



School Social Work Association of America
Resolution Statement

SCHOOL SOCIAL WORK IN A HOST SETTING

Introduction

The NASW Code of Ethics does not distinguish between adults and minors as clients. This is especially problematic for school social workers, because the vast majority of students are minors.

The purpose of the School Social Work Association of America (SSWAA) Ethical Guideline Series is to provide general principles for practice by school social workers. They are not intended to provide advice about specific situations nor should they be considered a substitute for ethical and/or legal consultation.

Ethical Issues

- Are all students who benefit from, or are the direct recipients of, school social work services “clients”?
- Who is the “client”?
- How are school social workers to navigate conflicts of interest?
- How are ethical conflicts resolved between disciplines resolved?

Who is the “Client”?

Many school social workers provide a continuum of services to students that range from primary prevention to individualized interventions. Additionally, services can involve a one time, informal, and unplanned conversation to formal, ongoing professional services (i.e., a formal service provided on an Individualized Education Program) or anywhere in between. Thus, when a school social worker initiates a relationship with a student, it is not always clear whether they are providing services specific to their role and training as a social worker or general services as a member of the school staff. The distinction is important, since school personnel have far flexibility when engaging in relationships with students than social worker do when practicing with identified clients.

In the context of schools, the concept of “*in loco parentis*,” a Latin phrase meaning “in place of the parents” (Kopels, 2007) describes the relationship in which a non-custodial person assumes the status of a parent for the child. This doctrine is used most frequently to describe the relationship of school personnel to students during the school day, particularly surrounding issues of discipline. When school social workers engage in primary prevention, when the interactions between a social worker and student are informal and unplanned, and when the school social worker assumes the role of a parent associated with the *in loco parentis* doctrine, the client status of the student in relation to the social worker is very different than that assumed by the NASW Code of Ethics. Specifically, the Code appears to assume all “others” in the professional relationships are “clients.” School social workers, unlike clinical social workers, engage in relationships with students that are highly variable with regard to their formality. While most of the Code’s provisions apply to the most formal relationships, many are impractical for those that are less formal. To complicate matters, it can be more difficult for school social workers to determine who the “client” is than for social workers who practice in non-host settings.

Conflicts of Interest

Although school social workers’ primary responsibility is to the particular student, this responsibility is complicated by obligations owed to the school, parents, other educational professionals, and other students. Raines (2008) notes that NASW, like the National Association of School Psychologists, and the

American School Counselors Association, have all struggled with answering the question, “Who is the client?” In the Conflicts of Interest (1.06) section of the NASW Code of Ethics, it states that if a real or potential conflict of interest arises, the social worker should terminate the relationship and refer the client for proper services (NASW, 1999). The Code of Ethics states that this might happen on “limited occasions.” However, for school social workers it is the rule, not the exception. Not only is potential conflict of interest common, it is complex because school social workers regularly serve multiple interests (e.g., students, parents, and systems) simultaneously. This issue gets increasingly convoluted as the client status of the student becomes less clear as in the case of primary prevention, informal relationships, and when acting within the *in loco parentis* doctrine.

Additionally, since many of the students a social worker develops relationships with attend school together, it is very possible the responsibility to one student will be in direct conflict with another student. Further, terminating a relationship with a student can be nearly impossible, particularly in a small community or school. The services that school social workers can provide are unique, and it is unlikely a referral to a community agency would replace the services provided.

Confidentiality with Teachers

The NASW Code of Ethics states “social workers should not discuss confidential information in any setting unless privacy can be ensured.” In school settings, however, this prohibition would prevent the social worker from sharing any confidential information. This provision is problematic in schools because: 1) the teacher often assumes the role of a parent (e.g., *in loco parentis*); 2) the teacher may be conceptualized as a secondary “client” and 3) refusing to share information in the context of schools can exacerbate poor relationships between the student and the teacher, which is generally counterproductive to the goals being sought.

Interdisciplinary Conflicts

School social workers interact constantly with colleagues who have little or no awareness of the values and ethical standards that guide social work practice. The NASW Code of Ethics assumes that all of one’s colleagues are social workers. For school social workers, however, the vast majority of “colleagues” with whom they interact on a daily basis are from disciplines other than social work. The following guidelines can be used to guide school social workers in resolving conflicts with other professionals:

Recommendations to Guide Practice

- School social workers should attempt to resolve situations in which there are divided or conflicting interests in a fashion that is mutually beneficial and protects the rights of the most parties possible.
- When conflicts of interest arise, the primary client should be assumed to be student.
- School social workers should make their loyalties transparent, and consult with colleagues or their direct supervisors to consider a reassignment of responsibilities when loyalties cannot be balanced adequately.
- School social workers should actively demonstrate the relevance of school social work services to the mission of education, and/or directly address situations in which the mission of social work and education are in conflict.
- School social workers should ensure that all parties understand the scope of services being provided, the goal of services, and sufficient information that will enable them to support the student.
- When another party initiates services, the school social worker should make every effort to secure voluntary participation of the student.
- School social workers should recognize the competence of other professionals, and support multidisciplinary efforts to serve the best interests of the student.

- School social workers should strive to explain the values and ethics of professional social work and their unique competencies to advance the mission of education.
- School social workers should discuss confidential information only for professional purposes and only with those with a “legitimate educational interest” (FERPA, 1974).
- Whenever possible, confidential information should be shared with the informed assent of the student, or the informed consent of the child’s parent or guardian.
- The limits of confidentiality should be discussed and negotiated with students and revisited as often as is developmentally appropriate.
- When explaining services to students and parents, school social workers should include the reason why services were requested, who will receive information about the services provided, and the possible outcomes. The explanation should take into account language and cultural differences, developmental levels, and age so that it can be understood by the parent, guardian or the student.

References

- Family Educational Rights and Privacy Act (FERPA) of 1974, PL 93-380, 20 U.S.C. §1232g (1974).
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- National Association of Social Workers (1999). *Code of Ethics of the National Association of Social Workers*. Washington, DC: Author.
- Raines, J.C. (2008). *Evidence-based practice in school mental health: A primer for school social workers, psychologists, and counselors*. New York: Oxford University Press.
- Wesley & Buysse. (2006). Ethics and evidence in consultation. *Topics in Early Childhood Special Education*, 26(3), 131-141.

Additional reading

- Fisher C.B. (2004). Informed consent and clinical research involving children and adolescents: Implications of the revised APA Code of Ethics and HIPPA. *Journal of Clinical Child & Adolescent Psychology*, 33(4), 832-839.
- Kopels, S., & Lindsey, B. (2006). The complexity of confidentiality in schools today: The school social worker context. *School Social Work Journal*, (special 100th anniversary issue), 61-78.

School Social Work Association of America (2008). School social work in a host setting.

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