Accountability Through Documentation: What Are Best Practices for School Counselors?

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Abstract

This article provides an analysis of important considerations for documentation for school counselors. Although the American School Counseling Association (ASCA) does not provide a national protocol for documentation of school counseling services, the ASCA Ethical guidelines provide insight into ethical record keeping which protects student confidentiality and aids school counselors in organizing contact data for reporting purposes. This article outlines the various regulatory mandates for student records as well as best practices for school counselors for organizing, maintaining, and destroying counseling records. The relationship between effective record keeping and school counselor accountability is also discussed.

Accountability Through Documentation: What Are Best Practices for School Counselors?

Throughout the mental health field there is a growing trend toward documenting quantifiable descriptions of evidenced based counseling practices. Likewise, educational reform has placed similar importance on collecting data to document the effectiveness of intervention services. Rhyne-Winkler and Wooten (1996) write, "Most school counselors provide quality services that enhance the academic performance of students. All too frequently, however, counselors have failed to evaluate, document, and communicate the evidence of their effectiveness" (p. 146). While the need and ethical edict for documentation is apparent for counselors, little has been published regarding methods and procedures for school counselors in school settings. Effective documentation can serve as a tool to assist with year to year planning, organize continuity of interventions, increase reporting and accountability for services provided, as well as to validate the necessity of providing direct service to students. Wilson (1997) writes that careful and consistent documentation by school counselors assists with organizing and accessing information regarding individual and group counseling contacts, evaluating time spent in delivering direct services to students and reflecting on successful counseling interventions.

Studies have found that school counselors perceive paperwork and documentation duties to be demanding and a source of occupational stress (McCarthy, VanHorn Kerne, Calfa, Lambert, & Guzman, 2010; Sears & Navin, 2001). Requiring documentation may be perceived as an additional task for an already burdened school counselor or another mandate that takes time away from direct student contact. This

article will examine the ethical purpose, need, and benefit of documentation procedures and highlight how documentation can provide accountability data to verify the effectiveness of school counseling programming.

Rationale for Documentation

Professional school counselor training programs stress the importance of best practice guidelines and ethical obligations in working with students in a counseling relationship. This includes documentation of all school counseling-related interactions with students such as individual planning, career counseling, responsive services, classroom guidance lessons, and consultation with teachers, parents, administrators, and outside agencies. The American School Counselor Association (ASCA) (2004) code of ethics requires that school counselors maintain and secure student records; however, it does not provide prescriptive methods and procedures for documentation. ASCA's code of ethics states:

A. 8. Student Records:

The professional school counselor: (a) Maintains and secures records necessary for rendering professional services to the student as required by laws, regulations, institutional procedures, and confidentiality guidelines. (b) Keeps sole-possession records separate from students' educational records in keeping with state laws. (c) Recognizes the limits of sole-possession records and understands these records are a memory aid for the creator and in absence of privilege communication. The school counselor's records may be subpoenaed and be considered educational records when they (1) are shared with others in verbal or written form, (2) include information other than professional opinion or

personal observations, and/or (3) are made accessible to others. (d) Establishes a reasonable timeline for purging sole-possession records or case notes.

Suggested guidelines include shredding sole possession records when the student transitions to the next level, transfers to another school, or graduates.

Careful discretion and deliberation should be applied before destroying sole-possession records that may be needed by a court of law such as notes on child abuse, suicide, sexual harassment, or violence.

These guidelines provide a general overview of how counseling records are different from students' permanent educational records, and how counseling records shall be maintained, may be subpoenaed, and should be destroyed to maintain a student's confidentiality when they are no longer useful. Yet, when most school counselors serve a large student caseload, often easily surpassing the recommended maximum counselor-to-student ratio of 1:250 (Reynolds & Cheek, 2002), they may find the prospect of providing services and consistently documenting their work, overwhelming. Yet, regardless of the time demand, the need for documentation of school counseling services is vital given the numerous interactions with parents, teachers, and students on a daily basis. Documentation can serve as a memory aid when trying to juggle many complex tasks and responsibilities. Further, quantifying one's documentation of specific services allows school counselors to track their school counseling program's progress from year to year and provide insight on areas for improvement. For example, if a school counselor quantifies prevention programming services over the course of a school year and realizes that this area is lacking, he or she can then make specific plans to increase school-wide programming and classroom guidance lessons the following year. Documenting counseling services can also provide a method of accountability and follow up to important educational stakeholders such as school board members, building administrators, parents, and teachers. Organizing and quantifying data related to time spent in program development, intervention activities, and non-counseling related duties will help to provide data to advocate or protect one's program (Bitner, Kay-Stevenson, Burnhash, Whiteley, Whitaker, & Sachse, 2009) in an era of economic recession and local budget short-falls.

In addition to documenting the necessity of a school counseling program, a number of legal changes have contributed to an increased emphasis on documentation. Examples include federal privacy laws such as HIPPA and malpractice complaints filed against mental health and school counselors (Cameron & Turtle-Song, 2002). These changes result in not only greater challenges to protect student privacy but also increased emphasis on documentation (Luepker, 2003). School counselors face the challenge of effectively and efficiently documenting student contacts in a fast-paced school environment where days are often filled with student contacts leaving little time for other tasks.

A story told by a school counselor highlights not only the importance but the practical application of documentation (Wilson, 1997). The author states that keeping comprehensive progress notes and documentation was stressed as important in his graduate program. However, upon arrival to his employment as a school counselor, the day to day responsibilities and high volume of contacts with students made it difficult for him to generalize his training to his work setting in an efficient manner. A parent contacted the principal and wondered why her son's counselor had not returned her

call. He could not find documentation of her telephone call which caused him to intensify his efforts to develop a more efficient system of documenting counseling related interactions and contacts. From his experience he stated that it is important to have a comprehensive method of documentation; and while this example is from more than a decade ago, many school counselors would attest to its relevance today.

In constructing documentation, school counselors may struggle with what to include as well as their ability to provide an accurate depiction of their work with students (Piazza & Baruth, 1990). School counselors often "complain of feeling frustrated when trying to distinguish what is and is not important enough to be incorporated in these notes" (Cameron & Turtle-Song, 2002, p. 286). Further, they may worry that time spent constructing documentation detracts or consumes time that could be spent with students. While a school counselor may document only the student name, time, date and topic of discussion for many of the daily interactions as a memory aide, it is ethically incumbent on the school counselor to thoroughly document sessions of a serious nature such as but not limited to those involving self-mutilation, suicidal ideation, abuse, or dating violence. Sessions with students who are seen frequently may be best organized with an individual file (Wilson, 1997). Further, having a universally recognized method of documentation that clearly and effectively records individual planning, career counseling, and responsive service interventions and interactions can help increase efficiency and maximize school counselors' time spent with students. For example, one method of documentation is a SOAP note. SOAP stands for Subjective data, Objective data, Assessment, and Plan. Other documentation formats include: data, assessment,

and plan (DAP), functional outcomes reporting (FOR), and narrative notes (Cameron & Turtle-Song, 2002; Prieto & Scheel, 2002).

Consultation, Collaboration, and Continuity of Care

Documentation can enhance and ease communication and referrals between school counselors and other stakeholders involved in the student's life such as parents, teachers, medical providers, and other mental health professionals. An efficient record keeping system helps track and organize these contacts (Wilson, 1997). Regardless of the format a school counselor chooses to use for documentation, continuity of care can be enhanced through easy access to counseling information such as student history, past experiences, and presenting problems. If a school counselor has incomplete or no documentation of student contacts, valuable time can be wasted as he or she attempts to accurately recollect forgotten information or is preparing a report.

School-community agency collaboration is seen as having direct implications for school counselors and their work because they have a primary role in addressing the personal and social needs of students or providing support to students who are receiving counseling services outside of the school (ASCA, 2004; Hobbs & Collison, 1995). Hobbs and Collison (1995) conducted a study to examine the role of the school counselor in school-community agency collaboration. The study focused on the experience of four youth services teams in four different communities. The teams met once or twice a month and followed a process that consisted of (1) referral, (2) staffing, and (3) implementation. School counselors and agency personnel submitted student referrals to these multidisciplinary youth services teams "by completing formal paperwork, which includes a form authorizing the release of exchange of information

and a referral form that provides pertinent student data, an explanation of the current problem situation, and actions taken previously to address the problem" (p. 8). In order to refer a student, school counselors were asked to provide pertinent information regarding specific students. The school counselor's documentation was paramount in the process because of the difficulty in accurately recalling from memory, every interaction and experience he or she had with a student. The study found that setting up a specific system for referrals resulted in an increase in communication between school and mental health counselors. Further, the time involved to complete the paperwork for the referrals was considered to be worthwhile as documentation contributed to students receiving the services and support they needed. (Hobbs & Collison, 1995).

Accountability and Measuring Effectiveness

School counselors will benefit from highlighting the need for and effectiveness of their school counseling program, further demonstrating that they are instrumental personnel in ensuring the success of students. It is essential for school counselors to be involved in accountability efforts to "improve services, to provide evidence of effectiveness, and to enhance professional image" (Fairchild & Seeley, 1995, p. 377). Benefits of using case notes as part of tracking accountability include: 1) case notes enable counselors to access information quickly without having to rely on memory, 2) reviewing case notes before student meetings can result in them being more focused and more productive, case notes demonstrate progress and are a means of evaluation and accountability, and 4) case notes make it possible for a counselor to document and report the number of academic, career, and social and emotional individual sessions with students. For example, Bitner et al. (2009) describe Utah's state-wide efforts to

document the effectiveness of school counseling programs. A specific intervention with 7th and 8th grade students called "Counselor Watch" is mentioned. In this program, school counselors meet individually with students who are at risk for academic failure to link these students with support services. Each student intervention is documented and students are monitored for academic progress. The authors report that "after three quarters of the 2007-2008 school year, there was an overall decrease in the failing grades by 28%, well over the counselors' goal of 10%" (Bitner, et al., p. 491).

Validating the School Counselor's Role

Hughes and Hackbarth (2001) discussed documentation tools and "procedure[s] to record data, organize information according to published professional standards, and provide accountability for school counseling programs" (p. 306). They emphasize the importance of promoting one's program through accountability strategies in order to enhance the program and provide the counselor with data to make a strong presentation for a comprehensive school counseling program. Rhyne-Winkler and Wooten (1996) suggest that a persistent reduction in educational budgets across the country is causing school counseling positions to be less secure and many budget decisions are based on program evaluations and documented educational necessity and effectiveness. According to Rhyne-Winkler and Wooten, school counselors usually provide quality services which enhance academic performance, but far too often fail to evaluate, document, and communicate evidence of their effectiveness to important stakeholders.

Another consideration regarding validating the role of the school counselor is providing evidence as to how much time a counselor spends doing various activities

such as direct student contact through individual and group counseling, classroom guidance, contacts with parents, consultation with teachers, etc. Most school counselors understand their professional role within a school; however, far too often administrators define school counseling in ways which include non-counselor related duties. This includes paraprofessional tasks such as counting test booklets and pencils, lunch duty, restroom monitoring, and creating the school's master schedule (Murray, 1995). "For good reason, the definition of the role of the school counselor has been frequently questioned and researched within the last 10 years" (Murray, 1995, p. 5). Counselors can provide clarification regarding their role when they document how much time is needed to do various school counseling program responsibilities – thus clarifying for administrators why they should not be burdened with duties that are not in their job description. The school counselor's position has to be continuously supported with data which proves evidence of effectiveness; otherwise, role confusion may continue to exist (Murray, 1995). Keeping track of how time is spent and persistently reporting to significant stakeholders the types of activities that are conducted by the school counselor can help establish him or her as a vital asset to the school community. Implementing a standards-based, comprehensive school counseling program and collecting the resulting data can assist with demonstrating school counselor effectiveness.

Effective record keeping can influence systemic change. For example, a school counselor kept a log of specific school counseling activities on a computer-based program which aligns with the ASCA National Model. This program delineates and graphs where the practicing school counselor spends her time within the framework of

the delivery system: classroom guidance, individual counseling, responsive services, and system support (SCAATAP, 2009). When the administrator who regularly signed these monthly reports saw that 85% of the school counselor's time had been spent in system support preparing for statewide testing, a critical change was made to remove test administration from the school counselor's duties. This change resulted in the school counselor being available to students, parents, and teachers and ultimately provided additional direct services.

Documentation and the Supervision of School Counseling Students

Documentation may also be beneficial in the supervision process. Counselor educators, who supervise school counseling fieldwork students have the responsibility to ensure that their supervisees do no harm to students, provide effective school counseling services, and understand the essential nature of careful, efficient documentation of services rendered. Conscientious supervision includes "reviewing supervisee records, requiring supervisees to discuss all of their cases in detail and provide rationale for their clinical decisions, and providing feedback and recommendations to improve [student] care" (Luepker, 2003, p. 105). Supervision of student cases usually involves both discussions of the cases as well as a review of the school counselor trainee's counseling notes. This allows the discussion to be supported by documented accounts of student contacts and the interventions used. As with client documentation in mental health counseling, documentation for supervision purposes "should be clear, concise, specific, germane to the supervision plan, and free from conjectures and value judgments" (Luepker, 2003, p. 106). Supervisory documentation for the fieldwork supervisor may include a supervision contract, learning goals for the

school counseling fieldwork student, supervision progress notes, and consent forms (Luepker, 2003). These records can be very helpful as they document the supervisee's learning needs, supervisory contracts, dates and contacts, goals, progress, promote quality care, reduce the risk of harm to students, as well as indicate whether supervisory interventions were appropriate (Luepker, 2003). School counseling supervisors have a responsibility to the counseling profession, supervisees, students, and the public to ensure that trainees understand the ethical and legal implications involved in documentation.

Confidentiality and Ethical Practice Regarding Counseling Records

The ASCA Ethical Standards specifically address the parameters of confidentiality of a school counselor's counseling records. School counseling sole possession notes can and should be kept separate from the educational records of each student. The Federal Education Rights and Privacy Act (FERPA, 1974), also known as the Buckley Act, was intended to establish confidentiality to safeguard students' educational records and information. This act allows parents access to their child's educational records and the right to determine what, when and with whom the data in these records is shared. Technically, parents own the privacy rights of their children in a school setting. (Stone, 2009).

On the other hand, FERPA stipulates that school counselor's notes are not educational records and are confidential as long as the school counselor can meet the designated criteria of what constitutes sole possession records. Criteria for counseling notes includes that they: serve only as a memory aid (e.g. recording what happened, when and why), are not accessible or shared verbally or written, are created solely by

the individual possessing them, and include only observations and professional opinions (Stone, 2009). As Stone (2009) states "we must write case notes through a different lens, recording only observations and professional opinions if we desire to meet the spirit of sole-possession records." (p. 150).

How can a counselor maintain the balance between abiding by legal and ethical codes and protecting the rights of minor children? The ASCA (2004) code of ethics provides counselors with a broad framework regarding confidentiality and minors. The ASCA (2004) code of ethics states, "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" (p, 1). In section A.1.a the code of ethics states that counselors have a primary obligation to the student. Documentation can assist the school counselor in ensuring compliance with ethical guidelines. Section A.1.d states that counselors have to inform minor clients about their rights in regard to the law, regulations and policies, and section A.2 discusses confidentiality regarding rights of students and parents. The ASCA code of ethics clearly states that a school counselor's primary obligation is to students (A1), yet school counselors are simultaneously responsible for collaborating with parents and informing parents of the confidential nature of a school counselor's role (B2). Given together, the standards create an "ethical tightrope" of sorts in which school counselors must find ways to communicate and collaborate effectively with parents while maintaining appropriate confidentiality that honors the student. Confidentiality applies to sole possession counseling notes, but not to formal educational records. Additionally, school counselors should also determine the unique factors regarding student privacy and

parental rights that exist within their particular state laws as these laws may vary from state to state. The complexity of these issues does not lend itself for a uniform explanation across all states and school districts. If counseling documentation is created that will be included in a student's educational record, school counselors may want to write them in a manner in which the counselor would feel comfortable having a student or parent read it. Comments should be brief and concise, documenting only needed observations.

Section A.2.e states that the professional school counselors, "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" (p.1). A professional school counselor must consider the potential ethical dilemma of storing documentation electronically. With the increasing use of technology, many school counselors may use computers to create, maintain, and store counseling records. Owen and Weikel (1999) conducted a state-level study that revealed that more than 65 percent of school counselors used their computer for record keeping purposes and more than 95 percent used their computer for word processing purposes. Elementary school counselors used their computers less than middle school and high school counselors and were less confident in their computer competencies. The authors speculated that this may be attributed to increased record keeping and scheduling requirements of middle and high school counselors. While this study was conducted a decade ago, due to the evolving role of technology in schools, it is only realistic to think that computer use for documentation has increased among school counselors.

The increasing use of electronic documentation can result in potential pitfalls to be considered. For example, school counselors must ensure that no other staff or students have access to counseling records that are stored on their computers. School counselors could keep confidential counseling records and other sensitive documents on a removable storage drive in a separate, secure location under lock and key. One element to consider and discuss with administration is that records kept in school may potentially be the property of the school (Merlone, 2005). Further, it may be beneficial to keep paper copies of documentation as backup in case of technology failure or glitches. The counselor is responsible to secure his or her documentation in a way that protects the privacy and confidentiality of the student.

Protection against Unethical and Harmful Treatment

Some primary ethical challenges when providing direct services to minors include counselor competence, minors' ability to give informed consent, confidentiality, and reporting child abuse (Lawrence & Robinson-Kurpius, 2000). Lawrence and Robinson-Kurpius (2000) discuss how to help protect counselors when working with minors and "keep accurate and objective records of all interactions and counseling sessions" (p. 135). They are careful to outline that even if a counselor keeps accurate and detailed documentation, risk is still involved when providing direct services to minors.

Confidentiality and the rights of minor children are not clearly outlined by the law, ethical codes, or societal norms which further compound the work of school counselors (Mitchell, Disque, & Robertson, 2002). School counselors are often involved in situations where they must walk a, "tightrope between being a professional helper and being an informant to parents" (Mitchell, Disque, & Robertson, 2002, p. 156).

Counselors must take multiple variables such as legal and ethical guidelines, parents' and minors' rights, competency and/or developmental age of the child, and the best interest of the child into consideration when dealing with decisions regarding confidentiality (Mitchell, Disque, & Robertson, 2002). School counselors must break confidentiality when abuse is suspected, if a student is deemed to be at risk for harm to self or others, or when required by law. Conflict often exists between parents having control of the legal rights of their children and the ASCA ethical codes extending confidentiality to all clients, including minors (Lawrence & Kurpius, 2000). The law generally does not extend confidentiality rights to children except when minors are receiving drug and alcohol treatment and in some states, situations involving "birth control, pregnancy, abortion, and testing for sexually transmitted diseases" (Mitchell, Disque, & Robertson, 2002, p. 157). If parents or guardians want access to information regarding their child's counseling experiences, the counselor is expected to give some kind of feedback to keep the parents/quardians informed, while not breaking a child's confidentiality unless necessary (Mitchell, Disque, & Robertson, 2002). School counselors must take care when using elements of their counseling notes to prepare written documentation of counseling sessions for parents. If counseling notes are subpoenaed (e.g., child custody case) and the counselor has used portions of them to prepare a previous report for a parent, the counseling notes in their entirety, including the parent report, have the potential to be used in court.

Conclusion

Documenting student contacts can seem overwhelming especially when there is little time in a school counselor's day to spend doing so. Utilizing strategies that help

minimize time spent in documenting interactions will, in turn, maximize time spent providing direct service to students. School counselors who set aside specific time each day to record important contacts and information regarding interventions provided, will benefit by having clear, organized counseling notes, as well as piece of mind if they are asked for such documentation. Although, unexpected events occur consistently in the work of a school counselor, having a time scheduled for documentation encourages the routine use of this practice.

Throughout the mental health field there is a mandate for documented, quantifiable descriptions of counseling related interactions to continually illustrate the effectiveness of counseling services. While this is standard procedure in mental health agencies, little has been published regarding documentation and record keeping for school counselors in school settings. This article has attempted to provide information regarding the importance, procedures, and benefits of documenting counseling related interactions in school settings. Documentation is a tool that can help school counselors, students, parents, administrators, and the community alike. School counselors can benefit when a formatted, planned, and organized record keeping system is developed and utilized. Until ASCA or state level guidelines are developed for the creation, organization, maintenance, storage, and destruction of counseling notes for school counselors, local protocols should be discussed and implemented at the school district level.

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