



Wisconsin School Counselor Association (WSCA) Position

As schools work tirelessly to support their students, families and staff through this unprecedented and uncharted public health emergency there are many decisions that need to be made quickly. As counselors create systems and structures to continue services to students and families there are a number of legal and ethical considerations that must be considered given their unique role in the school community. The Wisconsin School Counselor Association (WSCA) has been encouraging school counselors to work with their administration to **use ONLY school owned software and communication devices when working with students and families.**

The Rationale

School counselors support the Academic, Career and Social/Emotional needs of the students in your schools, often developing close relationships with your most vulnerable students and families. Educators are struggling with the challenge of supporting students in a virtual capacity given all the barriers families face and with a deep belief in providing equitable access to services.

The American School Counselor Association (ASCA) Ethical Standards for School Counselors (2016) state that “**school counselors have an ethical imperative to maintain a professional distance from students and parents. Professional distance is the appropriate familiarity and closeness a school counselor engages in with students and their family members. When professional distance is violated, then dual relationships occur** (ASCA, 2016a, A.5)”.

As an example, if a school counselor is required to share their personal telephone number with students and families that information can never be “taken back” after this crisis is over. Carolyn Stone, Ed.D., national school counselor ethical and legal expert, shares in *Ethics and Law 4th Edition* (2017) that “A boundary crossing is a departure from the verbal and physical distances normally maintained in a counseling interaction. Respecting the boundaries between school counselor and student is a hallmark of the school counseling profession. Once a minor professional distance is breached it becomes easier to soften, blur and then violate the boundary.” (48) **It is imperative that counselors be able to establish and maintain personal and professional boundaries, especially during this time of crisis.**

The Professional School Counselor’s Role

As school counselors work remotely, this excerpt from *Ethics and Law (76-77)* is even more poignant “Work life boundaries can easily be blurred as school counselors use communication methods that serve both their personal and professional lives... There are legal and ethical implications regarding student safety when creating for students, parents and administrators an expectation of being available electronically outside the normal workday.” **Failing to support counselors in establishing boundaries can also put the counselor in a position of potential dereliction of duty.** Stone shares “It is a remote chance but a reality that an argument can be made in a court of law that a legal duty was owed by the school counselor who established a pattern of responding after work, broke that pattern, and an injury to death occurred. Case history tells us it is highly unlikely the school counselor will be found guilty or negligence in a student’s suicide, but avoiding the dereliction of duty charge in the first place is best practice by not establishing a 24/7 pattern of availability.” (77)

Summary

WSCA has been fielding inquiries and concerns from counselors on best practice to support their students. **Please support your school counselors by investing in school OWNED communication resources for them to effectively support students and families during this difficult time.** Additional resources on COVID-19 that relate to school counseling can be found on the WSCA COVID-19 Resource Page <https://www.wscaweb.org/covid-19-resources/>.

References

American School Counselor Association. *Ethical Standards for School Counselors*. American School Counselor Association, n.d. Web. 20 March 2020.

Stone, Carolyn B. *Ethics and Law: School Counseling Principles*. American School Counselor Association, 2017.