

**An Examination of School Counselors' Use of Electronic Case Notes**

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### **Abstract**

The use of electronic case notes carries legal and ethical implications related to the Family Educational Rights and Privacy Act (FERPA). Data from a national survey of over 1,200 school counselors was used in this study to examine their beliefs and behaviors regarding the use of electronic case notes. Strategies for the appropriate use of the school's information management system are included.

*Keywords:* School counselor, ethics, case notes, technology

## **An Examination of School Counselors' Use of Electronic Case Notes**

The Family Educational Rights and Privacy Act (FERPA) provides school counselors with the opportunity to share important student information with colleagues while simultaneously limiting the dissemination of information for the protection of students and families (United States Department of Education [USDOE], Family Policy Compliance Office [FPCO], 2011a). At times, this dichotomy leads to legal and ethical dilemmas regarding the method of disclosure, the involvement of students and their guardians, and the individuals to whom the information can be disclosed. Complicating such dilemmas is the use of electronic case notes (by choice or by mandate) which may be stored on a student data management system, cloud, or other software program and accessed by various school officials or even outsiders. Not only does this situation involve a legal quandary regarding the application of FERPA, but it may inhibit counselors from upholding their ethical responsibility to maintain confidentiality (ACA, 2014; ASCA, 2016). Ethical implications of technology use, including understanding FERPA in relation to electronic communication, are of substantial concern for school counselors (Sabella, Poynton, & Isaacs, 2010).

The ASCA (2016) ethical standards help clarify the use of technology related to confidentiality concerns. Of interest is the counselor's responsibility to "avoid using software programs without the technological capabilities to protect student information based upon currently acceptable security standards and the law (ASCA, 2016, A.2.o.)." When using technology to input student information, school counselors can investigate the level of security to reduce the risk of breaches to confidentiality. Companies often

advertise FERPA and Health Insurance Portability and Accountability Act (HIPPA) to let consumers know the level of software or online security (Jellins, 2015).

A national survey of over 1,200 ASCA members measured practicing counselors' knowledge, beliefs, and behaviors regarding FERPA and specifically examined their use of electronic case notes. This article utilizes data from that survey to examine demographic factors that were related to school counselors' use of electronic case notes.

### **Legal and Ethical Considerations**

#### **FERPA and Legitimate Educational Interest**

FERPA protects the right of parents and eligible students (those over the age of 18) to limit access to educational records while allowing for the dissemination of information from these records with written permission. This gives parents and students a degree of control over the access of personally identifiable information by parties outside their educational institution. However, educational records are routinely shared within institutions, between colleagues, without consent and without breaching FERPA (Stone, 2013b). This is because the law allows exceptions that do not require written permission or even notification of a parent or eligible student. Most notably sharing records with other school officials who are deemed to have legitimate educational interest (LEI) (USDOE/FPCO, 2011a). The National Center for Education Statistics (2004) described an individual considered to have LEI as "a person employed by the agency or school in an administrative, counseling, supervisory, academic, student support services, or research position, or a support person to these positions; or a person employed by or under contract to the agency or school to perform a special task"

(para. 2). The USDOE/FPCO (2011a) provided a list of professionals generally interpreted to have LEI including counselors, teachers, administrators, nurses, administrative assistants, and contracted professionals. However, it should not be assumed that these individuals have LEI simply based on their title. The USDOE/FPCO (2011b) offers that a school official likely has LEI if access to the educational record is necessary for them to carry out their professional responsibilities. Beyond these guidelines, the determination of those with LEI is left up to individual districts, along with the added responsibility of more specifically defining the terms *school official* and *legitimate educational interest* for parents and eligible students in an annual notification. In cases where electronic information could be viewed by those that do not have LEI the ASCA (2016) Ethical Standards implores school counselors to:

A.2.m. Advocate for appropriate safeguards and protocols so highly sensitive student information is not disclosed accidentally to individuals who do not have a need to know such information. Best practice suggests a very limited number of educators would have access to highly sensitive information on a need-to-know basis.

It is important for school counselors to realize they have the right to share educational records, including case notes, with those deemed by the district as having LEI. However, in these cases, counselors are not required by FERPA to share their case notes as part of the educational record, as they are with requests from parents and eligible students. Rather, they have the ability and responsibility to filter the information to give colleagues only what they need to know' to advantage the student. An ethical dilemma therefore occurs when counselors keep electronic case notes on the district's student management system, as posting case notes in a cyber-setting complicates their ability to ensure they remain confidential (Erford, 2011).

## **Case Notes and Parental Rights**

Under FERPA, parents are given the right to access their student's educational record (cite 20 U. S. C. § 1232g). Parents may inspect records (Electronic Code of Federal Regulations §99.10) or challenge to amend records they believe to be inaccurate or misleading (Electronic Code of Federal Regulations §99.20). Counselor case notes meet the definition of educational records if they are "(1) Directly related to a student; and (2) maintained by an educational agency or institution or by a party acting for the agency or institution" (Electronic Code of Federal Regulations §99.3). By this definition, most school counselor notes are considered part of the student's record and therefore accessible to parents and eligible students. One exception, however, are notes that are considered "sole possession notes" (ASCA, 2016, A.12).

If school counselors keep notes that are not seen by anyone else, are used only as a memory aid, and are kept only in the possession of the school counselor then they are considered sole possession notes (Electronic Code of Federal Regulations §99.3). For example, if a school counselor keeps brief notes on a student, hand writes the notes when everyone has left the counseling office (including the student), never shows the notes to anyone, and keeps the notes in a locked drawer in his/her office then the notes would be considered sole possession notes. This scenario uses handwritten notes because it is easy to keep them out of the possession of others. Technology, on the other hand, has introduced new forms of note keeping that fall under FERPA regulations and lessen the counselor's ability to keep what could be considered sole possession notes.

## **Electronic Case Notes and FERPA**

According to the USDOE (2011), the benefits of using electronic student data needs to be measured against the risks of violating the students' privacy. School counselors must "recognize the vulnerability of confidentiality in electronic communications and only transmit student information electronically in a way that follows currently accepted security standards and meets federal, state, and local laws and board policy" (ASCA, 2016, A.2.k). Many student management systems include spaces for counselors to write notes about students and electronic case notes are increasingly being stored in student management systems. The National School Boards Association (NSBA, 2014) notes the importance of consulting with administrators and a school attorney when considering the use of technology for transmission or storage of student information. However, one issue that may arise is that these colleagues do not have the same understanding or responsibility to maintain confidentiality as school counselors and therefore may not appreciate the ethical dilemmas that arise from the use of this technology (Williams & Wehrman, 2010). Keeping case notes electronically is easier than ever, but school counselors should be fully aware of the implications of these notes.

Depending on the districts' policies and the capabilities of the IMS itself, the number of stakeholders with access could be quite large. Steele, Jacokes, and Stone (2015) emphasized that more dialog about best practices in keeping student information confidential is needed. It is therefore critical to examine the practices of professional school counselors about writing and storing electronic case notes, especially within a districts' IMS.

## **Research Questions**

The following research questions were used to examine school counselors' beliefs and behaviors regarding electronic case notes: (a) What behaviors do school counselors have regarding the use of electronic case notes? (b) What behaviors are influenced by the level (elementary, middle, high school or multi-level) at which the counselor works? (c) What behaviors are influenced by their number of years of experience as a school counselor? (d) What behaviors are influenced by the school setting (urban, suburban, or rural) in which the counselor works?

## **Method**

This exploratory study involved the practice of school counselors with respect to their use of electronic notes pertaining to their interactions with students. Results from a survey of ASCA members were analyzed for this study. Forty-eight thousand, seven hundred fifty (48,750) ASCA members and affiliates were emailed an invitation to respond to a survey about their practice regarding educational records governed by FERPA. Ten thousand, three hundred fifty-seven (10,357) recipients opened the email, 1,942 clicked on the link and 1,254 recipients ultimately completed the survey.

## **Instrument**

The survey was designed to examine school counselor case note taking behavior and beliefs. In addition, the survey was used to investigate the relationship between school counselor responses and background. The survey was developed by Stone (2013a) and examined for content validity by counselor educators that served as experts. The survey included a total of 27 questions. Five of the questions pertained to note taking and electronic note taking behavior. Participants were asked to indicate



items that best described their practices. For example, participants were asked to choose a response describing their method of keeping case notes: (a) I am not required to keep electronic case notes on the school district's student information management system, but I choose to do so; (b) I am required to keep electronic case notes on the school district's student information management system; (c) I keep case notes that I type into word processing and maintain them on my computer but not on the district's student information management; (d) I only keep handwritten case notes; and (e) Not applicable, I do not keep case notes.). Nine of the survey questions asked for yes or no responses about note taking beliefs. For example, participants were asked to indicate yes or no to the statement, "I believe electronic case notes should not be used." Eight of the questions related to FERPA and types of education records such as letters of recommendation, discipline records, and student cumulative files. Although these questions are important, our study primarily on the survey questions related to case notes and demographic information. Lastly, the survey asked questions about school counselor demographics.

### **Data Analysis**

All analyses were performed using SPSS 19.0. Chi-square tests were used to study the associations between the survey items and the respondents' school level (e.g., elementary, middle, multi-level, or secondary), years of experience as a school counselor, and whether the school where they are working is located in an urban, suburban, or rural setting. In conducting the chi-square tests, the expected values were examined to verify that 80% of the cells had expected values of 5 or greater and none were less than 1.

## Results

The survey collected information pertaining to the characteristics of the respondents and their schools. These included gender, school setting, supervisory responsibilities, years of experience as a school counselor, and whether their school is in an urban, suburban, or rural environment. The results are summarized in Appendix A.

Overall, 8.6% ( $n = 103.7$ ) of school counselors surveyed were required by their district to keep notes on IMS, while another 6.6% ( $n = 79.6$ ) did so by choice. 9.2% ( $n = 106.5$ ) of respondents indicated only educators with LEI who are working with the students have access to the case notes. 16.9% ( $n = 195.2$ ) of surveyed counselors using electronic case notes were intentional about the level of detail, including only the student's name and some other vague details. Others went further by coding information so only they could decipher it.

The survey included questions about school setting in which the counselors work (see Appendix B). The type of school setting is significantly associated with the types of notes and records recorded by school counselors ( $p < 0.0005$ ). Overall, 57.8% ( $n = 697.1$ ) of counselors in all types of schools, elementary through secondary, choose to keep only handwritten notes. At 66.8% ( $n = 41.9$ ) the elementary school counselors had the highest percentage of counselors choosing to keep only handwritten notes and secondary school counselors had the lowest percentage at 48.7% ( $n = 203.1$ ). A small percentage of counselors, about 6.6% ( $n = 79.680$ ), choose to use the school or district's information management system (IMS) even though they are not required to do so. Among secondary school counselors 11.3% ( $n = 47.1$ ) chose to use the IMS,

followed by middle school counselors at 6.8% ( $n = 17.1$ ). Only 2.8% ( $n = 10.9$ ) of the elementary school counselors choose to use the IMS for recording their case notes.

Over three-fourths, of the counselors surveyed do not keep notes on the IMS. The greatest percentage of counselors not keeping notes on the IMS worked at the elementary-level, 84.6% ( $n = 313.0$ ), and multi-level schools, 85.9% ( $n = 122.0$ ). The group with the lowest percentage was the secondary school counselors of whom 66.5% ( $n = 266.0$ ) do not use the IMS for their notes ( $p < 0.0005$ ). Some counselors identify students by name in their notes, but only provide sketchy details. The highest percentages of those were secondary school counselors at 18.3% ( $n = 73.2$ ) and middle school counselors at 16.8% ( $n = 41.0$ ). Among elementary and multi-level schools only 8.6% ( $n = 32.0$ ) and 6.3% ( $n = 9.1$ ), respondents respectively, write notes that are comprised of sketchy details.

Differences were found between counselor level and the viewing of electronic records by others ( $p < 0.0005$ ). Password protection is used by 17.6% ( $n = 25.0$ ) of the multi-level counselors and 18.6% ( $n = 74.0$ ) of the secondary school counselors. That percentage is lower, 13.9% ( $n = 52.0$ ), for elementary school counselors and 12.3% ( $n = 30.0$ ) for middle school counselors. Some counselors work in situations where educators with LEI who are working with the students can view the records. Among middle school counselors, 12.3% ( $n = 30.0$ ), and secondary school counselors, 11.1% ( $n = 44.2$ ), have indicated that such a situation exists where they work. That percentage is only 6.1% ( $n = 22.8$ ) for elementary school counselors and 7.0% ( $n = 10.0$ ) for multi-level school counselors.

The number of years of experience is significantly associated with note taking behavior of school counselors, with those having less than three years experience having the highest percentage of keeping notes on the majority of students they counsel (see Appendix C). Counselors with more years of experience have higher percentages of survey respondents who keep notes on only a few select cases. Of the counselors with less than three years of experience 17.0% ( $n = 44.9$ ) keep notes on the majority of the students as opposed to 12.6% ( $n = 53.0$ ) of those with more than 10 years of experience, 8.2% ( $n = 16.1$ ) for those with 3 to 5 years of experience, and 9.9% ( $n = 31.9$ ) for counselors with 5 to 10 years of experience. For counselors with less than 3 years of experience 12.5% ( $n = 33.0$ ) keep notes on only a few select cases, while that percentage is 17.9% ( $n = 34.9$ ) for those with 3 to 5 years of experience, 22.0% ( $n = 70.8$ ) for those with 5 to 10 years of experience, and 23.0% ( $n = 96.8$ ) for those with more than 10 years of experience ( $p = 0.006$ ).

The percentage of counselors who believe that electronic case notes help educators collaborate to benefit students is the highest among counselors with the least experience. ( $p = 0.025$ ). Of counselors with less than three years of experience 44.4% ( $n = 118.1$ ) believe that electronic case notes aid collaboration with colleagues, as opposed to 40.5% ( $n = 79.0$ ) of those with 3 to 5 years of experience, 32.8% ( $n = 105.9$ ) for those with 5 to 10 years of experience, and 36.3% ( $n = 153.2$ ) with more than 10 years of experience.

The responders also differed significantly ( $p = 0.011$ ) by years of experience in whether they believe that electronic case notes should be used. Only 13.5% ( $n = 35.9$ ) of counselors with less than three years of experience believe that electronic case notes

should not be used, while 22.1% ( $n = 43.1$ ) of those with 3 to 5 years of experience, 19.2% ( $n = 62.0$ ) of those with 5 to 10 years of experience, and 23.7% ( $n = 100.0$ ) of those with more than 10 years of experience feel that way.

There are significant differences in the counselors' use of the data management system by whether the district is in a rural, suburban, or urban setting ( $p < 0.0005$ ).

Overall, three-fourths of the surveyed counselors do not keep notes on the district's IMS, with the highest percentage, 82.8%, ( $n = 269.9$ ) in rural districts, compared to 65.6% ( $n = 190.9$ ) of urban district counselors. In terms of identifying students by name in the case notes, at 17.2 ( $n = 50.1$ ), a significantly higher percentage of urban counselors identify students by name, but only give sketchy details, compared to counselors in the rural, 11.0% ( $n = 35.9$ ), and 12.8% ( $n = 68.9$ ) of the suburban districts (see Appendix D).

Lastly, there were significant differences in access to records by the type of district ( $p < 0.0005$ ). A smaller percentage of rural, 2.4% ( $n = 7.9$ ) and 4.3% ( $n = 22.7$ ) counselors in the suburban districts, compared to 9.3% ( $n = 27.1$ ) of the urban counselors say that anyone with LEI can see their case notes. The highest percentage of counselors who indicated that only educators with LEI who are directly working with the student have access to records are again the urban district responders, 15.1% ( $n = 43.9$ ), compared to 6.4% ( $n = 21.1$ ) of the rural, 7.8% ( $n = 41.9$ ) of the suburban counselors.

## Discussion

The results of this study show that a clear majority of school counselors keep some form of case notes. More than half of the respondents keep hand written notes

and just over one-third keep electronic notes. It makes sense that more than half keep handwritten notes given the complicated, and often intertwined legal and ethical implications related to confidentiality, sole possession notes, LEI, and parental rights. Some school counselors may find it easier to control access to handwritten notes and therefore avoid potential legal and ethical implications. On the other hand, school counselors are often encouraged to use technology. ASCA (2012) supports the use of technology to “effectively and efficiently to plan, organize, implement and evaluate the comprehensive school counseling program” (I-B-1g). School counselors who keep electronic case notes are in line with the ever-growing emphasis on technology use in schools.

LEI is a critical factor for determining if school counselors are at risk for breaching FERPA or breaking confidentiality (Stone, 2013b). Educators who have access to the case notes section of the information management system should have LEI. A majority of school counselors using electronic case notes in this study did not restrict access to those with legitimate LEI. Further, only a small percentage of school counselors reported that they password-protect their notes.

### **Note Taking Behaviors Influenced by School Level**

The results for elementary, middle, and high school counselor electronic note keeping are consistent with other studies that examined school counselor computer usage. Owen (1999) found that elementary counselors felt significantly less confident using technology in comparison to middle or high school counselors, with high school counselors reporting the highest self-confidence. Counselors who report having more training and comfort with technology use tend to use technology more frequently

(Carlson, Portman, & Bartlett, 2006). These results may account for why high school counselors most frequently reported using electronic case notes in this study.

Approximately 44.2% ( $n = 184.3$ ) of high school counselors are keeping case notes on the computer. High school counselors also most frequently (18.6%) ( $n = 74.0$ ) reported that their case notes are password protected.

### **Note Taking Behaviors Influenced by Years of Experience**

This study suggests that school counselors with less experience more often believe electronic case notes help educators collaborate to benefit students. Those with the most experience were least likely to believe electronic notes should be used. There are two factors that may influence counselor years of experience and their beliefs about electronic notes and records. First, it is possible that counselors with more experience are more familiar with laws, policy, and ethics related to FERPA and confidentiality making them more wary of electronic student information. Second, counselors with less experience may have more comfort using technology. Some school counselor training programs integrate technology applications in their courses. Increased training leads to increased comfort in technology usage (Carlson et al., 2006; Steele et al., 2014). Furthermore, school counselors with more technology training believe that the benefits of using technology to communicate student information outweigh the drawbacks (Steele et al., 2014).

School counselors have an ethical obligation to write and keep thorough notes when dealing with situations of a serious nature that may have legal implications such as abuse, suicide ideation, or self-harm (Wehrman, Williams, Field, & Dahl Schroeder, 2010). Years of experience does not appear to be an important factor in keeping detailed notes only in cases where legal action may result (e.g., child abuse, bullying,

etc.). However, it is noteworthy that the total amount of school counselors reporting they do so was approximately 24.6% ( $n = 295.7$ ).

### **Note Taking Behaviors Influenced School Setting**

School counselors in urban settings most often reported keeping detailed case notes on the IMS. Counselors in suburban settings are least likely to report keeping detailed notes on the IMS. However, the vast majority of school counselors report not keeping detailed notes on the IMS, which is in line with the ASCA (2016) Ethical Standards which cautions using the IMS or other electronic means to communicate highly sensitive information.

A.2.I. Convey a student's highly sensitive information (e.g., a student's suicidal ideation) through personal contact such as a phone call or visit and not less-secure means such as a notation in the educational record or an e-mail. Adhere to state, federal and school board policy when conveying sensitive information.

School employees needing student information to carry out their duties will likely qualify as having LEI under FERPA regulations (USDOE/FPCO, 2011b). There may be instances where school officials do not have a full understanding of FERPA and the potential implications of not following FERPA laws. A lack of understanding could lead to ethical and legal consequences (Williams & Wehrman, 2010). In this study, urban school counselors were mostly likely to indicate their school district does not comply with FERPA disclosure regulations. School counselors in such districts should be gravely concerned about violating students' and parents' rights. In addition to the legal requirements of FERPA, the practice of keeping electronic case notes is also subject to the ethical responsibilities of the counseling profession. Ethical practice in keeping electronic notes is mostly impacted by the level of detail included, with the goal of giving



colleagues what they need to know to best assist the student (ASCA, 2013). Counselors are increasingly using information management systems (Stone, 2013a); which corresponds with the results of this survey. About 36% ( $n = 434.26$ ) of school counselors surveyed are using electronic case notes. Wehrman et al. (2010) argue “school counselors must ensure that no other staff or students have access to counseling records that are stored on their computers” (p. 16).

### **Limitations**

There were several limitations to this study. First, although experts evaluated the survey instrument and content validity was determined, the psychometric properties of the instrument were not measured. In future studies the authors suggest analyzing the instrument reliability and validity psychometrics. Second, the number of responses may have been greater if counselors were given more time to complete the survey. Third, the study was completed prior to the distribution of the revised ASCA ethical standards. It is possible that the results of the study would differ if school counselors had easy access to the new guidelines related to technology and confidentiality as presented in the revised ethics. The authors suggest a future replication of this study based on the revised ethics. Lastly, the term note taking was not defined in the survey, which could have resulted in different interpretations.

### **Implications for School Counselors and School Counselor Educators**

Based on this study there are several implications for school counselors. First and foremost, school counselors need to understand FERPA and how to apply these laws to their daily practices. Being cognizant of LEI when collaborating with others, either in person or electronically, is a good first step. Sharing information electronically

can be in violation of FERPA even if on the surface, the software program has password protection controls and appears safe. School personnel other than the school counselor commonly have access to password protected information. For example, IT professionals and administrators are often able to get at information housed on a school district server. Information management systems (IMS) regularly allow several people in a district to view notes or other data about students. School counselors can advocate for using paper and pencil case notes or a software program that advertises HIPPA and FERPA compliance protections.

A best practice is to notify parents of their FERPA rights on an annual basis. Notifications should include counselors use of electronic case notes. School districts need to determine, based on student developmental levels, what type of informed consent is going to be given to students.

There are more restrictions when dealing with social emotional issues. Another best practice is to provide highly sensitive information to persons with LEI through discussions rather electronic means. When it is a need to know situation, administrators should be given the information, but in the safest manner possible.

It is important to realize that by placing case notes in these databases, school counselors are making them part of their students' education records and therefore subject to FERPA regulations. A critical question to ask is, "who has access to the notes?" In many cases, administrators have access to all information in student management systems. It is also likely that teachers, other support staff, and possibly paraprofessionals and district level personnel will also have access to the information. In some instances, the IMS has the capability to protect case notes with a password

only known to the school counselor. However, counselor notes entered into the IMS would almost certainly meet the criteria as educational records, not sole possession notes, and therefore be subject to parent inspection upon request.

Sole possession notes will usually not apply to electronic case notes because other building officials have access. An exception may be if a counselor uses their personal computer and that is not connected to the school district network. Again, if a school counselor uses a software program, they should be sure that it is HIPPA/FERPA compliant. Software companies advertise compliance and take extra measures to encrypt data to help avoid outsiders from gaining access to sensitive information. Counselors can advocate for codes in the IMS (i.e., A=academics, C=career, S=social emotional). Codes provide the counselor with more protection, which helps with both privacy and time.

Consulting with colleagues is an excellent step to take when working through ethical dilemmas. Ethics chairs of national and state counseling organizations are another possible resource when dilemmas about technology and confidentiality arise. School district attorneys should also be consulted with when using technology to store or transmit student information as suggested by the NSBA (2014).

Gaining comfort with technology is necessary due to the increased emphasis on technology in schools. Technology can assist with communication with parents, school personnel, and national model implementation and evaluation. Not surprisingly, when it comes to technology use, there appears to be a correlation between extent of training and comfort (Steele et al., 2015). School counselors indicate a need for technology training (Owen, 1999). Further, training on technology safeguards is obligatory. School

counselor educators can infuse instruction about FERPA, LEI, and ethics into their courses and workshops. Especially when discussing school counselor case notes and other technology applications.

Further studies using a qualitative or mixed methods approach would enable researchers to gather information about why school counselors make the choices they do when it comes to note taking. The profession also needs more discussion on case notes moving from one building to another.

### **Conclusion**

School counselors who use technology to store or transmit student information (such as case notes) need to be keenly aware of laws and ethics related to confidentiality. FERPA and LEI provide regulation about who is legally recognized to access student records. Results from this study highlight the need for education and training in the areas of case note content and using the Information Management System and other electronic means to store student information. This study also draws attention to the need for increased FERPA training. School counselors who are knowledgeable about FERPA and the ASCA ethical standards will be able to effectively advocate for appropriate student privacy safeguards. Technology can be instrumental in implementing and evaluating school counseling programs and activities, however, there are risks regarding student privacy that school counselors have a duty to understand.

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## Appendix A

### *Respondent Characteristics*

	Response Total	Percentage
<u>Gender</u>		
Male	146	12% ( <i>n</i> = 146)
Female	1063	88% ( <i>n</i> = 1063)
<u>School Level</u>		
Elementary School	393	33% ( <i>n</i> = 393)
Middle School	252	21% ( <i>n</i> = 252)
Secondary/High School	417	35% ( <i>n</i> = 417)
Multi-level School	149	12% ( <i>n</i> = 149)
<u>Supervisory Responsibilities</u>		
Yes	410	34% ( <i>n</i> = 410)
No	801	66% ( <i>n</i> = 801)
<u>Years of Experience</u>		
Less than 3 years	266	22% ( <i>n</i> = 266)
3 to 5 years	198	16% ( <i>n</i> = 198)
5 to 10 years	323	27% ( <i>n</i> = 323)
More than 10 years	422	35% ( <i>n</i> = 422)
<u>School Setting</u>		
Urban	305	25% ( <i>n</i> = 305)
Suburban	560	46% ( <i>n</i> = 560)
Rural	345	29% ( <i>n</i> = 345)



## Appendix B

### *Items Associated With School Level*

Survey Item	Elementary	Middle	Secondary/ High School	Multi-level
<i>Method of Keeping Case Notes: (p &lt; 0.0005)</i>				
Handwritten case notes only	66.8% (n = 261.2)	57.4% (n = 144.1)	48.7% (n = 203.1)	60.5% (n = 88.9)
Maintain notes on computer, but not on information management system (IMS)	19.2% (n = 75.1)	17.1% (n = 42.9)	21.6% (n = 90.1)	26.5% (n = 39.0)
Required to keep notes on IMS	5.4% (n = 21.1)	12.0% (n = 30.1)	10.8% (n = 45.0)	5.4% (n = 7.9)
Required to keep notes on IMS, but refuse to comply	0.0% (n = 0.0)	0.4% (n = 1.0)	0.5% (n = 2.1)	0.7% (n = 1.0)
Not required to keep notes on IMS, but choose to do so	2.8% (n = 10.9)	6.8% (n = 17.1)	11.3% (n = 47.1)	3.4% (n = 5.0)
Not applicable; do not keep case notes	5.9% (n = 23.1)	6.4% (n = 16.1)	7.2% (n = 30.0)	3.4% (n = 5.0)
<b>Total Responses</b>	<b>391</b>	<b>251</b>	<b>417</b>	<b>147</b>
<i>Content of IMS Case Notes: (p &lt; 0.0005)</i>				
Students are identified by name; information is detailed	2.7% (n = 10.0)	4.1% (n = 10.0)	3.8% (n = 15.2)	3.5% (n = 5.0)
Students are identified by name; only sketchy details	8.6% (n = 32.0)	16.8% (n = 41.0)	18.3% (n = 73.2)	6.3% (n = 9.1)
Notes include students' names, but information is coded	2.4% (n = 9.0)	4.1% (n = 10.0)	4.5% (n = 18.0)	2.8% (n = 4.1)
Students' names are not included	1.1% (n = 4.1)	0.0% (n = 0.0)	1.0% (n = 4.0)	0.7% (n = 1.0)
None of the choices represent my IMS practice for saving case notes	0.5% (n = 1.9)	1.6% (n = 3.9)	6.0% (n = 24.0)	0.7% (n = 1.0)
Not applicable. Do not use the IMS for case notes	84.6% (n = 313.0)	73.4% (n = 179.1)	66.5% (n = 266.0)	85.9% (n = 122.0)
<b>Total Responses</b>	<b>370</b>	<b>244</b>	<b>400</b>	<b>142</b>

<b>Survey Item</b>	<b>Elementary</b>	<b>Middle</b>	<b>Secondary/ High School</b>	<b>Multi-level</b>
<i>Access to Case Notes: (p &lt; 0.0005)</i>				
Case notes are password protected; only counselor can grant access	13.9% (n = 52.0)	12.3% (n = 30.0)	18.6% (n = 74.0)	17.6% (n = 25.0)
Anyone with LEI can see case notes	1.9% (n = 7.1)	6.6% (n = 16.1)	8.3% (n = 33.0)	1.4% (n = 2.0)
Only educators with LEI who are working with the students has access to the case notes	6.1% (n = 22.8)	12.3% (n = 30.0)	11.1% (n = 44.2)	7.0% (n = 10.0)
Not Applicable	78.1% (n = 292.1)	68.9% (n = 168.1)	62.1% (n = 247.2)	73.9% (n = 105.0)
<b>Total Responses</b>	<b>374</b>	<b>244</b>	<b>398</b>	<b>142</b>
<i>Electronic Case Notes Can Help Educators Collaborate to Benefit Students: (p &lt; 0.0005)</i>				
Yes	30.4% (n = 118.9)	44.8% (n = 112.9)	42.9% (n = 178.9)	30.4% (n = 45.0)
No	69.6% (n = 272.1)	55.2% (n = 139.1)	57.1% (n = 238.1)	69.6% (n = 103.0)
<b>Total Responses</b>	<b>391</b>	<b>252</b>	<b>417</b>	<b>148</b>
<i>Electronic Records Should Not be Used: (p &lt; 0.0005)</i>				
Yes	25.1% (n = 98.1)	14.3% (n = 36.0)	15.3% (n = 63.8)	29.7% (n = 44)
No	74.9% (n = 292.9)	85.7% (n = 216.0)	84.7% (n = 353.2)	70.3% (n = 104)
<b>Total Responses</b>	<b>391</b>	<b>252</b>	<b>417</b>	<b>148</b>

## Appendix C

### Years of Experience

Survey Item	Less than 3 years	3 to 5 years	5 to 10 years	More than 10 years
<i>Practice for Taking/Keeping Case Notes: (p = 0.006)</i>				
Keep detailed case notes on the majority of students	17.0% (n = 44.9)	8.2% (n = 16.1)	9.9% (n = 31.9)	12.6% (n = 53.0)
Keep notes that have few details on the majority of students.	41.7% (n = 110.1)	41.5% (n = 80.9)	36.3% (n = 116.9)	36.3% (n = 152.8)
Keep notes on a few select cases	12.5 (n = 33.0)	17.9% (n = 34.9)	22.0% (n = 70.8)	23.0% (n = 96.8)
Never keep written case notes	4.2% (n = 11.1)	4.1% (n = 8)	5.0% (n = 16.1)	6.7% (n = 28.2)
Keep detailed notes only in cases where legal action may result, e.g., child abuse, bullying	24.6% (n = 64.9)	28.2% (n = 55.0)	26.7% (n = 86.0)	21.4% (n = 90.1)
<b>Total Responses</b>	<b>264</b>	<b>195</b>	<b>322</b>	<b>421</b>
<i>Electronic Case Notes Can Help Education Collaborate to Benefit Students: (p = 0.025)</i>				
Yes	44.4% (n = 118.1)	40.5% (n = 79.0)	32.8% (n = 105.9)	36.3% (n = 153.2)
No	55.6% (n = 147.9)	59.5% (n = 116.0)	67.2% (n = 217.1)	63.7% (n = 268.8)
<b>Total Responses</b>	<b>266</b>	<b>195</b>	<b>323</b>	<b>422</b>
<i>Electronic Records Should Not be Used: (p = 0.011)</i>				
Yes	13.5% (n = 35.9)	22.1% (n = 43.1)	19.2% (n = 62.0)	23.7% (n = 100.0)
No	86.5% (n = 230.1)	77.9% (n = 151.9)	80.8% (n = 261.0)	76.3% (n = 322.0)
<b>Total Responses</b>	<b>266</b>	<b>195</b>	<b>323</b>	<b>422</b>

## Appendix D

### *Setting of the School*

Survey Item	Rural	Suburban	Urban
<i>Content of IMS Case Notes: (p &lt; 0.0005)</i>			
Students are identified by name; information is detailed	3.1% (n = 10.1)	2.6% (n = 14.0)	5.5% (n = 16.0)
Students are identified by name; only sketchy details	11.0% (n = 35.9)	12.8% (n = 68.9)	17.2% (n = 50.1)
Notes include students' names, but information is coded	0.9% (n = 2.9)	3.7% (n = 19.9)	6.2% (n = 18.0)
Students' names are not included	1.2% (n = 3.9)	0.4% (n = 2.2)	1.0% (n = 2.9)
None of the choices represents my IMS practice for saving case notes	0.9% (n = 2.9)	2.8% (n = 15.1)	4.5% (n = 13.1)
Not applicable. Do not use the IMS for case notes	82.8% (n = 269.9)	77.7% (n = 418.0)	65.6% (n = 190.9)
<b>Total Responses</b>	<b>326</b>	<b>538</b>	<b>291</b>
<i>Access to Case Notes: (p &lt; 0.0005)</i>			
Case notes are password protected; only counselor can grant access	16.1% (n = 53.0)	14.0% (n = 75.2)	18.2% (n = 53.0)
Anyone with LEI can see case notes	2.4% (n = 7.9)	4.3% (n = 22.7)	9.3% (n = 27.1)
Only educators with LEI who are working with the students has access to the case notes	6.4% (n = 21.1)	7.8% (n = 41.9)	15.1% (n = 43.9)
Not Applicable	75.1% (n = 247.1)	73.9% (n = 396.8)	57.4% (n = 167.0)
<b>Total Responses</b>	<b>329</b>	<b>537</b>	<b>291</b>

Survey Item	Rural	Suburban	Urban
<u><i>Electronic Case Notes Can Help Education Collaborate to Benefit Students: (p &lt; 0.0005)</i></u>			
Yes	28.4% (n = 98.0)	39.9% (n = 222.2)	44.9% (n = 136.9)
No	71.6% (n = 247.0)	60.1% (n = 334.8)	55.1% (n = 168.1)
<b>Total Responses</b>	<b>345</b>	<b>557</b>	<b>305</b>
<u><i>Electronic Records Should Not be Used: (p = 0.005)</i></u>			
Yes	24.9% (n = 85.9)	19.9% (n = 110.8)	14.8% (n = 45.1)
No	75.1% (n = 259.1)	80.1% (n = 446.2)	85.2% (n = 259.9)
<b>Total Responses</b>	<b>345</b>	<b>557</b>	<b>305</b>
<u><i>School Counselors Should Only Keep Paper and Pencil Notes: (p = 0.038)</i></u>			
Yes	21.7% (n = 74.9)	16.7% (n = 93.0)	14.4% (n = 43.9)
No	78.3% (n = 270.1)	83.3% (n = 464.0)	85.6% (n = 261.1)
<b>Total Responses</b>	<b>345</b>	<b>557</b>	<b>305</b>
<u><i>FERPA Family Rights Disclosure Regulations: (p = 0.01)</i></u>			
School district complies with FERPA disclosure regulations	52.0% (n = 178.9)	43.9% (n = 243.2)	45.3% (n = 135.9)
School district does not comply with the disclosure regulations	4.7% (n = 16.2)	6.0% (n = 33.2)	10.0% (n = 30.0)
Do not know if their district complies	43.4% (n = 149.3)	50.2% (n = 278.1)	44.7% (n = 134.1)
<b>Total Responses</b>	<b>344</b>	<b>554</b>	<b>300</b>

## **Biographical Statements**

Megyn Shea is an assistant professor of school counseling at New York Institute of Technology. She has a special interest in the career development and delivery of school counseling programs and interventions. Megyn was the 2008 president of the Washington School Counselor Association and the 2016 professional development chair of the NY School Counselor Association. She has developed several publications related to career development for the American School Counselor Association.

Dan Cinotti is an assistant professor of school counseling of school counseling at New York Institute of Technology. He specializes in the supervision and training of professional school counselors. As a counselor educator, he is an advocate for the use of comprehensive school counseling programs, and his research interests include school counselor supervision and professional identity.

Carolyn Stone is a professor of school counseling at the University of North Florida where she teaches and researches in the areas of legal and ethical issues for school counselors and school counselors impacting the opportunity, information and achievement gaps. Carolyn was the 2006 president of the American School Counselor Association (ASCA) and is currently the ASCA Ethics chair. Dr. Stone has written the only book exclusively for school counselors on the ethical and legal issues. She has delivered over 500 workshops in 49 states and 22 countries. She has authored six books, dozens of journal articles and serves the courts as an expert witness in cases involving school counselors.