

PREVENTING AND RESISTING ADMINISTRATIVE PRESSURE TO PRACTICE UNETHICALLY

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The Challenge of Performing Dual Roles: Pupil Advocate and School Employee

School psychologists perform many roles within the school system, but their primary responsibility consists of safeguarding the rights and welfare of the students they serve (Jacob, Decker, & Hartshorne, 2011). NASP's *Principles for Professional Ethics* (2010) emphasize advocacy as one of the central duties of school psychologists, declaring that the interests of youth should be assigned the highest priority during ethical decision-making activities. School psychologists are further expected to assert their commitment to upholding the rights of students and their families, "even when it may be difficult to do so" (NASP, 2010, p. 2). At the same time, school psychologists are paid employees, working in positions that entail compliance with directives issued by school administrators (e.g., school principals, directors of pupil personnel services, superintendents). These dual roles of student advocate and school employee can create competing loyalties, a tension that becomes particularly palpable when administrators exert pressure on school personnel to place the needs of the employing agency above the best interests of students (Jacob-Timm, 1999). While administrators' demands may be grounded in realistic considerations (e.g., budgetary constraints, availability of resources, concerns surrounding student safety), such directives have the potential to do a great disservice to students and their families. School psychologists must certainly remain sensitive to the needs of their employers and would be wise to cultivate positive interpersonal relationships with colleagues and those in positions of oversight. However, the ethical and legal mandates governing the profession must be upheld when determining how best to meet the educational needs of youth in the school system.

Administrative Pressure: The Extent of the Problem

Survey results consistently reveal that administrative pressure to engage in unethical conduct is a widespread problem. Using the critical incident technique, Jacob-Timm (1999) asked a sample of school psychologists to describe ethically challenging situations they had encountered over the preceding 2-year period. Administrative intimidation to engage in ethically questionable activities was the most frequently mentioned issue by school psychology practitioners, with pressure to violate ethical standards comprising 22% of all incidents reported. These findings echo results reported by Pope and Vetter (1992), who examined ethical dilemmas confronted by members of the American Psychological Association (APA). APA members who practiced within the field of school psychology emphasized the challenges posed by competing allegiances and the difficulties inherent in balancing advocacy efforts with adherence to administrative directives. In a more recent survey study of ethical dilemmas and transgressions encountered by NASP members, Dailor and Jacob (2011) found that

76% of practicing school psychologists had witnessed a colleague acquiesce to administrative demands to act unethically over the previous year. Moreover, 17% of school psychologists indicated that they personally had been instructed to make decisions that were unethical, and 14% reported being pressured to take actions that were in violation of federal or state law. School psychologists with 5 or fewer years of experience were more likely to experience administrative pressure than were their more seasoned counterparts. This finding raises the question of whether or not administrators are more likely to exert pressure on professionals who are newer to the field, perhaps believing them to be more easily influenced and motivated by a desire to obtain tenure and increased job security.

Dailor and Jacob (2011) highlight some examples of administrative pressure to engage in behaviors that are contrary to the ethical mandates of the profession. These include being compelled to:

- Avoid making recommendations for support services due to their cost
- Agree with overly restrictive special education placements
- Find a student eligible for services, even though eligibility requirements were not met
- Manage with inadequate materials for assessment and/or intervention activities
- Perform duties without the prerequisite training and experience
- Determine a student ineligible for special education, despite finding that the student meets eligibility requirements

School psychologists report that failure to yield to administrative pressure often results in negative personal and professional consequences, such as receiving reprimands, negative criticism, ostracism, stated or implied threats to job security, transfers to less desirable assignments, and even termination (Dailor & Jacob, 2011; Jacob-Timm, 1999). Thus, school psychologists' concerns over administrative retaliation or reprisal appear to be well-founded.

Recommended Practices for Preventing and Resisting Administrative Pressure

Despite the threat of negative personal and professional consequences, most school psychologists report that they would resist demands to engage in unethical behavior (Helton & Ray, 2009). Helton and Ray (2005) recommend the adoption of a "role/value" orientation when faced with administrative directives that are incompatible with professional ethical behavior. This approach attempts to promote "win-win" outcomes by balancing competing interests and resolving conflicts "in ways that are mutually beneficial and protect the rights of all involved parties" (p. 62). School psychologists are cautioned to avoid taking a rigid and adversarial stance in interactions with administrators and other school staff. Instead, school psychologists are encouraged to work collaboratively with others in the school to devise ethically principled solutions that administrators are comfortable endorsing. Thus, in resolving such conflicts, school psychologists are able to demonstrate responsiveness to the needs of their employer, while simultaneously advocating for students in ways that are consistent with the requirements of legal statutes and ethical codes.

Helton and Ray (2005) assert that three conditions must be satisfied before practitioners can manage administrative pressure successfully. These prerequisites include: (a) the ability to recognize that a situation constitutes an ethical dilemma, (b) the desire or drive to honor ethical obligations, and (c) the skills to uphold ethical requirements. Thus, in order to respond appropriately to administrative pressure, school psychologists must be sufficiently knowledgeable about the law and ethics to recognize that an ethical dilemma exists, have the motivation to promote students' welfare, and possess the skills to overcome obstacles to meeting children's needs

To date, no studies have specifically investigated the relative effectiveness of strategies designed to prevent and resist administrative pressure experienced by school personnel. However, a few suggestions for handling ethical dilemmas involving administrative intimidation have been posited. In a study conducted by Helton, Ray, and Biderman (2000), school psychologists and special education teachers offered strategies they believed would prove helpful in responding to unethical administrative directives, such as educating administrators about legal mandates and involving colleagues in the problem-solving process. Helton and Ray (2009) expanded on these recommendations, proposing that school psychologists seek out support from colleagues, join forces with individuals across professional groups (e.g., school counselors), consult with professional organizations, and utilize systematic decision-making models when determining how to resolve ethical conflicts.

The following recommendations are intended to assist school psychologists in their efforts to prevent and resist administrative pressure to behave unethically:

- Educate administrators about the nature of your responsibilities as a school psychologist, as well as the legal and ethical requirements governing your professional duties. Administrators may not be aware of these mandates, and you may prevent future misunderstandings and/or conflicts by sharing your expertise in this area.
- Explain that your student advocacy efforts are motivated by a desire to protect the school district from potential due process complaints and lawsuits pertaining to discriminatory practices. For example, if your school principal insists that a student with a disability cannot participate in a school field trip, you might explain that this is a violation of Section 504 of the Rehabilitation Act and could result in the student's parents filing a complaint with the U.S. Office for Civil Rights. While Section 504 has a whistle-blowing provision designed to protect school employees from administrative retaliation, school personnel are advised to familiarize themselves with the limits of whistle-blower protections (Zirkel, 2008).
- Attempt to be sensitive to the needs of your employing agency. Administrators are bound by genuine constraints (e.g., limited budgets), and their decisions are often driven by legitimate concerns. Administrators are also part of the organization's employment hierarchy and may be under pressure from their superiors to cut corners or enact questionable policies. By demonstrating an appreciation for these exigencies, you are more likely to convince an administrator that you understand the importance of compromise and negotiation and thus, your comments will be harder to discount or dismiss out of hand.
- Recognize that statutory and case laws do not require schools to provide the most perfect education for a child. The Individuals with Disabilities Education Improvement Act merely requires that schools offer an individualized education reasonably designed to confer benefit, and Section 504 mandates the provision of equal educational opportunity. It is reasonable and appropriate to advocate for the interventions that you believe are in a student's best interest. At the same time, however, it is important to accept that schools are not required to provide a child with an ideal educational experience. School psychologists who endeavor to achieve a higher level of service provision, while admirable in their efforts, will likely find themselves in conflict with administrators who adhere to the more modest legal requirements.
- Strive to develop positive working relationships with administrators and other school personnel. By taking the time to get to know the interests of your colleagues and showing that you value and respect their opinions, you are positioning yourself to use referent power, a form of social influence (Raven, 1992). Simply put, if an administrator likes you and identifies with you, he or she will likely be more amenable to your suggestions.

- Become knowledgeable about the particulars of school budgets and any discretionary funding. While familiarity with these particulars is not typically part of a school psychologist's job description, knowledge of fixed expenditures and available finances could prove valuable when arguing for the provision of specific services or additional resources.
- Approach administrators with possible solutions, not simply complaints or "what can't be done." For example, if an administrator wants to remove a classified student with behavioral difficulties from school without using due process procedures, suggest alternatives, such as the assignment of a 1:1 aide until a change of placement can be achieved through lawful channels. You may need to be creative and think outside the box in devising plans that both meet the needs of students and satisfy the demands of administrators.
- Educate parents about the services that their children may be entitled to under the law and direct parents to resources that explain their rights in a straightforward and comprehensible manner (e.g., see www.wrightslaw.com). If you believe that your school district is taking advantage of parents who are uninformed as to their rights, consider providing parents with information regarding local advocacy organizations. This has the secondary advantage of serving to alleviate some of the burden on school personnel to speak up and act as the voice of dissent.
- Rely on colleagues for instrumental and emotional support. Likeminded professionals (e.g., other school psychologists, school counselors, social workers, teachers) who share your commitment to students' welfare can serve as "ethical allies" (Helton & Ray, 2009, p. 117) and reiterate the importance of ethical practice to those in administrative positions. School psychologists are encouraged to consult with other professionals when confronted with ethical dilemmas that are not easily resolved (Armistead, Williams, & Jacob, 2011). routine meetings to discuss ethical concerns with other school psychology practitioners (whether within or across districts) might prove helpful in generating practical solutions to such problems, as well as ideas for coping with psychological stress resulting from exposure to administrative intimidation. Also, role-playing appropriate responses to administrative pressure with other professionals may assist with the development of communication skills necessary for handling unnerving encounters successfully.
- Consider contacting NASP's ethics committee or your state school psychology association for information and advice. Moreover, if deemed necessary, a complaint could be pursued with the state department of education.
- Remember, you are ultimately responsible for your own statements and actions. The argument that one was simply following orders is not an acceptable defense for engaging in behavior that violates ethical codes and legal mandates. School psychologists should consider incorporating a formal, ethical decision-making model into their deliberations. Use of a systematic and methodical approach to ethical problem-solving might offer some degree of protection, in the event that one's own judgment comes under scrutiny (Armistead, Williams, & Jacob, 2011; Helton and Ray, 2009).
- Where available, union involvement should be considered, especially if administrative pressure is accompanied by threats which rise to the level of workplace bullying or abuse. School psychologists should maintain detailed documentation of instances in which administrators used intimidation and coercion to force compliance with unethical or illegal directives. Should a negative performance review or letter of reprimand be issued, resist the urge to respond rashly and impulsively. Take the time to craft a thoughtful and well-reasoned written rebuttal, making sure to address points directly in your response and avoid arguments based on emotion.
- It's important to recognize when advocacy efforts and attempts at harmonious collaboration have continuously proved fruitless and have led to deterioration in one's own psychological health. School psychologists need to be aware of the signs of burn-out and find ways to cope with occupational stress resulting from conflict with administrators. In some cases, this may require the

consideration of a transfer to a work environment that is a better fit for one's professional ethics and personal value system.

School psychologists are encouraged to persevere in their attempts at student advocacy, work to promote the adoption of best practices, and continue to champion the rights of children and their families. These tasks are difficult to accomplish without administrative support, and are rendered even more challenging when administrators issue directives that are in conflict with these professional duties. In order to serve students effectively, school psychologists will need to be creative in their efforts to deal with administrative pressure. This involves finding ways to negotiate compromises that are in the best interest of all parties, while simultaneously remaining true to ethical best practices and the dictates of one's own conscience.

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