

# **Pre-Employment Transition Services and Working with Youth: Some Ethical Considerations Transcript**

ROBERT FROEHLICH: Hello, everyone, and welcome to Pre-Employment Transition Services and Working with Youth-- Some Ethical Considerations. This webinar is brought to you by the Center for Innovative Training in Vocational Rehabilitation and the NTACT:C, The Collaborative, The National Technical Assistance Center on Transition. Nichole and I are so happy that you have joined us today, and we also would like for you to know-- next slide-- that these materials and the content of this presentation was developed under the two grants that I just mentioned from the Department of Education, the Innovative Rehabilitation Training Program, and the US Department of Education Office of Special Education and Rehabilitation Services, and the Rehabilitation Services Administration.

But it's important for us, as with any webinar from a grant-funded project, it's important for us to say, "The opinions expressed here and do not necessarily reflect the position or policy of the US Department of Education nor does the mention of trade names, commercial products, or organizations imply any endorsement by the US Department of Education."

But what you really want to hear-- let's go to the next slide-- are the objectives for today. And so when we put this together, what we were thinking is that the overall objectives of the presentation would be to provide tools and resources to professionals supporting students and youth with disabilities in receiving pre-employment transition services. And so that is a monumental task, dealing with many, many, many students and youth. And we do hope that you're going to come away with some helpful conceptualizations and strategies for doing the very important work that you do.

So upon being here and attending, you will be able to conceptualize and discuss topics as they pertain to multicultural concerns and ethics, as well as some general ethical considerations pertaining to pre-employment transition services. So let's go to the next slide too.

And a very fair question that you might ask or might be thinking is, this is wonderful. You've put together this presentation, but why are you the people that are talking about this? What about you makes you informed about the topic? So sometimes it's awkward to introduce yourself.

So we're going to introduce each other. And I have with me today Dr. Nichole Tichy. And Nichole is a valued member of both the CIT-VR and NTACT:C teams, providing training and technical assistance and guidance throughout the country.

She has a background in vocational rehabilitation, having been a VR counselor and also having worked in community rehabilitation programs, but most specifically providing pre-employment transition services. So this is the field, and the area, and the specialization in which Nichole is most expert. She's a certified rehabilitation counselor. And beyond that, Nichole has instructed multiple online or on-campus courses pertaining to our topics today, is a member currently of the Commission for Rehabilitation Counselor Certification Ethics Committee, and has been involved in multiple publications pertaining to and related to our topics today. So we're really fortunate to have Nichole with us today.

NICHOLE TICHY: Thanks, Dr. Froehlich. It also feels a little awkward being the person that's introduced because you're hearing all of these wonderful, nice things being said about you. So thank you. I appreciate that.

Now, I have the pleasure of introducing not only my colleague, but my friend and mentor, Dr. Rob Froehlich. Dr. Rob Froehlich has extensive experience in both vocational rehabilitation and mental health counseling, is a certified rehabilitation counselor and a licensed professional counselor, which comes in handy when developing and participating in these types of trainings, but also when providing technical assistance to a variety of states as a member of the NTACT:C. And so his knowledge and expertise is very much appreciated.

In terms of some of his outside things-- because he's a very busy person-- Dr. Rob Froehlich was the lead author in a number of publications relevant to the new edition of the code of ethics, specifically focused on ethical decision making and technology. He also instructs the online ethics courses in addition to a number of courses on campus, such as Practicum that, as developing counselors, it's really important to make sure we're infusing the code of ethics. And he was also the Former Chair of the CRCC Ethics Committee, where he was largely tasked with leading the code revision. And so today, we have the pleasure of bringing in some of those experiences and knowledge that he has shared.

ROBERT FROEHLICH: Thanks so much for the kind words, Nichole. Let's start talking a little bit about our topic for today. And I did have the good fortune of being on the Code Revision Task Force, which was a fascinating opportunity.

Dr. Trent Langdon from Utah was the Chair of the Revision Task. Force. But what is important for you to think about is this new 2023 revision of the CRC Code of Ethics. And when we talk about codes, I'm of two minds with this, and I think it's important for us to think about both of these areas.

A code is a huge abstraction. It represents absolutely everything that can happen in a field. It's an abstraction, but it's also a tangible tool that can be used for decision making.

I think it's important to set the tone, also. The code of ethics is not about a gotcha kind of thing, like I got you doing something wrong. That's not the intent of it at all.

None of us is perfect, and none of us does what's the correct thing all of the time. But what the code does is it provides a baseline for expectation that clients should have when working with a rehabilitation counselor. So it sets that baseline, and we're going to talk about what does that baseline look like current day, and what things have changed? [CLEARS THROAT] Pardon me.

Nichole did mention that there is a special edition of the Rehabilitation Counseling Bulletin, volume 66, number 4, that coincided with the release of the Revised Code of Ethics. And this includes articles looking at embracing the future and the updated code, looking at what are dilemmas that current CRCs reported in their practice of providing rehabilitation services? Technological beliefs and behaviors of CRCs during the COVID-19 pandemic, implications for defining and protecting the counselor-client relationship, technology, and social media, and distance counseling, also articles on multicolor considerations, advocacy and accessibility across the revised code, supervision and ethics, forensic and business ethics, and finally, using the revised CRC Code of Ethics as a tool for resolving ethical dilemmas.

So I do encourage you all to take a look at those articles as they describe and highlight things that counselors or rehabilitation professionals, much like yourselves, should be considering regarding what those revisions to the task force were. And we're a little bit biased because Nichole and I were involved on a number of those teams. So we do think that they provide good information, but you be the judge of that as well. So let's move on.

If somebody was to say to me, hey, Rob, what is the biggest change that is brought forth by the revisions to leading to the 2023 Code of Ethics, I would say, without a doubt, section D, Multicultural Concerns, is the section that brings important information for counselors to consider as they move forward in our dynamic and fast-moving field of vocational rehabilitation and pre-employment transition services.

So let's do something a little different here. Dr. Tichy is going to read out a case scenario that we've developed that we think very much relates to and highlights both multicultural concerns and pre-employment transition services. So we're going to share that with you now. Dr. Tichy is going to read it out, and we want you to think about, as we're going through and talking about the other topics, how does this scenario relate to the topics that we're talking about? We'll come back, and we'll process. But, Dr. Tichy, would you mind sharing this with us?

NICHOLE TICHY: Not at all. I'm happy to. So our scenario is about MJ, who is a 17-year-old, non-binary pronouns-- they/them-- biracial client that you have recently begun working with as a VR counselor. MJ is a high school junior on a standard diploma track, and many of the pre-employment transition services are appropriate for them at this stage of development, including career exploration, work-based learning experiences, exploration of education and training programs post-high school, workplace readiness, training, and instruction and self-advocacy.

MJ has been diagnosed with ADHD, and this is the reason they have been referred to you. They have been prescribed Adderall and mostly take it as prescribed, but sometimes feel the medication is changing who they are. They also see a regular therapist for enhancing executive functioning skills and to address issues pertaining to intersecting identities. MJ has strong academic potential, as evidenced by their grades, but is apathetic regarding the idea of college and is equally apathetic about career options. MJ feels like the deck is stacked against all young people, feels that those in government are corrupt and exploitive, and doesn't understand why they should even try, as there is no way a young person in this economy can ever expect to own their own home or realize the American dream.

MJ has requested that you refer to them as MJ and not Maggie, the name that their parents still use in reference to them. MJ's parents have phoned and sent texts or emails indicating the only option they want you to pursue for their child is to find information and options regarding an undergraduate degree in business, which MJ, on multiple occasions, has indicated is of no interest to them. When they do reach out, they refer to your client as Maggie. MJ is interested in podcasting and in advocacy issues pertaining to non-binary issues and minoritized identities. They have an online social support network, but feel disenfranchised from their school community and view it as an institution operating and promoting oppression.

ROBERT FROEHLICH: So thanks, Nichole. So as we're going through, I want you all to be thinking about, what kind of ethical dilemmas do you feel are present for you, the counselor, in this scenario? And what suggestions do you have for working with MJ? And what kind of guidance can you gather from the CRCC Code of Ethics?

So let's talk a little bit about some of those areas pertaining to guidance for this scenario, but not just this scenario, overall too. So let's go to the next slide. So Section D, as I mentioned, is an entirely new section, building on topics and considerations that were always infused throughout the entirety of the Code.

So for many, many different editions of the Code, we had the opportunity to go back and review a basic code of ethics for rehabilitation counselors dates way back to, I believe, it was 1973, but it really was a one-page document that has changed over the course of time. But over that course of time, multicultural concerns have been addressed and highlighted throughout the Code, but in particular sections.

So as things pertain to section A, looking at the roles and relationships and client and counselor, there were areas that would address that. In terms of assessment, there would be areas within there. In terms of all the various different sections of the Code, there were parts that looked at multicultural concerns.

But when we as a revision task force looked, there were still some major areas that needed filling in, and it felt like the articulation of those areas would be best served in a particular area to articulate what those needs were. So Section D evolved out of that process that I just mentioned. And I think it's really important when we're thinking about multicultural considerations and concerns that some of the statements in the introduction to that area help provide some context about that section.

So what the Code says is, "This section features the attitudes and behaviors of multicultural, competent counselors who maintain an awareness of self and others. Furthermore, the section describes the ethical responsibility of counselors or rehabilitation professionals to exhibit cultural knowledge and skills aligned with the core values of the profession."

So it's two things. It's one, the person, the counselor, and the profession. And how do the person, counselor, and the profession come together to collaborate with the consumer or client of services for the best rehabilitation outcomes? So that's our starting point. But let's move forward to the next slide.

And what we're going to do is provide an overview of the structure of Section D and the newly added Multicultural Concerns section. But as we review, start thinking about, which of these sections has relevant relevance to the scenario with MJ and potentially why? And I'm going to share some of those with you as well. Let's move forward.

OK. So the very first section of section D looks at strengthening the multicultural relationship. So for this area, it's really important, I believe, for us to think about whenever I'm talking with counselors and whatever training setting or in whatever course that I'm instructing, one of the very first premises that's important to consider is that any counseling is multicultural in nature.

Each one of us is so individualized that even if we have commonalities on some demographic or categorical variables, we experience those demographic or categorical variables entirely different than someone else who experiences those demographic and categorical variables. So the very first area looking at effective multicultural counseling is establishing constructive, multicultural counseling relationships.

And this section looks at the consideration that counselors are expected to be aware that professional relationships may be impacted by cultural differences that exist between the counselor and the client, including, but not limited to, some protected identities. So if I were thinking about that particular area, and I'm thinking about working with MJ, I'm going to be thinking about, what differs between MJ and the counselor, if I'm the counselor? And how does that have the potential to impact the services that I provide?

Those are some basic thoughts and questions that are essential in moving forward. What are the differences? And how can they impact services?

So the subsection B looks at the impact of client intersectionality and identity. None of us is one categorical variable. We are all the combination of the experiences that we've had-- good, bad, or indifferent-- the culture that we identify with, or that we were raised with, or that we're most familiar with. We are a product of the interaction between the environment and those categorical variables that we all represent to differing levels of importance or differing levels of meaning to us.

So when working with MJ, we're going to be thinking about, what identities are important to MJ? How does MJ define MJ? And how do we then look at the match between the rehabilitation environment and the way that MJ defines themself?

The next area is the awareness of client worldview. And this does include-- so older versions of the Code always talked about not implying your own values in the situation. This goes a little bit further.

Values are a part of our worldview, but our worldview is so much more collective and broad than just our values. So this looks at the area that counselors are aware of their own cultural background, experiences, and sociopolitical position in relation to some important topics, like power, privilege, and oppression. And they're aware of that for themselves, but also in relation to the client or client communities.

Counselors, the Code goes on to say, are expected to prevent biases from interfering with the counseling process. And they are to prioritize the client's lived experiences and protected identities to best select culturally sensitive intervention strategies to increase their overall effectiveness. So in this area, we're going to look at, what is MJ's worldview? And the lens that we're looking at what is MJ's worldview from is not from a, hey, I'm going to tell you about the world, and let me instruct you about it. It is not that at all. It's inquiring, how does MJ see the world? What do they believe? And why?

Moving further on all of these, they move down to-- there's a logic to them-- looks at interventions. And this area speaks about counselors using, developing, or adapting interventions and services that consider the client's cultural perspectives. And they recognize barriers external to clients that may impact effective rehabilitation outcomes.

If we think about the concept, and this is a very rehabilitation-related concept, if we think about the concept of universal design, universal design's premise is that the barrier exists within the environment, not within the person. I think this is a very relevant conceptualization, and I use that as an instructional methodology there because the universal design concepts are infused throughout rehabilitation, as should be culturally impactful and relevant interventions. So that's the first portion of section D.

Let's look at section D.2. And fortunately, you can only see my face and not the many piles of information that I have strewn around my desk. That's one nice thing about Zoom, is you only get to see so much as I'm going through.

But let's talk about D.2, avoiding. Harm and Value Imposition. This is an expansion of what I had been talking about before. And the very first part looks at avoiding harmful multicultural service provision.

So this looks at counselors recognizing that personal values and dispositions-- which include attitudes, beliefs, stereotypes, behaviors-- have the potential to impact interactions with diverse client populations. Counselors do not impose their values and dispositions on clients, and they recognize that prejudice is antithetical to the rehabilitation counseling philosophy and profession. So that's a lot of information for us to process, but it is holding us accountable for thinking about, what's our role in the process? And how does it align with the objectives of our profession and of what we are charged to do when working with the clients that we have the good fortune to work with?

So in terms of thinking about MJ, a question for me to think about is, what values do I bring that might negatively impact my work with MJ? And am I imposing my values on MJ? Moving further, the Code looks at avoiding microaggressions. And microaggressions are small comments that may be intentional, may not be intentional, but are not informed and make people feel, for some reason, less than or impacted in a negative type of a way. So counselors recognize that microaggressions have historically occurred against marginalized individuals as well as against individuals with disabilities.

Counselors treat all people with dignity and respect. They're expected to be aware of and avoid microaggressions that potentially disrupt the efficacy of the counseling relationship and communicate negative attitudes. I believe-- yes, a couple of the resources included on this slide are videos that we find to be helpful. One is on eliminating microaggressions, and one is considering the impact of microaggressions in therapy or in counseling.

So we hyperlinked them. I had to think of the word. We hyperlinked them because we thought they may be of interest to you as well.

Moving further in the Code, implicit bias is the concept that counselors recognize that implicit biases can influence service conditions for clients and contribute to institutional inequalities and structural barriers to service delivery. So being able to think about what biases may be present and how they might impact the client is important as well. Let's move on to section D.3.

And section D.3 looks at our own, as the counselor, personal awareness of our cultural identity. And they understand that the impact of their own cultural background can have a relationship to the working alliance and are charged with maintaining cultural competence. None of us is an expert on every culture, but it is important for us to be open to and understanding of difference and differences.

Anti-racism was an area added, speaking that counselors are expected to understand that anti-racism is foundational to the efficacy of a counseling relationship. Councilors do not exhibit racist attitudes and behaviors. They seek diverse perspectives and work to challenge policies and practices that maintain the oppression of marginalized racial groups. When possible, they create change to allow full adherence to the Code. So anti-racism is important.

Social justice, particularly relative to, what's the client's understanding of and investment in social justice? What does that look like to the client? Counselors are expected to understand the client's personal experience, cultural background, and awareness of and personal commitment to social justice. So this is not about the counselor and social justice. It is about understanding the topic as it pertains to their client and their client's understanding of it.

Cultural humility is just exactly what that sounds like. Cultural humility is recognizing that I have a worldview, but my worldview is not necessarily better and different. It's just different. My worldview is my worldview. My client's worldview is my client's worldview, and that they're not hierarchical, and that I have the humility to be able to say, there are different ways to look at the world than just the way that I do.

Avoiding discrimination has a lot of overlap with the anti-racism area, but counselors do not engage in any activity deemed oppressive, including, but not limited to, all the isms-- ableism, racism, nativism, classism, sexism, heterosexism, and cisgenderism. And I also jumped out of order from the slide. And let me go back and highlight the importance of use of affirming language.

Counselors recognize the evolving nature of language related to identity. CRCs use sensitive and affirming language that is aligned with the client's preferences. We've been talking about a number of topics on this slide, as we're going through that, when we process the MJ case scenario, have a direct and important link to the provision of counseling services in that scenario.

And then section D.3 G looks at serving religious cultures and that this area speaks to counselors building a working alliance based on understanding, respect, and support for their client's spiritual and religious beliefs or absence of beliefs. And that's a really important way for it to be phrased because, in my work, both in rehabilitation but in therapy overall, for some people, spirituality and religion is of the utmost importance. So we're going to talk about it, and we're going to focus on it.

For some people, it's exactly the opposite. And they're like, absolutely not. We're not spending any time talking on that. And that's OK, too. But the Code is written in a way that embraces this could be important, or it may not be. So that's an important thing for us to consider.

One more slide looks at diversity, equity, and belonging in coworker relationships. So we don't live in just a vacuum of providing services to people. We also work in agencies, and organizations, and teams. And this looks at promoting diversity, equity, and belonging in the professional setting, maintaining and enhancing inclusive work environments to avoid negative indirect influences on client outcomes, fostering good working relationships by promoting trust, respect, self-awareness, open communication, and commitment to minimizing barriers to opportunity for diverse colleagues.

So I think we're to the point now where we're going to go back. Am I right, Dr. Tichy? We're going to look at-- before moving on-- what kind of ethical dilemmas do you feel are present for the counselor in this scenario? What suggestions are there for working with MJ? And what guidance can you gather from the CRC Code of Ethics? Dr. Tichy, I feel like I've been talking a long time, so I'd love to hear some of your thoughts on MJ and these questions.

NICHOLE TICHY: Sure thing. I'm actually going to jump back to our scenario so that I can start to pull some specifics while thinking about some of the questions. Definitely, as you were going through the different sections of the code, I will say that the one thing that really stood out to me in terms of ethical considerations, but also things to consider or suggestions for working with MJ-- the one thing that specifically stood out to me when you were talking about section D.1, strengthening that relationship, my mind immediately went to the multicultural and social justice competencies, which look at the different identities of not only the counselor, but of the client.

So as you were talking and mentioning that we aren't just one categorical variable, we have multiples, we have multiple privileged identities. We have multiple marginalized identities. And our clients have the same thing. So I'm thinking about MJ as a 17-year-old, nonbinary, biracial client and then me as-- I'm not going to say my age, but I'll disclose that I'm a millennial, but I'm a white female, and I use the pronouns she/her.

So even in just that identification and disclosure of my categorical variables, there are some differences. And while I might have some of the same views as MJ in terms of there's no way for a young person to expect to own their own home-- that's the quote/unquote, "millennial thing" or "millennial belief--" it's important for me as the counselor to not monopolize that, oh, I have the same belief. It's important for me to take the time to explore MJ's perspective.

Yes, I have my own individual perspective on what that looks like, but I'm not the focus of the therapy session. MJ is. And so I think it's really important-- and we'll probably talk about this a little bit later-- but they value imposition and avoiding value imposition. And you talked a lot about this when thinking about our own personal values and our own personal beliefs and how those can show up in the relationship. And so as you were talking and as you were going through all of these things, that's what was coming up for me. What are your thoughts?

ROBERT FROEHLICH: That's really helpful information. Yeah, the generational diversity piece jumped out too. That's something that I definitely noted. And again, it's not about, hey, changing MJ's perspective. It's more about finding out, where was that information gathered from? Why do they feel that way? To me, one of the really big, important pieces of providing rehabilitation services is an underlying premise of hope.

And so whenever I hear anything that is in direct opposition to that hope, I'm not going to try to force hope down somebody's throat. But I'm going to try to figure, how can I address that need? And what might be some things? Particularly for you all in educational and vocational rehabilitation settings, you have access to a lot of life-changing opportunities for people who can become hopeful. So that's something that jumped out.

A big thing that jumps out to me, too, is-- and I know, in vocational rehabilitation, we're not here about family counseling, but we can also have an impact when we are working with individuals to find out a little bit more about, first off, why is there only one option in the minds of parents? And I know that can be a really challenging thing.

But there's another opportunity for expansion and discussion if you can find out where that comes from. And if you can find a way to maybe-- maybe there's somewhere in between because MJ is interested in podcasting and advocacy. And maybe there's a little bit of-- there's a business perspective that's necessary. That's not saying that the only thing we're going to do is an undergraduate degree in business. But maybe there's a little way to bridge that together.

And also, MJ's parents-- and we're going to talk a little bit about things being ethical, legal, legal, ethical, and that interplay in a bit. And I know some of you may be in settings where preferred pronouns may take on a different meaning. So I'm not burying my head in the sand on that. But I do want to say, as a counselor, me, looking at this, is, how can I have some sort of an impact on this discussion with this family?

It may not be profound, but it feels like that's something that jumps off the page to me, too, as does maybe a need for enhancing the fund of vocational knowledge that MJ has. And MJ has some ideas, but MJ's 17. And so being able to embrace youthful exuberance, passion about topics, and enhancing the vocational fund of knowledge would be something that I would very much, in this scenario, be thinking about.

An important thing when we talk about legality, and ethicality, and whatnot, MJ-- now if MJ were 18, that's different. But MJ's 17, so that has some legal implications and some thoughts as well that maybe makes this less of an easier scenario just because of that one variable there as well.

I would also, along the lines of hope, and change, and discussions in that area, something within MJ has-- not something within MJ. But MJ has experienced something very negatively in their school community and in their community in general, likely relating to many of the intersecting identities that we've talked about. But I would want to circle back and think about that high school community and the interplay and impact it is having on MJ and what kind of ways could there be interventions that could be helpful as well, both from the environment and in terms of MJ's experiencing of the environment. So those are some really big things that jump out.

And I do think we've talked a little bit about guidance from the Code, suggestions for working with MJ specifically, and some of the dilemmas that are present that many of you-- I love webinars, and they're a great opportunity for people to gather information and exchange. I do wish that we had a chat box going, like, let's have some other thoughts, because I bet there would be some great ones too. So I do encourage you maybe use this with some of your colleagues to have some conversations or use even a portion of this to generate some discussion. But I believe that-- Dr. Tichy, anything else before we move on to our next topic?

NICHOLE TICHY: I just wanted to say that that's a really good idea. I really like that suggestion that you just provided in terms of being able to take this with your team and figure out, OK, as an office, or as a group, what are some of the things that might be different than what we have provided that also come up? I will say--

ROBERT FROEHLICH: You're also all experts in your own particular spaces, right? So we're doing this on a broad scale, hopefully getting participation from throughout the country. But as a team, you're all able to understand, yes, this is something that can happen in this environment. you. Know what I mean? You're experts, so take that expertise, too, and superimpose that on our topic. And I cut you off. Sorry, Dr. Tichy.

NICHOLE TICHY: No, it's completely fine. I was just going to say that MJ's not going away. We definitely have some more things to talk about in terms of potential ethical dilemmas when it comes to this specific scenario. And I believe that you touched on some of them in terms of the family.

So I'm actually going to start moving into talking about our pre-employment transition services and working with youth because one of the major components in terms of ethical dilemmas and potential ethical considerations, is really this idea of working with multiple clients, especially if somebody is under the age of 18. And in a little bit-- I'm really jumping ahead of myself because I think I'm getting a little too excited about this topic. But there really are ethical and legal implications when it comes to working with students and youth because of that age and that age limitation.

And so many students who are under the age of 18 really depend on their parents to make those legal decisions for them. But as the counselor, you also have a responsibility to your client. And again, the Code serves as not necessarily a do this, do that, don't do this. It's more of a guide to be able to help make informed decisions about how you approach these type of scenarios.

But before we get into the Code, just some brief, high-level discussion on, what are pre-employment transition services? So there are five required activities-- job exploration, counseling, work-based learning experiences, counseling on post-secondary education opportunities, workplace readiness, training, instruction in self-advocacy. So these were implemented as part of the WIOA in 2014. And each state agency, each organization, implements things differently. But that piece of legislation provides specific guidance in terms of what each of these five required activities looks like and what activities or what interventions are related to or qualify as each of these five required activities.

But in addition to the five required, there's also the four coordination activities which work to help support working with students and youth. One of the most common coordination activities is attending IEP meetings to be able to establish that relationship with the youth and be able to explore some of the education components because both VR agencies and schools are required to provide transition services. And VR specifically provides pre-employment transition services. And so it's really important to be able to have that collaboration in order to best support the student as they're moving through high school and then exiting into that world of work.

The National Technical Assistance Center on Transition, The Collaborative, has a lot of really great information on the provision of pre-employment transition services, including new resources regarding the continuum of services. So if you're new to providing projects or are wanting more of a refresher, I highly encourage you checking out those resources.

But when working and considering relationships for students and youth, you're more than just being a VR counselor. You take on these multiple identities. And thinking about MJ and some of their experiences in terms of feeling disenfranchised at school, this is when you're more than the counselor. You become an ally, the advocate, a trusted confidant, somebody that an individual-- a student or a youth-- can trust to be able to share information and share concerns because oftentimes, many youth are afraid to share some of their concerns for further feeling of feeling disenfranchised or experiencing judgment. So being able to create that safe space for youth can really help to open them up and further enhance that counseling relationship.

I'm wondering-- and this is also based on some of my own experiences and working with students and youth that when asking specific questions without really getting to know the youth, some of the responses are simple yes/no, or OK, or that's fine. But then when you switch the narrative a little bit and show a bit more investment in some of their particular interests, particular experiences, they open up a little bit more, and then you can start getting more information. That's that active listener. You're providing the youth a source of validation to then be able to feel comfortable in sharing some of their experiences.

This is just an article for your review-- "The Ethical Considerations for Working with Transition-Aged Youth and Students with Disabilities Given the Implications of the WIOA." And I highlight this article specifically because there is no one section of the Code that specifically pertains to working with adolescents and youth. And so that article that was previously mentioned really highlights specific sections that are relevant to working with students and youth. And then what we're going to do is just talk about some of those sections and pull out some key pieces that might be relevant and then tie that back to MJ.

So specifically, we're going to talk about section A, which is focused on the counseling relationship; section B, which focuses on confidentiality, privileged communication, and privacy; section F, relationships with other professionals and employers; and then finally, section K, which is technology, social media, and virtual counseling.

So first, I'm going to talk about section A, the counseling relationship. Above all, section A.1.a, the very first piece of the Code, "The primary responsibility of CRCs is to respect the dignity of clients and promote their welfare." I think that is one of the most important sections of the Code because as a profession, it is our responsibility to promote the welfare of individuals with disabilities, to promote inclusion, to advocate for accessibility. And so by doing that and by using the Code of Ethics as a guideline, we enhance that counseling relationship. But also, within that counseling relationship, we recognize that there are different dynamics.

Being a counselor, there's a level of privilege, right? We are often viewed as the experts, or we often try to take on that role of being the expert. But at the same time, by taking on that role, it creates a power differential within that relationship, creating a hesitance or a resistance of many clients to be able to freely express themselves for fear of judgment. So like what Dr. Froehlich was talking about earlier and recognizing and understanding our worldviews, our values, and how that impacts this counseling relationship is going to be very important.

One of the other significant components in terms of acknowledging the counseling relationship-- and this particularly applies to MJ and their relationship with their parents. So "When CRCs agree to provide services to two or more persons who have a relationship-- such as a husband and wife, siblings, parent/child-- CRCs clarify at the outset which person is, or which persons are, to be served and the nature of the relationship with each person."

So in thinking back to the relationship that MJ has with their parents, MJ is the identified client. They are the ones coming to you seeking services to support their transition from high school to the world of work, whatever that might look like. As part of the initial referral, you're providing them with pre-employment transition services. Their parents have agreed to the provision of those services. However, there is a level of incongruence when it comes to the provision of those services from the perspective of the parents.

As part of that relationship, the parents have sent phone calls, they have sent texts, emails regarding their perspective of what they want for their child without considering what MJ wants for themselves. And so as part of that initial relationship, it's really important to clarify who is being served in terms of the vocational counseling relationship. So MJ is the client, and it is really important to have that kind of communication with the parents and letting them know that MJ is the client and that you as the counselor do respect their input, their guidance, but that it's really important for you as the professional to develop that counseling relationship with MJ.

And so when this occurs, "CRCs are often called upon to perform potentially conflicting roles, and CRCs clarify, adjust, or withdraw from roles appropriately." So this comes into having potentially difficult conversations with both MJ and their parents. But not only that in terms of the counseling relationship, we're also thinking about MJ's preferred pronouns and their preferred name. Their preferred name is MJ, not Maggie, which is something that their parents call them.

And so when we get into topics like this, we start to talk about the impact of the sociopolitical climate. And this is when we get into the difference between ethical and legal. What are examples of something that might be illegal, but it's ethical, or something that might even be illegal, but it's considered ethical? And so many, many states-- and Dr. Froehlich and I have been bear witnesses to this in terms of working with many state agencies and not being able to talk about certain topics.

There are legal consequences for certain actions or the discussion of certain topics. Laws are created by elected officials and have specific consequences. And ethics are created by professionals within the field, which also have some specific consequences. But it becomes really crucial to understand that ethical behavior and legal actions can vary across different cultures, societies, and legal systems.

Here are some examples of potential actions that may be considered ethical by some individuals, but are illegal in certain jurisdictions-- providing health care services to undocumented immigrants who do not have access to health care, using marijuana for medicinal purposes in countries or states where it is illegal, assisting someone who wants to end their own life in a country where assisted suicide is illegal.

And so the Code, as we've mentioned before, is best used as a guide for best practices, but it cannot supersede law. And so this is where it becomes really important-- and I'll turn it over to Dr. Froehlich for a second-- to talk about some of our ethical principles and how those guide our decision making and how those can help us navigate some of those really difficult scenarios that tear us apart, where we want to do what's legal and ethical, but how do we make those decisions to make sure that we're promoting the welfare of our clients, to make sure that we're not causing harm?

ROBERT FROEHLICH: All right. So these are very complex topics. So much in the realm of ethical decision making exists in the gray.

It's not typically the black and the white. But what is important to think about is there's no code of ethics that's going to say, do illegal things. There's not going to be anything that's going to be codified that says, break the law, because, in essence, your code of ethics, you're talking about enhancing a profession, or a discipline, or services.

But what I do want to say is that I know vocational rehabilitation agencies have been staunch advocates for looking at, what is the philosophy behind the field? And what are the best practices that can be delivered that looks at the philosophy behind the field? And so much of our Code-- so that the underlying structure of the Code is these very six principles of ethical behavior. When we're making decisions and when we're thinking about how to deliver services, it is essential to be able to think about autonomy.

Am I respecting the rights of the client to be self-governing within their social and cultural framework? Am I upholding the principle of beneficence to do good to others, to promote the wellbeing of others? Am I upholding fidelity, to be faithful, to keep promises, and honor the trust that's placed in us as councilors? To be fair, using the ethical principle of justice, fair in the treatment of all clients, to provide appropriate services to all.

Am I avoiding doing harm to anyone-- or my favorite ethical term of all times, nonmaleficence? Am I doing no harm? And then the final ethical principle of veracity-- am I being honest and truthful?

These are the foundations of all that we do. So when there are policies, or procedures, or situations that arise, these are the good ethical tests of, am I moving forward as an ethical counselor? And when we think about the scenario with MJ and we think about how these six principles of ethical behavior apply, each one of them is essential in providing the best services to MJ, to work with MJ to move forward along their life path and along their career path as well. It's not so easy or simple, and neither Dr. Tichy or I would sit here and say, hey, you do this, do that.

It's more about consultation. It's more about discussion. It's more about thinking about, what are the options, choosing some options, and seeing how they align with the Code of Ethics. So I wish I had an easier statement or canned phrase, but I think using these principles to guide the work that you do can be of great assistance.

NICHOLE TICHY: And I will say, I would definitely agree with that when teaching ethics to graduate-level students, and they'll bring up a dilemma. Well, what would you do in this scenario? Well, it depends.

And so many times, they get really frustrated with that as a response because, to your point, the ethical dilemmas and the Code of Ethics-- it's not black and white. There are so many different components that come into play when exploring ethical dilemmas and applying the code. And so I think you make a really great point about how these ethical principles serve as that North Star, if you will, to help make sure that decision making is going on the right path. My go-to is also the non-maleficence, to, above all, do no harm to others. So I just wanted to echo that.

ROBERT FROEHLICH: Yeah, and I couldn't agree more with you. Students and also professionals, when we're out doing training, we do frequently say, it depends. And that is not a very satisfying answer to many people. But really, it depends.

NICHOLE TICHY: It does. And I think it highlights the importance of becoming familiar with the Code, but also adopting an ethical decision-making model for yourself as a professional to be able to help guide you through any kind of ethical dilemma that you might be facing and to be able to have conversations with other professionals and ask questions to be able to gather as much information as possible.

Speaking of information, another one of the sections of the Code that is specific-- not necessarily specific, but is relatable to working with students and youth is section B, which focuses on confidentiality, privileged communication, and privacy. All clients-- I'm going to say this again-- all clients have a right to have their information kept confidential. This is also relating to maintaining that counseling relationship.

Many times, counseling relationships are built on a foundation of trust. And so it's really important to make sure that you're having conversations with clients about not only their right to have their information kept confidential, but there are limitations to that confidentiality. And so it's really important to be able to have those open and honest conversations with your clients.

But specific to working with students and youth is section B.5, Responsibility to Clients Lacking Capacity to Consent. Specifically, I'm going to focus on A and B. So section B.5.a is "Responsibility to Clients-- When counseling minors or persons who are unable to give consent, voluntarily assent is sought. CRCs protect the confidentiality of information received in the counseling relationship in any format, as specified by law, written policies, and applicable ethical standards."

So here's that interplay between ethics and law. It's really important to really understand your state's guidance in terms of age of consent. Different states have different ages. The majority of states use the age of 18.

But in some states, it's 17. Some, it's 19. So it's really important that you find out or that you know what the age of majority is in your state and then what are any potential limitations when it comes to that and any other specifications when it comes to obtaining consent from your clients.

Section B.5.a, "Responsibility to Legal Guardians and Parents-- CRCs inform legal guardians, including parents who are legal guardians." And this applies to individuals who may be above the age of 18 but require or have a legal guardian-- "about the role of CRCs and the confidential nature of the services provided, as consistent with current legal and custodial arrangements. CRCs are sensitive to the diversity of families and respect the inherent rights and responsibilities of parents and guardians regarding the welfare of their children/dependents according to the law. CRCs work to establish, as appropriate, collaborative relationships with legal guardians to best serve their clients."

So the important part here is to think about respecting and developing trust with your client, but you're also developing and respecting the legal guardians and parents within that relationship. So it becomes this delicate dance between figuring out what information is absolutely necessary for the legal guardians and parents to have in terms of the provision of services while also protecting the confidential information that your client, the student or youth, has shared with you in that relationship. It can be very difficult to walk that fine line to make sure that both parties are informed while trust is also being maintained.

So something to think about as you're continuing to watch this or if you're moving forward, but how do you navigate between building and keeping trust with your minor client while also communicating information to parents? Dr. Froehlich, I'm actually going to pose this question to you. I'm thinking about a question that one of my students a few months ago posed in one of our ethics classes, talking about, To what degree do you give information? Or what degree do you disclose information to parents and guardians without breaking the trust of the person who is identified as a client?

So the example that was given was, there's a minor client who discloses that they-- we can even use MJ-- that they want to use they/them pronouns, but they have not disclosed that to their parents. But the parents are actively asking, what was talked about in a counseling session? How might you navigate that type of situation?

ROBERT FROEHLICH: Well, I'm not prepared for this one. But hey, I would say-- I would say, I would use some sort of decision-making model when thinking about, what is it that I'm going to share? And what type of-- when you think about confidentiality, everything is confidential unless someone discloses harm to themselves, harm to an identified other person, or there's some sort of-- the person is in harm's way.

So I would want to know a little bit about the dynamic between parents and the client. And ultimately, what I would really want-- OK, so if we're using-- and we're going back and we're using the MJ scenario, ultimately, I would want to work with MJ to be able to figure, how can MJ have that conversation with their parents as opposed to me inserting myself in that situation?

So the very first thing-- is there are harm to someone else? Is there harm to MJ? I'm going to think about that. And then I'm going to work on a process with allowing MJ the opportunity to be able to speak on behalf of MJ, like that advocacy kind of a piece. That's my take. And again, like with all ethical scenarios, that's what I would suggest, but there's probably many other ways as well.

NICHOLE TICHY: Thank you. And I'm really sorry to throw you-- put you on the spot like that. But again, that's also on the lines of what I was thinking. As one of the pre-employment transition services, instruction and self-advocacy is a crucial component. And so in that type of scenario, it could be really beneficial for MJ to be able to develop the skills to have that conversation with their parents rather than, as the counselor, being the one to just out MJ.

And so the conversation with the parents could be, as part of our counseling relationship, MJ and I are working on a few skill-building activities, and this is something for them to have a conversation with you about rather than overstepping and just telling the parents what they want to hear-- putting it as part of, this is an intervention that we're working on and how it aligns with the goals identified as part of the counseling relationship. But again, it depends.

ROBERT FROEHLICH: And neither of us are making that suggestion because the counselor in that scenario is in a position where they're, like, oh, that's going to be hard. It's not an avoidance. It's an intentional piece. Relative to this is something very aligned with work that MJ can accomplish in collaboration with us moving forward in life, taking that skill and that ability.

NICHOLE TICHY: Right. And we also say, it depends on this kind of scenario, too, in terms of our orientations as counseling professionals. Every counselor has a specific or a non-specific theoretical orientation that aligns with their values. And so that orientation might provide different guidance in terms of having that kind of conversation or even going about deciding what interventions are going to be appropriate in navigating this scenario.

So there are a lot of things that interplay here. And I wanted to take the time to be able to use this as a here is an example of why it depends in terms of not being able to provide "this is what you need to do" type of response because there are multiple factors that influence that type of decision. Thank you for playing along. I appreciate it.

ROBERT FROEHLICH: Sure, absolutely.

NICHOLE TICHY: As we continue through the different sections of the Code that are relevant to working with students and youth, we get to section F, Relationships with Other Professionals and Employers. So "Providing pre-employment transition services to students with disabilities often involves collaborating with multiple partners such as the Local Education Agency, Community Services Boards, vendor providers, employers" We've already talked about the relationships with parents, but this is other entities that are likely providing supports and services to the student.

"CRCs recognize the quality of interactions with colleagues can influence the quality of services provided to clients. They work to become knowledgeable about the role of other professionals within and outside the profession." Thinking about what roles and what services are being provided in order to support the needs and address any potential barriers that the student might be having. And what even might be missing from that group of people in order to support the individual as they're moving from high school to the world of work? Are there other community entities that might be able to support the needs of that student?

And so some of the major sections of this Code that are relevant are developing those relationships with colleagues, employers, and employees, being able to have a level of professional courtesy and consideration and showing respect to those individuals who might be making major decisions on behalf of the student and the wants and needs of the parents. So your local education agency is going to be in charge of developing and implementing that IEP or 504 plan. As the VR counselor being invited to those meetings, it's really important that you're demonstrating a level of professional courtesy or consideration when engaging in those meetings.

Another key consideration when thinking about relationships is the organization and team relationships. So section a, focusing on teamwork, understanding that each member of the team has a role to play and being able to fully understand that. Much like the counseling relationship, each individual has a specific duty or a specific purpose that they play in terms of providing support and services. And as the counselor, it's important to be able to know and understand those roles in order to work together because it is likely that you are working towards the same goal. And so by engaging in that professional courtesy, and working together as a team, and making team decisions, that goal can be achieved more seamlessly.

The other piece that's really important is recognizing that the client is a team member. We often hear about person-centered planning. Really, it's more about person-driven planning. The individual client drives the planning process and should be able to have an opportunity to talk about their strengths, their barriers, their wants, their needs as they understand them.

And so being able to facilitate that team and that team relationship around the needs and desires of that individual and being able to implement and utilize different types of interventions to ensure that the team is supportive of the client as the lead team member, which can often be very difficult. And unfortunately, it doesn't always happen. But I think, as rehabilitation counseling professionals, it's really important that we foster and utilize some of those pre-employment transition services, specifically thinking about the instruction and self-advocacy to be able to enhance the skills of our clients to be able to be leaders within those teams and enhance their decision-making skills to be able to ensure that they're getting the things that they want and that they need for their futures.

And then the final section that I have, which might be the most relevant to changing in times in terms of what happened with COVID-19 and the pandemic, is the use and access of technology, social media, and virtual counseling. The COVID-19 pandemic definitely changed the way many counseling services were provided, including the use of virtual counseling methods, specifically in terms of rehabilitation counseling.

But in working with the National Technical Assistance Center on The Collaborative, we hear that one of the most frequent challenges when working with students and youth is the different types of communication strategies. We hear from some colleagues and some professionals across the country that there is a significant reliance on technology, social media, or different apps for communication. And this can often be difficult based on policies and procedures that are outlined by state VR agencies, but also different views and values of individual counselors.

So it's really important to take into consideration, how do I, as the counselor, not only utilize technology, but how do I meet my clients where they are in terms of technology? We're not saying that, oh, you need to go out tomorrow and be an expert on the use of Twitch, and WhatsApp, or Discord. But just being able to demonstrate a level of interest might take that relationship a little bit further.

But some definite considerations when talking about technology and social media-- and we recognize that there are some significant barriers in terms of access within state VR agencies. But thinking about the competence and legal considerations, right? Different social media platforms-- Instagram, dating myself with Facebook, TikTok-- they all have legal guidelines. And it's important to be able to share that or have conversations with the students and youth who might be requesting that.

I don't know. They become a Twitch streamer as their employment goal. Being able to talk about their level of competence and understanding those potential legal considerations, privacy concerns, being able to talk about the potential harm that comes to engaging with the different types of apps or platforms that are available, thinking about the accessibility, confidentiality and disclosure.

A lot of things get posted on the internet, and we often hear the bad news in terms of security breaches or information and data being used for not beneficial purposes. And so it's really important, not just to-- it's really important to not avoid conversations around the use of technology and social media, but to be able to support students and youth in making informed decisions regarding the use of technology and social media. They are very great tools, and then they can definitely enhance the way in which we as professionals communicate with students and youth. But it's also really important that we take the other side into consideration in thinking about what are some of the potential consequences in this.

The other piece that's relatively new in terms of the most recent Code update is the use of social media and how social media plays a role within the counseling relationship. The Code still says that, as a professional, as a counselor, you should not be friends with your clients on social media. But it is encouraged that if you are going to use social media as a method of disseminating information, that a separate account or a separate professional account is created, again, that aligns with your agency's policies and procedures-- again, considering the ethics and legality of things. But thinking about how to then be able to share information and connect with clients and other people in a professional manner through social media and what that looks like and keeping that separate from your personal profiles.

And then the big one, which gained more traction because of the COVID-19 pandemic, is the use of virtual counseling. And the important piece there is to really just make sure that the platforms being used are secure and that the environment in which you are engaging with the client is secure, but also that they're in a place that they feel comfortable and secure.

I can remember during the very beginning of the COVID-19 pandemic, I would often meet clients when they were sitting in their car because that was where they could be alone. I heard a story from a colleague who talked about meeting a client who sat in their bathroom because that was the only space in their residence where they could securely talk in terms of that relationship. And so it's not just necessarily about you as the professional creating that secure space, but making sure that your clients are also in a space where they're comfortable to be able to freely share and not at risk of somebody potentially overhearing the conversation or overhearing some of the concerns that they're presenting.

So I have just spent a long time talking about the different sections of the Code that pertain or potentially pertain to working with students and youth. But in terms of not only considering the ethical codes, what are some of the best practices for working with students and youth? It really goes back to the basics for counseling skills, the use of active listening. By actively listening to the students and youth and being able to engage in that counseling relationship, it shows an invested interest. And through that invested interest, you're then able to build a sense of trust.

Additionally-- and we talked about this a little bit-- but the consideration of power differentials within the relationships-- when working with students and youth, you're likely engaged in multiple relationships, and you have multiple clients-- considering your student and youth, their parents, but then also the relationships that you might have with other service providers. They might have a teacher that regularly attends their IEP meetings, or they might have a caseworker that supports some of their external services. So being able to recognize your place and your role within those relationships and across those relationships. Always going back to, how does my role within and across these relationships ultimately work with the individual to achieve their goals and intended outcomes?

Seeking guidance and support from accrediting bodies-- the CRCC Ethics Committee often provides what's known as an advisory opinion. So if you're experiencing a dilemma, or if you have questions about a dilemma, you can request feedback when faced with a difficult situation and you're unsure what to do. And CRCC will provide some form of guidance or information, either on your specific scenario or a scenario that's very similar. So if somebody has posed the dilemma or the question previously, that information can be provided.

But I'm going to round out and turn this back to Dr. Froehlich because I want to take this back to MJ and make sure that we've thoroughly discussed some of the implications and considerations when thinking about MJ. So how might some of these practices look when applied to MJ?

ROBERT FROEHLICH: Yeah. So absolutely, I think that we have talked a lot about sections of the Code that may have a direct impact to best practices of service delivery when working with MJ. I think Nichole has done a great job highlighting many of the areas of interplay between the Code of Ethics and the provision of pre-employment transition services, even down to some of these refocusing thoughts pertaining to, how do I get started? What are the things that I want to make sure that I'm doing in order to deliver the best services? These in combination with-- and, in some ways, the topics on this slide relate to-- we always want to consult and consult with-- there are supervisors that we work with for a reason.

Have a relationship with your supervisor to be able to talk about scenarios that might be more challenging for you. Have the ability to look at some of the pieces of your own intersecting identity and how that relates to your work with MJ. And again, consultation and supervision are some great ways to be able to get feedback from and thoughts on moving forward.

Hopefully, we've done an adequate job of tying back the scenarios, the topics that we have identified in working with MJ to much of the content today. However, the last slide of our presentation today-- well, first, there's one in between that really does thank you for your attention and your participation of being here as we've had this conversational discussion.

But if you do have questions or comments, do feel free. Our email addresses are shared on this last slide, and we would be more than happy to provide any additional information or clarification if that would be helpful to you all. But again, with the thank-you slide, thanks so much for being here and taking time out of your busy schedules.

We know the multifaceted roles you all play, and your time is limited. So thanks for taking a little bit of that limited time and spending it with us today. And best wishes on the work that you conduct going forward.