Ethical Considerations with a Culturally and Linguistically Diverse Population
Ellen Kester, Ph.D
Scott Prath, M.A.

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Learner Objectives

- Participants will:
  - Review laws and codes of ethics pertaining to speech language pathologists
  - Highlight legal issues in serving a bilingual population
  - Consider case studies of ethical issues related to working with culturally and linguistically diverse populations.
  - Identify sections of the Codes of Ethics that assist in decision-making for case studies.

Why study ethics?

- New requirement of the State Board of Examiners:
  - Licensees who renew between May 2009 and December 2009 have until December 31, 2009 to acquire two clock hours in ethics for the previous renewal period.
  - 2 hour per 20 CEUs will be required for future renewal period.
- It makes us better people?
- Because we have to be!

Why have the requirements changed?
Why now?
What happened?

National Environment

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<tr>
<th>Year</th>
<th>Country 1</th>
<th>Country 2</th>
<th>Country 3</th>
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<tbody>
<tr>
<td>2000</td>
<td>Finland</td>
<td>Denmark</td>
<td>New Zealand</td>
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<td>United States (14th)</td>
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<td>2001</td>
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<td>2002</td>
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<td>United States (20th)</td>
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Probing the Field of Law

- A study of California lawyers bar association stated that they were sick of the decline in honor in their work and were "profoundly pessimistic." Two-thirds said that lawyers "compromise their professionalism as a result of economic pressure."

- A study by the Maryland Judicial Task Force had similar findings. Lawyers felt their profession had degenerated so badly that "they were often irritable, short-tempered, argumentative, and verbally abusive."

- Lawyers in Virginia were asked whether the increasing problems in professionalism were attributable to "a few bad apples" or to a widespread trend. They overwhelmingly said this was a widespread issue.

- Lawyers in Florida reported that a "substantial minority [were] money grabbing, too clever, tricky, sneaky, and not trustworthy."

Trying to correct the downward trend.

- “At present, several state bars and professional organizations are scrambling to shore up their professional ethics. Some are increasing courses in college and graduate schools, and others are requiring brush-up ethics classes.”

- So what can we do? How do we change a profession’s ethical behavior?

Ethical Studies by MIT

<table>
<thead>
<tr>
<th>Study 1 50 math questions</th>
<th>Study 2 15 math questions + Book Lists</th>
<th>Study 3 20 math questions + Ethics Code</th>
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<td>4.1/15</td>
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<tr>
<td>Group 3 Test 36.2/50</td>
<td>3.0/15</td>
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How are ethics codes different from laws?

Rules of Ethics are specific statements of minimally acceptable professional conduct or of prohibitions and are applicable to all individuals.

Laws are legal documents setting forth rules governing a particular kind of activity.
What are Ethics?

- A discipline dealing with right conduct and morality. (Webster’s, 2001)
- “moral principles or values that address whether actions, intentions, and goals are right or wrong” (Heraclitus, 1989)
- The main ethical category for ancient Greeks was arete or virtue

List of Rules

How our behavior reflects on the entire profession

- Actions that Allow Social Interaction (Socrates)
- Actions that Promote Personal Happiness (Aristotle)
- Actions that Promote Peace of Mind (Epictetus)
- Actions that do not reflect poorly on society (profession) (Epicurus)

What are Ethics?

- “The truly wise man will know what is right, do what is good, and therefore be happy.”
- Ethics is a conversation that enables people to interact communally within a society.
What are Ethics?

- Actions that Promote Personal Happiness
  - Aristotle
  - In Aristotle's view, when a person acts in accordance with his nature and realizes his full potential, he will do good and be content.

What are Ethics?

- Actions that Promote Peace of Mind
  - Epictetus
  - “the greatest good was contentment and serenity”
  - We get to go to work each day knowing we will be respected and valued.

What are Ethics?

- Guidance of actions that do not reflect poorly on society (a professional's field)
  - Epicurus
  - Hedonism, responding to one's own desire without consideration for the greater of society

Our discussion today

- The original intent of Ethics, it was meant as a way of creating dialogue.
- This dialogue is created by:
  1) naming or bringing to attention a goal or value
  2) putting it to the test with rigorous discussion about real life circumstances.
What are Ethics?

- Actions that Allow Social Interaction (Socrates)
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ASHA Code of Ethics

Rules of Ethics are specific statements of minimally acceptable professional conduct or of prohibitions and are applicable to all individuals. Divided into 4 Principles:

- Personal
- Professional Competence
- Public
- Responsibility to the Profession

Codes, Laws, Lists, and Conduct

WE ARE ASHA MEMBERS, TSHA MEMBERS, IDEA OBIDERS, AND TEXAS LICENSE HOLDERS. EACH ENTITY HAS CONDUCT GUIDELINES OR CODES OF ETHICS. FORTUNATELY THEY ARE ALL VERY SIMILAR.

WE ARE GOING TO USE THE ASHA CODE BECAUSE IT IS THE MOST ENCOMPASSING.

Principles of Ethics I

Personal Responsibility

"Individuals shall honor their responsibility to hold paramount the welfare of persons they serve professionally or participants in research and scholarly activities and shall treat animals involved in research in a humane manner."
Principles of Ethics I - Personal Responsibility

Case Study:

- You do an initial school evaluation for a 4-year-old student, Jose, whose family uses only Spanish in the home. He has very limited English exposure. He was diagnosed 9 months prior with severe expressive and receptive language disorder at a private practice. They provided speech therapy in English for 6 months until the mother decided she was wasting her money because services were in English. The mother asks you your opinion.

- What do you do?

Principles of Ethics II

Professional Competence

“Individuals shall honor their responsibility to achieve and maintain the highest level of professional competence.”
Provide clinical services only when certified
Operate within the scope of their competence, considering their education, training, and experience
Continue professional development
Delegate service provision only to those who are qualified/appropriately supervised
Not require or permit staff to perform services that exceed their level of competence
Ensure that all equipment is in proper working order

Principles of Ethics II
Professional Competence

Case Study:
You are a bilingual student completing a clinical rotation. You observe an evaluation in which an English-dominant SLP administers a receptive vocabulary task in Spanish. She mispronounces the words. You know what she is saying but the student does not appear to understand so you say the word correctly and the student gets the item correct. The supervising SLP asks you not to interrupt her testing session again. She diagnoses the student with a moderate receptive language impairment.

Responsibility to the Public

“Individuals shall honor their responsibility to the public by promoting public understanding of the professions, by supporting the development of services designed to fulfill the unmet needs to the public.”

Not misrepresent their credentials, competence, education, training, or experience
Not participate in professional activities that constitute a conflict of interest
Refer solely on the basis of the interest of the client and not on any personal financial interest
Not misrepresent diagnostic information, research, services rendered or products dispensed, or engage in any scheme to obtain payment for such services or products
Adhere to professional standards when advertising or marketing their services
Principles of Ethics III
Responsibility to the Public

- Not misrepresent services, research results, or products to colleagues
- Exercise professional judgment when providing professional services
- Not discriminate in their relationships with colleagues, students, and members of related professions
- Inform the Board of Ethics when they have reason to believe others have violated the code of ethics
- Comply with the policies of the Board of Ethics

Case Study:
A bilingual student did not show for his Child Find screening. You check with the bilingual SLP about rescheduling and she reports that the parents are very busy so instead of having them come in, she did the screening over the phone and determined that the student did not need further evaluation.

Principles of Ethics IV
Responsibility to the Profession

“Individuals shall honor their responsibilities to professionals and colleagues, and students. Individuals shall uphold and accept the professions’ self-imposed standards.”

- Prohibit those under their supervision from engaging in practice violating code of ethics
- Not engage in dishonesty, fraud, deceit, misrepresentation, ...
- Not engage in sexual activities with their clients or their students
- Assign credit only to those who have contributed to publications, presentations, and products
- Reference the ideas of others
Individuals shall

- Not misrepresent services, research results, or products to colleagues
- Exercise professional judgment when providing professional services
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Principles of Ethics IV
Responsibility to the Profession

Case Study:
- We are considering developing an electronic receptive-expressive vocabulary test. The plan is that a monolingual (English speaking) SLP or aide could monitor the test administration. The computer program would capture the responses with a voice capture and automatically score the response. This could be used as a preliminary screening measure when bilingual speech and language resources are limited. We could recommend follow up testing by a bilingual SLP to confirm poor performance on the computer administration. This may be a way to have a large number of Spanish speaking children tested when bilingual resources are limited. Do you see something like that working, or would there be problems with this type of test administration? We would be very interested in your comments.

Case Studies

Divide into groups
Review your case

Decide:
1. Which Principles are violated
2. Which Ethic Rule is in Violation
3. How you will respond to the situation

Case Study A

- Your group of school SLPs serves some children in the community. Due to increasing caseloads on certain campuses, you shift some duties. You (female SLP) were seeing a student in the community and inform the family that another (male) SLP from your group will be taking over. The family says that they do not want a male SLP working with their son.
Case Study B

- A teacher reports to you that she has a bilingual student in her class who she is concerned about. She went to her principal to find out how to refer her for speech-language testing and the principal told her they already had too many Hispanic students in special education so she should not make the referral.

Thank You!

Case Study E

- You are one of the few bilingual SLPs in the Grande ISD and your caseload reaches 60 students across 6 campuses. You do not feel you are able to provide effective services to that many children.

- What do you do?