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Confidentiality vs. Sharing

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Confidentiality vs. Sharing

Rick Auger, Nick Abel, and Brandie Oliver



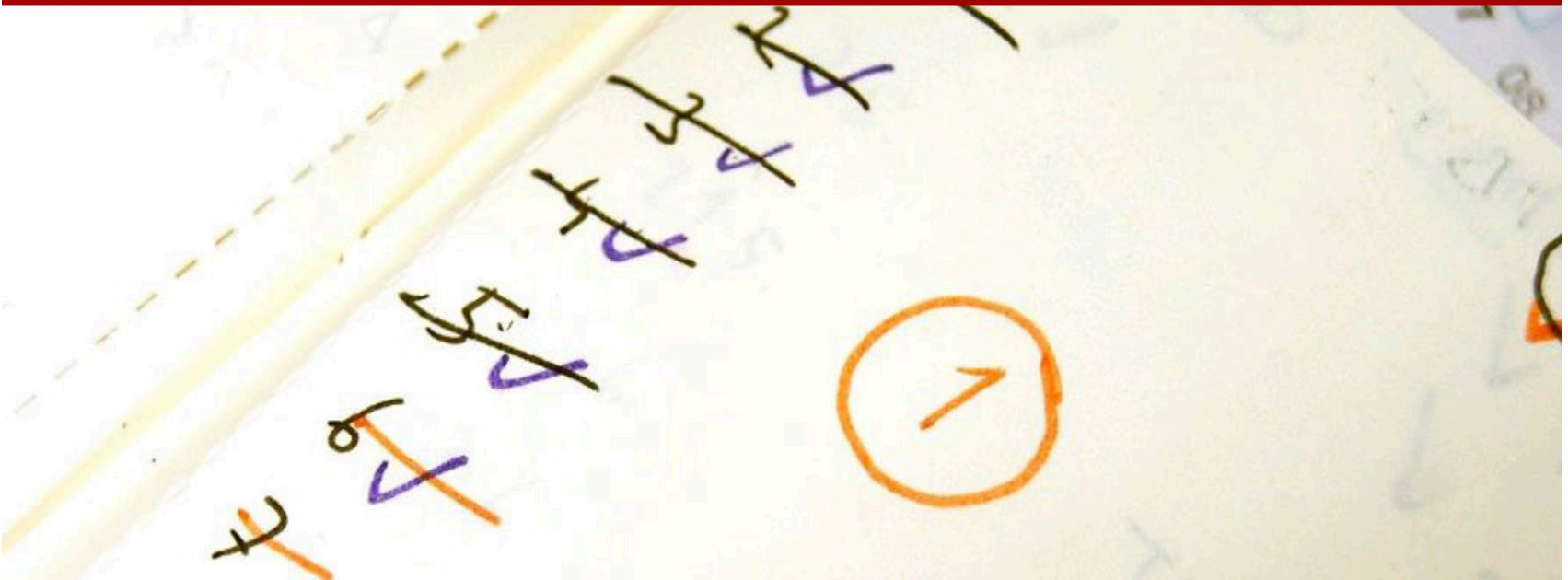
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Confidentiality: What do we share with others?

*THE STUDENT DOES NOT LIKE SCHOOL AND HAS NEVER
FELT SUCCESSFUL AT SCHOOL.*



STRUGGLING WITH ACADEMICS



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ANXIETY



The student's older brother was
incarcerated last year.



TRUSTWORTHY

Student has connected with
you and shares you are the only
trusted person in the school.

Student
shares
smoking
marijuana
on
occasion
as a way to
feel better.



Insert Online Poll Slide Question #1

Insert Online Poll Slide Question #2

Insert Online Poll Slide Question #3

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Adolescents' Attitudes About Help-Seeking

- Adolescents, particularly boys, are generally unwilling to seek help for emotional problems from health care professionals
- Willingness to seek help for psychological problems decreases as children move into adolescence
- Broad research suggests that less than half of students are willing to see their school counselor

Adolescents' Attitudes About Help-Seeking

Facilitative Factors

- Good listener
- Empathic
- Nonjudgmental
- Trustworthy
- Genuine

Adolescents' Attitudes About Help-Seeking

Barriers

- Concerns about counselors being negative/judgmental
- Concerns that the counselor couldn't help
- Desire for self-reliance
- Stigma (counseling as a sign of weakness; fear of being judged)

Adolescents' Attitudes About Help-Seeking

Barriers

Concerns about confidentiality

Students' Attitudes About Seeking Help from School Counselors

- 3,584 students from 12 schools in two states
- Grades 6-12
- 77% White, 5.3% African American, 4.4% Hispanic/Latino, .4% Asian/Pacific Islander, 3.8% multiracial
- Instrument: Online survey, administered by field coordinators

For what reasons have you met with your school counselor?

	Number of Students	Percentage
Academic issues	1,644	45.9%
College/career issues	1,045	29.2%
Social/emotional issues	633	*17.7%
I have not met with my school counselor	1,194	33.3%

* 22.3% female; 12.1% male

For what reasons have you met with your school counselor?

	Middle School	High School
Social/emotional	27%	12.5%
Academic	13%	65%
College/career	2.5%	44%

Note: Middle school students were far more likely to report zero meetings with their school counselor than high school students (48% vs.17%)

Would you go to your school counselor for the following issues?

	Mean
Change your schedule	3.47
Explore college options	3.42
A friend told you they were thinking of self-harm	3.08
Bullying	2.81
You've been feeling very sad lately	1.98

1 - Very unlikely 2 - Unlikely 3 - Undecided 4 - Likely 5 - Very likely

**To what degree would the following reasons STOP
you from seeing your school counselor for a
personal issue?**

	Mean
I would talk to to a parent, friend, or teacher about this instead of talking to my counselor	3.17
I like to handle stuff like this on my own	3.15
I don't know my counselor well enough to talk about this	2.93
The counselor might tell someone what I said	2.89
I didn't know the counselor did stuff like this	2.47

1 - Very unlikely 2 - Unlikely 3 - Undecided 4 - Likely 5 - Very likely

To what degree do you feel the following reasons would STOP students from coming to see you for a personal issue?

	Mean
I like to handle stuff like this on my own	3.67
I would talk to to a parent, friend, or teacher about this instead of talking to my counselor	3.54
I don't know my counselor well enough to talk about this	3.34
It's embarrassing or not cool to see the school counselor for this	3.31
The counselor might tell someone what I said	3.25

1 - Very unlikely 2 - Unlikely 3 - Undecided 4 - Likely 5 - Very likely

What would be the biggest reason you would NOT choose to see your school counselor when you had a problem?

- Don't feel comfortable with the counselor
- It is weak to share personal problems with adults
- Prefer to talk to family/friends
- Don't want to miss class
- Counselor is too busy or don't know when the counselor is available

What would be the biggest reason you would NOT choose to see your school counselor when you had a problem?

Confidentiality concerns

What would be the biggest reason you would NOT choose to see your school counselor when you had a problem?

If they would tell other people what we talked about

She may tell someone else what I said (trust factor)

Because I don't trust them with my issues

If they would tell people what I talked to them about

I don't know who the information I give is shared with

If the counselor told other people my problems

What would be the biggest reason you would NOT choose to see your school counselor when you had a problem?

They have told people other problems in the past

If she would tell someone

If the counselor would email my mom and dad about it

I would be afraid the counselor would call parents or tell teachers about the issues

If I had a personal problem I would be afraid they would tell people or judge me

What would be the biggest reason you would NOT choose to see your school counselor when you had a problem?

Nothing, I love her

Confidentiality

“A professional’s promise or contract to respect clients’ privacy by not disclosing anything revealed during counseling except under agreed upon circumstances” (ASCA, 2003)

Who Wants to Know?

“Regularly ask questions regarding contents of counseling sessions that would require breaking confidentiality.”

Teachers/Staff: 41.3%

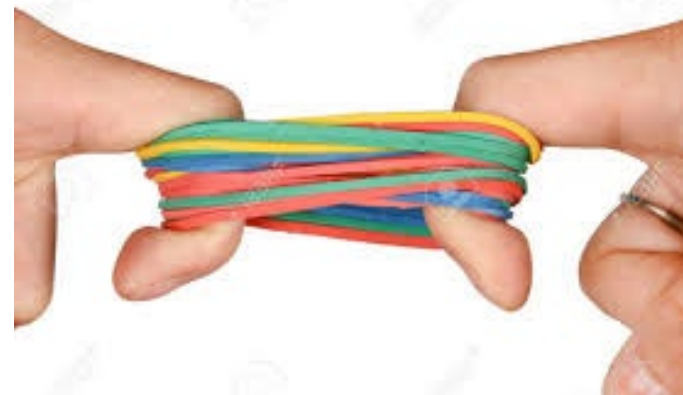
Administrators: 36.5%

Parents/Guardians: 34.9%

Stone, 2017

Who Needs to Know?

- Rarely black and white
- Wrestle with tough choices about disclosure
- Feel the tension between a student's right to privacy, the law, and the rights of others to know
- Follow a consistent process

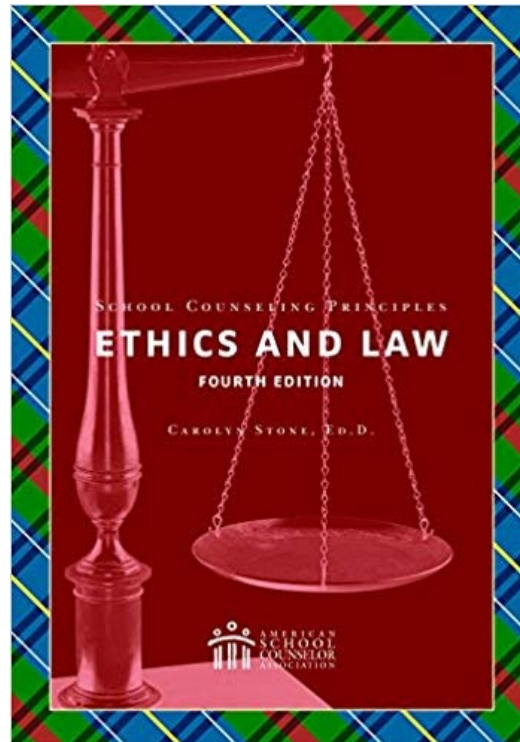


How to Decide?

- Ethical Decision Making Model
- Law & ASCA Ethical Standards
- Serious & Foreseeable Harm
- Standards of Practice

Ethical Decision Making

Stone (2017) STEPS Model



- Define the problem emotionally and intellectually
- Apply the law and ethical standards
- Consider the student's age & developmental level
- Consider the setting and parent's rights, student's rights and the school authority's right to know
- Apply the moral principles
- Determine your potential courses of action and their consequences
- Evaluate the selected course of action
- Consult
- Implement the course of action

Law & Ethical Standards

- Is there a law mandating that I tell someone?
 - *Examples: Abuse/Neglect, Threats of Harm to Others*
- Is there an ethical standard to guide me?
 - [ASCA Ethical Standards for School Counselors](#)

Example: Standard A.2.

- *h. 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: 1) Student identifies partner, or the partner is highly identifiable; 2) School counselor recommends the student notify partner and refrain from further high-risk behavior; 3) Student refuses; 4) School counselor informs the student of the intent to notify the partner; 5) School counselor seeks legal consultation from the school district's legal representative in writing as to the legalities of informing the partner*

Example: A.2.

- *f. Recognize their **primary ethical 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. School counselors 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 make decisions on their child's behalf.***

Example: Standard A.2.

- *e. 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 determined by students' developmental and chronological age, the setting, parental rights and the nature of the harm...*

Serious & Foreseeable Harm

- “A reasonable person would be able to predict or expect the ultimately harmful results...”
- “...not involving the parents/guardians poses a greater risk to the student” and outweighs the benefits of maintaining trust and continuing counseling.

Stone, 2017

Serious & Foreseeable Harm

- Chronological Age / Developmental Level
- Frequency / Intensity / Duration
 - Student is smoking
 - 17-year old student vs. 9-year old student
 - Occasionally at a party vs. 2 packs a day
 - No health issues vs. Diagnosed asthma

Standards of Practice

“What would a reasonable school counselor with similar education and training in a similar community have done?”

Standards of Practice

- Consult (colleagues, other schools, email listservs / online discussion groups)
- Search for similar scenarios online or in books
- Consider research

Standards of Practice

- Moyer & Sullivan, 2008
- Surveyed ~200 MS and HS Counselors
- Asked how likely they would be to break confidentiality in each situation
- *Scale from 1 (Unquestionably Unethical) to 6 (Unquestionably Ethical)*

Alcohol

	N	Mean	SD
6. Terry admits to using a small amount of alcohol (one drink):			
a. Once several months ago.	201	1.72	1.23
b. Monthly for several months.	201	2.44	1.64
c. Weekly for several months.	201	3.05	1.81
d. Nearly daily for the last year.	200	3.72	1.91
7. Terry admits to using a large amount of alcohol (four or more drinks):			
a. Once several months ago.	201	2.35	1.57
b. Monthly for several months.	201	3.30	1.69
c. Weekly for several months.	200	3.94	1.71
d. Nearly daily for the last year.	200	4.52	1.65

Substance Use

8. Terry admits to using marijuana:			
a. Once several months ago.	200	2.20	1.57
b. Monthly for several months.	200	3.07	1.80
c. Weekly for several months.	200	3.65	1.80
d. Nearly daily for the last year.	200	4.19	1.75
9. Terry admits to using amphetamines (e.g., speed):			
a. Once several months ago.	200	2.77	1.74
b. Monthly for several months.	200	3.79	1.77
c. Weekly for several months.	200	4.31	1.65
d. Nearly daily for the last year.	200	4.75	1.53
10. Terry admits to using inhalants (e.g., sniffing gasoline/petrol):			
a. Once several months ago.	197	3.16	1.86
b. Monthly for several months.	198	4.19	1.69
c. Weekly for several months.	199	4.62	1.55
d. Nearly daily for the last year.	199	4.94	1.43

(continued on ne

Self-Mutilation

	N	Mean	SD
11. Terry admits to self-mutilation (cutting, scratching, or burning that does not break the skin or cause bleeding):			
a. Once several months ago.	201	3.02	1.95
b. Monthly for several months.	201	3.86	1.87
c. Weekly for several months.	201	4.24	1.80
d. Nearly daily for the last year.	201	4.56	1.72
12. Terry admits to self-mutilation (cutting, scratching, or burning that does break the skin and causes bleeding):			
a. Once several months ago.	201	3.78	1.94
b. Monthly for several months.	201	4.59	1.64
c. Weekly for several months.	201	5.01	1.41
d. Nearly daily for the last year.	201	5.27	1.21

Suicidal Behavior

13. Terry has never attempted suicide, but reports suicidal ideation (e.g., she tells her friends, "I wish I was dead"):			
a. Once several months ago.	201	4.17	1.74
b. Monthly for several months.	201	5.14	1.21
c. Weekly for several months.	201	5.49	0.93
d. Nearly daily for the last year.	201	5.66	0.83
14. Terry reports a suicide gesture (e.g., taking pills):			
a. Once several months ago.	201	5.14	1.39
b. Monthly for several months.	201	5.71	0.74
c. Weekly for several months.	201	5.87	0.50
d. Nearly daily for the last year.	201	5.91	0.45
15. Terry reports a suicide attempt (e.g., trying to hang herself):			
a. Once several months ago.	201	5.62	0.99
b. Monthly for several months.	201	5.87	0.61
c. Weekly for several months.	201	5.92	0.52
d. Nearly daily for the last year.	201	5.94	0.51

Suicide vs. Substance Use

- “School counselors...have a high standard of care when a student’s suicide is even a remote possibility. School counselors must always contact parents/guardians and refer them to appropriate resources...” *Stone, 2017*
- Confidentiality with students for whom we have knowledge of their drug and/or alcohol use falls under the complications of confidentiality. It is difficult to determine whether or not we should breach confidentiality...the type of drug, the student’s age, the student’s family support, and the frequency of drug/alcohol use all come into play...” *Stone, 2017*

Who Needs to Know?

- Rarely black and white
- Wrestle with tough choices about disclosure
- Feel the tension between a student's right to privacy, the law, and the rights of others to know
- Follow a consistent process



- Define the problem emotionally and intellectually
- Apply the law and ethical standards
- Consider the student's age & developmental level
- Consider the setting and parent's rights, student's rights and the school authority's right to know
- Apply the moral principles
- Determine your potential courses of action and their consequences
- Evaluate the selected course of action
- Consult
- Implement the course of action

WHAT ARE YOU

REALLY THINKING

ABOUT JUST NOW?



REVOLUTIONARY IDEAS

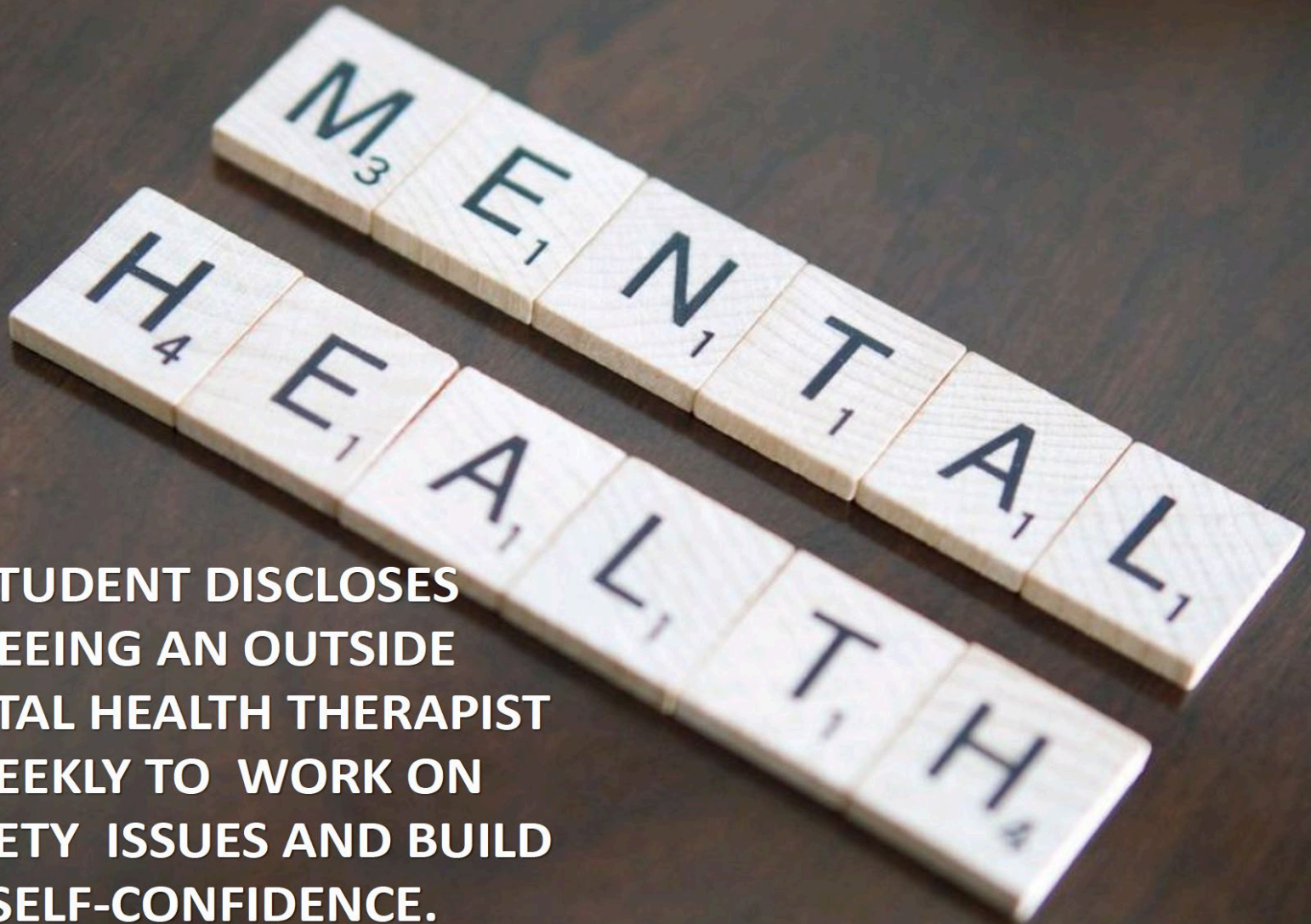
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SENIOR: TURNS 18 IN 2 MONTHS



Student's
closest
friend
recently
moved
away.



**STUDENT DISCLOSES
SEEING AN OUTSIDE
MENTAL HEALTH THERAPIST
WEEKLY TO WORK ON
ANXIETY ISSUES AND BUILD
SELF-CONFIDENCE.**

Insert Online Poll Slide Question #4



QUESTIONS?

Thank you for attending our session! Feel free to contact us with further questions or comments:

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