

## Ethical Considerations with a Culturally and Linguistically Diverse Population

Ellen Kester, Ph.D.  
Scott Prath, M.A.

Austin Area Association of Speech Language Pathologists  
Austin, Texas

October 8, 2009

**BILINGUISTICS**

## 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.

**BILINGUISTICS**

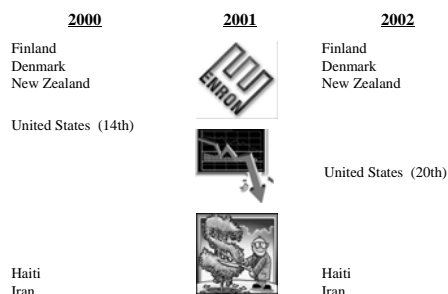
## Why study ethics?

- ◎ 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?

**BILINGUISTICS**

## National Environment



**BILINGUISTICS**

## 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."

**BILINGUISTICS**

## 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 professions ethical behavior?

**BILINGUISTICS**

### Ethical Studies by MIT

	Study 1 50 math questions	Study 2 15 math questions + Book Lists	Study 3 20 math questions + Ethics Code
Group 1 Control	32.1/50		
Group 2 Test			
Group 3 Test			

**BILINGUISTICS**

### 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.

**BILINGUISTICS**

### 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" (Herer, 1989)
- ◉ The main ethical category for ancient Greeks was **arete** or virtue
- ◉ ~~List of Rules~~



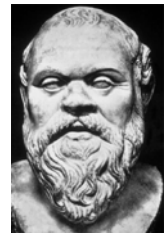
**BILINGUISTICS**

### What are Ethics?

- ◉ Actions that Allow Social Interaction

Socrates

- ◉ "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



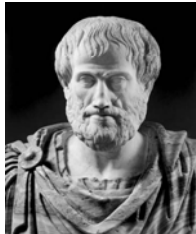
**BILINGUISTICS**

### 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.




**BILINGUISTICS**

### 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



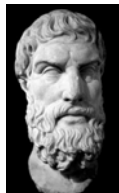
**BILINGUISTICS**

## 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



Joe Wilson Serena Williams Shoe guy

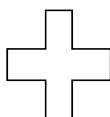


## Our discussion today

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



## Ethics through Case Study



**BILINGUISTICS**

## 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.

## 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

## 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."*



### Individuals shall

- ⦿ Not guarantee results of treatment
- ⦿ Not provide services solely by correspondence
- ⦿ Adequately maintain secure records
- ⦿ Not reveal information about clients without authorization unless doing so is necessary to protect the welfare of the client or community
- ⦿ Not charge for services not rendered
- ⦿ Obtain informed consent for research
- ⦿ Seek help for substance-abuse problems that affect professional services

**BILINGUISTICS**



### Individuals shall

- ⦿ Provide services competently
- ⦿ Use every resource, including referral, to ensure highest quality service
- ⦿ Not discriminate in the delivery of services
- ⦿ Not misrepresent credentials of assistants or support personnel
- ⦿ Not delegate tasks that require a CCC's unique skills, knowledge and judgment
- ⦿ Inform clients of possible effects of services rendered
- ⦿ Evaluate the effectiveness of services rendered

**BILINGUISTICS**

### 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?

**BILINGUISTICS**

### Principles of Ethics II

#### Professional Competence

*"Individuals shall honor their responsibility to achieve and maintain the highest level of professional competence."*



### Individuals shall

- ⦿ 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

**BILINGUISTICS**

### 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 get 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.

**BILINGUISTICS**

## Principles of Ethics III

### 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."*



### Individuals shall

- 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

**BILINGUISTICS**



### Individuals shall

- 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

**BILINGUISTICS**

## Principles of Ethics III Responsibility to the Public

### ● 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.

**BILINGUISTICS**

## 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."*



### Individuals shall

- 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

**BILINGUISTICS**



## Individuals shall

- 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

**BILINGUISTICS**

## 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.

**BILINGUISTICS**

## 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 #1

- You do an initial school evaluation for a 6-year-old student, Maria, who is predominantly Spanish speaking. There is an evaluation report in her folder from a private practice two months prior. The only information provided is a list of the items the child got correct and those that the child missed on a standardized test. Receptive and expressive language skills are reported as severely disordered.
- Your evaluation indicates typical receptive language skills and moderately delayed expressive language skills.

**BILINGUISTICS**

## Case Study #2

- 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.

**BILINGUISTICS**

## Case Study #3

- A parent denies bilingual services. You believe that the student will benefit from speech services in Spanish and that if services are done in English you will be teaching English rather than addressing underlying language deficits. Your supervisor tells you that you need to do services in English.

**BILINGUISTICS**

### Case Study #4

- 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.

**BILINGUISTICS**

### Case Study #5

- You evaluate a 3-year-old student, Ana, who is predominantly Spanish speaking and is using only one-word utterances. Fewer than 5% of her utterances are English. Her older sister (6) is in an English classroom because the district does not have a bilingual program so Ana is starting to hear more English. You recommend speech services in Spanish. The district asks you to recommend half Spanish and half English for speech services.

**BILINGUISTICS**

### Case Study #6

- You do a Child Find evaluation. The mother brings a copy of a report from a private practice that was done a few months earlier. The SLP used the PLS-3-English with an interpreter and reported the norms from the English version. The results indicated a severe expressive and receptive language delay.

**BILINGUISTICS**

### Case Study #7

- Your supervisor asks you to complete 45-minute sessions with your students in a 40-minute period, stating that they are students receiving Medicaid and the Medicaid regulations state that if you complete at least 7 minutes of your last 15-minute unit, you can report it as a complete 15-minute unit.

**BILINGUISTICS**

### Case Study #8

- 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 good services to that many children.
- What do you do?

**BILINGUISTICS**

### Case Study #9

- Your supervisor lays out a schedule for you, the bilingual SLP, that looks like this:
  - 8-8:30 Billy at Stromville Elementary
  - 8:30-8:45 travel 12 miles to Batesville Elementary
  - 8:45-9:45 therapy with a group of 4 students
  - 9:45-10:00 travel 15 miles to Brook Elementary
  - 10:00-11:00 Group of 5 students
  - 11:00-12:00 Group of 5 students
  - 12:00-1:00 Lunch and travel 45 miles to Cramville
  - 1:00-3:00 Two groups of 4 students each.

**BILINGUISTICS**