

Ethical Decision Making

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Introduction

In this hypothetical ethical dilemma, a school counselor has had a middle school grade student named Jason referred to them by a teacher. The teacher believes that Jason is at risk of suicide due to previous conversations with him. After sitting down and talking with Jason, the counselor does indeed believe Jason to be at risk. Knowing Jason is a minor, the counselor calls parents to inform them of the situation. He then provides them with printed resource materials that include other mental health counselors in their community.

The Problem

There are multiple underlying problems in this situation. The first would be the violation of a consent form. This case does not give enough detail as to who consented to the counseling process to begin with. The ACA (American Counseling Association) code of ethics makes it clear that a consent form must be presented to a client before any counseling is to proceed. During this process, the counselor will provide his client with a consent form and then discuss foreseeable scenarios in which confidentiality may be broken. (B.1.d.). If Jason or his parents had not signed a consent form, then he should not have been with a counselor to begin with. A second problem with the scenario would be the breaking of confidentiality of a minor. As stated above, the counselor needs to not harm by protecting the client at all costs, even if that means breaking confidentiality. One way to avoid a breach of confidentiality is to give Jason a chance to explain and express himself in the presence of his parents. If the counselor feels that Jason is not in the mindset to commit suicide at that very moment, he may express to Jason the need to bring in his parents for a family counseling session. The reason Jason was with the counselor in the first place was that he mentioned family problems to his teacher. A family counseling session

will help to eliminate multiple problems at once. It will solve the problem of a lack of a consent form, protect the counselor from breaking confidentiality, and get to the heart of Jason's thoughts of committing suicide.

Moral Principles

As the counselor continues to work with Jason and his family, he will begin to implement Kitchener's (1984) five moral principles of ethical counseling. They are autonomy, justice, beneficence, nonmaleficence, and fidelity. Each one has a unique perspective that will be used to help guide Jason during his time of need. The first one, autonomy, is the idea of one's independence. The independent freedom to make a choice. In the case of Jason, the counselor may ask him how his choices are affecting him, his parents, and those around him. What is Jason's reasoning for wanting to take his own life? Is it due to a physical pain causing him distress (such as having cancer) or is it emotional pain? Being confronted with the consequences of one's actions tends to put life into a new perspective. The counselor may present this to Jason by asking him about his friends and family. What would happen to his mom and dad if he were to take his own life? How much pain would that cost them? What would his friends think? How would they be able to deal with him being gone from their lives? Suicide is permanent and it brings hurt to many different people. These deep and probing questions may help Jason to contemplate that suicide may not be the best answer. The second principle goes hand in hand with the first one. Nonmaleficence is the notion of doing no harm to one's self or others. The counselor should be able to show Jason that suicide will not only harm him but also the people around him. Beneficence mirrors the other two principles in that it talks about a counselor's duty to protect his client. The counselor is always trying to come up with new ways to help his client succeed in life. The counselor in this situation should be willing to do all that he can to provide

Jason with the right tools so that he may overcome his struggles. The fourth principle is completely different than the other three. Justice is the concept of a counselor treating all of his clients differently. When a person hears the word “justice” tends to think equal, however, this is not the case. Counselors do not have to treat all of their clients equally, but they do have to treat them with respect. If a counselor does treat one client differently from another, he must provide a reason for doing so. In the case of Jason, the counselor may treat him differently than he would another student struggling with suicidal tendencies. The other student may have different reasons for wanting to commit suicide than Jason, so the counselor needs to approach the situation differently. The fifth and final principle is fidelity. Fidelity embodies the spirit of loyalty. A counselor must be loyal and faithful to his clients. Clients must feel safe and trusting of their counselor if they wish to grow and succeed in the counseling journey. The school counselor treating Jason must do everything he can to provide the best care for his growth and recovery.

Professional Literature

The following information is a list of professional resources one would consider researching when dealing with a suicidal student. In the case of Jason, this list also includes information regarding consent forms and client confidentiality. In the journal article titled *Reconsidering Counseling consent*, the authors David Hall and Anton Van Niekerk talk about the need to understand consent forms. They go on to say that counseling consent forms need to be well balanced and well written. A person can't be completely informed about what will happen in counseling, but they do need some form of information before making a life-changing decision. A consent form that is well constructed will help to guide them in this process (Hall et al, 2017). A second journal article titled *Breaching Confidentiality to Report Students' Risk-taking Behaviors to School Administrators* talks about when it is appropriate for a school counselor to

break confidentiality with a student. The study took place in the country of Turkey. The Turkish government wanted to see how a student and counselor would react to the breaking of confidentiality in a counseling session. The counselors found it very difficult. They proclaimed that their priority was to protect the student client at all costs. They took the mindset of “do no harm” very seriously. They believed that all students needed to be protected no matter age, race, or gender. The confidentiality agreement was broken only as an absolute last resort. They wanted to be able to build a trusting relationship with the students and worked very hard not to break that trust. The students felt the same way. Both male and female students participated in this study. They were given a chance to take a survey on how they felt after their confidentiality was broken. Many were heartbroken, but many more knew it was done to protect them. Both male and female students said that they still wanted to receive counseling even after the agreement was broken. They had built a deep connection with their counselor and knew that he or she had their best interests at heart. The study concluded that male and female students may have different risky behaviors but that they all need to be protected at all costs (Sivis-Cetinkaya, 2019). Authors Jaimie Haugen, Phillip Waalkes, and Glen Lambie write about the deaths of student clients. In their journal article *A National Survey of School Counselor's Experiences With Student Death by Suicide* they interviewed dozens of school counselors who had experienced the death of one of their student clients. The counselors went on to explain how devastating it was for them. They expressed how they failed to help a student in need. They were haunted by the suicides for years to come. Of the many schools mentioned in the study, roughly half of the students who committed suicide were middle school-age students. The study showed that more and more young people are starting to commit suicide. The nation's school boards are doing the best they can to prevent this by training new teachers and school counselors on how to deal with

and prevent students from taking their own lives. The study concluded by saying that a student suicide affects all the people in the school including the staff, teachers, students, and counselors. Those in the educational world do their best every day to protect their students (Lambie et al, 2021).

Course Of Action

In the case of Jason, some steps were taken to produce a positive outcome. The first course of action was that of a consent form. Many schools will often have some forms of counseling documentation for parents to read and sign. This is usually done during the beginning of each school year. Jason's parents (or legal guardians) should have been presented with such a form. After receiving the form, they then have to choose to sign it or not. If they chose not to sign the form, then there are different steps to be taken. Depending on the situation, Jason may be able to receive school counseling regardless of his parents' (or guardians') approval. Every state has a different law regarding school counseling and parental rights. Some school law says that if a student is enrolled in a school then the student has the right to seek counsel regardless of the parents' or guardians' wishes. However, there is a catch in this situation. If a student does not need a parent's permission and the counselor decides to ask the parents anyway and then the parent or guardian says no, then the counselor can no longer legally counsel that student. Another fact to consider is the student's age. Many states have a law saying that if a student is over the age of twelve and is seeking help regarding drug use, STDs, pregnancies (for females), an alleged sexual assault then they do not need a parent or guardians' consent (Corey et al, 2019). In the case of Jason, he has been reported to be in middle school. Students in middle school are typically over the age of twelve. Although he may originally be in counseling for suicidal tendencies, he may have the opportunity to extend his counseling without parental

consent. This may not be the best case for Jason, seeing how he was sent to counseling due to family issues. Leaving his parents or guardians out of the loop may cause him more harm in the future. If Jason's parents do not agree for him to be in counseling or if they do not wish to participate in it with Jason, then the school counselor may need to contact the school board. The school board may then proceed to see if child services need to be involved. The second point of approach would be confidentiality. Once Jason has officially been enrolled in school counseling, then the process of confidentiality can begin. The counselor will talk Jason through the process and expectations of counseling. Jason will now know what will and will not be kept in confidence. With this knowledge, Jason will be allowed to express his emotions and feelings with his counselor. The final approach is that of Jason's suicidal contemplations. What is causing him to feel this way? At this point, it has been established that Jason is having troubles in his home life. Is he having trouble with other family members? Does he have siblings? Are both his parents married to each other or not? These questions play a significant role in Jason's behavior. If Jason is having trouble with his siblings or his parents, then the counselor may suggest they all go into family counseling. This may cause a big disturbance to Jason and his family, but it will shed light on the darkness that is surrounding him. These questions will open the door for Jason to begin his recovery. During this process, he will experience true autonomy and fidelity. He will be given the freedom to make choices that will help him out of the darkness and have an advocate to help him achieve his goals.

Conclusion

This hypothetical ethical dilemma has brought about many points of discussion. As a future counselor, I hope to provide the same actions that were discussed previously. In the case of Jason, I would start by making sure that he was informed about his counseling options. By

informing Jason of his rights to a consent form I have already eliminated a future hurdle. The consent form protects Jason, the school, and me from any unwanted lawsuits. This paves the way for the discussion of confidentiality. Once Jason is legally in my care, I would start by explaining to him his rights regarding counseling. I would make sure he understands the matter in which I can help him. To build that trust he must know what will stay between the two of us and when I may need to bring others into his counseling sessions. Once that matter is settled, we would move on to his family. At this point, it has already been brought to my attention that Jason has struggled in his home life. By propping deeper into his life, I hope to find what is causing his emotional darkness. Reaching out to the family is a good starting point for Jason's journey to finding peace. The family will either be supportive or add to his problems. If they are adding to his problems, then they will be brought into the light. They may not even be aware that Jason is hurting. If they are supportive of Jason getting counseling, then they will be an added resource for Jason to rely on later. As I dig deeper into Jason's life, I hope to continue to uncover the reasons for his suicidal thinking. Once am certain Jason is in a stable place, I will recommend that he come to see me fairly often. Each visit I will do my best to provide Jason and his family with resources so that they may build a support network around him. Through all of this, I hope to show Jason a new path that will provide him a life of peace and prosperity.

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I started to read *Spirituality: Implications for Professional School Counselors' Ethical Practice* and I was instantly intrigued. A few ideas stood out to me as I continued to read. The journal talks about how “spirituality” was considered a bad thing, a “taboo” topic that needs to be avoided in the realm of school counseling. It went on to say that the world of counseling is changing and that we as counselors need to change along with it. The authors made a good point of comparison regarding spirituality. They said that the topic of spirituality is no different than the topic of gender or sexual orientation (Lambie et al., 2008). If a person needs counseling help in those specific areas, then as a counselor it is your job to help them, the same goes for spirituality. All people need help, regardless if they have any spiritual beliefs or not.

I believe that it is ok to share your own religious or personal beliefs in a counseling relationship. I find that being open and honest with the people you are trying to help will cut through some awkward tension and allow for trust to be built. That being said I do think that one should do so with great caution. While it is ok to share one’s beliefs with someone else, it not ok to impose your thoughts or beliefs onto someone else. The journal article gave a few steps to help avoid this problem. First, you need to be aware of your own spirituality. Find out what you believe and why. The second would be to understand the spirituality of the person or persons you are trying to help. What do they believe in and why do they believe it? The final step is to find a way to use the other person's spirituality to help them on their counseling journey (Lambie et al., 2008). This process not only helps to build bridges of trust but also helps you to focus on the needs of the person you are counseling.

I continued to study the topic of spirituality by reading *The Ethics of Prayer in Counseling*. What stood out to me in this journal was that the authors agreed that prayer in counseling is a good and healthy idea. They say that a good counselor will be open to the ideas of prayer and can use it to

help the people they are counseling. They do caution against using prayer as the only way to help someone. A prayer is just one of many tools that need to be used in counseling (Weld & Eriksen, 2007).

I plan to use these tools and more as I become a counselor for Christ.

Reference:

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