

Legal Issues in Career Counseling

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SCN510: Counseling for College and Career

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July 26, 2023

The school counseling field began as vocational guidance (Curry et al., 2017), and the importance of career counseling is not lost to the profession despite the ever-evolving aspects of the field. While the importance of getting students into jobs and careers is still key to the job, we find that in the modern world there are many more legal and ethical ramifications to the well-meaning school counselor. It is our professional job to do what is best for the student, but this idea is not clearly black and white.

The *ASCA Ethical Standards Ethical Standards for School Counselors* (2016) makes it clear that school counselors are expected to adhere to all legal mandates that are expected of the profession, whether they are on confidentiality (A.2), district policies (A.5.g), or state and federal laws (A.11.d). School counselors are expected to be familiar with the law and to stay within best practices based on these laws and statutes. When they are unfamiliar with the law in a specific case, they need to be professional enough to admit this and seek advice from a colleague (B.3.j). Many of the best practice strategies come from ethical decision-making model, which states that the school counselor will “Apply the ASCA Ethical Standards for School Counselors and the relevant district policies and procedures” (F.c) and then “Consult with appropriate professionals” (F.d) before they “Implement the course of action and analyze the outcome” (F.j). It is not expected for school counselors to know every minute detail of the law and policies that will impact every single possible situation and scenario. School counselors are expected, however, to have a strong grasp on their own ethical considerations and be ready to work for the greater good for all of their students in a way that does not break the law or ethical standards.

While school counselors' first priority is their students, they are still working for the benefit of all stakeholders. When students' ideas do not correspond with family ideas, for example, school counselors need to be ready to step in and help with communication or mediation with all parties involved. Often, when ethical concerns arise in education and educational planning, miscommunication or lack of communication is often the culprit (Goodrich

et. al., 2020). Keeping open communication alive and well with all stakeholders can help reach more students, families, communities, and ensure that the greater good is being reached.

Recognizing and admitting to biases held by school counselors as individuals is also an important aspect to consider. All cultures hold subtle biases as well as all individuals (Liao et. al., 2016). It is by admitting to them and working to overcome them that school counselors will be able to help their students and all stakeholders overcome them as well, whether they recognize them or not. When unfair biases are seen to get in the way of different students, school counselors are expected to advocate for systemic change for the benefit of all (*ASCA Ethical Standards*, 2016). Simply ignoring bias or prejudice is not enough; we are expected to work on creating a fair and welcoming field where all can succeed.

Helping students with their career guidance includes more than just helping the student decide on their post-graduation plans. Working with colleges, institutes, committees, and all others involved is another responsibility that falls on the school counselor's shoulders. Keeping honest communication with all groups, including truthful letters of recommendation and transcript information, is important. Helping all students look their best while also remaining honest is important, as well as making sure all needed correspondence happens in a timely manner. The importance of being well-organized and responsible with time is not lost to this profession; prioritizing tasks and all aspects of the job while also being able to stop and help with unexpected crises and emergencies is key.

Regardless of the age of students a school counselor works with, career guidance is important to discuss and cover. Helping young kids explore different career ideas and exposing them to job starts young; working with older kids to look at job and educational requirements for different careers adds to engagement; helping senior high students know where and how to as well as realizing realistic goals is also important. Staying on top of student data- such as academics, attendance, extracurriculars, and behavioral concerns- is imperative for school counselors. By doing so, they will be able to see when concerns are arising and also help

mitigate problems before they become larger. Success in all areas of school can help students be successful with their future careers and help ease the way after their diploma has been received.

The school counseling profession has added many layers to the job description since first being created in 1909 (Curry et. al., 2017). As laws and policies have evolved and become more specific, so too has expectations to the career. When working with students on career guidance, we must remain open-minded and ethically sound. By doing so, we can avoid legal ramifications and gray areas that can be detrimental to all stakeholders, especially the students.

References

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