

**Ethical and Legal Problem-Solving Model**

**1. Describe the problem and determine whether an ethical or legal dilemma exists?**

**2. Consult available ethical-legal guidelines.**

**3. Consider, to the best of your ability, all factors pertinent to the decision.**

**4. Consult with supervisors, colleagues, or others.**

**5. Evaluate rights, responsibilities and welfare of all affected parties.**

**6. Consider alternative solutions.**

**7. Enumerate the consequences of making each decision.**

**8. Make the decision and accept responsibility for it.**

**Adapted from Koocher and Keith-Spiegel (1998)**

**Scenario #2, The Server**

Anonymous email: “Recently, a new school psychologist was hired in our district in rural Beegap County, SC. She was recently divorced and undergoing some financial challenges so she took a part-time evening job as a server in a bar. Word got around to male employees that the attractive school psychologist was working in the bar, and some began to frequent the place after work. The Director of Special Services, her supervisor, has become very uncomfortable with the situation. Questioning her judgment, he’s considered terminating her employment. I’m her mentor and I don’t know what to tell her to do.”

<b>Ethical and Professional Decision-Making Model*</b>
<b>1. Describe the problem situation.</b>
<b>2. Define the potential legal and ethical issues involved. Review guidelines. Consult others as needed</b>
<b>3. Evaluate the rights, responsibilities, and welfare of all affected parties.</b>
<b>4. Consider alternative actions and the consequences of each action.</b>
<b>5. Make the decision and take responsibility for it. Monitor outcomes.</b>

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### Scenario #3, The Note

Mrs. French, an 8<sup>th</sup> grade English teacher, stops by to see you, the school psychologist. Mrs. French is upset about a love note she intercepted between two students in one of her classes. The note was written by a 14-year-old boy named Derek to another boy in the class. Derek knows that Mrs. French has read and kept the note, but she has not spoken with him about the matter. Mrs. French wants *you* to confront Derek with the note and talk with his parents so that they will get help to cure him of this “sick stuff” before it’s too late. How will you handle this situation?

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### Scenario #4 Experienced School Psychologist

A school psychologist in your district has twenty years experience. Recently, it was discovered that consistent scoring errors on the *WISC-IV* were made for many years. Specifically, the supplementary subtest scores were erroneously used in computing the scores. Hence, students' Full Scale scores have been consistently inflated for many years. She recently became concerned about potential parent requests to view his/her child's test protocols. She believed that allowing a parent to inspect items on a standardized test would be an impermissible breach of test security. Consequently, she decided to shred all test protocols as soon as the psychological report on a child was completed. She has been shredding the protocols for the past year. The school psychologist's first error resulted in a one-week suspension (as determined by the Superintendent of Schools). Now that the second issue has been discovered, the Superintendent would like to suspend the school psychologist immediately for an indefinite period of time, but is asking for your opinion.

What are the ethical issues? What are your recommendations?

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### Scenario #5, Norah’s Report

Norah evaluated Sam Johnson, a 1<sup>st</sup> grade student, who was reported to have learning problems as well as high levels of hyperactivity and impulsivity. She asked Sam’s mother to complete a school district background information form and then interviewed her to obtain additional details for her psychological report. On the background form and during the interview, Ms. Johnson disclosed that she used crack cocaine and smoked cigarettes while pregnant with Sam and received no prenatal care. She reported that Sam was six weeks premature, weighed just 3 pounds, and had a low Apgar score. Ms. Johnson also shared that she has continued to struggle with substance abuse and has been in two different in-patient treatment programs. Neither was successful for long. Ms. Johnson also disclosed that Sam’s older brother has been diagnosed with Oppositional-Defiant Disorder and an uncle has ADHD.

During the subsequent IEP Team meeting, Norah gave Ms. Johnson a copy of her psychological report. It included the preceding details of her and Sam’s background. Ms. Johnson objected and demanded that the report be changed. Norah explained that the information had been shared voluntarily and was important in understanding Sam’s condition. Ms. Johnson argued that she thought the interview was like talking to a doctor who wouldn’t tell anyone about it. She angrily protested Norah’s sharing the information with everyone in the room, saying “That’s not fair!” before storming out of the room. What should Norah do? (Adapted from Armistead, Williams, & Jacob, 2011)

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### Scenario #6 All Phonics Cure (Consultation Scenario)

Ms. A, the school psychologist, is consulting in the Carter Elementary School with a second grade teacher, Mr. B. Mr. B. has three students out of his twenty-six who have been identified as having learning disabilities. He believes three more students also have learning disabilities, but has not referred them for evaluation as yet. The school psychologist wants to see if her new ideas that she calls *APC: All Phonics Cure* method of teaching reading will bring all these students up to grade level.

After several consultation sessions and explanation of the *APC* program, Mr. B. is concerned by what he is being asked to implement in the classroom. The method seems to be a poorly thought out collection of ideas about phonemic awareness, and does not incorporate what Mr. B. knows about teaching phonetically and a unified approach using the best methods. It appears more like a hodgepodge of ideas. Mr. B is concerned that the students with learning disabilities, two of whom have been identified with auditory processing difficulties, will be overwhelmed and confused by the barrage of auditory input. Mr. B. decides to discuss his concerns with you, a school psychologist and administrator who is also Ms. A's direct supervisor. How should you handle this situation?

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**Scenario #7 Consultation Scenario**

A school psychologist is consulting with a special education teacher regarding a special education student who is classified as eligible for special education services as a result of emotional and behavioral disorders. Specifically, the student displays defiance toward teachers, physical assaults on other students, and inappropriate language. After review of the situation and the development of specified interventions by the IEP team, and two individual consultation sessions between the school psychologist and teacher, the school psychologist advises the teacher that what the student needs is a severe tongue-lashing in front of the class. The teacher is uncomfortable with this situation and comes to you (another school psychologist) to discuss the situation. What is the appropriate course of action in this situation?

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