

NYS CASE
Consortium for Advancing
and Supporting Employment

NYS CASE: Youth Transition Services: Exploring Ethics

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NYS ED New York State
EDUCATION DEPARTMENT
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APSE Alliance for Proficiency
in Employment

**NEW YORK ALLIANCE FOR
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Learning Objectives

- Apply the CRCC Ethics Code and APSE Ethical Guidelines to supporting youth in transition
- Increase the understanding of how ethics are involved in key areas for youth, such as working with a team, the first work experience, and social media
- Explore the ethical considerations when soliciting “consent” or “assent” from youth with guardians
- Learn the Supported Decision Making Model



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Ethical Dilemmas

What situations have you noticed pose the greatest potential ethical dilemmas for youth/students?



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2017 CRCC Ethical Principles

- Autonomy
- Beneficence
- Fidelity
- Justice
- Nonmaleficence
- Veracity



[Commission on
Rehabilitation Counselor
Certification](#)



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APSE Ethical Guidelines

- Individuality
- Choice
- Respect
- Participation
- Competence
- Social inclusion



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Who is on the Transition Team?

- Youth/student
- Parents/guardians
- Other family
- Teachers/aides/school staff
- VR counselor
- Case manager/case worker
- Clinical supports
- Who else?



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Guidelines for Working within a Team

- A.3.e. SUPPORT NETWORK INVOLVEMENT. Rehabilitation counselors recognize that support by others may be important to clients. When appropriate and with consent from clients, rehabilitation counselors enlist the support and involvement of others (e.g., religious/spiritual/community leaders, family members, friends, legal guardians).



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Guidelines for Working within a Team

- Identification of specific roles
- Cooperative agreements if necessary
- Determine responsibility for resources
- Employment options
- Goals
- Prepare for disagreements
- Protect privacy and privileged communication



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The First Work Experience

- In planning the first work experience, what are the ethical considerations as it is being developed?
 - How much autonomy in the decision?
 - What information is shared?
 - Who are the team members and what are their roles?



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Consent – CRCC Code of Ethics

- SECTION B: CONFIDENTIALITY, PRIVILEGED COMMUNICATION, AND PRIVACY
- B.5. RESPONSIBILITY TO MINORS OR CLIENTS LACKING CAPACITY TO CONSENT
 - b. RESPONSIBILITY TO LEGAL GUARDIANS AND PARENTS. Rehabilitation counselors inform legal guardians, including parents who are legal guardians, about the role of rehabilitation counselors and the confidential nature of the services provided. Rehabilitation counselors are sensitive to the cultural diversity of families and work to establish, as appropriate, collaborative relationships with legal guardians to best serve clients.



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Consent – CRCC Code of Ethics

- SECTION B: CONFIDENTIALITY, PRIVILEGED COMMUNICATION, AND PRIVACY
- B.5. c. RELEASE OF CONFIDENTIAL INFORMATION. When working with minors or persons who lack the capacity to give voluntary informed consent to the release of confidential information, rehabilitation counselors obtain written permission from legal guardians or legal power of attorney to disclose the information. In cases where there is no legal guardian or legal power of attorney, rehabilitation counselors engage in an ethical decision-making process to determine appropriate action. In such instances, rehabilitation counselors inform clients consistent with their level of understanding and take culturally appropriate measures to safeguard client confidentiality.



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Consent

- Discuss the consequences of enforcing consent
- Strategies to manage consent
 - Encourage as much autonomy as possible
 - Seek mutual agreement
 - Reveal only essential information
 - Offer “dignity of risk” as a consideration
 - Prepare the youth/minimize surprises



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Assent – CRCC Code of Ethics

- A.3.d. INABILITY TO GIVE CONSENT. When counseling minors or persons who lack the capacity to give voluntary informed consent, rehabilitation counselors **seek the assent** of clients and include clients in decision-making as appropriate. Rehabilitation counselors recognize the need to **balance** the: (1) ethical rights of clients to make choices; (2) cognitive or legal capacity of clients to give consent or assent; and (3) legal rights and responsibilities of legal guardians, including parents who are legal guardians, or families (e.g., “next of kin” notification situations) to protect clients and make decisions on their behalf.



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Supported Decision Making Model

- “Supported decision making is a model for supporting people with disabilities, often cognitive disabilities, to make significant decisions and exercise their legal capacity. Specific decisions are addressed, weighed and concluded by the person with disability, while drawing on the support of:
 - a network of people; or
 - an individual.”
- The decision is made by the person in conjunction with their support circle.



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Social Media for Youth with Disabilities

- Advantages
 - Social skills
 - Independence and self-expression
 - Digital competence
 - Educational dev
 - Research
 - Integration/community participation
- Risks
 - Privacy violations
 - Bullying
 - Permanency
 - Disclosure
 - Dual relationships
 - Further isolation and loneliness



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From IEP to IPE Meetings

- What ethical concerns should be attended to?
 - Clarifications of roles
 - Informed consent
 - Confidentiality and minimal disclosure
- What about if there is a disagreement regarding the goal or who's on the team?
- Decision making continuum – Increasing the control and responsibility to the youth gradually over time



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Scenario

- 18 year old, male who is under the legal guardianship of his parents
- Youth has mixed feelings about competitive work after a prior job was lost due to an absence related to his disability; he chose to leave
- Father has a friend with a business who is inviting the youth to volunteer part time
- Father is encouraging his son; mother is against it
- Youth is looking to you to help him decide



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Ethical Decision Making Model

- Identify the problem or dilemma
- Identify the potential issues involved
- Review the relevant ethical codes
- Know the applicable laws and regulations
- Obtain consultation
- Consider possible and probable courses of action
- Enumerate the consequences of various decisions.
- Decide on what appears to be the best course of action

(Corey, Corey & Haynes)



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Thank You!

To get credit towards your Supported Employment Provider Certificate from NYS CASE for this course, you will need to fill out your evaluation email from noreply@nyscase.org

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