potential cultural/contextual issues impacting the ethical dilemma.

6. Investigate applicable laws, campus regulations, policies, procedures, handbooks, websites, etc.
7. Search for ethical/legal/professional precedence.
8. Collaborative consultation and brainstorming.
9. Evaluate possible consequences and options of action/inaction.
10. Choose a course of action.
11. Implement selected course of action.
12. Reflect on the experience as it relates to future ethical decisions.

# Ethical Reflection Exercise Handout

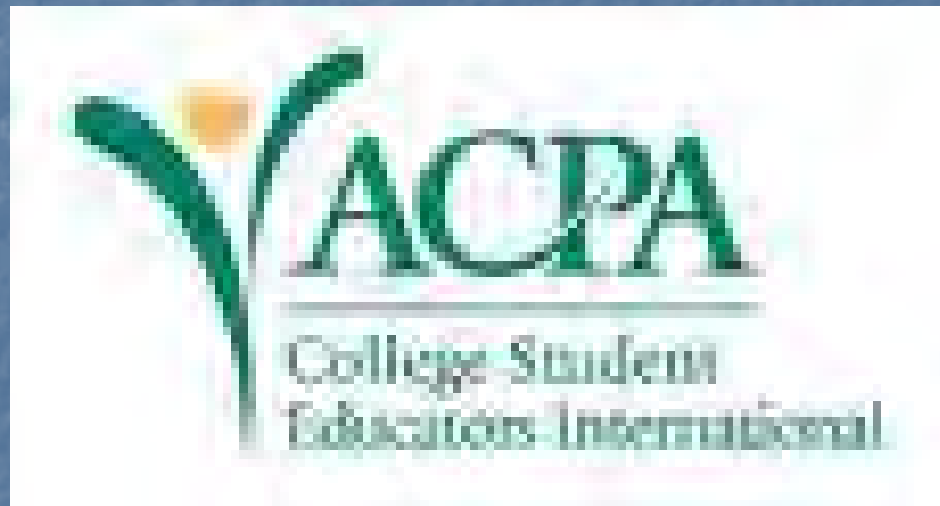
# Technology, Ethics, and the Law

- Facebook and Privacy
- Question – Can a college or university expel or dismiss students (or take other disciplinary actions) for content posted on a social networking site? Why or why not?



# Case Study & Discussion

# Key Ethical Standards ACPA Code of Ethics (2006)



# Student Learning & Development

- Standard 2.1 Treat students with respect as persons who possess dignity, worth, and the ability to be self-directed.
- Standard 2.5 Inform students of the conditions under which they may receive assistance.
- Standard 2.6 Inform students of the nature and/or limits of confidentiality....
- Standard 2.7 Refer students to appropriate specialists before entering or continuing a helping relationship when the professional's expertise or level of comfort is exceeded.
- Standard 2.12 Develop multicultural competence....

# Professional Responsibility & Competence

- Standard 1.3 Maintain and enhance professional effectiveness by continually improving skills and acquiring new knowledge.
- Standard 1.4 Monitor their personal and professional functioning and effectiveness and seek assistance from appropriate professionals as needed.



# Key Ethical Challenges

- Confidentiality
- Record Keeping/Digital/Electronic Files/Emails/Texting/Social Networking



# Confidentiality

- Confidentiality is the foundation of safe therapy. (Corey, Corey, & Callanan, 2007)
- Clients have the right to expect that communications will be kept within the bounds of the professional relationship.
- There are limitations to the promise of confidentiality. (Corey, Corey, & Callanan, 2007).

# Pillow Talk, The Dining Hall, and Other Ethical Conversations



# Exceptions to Confidentiality and Privileged Communication (Remley & Herlihy, 2005)

- Student Waiver of the Privilege
- Death of the Student (\*\*may change now)
- Sharing Information With Subordinates or Fellow Professionals
- Clerical or Other Assistants May Handle Confidential Information

- Counselors/Student Affairs Professionals May Consult with Colleagues or Experts
- Confidential Information May Be Shared When the Counselor/Student Affairs Professional Is Working Under Supervision
- Other Professionals May Be Involved in Coordinating Student Care (Deans of Students, Campus Police)



# Duty to Warn



- To inform endangered individuals of an identifiable threat.
- Duty to Protect: any reasonable professional action of the counselor, beyond a warning to a threatened party, that could prevent harm to another person. (Cottone & Tarvydas, p.31)



# Resolution of Ethical Situations

- ACPA
  - Initiate a private conversation.
  - Pursue institutional resources.
  - Request consultation from ACPA Ethics Committee.
- ACA
  - Have knowledge of the ACA Code of Ethics and other applicable codes.
  - Examine conflicts between ethics and laws
  - Informal Resolution

# ACA

- Reporting Ethical Violations
- Consultation
- Organizational Conflicts
- Unwarranted Complaints
- Unfair Discrimination Against Complainants (Whistle Blower Laws)
- Cooperation with Ethics Committees



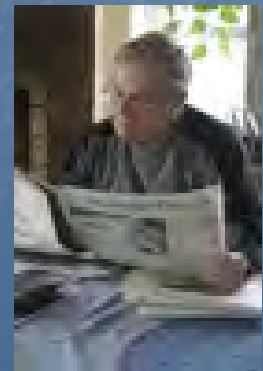
# Kidder's Ethical Template

Kidder (1996) as cited in Baldizan (2008)

- 1. Obey the Law – Is there a law, rule, or regulation that applies to the issue?
- 2. Front Page Test – Your decision appears on the front page of your local newspaper
- 3. Regard Test – If you parent, coach, advisor were present, how would you feel?
- 4. Gut Test – Sit with the decision
- 5. Golden Rule Test – Do unto others

# Critical Considerations

- Importance of Holding Self and Colleagues/Supervisors Accountable
- Critical to have honest and open communication when working through an ethical conflict.
- Minimize gossip and “water cooler” conversation surrounding ethical misconduct.
- Use the Test of Publicity or the “Would You Want Your Mom or Dad (or other adult figure in your life) To Know What You Did” Test



# Questions & Comments??



*Thank you for coming.*