Ethical Concerns in School Counseling

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In this article the author discusses ethical dilemmas inherent in the school setting that result from conflicts in counselor responsibilities to pupils, parents, and school. An ethical dilemma involving a pregnant student who is considering an abortion is described, and some possible counselor responses are discussed.

Dilemma. Janice, a socially mature 16-year-old, confides in her counselor that she is pregnant. Her family is active in the "pro-life" movement, and Janice held similar beliefs before the pregnancy. She now wishes to explore the physical and psychological ramifications of an abortion and seeks assurance that, whatever the final decision, the counselor will not reveal any information to her family. The counselor, who is also a strong "pro-lifer," contemplates informing the girl's parents.

The single characteristic that best distinguishes school counselors from other mental health professionals is a direct result of their work setting. School counselors work with minors and thus have certain legal and ethical responsibilities to parents as well as to clients. A potential conflict between allegiances to clients and parents is further compounded by ethical-legal responsibilities to the employing institution. In response to these and other issues in school counseling, the American School Counselor Association (ASCA) adopted the Ethical Standards for School Counselors (1984). These standards are not intended to replace the American Association for Counseling and Development (AACD, formerly American Personnel and Guidance Association) Ethical Standards (1981) but rather to complement them by clarifying the nature of ethical responsibilities of counselors in the school setting.

The purpose of this article is to provide a brief review of the school counselor's responsibilities to pupils, parents, and school. An attempt is made to relate these three areas of ethical responsibilities to a specific dilemma, that of a pregnant teenage girl (Janice) considering an abortion, and to generate some realistic options for school counselors.

RESPONSIBILITIES TO PUPILS

Duncan and Moffett (1974) cautioned that ethical standards do not give guidelines for every situation. The standards must be interpreted by each counselor in each context. Moreover, interpretation is a function of the counselor's personal values, beliefs, and attitudes. Counselors working with children need to be particularly careful not to promote acceptance of the counselor's values as the "right" ones. Section A.4 of the ASCA standards (1984) states that "The school counselor refrains from consciously encouraging the counselor's acceptance of values, lifestyles, plans, decisions, and beliefs that represent only the counselor's personal orientation." Clients of all ages have the right to choice and self-direction in their beliefs. Talbutt (1983) warned that it is not only unethical for counselors to impose their values and views on minors; it can result in legal action. The school counselor's role is to challenge and assist students to explore their own values on which they can base their own decisions. This task is not always easy. As individuals, counselors feel strongly about values, and such convictions are not readily pushed aside or effectively concealed. Attempting to deny a position or to try to ignore values may undermine the trust necessary for a productive counseling relationship. The school counselor should express his or her values and emphasize that they were accepted and incorporated after much thought and exploration. Although they seem right for the counselor, they are not accepted as right by all people. If a counselor feels so strongly about an issue that his or her effectiveness in the relationship will be impaired, a referral is appropriate.

RESPONSIBILITIES TO PARENTS

The counselor-client relationship is private and thus requires compliance with confidentiality standards; school counselors, however, work with minors, and their legal responsibility is generally to the parent, whereas their ethical responsibility may be more to the client. Obviously, the legal and ethical requirements are not always in agreement, thus placing the counselor in a precarious position that must be balanced to ensure the rights of clients and at the same time ensure the rights of parents. Wagner (1981) reported that the younger the client, the greater the counselor's allegiance to the parent. She recommended, however, that children should have control over the release of information that results from their choosing to engage in the counseling process. Eberlein (1977) stated that most judges would be sympathetic to a client's request that a counselor not reveal information to the parent, and the counselor should not voluntarily inform parents of content unless the minor makes such a request.

For many school counselors, the issue is whether legal responsibility takes precedence over confidentiality based on professional ethics. Ethical codes do not supersede the law, and they should never be interpreted so as to encourage conduct that violates the law. Counselors must become familiar with local, state, and federal laws, but legal knowledge is not sufficient to determine the best course of action. Each case is unique, and laws are subject to interpretation; consequently, professional judgment will always play a role. Corey, Corey, and Callanan (1984) stated that although counselors need to use caution in legal issues, they must not become useless and paralyzed by ineffectiveness. Counseling is risky, and counselors should not become so involved in legalism that they reduce client welfare to a secondary responsibility.

RESPONSIBILITIES TO THE SCHOOL

Section A.2 of the AACD Ethical Standards (1981) states that "The acceptance of employment in an institution implies that the member is in agreement with the general policies and principles of the institution. Therefore the professional activities of the member are also in accord with the objectives of the institution." Counselors should adhere to local school policies, whether determined by the principal or the board of education, to the extent possible without compromising their primary responsibility to the client. Counselors cannot afford to be perceived as more concerned about school rules than about student needs. When a conflict exists between a counselor's loyalty to the client and to the employer, the counselor should always attempt to find a resolution that protects the rights of the client; the ethical responsibility is to the client first and the school second. Infor-
mation obtained in the counseling relationship should remain confidential if the school's policies are not in the best interest of the client's well-being. When institutional policies exist that hinder the effectiveness of the counseling relationship, the counselor must actively use all available resources to promote a policy change in keeping with ethical standards of behavior.

DISCUSSION

It is not uncommon for adolescents to seek advice about personal issues from school counselors, and a dilemma such as Janice's generates value-laden questions: What do you think about abortion? Should I have one? Where can I go? Will you help me? A counselor who views abortion as a viable alternative could help Janice clarify her choices and, if she wishes, suggest a referral to a family planning clinic. A counselor who accepts abortion provisionally could explore the situation with Janice to determine if referral to another counselor who can be more objective is warranted. If the counselor's values include viewing abortion as murder, then, based on ASCA standard A.9 ("The school counselor informs appropriate authorities when the counselee's condition indicates a clear and imminent danger to the counselee or others. . . .”), the counselor might feel justified in informing Janice that he or she must break confidentiality to prevent the abortion even though the consequences to his or her reputation among students would probably be severe. Whatever the interpretation, the counselor must still consider legal and ethical responsibilities to Janice's parents.

Generally, the courts have ruled that minors have a legal right to obtain abortions without the consent of parents (Talbutt, 1983); Section B.1 of the ASCA standards, however, states that "The school counselor respects the inherent rights and responsibilities of parents for their children and endeavors to establish a cooperative relationship with parents to facilitate the maximum development of the counselee." The counselor in this case should strongly encourage Janice to discuss the issue with her parents. The final decision, however, must rest with Janice.

Regarding institutional responsibilities, the counselor should determine whether the school has a policy concerning adolescent pregnancy and, in particular, the issue of confidentiality. Typically, a policy does not exist, at least not in written form. If, however, reports to the parents or school are required, the counselor needs to consider carefully the full implications of making such a report. Ethical standards should always apply, regardless of the situation, and the counselor's concern for Janice's well-being must be foremost in the counseling relationship.

Applying ethical standards to practical situations is difficult because it involves values and human judgment. In the school setting it is especially difficult because the clients are minors. Moreover, there exists an ethical-legal responsibility to the school. School counselors confronting ethical dilemmas are often unsure where their allegiances lie; nevertheless, they must learn to tolerate the inherent ambiguity in ethical dilemmas. As trained professionals, school counselors have the capacity to take responsibility for their own judgments. Consultation and other resources are readily available through professional associations such as ASCA and AACC.

REFERENCES


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