

CHAPTER 36-ARTICLE 7

CODE OF ETHICS

36-21 Code of Ethics for Psycho-Educational Specialists.

(A) Professional Competency.

(1) Psycho-educational Specialists shall recognize the strengths and limitations of their training and experience and engage only in practices for which they are qualified.

(2) Psycho-educational Specialists shall represent competence levels, education, training, and experience accurately and in a professional manner.

(3) Psycho-educational Specialists shall not use affiliations with persons, associations, or institutions to imply a level of professional competence exceeding that actually achieved.

(4) Psycho-educational Specialists shall enlist the assistance of other specialists in supervisory, consultative, or referral roles as appropriate in providing services.

(5) Psycho-educational Specialists shall refrain from any activity in which their personal problems or conflicts may interfere with professional effectiveness. Competent assistance is sought to alleviate conflicts in professional relationships.

(B) Professional Relationships and Responsibilities.

(1) Psycho-educational Specialists shall apply their professional expertise for the purpose of promoting improvement in the quality of life for students, their families, and the school community.

(2) Psycho-educational Specialists shall respect all persons and must be sensitive to physical, mental, emotional, political, economic, social, cultural, ethnic, and racial characteristics, gender and sexual orientation, and religion.

(3) Psycho-educational Specialists shall be responsible for the direction and nature of their personal loyalties or objectives. When these commitments may influence a professional relationship, the Psycho-educational Specialist shall inform all concerned persons of relevant issues in advance.

(4) Psycho-educational Specialists shall maintain professional relationships with students, parents, the school, and community. Parents and students must be fully informed about all relevant aspects of services in advance, taking into account language and cultural differences, cognitive capabilities, developmental level, and age so that the explanation may be understood by the student, parent, or guardian.

(5) Psycho-educational Specialists shall attempt to resolve situations in which there are divided or conflicting interests in a manner which is mutually beneficial and protective of the rights of all parties involved.

(6) Psycho-educational Specialists shall not exploit clients through professional relationships nor condone these actions in their colleagues. All individuals, including students, clients, employees, colleagues, and research participants, shall not be exposed to deliberate comments, gestures, or physical contacts of a sexual nature. Psycho-educational Specialists shall not harass or demean others based on personal characteristics nor engage in sexual relationships with their students, supervisees, trainees, or past or present clients.

(7) Psycho-educational Specialists shall not enter into personal or business relationships with students/clients or their parents.

(8) Psycho-educational Specialists shall notify the Board if aware of a suspected detrimental or unethical practice of another professional.

(9) Psycho-educational Specialists shall respect the confidentiality of information obtained during their professional work and reveal this information only with the informed consent of the client, or the client's parent or legal guardian, except as provided by law.

(C) Students.

(1) Psycho-educational Specialists shall engage only in professional practices which maintain the dignity and integrity of students and other clients.

(2) Psycho-educational Specialists shall explain important aspects of their professional relationships with students and clients in a clear, understandable manner, including the reason why services were requested, who will receive information about the services provided, and the possible outcomes.

(3) When a child initiates services, Psycho-educational Specialists shall respect the right of the student or client to initiate, participate in, or discontinue services voluntarily. When another party initiates services, the Psycho-educational Specialists shall make every effort to secure voluntary participation of the child/student.

(4) Psycho-educational Specialists shall discuss recommendations, including all alternatives available.

(D) Parents, Legal Guardians, and Appointed Surrogates.

(1) Psycho-educational Specialists shall explain all services to parents in a clear, understandable manner, and explain options taking into account the values and capabilities of each parent. Provision of services by interns, practicum students, and other unlicensed personnel must be explained and agreed to in advance.

(2) Psycho-educational Specialists shall assure that there is direct parent contact prior to seeing the student/client on an on-going basis. Frank and prompt reporting to the parent of findings and progress shall be made so long as it conforms to the limits of confidentiality.

(3) Psycho-educational Specialists shall encourage and promote parental participation in designing services provided to their children, including when appropriate, linking interventions between the school and the home, tailoring parental involvement to the skills of the family, and helping parents to gain the skills needed to help their children.

(4) Psycho-educational Specialists shall respect the wishes of parents who object to services and attempt to guide parents to alternative community resources.

(5) Psycho-educational Specialists shall discuss recommendations and plans for assisting the student/client with the parent. The discussion must include alternatives associated with each set of plans, showing respect for the ethnic/cultural values of the family. The parents must be advised as to sources of help available at school and in the community.

(6) Psycho-educational Specialists shall discuss the rights of parents and students regarding creation, modification, storage, and disposal of confidential materials.

(E) Service Delivery.

(1) Psycho-educational Specialists shall be knowledgeable of the organization, philosophy, goals, objections, and methodologies of the setting in which they are employed.

(2) Psycho-educational Specialists shall recognize that an understanding of the goals, processes, and legal requirements of their particular workplace is essential for effective functioning within that setting.

(3) Psycho-educational Specialists shall become integral members of the client systems to which they are assigned.

(4) Psycho-educational Specialists providing services to several different groups must disclose potential conflicts of interest to all parties.

(F) Community.

(1) Psycho-educational Specialists shall not engage in or condone practices that discriminate against clients based on race, handicap, age, gender, sexual orientation, religion, national origin, economic status, or native language.

(2) Psycho-educational Specialists shall avoid any action that could violate or diminish the civil or legal rights of clients.

(3) Psycho-educational Specialists shall adhere to federal, state, and local laws and ordinances governing their practice.

(G) Related Professional.

(1) Psycho-educational Specialists shall cooperate with other professional disciplines in relationships based on mutual respect.

(2) Psycho-educational Specialists shall encourage and support the use of all resources to best serve the interests of students and clients.

(3) Psycho-educational Specialists shall explain their field and their professional competencies, including roles, assignments, and working relationships to other professionals.

(4) Psycho-educational Specialists shall cooperate and coordinate with other professionals and agencies with the rights and needs of their clients in mind and must promote coordination of services.

(5) Psycho-educational Specialists shall refer a student or client to another professional for services whenever a condition is identified which is outside the professional's competencies or scope of practice.

(6) Psycho-educational Specialists shall ensure that all relevant and appropriate individuals, including the student/client when appropriate, are notified when transferring the intervention responsibility.

(H) Other Psycho-educational Specialists.

(1) Psycho-educational Specialists who employ, supervise, or train other professionals shall provide continuing professional development and must provide appropriate working conditions, fair and timely evaluations, and constructive consultation.

(2) Psycho-educational Specialists who supervise interns shall be responsible for all professional practices of the supervisee and assure the students/clients and the profession that the intern is adequately supervised.

(I) Advocacy.

(1) Psycho-educational Specialists shall be responsible to students/clients when acting as advocates for their rights and welfare.

(2) Psycho-educational Specialists shall communicate to the school administration and staff service options, taking into consideration the primary concern for protecting the rights and welfare of students.

(J) Assessment and Intervention.

(1) Psycho-educational Specialists shall maintain the highest standards for educational and psycho-educational assessment.

(2) In conducting psycho-educational, educational, or behavioral evaluations, or in providing therapy, counseling, or consultation services, Psycho-educational Specialists must give consideration to individual integrity and individual differences.

(3) Psycho-educational Specialists shall respect the differences in age, gender, sexual orientation, and socioeconomic, cultural and ethnic backgrounds and must select and use appropriate assessment or treatment procedures, techniques, and strategies.

(4) Psycho-educational Specialists must maintain knowledge about the validity and reliability of their instruments and techniques so as to choose those that have up-to-date standardization data and are applicable and appropriate for the benefit of the student/client.

(5) Psycho-educational Specialists shall not condone the use of psycho-educational assessment techniques, or the mis-use of the information these techniques provide, by unqualified persons in any way, including teaching, sponsorship, or supervision.

(6) Psycho-educational Specialists shall develop interventions which are appropriate to the presenting problems and are consistent with data collected and must modify or terminate the treatment plan when the data indicate the plan is not achieving the desired goals.

(K) Use of Materials and Technology.

(1) Psycho-educational Specialists shall maintain test security, preventing the release of underlying principles and specific content that would undermine the use of the device, and shall be responsible for the security requirements specific to each instrument used.

(2) Psycho-educational Specialists shall abide by all copyright laws and obtain permission from the authors before reproducing un-copyrighted published instruments.

(3) Psycho-educational Specialists shall obtain written prior consent or remove identifying data presented in public lectures or publications.

(4) When producing materials for consultation, intervention, teaching, public lectures, or publication, Psycho-educational Specialists shall acknowledge sources and assign credit to those whose ideas are reflected in the product.

(5) Psycho-educational Specialists shall not promote or encourage inappropriate use of computer generated test analyses or reports and must select scoring and interpretation services on the basis of accuracy and professional alignment with the underlying decision rules.

(6) Psycho-educational Specialists shall bear responsibility for any technological services used. All ethical and legal principles regarding confidentiality, privacy, and responsibility for decisions apply to the Psycho-educational Specialist and cannot be transferred to equipment, software companies, or data processing departments.

(7) Technological devices shall be used to improve the quality of client services.

(L) Research, Publication, and Presentation.

(1) Psycho-educational Specialists shall, when designing and implementing research in schools, employ research methodology, subject selection techniques, data gathering methods, and analysis and reporting techniques which are grounded in sound research practice.

(2) Psycho-educational Specialists working in agencies without review committees shall have peer review prior to initiating research.

(3) In publishing reports of their research, Psycho-educational Specialists shall provide discussion of limitations of their data and acknowledge existence of disconfirming data, as well as alternate hypotheses and explanations of their findings.

(M) Relationships with School Districts.

(1) Psycho-educational Specialists employed in both the public and private sector shall separate their roles and protect and completely inform the consumer of all potential conflicts of interest or concerns.

(2) Psycho-educational Specialists shall not accept any form of remuneration from clients who are entitled to the same service provided by the same Psycho-educational Specialists while working in the public sector. This prohibition includes students who attend the non-public schools within the public school assignment area.

(3) Psycho-educational Specialists in private practice shall inform parents of any free school psycho-educational services available from the public or private schools prior to delivering such services for remuneration.

(4) Psycho-educational Specialists shall conduct all private practice outside of the hours of contracted public employment.

(5) Psycho-educational Specialists engaged in private practice shall not use tests, materials, equipment, facilities, secretarial assistance, or other services belonging to the public sector employer, unless approved in advance through a written agreement.

(6) Psycho-educational Specialists shall not barter psycho-educational services.

(N) Service Delivery.

(1) Psycho-educational Specialists shall conclude a financial agreement in advance of service delivery.

(2) Psycho-educational Specialists shall ensure to the best of their ability that the client clearly understands the financial agreement.

(3) Psycho-educational Specialists shall not give or receive any remuneration for referring clients for professional services.

(4) Psycho-educational Specialists in private practice shall adhere to the conditions of a contract until service thereunder has been performed, the contract has been terminated by mutual consent, or has otherwise been legally terminated.

(5) Psycho-educational Specialists shall not engage in personal diagnosis and therapy by means of public lectures, newspaper columns, magazine articles, radio or television programs, or mail.

(O) Announcements/Advertising.

(1) Psycho-educational Specialists shall present accurate representations of training, experience, services provided, and affiliations, and shall advertise these in a restrained manner.

(2) Listings in telephone directories shall be limited to name, highest relevant degree, state certification/licensure status as provided for by statute, address, telephone number, brief identification of major areas of practice, office hours, appropriate fee information, foreign languages spoken, policy regarding third party payments, and license number.

(3) Announcements of services by Psycho-educational Specialists in private practice shall be made in a formal, professional manner, using the guidelines for advertising in the telephone directory. In addition, clear statements of purposes with unequivocal descriptions of the experiences to be provided shall be given, along with education, training, and experience of all staff members appropriately specified.

(4) Psycho-educational Specialists in private practice shall not directly solicit clients for individual diagnosis or therapy.

(5) Psycho-educational Specialists shall not compensate in any manner a representative of the press, radio, or television in return for professional publicity in a news item.

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