Article 7

Ethical Decision Making in Counselor Education in the Age of Social Media

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Allison L. Kramer

Kramer, Allison L., is an associate professor at Johnson & Wales University in Denver, CO. Her research interests include ethics and best practices in counseling and counselor education.

Abstract

A counseling practicum student's use of Facebook to gain information about a client is presented as a platform for discourse on the ethical issues counselor educators face when discussing client right to privacy, virtual relationships with clients, and supervisor responsibilities with their supervisees. Using the American Counseling Association's *Code of Ethics* (2014) and Kitchener's (1984) foundational ethical principles, the author reveals how Forester-Miller and Davis' ethical decision-making model (1996) was employed to resolve this ethical dilemma.

Keywords: ethics, supervision, social media, internet, ethical principles

Since the turn of the 21st century, the use of the Internet, and more specifically the use of social media, has changed the landscape of social interaction as well as the traditional parameters of counseling. Counselors are corresponding with their clients electronically in significantly increasing numbers (DuBois, 2004). Indeed, evidence that clients benefit from counseling via the Internet is increasing (Kaplan, Wade, Conteh, & Martz, 2011). For example, one study revealed counseling through electronic media reduced client anxiety around self-disclosure, as well as increased emotional safety through increased anonymity (Liebert, Archer, Munson, & York, 2006).

The use of the Internet is a reality for the majority of American adults (Madden, 2006). Likewise, the access to and pleasure of online social networking is a way of life for a majority of U.S. undergraduate and graduate students (Caruso & Salaway, 2007). Some studies thus far suggest that use of social networking technology (e.g., Facebook, Instagram) enhances learning and student experience in the classroom (Mazer, Murphy, & Simonds, 2007). Counselor educators work to create an academic environment that encourages learning, self-motivation, and freedom of thought. What has yet to become a

reality, however, is a clear understanding of, and agreement about the ethics that pertain to the use of the Internet, specifically social media sites like Facebook, in counseling. As counselor educators instruct students about a client's right to privacy, they need to consider the associated ethical issues involved in counseling in the Internet age.

Although students from all social-economic levels and ethnic backgrounds now have access to the Internet in U.S. public education settings, gaps still exist in its use by the population as a whole (Fox, 2004; Horrigan & Murray, 2006). In addition to one's actual access to the Internet and social media sites, the level of psychological comfort or ease with which each person approaches both the Internet and online self-disclosure varies. The online lives of some individuals are like an open book, available for any and all to read. Others' circle of close friends encompasses few to one, and only selected individuals have access to lived and online information about their personal life. Counselor educators may use the Internet and social media sites as a means to connect and build a learning community with their students, but how far should counseling students go in cyberspace to connect with their practicum clients?

Critical Incident

In the Spring semester of 2014, Neil (not his real name), a student in a CACREP-accredited Counseling and Career Development master's degree program at a large, land-grant public university, was beginning direct counseling experience in a counseling practicum. In this program, students and community members are offered free counseling services through the School of Education, and students in their second semester of the master's program obtain required counseling practicum hours by serving as their counselors. When his client was a no-show for their second counseling session, Neil, acutely aware that he needed the client contact hours in order to complete the practicum requirements, decided to find out why the client offered no explanation for her absence. After calling and e-mailing the client with no response (a program-approved response to client no-shows), he looked the client up on Facebook.com (a non-approved program response). To his surprise, he found her, and read in her "status" that she was feeling particularly depressed, so much so that she had not left her home for several days.

When Neil informed his practicum supervisor that he had found his client on Facebook and asked how to proceed with making contact, his professor was shocked. Having never before taught a practicum student who sought a no-show client vis-à-vis Internet sleuthing, she did not know how to respond to the admission. Should the professor admonish him for violating the client's privacy? Did Neil, in fact, commit an ethical transgression by looking her up on Facebook? Should the Counseling Practicum Manual and curriculum be updated to reflect a specific policy regarding online communication between student counselors and their clients? What did the American Counseling Association's *Code of Ethics* have to say about these issues? This incident generated a massive discussion amongst the counselor educators and students about what it means for counselors to behave ethically in the age of social media.

Using the American Counseling Association's *Code of Ethics* (2014) and Kitchener's (1984) foundational ethical principles, a modified version of Forester-Miller and Davis' (1996) seven-step ethical decision-making model was employed to resolve this ethical dilemma. Following is an account of how this critical incident was resolved.

Step One: Identify the Problem

Neil, a master's-level practicum counseling student, was concerned when a client he had met once previously was a no-show to a counseling session. After unsuccessfully attempting to contact the client via e-mail and phone, Neil searched the Web site Facebook.com to see if he could find her. He found the client's profile on Facebook, saw her "depressed" status, met with his practicum supervisor, and informed her of his actions. He then asked his supervisor how to proceed. Did Neil overstep professional boundaries and violate the client's right to privacy? If so, what actions should his practicum supervisor take?

Step Two: Apply the ACA *Code of Ethics*

The 2014 American Counseling Association *Code of Ethics* addresses virtual relationships with clients, respect for privacy, and supervision, all relevant topics to this critical incident. Specifically, the following five sections of the Code apply to this ethical dilemma:

A.5.e. Personal Virtual Relationships With Current Clients
Counselors are prohibited from engaging in a personal virtual relationship with individuals with whom they have a current counseling relationship (e.g., through social and other media).

B.1.b. Respect for Privacy
Counselors respect the privacy of prospective and current clients. Counselors request private information from clients only when it is beneficial to the counseling process.

F.1.c. Informed Consent and Client Rights
Supervisors make supervisees aware of client rights, including the protection of client privacy and confidentiality in the counseling relationship.

F.7.e. Teaching Ethics
Throughout the program, counselor educators ensure that students are aware of the ethical responsibilities of students to the profession. Counselor educators infuse ethical considerations throughout the curriculum.

H.6.c. Client Virtual Presence
Counselors respect the privacy of their clients' presence on social media unless given consent to view such information.

Step Three: Determine the Nature and Dimensions of the Dilemma

Forester-Miller and Davis (1996) advise counselors to consider Kitchener's (1984) foundational ethical principles of autonomy, beneficence, fidelity, justice, and nonmaleficence. "Decide which principles apply to the specific situation, and determine which principle takes priority for you in this case" (Forester-Miller & Davis, 1996, p. 3). Following is a brief definition and application of each ethical principle to this dilemma.

Autonomy "is the principle that addresses the concept of independence. The essence of this principle is allowing an individual the freedom of choice and action" (Forester-Miller & Davis, 1996, p. 1). Neil was so concerned about obtaining practicum client contact hours that he failed to consider the client's right to choose not to return to counseling.

Beneficence "reflects the counselor's responsibility to contribute to the welfare of the client. Simply stated it means to do good, to be proactive and also to prevent harm when possible" (Forester-Miller & Davis, 1996, p. 1). Neil was concerned for the client's welfare and genuinely curious about why she was a no-show for their second counseling session. When he failed to make contact with her via e-mail and phone, he proactively sought her out through social media.

Fidelity "involves the notions of loyalty, faithfulness, and honoring commitments. Clients must be able to trust the counselor and have faith in the therapeutic relationship if growth is to occur" (Forester-Miller & Davis, 1996, p. 1). Neil did not ask permission from the client to view her Facebook page. Should Neil meet with this client again and disclose to her that he saw her "depressed" status on Facebook, how would she respond? Would rapport be damaged due to her loss of trust and faith in him?

Justice "does not mean treating all individuals the same" (Forester-Miller & Davis, 1996, p. 1). What was Neil's rationale for looking this client up on social media? Does the fact that the client was "depressed" justify Neil's additional step of seeking her out on the Internet?

Nonmaleficence "is the concept of not causing harm to others. Often explained as 'above all do no harm,' this principle is considered by some to be the most critical of all the principles" (Forester-Miller & Davis, 1996, p. 1). Even though Neil was genuinely concerned for the client's welfare, he did violate her right to privacy. Thus, he did risk harm when he sought her out on Facebook without program or client permission.

Step Four: Generate Potential Courses of Action and Evaluate Potential Consequences

Neil, his practicum supervisor, and the program lead met to discuss possible courses of action. Three potential courses of action and their potential consequences were generated during the meeting.

1. Have the practicum supervisor call the client and reveal Neil's breach of privacy. Doing so could result in the client's loss of trust and faith in Neil. Doing so could result in Neil's loss of trust and faith in the counseling program. Conversely, honesty about the breach of privacy could result in increased trust and faith in either the client, or Neil, or both.
2. Have Neil call the client and reveal his breach of privacy. Doing so could result in the client's loss of trust in Neil. It could result in the client's loss of faith in the counseling program. Conversely, honesty about the breach of privacy could result in increased trust and faith in either Neil or the counseling program or both.
3. Do not reveal the breach of privacy to the client. Have Neil proceed to contact her again via phone and/or e-mail as if the breach had not occurred. Doing so could result in the loss of a "teachable moment" for Neil. Doing so could help Neil to maintain confidence in his counseling ability. Conversely, it could result in Neil's loss of faith in the counseling program and perceived hypocrisy on behalf of the practicum supervisor.

Step Five: Choose a Course of Action

Forester-Miller and Davis (1996) advise counselors to "eliminate the options that clearly do not give the desired results or cause even more problematic consequences" (p.

3). Based on this suggestion, option number three, to not reveal Neil's actions to the client, was eliminated. After an additional conversation with his practicum supervisor, Neil decided option number two was best. He volunteered to call the client and reveal the breach of privacy. The end result: the client returned the call, accepted his apology, and returned to counseling.

Step Six: Reflect on the Outcome

This ethical dilemma had a happy resolution. As a result of this critical incident, the client returned to counseling for several more sessions, giving Neil an "excellent" rating as her counselor. Neil successfully completed his Master's in School Counseling degree and is now working as a middle school counselor. The counseling program has amended its practicum handbook to prohibit virtual relationships *of any kind* with clients for the duration of the counseling relationship. The counselor educators and supervisors teaching in the program put special emphasis on Section H: Distance Counseling, Technology, and Media of the 2014 American Counseling Association *Code of Ethics* in their conversations with students and supervisees. And this critical ethical incident has become infused into the Professional Orientation and Ethics course required of all counseling students at the university.

Conclusion

Counselor educators, supervisors, and their supervisees need to pay close attention to ethical counseling practices in our expanded electronic supervisor-supervisee-client universe. Through social media Web sites, people often state their ideas and thoughts very openly, and counselors become privy to information their clients may not otherwise reveal during counseling. Counselors of the 21st century are charged with the responsibility to identify the balance between responding to the behaviors of social media culture and upholding the obligations and expectations of their professional roles.

This critical incident raised numerous, never-before-considered ethical concerns for one university counseling program. Applying Kitchener's (1984) five foundational ethical principles of respect for autonomy, beneficence, fidelity, justice, and nonmaleficence, which form the foundation for ethical professional excellence, assisted in resolving this dilemma. Additionally, the American Counseling Association's *Code of Ethics* (2014) and Forester-Miller and Davis' (1996) guide to ethical decision making were used to guide both the supervisor and the practicum supervisee toward a resolution. When ethical principles conflict, or when new ethical dilemmas arise, it falls to counselor educators and supervisors to raise these issues and discuss potential solutions with their colleagues, with their students, and with their clients.

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