

## **ACADEMIC SETTINGS**

### Confidentiality for Academic Settings

*CAVEAT: Know your state's policies and laws; following employer guidelines, policies and procedures.*

#### **KEY PRINCIPLES:**

Each person has the right to privacy and thereby the right to expect the counselor-student relationship to comply with all laws, policies and ethical standards pertaining to confidentiality in the school setting.

#### **Confidentiality:**

- Inform students of the purposes, goals, techniques and rules of procedure under which they may receive counseling at or before the time when the counseling relationship is entered. Disclosure notice includes the limits of confidentiality such as the possible necessity for consulting with other professionals, privileged communication, and legal or authoritative restraints. The meaning and limits of confidentiality are defined in developmentally appropriate terms to students.
- Keeps information confidential unless disclosure is required to prevent clear and imminent danger to the student or others or when legal requirements demand that confidential information be revealed. Counselors will consult with appropriate professionals when in doubt as to the validity of an exception.
- In absence of state legislation expressly forbidding disclosure, considers the ethical responsibility to provide information to an identified third party who, by his/her relationship with the student, is at a high risk of contracting a disease that is commonly known to be communicable and fatal.

#### **Disclosure requires satisfaction of all of the following conditions:**

- Student identifies partner or the partner is highly identifiable
- Counselor recommends the student notify partner and refrain from further high-risk behavior
- Student refuses
- Counselor informs the student of the intent to notify the partner
- Counselor seeks legal consultation as to the legalities of informing the partner
- Requests of the court that disclosure not be required when the release of confidential information may potentially harm a student or the counseling relationship.
- Protects the confidentiality of students' records and releases personal data in accordance with prescribed laws and school policies. Student information stored and transmitted electronically is treated with the same care as traditional student records.

- Protects the confidentiality of information received in the counseling relationship as specified by federal and state laws, written policies and applicable ethical standards. Such information is only to be revealed to others with the informed consent of the student, consistent with the counselor's ethical obligation.
- Recognizes his/her primary obligation for confidentiality is to the student but balances that obligation with an understanding of the legal and inherent rights of parents/guardians to be the guiding voice in their children's lives.

Ask yourself the following questions...

This can be done individually or within a group setting (with appropriate personnel)

### **Mission/Purpose**

What is the career center's unique mission?

How are the center's services distinct from other counseling services? How do they overlap, if at all?

Nature of collaborative arrangements (if any) between student services units involved in the provision of these services?

Views of higher-level administrators regarding how career and mental health counseling services are provided?

What political "turf wars" might come into play around the provision of these services?

### **Facilities**

How will facilities be designed/accommodated to provide services?

Does the space provide for videotaping, supervisor observation?

Will students (or community clients) seeking counseling be waiting in the same area as individuals needing a resume critique?

### **Service Delivery**

To what extent do intake procedures "screen" for mental health issues?

How is readiness for various types of services assessed?

How are career and mental health issues reflected in the theories and models that guide practice in the setting?

To what extent is the mental health aspect of a career services unit promoted to target audiences? For example, career services may want to avoid appearing too "clinical."

### **Records**

Record keeping/confidentiality—Types of records, forms (e.g., confidentiality agreement, release of information, no-suicide contract, etc.) needed when services are offered that combine career and mental issues. Would different kinds of records be needed for mental health versus career counseling, or the same for both? Attention to HIPAA?

### **Assessments/Resources**

Kinds of materials and assessments needed in a center providing career and mental health services.

Beyond standard career assessments/inventories, will career assessments be used that incorporate mental health issues?

To what extent are more “clinical” assessments used?

What types of forms are maintained (suicide contract, confidentiality agreement, release of information)?

### **Staff**

Does staff have professional identities in psychology, mental health counseling, professional counseling, social work, other fields, or all of the above? Are these identities compatible or reconcilable?

How will accrediting agencies view the staffing patterns in organizations that combine career and mental health counseling?

Use of student paraprofessionals--is there a role for such staff in career centers that include mental health counseling services?

Is professional development and training provided in both mental health and career counseling for all staff and all graduate students? Does career staff supervise mental health personnel, and vice versa?

Does such staff have all the credentials, e.g., licensure, certification, to supervise all staff?

Are staff properly insured, credentialed, and prepared to provide services in both areas and where they overlap? Or if a career services program opts to integrate mental health and career counseling, is the pattern for some staff to be proficient in both areas and other staff to be proficient in only one?

What are the costs to providing expanded delivery, e.g., licensed professionals, consulting, continuing education, facilities, accreditation, and professional memberships, insurance?

### **ACADEMIC SETTINGS: INFORMED CONSENT**

SAMPLE STUDENT INFORMED CONSENT

DISCLAIMER: All samples & sample texts are intended as a guideline only.

*CAVEAT: You must modify the forms so they comply with your state laws, professional organizations' codes of ethics and your State Licensing Board's guidelines.*

## **SAMPLE STUDENT INFORMED CONSENT**

[Student/client name]

I understand that as a subscriber to the [name of school and program], I am eligible to receive a range of services. The type and extent of services that I will receive will be determined following an initial assessment and thorough discussion with me. The goal of the assessment process is to determine the best course of treatment for me. Typically, treatment is provided over the course of several weeks. I understand that all information shared with the counselors at [name of school] is confidential and no information will be released without my consent. During the course of treatment, it may be necessary for my counselor to communicate with other providers employed by [school/university/college]. While written authorization will not be requested, prior to any discussion with these other providers, I understand that my counselor will discuss such communications with me. In all other circumstances, consent to release information is given through written authorization. Verbal consent for limited release of information may be necessary in special circumstances.

I further understand that there are specific and limited exceptions to this confidentiality which include the following:

- When there is risk of imminent danger to myself or to another person, the clinician is ethically bound to take necessary steps to prevent such danger.
- When there is suspicion that a child or elder is being sexually or physically abused or is at risk of such abuse, the clinician is legally required to take steps to protect the child, and to inform the proper authorities.
- When a valid court order is issued for medical records, the clinician and the agency are bound by law to comply with such requests.
- I understand that a range of mental health professionals, some of whom are in training, provides counseling services. All professionals-in-training are supervised by licensed staff. *See: Listing of all supervisors.*
- I understand that while psychotherapy and/or medication, may provide significant benefits, it may also pose risks. Psychotherapy may elicit uncomfortable thoughts and feelings, or may lead to the recall of troubling memories. Medications may have unwanted side effects.

If I have any questions regarding this consent form or about the services offered, I may discuss them with my counselor. I have read and understand the above. I consent to participate in the evaluation and treatment offered to me. I understand that I may stop treatment at any time.

- ***Include appropriate lines for signature and date***
- ***Keep a copy of any document that was signed by a client in the client's file (hardcopy or electronic)***
- ***Copy to client optional, unless they request a copy***