

Analysis of an Ethical Dilemma Scenario



By: Taryn Butcher

Ethical Dilemma

https://watch.liberty.edu/media/t/1_8mhgizh1

- The scenario I chose to address involves a mother of a child expressing concern about her husband having access to their child. She requests for efforts to be made to restrict the father's access to the student's records and be ineligible to pick up the child from school. The mother and father are in the process of getting divorced. Child has stated their feeling unsafe around father.



Step 1: Identify the Problem



❖ Main Problems:

- Legal issue that needs to be addressed within a family court
 - If child feels unsafe, then legal action needs to be taken
 - A temporary parental agreement needs to be put into place
- Ethical issue due to the father having a right to a child's information
 - Father has right to his child's school records unless legal action says otherwise

❖ Secondary Problem:

- Boundary issue between the counselor and the parent relationship
 - Boundary crossing due to the mother feeling as though her relationship with the counselor is more on a friend basis, rather than a professional one

Step 2: Apply ACA Codes, ASCA Standards & State Codes



❖ ACA Code of Ethics:

➤ B.5c.

-States counselors are to work within their understanding of a situation and take appropriate action to ensure child safety. (ACA, 2014).

❖ ASCA Ethical Standards:

➤ A.2.d.

-States counselors are to make the most informed decision possible to ensure child's welfare. (ASCA, 2016).

Ethical Codes Continued



❖ ASCA Ethical Standards:

➤ A.2.F.

-States that all information regarding a student is to be kept confidential, unless legal actions demand otherwise. (ASCA, 2016).

❖ ACA Code of Ethics:

➤ A.1.a.

-States that the primary goal of a counselor is to value the welfare of the individual, above all else. (ACA, 2014).

Applicable State Codes for Oregon



❖ ORS 107.106 (State Code)

- State code explains that there must be a provision of order or judgement regarding custody, parenting time, visitation and support of the child. (Oregon State Legislature, 2021).

❖ ORS 109.675 (State Code)

- State code explains that a child above 14 years can seek help from a psychologist, without parental consent. (Oregon State Legislature, 2021).

❖ 42 U.S.C. § 13031 (Federal Code)

- All professionals have a duty to report suspected child abuse, if they learn of suspected child abuse while engaged in activities. (The United States Department of Justice, 2012).

Potential Courses of Action

- Take legal action to create a temporary parental agreement plan
- Legal action taken regarding custody, parenting time, access to child
 - Offer counseling services to child
 - Report if child shares any instances of abuse
 - Refer parents to marriage counseling or family therapist
- Set strict boundaries with parents, ensuring professionalism outside of work



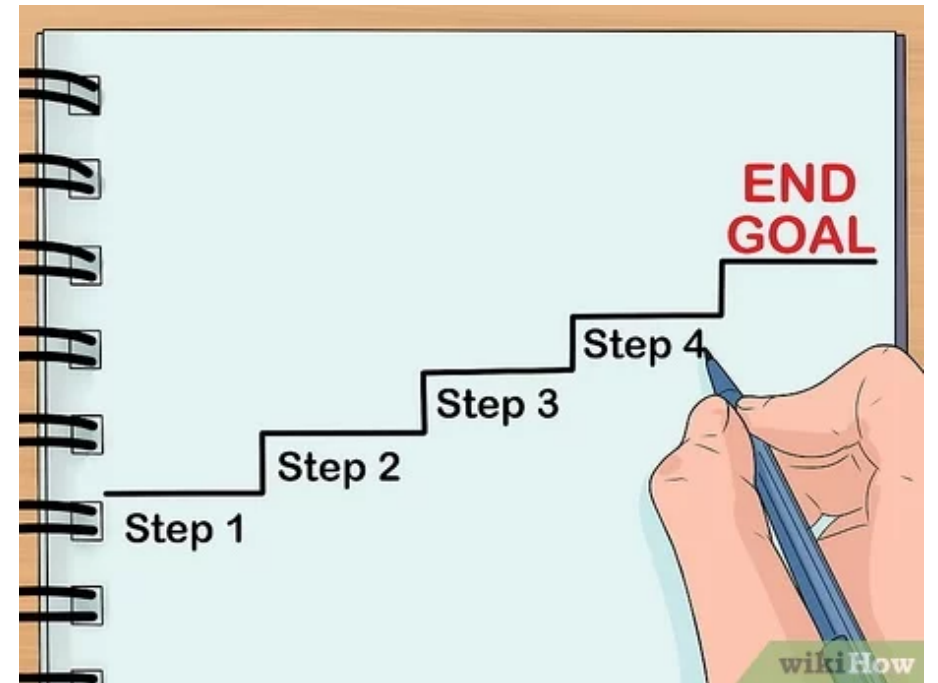
Potential Consequences of Actions

- Impact school and how they operate (access to child and/or records)
 - Impact child (child's family structure)
 - Impact child (child's mental health)
 - Impact parents (CPS investigates)
- Impact parents (mental health/family structure)
- Impact parent and counselor relationship (interactions)



Series of Actions Chosen

- Refer parents to family counseling/therapist
 - Better assist
- Offer counseling to child
 - Support system at school
- Respectfully inform parent that actions can not be made at school until a court ruling regarding a parenting plan has been put into place
 - Adhering to laws and regulations
- Respectfully remind mother that your relationship with her is professional one and it is inappropriate to share personal matters
 - Defining clear boundaries



Evaluate Courses of Action

Potential ethical dilemma that could exist;

- Mother could become upset by lack of changes/actions taken that she requested

- ❖ Test of Justice

- Would treat other parents this way

- ❖ Test of Publicity

- Shows that I value professionalism

- ❖ Test of Universality

- Would recommend this course of action to another counselor



Implementation of Actions

❖Steps

1. Explain to mother that father has right to child's information and access to child, unless legal action says otherwise
2. Clearly explain expectations of relationship between you and the mother
3. Recommend family to a family therapist/counselor
4. Suggest counseling services for daughter
5. Follow legal actions taken by the courts



References

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- *Duty to report suspected child abuse under 42 U.S.C. § 13031*. (n.d.). Retrieved December 8, 2022, from <https://www.justice.gov/file/20601/download>