

**SCHOOL COUNSELORS CONFIDENTIALITY GUIDELINES
MUST BE POSTED IN SCHOOL COUNSELORS OFFICE**

CONFIDENTIALITY GUIDELINES

Your confidentiality as a student is important to us! In our school counseling office, what is said here, stays here, with the following exceptions, as required by law and/or ethical standards:

1. Harm to self or others

2. Abuse or neglect

3. Court or other legal proceedings

If there is ever a need to reveal information, we will let you know in advance, and work with you to handle the situation in a way that respects you, your feelings, and your needs.

APPENDIX 3-2

SCHOOL COUNSELORS CONFIDENTIAL GUIDELINES ACKOWLEGEMENT

Your confidentiality as a student is important to us! In our school counseling office, what is said here, stays here, with the following exceptions, as required by law and/or ethical standards:

1. Harm to self or others

This could include things like a suicide attempt or plan, cutting or other self-injury, eating disorders, addictions, fighting or other physical violence, illegal behaviors, threats, etc. -- anything that puts your health or safety, or someone else's health and safety, at risk.

2. Abuse or neglect

If you talk with one of us about abuse (physical, emotional, verbal, sexual, or other abuse), whether to yourself or to another minor, we are required by law to report it to Child Protective Services, and possibly the police. If you tell us about an abuse case that's already been addressed by CPS or the police, we still may need to make a call to double check.

3. Court or other legal proceedings

By law, if we are subpoenaed (required by law to attend a hearing or other court proceeding), we cannot guarantee that your information will be kept confidential. We will always do our best to reveal as little as possible in a legal setting, but we must cooperate with the police, CPS, and the courts.

If there is ever a need to reveal information, we will let you know in advance, and work with you to handle the situation in a way that respects you, your feelings, and your needs.

I have read and I understand the guidance department's confidentiality guidelines and exceptions.

Student Signature

Date

Parent/Guardian Signature, if applicable

Date

APPENDIX 3-3

SPECIAL CONSIDERATIONS FOR PROFESSIONAL STAFF WHO ARE NOT COUNSELORS THAT ARE INVOLVED IN COUNSELING INTERACTIONS

Professional staff who are not counselors, social workers, psychologists or other related fields without an established code of ethics are required to adhere to the following counseling related precepts whenever they are involved in a counseling interaction.

1. Clearly inform the person to whom you are providing supportive counseling services of the:
 - extent to which you can keep certain information confidential in consideration of your job functions (this is usually best done at the beginning of the interaction); and
 - limits of what can be discussed, given your expertise or degree of comfort with the subject matter.
2. Avoid dealing with issues beyond your level of expertise or degree of personal comfort. (Also, refer to Item 4 below)
3. It is usually preferable to explore issues, possible options for dealing with them, and the pros and cons of each of the options instead of telling persons to whom you are providing a counseling-like service.
4. Do what is necessary to obtain help for persons who bring concerns to your attention which are beyond your abilities to handle. In most situations this involves informing the other person of where he/she can turn to get help. In situations where what the other person discloses poses a serious danger to that person or others, take appropriate action to resolve the danger.
5. Do not use information which is disclosed under the cover of confidentiality to accomplish other job functions which are not part of the provision of the counseling-like service.

APPENDIX 3-4

19 GCA §1111: LEGAL CAPACITY OF MINOR REGARDING MEDICAL CARE

The following terms are defined by this law:

1. Minor shall be any person under the age of eighteen (18).
2. Parent means the natural and the legal parent and any guardian, custodian or step-parent acting in loco parentis.
3. Medical care and services mean the diagnostic examination, prescription and administration of medication and other items in the treatment of sexually transmitted diseases, the HIV virus, or AIDS, pregnancy and substance abuse. It shall not include surgery or any treatment to induce abortion.
4. Substance abuse means any excessive use or misuse of substances that lead to intoxication, psychiatric disorder, and physical disease, social dysfunction associated with dependency and damage to health, social or vocational adjustment.
5. Sexually transmitted disease means any disease that is transmitted through sexual contact.

19 GCA §1111 allows minors to obtain medical treatment without parental consent for:

- sexually transmitted disease
- pregnancy, and
- substance abuse

Consequently, a professional who learns during counseling-like interactions that a student is experiencing one of these problems to the extent that the student is in serious danger does not have to necessarily contact the student's parents to deal with the danger posed to the student by the problem. Rather, the professional can inform the student of the law and determine whether the student has taken advantage of it to address the problem.

If it is determined that the student has taken advantage of the law to address the problem, the professional has discharged his/her responsibility to deal with the danger posed to the student. If it is determined that the student has not taken advantage of the law and a serious danger still exists for the student, then the professional is obligated to take other measures to remove the danger posed to the student. In that case, the professional would be obligated to inform the student's parents of the problem so that they could make arrangements for the student to receive needed treatment.