Suggested APA style reference: Nelson, K. W., Oliver, M., Reeve, J., & McNichols, C. (2010). *Gatekeeping and supervisory intervention: Complex ethical processes.* Retrieved from http://counselingoutfitters.com/vistas/vistas10/Article_42.pdf

Article 42

Gatekeeping and Supervisory Intervention: Complex Ethical Processes

Kaye W. Nelson, Marvarene Oliver, John Reeve and Christine McNichols

This was first presented at the 2009 Annual Conference of the Association of Counselor Education and Supervision in San Diego, CA.

We wish to acknowledge the doctoral students who have served as directors of the Counseling and Training Clinic in the Department of Educational Psychology at Texas A&M University-Corpus Christi since 2001. They have collaborated in many conversations exploring ways of best helping supervisees in their journey toward becoming professional counselors - Marky Smith, Fred Capps, Deborah Ferguson, Emilia O'Neil, Christine McNichols, John Reeve, Stephen Lenz, and John Nelson Pope.

Nelson, K. W., is a professor at Texas A&M University-Corpus Christi and former faculty supervisor of the Counseling and Training Clinic in the Department of Counseling and Educational Psychology. Her research interests include counselor pedagogy and supervision.

Oliver, M., is an associate professor at Texas A&M University-Corpus Christi, coordinator of practicum/internship, and faculty supervisor of the Counseling and Training Clinic in the Department of Counseling and Educational Psychology. Her research interests include counselor pedagogy and supervision.

Reeve, John, is a doctoral assistant and former assistant director of the Counseling and Training Clinic in the Department of Counseling and Educational Psychology at Texas A&M University-Corpus Christi.

McNichols, Christine is a doctoral assistant and former director of the Counseling and Training Clinic in the Department of Counseling and Educational Psychology at Texas A&M University-Corpus Christi.

When a trainee makes insufficient progress in a counselor education program, the supervisor faces the dilemma of determining appropriate educational, ethical, and legal responses. When lack of progress is not academic in nature, the issue may present a complex and emotionally stressful problem for both supervisee and supervisor. Johnson et al. (2008) maintain it is "…difficult to actively foster growth and development, to be compassionate, to be supportive, and to engage students as a mentor while simultaneously rendering objective and accurate summative evaluations" (p. 590). During our years of experience supervising counselor interns and doctoral student supervisors, we and our doctoral student supervisors have explored and grappled with what seems at

times to be dual roles of student supervisor/mentor and gatekeeper of the profession. The purpose of this article is to present the results of those conversations and the related research as we learn to more competently assist supervisees as they strive to meet the standards for entering the field of counseling.

Gatekeeping Review

Research of related literature reveals that much attention has been directed to issues of gatekeeping, retention, remediation, and dismissal. In 1995, Frame and Stevens-Smith recommended a dismissal process that begins with individual faculty evaluation at both mid term and end of semester. In contrast, Baldo and Softas-Nall (1997) suggested a student review and retention policy based on judgment by the whole faculty followed by feedback to the student, opportunity for student response to faculty, and obtaining the student signature on both the feedback and remediation plan. Lumadue and Duffey (1999) discussed legal and ethical issues in gatekeeping, due process, and a model for gatekeeping procedures that included an assessment designed to evaluate specific behaviors deemed necessary for becoming a counselor.

McAdams, Foster, and Ward (2007) describe what a counselor education program learned when their remediation and dismissal process was challenged in federal court. Their dismissal decision was upheld after a jury trial. In a second publication, McAdams and Foster (2007) elaborated on their policy of remediation and dismissal and offered guidance to other programs in developing a just and fair process for students found deficient in professional performance. In a third publication, Foster and McAdams (2009) offer specific guidelines for making the process of professional performance evaluation open and transparent to students, thus ensuring students are informed and understand the need for such a process. One suggestion is an emphasis on both "top-down communication" and "bottom-up communication" to gain student trust, mitigate feelings that performance evaluation is pejorative, and obtain student commitment to protect future clients and the public.

Multiple Roles in Supervision

The *American Counseling Association Code of Ethics* (ACA, 2005) clearly describes the professional and ethical role of counselor supervisors. In addition to supervision, supervisors are required to provide periodic evaluation and feedback to the supervisee. Supervisors seek remedial assistance as well as appropriate counseling referrals when needed for the supervisee. Supervisors are required to avoid the role of counselor in the supervisor/supervisee relationship. Besides effectively supervising the supervisee, perhaps the most important role supervisors have is considering how supervisee interpersonal competencies impact their clients. The *ACA Code of Ethics* mandates that supervisors act as gatekeepers when they deem supervisees do not meet standards for entry into the counseling profession. These multiple supervisor roles may present a supervisory or ethical dilemma when working with problematic supervisees.

Enochs and Etzbach (2004) remind us that while supervisors are responsible for training and gatekeeping, they are also responsible for protecting the client and the public. Finally, supervisors must adequately assist students in meeting standards

necessary for entry into the profession. Ungar (2006) addresses the blurring of boundaries that can transpire among these multiple supervisor roles. Todd and Storm (1997) maintain that supervisors are tempted to emphasize supervision contracts, theories, and techniques as opposed to the risks and unpredictability of the supervisor/supervisee relationship. Similarly, Kaiser (1997) believes that as supervisors have dealt with dual roles and power issues, they have come to depend on making rules to regulate behavior instead of dealing with the discomfort and ambiguity involved in making difficult decisions in the context of supervisory relationships. Supervisors have struggled with these roles. Bernard (2005) shares that she became so sensitive about ethics, rules, and the possibility of dual relationships that she placed too much distance between herself and her supervisees. She suggests a return to normalcy.

Supervisees also have issues and concerns which can be impacted by supervisor's multiple roles. Worthington, Tan, and Poulin (2002) present one example in their discussion of supervisee ethical issues. At times, supervisees may not share crucial case information, information that could present problems in counseling and increase the liability of the supervisor. Ladany, Hill, Corbett, and Nutt (1996) explored supervisee nondisclosure in a survey of counselor interns and reported that many supervisees omitted disclosing a number of issues to their supervisors. Reasons for not disclosing ranged from feelings of shame, embarrassment, and discomfort to being concerned that the supervisor might form a negative impression of the supervisee.

If the multiple roles of gatekeeper, supervisor/mentor, and evaluator are inherent to the supervisor/supervisee process, how does a supervisor grapple with these roles in the event of a difficult supervisee? How can a supervisor do her best, perhaps successfully intervening and avoiding the remediation process? Bernard (2005) recommends early and ongoing assessment in order to identify troubled trainees early. Forrest, Elman, Gizara, and Vacha-Haase (1999) report that the most common problems that supervisees have are poor academic performance, poor clinical performance, poor interpersonal skills, and unethical behavior. Understanding the causes of problematic behavior are paramount to successful intervention, and the authors provide a possible assessment to determine such causes. Problematic behavior could be a result of competence never achieved, diminished functioning, or willful disregard. Bernard and Goodyear (2004) also stress early assessment of supervisee needs and issues.

Professional development plans are discussed by Kress and Protivnak (2009) who propose specific and concrete processes to work with problematic behaviors. Problematic behaviors are diverse in nature as evidenced by the variety of labels used to describe difficult students in the literature, such as inadequate, unsuitable, unfit, deficient, and impaired, which may indicate a decrease in functioning. Kress and Protivnak advise educators to use the term "impaired" with caution due to possible legal issues related to the American Disabilities Act. A decrease in ability to function is different than incompetence which could indicate that competence was never achieved. Kress and Protivnak prefer the term problematic to describe functioning that interferes with academic or counseling competence to the point that remediation is required. Early assessment of supervisee assets and challenges are key to developing effective supervisory interventions and, if necessary, remediation plans.

Supervisory Interventions

Bernard and Goodyear (2004) identify a number of issues that point to the need for supervisory intervention. Specific behaviors that could point to resistance on the part of supervisees are identified and discussed. The authors also concentrate on supervisor behaviors that sometimes elicit resistance and related interventions that could enhance supervisor effectiveness when supervisees are resistant. Supervision is described as an attachment process initially involving the development of an effective bond that is gradually loosened toward the end of supervision. The authors expand on problematic attachment styles related to anxious attachment and compulsive self reliance or caregiving.

Similarly, the role of supervisee shame (Bernard & Goodyear, 2004; Kaiser, 1997) can have a detrimental effect on the supervision process. Problematic students may feel diminished, exposed, or inadequate, and may respond in ways that inhibit their progress. Prominent among suggested supervisor responses is the creation of a trusting and safe environment. Again, this may be a supervisory challenge when a student is receiving feedback that their skills and behavior are subpar, and yet the supervisor must search for ways to assist these students in meeting standards. Normalizing and talking about mistakes, learning how to give feedback, presenting criticism with gentle respect, and supporting supervisee strengths while frankly addressing unmet standards are among possible supervision strategies (Bernard & Goodyear, 2001; Kaiser, 1997).

Other supervisee issues that Bernard and Goodyear (2004) include in their discussions are supervisee anxiety that interferes with learning and performance and a supervisee's need to feel and appear competent that becomes an obstacle in acquiring skills necessary to meet standards. Suitable supervisor interventions are suggested. Kaiser (1997) asserts that the use of power and authority and the development of shared meaning are ever present in supervision and can be a factor when problems arise. Liddle (1988) stresses that supervisors should articulate a training epistemology and suggests supervisors reflect on: what they are doing to increase the probability of supervisee success, the degree to which the supervisor believes that counseling skills are inherent, and finally the degree to which the supervisor believes that counseling skills can be acquired through education and training. The common thread woven throughout the literature review is that in order for the supervisee to feel free to talk about their work as a counselor, they need a safe and respectful atmosphere. This can be a challenge for supervisors and supervisees when problematic supervisees may require remediation and possible dismissal.

Another source of information to be considered when exploring how to balance the roles of supervisor and gatekeeper is found in the work of Binder and Strupp (1997), who offer a detailed description of characteristics trainees must possess such as openness to learning, self reflection, and the capacity to relate. They also talk about personal issues of the trainee and the importance of supervisor sensitivity to the learning needs and experiences of the trainee. Characteristics of a good teacher/supervisor are explained as well, with the authors focusing on supervisor flexibility, respect, thoughtfulness, support, curiosity, patience, and collaboration among other important attributes.

In the same vein, Bradley and Ladany (2001) emphasize that supervisors must form a relationship alliance before evaluating the supervisee's counseling performance.

They stipulate that evaluation coming from a supportive source strengthens the therapeutic alliance, facilitates supervisee self-disclosure, and decreases supervisee role conflict and ambiguity. They state that such feedback is probably perceived quite differently than confrontive and directive feedback. Much of the supervision literature contains helpful information about establishing the strong supervisory alliance so necessary for effective supervision (Binder & Strupp, 1997; Bradley, & Ladany, 2001; Borders & Brown, 2005; Bernard & Goodyear, 2004; Kaiser, 1997; Liddle, 1988; Shulman, 2005).

In addition to establishing a positive environment, Borders and Brown (2005) present a variety of supervisor strategies for preventing supervisee resistance from becoming an issue as supervision progresses. Basic skills are discussed, and guidelines for giving feedback are offered which focus on positively stated learning goals, concrete statements about counselor behavior, pointing out client responses to the supervisee, proposing optional behaviors, breaking goal behaviors down into smaller steps, identifying and using supervisee strengths as a foundation for making desired changes, and minimizing the supervisor role as expert. Haley (1988) was skilled in dealing with resistance and recommended that supervisors avoid focusing on personal issues of the supervisee and instead emphasize constructive suggestions for what the supervisee can do.

Shulman (2005) advises the consideration of parallel process and maintains that supervisees learn more about counseling from the way we supervise them than from what we tell them about counseling. Borders and Brown (2005) expound on remedial methods that supervisors can reply upon when it appears that supervisees are exhibiting resistance. Suggested supervisory methods include the use of good natured humor, identifying and refuting destructive beliefs and thoughts, confrontation, nondefensive interpretation and immediacy statements, self disclosure, interpersonal processing recall, and addressing underlying concerns.

The work of Bradley and Ladany (2001) includes another potential resource for supervisory interventions. After a review of the literature, they identified 25 strategies and constructed a table to visually depict how they sorted and organized the strategies. Each of the strategies was categorized as teaching, counseling, or consulting according to the three supervisory functions delineated by Borders and Brown (2005). In addition, each of the 25 strategies is also identified as being a basic or an advanced strategy.

Supervisory Stance

When we began our exploration of the literature, our goal was to identify the best practices for working with difficult or problematic supervisees. As we proceeded with our research and conversations, we became aware of something we already knew. It was not so much supervisory techniques or strategies but a therapeutic supervisory stance that seemed to be most important in working with difficult supervisees. Several theoretical perspectives are helpful for supervisors to consider. Murray Bowen's (1978) conceptualization of differentiation of self and Friedman's (1985) extension of Bowen's ideas to maintaining a nonanxious presence in the midst of anxiety have been considered a constructive position for individuals as well as counselors and supervisors. Differentiation of self infers knowledge of how to manage and define oneself in

relationship and is a measure of emotional maturity. The concept includes taking responsibility for one's own emotional well-being, not taking responsibility for another's emotional well-being, and thinking for oneself. This ability to differentiate, according to Bowen and Friedman, allows for clarity of thought and reduction of anxiety. The ability to maintain one's sense of self, to think clearly in the middle of difficult and sometimes emotional circumstances, and to remain nonanxious are all qualities that enable supervisors to respond to difficult supervisees in a way that is balanced and that respects the supervisee and the relationship.

The theory of object constancy (Mahler, Pine, Pine, & Bergman, 1973) presents another viable option for supervisors to consider when working with a difficult supervisee who has the potential to elicit supervisory reactivity. Cohen and Sherwood (1991) discuss the importance of becoming a constant object when working with some psychotherapy clients and describe the stance that must be taken by the counselor in order to become that object. In a similar way, the supervisor's capacity to be a constant object for supervisees who demonstrate difficulty approaching the supervisor as an ally in learning depends on being able to take and maintain a stance of being present. Additionally, object constancy theory as translated into supervisory process encourages the supervisor to be aware of countertransference issues that may impact the ability to maintain an appropriate supervisory stance. Cohen and Sherwood's model cannot be applied to supervision uncritically, as the supervisor, because of responsibility to the client as well as the supervisee, cannot remain inactive as healthy attachment unfolds. However, understanding the importance of object constancy and being able to provide an environment where healthy attachment can develop is an essential skill for supervisors working with difficult supervisees.

In a very different approach to working with the same type of issues in psychotherapy, Marsha Linehan (1993) also discusses the importance of therapeutic stance in working with difficult clients and emphasizes the role of remaining grounded and centered when working with people who often draw emotional reactivity from their counselors. While the work of Cohen and Sherwood (1991) is analytic in its theoretical base and Linehan's is cognitive-behavioral in its theoretical base, they share the conviction that therapeutic stance with difficult clients is crucial for treatment. We believe that ideas presented in both theoretical presentations are clinically useful beyond the populations identified in the works cited. In addition, while we do not imply in any way that difficult supervisees share the diagnostic labels of the client populations written about by these authors, we do maintain that understanding therapeutic stance from both perspectives provides useful information about working with difficult supervisees.

We also found the work of Keim (2000) to be relevant to supervisor stance. Keim (2000) enhanced the concept of hierarchy in structural family therapy to develop the concepts of soft and hard sides of hierarchy in his work with children diagnosed with oppositional defiant disorder and their parents. He theorized that children who were difficult to handle tend to attract the hard side of hierarchy from parents, teachers, and other adults in their lives. He described the hard side of hierarchy as being responsible for rules, regulation, and discipline, while the soft side of hierarchy is focused on being responsible for nurturing, caring, and an environment that promotes good feelings. He maintained that difficult children need both hard and the soft sides of hierarchy but were less likely to get the soft side from authority figures. With a background in family

counseling, we were familiar with this concept and found it quite useful in our work with difficult supervisees.

Keeping a sense of balance when a supervisee could easily elicit strong feelings is basic to the process. Johnson (2002) indicates that as the supervisor/supervisee alliance strengthens, it may be harder to balance supportive and evaluative roles. The notion of balance is core to supervision. Employing the appropriate balance between structure and process, cognition and emotion, and directive and nondirective interventions for the unique needs of each supervisee can be difficult. Supervisees sometimes need instruction and other times need to explore thoughts and/or feelings about the counseling, the client, the supervision, parallel process, and clinical material.

Recommendations

We recommend that supervisors continue to utilize consultation, especially when working with difficult supervisees. We maintain that is imperative that supervisors engage in ongoing reflection and processing of the conflicts that emerge between the roles of trainer and gatekeeper. We also recommend that supervisors carefully define what it means to have a successful outcome in the supervision of difficult supervisees. We recommend that supervisors consider counseling theories, particularly those which have relevance to difficult treatment populations, as vehicles for better understanding and identifying ways of being that foster early intervention before formal remediation and possible dismissal are reached. Research on what has been successful in working with problematic or difficult supervisees is a distinct need in the counseling profession. Specific research concerning supervisory stance from a variety of theoretical perspectives may also further inform the work of supervisors. Finally, research on the role of personal counseling in averting remediation or assisting supervisees in working with remediation action plans could provide the field of supervision with valuable information.

References

American Counseling Association. (2005). *ACA code of ethics.* Alexandria, VA: Author.

Baldo, T. D., & Softas-Nall, B. C. (1997). Student review and retention in counselor education: An alternative to Frame and Stephens-Smith. *Counselor Education and Supervision, 36,* 245-254.

Bernard, J. M. (2005). Tracing the development of clinical supervision. *The Clinical Supervisor, 24,* 3-21.

Bernard, J. M., & Goodyear, R. K. (2004). *Fundamentals of clinical supervision* (3rd ed.). Boston, MA: Pearson Education, Inc.

Binder, J. L., & Strupp, H. H. (1997). Supervision of psychodynamic psychotherapies. In C. E. Watkins, Jr. (Ed.), *Handbook of psychotherapy supervision* (pp. 44-62). New York: John Wiley & Sons, Inc.

Borders, L. D., & Brown, L. L. (2005). *The new handbook of counseling supervision.* Mahwah, NJ: Lahaska Press.

Bowen, M. (1978). *Family therapy in clinical practice.* Northvale, NJ: Jason Aronson Inc.

Bradley, L. J., & Ladany, N. (2001). *Counselor supervision: Principles, process, and practice* (3rd ed.). Philadelphia, PA: Brunner-Routledge.

Cohen, C. P., & Sherwood, V. R. (1991). *Becoming a constant object in psychotherapy with the borderline patient.* Northvale, NJ: Jason Aronson, Inc.

Enochs, W. K., & Etzbach, C. A. (2004). Impaired student counselors: Ethical and legal considerations for the family. *The Family Journal: Counseling and Therapy for Couples and Families, 12*, 396-400.

Forrest, L., Elman, N., Gizara, S., & Vacha-Haase, T. (1999). Trainee impairment: A review of Identification, remediation, dismissal, and legal issues. *The Counseling Psychologist, 27*, 627-686.

Foster, V. A., & McAdams, C. R., III. (2009). A framework for creating a climate of transparency for professional performance assessment: Fostering student investment in gatekeeping. *Counselor Education and Supervision, 48,* 271-284.

Frame, M. S., & Stevens-Smith, P. (1995). Out of harm's way: Enhancing monitoring and dismissal processes in counselor education programs. *Counselor Education and Supervision, 35,* 118-129.

Friedman, E. H. (1985). *Generation to generation: Family process in church and synagogue.* NewYork: Guilford.

Haley, J. (1988). Reflections on supervision. In H. A. Liddle, D. C. Breunlin, & R. C. Schwartz (Eds.), *Handbook of family therapy training and supervision* (pp. 358-367). New York: The Guilford Press.

Johnson, W. B. (2002). The intentional mentor: Strategies and guidelines for the practice of mentoring. *Professional Psychology: Research and Practice, 33*, 88-96.

Johnson, W. B., Elman, N. S., Forrest, L., Robiner, W. N., Rodolfa, E., & Schaffer, J. B. (2008). Addressing professional competence problems in trainees: Some ethical considerations. *Professional Psychology: Research and Practice, 38*, 589-599.

Kaiser, T. L. (1997). *Supervisory relationships: Exploring the human element.* Pacific Grove, CA: Brooks/Cole.

Keim, J. P. (2000). Oppositional behavior in children. In C. E. Bailey (Ed.). *Children in therapy: Using the family as a resource* (pp. 278-307). New York: W. W. Norton & Co.

Kress, V. E., & Protivnak, J. J. (2009). Professional development plans to remedy problematic counseling student behaviors. *Counselor Education and Supervision, 48*, 154-166.

Ladany, N., Hill, C. E., Corbett, M. M., & Nutt, E. A. (1996). Nature, extent, and importance of what psychotherapy trainees do not disclose to their supervisors. *Journal of Counseling Psychology, 43*, 10-24.

Liddle, H. A. (1988). Systemic supervision: Conceptual overlays and pragmatic guidelines. In H. A. Liddle, D. C. Breunlin, & R. C. Schwartz (Eds.), *Handbook of family therapy training and supervision* (pp. 152-171). New York: The Guilford Press.

Linehan, M. M. (1993). *Cognitive behavioral treatment of borderline personality disorder.* New York: Guilford Press.

Lumadue, C. A. & Duffey, T. H. (1999). The role of graduate programs as gatekeepers: A model for evaluating student counselor competence. *Counselor Education and Supervision, 39,* 101-110.

Mahler, S., Pine, M. M., Pine, F., & Bergman, A. (1973). *The psychological birth of the human infant.* New York: Basic Books.

McAdams, C. R., III, & Foster, V. A., (2007). A guide to just and fair remediation of counseling students with professional performance deficiencies. *Counselor Education and Supervision, 47,* 2-13.

McAdams, C. R., III, Foster, V. A., & Ward, T. J. (2007). Remediation and dismissal policies in counselor education: Lessons learned from a challenge in federal court. *Counselor Education and Supervision, 46,* 212-229.

Shulman, L. (2005). The clinical supervisor-practitioner working alliance: A parallel process. *The Clinical Supervisor, 24*, 23-47.

Todd, T. C., & Storm, C. L. (1997). Thoughts on the evolution of MFT supervision. In T. C. Todd & C. L. Storm (Eds.), *The complete systemic supervisor* (pp.1-16). Needham Heights, MA: Allyn and Bacon.

Ungar, M. (2006). Practicing as a postmodern supervisor. *Journal of Marital and Family Therapy, 32,* 59-71.

Worthington, R. L., Tan, J. A., & Poulin, K. (2002). Ethically questionable behaviors among supervisees: An exploratory investigation. *Ethics and Behavior, 12*, 323-351.

Note: This paper is part of the annual VISTAS project sponsored by the American Counseling Association. Find more information on the project at: http://counselingoutfitters.com/vistas/VISTAS_Home.htm