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## **Communicating Effectively to Resolve Ethical Concerns: The Role of School Psychology Supervisors**

By Rivka I. Olley

School psychologists are entrusted by schools, parents, and guardians to provide services that are in the best interest of the children. This trust requires individuals certified by state education departments to follow legal mandates with regard to all children, and particularly for students identified with special education needs. This trust evolves from the training and internship required to obtain certification and from the National Association of School Psychologists' (NASP) *Principles for Professional Ethics* and requirements of other relevant professional organizations. These codified standards assure consumers of the quality of services they may expect from certified/licensed school psychologists. It is incumbent upon each school psychologist to engage in ethical behavior based on current ethical codes guiding school psychology. The school psychologist is often the team member most knowledgeable regarding federal and state laws mandating educational services. Sometimes ethical dilemmas that school psychologists face are the result of a school-based team member (or members) violating procedures or failing to follow regulations. One of the most difficult challenges that school psychologists with ethical dilemmas encounter is communicating our perspective effectively to administrators and other stakeholders to help them see that acting ethically is always in the best interests of the child.

School psychology supervisors are frequently contacted by school psychologists regarding diverse ethical issues as they navigate the waters of the educational system. According to Dailor (as cited in McNamara & Jacob, 2008), school psychologists' most frequently reported ethics-related concerns are: (a) administrative pressure (43%), (b) unsound educational practices (41%), and (c) assessment related concerns (27%). School psychologists have these concerns when they are placed in a situation in which they are being asked to do something that is not in keeping with their code of ethics, or when they are aware of a situation in which others may not be following educational law or acting in the best interest of the student(s). The call or e-mail to the supervisor may sound something like this:

I have been told to fill out a form to place a student in a more restrictive environment even though the student does not meet the requirements. The school hasn't done the appropriate testing, attempted any behavioral interventions, and has already found the student eligible for

special education services. In my opinion, the student really never met that requirement in the first place. I dissented and the team is upset with me. The special education teacher is not trained to do testing. No one is listening to me. I am so frustrated.

*In School Psychology: A Blueprint for Training and Practice III*, the authors outline areas of competence that school psychologist practitioners need in order to work effectively and ethically. Ethical standards should be communicated to administrators and other school personnel so they understand that school psychologists must follow both the legal mandates of the state and the ethical requirements of their profession with regard to all children, and particularly for students identified with special educational needs. To achieve this communication, it is helpful to think about the three levels of communications: calling card tactics, action requests, and crisis communication.

### **Tier 1: Calling Card Tactics**

“Calling Card” communication is a preventive step designed to ensure that practices are aligned with ethical standards. It is a Tier 1 strategy that is designed to raise awareness and create universal understanding of an issue before a conflict arises. Activities might include:

- Volunteering to hold staff trainings along with an administrator or other related services personnel on the Family Educational Rights and Privacy Act (FERPA), Free Appropriate Public Education (FAPE), the Elementary and Secondary Education Act (ESEA), or IDEA noting the school psychologist’s ethical responsibility within these governing rules and regulations
- Conducting workshops for parents or staff on the special education process, eligibility, rights and responsibilities, or testing basics, making sure to include the ethical code and responsibilities
- Writing a column in the monthly school newsletter relating to special education rules, regulations, testing, transition services, etc. and emphasizing the role of ethics that school psychologists apply to their work
- Having the local education agency handbook at the table during IEP meetings to review policies and procedures related to IDEA and state education rules in order to help everyone stay on track, thereby minimizing errors in procedure and eligibility and minimizing ethical concerns

### **Tier 2: Action Requests**

“Action Request” communication is used when there is a need to provide more information to or obtain information from the target audience. In the case of ethics, this will most likely revolve around a specific case and often involves administrators. Sometimes the relationship between the school psychologist and the administration, IEP team, or school staff, needs repair as in the example above. At such times, direct communication by the staff member with the administrator is needed to:

- Discuss that school psychologists have a professional responsibility to bring to the attention of the administration (and IEP team members) all ethical issues
- Communicate the ethical boundaries, regulations, and best practices of our profession (e.g., by sharing the handout, “School Psychologists and Ethical Practice: Information for Parents and Educators,” in this issue of *Communique*)

When meeting with the administrator, identify key messages and focus on what

you will say. The three key components of a message are: defining the problem, suggesting solutions, and stating the potential benefit. Present information concisely, and in a respectful, clear, and caring manner.

Important messages that communicate the ethical responsibilities of a school psychologist might include speaking out when:

- Eligibility is granted without adherence to appropriate identification criteria or the “rule outs” criteria such as limited English proficiency, environmental or economic disadvantage, or appropriateness of instruction
- Testing violates standardization process making the results questionable
- Schools place children in special education without first attempting research-based interventions within the general education setting or prematurely refer students to a more restrictive environment in violation of federal and state regulations
- The school psychologist is asked to behave in an unethical manner by endorsing the presence of a disorder or need for a more restrictive environment that is not supported by data

### **Tier 3: Crisis Communication**

Crisis communication is required when there is a high profile ethics violation that requires considerable knowledge of how to handle a situation involving the community or media. This is an area in which the knowledge base and public relations acumen of the supervisor of school psychological services is particularly useful. These high profile situations might include:

- Accusations by a parent reported to the central office and/or media that a staff member, administrator, or the school psychologist has acted in a manner harmful to a student
- Police arrest of a student or school-related personnel
- Media asking the school psychologist to comment on why a student acted violently against others in the school

In these situations, there are district policies and procedures that must be taken into account. In general, school districts have strict policies about speaking to media or the public on sensitive issues (sometimes on any topic). It is important to be familiar with these policies. School psychology supervisors, as administrators, have the lead responsibility to help manage interactions with the administration and consult on those with the media. As with all other activities in which school psychologists engage, there are issues regarding confidentiality and the rights of the students, staff, parents, and community that must be maintained. Supervisors assist school psychologists at such times in crafting appropriate responses that are sensitive to the questions of the community, but maintain ethical standards.

### **Working With the Media**

Typically it is best for school psychologists, if confronted by the media, parents, or community members, to

- Indicate that they are not at liberty to discuss any issues related to the situation because ethical standards require them to maintain the privacy of individuals (whether students, staff, or others) with whom they interact

- Refer the media or others to the principal in the building for any information they may seek because the principal is the person responsible for the school
- In cases regarding violence or other high profile events, indicate that central school officials will be able to address the questions, noting again that they have an ethical obligation to maintain the confidentiality of those they interact with including students, parents, staff, and community members
- Provide the central office with accurate, timely information about the issue
- Consult with the administration on key messages related to ethical standards of practice

### **Communicating About Ethics**

School psychology supervisors work closely with school psychologists on a daily basis focusing on issues related to professional practice. By helping school psychologists select actions and solutions that enhance communication about our profession and ethical standards, we empower them to make positive changes and forge a partnership with administration, staff, and parents.

There are many ethical dilemmas and serious issues facing school psychologists. It is impossible for this column to be all encompassing or inclusive in solving ethical problems. Instead, it is meant to generate thought about role, function, and effective communication to help maintain ethical behavior and improve the learning and lives of children. School psychologists are encouraged to contact their supervisors and/or members of the NASP Ethics Committee for support when ethical situations arise.

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### **NASP Resources**

National Association of School Psychologists, Professional Conduct Manual

<http://www.nasponline.org/standards/ProfessionalCond.pdf>

NASP Ethics Advisory Panel

<http://www.nasponline.org/standards/ethicspanel.aspx>

Professional Ethics for School Psychologists: A Problem Solving Casebook

<http://www.nasponline.org/publications/booksproducts/ethics.aspx>

NASP Communication Planning and Message Development Resources

<http://www.nasponline.org/communications/commplanning.aspx>

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