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# Editorial: The Birth of *The Journal of Social Work Values and Ethics*

Stephen M. Marson, Ph.D. Editor & Jerry Finn, Co-Editor

During my first year in academia, I submitted my first manuscript to a scholarly/practice refereed journal. The manuscript came out of my MSW thesis from The Ohio State University. My thesis committee was delighted to see my first publication. For me, it was a self-actualizing experience.

Later, I acquired a copy of a document published by the National Association of Social Workers that included the acceptance/rejection rates for the major journals. I looked up the journal in which my manuscript appeared and was shocked to learn that the editorial board rejected 90% of the manuscripts. I was reading this statistic when a colleague walked into my office. I distinctly remember saying, “If I knew the rejected rate was 90%, I would have never submitted the manuscript.” If you are like me, do not read further. In this State of the Journal report, we are going to include a discussion of rejection rates. We are also going to address the process of manuscript review and the work of the board.

First, we will address the acceptance/rejection rate. Since the announcement of *The Journal of Social Work Values and Ethics*, 36 manuscripts have been submitted. Of these, six (6) have been published. This gives the journal an acceptance rate of 16%. According to the latest edition of NASW’s *An Author's Guide to Social Work Journals*, the acceptance rate among most journals is between 5% and 15%.

Most of the manuscripts we receive are neither immediately accepted or rejected, but require further polishing by the author(s). The process of explaining to the author is straightforward, and all of our authors have accepted such criticism with an immediate revision.

A major internal conflict within us occurs when one reviewer immediately accepts the manuscript and the other reviewer immediately rejects it. We see a pattern. Practitioners and academic social workers have different world views of what should be published. This is NOT a new phenomenon! In an historical review of literature, we find the beginnings of a conflict in the 1929 *Social Work Yearbook* (to eventually become *The Encyclopedia of Social Work*). The difference in opinion between practitioners and academic social workers is not little, but great –

even in 1929. Thus, we have been thinking about splitting the journal into halves; one section devoted to social work practice, while the other section would be devoted to areas of educational and academic interest. What do you think?

Since the journal's inception, 6 practitioners and 20 academic social workers have agreed to serve on the editorial board. Two have resigned and two new members have joined. Currently, we are seeking more members to join. The workload is getting out of hand for the current members. As a result, we are seeking 5 to 10 more professionals to join the board. If you are interested, e-mail one of us at [smarson@nc.rr.com](mailto:smarson@nc.rr.com) (Steve) or [jfinn2@comcast.net](mailto:jfinn2@comcast.net) (Jerry) and we will send you a profile form.

# Undergraduate Views of Capital Punishment: Are Social Work Students Different from Other Students?

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## **Abstract**

The death penalty is a controversial social issue in our society. Few other issues engender such debate or stir such emotions. Although the percentage of people who support capital punishment has decreased in recent decades, the majority of Americans still support it. The National Association of Social Workers, however, staunchly opposes the death penalty. This study examined the differences in death penalty attitudes between social work and non- social work undergraduate majors at a large public university. Far fewer social work students supported capital punishment as compared to students in other majors. Additionally, the results indicated that social work majors significantly differ from other students in the reasons for supporting/opposing capital punishment.

**Keyterms:** Social Work Students, Attitudes of Social Work Students, Death Penalty Views, and Reasons for Supporting Capital Punishment

## **Introduction**

The United States is one of the few industrialized nations that still imposes capital punishment for some criminal offenses (The Death Penalty Information Center, 2004a). The use of capital punishment has a long history in the United States, beginning in colonial times. More than 20,000 people are estimated to have been executed (Durham, Elrod, & Kinkade, 1996; Lilly, 2002). Today, 38 states and the federal government have death penalty statutes (The Death Penalty Information Center, 2004b). In 2002, 71 individuals were put to death in the U.S. and in 2003, 65 people were executed (The Death Penalty Information Center, 2004c). Recent polls indicate that between 60% and 70% of people in the U.S. support capital punishment in some manner (Pollingreport.com, 2004; The Death Penalty Information Center, 2004d). Although the majority

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of U.S. citizens appear to support capital punishment to some degree, there are varying degrees of support for capital punishment among the American populace. The degree of support for the death penalty has also dropped from the high of 80% support in the early 1990s (Soss, Langbein, & Metelko, 2003; Pollingreport.com, 2004; The Death Penalty Information Center, 2004d). Furthermore, support for the death penalty varies across different segments of the U.S. population, such as between men and women, along racial lines, and so forth (Arthur, 1998; Ellsworth & Gross, 1994; Erikson & Tedin, 2003; Murray, 2003; Niven, 2002; Soss, Langbein, & Metelko, 2003; Whitehead & Blankenship, 2000). Finally, 12 states do not have the death penalty, and even within the 39 jurisdictions with capital punishment, both public support and the number of executions vary greatly. In sum, support for the death penalty is not unanimous or without debate.

There are also different reasons for supporting or opposing the death penalty. There is no universal agreement among proponents of why they support the death penalty, nor is there agreement among abolitionists on why the death penalty should be opposed. Because the death penalty is the ultimate punishment, there is need for extensive research. As Whitehead, Blankenship, and Wright (1999) point out, "Given the literal life and death nature of capital punishment, it is important to continue research on this topic" (p. 250).

The death penalty is a controversial subject. It stirs passionate arguments between proponents of capital punishment and abolitionists and often leads to vocal and spirited debates in college courses that cover the subject. Sometimes, the debate divides organizations, civil groups, and professional groups. The debate has led to an official stand on the issue of capital punishment by the National Association of Social Workers (NASW) who, as a professional community, has issued a policy statement opposing capital punishment (NASW, 1997, 2000). NASW's position is that social workers should not engage in or condone any actions or policies in which a client or former client could be harmed. Because the death penalty generally involves offenders with many problems and involves the greatest harm to a person, NASW decided to issue a policy statement opposing the death penalty (NASW, 2003). NASW's death penalty position is part of an overall concern by the organization toward the criminal justice system and the erosion of rights for citizens, particularly those who have been disenfranchised by society. It is those with the least power and those who have been disenfranchised who are at the greatest risk of being sentenced to death (NASW, 2003). The policy against capital punishment also illustrates the foundation upon

which social work is built, individual liberties and social justice. By taking a position opposing the death penalty, NASW reaffirmed the role of social work as an agent of change (NASW, 2003). "NASW considers the protection of individual rights and the promotion of social justice essential to the preservation of our collective well-being as a society" (NASW, 2003, p. 37). The opposition to capital punishment was reaffirmed by NASW Delegate Assembly in August 1999 (NASW, 2003).

The opposition position by NASW towards the death penalty has led to changes in the field. For example, there has been a growing trend for social work practitioners to work with defense attorneys to help build a case of mitigating factors (e.g., abuse, discrimination, disability, deprivation, etc.) for why a defendant should not be sentenced to death (Guin, Noble, & Merrill, 2003; Reed & Rohrer, 2000; Schroeder, 2003).

The core values of social work are the dignity and worth of individuals and unconditional positive regard for people, regardless of life situations. Social work believes that people have ability to change, because an individual's behavior affects and is affected by his or her social environment. These beliefs are why NASW opposes capital punishment. While NASW has issued a policy statement against capital punishment, it is unknown whether social work students share a similar stance on the death penalty. This exploratory study examined the level of death penalty support among social work majors at a large, public Midwestern university in the United States as compared to students majoring in other disciplines. In addition, this study sought to determine whether there are significant differences in reasons for supporting or opposing capital punishment between social work students and students in other majors.

## **Literature Review**

There is a growing body of literature that has focused upon the attitudes of social work students across a wide array of topics, such as homosexuality (Lim & Johnson, 2001), older adults (Tan, Hawkins, & Ryan, 2001), spirituality and religion (Kaplan & Dziegielewski, 1999), social justice (Moran, 1989), poverty (Macarov, 1981), and academic preparation for group work (Knight, 1999). For example, Fabianic (1979) found criminal justice majors had higher libertarianism scores than social work majors. There has been virtually no research on social work majors' level of support for the death penalty and their reasons for supporting or opposing capital punishment. When social work students were included in a study on the attitudes of the death

penalty, they were mixed in with other majors and no detailed information was given about social work students as a group (e.g., Maxwell & Rivera-Vazquez, 1998). No study examining the degree of support for capital punishment and the reasons for this support among social work majors could be located in the literature.

While there has been little research on death penalty support and views of social work majors, there has been considerable research on the general public's views of capital punishment. Recent polls have indicated that between 60% and 70% of the U.S. public supports capital punishment (Pollingreport.com, 2004; The Death Penalty Information Center, 2004d). Nonetheless, the death penalty literature indicates that the degree of support varies considerably. Some people very strongly favor capital punishment, while others only somewhat support it. Similar findings are observed among those who oppose the death penalty. In addition, the reasons why people support or oppose capital punishment vary.

The four major ideologies provided for supporting the death penalty are deterrence, retribution, incapacitation, and law and order. Many people, particularly politicians, indicate that the death penalty is an effective deterrent for the crime of murder (Ellsworth & Ross, 1983; Lynch, 2002; Whitehead & Blankenship, 2000; Zeisel & Gallup, 1989). Supporters of this position advocate that executing convicted murderers is a far more effective deterrent than life imprisonment (Steele & Wilcox, 2003). It should be noted that the literature strongly suggests that capital punishment has little, or no, deterrent effect on the crime of murder (Bailey, 1990, 1991; Bailey & Peterson, 1989; Decker & Kohfeld, 1990; Paternoster, 1991). Nevertheless, among some proponents, there is a view that the death penalty can and does deter others from murder.

Retribution is also a reason provided for supporting the death penalty (Ellsworth & Gross, 1994; Firment & Geiselman, 1997; Lynch, 2002). In the last 20 years, there has been a hardening of society's view of crime and the punishment of criminal offenders (Durham et al., 1996). Many people feel that murderers deserve the death penalty since they took a life (Bohm, 1987, 2003; Ellsworth & Gross, 1994; Steele & Wilcox, 2003). In addition, retribution is an emotional response for many to the horrific and shocking crime of murder (Ellsworth & Gross, 1994; Ellsworth & Ross, 1983; Geraghty, 2003; Lynch, 2002; Zimring, 2003). Anger can lead to a demand that murderers be put to death (Lynch, 2002; Vandiver, Giacomassi, & Gathje, 2002; Zimring, 2003).

Many retributionists argue that sentencing the murderer to death helps relieve the anger and hurt caused by the murder for both the victim's family and society in general.

Incapacitation is another reason to justify support for the death penalty (Ellsworth & Gross, 1994; Firment & Geiselman, 1997; Zeisel & Gallup, 1989). There is a view that many murderers will murder again if given a chance. Proponents for capital punishment who believe in the incapacitation ideology argue that executing dangerous, violent offenders allows society to ensure that they will not harm others in the future. Related to incapacitation is the view that it costs too much to keep a convicted murderer in prison for life (Bohm, 1987, 2003; Ellsworth & Gross, 1994). It is often believed, erroneously, that it is cheaper to execute a person than to keep that person in prison for natural life (Acker, 1996; Brooks & Erickson, 1996).

The last major reason provided for the need for the death penalty is that it is needed to maintain law and order in society. This reason represents the willingness to use state violence and punishment for social control (Beckett & Sasson, 2000; Cochran, Boots, & Heide, 2003; Rankin, 1979; Steele & Wilcox, 2003). The idea that capital punishment brings order to society is rooted in the instrumentalist perspective (Arthur, 1998; Baumer, Messner, & Rosenfeld, 2003; Maxwell & Rivera-Vazquez, 1998; Tyler & Weber, 1982). "The instrumentalist perspective holds that peoples' attitudes toward the death penalty are driven primarily by their desires to reduce crime and protect society, and that the death penalty is a means to achieve this end" (Maxwell & Rivera-Vazquez, 1998, p. 337). The instrumental perspective is indirectly tied to the belief that deterrence through punitive, harsh sentences, like the death penalty, will ultimately lead to law and order in society by instilling fear into current and future criminals (Baumer et al., 2003; Garland, 2000).

As with proponents, abolitionists provide a variety of reasons for opposing the death penalty. The literature indicates there are five commonly provided reasons for opposing capital punishment: morality, innocence, emotional, mercy, and the brutalization effect. The morality rationale argues that the death penalty is immoral, uncivilized, and cruel (Ellsworth & Gross, 1994; Firment & Geiselman, 1997; Hood, 2001; Reese, 2002; Zimring, 2003). "Abolitionists will, rightly, continue to argue that in executing murders, the state and its citizens lower themselves to the same moral level as the murderers" (Lilly, 2002, p. 331). Capital punishment sends a moral message that killing is acceptable. Capital punishment "legitimizes the very behavior - killing -

which the law seeks to repress.... It undermines the legitimacy and moral authority of the whole legal system" (Hood, 2001, p. 332).

Administrative concerns are frequently provided as a reason for opposing capital punishment (Lilly, 2002). The greatest administrative concern is the risk of executing an innocent person. There is strong evidence supporting the fact a sizable number of innocent individuals have been sentenced to death (Huff, 2002, 2004; Liebman, 2002; Radelet, Lofquist, & Bedau, 1996). Over the past several decades, more than 110 individuals have been exonerated and released from death row (The Death Penalty Information Center, 2004e). Many of these wrongful convictions were overturned due to DNA evidence (Clarke, Lambert, & Whitt, 2001; Huff, 2004)<sup>1</sup>. The introduction of DNA testing has helped reshape the debate on capital punishment by adding validity to the argument that many innocent persons have been sentenced to death. DNA exonerations have raised important legal and ethical questions about the death penalty because of the very real chance of not only sentencing an innocent person to death but actually executing him/her (Whitt, Clarke, & Lambert, 2002). The issue of innocence adds to the critical debate on the appropriateness of the death penalty. Thus, many abolitionists use the risk of executing innocent persons to explain their opposition to capital punishment (Ellsworth & Gross, 1994).

In addition, the number of DNA exonerations has led to calls for a moratorium on capital punishment until the system for imposing death sentences can be reformed (Huff, 2002, 2004). While not necessary opposed to capital punishment, those pushing for reforms and/or a moratorium are concerned about how the death penalty is imposed and the length of the appeals process to address errors which may have been made. After 13 inmates had been exonerated, Illinois Governor George Ryan imposed a statewide moratorium on capital punishment in January 2000 because of his concern that the system had too many errors and needed time to be corrected (Geraghty, 2003; Huff, 2002; Lilly, 2002). Later, Governor Ryan commuted the death sentences of 167 inmates to life in prison because of his concerns over the quality of the legal process leading to death sentences (BBC News, 2003; Schepers, 2003). In addition, at the same time, several other state legislatures (e.g., Indiana, Illinois, Maryland, and Nebraska) called for studies of administrative problems, particularly the issue of innocence, associated with the death penalty

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<sup>1</sup> We thank the anonymous reviewer who suggested that we should widen our scope of the discuss of innocence to include the issue of DNA testing and the push by reformers to address with the problems frequently found in death penalty cases.

(Lilly, 2002). While Governor Ryan and others were demonized by proponents, abolitionists saw him and the other politicians calling a moratorium on capital punishment as reformers. Finally, it is interesting to note that the recent call to reform and lengthen the appeal process is the opposite which occurred in the middle 1990s when the appeal process was significantly shortened to prevent prolonged litigation of death sentences (Geraghty, 2003; Zimring, 2003).

As with support for the death penalty, opposition can also be based on emotion. Abolitionists are often emotionally moved and saddened by executions (Vandiver et al., 2002). The opposite of the desire for retribution is the desire for mercy. Some abolitionists feel that it is important to advocate mercy rather than seek revenge. They feel that capital punishment violates basic human rights. According to the United Nations Universal Declaration on Human Rights, two fundamental rights are 1) the right not to be tortured, and 2) the right not to be executed (Prejean, 2000). Further, the U.S. Catholic Bishops in the 1980s "strongly condemned the death penalty for its disregard for human dignity" (Prejean, 2000, p. 183). Thus, like those who support the death penalty, abolitionists are also emotional in their opposition.

The last major explanation for opposing capital punishment is that it causes violence. Rather than deter people from committing crimes, some abolitionists argue that the death penalty actually leads to increased future violence (Thomson 1997, 1999). Increased violence due to capital punishment is referred to as the brutalization effect (Bowers, 1984; Bowers & Pierce, 1980; Thomson 1997, 1999; Vandiver et al., 2002). The brutalization effect is diametrically opposed to deterrence argument. The deterrence position argues that capital punishment reduces violence while the brutalization position argues that it actually causes more violence in society.

### **Research Questions**

It is predicted that social students will be much lower in their support for capital punishment as compared to students in other majors. Social workers view human behavior as learned behavior, influenced by the dynamics of environmental forces. Social workers generally adopt a rehabilitative approach to crime and criminal behavior. Although they consider an individual to be responsible for her/his behavior, they also consider circumstances and personality factors as having an impact on an individual's behavior. Hollis, who originally coined the phrase "the person-in-situation", suggested both the individual and the environment are inseparable parts (Grinnell, 1973). Social workers believe that since people learn behavior, both good and bad, those

people who commit crimes can change, including those sentenced to life/death. Social work students generally come with a different set of characteristics that favor progressive attitudes towards social issues and help further understanding people from different vantage points. Social work classrooms are generally diverse, with higher representation of minority, female, and non-traditional students as compared to other disciplines. Further, there is a growing trend among students taking social work for religious beliefs because of an increasing recognition of religion in peoples' lives (Poppo & Leighninger, 2002). This trend is further reinforced by the initiation of undergraduate programs with a religious focus in programs accredited by the Council on Social Work Education (CSWE) (CSWE, 1999, p. 190). These characteristics in social work students predispose them to favorable opinions on human issues.

A second major assumption behind social work students' opposition to the death penalty comes from the professional orientation characterized by humanistic and liberal values. The liberal perspective which dominates social work philosophy and values is based upon the conviction that rehabilitation and social reform are better approaches to crime prevention than incarceration or death (Poppo & Leighninger, 2002). This view is in line with the general principles found in most higher education social work programs which generally stress the client's ability to change, understanding, and helping as part of the core principles of social work. Social workers try to improve the quality of life for their clients by intervening in the environment to make it better (Huneter & Saleeby, 1977). Social workers adopt a rehabilitative approach to change people for the better. The discipline of social work is not built upon the principles of punishment and retribution but helping people to correct their lives (DuBois & Miley, 1999).

The third assumption comes from the social work emphasis on an ecosystems approach that recognizes the dynamic interaction between micro and macro systems. This approach helps to understand crime as a social problem rooted in the conditions in society. Criminal behavior can be seen as an expression of unfair macro systems, the insensitivity of the system, or the development of behavioral problems in response to deficient or problem-ridden family and community environments (Schwendinger & Schwendinger, 1970; Spitzer, 1975). Some social workers support the theory of Quinney (1974) who argued that advanced capitalist societies may use criminal law as an instrument of the state and ruling class to maintain and perpetuate the existing social and economic order (Sarri, 1995).

In this context, it was hypothesized that social work students would generally oppose the death penalty as compared students in other majors. It is important to point out that there has been little, if any, research on the degree of support and views on the death penalty among social work students. In this exploratory study, the degree of support for the death penalty among social work majors was contrasted with the degree of support among non- social work majors. In addition, it was theorized that social work students would significantly differ from non-social work majors in the major reasons for support and opposition of the death penalty found in the literature.

## **Methods**

### **Respondents**

The data for this study came from a survey of college students at a public four-year, nationally ranked Midwestern university with an enrollment of slightly more than 20,000. A non-random, systematic convenience sampling design involving about 20 academic courses in the Spring of 2002 was used. A convenience sample is where the researcher selects subjects who are available and willing to be part of the study (Hagan, 1997). Because it is not a random sample (i.e., based upon a mathematical probability of selection), the results from this study cannot be generalized to the larger population. This, however, is not crucial because this study was exploratory in nature. Of the college courses selected for the administration of the survey, there were an average of 15 to 30 students in the class on the day of the survey. The nature of the survey was explained to the students, and it was emphasized that the completion of the survey was voluntary. Very few students declined to participate in the survey. Students completed the survey during class time. To prevent multiple participation, students were told not to complete the survey if they had previously completed one in another course. More than 96% of the students present filled out the survey.

Since the purpose of the study was to compare and contrast social work majors to students majoring in other areas, it was necessary to select courses which were generally only taken by undergraduate social work majors, and in order to survey non-social work students, the survey was administered to a variety of general education classes required of all students. A total of 406 useable surveys were collected. Students were asked to identify their major. Approximately 42% ( $n = 172$ ) of those surveyed were social work majors and 58% ( $n = 234$ ) indicated that they were from majors other than social work. Because all majors at the university are required to take

general education courses, the respondents represented a wide array of majors, with no one particular major dominating the group of non-social work students.

The survey contained several questions about demographic characteristics. About 61% of the full sample were women and 39% were men. For the sub-sample of non-social work students, about 42% were women and 58% were men. For the social work subsample, approximately 86% were women and 14% were men. In other words, the social work subsample was much higher in the proportion female respondents than was the non-social work subsample. This was expected since social work, as a discipline, mainly attracts women.

In terms of race, the entire sample was 71% White, 18% Black, 3% Hispanic, and 8% other. For the non-social work group of students, approximately 76% were White, 13% Black, 2% Hispanic, and 9% other. For the social work group, about 66% were White, 24% Black, 4% Hispanic, and 6% other. The social work subsample had a higher proportion of Black and Hispanic respondents than the non-major subsample. Again, this was expected since social work tends to attract more minority students than do many other majors.

The median age for the entire sample of students was 21, with a range from 18 to 69 years old. The mean age was 22.99, with a standard deviation of 7.57. For the non-social work majors, the median age was 20, with a range from 18 to 69 years old. The mean age was 20.77, with a standard deviation of 4.62. For the social work majors, the median age was 22, with range of 18 to 59. The mean age was 26.00, with a standard deviation of 9.52. In general, the two groups of students were somewhat similar in their ages, with social worker students being, on average, slightly older than non-social work majors.

For the entire group of students, there was a nearly equal breakdown of the students in terms of their academic standing. Specifically, about 26% were freshman, 24% were sophomores, 26% were juniors, and 24% were seniors. For the non-social work group, approximately 35% were freshman, 30% were sophomores, 18% were juniors, and 17% were seniors. This breakdown was not surprising since most students take general education courses during their first two years at the university. For the social work group, about 14% were freshmen, 16% were sophomores, 37% were juniors, and 33% were seniors. This breakdown is in accordance with how the social work major is constructed at the survey university. Social work majors generally take most of their discipline courses during their junior and senior years.

## Measures

**Death Penalty Support.** The students were asked their degree of support for capital punishment using a seven-item close-ended response category which was created for this survey. Specifically, students were asked to "Check one of the below statements that best reflects your attitude towards the death penalty: 1 = I am very strongly opposed to the death penalty; 2 = I am strongly opposed to the death penalty; 3 = I am somewhat opposed to the death penalty; 4 = I am uncertain about the death penalty; 5 = I am somewhat in favor of the death penalty; 6 = I am strongly in favor of the death penalty; 7 = I am very strongly in favor of the death penalty." While some death penalty attitudinal research has collapsed the measure of support for capital punishment into a dichotomous variable representing support or opposition, we feel this fails to capture the subtle but important differences in support for and opposition to the death penalty. There is a meaningful difference between supporting somewhat and very strongly supporting the death penalty. The seven-point response category for the death penalty support measure used in this study allowed for a greater variance in students' views towards capital punishment than a measure with fewer response options, particularly a dichotomous one with only the responses categories of support or oppose.

**Reasons for Supporting or Opposing Capital Punishment.** A total of 14 items representing the major reasons for supporting or opposing capital punishment were selected (and are presented in Table 2). Specifically, for death penalty support there were two measures for deterrence, four measures for retribution, one measure for law and order, and two measures for incapacitation. Additionally, for death penalty opposition, there was a single measure each for the morality, mercy, emotional, innocence, and brutalization reasons. All 14 items were answered with a 5-point Likert-type agreement response scale, ranging from 1 = strongly disagree to 5 = strongly agree. While the 14 items were worded for this study, most are based upon ideas and/or questions presented in past studies on the death penalty (Bohm, 1992; Ellsworth & Ross, 1983; Ellsworth & Gross, 1994; Zeisel & Gallup, 1989).

## Results

Among the entire sample of students, less than half supported capital punishment in any manner. About 8% very strongly favored the death penalty, 14% strongly favored, 26% somewhat favored, 13% were uncertain, 11% were somewhat opposed, 12% were strongly opposed, and 16%

were very strongly opposed to the death penalty. In other words, 48% supported capital punishment to some degree and 39% were opposed in some manner. Among non-social work majors, 12% were very strongly in favor of the death penalty, 19% were strongly in favor, 26% were somewhat in favor, 12% were uncertain, 9% were opposed, 9% were strongly opposed, and 12% were very strongly opposed. Hence, 58% of the non-social work majors favored to some degree capital punishment. This percentage is slightly lower than the degree of capital punishment support found in recent national polls of Americans in which between 60% and 70% of the U.S. population supports the death penalty to some degree (Pollingreport.com, 2004; The Death Penalty Information Center, 2004d). It appears that students at the large Midwestern, public university are slightly less supportive than the general public. This is not surprising since education has been inversely linked to support for the death penalty among U.S. citizens (Borg, 1997). Among social work majors, 3% indicated that they were strongly in favor of the death penalty, 6% were strongly in favor, 26% were somewhat in favor, 14% were uncertain, 14% were somewhat opposed, 15% were strongly opposed, and 21% were very strongly opposed. Thus, 36% of social work students favored capital punishment to some degree, with most of those only having somewhat support. Approximately 50% of the social work majors were opposed in some fashion to the death penalty, with the most common response being very strongly opposed. It appears that the 172 social work students are generally opposed to capital punishment, and, as such, reduced overall support among the entire sample of college students.

The frequency results suggest that there is a significant difference in death penalty support between social work and non-social work majors. Both the Independent t-test and Chi Square Test of Independence were used to test this assertion. The t-test results confirmed that there was a large, significant difference between the two groups, with social work students being lower in their support for the death penalty ( $t\text{-value} = -5.42$ ,  $df = 404$ ,  $p .001$ ) ( $\chi^2 = 33.76$ ,  $df = 6$ ,  $p .001$ ).<sup>2</sup> Moreover, there appears to be a relationship between the amount of social work education and opposition to capital punishment. Based upon the t- test among the social work majors, there was

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<sup>2</sup> In addition to the t-test, the Analysis of Variance (ANOVA) test was done using the four academic levels of freshman, sophomore, junior and senior rather than the coding scheme of lower and upper level. There was a significant difference at  $p .05$  in death penalty views between the different academic levels of social work students. Seniors and Juniors were less supportive of capital punishment. This relationship using ANOVA was not found among non- social work students.

a significant degree of greater opposition to the death penalty among upper-level students (i.e., juniors and seniors) as compared to 2 lower-level students (i.e., freshmen and sophomores) ( $t$  value = -2.42,  $df$  = 170,  $p$  .05). This was not found among non-social work students. There was no statistically significant degree of difference in capital punishment support between lower and upper-level students majoring in other disciplines ( $t$  value = 0.64,  $df$  = 232,  $p$  = .52).

As previously indicated, White persons generally have higher degree of support for the death penalty than minorities (Arthur, 1998; Ellsworth & Gross, 1994; Murray, 2003; Niven, 2002; Soss et al., 2003). It has also been observed that men have higher levels of support for capital punishment than women (Ellsworth & Gross, 1994; Erikson & Tedin, 2003; Niven, 2002; Whitehead & Blankenship, 2000). Age has also been occasionally linked to death penalty support (Bohm, 1987; Borg, 1997). In a study of students at four Texas universities, Farnworth, Longmire, and West (1998) found that there was less support for capital punishment among seniors as compared to freshman. They attribute the difference to the "liberalizing" effect of higher education. Since the two groups of students were different in terms of gender, race, academic level, and, to a lesser degree, age, there is a question whether the difference is due to these personal characteristics or other forces. To see what association majoring in social work had on support for capital punishment independent of the effects gender, race, age, and academic standing, Ordinary Least Squares (OLS) regression was utilized. A major advantage of using OLS regression is that it allows for the effects of an independent variable to be estimated on the dependent variable while statistically controlling for the shared effects of other independent variables.

Except for age and gender, all the measures were recoded for the OLS regression analysis. *Age* was left as a continuous variable measured in years. *Gender* was coded with males coded as 1 and females coded as 0. The new race variable, called *White*, was collapsed into a dichotomous variable with White respondents being coded as 1 and Nonwhite respondents coded as 0. Academic standing was collapsed into a dichotomous variable called *Upper Level*, where freshmen and sophomores were coded as 0, and juniors and seniors were coded as 1. A dichotomous variable called *Social Work Major* was created where social work majors were coded as 1 and non-social work majors were coded as 0. Finally, the dependent variable, support for the death penalty, was reverse coded so that an increase in the variable meant greater support for capital punishment. The independent variables were entered into an OLS equation with death penalty support as the

dependent variable. The results are reported in Table 1. Even after controlling for the other variables, *Social Work Major* had a significant negative impact on death penalty support. In other words, social workers, in general, were less supportive of capital punishment than students in other majors, even after controlling for gender, race, age, and academic standing. Nevertheless, it is clear from the low value for R-Squared that there are other factors that account for the variance observed in the death penalty support measure. Reasons for supporting or opposing the death penalty could be some of these factors.

**Table 1.** *OLS Regression Results for Support for the Death Penalty*<sup>3</sup>

Variable	B	SE B	$\beta$
Male	0.91	.20	.24**
White	0.67	.20	.16**
Upper Level	-0.16	.20	-.04
Age	0.10	.01	.03
Social Work Major	-0.52	.21	-.14*
R <sup>2</sup>		.14**	

\* p .01. \*\* p .001.

The reasons for supporting or opposing the death penalty were examined to see whether there was a difference between social work students and students in other disciplines. The percentage responses for the 14 items representing reasons for supporting or opposing the death penalty for the entire sample, the subsample of social work majors, and the subsample for non-social work majors are presented in Table 2. In general, social work students were lower in their support for reasons supporting the death penalty than were students in other majors. Only for the second deterrence measure and the two incapacitation measures did there appear to be little difference between the two groups of students. For four of the five reasons for opposing capital punishment, social worker majors were more likely to agree with the statements than were non-

<sup>3</sup> Note. B represents the unstandardized regression coefficient. SE standard for standard error.  $\beta$  represents the standardized regression coefficient. Male was coded as 0 = female and 1 = male. White was coded as 0 = nonwhite and 1 = White. Upper level was coded as freshman and sophomores = 0 and juniors and seniors = 1. Age was measured in continuous years. Social Work Major was coded as 0 = non-social work major and 1 = social work major. The dependent variable was coded as 1 = very strongly oppose the death penalty, 2 = strongly oppose, 3 = somewhat oppose, 4 = uncertain, 5 = somewhat support, 6 = strongly support, and 7 = very strongly support.

social work majors. Both groups agreed that there is a good possibility that an innocent person will be wrongly executed.

Both the Independent t-test and the Chi-Square test of independence were used to see whether social worker students differed significantly from non-social work students for the 14 items for supporting or opposing capital punishment<sup>4</sup>. The results for both tests are presented in Table 3. There was a significant difference between the two groups of students on all the measures except for one deterrence measure and the two incapacitation measures. While social work students were less likely to agree that the death penalty is a more effective deterrent than life imprisonment, they were unsure whether capital punishment really failed to deter. On all four

**Table 2.** *Frequency Responses for Reasons for Supporting or Opposing Capital Punishment for Entire Group, Social Work Majors, and Other Majors*

Statement	Entire Group (N=406)					Social Work (n=172)					Other Majors (n=234)				
	SD %	D %	U %	A %	SA %	SD %	D %	U %	A %	SA %	SD %	D %	U %	A %	SA %
<b>Deterrence</b>															
The death penalty is a more effective deterrent than life imprisonment	21	29	22	20	9	23	36	24	14	3	19	24	20	24	13
After the execution, violent crime in that state declines for several weeks	11	27	54	8	0	14	27	54	5	0	9	27	54	9	0
<b>Retribution</b>															
Murders deserve the death penalty since they took a life	16	22	22	29	11	22	29	24	19	6	12	16	20	36	15
I become angry when a convicted murder does not receive the death penalty	23	27	21	11	7	31	44	17	6	1	18	31	25	15	12
16-year-old convicted of first-degree murder deserve the death penalty	31	26	26	11	6	39	30	22	6	3	25	23	29	14	8
I believe in the idea of an "eye for an eye, a life for a life."	21	27	20	21	11	26	38	19	12	5	17	18	21	28	16
<b>Law and Order</b>															
The death penalty is necessary to maintain law and order	22	28	22	22	6	30	34	21	13	2	16	24	23	28	9
<b>Incapacitation and Cost</b>															
It costs more money to incarcerate someone for life without parole than it does to execute that person	16	15	25	30	14	19	14	26	26	15	14	15	25	33	14
Most convicted murders would kill again if given the opportunity	4	21	40	25	10	4	21	46	22	7	4	22	35	27	12
<b>Reasons to Oppose</b>															
The death penalty serves little purpose other than to demonstrate society's cruelty	17	40	14	23	7	9	34	17	29	12	23	45	11	18	3
Showing mercy is more important than seeking revenge	7	14	34	36	10	2	8	30	45	14	10	18	36	29	6
It saddens me when a person is executed, regardless of the crime they committed	15	25	17	29	14	6	19	19	41	15	22	30	15	20	13
There is a good possibility that an innocent person will be wrongly executed	3	11	16	43	27	4	5	10	45	36	2	15	20	42	21
Executions set violent example leading to future violence															

retribution measures, social worker students were far less likely to agree than were students majoring in other areas. Social work students were much less likely to view that the death penalty as necessary to provide law and order. For both incapacitation measures, there was no statistically

<sup>4</sup> In addition to the Independent t-test, two nonparametric tests were used. Specifically, the Kruskal-Wallis H test and the Mann-Whitney U test were utilized. Results similar to the t-test were observed.

significant difference between the two groups. Finally, social work majors were much higher in all five reasons for opposing capital punishment than were students majoring in other areas. The greatest differences were for the measures of morality, mercy, and emotional opposition. It is not known whether the differences observed were due to personal characteristics or to majoring in social work.

Note. SD=Strongly Agree, D=Disagree, U=Uncertain, A=Agree, SA=Strongly Agree. Percentage totals may not equal 100% due to rounding.

**Table 3. Differences Between Social Work Majors and Non-Social Work Majors on Reasons for**

Statement	Social Work Majors (172)		Non-Social Work Major (234)		Differences	
	Mean	SD	Mean	SD	Mean	SD
<b>Deterrence</b>						
The death penalty is a more effective deterrent than life imprisonment	2.40	1.08	2.63	1.32	3.80**	20.97**
After the execution, violent crime in that state declines for several weeks	2.50	0.80	2.65	0.79	1.88	5.21
<b>Retribution</b>						
Murders deserve the death penalty since they took a life	2.57	1.19	3.26	1.25	5.66**	32.86**
I become angry when a convicted murder does not receive the death penalty	2.02	0.92	2.72	1.24	6.23**	36.97**
16-year-old convicted of first-degree murder deserve the death penalty	2.04	1.06	2.58	1.25	4.59**	20.98**
I believe in the idea of an "eye for an eye, a life for a life."	2.33	1.14	3.08	1.33	5.91**	40.90**
<b>Law &amp; Order</b>						
The death penalty is necessary to maintain law and order	2.25	1.09	2.91	1.24	5.57**	29.69**
<b>Incapacitation &amp; Costs</b>						
It costs more money to incarcerate someone for life without parole than it does to execute that person	3.05	1.33	3.17	1.25	0.93	2.76
Most convicted murders would kill again if given the opportunity	3.06	0.93	3.21	1.05	1.40	7.00
<b>Reasons to Oppose</b>						
The death penalty serves little purpose other than to demonstrate society's cruelty	3.01	1.20	2.35	1.12	-5.81**	32.07**
Showing mercy is more important than seeking revenge	3.62	0.91	3.04	1.06	-5.82**	31.85**
It saddens me when a person is executed, regardless of the crime they committed	3.40	1.13	2.72	1.35	-5.36**	37.18**
There is a good possibility that an innocent person will be wrongly executed	4.02	1.02	3.65	1.03	-3.58**	24.45**
Executions set violent example leading to future violence	2.91	1.17	2.60	1.04	-2.86*	19.86**

SD = standard deviation.  $\chi^2$  df for entire column is equal to 4. The degrees of freedom for t = 404. \* p .01 \*\* p .001

Because there was a difference between the two groups in several areas of personal characteristics, OLS regression was conducted with *Male*, *White*, *Upper Level*, *Age*, and *Social Work Major* as the independent variables. Each of the 14 reasons for supporting or opposing capital punishment were dependent variables (i.e., 14 separate OLS regression equations were computed). The results are reported in Table 4. The independent variables of *Male*, *White*, *Upper Level*, *Age*, and *Social Work Major* are reported in the columns. Due to space limitations, only the standardized regression coefficient is reported. The 14 reasons for supporting or opposing the death penalty (i.e., dependent variables) are reported in the rows. After controlling for gender, race, academic

standing, and age, the measure representing whether majoring in social work had a statistically significant effect on 7 of the 14 items.

**Table 4.** *Standardized OLS Regression Results for Each of the 14 Reasons for Supporting or Opposing the Death Penalty as a Dependent Variable*

Statement	Male	White	Upper Level	Age	SWK Major	R <sup>2</sup>
<b>Deterrence</b>						
<i>β's</i>						
The death penalty is a more effective deterrent than life imprisonment	.12*	.12*	-.06	.00	-.10	.07***
After the execution, violent crime in that state declines for several weeks	.03	.12*	-.11	.07	-.06	.03*
<b>Retribution</b>						
Murders deserve the death penalty since they took a life	.12*	.14**	-.08	-.00	-.18**	-.11***
I become angry when a convicted murder does not receive the death penalty	.19***	-.11	-.08	-.02	.17**	.13***
16-year-old convicted of first-degree murder deserve the death penalty	.13*	.14**	-.02	-.05	-.13*	.08***
I believe in the idea of an "eye for an eye, a life for a life."	.10	.07	-.06	-.01	.01	.02
<b>Law &amp; Order</b>						
The death penalty is necessary to maintain law and order	.17***	.17***	-.09	.01	-.14**	.14***
<b>Incapacitation &amp; Costs</b>						
It costs more money to incarcerate someone for life without parole than it does to execute that person	.13*	.15**	-.09	.01	.05	.04**
Most convicted murders would kill again if given the opportunity	.10	.07	-.06	-.01	.01	.02
<b>Reasons to Oppose</b>						
The death penalty serves little purpose other than to demonstrate society's cruelty	-.21***	-.14**	.05	.05	.13*	.14***
Showing mercy is more important than seeking revenge	-.11*	-.02	.05	.06	.19***	.10***
It saddens me when a person is executed, regardless of the crime they committed	-.21***	-.12**	.05	.10*	.10	.13***
There is a good possibility that an innocent person will be wrongly executed	-.11	-.08	-.01	.10	.08	.06***
Executions set violent example leading to future violence	-.22***	-.09	.06	-.01	.02	.07***

Note. For description of the variables, please see the note for Table 1.  $\beta$  represents the standardized OLS regression coefficient. \*  $p < .05$ ; \*\*  $p < .01$ ; \*\*\*  $p < .001$

Even after controlling for the aforementioned personal characteristics, there was a statistically significant difference between social work majors and non-social work majors for all four of the retribution measures and the single law and order measure. Social work students were less likely to agree with these statements than students majoring in other areas. Additionally, there was a significant difference between the two groups of students for two of the opposition reasons. Specifically, social work majors were more likely to agree with the statement of morality/cruelty and mercy than were majors in other disciplines. Conversely, in the OLS regression analyses, there was no significant difference between social work students and non-social work students for the two deterrence measures, the two incapacitation measures, and three of the opposition measures. It was not surprising that there was no difference between the two groups of students on the incapacitation and deterrence measures, since there was no difference reported in Table 3 for

several of the measures. It was surprising that there was no difference between social work students and other students on the emotional opposition, innocence, and brutalization statements.

## **Discussion**

The results generally support the position that social worker students are less likely to support capital punishment than other students, especially among upper-level social work majors. It would appear that the majority of social work students in this study agree with the view of the death penalty expressed by the National Association of Social Workers. Social worker students' opposition to the death penalty probably can be attributed to three factors: personal characteristics, their professional orientation and training, and their approach to individual and society. It is clear that some opposition to the death penalty is due to the fact that most of the social work majors in this study were women and/or minorities, with a sizable number who were nontraditional students. Both women and members of minority groups generally have less support for the death penalty (Arthur, 1998; Ellsworth & Gross, 1994; Whitehead & Blankenship, 2000). However, even when personal characteristics were taken into account, social work majors were clearly lower in their support for capital punishment than other majors. Moreover, it was found that upper-level social work students were more opposed to capital punishment than were lower-level social work majors, suggesting that social work education has a liberalizing effect on the students.

Not only are social workers less likely to support capital punishment, they differ from students in other majors on many of the reasons for supporting or opposing the death penalty. Social work students were more likely to agree that the death penalty is the most extreme, brutal punishment. Their opposition was less likely to be influenced by morality, mercy, emotional positions against the death penalty. Moral judgment is more likely to be influenced by religious beliefs. Professional ethics restrict social workers from being influenced by such beliefs. Social work students are advised to refrain from emotional involvement; therefore, it is not surprising that emotional opposition is not the basis for their opposition to the death penalty. Social work majors are also taught to be open-minded and nonjudgmental in their dealings with clients. The major highlights individual worth despite problem behaviors, commits to improving people's lives regardless of circumstances, emphasizes strong ethics to treat people in humane and fair manner, and helps people to change in order to live in an interdependent society. Social work students are entering a field that believes that it can treat and rehabilitate criminals, regardless of the crime and

individual circumstances. As a group, they do not feel that it is necessary to inflict death as a punishment wherein societal resources are wasted, and humans are denied opportunity to lead changed/dignified lives.

Further, the goal of social justice requires that social work students not only acquire knowledge about the existence of injustice in society, but also acquire professional competence to change the conditions in the environment while working for rehabilitation of individuals (NASW, 1996, 2000). The preponderance on law enforcement and punishment, rather on deplorable social conditions, is considered to be main reason for the failure of criminal justice system to reduce crime (Sarri, 1995). Social work philosophy fits into multiple causation theory of crime (Johnson & Schwartz, 1991). Social work programs (including the one studied) have rigorous training for their social work majors through supervised field experience. Since they are provided the opportunities to apply the classroom learning in the real world, social work students are further required to internalize the endorsed professional values and positions of their discipline (CSWE, 2001; Kirst-Ashman & Hull, 2002). For this reason, professional orientation could be a major contributor for the different position that social work majors take on the death penalty, and perhaps on many similar controversial topics.

The lack of difference between social work and other students for the deterrence and incapacitation measures could be due to several factors. One reason for this might be social workers' dual emphasis on the person and his/her environment. This emphasis originates from ecosystems approach and psycho-dynamic theories (Preston-Shoot & Agass, 1990). Social workers generally pursue the goals of prevention of crime, as well as providing rehabilitative opportunities for offenders. Social workers probably oppose the death penalty based on their professional value orientation that individuals can be changed if provided an opportunity. At the same time, they want society to be protected from the risks of repetitive crimes through law enforcement, deterrence, and incapacitation while supporting certain cases for probation and others for incarceration. Social workers are for an individualized approach in the treatment of crime. Hence, the responses of social workers are guided by the goals of social work practice in that it values clients' rights and societal interests as professional commitments on equal footing (Karger & Stoesz, 2003). In the event of competing values between individual privileges and rights and societal well-being, a social worker's judgment is guided by the larger interests of society (Reamer,

1995). Social workers are exempted from maintaining the ethical practice of confidentiality and self-determination when a client presents a greater risk for society as defined by the criminal justice system (Miller, 1995). For example, a person's intention to kill someone is not treated as individual right. Hence social workers, while opposing retribution, support deterrence, law and order, and incapacitation in the interest of society. Social workers likely support deterrence, because they emphasize intervening in the environment to minimize and eliminate environmental factors associated with crime and criminal behavior. This focus suggests crime prevention. Social work ethics support this practice. Second, the composition of social work student body is different in terms of higher percentages of female, minority, and non-traditional students. These characteristics do associate with liberal values and unconventional approaches to social issues (CSWE, 2001).

The lack of a difference between social work majors and non-social work majors in the OLS results for the emotional opposition, innocence, and brutalization arguments against the death penalty are both interesting and surprising. Emotional opposition is not supported by social workers because their opposition to the death penalty is not based on mercy or human sympathy; rather, it is based on a professional value framework and a belief in a correct approach to the treatment of crime. Social workers tend to adopt a psycho-social interpretation of social problems including crime. Problems need to be addressed in a different way - a rehabilitative approach based on human responsibility and ability to change (Iglehart, 1995). Emotional opposition is the opposite of emotional retribution in which a difference was observed. Again, majoring in social work had no significant effect for this measure. Social workers are expected to work within the framework of a system.

However, if an innocent person is punished, social workers will try to help the client through advocacy groups that work on behalf of the client, but they may not accept arguments of innocence or brutalization based on personal beliefs. Social workers are advised to desist from the influence of personal values/beliefs. Social workers are expected to respect other systems while working for a change in society as per the professional code. This emanates from the value that systems are interdependent (NASW, 1997, 2000).

Students who tend to have liberal values, a desire to help others, and believe in rehabilitation are probably more attracted to social work than students who are lower in these areas.

Students who are high these areas are more likely to be opposed to the death penalty. Therefore, students who generally oppose capital punishment are more likely to major in social work than students who are highly supportive. Under this explanation, the impact of social work education needs to be further determined because the values stressed in the major already exist in the students.

A longitudinal study would be able to detect whether death penalty views change during the course of majoring in social work or whether they are constant. Future research needs to use better measures that go into more depth than the measures of why individuals support or oppose capital punishment than those typically found in the literature. Furthermore, the death penalty views of professional social workers in field need to be explored. Finally, based upon the R-squared obtained in the OLS regression analyses, there are other factors besides personal characteristics and social work major that account for the variance in the death penalty supported observed in this study. These forces need to be identified and understood both for theoretical and practical reasons.

## **Conclusion**

While both groups were found to have a lower support rate for the death penalty than the rate found in the general population, findings of this study indicate a difference in support of the death penalty between social work majors and other majors. Specifically, social work majors were found to have a lower support rate than other majors. Moreover, upper-level social work students, who have had more social work courses, were far more opposed to the death penalty than were lower-level social work students. Further analysis indicates that the social work students in the sample were much less likely to support the death penalty for the reason of retribution. Although both social work majors and non-social work majors appeared to agree that innocent people are executed, social work students were more likely to agree with the emotional opposition and brutalization arguments. Their agreement is explained based on value framework for professional practice.

In a very general sense, social work as a profession recognizes every individual's worth and ability to change and improve her/his life situation. Hence, social workers believe rehabilitation strategies need to be applied which are consistent with NASW's long-standing policy statement regarding the death penalty, "NASW considers the protection of individual rights and

the promotion of social justice essential to the preservation of our collective well-being as a society. NASW urges social workers and other policy makers to focus on the following areas: . . . Abolition of the death penalty" (NASW, 2000, p. 37).

While this exploratory study supports the contention that social work students are generally in agreement with this statement, it points to the need for further research. Many questions remain about whether students entering social work already have attitudes against the death penalty or whether social work education shaped their values and attitudes. Other variables also need further study, such as the impact of gender and race versus the impact of social work as a major on attitudes toward the death penalty. The death penalty is a permanent sanction and the debate over capital punishment literally represents life or death. There is a need to study capital punishment attitudes, including those among social workers and social worker students.

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# Social Work Researchers and the Institutional Review Board

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## Abstract

The death penalty is a controversial social issue in our society. Few other issues engender such debate or stir such emotions. Although the percentage of people who support capital punishment has decreased in recent decades, the majority of Americans still support it. The National Association of Social Workers, however, staunchly opposes the death penalty. This study examined the differences in death penalty attitudes between social work and non- social work undergraduate majors at a large public university. Far fewer social work students supported capital punishment as compared to students in other majors. Additionally, the results indicated that social work majors significantly differ from other students in the reasons for supporting/opposing capital punishment.

*Keyterms:* Ethics; Social work research; Institutional Review Board.

## Introduction

University-based social work researchers must submit a human subjects' application to the Institutional Review Board (IRB) when their projects meet the definition of research as specified by the federal regulations. The IRB process aims to strengthen the research ethics and to assure that study participants are not exploited. The federal human subjects' regulations, also known as the Common Rule, define research as "a systematic investigation, including research development, testing and evaluation, designed to develop or contribute to generalizable knowledge" (Department of Health and Human Services, et al., 2001, §46.102).

The Belmont Report (National Commission for the Protection of Human Subjects of Biomedical and Behavioral Research, 1979) articulated the guiding ethical principles that inform the Common Rule. These ethical principles are Respect for Persons, Beneficence, and Justice. These three principles were written in the abstract to provide a conceptual framework for ethical analysis and to allow for local interpretation of the principles (Jonsen, 2001). While the Belmont *Journal of Social Work Values and Ethics*, Fall, 2005, Volume 2, Number 2 -page 29

Report's primary intent was to create an analytical framework, the Common Rule's intent was to articulate what are the rules, key definitions used within these rules, and the functioning and composition of the IRB review committee.

The Common Rule specifies criteria for three different levels of ethical review: exemption, minimal risk and full review. An exempt project must meet one of six criteria listed within the regulations, e.g., *Educational Research Conducted in Educational Settings*. Studies eligible for minimal review are those in which risk is assessed to be no greater than what can be expected in daily life. Full review is required for a study where risks include potential damage to the physical or psychological health, reputation, or economic welfare of a subject. As an example, this research study required full review. Risks to reputation and economic welfare were considered the primary concerns, as the study potentially could reveal a lack of compliance with the human subjects' regulations.

The IRB committee must include at least five reviewers. Committee composition is further outlined in the Common Rule. As an example, the Common Rule states, "each IRB shall include at least one member who is not otherwise affiliated with the institution and who is not part of the immediate family of a person who is affiliated with the institution" (Department of Health and Human Services, et al., 2001, §46.107). The overall intent is to create a diverse and knowledgeable review committee.

The authority of the IRB includes approval, approval with contingencies, deferral, or no-approval of research proposals; continuing review; observing, monitoring, and auditing of research projects; and suspension or termination of approval. The charge of the IRB is to assess research proposals across the Belmont Report's three ethical principles. This includes a careful examination of the informed consent process, a risk/benefit analysis, and determination as to whether there is a fair distribution of burdens and benefits.

As the review process differs across universities, researchers should familiarize themselves with local IRB practices and the Common Rule. To more fully understand the regulations, it is also strongly recommended that researchers gain an understanding of the historical context and critiques of the regulations. Numerous articles and texts within the bioethics literature, for example, provide a historical overview of the regulations and describe the challenges with a regulatory system that has largely developed in response to ethical violations (e.g., Advisory

Committee on Human Radiation Experiments, 1996; Kahn, J., Mastroianni, A., & Sugarman, J., 1998; Moreno, J., Caplan, A., & Wolpe, P., 1998).

### **Relevance to Social Work Field**

The IRB review process has not been explored systematically in the social work literature. Murray, Donovan, Kail and Medvene (1980) reviewed the social work literature and found no references to how the ethical guidelines affected social workers. These authors also reported that the 1980 version of the *NASW Code of Ethics* failed to make “specific reference to formal procedures either for obtaining informed consent or for institutional review” (Murray et al., p. 26). Of note, the revised 1996 NASW code continues to assume a less stringent position implying that the IRB “should be” consulted, rather than stating consultation as a requirement. Additionally, Murray et al. interviewed twelve social work researchers and found that, in general, there was a desire to strengthen the professional code of ethics rather than increase “governmental intrusion.”

Grigsby and Roof (1993) also found inadequate attention to ethics within social work research texts published after 1975. They reviewed nine texts and found that only a third of the texts explicitly mentioned participant rights. Implications include the potential for “impediments to the generation of high-quality social work research that involves human subjects, in that researchers may be less attuned to the pitfalls for research that is not sensitive to ethical issues” (p. 459). Current research texts indicate a shift toward greater attention to ethics through an inclusion of a historical overview of the human subjects’ regulations, a discussion of the IRB purpose and function, and information regarding informed consent requirements (e.g., Rubin and Babbie, 2001; Grinnell, 2001).

Several social work journal articles provide more specific calls for action within the social work community. Blaskett (1998), for example, advocates for social workers to have a stronger voice in the promotion of ethical research, seeing the benefit of applying social work skills to the ethical review process. Similarly, Massat and Lundy (1997) recommend infusing the current ethical principles, as specified by the human subjects’ regulations, with empowerment principles.

There is a need for increased attention within social work to the human subjects review process. There is no recent empirical data on how social work researchers perceive the benefits and challenges with the IRB, nor is there discussion on how researchers can be supported through the review process. A need for this information was further reinforced through the authors’

experiences offering support to social work researchers in the completion of IRB applications. The authors noted that applicants frequently voiced confusion and/or frustration with the IRB process. The current study was designed to explore social work researchers' perceptions of and experiences with the IRB. The compilation of experiences and challenges encountered in the review process will help to create a preliminary set of recommendations for Schools of Social Work and IRBs aimed at enhancing the human subjects review process.

## **Methods**

The study sample included twenty social work researchers who submitted a research proposal that required a minimal risk or full review. Exemption applications were excluded, because anecdotal evidence suggested that the minimal risk and full review process present greater challenges than the more streamlined exemption process.

The participants included 7 graduate students, 6 staff, and 7 faculty researchers. Researchers used a wide range of designs, including ethnographies, clinical trials, epidemiological studies, and participatory action research. The researchers' data sources included interviews and survey results, as well as secondary data sets. The estimated number of submissions per researcher ranged from 1 to 15, with an average of 4. The majority of applications (89%) required full review. Student researchers overall submitted the smallest number of applications. Of note, the results do not specify whether researchers are student, staff, or faculty. Contrary to what we expected, the researcher's position did not result in significant differences.

Participants chose whether to be interviewed or to complete a written survey. Ninety-five percent of the participants completed the interview. The written survey contained the same questions as the interview guide. The questions included 1) what are your perceptions of the review process; and 2) how can the School of Social Work and/or IRB offer increased support to applicants? The interviews lasted approximately 45 minutes and were audiotaped with the participants' permission. The audiotapes were transcribed verbatim. The authors coded the transcripts independently and compared and discussed their tentative coding schemes. Themes were identified using the constant comparative method (Lincoln and Guba, 1985).

Participants also provided their correspondence between themselves and the IRB regarding the status of their application. When participants had submitted more than one application to the IRB, they selected which application to include in the study. A content analysis of the written

correspondences was completed across the following two areas: 1) the types of changes required, or questions posed by the IRB and 2) how the researcher responded to the IRB's feedback.

As this study is exploratory and included researchers affiliated with one university, the findings and recommendations represent an important first step in understanding potential challenges and recommendations to facilitate the IRB process. Social work researchers are encouraged to critically reflect upon which recommendations are most appropriate, given the specifics of their social work program and university culture. This paper concludes with recommendations for future studies, including the suggestion to broaden the study sample to include social work researchers affiliated with various institutions.

## **Results**

Study results were categorized into three broad areas: 1) perceptions of the review process, 2) areas of IRB feedback, and 3) assessment of practical support and recommendations. For the remainder of this paper, the term "researcher" will be used instead of "study participant."

### **Perceptions of the review process**

#### **Perceived purpose of the IRB**

Researchers described the IRB's primary purpose as the protection of study participants from harm and the assurance of ethical research. Protection includes researchers safeguarding confidentiality and presenting participants with an informed consent that relays key information, including the voluntary nature of the study.

Several of the researchers also considered the IRB purpose to extend beyond study participant protection, to include consideration of the general public and the legal protection of the investigative team and the University. For several of the researchers, protection of the University made sense, yet they were wary it potentially took precedence. As one researcher shared, "I would like to think the purpose of the IRB was to actually look at the research that we are doing [but] in practice I really have felt like they are more in the business of protecting the university."

While most of the researchers agreed that the purpose included the protection of study participants, questions were raised with how "research" was defined by the regulations. A researcher voiced frustration with the operating assumptions underlying the regulations, stating that research funded by federal grants is considered the norm. As a result, two problems were identified. First, the underlying assumptions of the definition create a "gray zone" for program

evaluation, which may not meet the regulation's definition of research. Without an approval, the dissemination of evaluation findings may be restricted. Secondly, unethical practices that are not labeled as "research" might occur without the benefit of the regulatory protections. This researcher commented, "I can do anything to anybody here at the University as long as I don't call it research."

### **Perceived value of the IRB**

All the participants saw the value of the IRB process in theory. The process can strengthen the conceptualization of the project, as it not only forces applicants to carefully explain the design but also provides applicants with feedback. For example, one researcher described an iterative process in which the IRB "would problem solve and toss some of those questions back at us," which led to a more thorough design.

The process also can counter the tendency for researchers to think predominantly in terms of benefits, and instead encourages researchers to think carefully about the potential harms and how to minimize these. As one researcher stated, the IRB is positioned well to "closely examine the protections for the subjects...and to look for potential problems with the procedures, to find our blind spots." The notion of finding "blind spots" was voiced by another researcher who equated the IRB's approval as an assurance that the research team was "not blindly fooling ourselves that these things will work or won't hurt people." Others voiced concern that without an independent review there is a risk of intentional or inadvertent harm to study participants.

Other researchers voiced mixed feelings about the process. For some it seems burdensome yet also is understandable given the historical violations. One researcher's comment exemplifies this conflicted feeling, "When I look at it from my own point of view, I think of it as a big headache, but when I am ... thinking about it from a point of view of participants or how things ought to happen, I think of it as extremely important."

For others, the stated purpose of the IRB was valued, but the actual process did not necessarily strengthen the ethics. The actual value of the IRB review may depend upon whether the committee understands the research proposal, which requires that the proposal is conceptualized well and/or that the review committee is familiar with the proposed methodology. The value may be undermined, however, if researchers complete their applications with an emphasis on gaining approval rather than critically examining the ethics. As one researcher shared,

“More seasoned researchers know how to word IRB applications so they could pass muster for the review board, but that doesn’t necessarily reflect the content of their research.”

### **Perceptions of the IRB application process**

The application provides a structure to strengthen research ethics; for example, completion of the application can help minimize problems with coercion. A researcher described the application as a means “to crystallize what is the purpose of the study, what are the benefits, and what are the risks...it also helps us think through what the supportive measures are we need.” “Supportive measures” include having trained professionals on staff or strategies to assure data security. The application was also equated to a final checklist, which helps assure a clear presentation of the information.

In completing the application, several researchers reported that the anticipation of IRB feedback also strengthens ethics. For example, one researcher described omitting sensitive questions when she could not justify these questions given the project’s stated purpose. Another researcher shared that the application “sharpens your awareness of the rational process of seeking an exception ...When you know that this kind of question is coming at you and you have to think through ‘just how are we going to be responsive to that special vulnerability,’ you’re likely to be a more competent researcher.”

For others, ethical issues were considered prior to submission and consequently the application did not strengthen the ethics. A researcher described how ethics were considered at the time of the grant submission, and that the application was just a means to tell the “tale” to the IRB. For others, ethical issues were covered within the social work curriculum, and therefore researchers tend to be “pretty well-versed in the ethics of the situation by the time we get to the IRB process.” Other comments suggested that the application fails to effectively highlight all the relevant ethical issues and for one researcher it seems to create a sense of paranoia since it “takes it to extremes where you are asked to think of every contingency,” which in theory might be a good idea, but “in practice ends up taking a lot of energy.”

### **Areas of feedback**

As part of the review, researchers receive written IRB feedback on their human subjects’ application that may include questions of clarification or required revisions. The feedback is oftentimes quite lengthy, which one researcher described as “shocking.” The IRB feedback was

assessed in terms of 1) its perceived impact on the research project, 2) whether it was perceived as negotiable or mandatory, and 3) whether the IRB raised recurring questions or concerns.

### **Recommendations that strengthened**

IRB feedback at times clarified consent forms and reduced potential risks to study participants. One researcher described the feedback process as having to “spell out in our consent form where audiotapes would be stored and how the identifiable data would be kept and destroyed by a certain date. It helped us create a protocol about what are we going to do.” Other examples of valuable feedback included recommendations to develop community resource lists for study participants, and feedback on interview questions to reduce the potential risk to study participants. IRB feedback also helped researchers understand and apply the human subjects’ regulations, such as how to ethically proceed with a passive consent process.

### **Recommendations that did not strengthen**

Many researchers did not think the IRB feedback strengthened the research. For some, this was because the application process acted as a checklist and the ethical issues were identified prior to feedback, and for others the feedback seemed more about semantics or details. This type of feedback potentially hindered the research progress yet was not viewed as weakening the study. Comments regarding feedback that did not strengthen the design focused primarily on issues with the consent form.

At times, the requirements for informed consent appear “unwieldy.” One researcher shared that her initial consent seemed more readily understandable than the revised form. The IRB required a level of detail and formality that may have decreased the likelihood that study participants would actually read and retain the information. Similarly, another researcher commented that while the level of detail required made the consent form “more exact,” it also made it “more onerous to read,” which is particularly problematic for study participants with limited reading skills.

The language requirements did not always seem to strengthen the ethics. For one researcher, the revisions to the consent form were “just a lot about conforming to the established acceptable language.” For others, the language requirements were perceived as disconcerting or even inappropriate. Examples of this include:

- A requirement to use the term “subject” rather than “study participant,” which created a “power relationship” that was “philosophically at odds with how we try to interact with people.”
- A recommendation to reduce the consent form’s reading level, in essence requesting a “dummying down effect.”
- A requirement to translate a consent form, even though the study participants were unlikely to be literate in their native language.

### **Responding to IRB feedback**

After identifying feedback that did not strengthen the design, researchers were asked whether they incorporated these changes. Some researchers sensed that certain changes were negotiable while others were mandatory.

#### **Negotiable**

Primarily experienced researchers, defined as having submitted at least three applications to the IRB, saw recommendations as negotiable. One researcher stated that investigators should not unquestioningly incorporate IRB feedback if it potentially weakens the ethics. This researcher cited an example in which the IRB recommended the consent form include a statement about repercussions to future insurance. The researcher felt that while the risk existed, the prominence of a statement would suggest that participants decline STD screens in order to avoid future problems securing health insurance. Morally and ethically, the researcher opposed this suggestion and negotiated with the committee for an acceptable approach. Another researcher provided an example of how she successfully negotiated an informed consent format by explaining “if the format is not something that people are going to read and understand accurately, in fact that is deterring our ability to fully inform participants.”

#### **Mandatory**

Some researchers complied with the requested IRB changes even when they questioned whether the feedback actually strengthened research ethics. The language and tone of the written IRB feedback contributed to an assumption that the feedback was mandatory or at least required if approval was to occur in a timely fashion. In some instances, researchers questioned the ethical rationale for certain requirements, yet they realized state or federal regulations required these changes. This issue arose mainly in the context of requirements for research with prisoners.

Within the response to why changes were made, several researchers used either an analogy that conveyed a sense of the IRB's power or battle metaphors. These included:

- “The sense I have is that this is a body that can completely hold up your research or not. They could hold it hostage for months, so unless it's something that I really feel is worth bickering over, and it would have to be fairly significant for me to want to bicker over it, I would just answer the question. Pick your fights, pick your battles.”
- “I guess there is this sort of aura of combat...that this is an adversarial relationship and I think that I suffer from some of those assumptions myself, but in fact when I have asked people for help, they have been very helpful.”
- “It feels quite often that the IRB is this sort of god to which we must bow if we're going to be allowed to do what we want to do.”

### **Analysis of IRB written feedback**

A content analysis of the written IRB feedback was conducted to assess the repeated concerns or questions raised by the IRB. Additionally, researchers rated the frequency of IRB feedback they received in eight topics, which were chosen by the authors based on their experiences in helping researchers with the IRB process. These topics included: informed consent language, content, and format; recruitment approaches; confidentiality; anonymity; sampling concerns; and scientific merit.

### **Content analysis of written IRB feedback**

Nineteen of the researchers provided a copy of their IRB feedback and their responses to the IRB. One researcher did not provide feedback, as her co-investigator was also interviewed and submitted the information. There were six categories within the structure of the IRB feedback form. Analysis entailed tabulating the number of IRB comments that fell within each of these categories. Across the 19 feedback forms, there were 255 comments. The categories and their frequency were as follows: “additional information” (n=139), “revisions in the consent form” (n=92), “revisions in the recruitment advertisement” (n=9), “revisions in the initial contact letter” (n=7), “revisions in the telephone script” (n=6), and “revisions in the eligibility screen” (n=2). The majority of the “additional information” items asked the researcher to clarify or confirm. The revision items primarily asked the researcher to add or modify. In all instances, the researchers complied with the IRB feedback by either making the required modifications or providing clarification. Below is a detailed description of the two largest categories.

Additional analysis was done on the two larger categories, “additional information” and “revisions in the consent form.” The authors independently coded these two categories to identify

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sub-categories. The five most frequently cited areas within “additional information” were study procedures (n= 59), data management (n= 30), discrepancies within the application materials (n= 9), submission of finalized materials (n= 8), and submission of letters of cooperation (n= 7). Many of these IRB comments requested clarification or confirmation, followed by the requirement to revise the consent form accordingly. The following tables provide greater detail on the three most frequently cited topics within the study procedures and data management sub-categories.

**Table I.** Most frequent feedback issues regarding study procedures (n=59)

<b>Issue</b>	<b>Example questions or concerns</b>
Recruitment (n=16)	Who will approach participants and how, content of the recruitment texts
Survey/interview procedures (n=16)	Content issues, specifics of administration
Sampling (n=9)	Eligibility criteria, selection process

**Table II.** Most frequent feedback issues regarding data management (n=30)

<b>Issue</b>	<b>Example questions or concerns</b>
Confidentiality (n=18)	Use of study codes, certificates of confidentiality, data security provisions
Audio-tape plans (n=7)	Who has access to tapes, transcription plans, use of tapes
Record extraction (n=4)	What information will be extracted, who will access records, consent of participants

The second most frequent topic of IRB feedback was revisions to the consent form. These comments addressed issues of content, language, format, and the process of obtaining consent. Revisions to the content were the most frequent areas of feedback. These comments included the need to: 1) specify how long the data would be maintained in identifiable form, 2) include sample questions, 3) clarify risks and/or benefits, 4) seek permission to extract data from personal records, 5) specify the audio-taping plan, 6) provide greater detail on study procedures, and 7) state participation is voluntary. The IRB raised each of these areas of feedback with at least five of the nineteen researchers.

Feedback to a lesser extent addressed issues of consent formatting and language. The most common formatting topic was to adhere to the standardized format, which included using the *Journal of Social Work Values and Ethics*, Fall, 2005, Volume 2, Number 2 -page 39

appropriate font size. In terms of language related comments, these focused on reading level, translation, and grammatical suggestions. In several instances, the IRB included verbatim suggestions for how to revise the consent form. For example, whole paragraphs were re-written using shorter sentences and lay language. Feedback also focused upon the informed consent process, explaining the requirements for written consent for certain projects or suggesting a waiver of consent for other projects.

### **Researchers' self-report of IRB feedback**

Overall, researchers identified informed consent language and content as the areas receiving the most feedback. Changes to the language involved reducing the reading level and translation requirements, while changes to the content involved inclusion of the most sensitive study questions or statements about the study's risks. Recruitment scripts and concerns with confidentiality were the next most frequent areas of feedback.

Researchers reported less feedback regarding informed consent formatting, concerns with anonymity, and scientific and sampling issues. Explanations for the lower feedback rates in these areas included the availability of informed consent templates, few anonymous studies, and the IRB's tendency to focus on ethical rather than scientific issues. Additionally, several researchers attributed the low rates of feedback from learning through past experiences. For example, through previous submissions researchers learned how to write a consent form to meet IRB standards.

Researchers also generated a list of "other" areas of IRB feedback. These included the need to correct inconsistencies across application materials, submit additional materials, and specify strategies to respond to child abuse as well as domestic violence. These areas of feedback were perceived as strengthening the ethical design.

### **Comparison of researchers' self-reports and the IRB written feedback**

The content analysis identified recurring areas of feedback that were not included in researchers' self-reports. For example, researchers would benefit from additional information regarding how to effectively describe study procedures and strategies to increase data management security. Both the researchers' self-reports and the IRB written feedback identified the consent form (especially content) as a recurring area for IRB feedback. It should be noted, however, that not all the feedback on informed consent was perceived as strengthening ethics.

## **Assessment of practical support and recommendations**

### **IRB**

Respondents were asked what type of IRB resources would be helpful, which could include resources already offered or resources that should be offered. The primary themes that emerged from the data were 1) opportunities to dialogue with IRB staff, 2) revised human subject applications, 3) computer-based suggestions, 3) posting of sample forms and checklists on the human subjects' division Web site, and 4) trainings and workshops.

Repeatedly, researchers acknowledged that the IRB staff is extremely busy. To increase accessibility to a knowledgeable IRB staff, Universities need to allocate greater resources, including funding for increased staffing and staff training opportunities.

### **Opportunities to dialogue**

Many of the researchers discussed how written communication with the IRB is less desirable than a phone call or face-to-face meeting. Verbal communication allows for dialogue in which the researcher and the IRB can discuss concerns and strategies to strengthen a proposal. One researcher described a positive experience resulting from a phone conversation with the IRB.

"It made it [so]...it wasn't some anonymous committee somewhere sitting in judgment...she actually framed each of the concerns in a way that made me understand that it wasn't this onerous hurdle, but the objective was to make me think about the implications of my research."

Consultation prior to the IRB application submission was another point when dialogue could improve the thoroughness and quality of applications. As one researcher stated, "I would rather do this in a way they'll approve versus disapprove because it saves me time." While consultation may help, this researcher recognized that it does not guarantee IRB approval. Effectiveness of consultation may depend upon the IRB's familiarity with the range of social work research approaches. For example, one researcher requested access to IRB staff who are knowledgeable about when an evaluation project requires IRB review.

Another suggestion was to involve principal investigators during the IRB review. This initially would be more time-consuming for both the researcher and the review committee but may clarify issues within the application and ultimately reduce the amount of feedback. Overall dialogue was considered a means to reduce the written feedback, to create a greater sense of collegiality, and to avoid seeing the process as adversarial.

## **Revised human subjects' applications**

As stands IRB applications may seem confusing or inapplicable to the range of social work methodologies. A challenge exists when a single application is expected to adequately account for the specifics of every project. One researcher suggested developing a separate application for social-behavioral research to enhance the relevancy of the questions. Several qualitative researchers also requested that the application not assume the experimental design as the norm, and thereby account for research approaches in which data collection is not a “one shot quick interview or survey.” Comments about the application from other qualitative researchers included “it was awkward to try and fit my explanation of my methodological process” and “filling something out where you feel like a square peg fitting into a round hole gives the whole thing a flavor that isn’t very helpful.”

Additional recommendations to strengthen the application included inserting an orienting paragraph and clarifying terms. Particularly for first time applicants, it may help to include an orienting paragraph that describes the ethical considerations behind the application questions. As stands, applicants may not fully consider the ethical intent and therefore view the application as a bureaucratic necessity. In terms of clarification of terms, applicants may have varied interpretations of what constitutes a benefit or a risk. For example, one person may consider a “benefit” to be payment, while another may think in more global terms. Another area requiring greater clarity is how to differentiate between the three levels of research review (exempt, minimal risk, full review).

## **Computer-based suggestions**

A mechanism for researchers to access information online regarding the status of their application would help researchers know whether their application was received and when it is scheduled for review. Currently, a researcher described how it is “a mystery as to when the committee was going to see [the application].” A question was also raised whether the IRB could compute the maximum waiting time based upon historical and seasonal trends. Posting an approximate turnaround time would help researchers plan their timelines. A researcher acknowledged that an estimated timeline depends not only on the IRB’s workload, but also on the quality of submissions, as a poorly conceptualized project will require extensive revisions. Another computer-based suggestion was to distribute electronic newsletters that provide “up to the minute

updates” on regulatory changes and relevant topics. One suggestion, either for a newsletter or as part of the IRB’s Web site, was to post a statement outlining what researchers might expect after their application is reviewed, and a description of the researcher’s rights and responsibilities, including steps researchers can take if they disagree with the IRB’s feedback.

### **Posting of sample forms and checklists**

Researchers advocated for the posting of sample application responses and materials. One researcher suggested “sample consent forms, sample scripts, sample review packets of completed applications from A to Z in various disciplines.” Posting checklists (e.g., on the required content for newspaper advertisements) also could help researchers submit materials that are in compliance. Following a checklist also may help eliminate the sense of “being judged.” Several researchers described this sense of “being judged” particularly when communication with the IRB relied upon written correspondence and lacked personal contact. For example, a researcher commented that “there’s a certain ‘gotcha’ feeling...it sets up a really unfortunate dynamic where people feel like they’re being found out and judged to be not ethical.”

### **Training and workshops**

Several researchers found the mandatory NIH trainings helpful to understanding the historical factors behind the regulations. Other suggestions included offering trainings on a regular basis (e.g., quarterly) and on different topics. This would allow researchers to choose when training is most needed and which topics are relevant to their research. Suggestions for workshops included “how to apply” and sessions geared specifically to particular ethical concerns such as research involving youth.

The IRB could also sponsor workshops that promote an exchange with the researchers, allowing for discussion of the regulations and review process. Ideally this exchange would be mutually beneficial for both the IRB and researchers. For example, a dialogue between the IRB and qualitative researchers could help clarify or identify strategies to address the areas in which there potentially is quantitative bias. A researcher also shared that an orientation would help to “take a little bit of the mystery and anonymity out of the process,” as workshops provide opportunities to meet the IRB staff.

### **Schools of Social Work resources**

Researchers identified consultation and mentorship as two key strategies to provide support with the human subject's process.

### **Consultation**

Consultation within the School of Social Work was the most frequent recommendation. Whereas consultation with the IRB was also desired, several researchers felt in-house consultation would be equally if not more effective as an in-house consultant would be more aware of the range of social work research approaches.

Researchers generated a list of supportive tasks for an in-house consultant.

- Organize an orientation to the process, integrating an overview of the ethical rationale for the process with the actual required procedures.
- Create a flow chart of the review process, including the steps to be taken within the school and the IRB.
- Ensure that communication flows effectively between the school and the IRB.
- Coordinate with the IRB to assure access to templates (e.g., of consent forms) relevant to the wide range of methodologies used in social work.
- Create a file with sample application material, including IRB written feedback and researchers' responses.
- Be accessible and supportive, extending services to include social work researchers who are connected to the University system and working in the field.
- Review applications prior to submission to the IRB.
- Refer applicants to researchers experienced with the review process and who use similar methodologies or examine similar substantive areas.
- Collaborate with the IRB to develop Web-based tutorials on research ethics and the human subjects review process.

### **Mentors**

Schools of Social Work could also benefit from a formalized system of mentorship between experienced and new social work researchers. Mentors could provide assistance with such aspects as the review process timeline and how to think through issues of risks and benefits. One researcher suggested developing a "system that links student research projects with people who have done similar work providing a systematic way for people to talk about IRB applications, what's expected, and how to think about ethical issues." The value of a mentor, however, may depend upon whether the mentor has "some real experience, the time to communicate, and some examples."

## **Discussion**

The ultimate purpose of this study was to identify recommendations to support social work researchers with the IRB process. Contrary to what we had expected, there were not significant differences according to whether the respondent was a student, staff, or faculty researcher. Instead, differences emerged primarily by the type of methodology used, for example, program evaluation or qualitative research.

Recommendations that emerged from the interview responses included steps that require action or consideration by the University, the IRB, the School of Social Work, and the human subjects' applicant. These recommendations address the major themes that surfaced within the interviews. These themes include the challenges associated with 1) impersonal written feedback, and a lack of opportunity for verbal communication with the IRB, 2) the perception that the review process is not fully relevant to the range of social work research approaches, and 3) areas of confusion regarding regulatory or review process requirements.

### **The University and the IRB**

Many of the recommendations require that the University provide adequate resources to the IRB. As one researcher urged, "I beseech the central administration to give the human subjects office more resources because the long waits and the inaccessibility of knowledgeable people are really my only complaints."

Recommendations for the IRB included 1) increase opportunities for verbal communication, 2) provide a succinct overview of the entire process, 3) examine the application and review process for research assumptions that may not be applicable to all social work research, 4) provide sample materials and training relevant to different research approaches and topics, and 5) provide additional information to address the recurring questions or concerns raised in the written feedback. These suggestions include aspects that IRBs may already do, as well as aspects that researchers would like to see.

### **Schools of Social Work**

Schools of Social Work can support researchers by providing sufficient resources for a consultant who could act as the "point person" for human subjects' applicants. The consultant can provide guidance, refer applicants to experienced researchers, and serve as the liaison to the IRB. As a liaison, the consultant can keep the school informed of regulatory changes and foster a

positive relationship between the IRB and the school. Beyond increasing collegiality, Grigsby and Roof (1993) purport that a relationship with the IRB can “help researchers to improve research proposals, so that IRB approval can be easily obtained and so that the rights of research subjects will be maintained” (p. 460). A formalized mentoring system could also support the consultant.

Based upon our experiences offering support to social work researchers, we suggest the consultant and the applicant meet in person when the applicant has questions. If the applicant is submitting for the first time, the consultant could provide an overview of the process, including the purpose of the review and how the process flows. After listening to the applicant describe his or her proposed research, the consultant could help assess the level of review that may be required, highlight the ethical concerns, and suggest strategies to minimize these concerns. The consultant should encourage the applicant to contact the IRB if there are additional concerns and help counter any adversarial perceptions of the IRB. To facilitate the consultant’s job with student research projects, the faculty supervisor should first provide an overview of research ethics and the IRB process, as well as guidance with ethical and scientific design.

As Gibelman and Gelman (2001) suggest, the school might also consider how research ethics are presented within the curriculum. While one researcher felt that research classes covered ethics, others voiced a desire to learn more about ethical issues in general as well as specific to different methodologies. An increased understanding of the ethical principles that inform the human subjects process could help decrease the resistance to the IRB process. Recommendations to infuse ethics into the curriculum included inviting IRB staff or experienced social work researchers to present to research classes. Researchers should also be encouraged to read their professional code of ethics, as well as the Belmont Report.

### **5.3 Human subjects’ applicant**

Human subjects’ applicants must be accountable and provide the IRB a clear description of the purpose and procedures of their studies. This includes describing the study population and explaining whether the benefits outweigh the risks. If risks exist, researchers should outline the measures they will take to minimize risks and explain why the study is important (Kitson et al., 1996). To facilitate the human subjects, review process, applicants also should be aware of and exercise their right to contact the IRB to ask questions or seek advice. Applicants are also encouraged to volunteer as IRB reviewers and contribute their skills and knowledge to the process.

## Future Directions

The recommendations reflect the experiences and perceptions of twenty social work researchers with one IRB at a large university that conducts a high volume of research. Recommendations for future studies include comparing experiences across universities, as well as including the perspectives of IRB staff and reviewers. More specifically, future studies should include study participants from social work programs where there is a range in the volume of research conducted. Another suggestion is to compare experiences by whether or not a researcher's IRB has a dedicated social-behavioral research review committee. Whereas additional research on this topic is needed, the study findings and recommendations ideally will generate discussion among social workers and their IRBs on how to facilitate the review process. The recommendations can provide guidance for these discussions with the ultimate aim of strengthening the review process and contributing to the ethical conduct of research.

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# Disclosure of Sensitive Student Information in Social Work Field Placements<sup>1</sup>

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## Abstract

A national survey of Field Directors in MSW programs concerning the disclosure of sensitive student information found that open discussion among students, field agencies, and university faculty concerning serious student difficulties in field does not routinely occur. This lack of communication may create gaps in student learning and may leave field faculty in ethically precarious situations.

*Keyterms:* sensitive student information; social work field education; ethical dilemmas; Family Education Rights and Privacy Act; informed consent.

In the course of social work education, difficulties occasionally arise around a particular student's ability to function effectively in the practice setting. These difficulties may include inappropriate boundary issues with clients or difficulties in personal functioning, for example, but typically these student difficulties present dilemmas to the educator concerning how to protect student confidentiality while also protecting the student's potential clients. These ethical dilemmas sometimes result in hours of conversation and debates within schools concerning an appropriate resolution. One common method of addressing these dilemmas is to instruct students to disclose their difficulties to the agency field instructor; however, follow-up by the faculty field educator may be spotty and the educational team of field instructor, field liaison, and student may never discuss the difficulty openly. Opportunities for learning are lost in the information gaps, and thus the full opportunity to train a professional social worker may not be realized. This study seeks to explore how Master of Social Work (MSW) programs cope with the dilemma of disclosing

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<sup>1</sup> The expert panel referred to in the article consisted of Frederic Reamer, Professor (Rhode Island College); Kim Strom-Gottfried, Interim Dean (University of North Carolina at Chapel Hill); Pat Kolar, Field Director (University of Pittsburgh); Elaine Congress, Associate Dean of Continuing Education (Fordham University); Diane Alperin, Professor and Associate Provost (Florida Atlantic University), and Linda Reeser, Professor (University of Michigan). Each of them is acknowledged in appreciation for the time and effort involved in reviewing and commenting on the survey.

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sensitive student information in field placement, especially given the requirements of the Federal Educational Rights and Privacy Act (FERPA) of 1974 (P.L.93-579). Are faculty bound by FERPA regulations or by the National Association of Social Workers' (NASW) Code of Ethics, which states, in general, clients' interests are primary? (NASW Code of Ethics, 1999, p.7)

### **Literature Review**

Despite the regulations governing release of student information, many social work educators have written about the need for open collaboration between university field faculty and community field instructors (Congress, 1997; Forrester, Corliss & Hastings, 2002; Gelman & Wardell, 1988; Rosenblum & Raphael, 1991; Urdang, 1991; Zukutansky & Surles, 1993). Some writers have focused on the ambiguity involving how much social work educators may disclose of sensitive student information (Meier & Long, 1998; Strom- Gottfried, 2000) and others have written about the vulnerability of clients (Levy, 1993). Reeser and Wertkin (1997) note that “student information is defined as sensitive if it entails personal or family problems, illness, or disability (e.g., criminal history, psychiatric diagnosis, or substance abuse)” (p. 347).

Although students with difficulties constitute a very small proportion of the total student body, the challenges they present can take an enormous amount of faculty time and energy (Regehr, Stalker, Jacobs and Pelech, 2001). Social work students are more likely to report problems such as a sexual abuse history, early separation from parents, or alcoholism and mental illness within their families of origin than are students in other programs. Regehr, et al, suggest that professional training needs to help students recognize, acknowledge, and work through their feelings to avoid imposing their issues on clients.

In 1989, Alperin conducted a survey of the 347 accredited Bachelor of Social Work (BSW) programs. She received 140 surveys for a 41% return rate. The Field Directors were given a pair of open-ended questions to answer about their program's general philosophy and rationale for sharing personal student data. She found that about one-third of the schools generally shared as much personal information as possible based on their perceived responsibility to the agency and to the agency's clients. About two-thirds of the programs did not share personal information with field instructors. The Field Directors felt that sharing personal student information would bias the field instructor.

Reeser and Wertkin (1997) sent a survey to faculty liaisons, field instructors, and students at ten universities in the Midwest, Northeast, South, and West at BSW and MSW programs. Completed surveys were returned from 573 field instructors, 232 students, and 63 field liaisons. The primary research question concerned the commonalities and differences in the perspectives of students, liaisons, and field instructors about sharing sensitive student information. Each group was given examples of personal information and asked if field liaisons should share that information with field instructors. Overall, field instructors had the highest number of yes responses, students had the highest no responses, and field liaisons had the highest amount of maybe responses. Strikingly, for most types of student information, the percentage of liaisons that responded yes was closer to that of students than that of field instructor. When these three groups were asked their opinions about whether or not sharing personal information violated the student's right to confidentiality, many did acknowledge that sometimes confidentiality cannot be maintained to serve the greater good (Reeser & Wertkin, 1997, p.354).

### **Ethical Considerations**

The *NASW Code of Ethics* purpose statement explains that reasonable differences of opinion may exist among social workers with respect to how ethical standards should be rank ordered when they conflict. Experts in the field of ethics offer differing theories that inform educators and practitioners on how to prioritize competing ethical considerations. For example, John Rawls (1999) argued that each person's social positioning occurs simply by luck, but luck can be influenced by institutions that are created by human beings. For instance, it is a matter of luck to be born a slave, but the institution of slavery was a human creation. Therefore, Rawls developed a difference principle (Rawls, 1999, p. 65), which protects the least advantaged based on a ranked ordering of priorities. When deciding between a student's right to confidentiality and a client's right to protection by using Rawls' framework of what is just, it seems we would need to rank order the right of the least advantaged (the client) as primary.

Reamer (1995) formulated guidelines to help social workers make decisions in instances when their duties conflict. For instance, he felt that rules against basic harms to the necessary preconditions of human action (such as life itself, health, food, shelter, mental equilibrium) [should] take precedence over rules against harms such as lying or revealing confidential information or threats to additive goods such as recreation, education, and wealth (p.60). This

guideline might resolve many questions about sharing sensitive student information. In many respects, the client is so vulnerable when he presents himself for assistance by a student that his or her very life, health, and mental equilibrium are affected by the interaction with the student. This vulnerability of the client is thus prioritized, much as Rawls might, over the confidentiality and educational needs of the student.

Kidder (1995) provides support for similar decision-making from a different perspective. He felt that one of the central ethical dilemmas in human experience is weighing individual rights against community interests. Kidder values community over the individual. He believed that individual rights have been taken to such an extreme in this country that serious damage has been done to community. He justifies placing the community as the top priority by pointing out that the individual is included in community, but the community is not a concern when the focus is totally upon the individual. Kidder might suggest that disclosing relevant student information would enhance the community by protecting the client and agency and by strengthening the educational team collaboration by creating an open learning environment that contributes to the student's growth as a responsible professional.

Aside from these theories, the ethical implications of the university and community relationship also inform decision makers. In a continuum of community-based education experiences, volunteerism is on one end where the benefits go to the recipient of the service, and field placements are on the other end where the primary benefit is the student educational development with service secondary (Quinn, Gamble, and Denham, 2001). Universities and their faculties maintain a delicate balance between the needs of the students as learners and the needs of the community. This balance is particularly important to consider since the university generally has greater fiscal and political power in a community than the agencies in which students will engage in their practice learning. The goal is to develop a true partnership between the university and the community, acknowledging the power carried by the university and the need for stewardship.

Expecting students to be a part of this true partnership requires their prior knowledge of its importance and agreement to participate fully. Lowenberg, Dolgoff, and Harrington (2000) explained that three issues are involved in informed consent: disclosure of information, voluntariness, and competency. A student who is asked to consent to the disclosure of sensitive

information to the field instructor can only be considered sufficiently informed to give consent if she knows to what she is consenting, what will happen because of the consent, and what will happen if she chooses not to give consent. If consent is to be meaningful, it must be freely given. Students must thoughtfully decide if they are willing to become part of an educational process that includes the university, the community, and themselves, both academically and personally. For consent to be freely given, it would best occur prior to the beginning of the process.

### **Legal Considerations**

The Federal Education Rights and Privacy Act (FERPA) is part of the legal context of higher education and a major contributor to the perceived dilemma in social work field education. FERPA exists both to protect confidentiality and to govern access to student information. For the purposes of this study, the focus is on student confidentiality. This law is not a mandate; rather FERPA requirements are conditions attached to the receipt of federal educational monies. FERPA states that the University may not disclose student education records, and if they do, federal funds can be rescinded, *although this sanction has never been imposed* (Dagget, 1997). On June 20, 2002, overturning years of legal precedent, the Supreme Court ruled that individuals can no longer use FERPA to bring suit (High Court, 2002).

Furthermore, exactly who has access to student records has been clarified. FERPA requires that consent be obtained to release student records to a third party, with certain exceptions contained in the law. One of these exceptions is that an institution may release information without consent to school officials with legitimate educational interests. The definition of a school official has been ambiguous, but the Family Policy Compliance office, the government agency charged to enforce FERPA regulations, suggests that a school official is identified as someone who is employed by the School as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the School has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility (Model Notification of Rights for Elementary and Secondary Schools, 2003).

Based on this explanation, it appears that a field instructor is entitled to sensitive student information, since the faculty field liaison cannot perform the task of co-supervising the field placement without his or her assistance.

### **Purpose of this Study**

Given the perception that has existed of ethical theories competing with legal considerations, the rules about the sharing of sensitive student information regarding students in field placements have not been straightforward. The purpose of this study was to learn how accredited MSW programs have attempted to comply with the ethics and the laws when difficult situations have arisen in field placement. Specifically, Field Directors from accredited MSW programs were asked to respond to student field placement scenarios that highlighted issues that create dilemmas concerning the sharing of sensitive student information. Questions were also asked to determine how programs could be categorized in terms of having written policies, location of policies, frequency that the dilemma arises during an academic year, number of grievances and lawsuits that have arisen from these dilemmas, and which faculty make the decisions about sharing sensitive information.

The findings of this study are primarily addressed to social work educators and agency supervisors who have responsibility for students in field placements, although it may have implications for educators in other helping professions. The information gained about how schools cope will provide an improved foundation to understand what problems are perceived in coping with this dilemma, what is working well, and what might be helpful in the future.

### **Procedures**

#### **The Survey Instrument**

Four scenarios of dilemmas were constructed in order to gain information about how social work educators make decisions about sharing sensitive student information with the field agencies. To enhance the validity of the information obtained through the scenarios, they were constructed from categories used by Alperin (1989) and Reeser and Wertkin (1997) in their surveys about this issue. For instance, both surveys inquired about student inpatient hospitalization and whether sensitive student information would be disclosed by the educator to the agency. The following dilemma, then, was constructed for the present study:

*During the semester a student confides in you about stressful experiences he is suffering secondary to the break-up of a relationship. As liaison you refer your student to several sources*

*of help. At the mid-term evaluative meeting held conjointly with the field instructor, the field instructor reports that the student has been disorganized in the necessary documentation of services and in his presentation of cases in their weekly meetings and has not demonstrated any real interest in the work. Two weeks later you receive a call from the student saying everything built up and he decided that he needed to go for inpatient psychiatric treatment. Your student was unable to sleep or concentrate. The student requests that you tell the field instructor that he is too sick to be in for the next week.*

Response categories were structured to provide choices among keeping the information within the school (student rights and FERPA related); putting the responsibility on the student to notify the field instructor (satisfies both ethical and legal concerns but does not address co-supervision issues); the educator notifying the field instructor herself (ethics for client protection, gate-keeping, supervision legalities); or requiring the student to set up a meeting for student, field instructor, and field liaison to address all concerns (inclusively satisfies supervisory, ethical, legal concerns and builds an educational partnership among all parties on student's behalf). After choosing among these options, a space was provided for comments to be written in for clarification of the categorical responses (copies of survey are available upon request). For purposes of this discussion, the title of field instructor pertains to the individual in the community agency who is assigned the role of immediate supervisor to the student in placement. The title of field liaison pertains to the social work faculty member (full-time or adjunct) who is responsible for monitoring the placement and providing co-supervision to the student.

The second dilemma was that of a student with a documented psychiatric disability controlled with medication, but the student does not want to share that information with his field instructor. He is currently unable to function adequately in the morning at his field placement and needs reasonable accommodations applied. A third scenario involved a student dismissed from a field placement as a result of boundary problems, and the field liaison has to set up another placement. The final dilemma involved a student who is in recovery from alcoholism. She has a relapse, does not tell her field instructor, and now she has been late to field placement for two weeks without explanation. These dilemmas or similar ones have occurred to most of us who have been in field education for a few years.

The second section of the survey requested specific information about each schools' policies and practices around sharing sensitive student information. Respondents were asked to respond yes/no to a series of questions, such as: in a forced choice situation would your program prioritize ethics for client protections or laws for student rights; does your program have a written

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policy concerning the sharing of sensitive student information, and, if so, where is it located and could you provide a copy; intent of written policies; relevant lawsuit involvement; relevant student grievances; student signature obtained for informed consent; faculty decision makers; status of field instructor (paid, and graduate faculty status); in-service training on ethics; and in-service training on FERPA.

An early draft of the survey was sent to six ethical experts for review (see credits after conclusion), identified in collaboration with the co-chair of the CSWE field committee. The feedback received from these experts was used to reconstruct the survey, so the questions and intent were clearer. In general, reviewer comments on the earlier draft related to confusingly worded questions, response choices where more than one would be appropriate, and not enough detail on some of the items to allow a respondent to reply appropriately.

The Statistical Program for the Social Sciences (SPSS) version 10 was used to manipulate the survey data. Many surveys were also returned with additional data volunteered in the comments section included with the dilemmas. A post-hoc analysis was conducted on this qualitative data.

### **The Sample**

The population selected for this study was the 146 accredited MSW programs in the United States as identified by the Council on Social Work Education in April 2002 (Johnson, personal communication, 4/16/02). The unit of analysis was the program. Survey packets (cover letter, paper survey, and self-addressed, postpaid envelope) were sent in care of each program's Field Director in November 2002. The Field Director was selected as the faculty member most likely to be aware of how his or her school copes when legalities and ethics collide around the disclosure of sensitive student information in field placement. The Field Director received this designation because as supervisor of all field faculty the Field Director will generally be made aware of a difficult student situation and assist the field liaison with resolution.

An e-mail reminder to respond went out to the Field Directors in December 2002, followed by a second mailing of the survey (with modified cover letter and self-addressed, postpaid envelope) in January 2003. Eighty surveys (55%) were returned by the date the analyses began. Rubin and Babbie (1997) stated that a 50% rate is usually considered adequate for analysis and reporting. Five surveys arrived after the cutoff date and were unable to be used, and two additional Field Directors wrote specifically to report that they would not be participating in the survey

because the response categories did not fit their experience. All identifying information (such as return address and/or postmark) was separated from the survey upon arrival in the researcher's office, so the data were anonymous.

Despite the 55% return rate, non-responding schools were contacted to examine any effects that might be due to non-response bias. A random sample of six percent (n=4) of the non-responding schools was selected and Field Directors were telephoned. Their responses indicated no particular signs of bias: I didn't receive it, I don't remember it, the subject speaks to me, but I didn't have time to do any surveys in the past few months, and I don't remember receiving it. Based on these remarks, no bias was identified.

## **Results**

### **Responses to Scenario one: Student inpatient hospitalization, who explains absence and why**

Table 1 presents the frequency of responses to each of the choices within the four scenarios. As shown in Table 1, for the first scenario, more of the Field Directors or 44% indicated that the student would be required to notify the field instructor; 34% felt that a three-way meeting with the student, field instructor, and field liaison would be called; 15% felt that the educator should notify the field instructor; 2.5% said that the information would be kept inside the school; and 5% did not respond by completing one of the four forced-choice options.

Provided with space to comment on their choices, field instructors clarified their meaning. Of the 80 respondents, 60 (75%) wrote comments following their choices. Thirteen of the 35 Field Directors who reported that they would require the student to notify the field instructor went on to explain that the next step would be a follow-up call to the field instructor or a three-way meeting, so the explanations made the collaborative intent clearer. In this most popular response category, four comments specified that the student has discretion over what is shared; faculty need to work with the student about what's comfortable to share; to disclose, need a release, thus student must do it, and student must share information that affects learning in the field with field instructor. Two comments noted that the student would be requested rather than required to notify the field instructor.

The comments written in for the three-way meeting included: we would support student by coaching appropriate professional behavior and how to address this sensitive issue with the field instructor, student needs to be involved as a part of learning process; school cant take responsibility

for student, nor allow a triangulation of parties; we see our role as helping students learn to deal with professional/personal issues as they would post-graduate.

Three Field Directors explaining their response to have the educator notify the field instructor reported that they would explain that the student was ill, but not the nature of the illness. One Field Director who did not select a response category said that the student would be required to drop field, and three others who had selected the response of having the educator notify the field instructor further explained in their comments that the viability of the field placement was questionable and would be evaluated.

### **Responses to Scenario two: Documented psychiatric disability impacting a student's functioning**

In response to the second scenario, 39, or nearly half, of the field directors thought a three-way meeting among the student, field instructor, and field liaison would be the appropriate action. Another 33% of the field directors felt that the student should notify the field instructor, and of these, 20% commented that the next step would be a three-way meeting, again clarifying the collaborative intent. Only four percent of the Field Directors thought the educator should notify the field instructor, about six percent chose to keep the information inside the school, and almost nine percent did not select a response category. Of the nine percent not selecting a response category, four would refer to the Office on Disability.

In the most popular response category, the three-way meeting, some of the comments included: we work to support student in taking responsibility for education. We provide support to the agency by being present at the meeting and seeking a mutually beneficial solution, responsibility lies in varying degrees with each individual involved. We can't encourage student to hide or be punished for having such issues, this may be an issue in future employment. He needs to learn to advocate for himself. Five of these Field Directors would refer to the Disability Office.

The responses following requiring a student to notify the field instructor ranged from expecting students to handle the situation in two instances to three additional Field Directors referring to the Office on Disability. A total of 12 Field Directors or 15% of all those volunteering comments would refer to the Office on Disability.

### **Responses to Scenario three: Student dismissed from placement as a result of boundary issues**

The biggest response endorsed to scenario three was that of the educator notifying the field instructor. Thirty-seven percent of the Field Directors believed that this was the right response. Fully fifteen of the 23 written comments to this response stressed that the new field instructor would need to work with the student on these boundary issues in the new placement. Eight of the 23 explained that student consent would be gained prior to telling the field instructor about the boundary issues. One Field Director wrote, this was a clearer example of school's duty to warn new field instructor in order to protect clients, and another wrote, this is an educational issue and field instructor is part of educational team.

In contrast, about 13% of the Field Directors wanted to keep the information inside the school. One Field Director explained, the student gets one fresh chance. Another commented, Liaison carefully monitors to see if pattern continues. One explained that the student goes to Practicum Review Committee and student would sit out a semester before returning to field and do remediation.

About seventeen percent of the Field Directors thought the student needed to notify the field instructor, and 20% of the Field Directors thought that a three-way meeting was needed. Comments in these sections included ten Field Directors who would make sure the boundary problems would be addressed in the learning contract: Another one in the group would strongly encourage student to share information, refer to therapy, and three of these Field Directors may not place the student again.

Almost 13% or 10 of the Field Directors did not choose a response category. Five of these schools would evaluate the student and field placement to determine course of action. Three would make sure the new field instructor received some sort of information, but how much was negotiable. Another would require disclosure from student prior to making another placement. A total of five comments explained that one option would be to remove the student from field, at least for the semester.

### **Responses to Scenario four: substance abuse relapse and student arriving late without explanation**

The majority (51%) of Field Directors thought that a three-way meeting was the appropriate response to the fourth scenario. Two who chose this category explained that the student would be suspended from placement until the concerns were addressed. Various referral options noted by Field Directors included: AA, counseling, Professional Review Committee, and Faculty Disciplinary Committee. One Field Director explained, The *Code of Ethics* speaks to our responsibility to impaired professionals, and a remedial learning plan would be developed. The school is responsible to the student, the agency, and client.

Only one Field Director chose to have the educator notify the field instructor and even this person said, First let the student know. Five Field Directors (6%) did not choose a response. Two of these explained that they would remove the student from placement and two others would refer to counseling. One said, meet with the student for a plan, maybe faculty advisor can identify steps are to be taken to protect student from future relapse and protect client from inconsistency.

Twenty percent of the Field Directors said they would have the student notify the field instructor. One person explained, In the 13 years that I have been doing field I have never had a student that was unwilling to share personal problems with a field instructor if they know it is affecting their performance, excluding disabilities. One Field Director explained that the student would be asked to withdraw from the program and return when able to meet program expectations.

Almost the same number, 21%, of Field Directors thought that keeping the information inside the school was the right response. Four of the written comments explained that the student might be removed from field placement. Two Field Directors explained that they would hold the student accountable within the school. Four more Field Directors said the situation would be monitored and if it persisted, then they would move to a three-way meeting. A total of five Field Directors would remove the student, and three more may remove the student, from the field placement.

### **Characteristics of programs regarding policies**

Twenty-one of the 80 (~27%) responding Field Directors reported that their programs have a written policy regarding the sharing of sensitive student information. The survey (see Tables 1 and 2) requested that a copy of the policy be submitted. Nineteen Field Directors included a copy

of the policy with the returned survey. Three of these were almost the same. When the policies were analyzed, it was clear that only 13 programs had policies that spoke to the broad question of sharing sensitive student information with the field instructor. The other six examples submitted pertained selectively to criminal history, disabilities, counseling out, or included a statement about sharing the information that was submitted on the field placement application. An additional question concerned the location of the written policy. Sixteen of the schools placed the policy in the field manual, among other places mentioned. Three placed them in admission materials.

**Table 1** Frequency count of responses to scenarios

Response category	Scenario 1 (inpatient hospitalization) n=80		Scenario 2 (documented psychiatric disability) n=80		Scenario 3 (boundary problems get student dismissed) n=79		Scenario 4 (substance abuse relapse) n=80		Totals N=31	
Keep information inside school	n = 2	3%	n = 5	6%	n = 11	13%	n = 17	21%	n = 35	11%
Require student to notify field instructor	n = 35	44%	n = 26	33%	n = 13	17%	n = 16	20%	n = 90	28%
Field liaison notifies field instructor	n = 12	15%	n = 3	4%	n = 29	36%	n = 1	1%	n = 45	14%
Require student to set up a three-way meeting	n = 27	34%	n = 39	49%	n = 39	49%	n = 39	49%	n = 39	49%
No response Missing data	n = 4	5%	n = 7	9%	n = 10	13%	n = 5	6%	n = 27	9%

Respondents were also asked: In the past year how many students did you have to debate over whether or not to share sensitive student information with field instructors? When problems ensue with students, the field liaison is the first to know. The following scenario may occur. The field liaison goes to the advisor or to the Field Director and requests a consult. That meeting results in several options for handling the situation, and often the student may be called in at this point to address the concerns of the faculty. The field liaison may be left with the final judgment call about how to negotiate a successful conclusion with the student and to decide exactly what to tell the agency field instructor. Field Directors reported that debates among faculty concerning problems with students in field in one academic year could range from none at all to eleven times (76 of 80). The mean of the number of debates was 2.72, and the median was 2.00. It is important to note the 31.6% (24 of 76) programs reported that they had no debates.

The survey asked: does your school have students sign for informed consent regarding how their information will be shared with field instructors? Twenty-nine or 36.3% of the schools indicated that they did have student sign for informed consent.

In a related question the survey asked, has your school been involved in a lawsuit with regard to these issues? Six of 80 (7.5%) Field Directors said, Yes. Of these six, only one had a written policy. A similar question asked, "Have any of your students-initiated grievances within *Journal of Social Work Values and Ethics*, Fall, 2005, Volume 2, Number 2 -page 61

the school regarding how their sensitive information was shared?" Seven schools, or ~9%, had been involved in a grievance. Two schools had one grievance, four had two grievances, and one had four grievances. None of these had a written policy.

One other category must be noted in the results. The survey asked, who makes these decisions regarding when sensitive student information is shared? Forty-seven Field Directors chose the Field Director - field liaison as the team responsible. Some programs use more than one team to resolve these situations. Twelve used the Field Director and the Dean. Three use the field liaison and the advisor, and nine said the decision would be made by faculty consensus.

**Table 2 Summary of Program Characteristics in Relation to Sensitive Student Information**

1. Does your school have a written policy concerning sharing sensitive student information?	
Yes 21 (~27%)	No 59 (~74%)
2. The written policies that were broad in sensitive student information and not just about disability or criminal background, etc. --- Number of broad policies 13	
Where do you place the written policy? Admission material 15; Field Manual (etc.) 16	
3. Do you have students sign for informed consent in sharing of sensitive student information?	
Yes 29 (36%)	No 51 (64%)
4. How many times does the issue of sharing sensitive student information come up over the year? (n=76)	
<ul style="list-style-type: none"> <li>• 24 MSW programs of these 24 programs, 4 had students sign for informed consent</li> <li>• 7 programs of these 7 programs, 3 had students sign for informed consent</li> <li>• 11 programs of these 11 programs, 3 had students sign for informed consent</li> <li>• 9 programs of these 9 programs, 7 had students sign for informed consent</li> <li>• 5 programs of these 5 programs, 2 had students sign for informed consent</li> <li>• 8 programs of these 8 programs, 6 had students sign for informed consent</li> <li>• 5 programs</li> <li>• 1 program informed consent</li> <li>• 3 programs</li> <li>• 1 program 1 program</li> <li>• 1 program informed consent</li> <li>• 0 informed consent this program had students sign for</li> <li>• 0 informed consent 0 informed consent</li> <li>• 0 informed consent this program had students sign for</li> </ul>	
5. Has your school ever been involved in a lawsuit with regard to sensitive student information?	
Yes 6 (only 1 had a written policy) (~8%)	No 74
6. Have any of your students-initiated grievances within the school regarding how their sensitive information was shared?	
Yes 7 (none had written policies) (9%)	No 73
7. How does your faculty make decisions about how to share sensitive information about certain students with field instructors?	
Faculty liaison and Field Director team 47	Field Director and Dean 12
Field Director and Advisor 3	Faculty consensus 9
Most schools used more than one team and included (Ad hoc committee, field liaison only, liaison/advisor)	

## Conclusion

One may conclude from analyzing the responses, it is clear that the majority of Field Directors are making efforts to respond to the multi-level responsibilities that present themselves in the field placement to student, school, field instructor, and client. For instance, even some of *Journal of Social Work Values and Ethics*, Fall, 2005, Volume 2, Number 2 -page 62

the minority of the Field Directors who indicated they would try to keep the sensitive student information within the school also volunteered that they would consider moving to a three-way meeting, if needed. The Field Directors who volunteered comments to the three-way meeting response clearly have the goals of collaboration and an open environment supportive of student learning in mind.

Another conclusion evident from these responses is that many programs stop short of a full educational partnership in which the students have informed consent to the process. Additionally, and critically, many of the educational teams of student, faculty liaison, and field instructor do not have open communication around the student's educational needs when there are serious problems to address. Perhaps more realistic appraisal of the FERPA regulations and more awareness of ethical rank ordering will allow programs to place the need for open communication as a priority. Further research could look at the impact of in-service training in these areas.

The results emphasize the utility and effectiveness of having policies. With policies, students are more likely to have informed consent regarding how their sensitive information is shared. If students do not have informed consent, it is more likely that faculty will engage in time-consuming debates. Therefore, it seems that what is good for the students ethically is also good for the faculty in terms of saving time. Only 21 of the 80 programs (~27%) of the Field Directors reported that their schools had written policies concerning the disclosure of sensitive student information. Only three were placed in the admission materials, so in only three responding programs were the students truly given informed consent. Besides the positive benefits of having a policy, the results begin to suggest that the absence of a policy may be associated with our worst-case scenario. Six or 7.5% of the responding Field Directors reported that their programs had been sued over these issues. Only one of these had a written policy, and the survey did not ask about the chronology of the policy, so it could have been developed prior to or in reaction to legal action. Policies can also serve to protect decision-makers. In the majority of programs, the Field Director and the field liaison team were the faculty members most frequently responsible for these decisions, and thus most vulnerable to a lawsuit.

Although the three-way meeting was the most popular response overall to the different scenarios, there was little agreement overall about what the best response would be to any particular scenario. There was more disagreement among Field Directors concerning the

appropriate response on the last two scenarios—one concerned boundary problems and the other concerned a substance abuse relapse. Perhaps this was due to the perception that these threats were larger to clients. Of the seventeen total written comments from all the scenarios that suggested students be removed from their field placements, eight of these were in response to the substance abuse problems, five in response to boundary problems, and four in response to the in-patient hospitalization. In sharp contrast, one Field Director volunteered the student gets one fresh chance, in response to the boundary problem scenario. Others volunteered that the student would be monitored or that the student would be held accountable within the school. Is this a decision that faculty can ethically make without consulting with the community partners? An area of future clarification could involve the development of a decision tree to provide guidelines for programs concerning how to proceed when students have these types of difficulties in field in order to avoid tunnel vision. A qualitative study of how Field Directors make these decisions, particularly in programs that report no debates over these issues, would also be informative.

The current Education Policy and Accreditation Standards (2002) of the Council on Social Work Education (CSWE) advise that schools administer the field education program through developing policies for the field liaison contact with the agencies. It would be an asset to the profession if CSWE were to require specifically the development of policies concerning the disclosure of sensitive student information. Future research could explore the construction of these policies.

Although social work field education has teams that are operating well overall, there is room for improvement. It is only through developing full educational partnerships that each person and institution involved is protected. As all are protected, both legally and ethically, mutual benefits accrue.

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# Professional Boundaries in Dual Relationships: A Social Work Dilemma

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## Abstract

Social workers have traditionally been underutilized by Head Start programs. With the increasing emphasis on the professionalization of Head Start staff, it is pertinent to explore issues that social workers would face in this practice context. One such issue is the risk of engaging in dual relationships between parent-employees and social workers in this practice context. This ethical dilemma is explored through review of the literature, consideration of two case examples, and application of a modified ethical problem-solving model (Joseph, 1985). After evaluation of three alternatives, one option is recommended.

*Keyterms:* Ethical Dilemma, Dual Relationship, Social Work, Head Start, Ethical Problem-solving

## Introduction

Originally, Head Start was grounded in research which suggested that programs could help poor children be prepared for school and, thereby, compensate for their economic disadvantage (Hofferth, 1992). At that time, Head Start was viewed as a community action effort “aimed at improving whole communities by giving parents and community members new opportunities to participate in the nurturing and education of their children (Kuntz, 1998, p.1). Initially, few social workers were hired (Frankel, 1997; Zigler, 1997). However, as Head Start approaches its 40th birthday, the staffing debate over providing jobs for community members versus upgrading services through hiring outside professionals continues. The philosophical heart of this ongoing debate – remaining true to Head Start’s anti-elitist ideological roots versus professionalizing service – stems from a federal directive to hire parents of currently or formerly enrolled children (Head Start Program Performance Standards Final Rule 45 CFR Part 1304, 1996). While the drive to professionalize has an impact on all Head Start services, the increasing complexity of the needs of Head Start children and families make the issue of professionalization particularly relevant to the provision of mental health services (Gould, 2002).

When professionals, such as social workers, are hired by Head Start and Early Head Start programs, the federal directive places them in work environments in which 28% or more of all program staff members are parents with children currently or formerly enrolled in Head Start

(ACF, 2004). In this practice context, social workers find themselves in collegial employee relationships or in administrative and supervisory employer–employee relationships with current or former clients. Thus, once social workers are hired, the philosophical staffing debate shifts focus from professionalizing Head Start staff to ethical dilemmas involving professional boundaries and dual relationships. According to Reamer (2000), boundary issues confront social workers who are engaged in more than one relationship with their clients, and these boundary issues put the social workers at risk and require careful evaluation. As such, within this practice context, dual relationships may raise numerous ethical issues revolving around confidentiality, role conflict, quality of services, and self-determination. Therefore, this article reviews the literature on dual professional relationships, presents a case example that illustrates the difficulties with dual relationships in Head Start, utilizes an adapted model of ethical problem-solving (Joseph, 1985), proposes and evaluates three alternatives, and presents a second case example that demonstrates the use of the recommended solution.

### **Literature Review**

As defined by the NASW Code of Ethics (1999), dual relationships occur “when social workers relate to clients in more than one relationship, whether professional, social, or business” (p.9). Dual relationships can occur in both therapeutic, clinical settings, and non-therapeutic, community-based settings. When social workers are employed by Head Start, the dual relationships that they find themselves in are primarily professional but could also be characterized as social depending on the situation. These relationships could reflect either a therapeutic or non-therapeutic context depending on the design of the individual Head Start program. Dual relationships are considered to be a conflict of interest for social workers when there is a risk of potential exploitation or harm (NASW, 1999). Due to conflicting opinions surrounding their appropriateness, dual relationships have recently been a central focus of discussion in the social work literature (DuMez & Reamer, 2003; Freud & Krug, 2002; Mattison, Jayarante, & Croxton, 2002; Reamer, 2003). Gripton and Valentich (2003) argue that part of the difficulty stems from a failure to adequately address dual relationships in codes of ethics. As such, the literature highlights both the potential benefits and problems associated with dual relationships in both clinical and community practice settings; therefore, literature on both perspectives is reviewed.

## **Potential Benefits of Dual Relationships**

From the literature, it is evident that dual relationships do exist in social work practice in both clinical and community practice settings. These relationships can be productive if handled properly. Dual relationships should be viewed on a continuum as not all dual relationships are unethical or harmful (Bader, 1994; Corey, Corey, & Callanan, 1998; Reamer, 1998). Rather than a negative, the blending of roles in dual relationships is regarded either as a natural part of human life or as an inevitable outcome due to power differentials within the therapeutic relationship (Bograd, 1993; Brown, 1994).

The client's right to self-determination, a long-standing social work value, is pertinent in the consideration of the ethics of dual relationships (Freedburg, 1989; Hancock, 1997). Failure to support this right would be unethical action on the part of the social worker who has "a moral injunction to uphold the rights of clients to a life of self-fulfillment and noninterference" (Manning, 1997, p. 227). The Head Start Performance Standards Final Rule (1996), including the standard to hire parents, was written with an underlying respect for self-determination: "family development planning and service provision will be grounded in the belief that families, including those whose problems seem overwhelming, can identify their own goals and strengths and needs, and are capable of growth and change" (U.S. DHHS, 1994, p.13). Bass (1996) supports this interpretation, indicating that social services in Head Start are designed to empower parents by giving them the opportunity to make decisions regarding their strengths, weaknesses, need for help, and mechanism for getting help.

Vodde and Giddings (1997) suggest that dual relationships may lead to an improved sense of empowerment: "when aspects of nonsexual dual relationships are used in the service of greater connectedness, more honesty, integrity for both parties, and an increase in the power and self-determination of the client, the relationship may become enhancing or empowering" (p. 63). Bograd (1993) indicates that "some even argue that dual relationships offer protection against the damage done within the traditional model of therapy because they do not reinforce the therapist power advantage" (p.12). According to Tomm (1993), dual relationships prevent the social worker from dehumanizing a client by forcing her or him to respond to the client as a unique person. Dual relationships may also serve to make the client less vulnerable, enhance reality testing, and provide productive role models (Schank & Skoyholt, 1997; Tomm, 1993; Vodde & Giddings, 1997).

## **Potential Problems with Dual Relationships**

While evidence of dual relationships is found in the literature in a variety of practice contexts, including community action agencies, clinical practice, social work education, and substance abuse treatment, it is clear that these relationships may lead to ethical dilemmas and violations. Dual relationships can be problematic because the possibility exists that the social worker will put her or his needs first and will utilize impaired judgment (Bader, 1994; Vodde & Giddings, 1997; Herlihy and Corey, 1992). In their study of attitudes and practices regarding dual professional roles, Borys and Pope (1989) found that almost half of the respondents in the study felt that it was unethical to employ a client. Three primary areas of objection to dual relationships include: boundary issues, role confusion, and power exploitation.

Boundaries exist to protect the client from misuse by the social worker and to establish the professional nature of the relationship (Borys, 1994; Brown, 1994; Gabbard, 1994; Pope & Vasquez, 1991). Whether the social worker is working in a community or clinical setting, the helping relationship is considered to be a professional relationship and can be adversely affected by boundary issues, including boundary confusion, boundary crossing, and boundary violations. While boundary crossings may not be unethical inherently, as are boundary violations, they do have the potential for harm (Reamer, 2003). According to Reamer (1995), “it is essential that social workers maintain clear and unambiguous boundaries in their relationships with clients. Effective practice depends on a clear delineation of professional roles. Worker-client relationships that are based on confused boundaries can be very destructive” (p. 105). When the boundaries are confused or crossed as they are in dual relationships, it is not helpful to the client, the social worker, or the agency (Congress, 1996; Ramsdell & Ramsdell, 1993). Hancock (1997) characterizes boundary issues as unethical. Boundary confusion, boundary crossing, and boundary violation may reinforce maladaptive beliefs and negatively impact self-esteem and separation-individuation issues for the client (Borys, 1994).

Issues of role conflict are likely to materialize when social workers engage in dual relationships with clients as they are either taking on more than one role with the client or the client is taking on more than one role. Ramsdell and Ramsdell (1993) indicate that role confusion for both the client and the counselor is likely. According to Jones (1984), “the agent may not know which of two or more well-defined social roles is appropriate in the circumstances in which he

finds himself” (p. 609). Jones (1984) characterizes differing expectations as a conflict of *prima facie* duties. The role confusion could easily lead to difficult situations for both the client and the social worker:

... the patient may misinterpret confrontation or painful interventions as reflections of the therapist dissatisfaction with the product or service the patient is providing in the other role... Alternatively, the therapist may be hard pressed to adaptively resolve any actual dissatisfaction he or she may find in the patient’s work (Borys, 1994, p. 271).

The dynamics of power clearly are a potential problem stemming from dual relationships, as the possibility of exploiting or harming the client is evident (Reamer, 1998). According to Kagle and Giebelhausen (1994), “in any dual relationship, the practitioner’s influence and the client’s vulnerability carry over into the second relationship. Even if no sexual intimacy occurs, the practitioner is in a position to subordinate the client’s interests to his or her own” (p.215). As a result of the first relationship, the client can never be equal to the social worker in terms of power (Pope & Vasquez, 1991). When the imbalance of power is increased, the social worker’s ability to meet the client’s needs is further jeopardized (Brown, 1994). As a result of the power differential, “even an ethical practitioner may unconsciously exploit or damage clients or students, who are inherently vulnerable in the relationship. Once the clarity of professional boundaries has been muddled, there is a good chance for confusion, disappointment, and disillusionment on both sides” (Bograd, 1993, p.7). As such, the social worker is possibly in jeopardy of violating the fiduciary obligations inherent in the social work contract (Kutchins, 1991).

An organization that permits dual relationships may experience significant detrimental outcomes. Dual relationships may have a negative impact on the client in numerous ways: for example, “a client who comes to feel exploited by a dual relationship is bound to feel confused, hurt, and betrayed. This erosion of trust may have lasting consequences” (Herlihy & Corey, 1992, p. 14). While the impact on the individual client is the first concern, the dual relationship may also have broader repercussions on the organization. For instance, Ramsdell and Ramsdell (1993) indicate that confidentiality is likely to be diminished in cases of dual relationships, a circumstance which would have a negative impact on the agency’s credibility. Furthermore, employing parents would likely produce a ripple effect as other clients might resent that one parent has been picked for a “special relationship” (Herlihy & Corey, 1992, p.15).

## Case 1

The following practice case example is presented to illustrate the problems that can arise from dual relationships within the context of Head Start. The case is from an Early Head Start program that was administered by a social worker. While the social worker administrator was not in a direct, therapeutic relationship with the client, the social worker felt that the boundary issues from participating in multiple relationships with the client negatively impacted the professional helping relationship.

Yolanda, an Early Head Start Program parent, was hired by the program director to provide center-based childcare to toddlers. At the time of hire, Yolanda had two children; one was in the infant room and the other was in the mobile infant room. Her assignment to the toddler room was to ensure that Yolanda was not working in the same classroom as her children. From her previous experience working with young children and her training in early childhood development, Yolanda initially appeared to have the basis for becoming a talented early childhood professional. However, over time, she became increasingly focused on the care that one of her children, the infant, was given to the detriment of the children in her care. As her focus on her youngest child's care increased, she spent more and more of her day watching her daughter through the window of the room, neglecting the toddlers for whom she was the primary caregiver. She then became fixated on how her infant daughter was exposed to self-feeding once she turned one year of age and insisted that her daughter must always use utensils. Yolanda wanted food to be used as a reward and as a punishment for table manners, a practice which was strictly prohibited in the Early Head Start Program. Yolanda began to refer to other children in the program as "animals" if they were self-feeding with their hands and not using utensils. Resentment began to build among the other staff members, who felt that Yolanda was constantly "spying" on them and criticizing them and that she was not providing appropriate care to the children in her primary caregiving group. This situation began to create a division among the staff and to impact on the quality of service that Yolanda was receiving as a parent in the program. Yolanda became increasingly distressed and irrational while at work, which further impacted the quality of care she was providing to the toddlers. The social worker program administrator met with Yolanda on several occasions to discuss her job performance. When the situation did not improve, the social worker was faced with terminating her employment.

## **Ethical Dilemma**

Reamer (1990) defines ethical dilemmas as involving decisions the social worker makes about intervening, the nature of the professional relationship, the role of the government, and the distribution of resources. In this case, the ethical dilemma centered around issues of self-determination, confidentiality, and quality of service. When Yolanda was first hired, the potential role conflict that she would experience between being a parent and an employee was discussed. In particular, the difficulties in working in the same childcare setting with her children were explored. Yolanda expressed her belief that the role conflict would be something that she could manage, and the social worker felt that to deny her the opportunity would impinge upon her right to self-determination. Confidentiality was at issue as Yolanda was privy to information about other program participants who were her friends. Furthermore, confidentiality was complicated as other parents in the program, as members of the Policy Council, had to approve the decision to terminate Yolanda. The quality of service to children was also an issue as Yolanda was neglecting the children in her care to focus on one of her own children. In addition, quality of service to Yolanda was also an issue as she was creating tension among the staff. Her family support worker felt put in the middle and conflicted about confidentiality, which created tension in their relationship and negatively impacted the professional helping relationship. The ethical dilemmas faced included self-determination v. quality of services to children, and self-determination v. quality of services to parent. Other ethical dilemmas in this case example centered on issues of confidentiality and role conflict.

## **Values and Salient Ethical Principles**

A number of societal and social work values relate to the question of dual relationships in Head Start programs in general and to Case 1 in particular. Values are part of the ethical decision-making process because “the ethical model of decision-making is a values-inclusive process model which differs from a generic problem-solving model in that it is geared to surface value and ethical conflicts and to utilize ethical principles in its decision-making process” (Joseph, 1985, p.6).

The value of autonomy will lead to the belief that Yolanda should retain the ability to decide if she wants to become employed by the program, as part of the right to self-determination. A second critical value is the dignity and worth of the person, which would lead to the decision that Yolanda is able to decide if pursuing employment with the program is a good decision for her.

This value relates to the principle that “social workers respect the inherent dignity and worth of the person” (NASW, 1999, p.5). Privacy, another pertinent value, is the philosophical base of confidentiality, which could be negatively affected by Yolanda’s employment as she is privy to confidential information on other children and families in the program. Yolanda’s family support worker also felt that her confidentiality as a client was at risk.

Well-being, a multi-faceted value, has many implications in this situation. First, there is the well-being of the children enrolled as the “programs are only as good as the individuals who staff them” (US DHHS, 1994, p.18). Second, there is the well-being of the parents. If the parent cannot handle the role conflict inherent in working for the program, then employment could be said to diminish well-being as in Case 1. Third, there is the well-being of the social worker. The program administrator in the case example experienced role- conflict from employing the parent and from working to reconcile incompatible policies (Erara, 1991). Fourth, the well-being of the other staff members is at risk, as was evident in Case 1.

Importance of human relationships is also a relevant social work value. Social workers are taught to “recognize the central importance of human relationships” (NASW, 1999, p.6) and to use their relationship with the client as a mechanism for change. As demonstrated in the literature review, it can be argued effectively that dual relationships lead to positive aspects of the human relationship by increasing empowerment and decreasing power disparity. If the human relationship is to be based on partnership, the parent should be given the opportunity to be an active decision maker in how she or he is utilizing all aspects of the program. However, it can also be demonstrated that dual relationships have the ability to harm the client and create a compromised human relationship. If the dual relationship does not enhance the well-being of the parent, but instead diminishes the parent’s well-being, it violates the social work principle. By engaging in a dual relationship, the nature of the human relationship between social worker and parent changes dramatically, as was evident in Case 1. The relationship between the caregiver and the children in care was also affected. Furthermore, the dual relationship could possibly affect the relationship of the parent to other parents and to other staff members.

Integrity also plays a role in this consideration, as a dual relationship requires the social worker to consider whether her or his action in hiring the parent is responsible and trustworthy. If the social worker hires a parent more to fill a vacant position than because of the needs of the

parent, she or he would be lacking in integrity. The social work value of service reinforces integrity by establishing that the needs of the clients are to be placed above those of the social worker and that the social worker needs to question whether or not she or he is providing appropriate service to the child and to the family. While there are overlaps between service delivery to the children and to the parent, the underlying value can lead to different decisions when thinking of the enrolled children versus thinking of the parents.

### **Evaluation of Options**

Three alternatives to this ethical dilemma are presented. As per the adapted ethical problem-solving model, it is imperative to generate and evaluate alternatives after explicating the pertinent values (Joseph, 1985). Each alternative presented meets Rothman's (1998) criteria of being reasoned and considered, indicative of a realistic course of action, and possible for implementation by the social worker. Ethical principles and theories are applied in the discussion of each alternative as per the ethical problem-solving model (Joseph, 1985). A case example to illustrate the strongest option is provided.

#### **Option 1**

The first, and weakest, option involves determining that dual relationships can have positive outcomes for clients, and, as a result, that parents should be hired, without hesitation or guidelines, to work in Head Start programs. The application of this option in practice is illustrated by Case One. While appearing to ignore the NASW Code of Ethics (1999) recommendation against dual relationships, this solution, instead, focuses on the clause indicating that dual relationships are acceptable if not exploitive. To ensure that the relationships do not cross the line into exploitation, it would be important to follow the recommendations of Corey, Corey, and Callanan (1998), including informed consent, open discussion, consultation, supervision, documentation, and examination of personal motivation.

This option would maximize a minimal number of values and principles while minimizing many. Hiring parents would honor autonomy, self-determination, and the worth and dignity of the person, while also possibly enhancing the economic well-being of the parent. However, the values of privacy, well-being of children, well-being of parents, human relationships, integrity, service, and equality would be potentially lessened. This option also diminishes both beneficence (providing benefits) and nonmaleficence (avoiding causing harm) as defined by Beauchamp and

Childress (1994) since the hiring of parents may not be in the best interest of each individual parent interested in employment.

This alternative is ethically grounded in consequentialist theory, which determine that “actions are right or wrong according to the balance of their good and bad consequences” (Beauchamp & Childress, 1994, p 47). First, classic teleological theory or proportionalism could be applied using the principle of the lesser of two evils. As there are possible negative outcomes to both hiring parents and to not hiring parents, this ethical principle justifies the decision to hire parents on the basis of it being the lesser of the two evils. From this principle, the potential good that can come from hiring parents outweighs the potential bad effect because of the belief, supported by the literature review, that dual relationships can be positive. As such, any possible negative outcomes for the enrolled children or parents are outweighed by the potential good, making it the better of the two options. This theoretical perspective recognizes that the choice to hire or to not hire a parent is not going to consistently result in positive outcomes but determines that it is better to decide on the option that produces the least harm. Utilitarianism can also be used, which defines that an action is right if it produces the greatest good for the greatest number (Beauchamp & Childress, 1984; Reamer, 1990). Hiring parents could be thought to benefit the majority because the employed parent would provide a role model to other parents and may, therefore, positively impact other parents, which would be a significant good for the greatest number.

This option is the weakest alternative as it decreases more values and principles than it enhances. Furthermore, the support provided for this option by the application of consequentialist theory is not of sufficient strength: the risk of harm remains great, outweighing the possible benefits. Therefore, while it is a plausible option, it is not recommended.

## **Option 2**

The second alternative is the determination that dual relationships are negative, and, therefore, programs should not hire parents of enrolled children to work under any circumstances. Though this option would be in compliance with the NASW (1999) recommendation against participating in dual relationships, it would be in direct contradiction to the Head Start Performance Standards Final Rule (1996). To follow this course of action, the social worker would have to

inform the agency that it is unethical to hire parents, as per the NASW Code of Ethics (1999), and to then not engage in this practice.

Using this option, the social worker is maximizing more values and principles than are being minimized. However, autonomy and the worth and dignity of the person are lessened by preventing the parent from making a choice on her or his own behalf, and the economic well-being of the parent may also be decreased. Despite these deficits, this option maximizes the well-being of the children, general well-being of the parent, well-being of the social worker, and well-being of the staff. The social worker's integrity is maintained while providing quality services and acting in a trustworthy manner. Equality is not infringed upon and the quality of the human relationships is maintained. Beneficence and nonmaleficence are also supported as the social worker is endeavoring to act for the benefit of others and to do no harm (Beauchamp & Childress, 1994).

Not hiring the parents of enrolled children is also best justified utilizing consequentialist theory. In particular, a utilitarian theoretical argument can be used in which "the right act ... is the one that produces the best overall result, as determined from an impersonal perspective that gives equal weight to the interests of each affected party" (Beauchamp & Childress, 1994, p.47). Therefore, failing to hire parents is acting in a manner that promotes the greatest good for the greatest number. Using this perspective, the social worker would consider everyone involved in the program, including all of the children, parents, and staff, and would act in a manner that benefits the majority. While hiring parents may benefit the few parents who are hired, it clearly has the ability to negatively impact on the majority, as in Case 1. Therefore, utilitarian theory supports the judgment that parents should not be hired.

While this alternative maximizes a number of pertinent values and principles and has a stronger grounding in consequentialist theory, it is not reflective of optimal desirability because it diminishes the values of freedom and dignity and worth of the person. In addition, using this option could jeopardize the continuation of federal funding because it would be a violation of the Head Start Performance Standards Final Rule (1996). Though this option is more acceptable than the first one proposed, it is not the best alternative available.

## **Case 2**

The following practice case example provides an illustration of the use of Option 3 to resolve the conflict of dual relationships in Head Start. This case demonstrates how a social worker

administering a Head Start program can meet the federal requirement to give parents preference for positions without jeopardizing her ethical base for practice and with minimizing the risk of negatively affecting the professional helping relationship.

The social worker administrator of an Early Head Start program had open positions which had been advertised. She was contacted by a social worker from a local, unaffiliated Head Start program as to the education and employment requirements for the position. A parent from the Head Start program, Tabatha, was then referred by the Head Start program social worker to the Early Head Start program administrator for consideration. Tabatha was a current Head Start parent, but she did not have children enrolled in the Early Head Start program that was hiring. As per the compromise solution guidelines, Tabatha was hired after a consultation process and approval by the Policy Council. The program administrator met with Tabatha regularly to support her role as a Head Start parent while also helping her to develop her professional skills. She was encouraged to remain actively involved in the child development program that her daughter attended. She was supported in dealing with issues of role conflict that arose, such as what to do when her daughter was ill and had to remain home when Tabatha was due to report to work at the Early Head Start program.

Tabatha was not in a collegial relationship with her case manager, which protected that relationship, while also protecting Tabatha's relationships with her co-workers, parents enrolled in her daughter's program, and parents enrolled in the Early Head Start program.

### **Option 3**

The third alternative, illustrated in Case 2, reflects a mediating course of action, recognizing that dual relationships can be harmful, while also acknowledging that hiring parents in some circumstances can be beneficial. It uses the literature to craft a viable alternative that hinges on the understanding that each situation is different and must be treated as unique. In this option, parents may be hired to work in Head Start programs, but guidelines and policies would be established to ensure that the ensuing dual relationships are neither exploitive nor harmful. Specific policies to guide practice would be established and maintained that would support the ethical conduct of the social worker rather than a blanket policy supporting or banning dual relationships. For example, one guideline could be that parents would not be employed to work in the same setting as their child. Another guideline could be that the program would hire parents

from a local, nonaffiliated Head Start and that the program would refer parents interested in employment opportunities to this separate Head Start. As such, parents could still receive priority for employment without establishing dual relationships as illustrated above. As the Head Start Performance Standards Final Rule (1996) indicates that priority is to be given to former parents as well as to currently enrolled parents, staff recruitment efforts would first be aimed at former parents.

This solution maximizes all of the values and principles by virtue of the decision-making process involved. Parents retain their autonomy and worth and dignity by being free to apply for the available positions as per their choice and the quality of the services is maintained by the right of the program to not hire the parent if it is not determined to be a good fit. In Case 2, Tabatha had the choice to apply or to not apply for the position, maintaining her autonomy and dignity, and the social worker administrator had the ability to determine that Tabatha would be a good fit with the program, maintaining the quality of services. Individualized decisions in hiring also serve to protect privacy, as parents who do not seem able to navigate the confidentiality issues raised by dual relationships would not be hired. As the parent would not be working in the same setting as her/his child, issues of equality are addressed, the well-being of the enrolled children is ensured, and role conflict issues are diminished. In Case 2, Tabatha did not experience the same level of personal distress over the care of her child that Yolanda did in Case 1, and, therefore, she was freer to meet the needs of the children in her care. The well-being of the parents is also supported by recognizing that employment in the program may be beneficial for some parents but not for others. Individual decisions would permit the social worker to utilize practice wisdom rather than blindly following a maxim to either hire all parents or to not hire any parents. With this alternative, human relationships would be enhanced by the value placed on the individual. In fact, Tabatha's experience of relationships and social support was expanded by working for the Early Head Start program as she was able to maintain her friendships with parents in the Head Start program while forming new friendship and collegial relationships with her co-workers at the Early Head Start program. The overall integrity, well-being, and trustworthiness of the social worker is maintained because it is acceptable for the social worker to utilize free choice in deciding to begin or to not begin a dual relationship (Tomm, 1993).

Unlike the first two options which were best supported by consequentialist theories, this option is best grounded in deontological theory. While consequentialist theories focus on the consequences of an action, deontological theory determines that actions are right based upon principle (Reamer, 1990). Act deontological theory, particularly, supports this option by allowing for rules to be generated over time and to be based on specific situations (Frankena, 1973). With each parent applicant, such as Tabatha, new wisdom is gained as to how best to resolve this dilemma and new guidelines evolve that would continue to guide the social worker in the future. From the act deontological perspective, general rules do not take precedence over particular judgments (Frankena, 1973). Therefore, the social worker could utilize the developing base of knowledge to make decisions about hiring parents without having to follow a guideline that always prohibits hiring parents or that always compels hiring parents. From the act deontological perspective, the situation is clearly taken into consideration, and the principle that best applies to that situation is utilized (Beauchamp & Childress, 1994; Frankena, 1973). However, while taking the situation into consideration is paramount, it would also be important to build a body of policies and guidelines for the social worker to follow in the future as the major limitation of this option is that the potential for inequality exists. If parents are not treated equally, the definition of standards over time could prove to be unethical.

Clinical pragmatism also provides support for this solution by its focus on the individual and on the process used for decision-making (Tong, 1997). In this option, the attention is clearly on the individual and on deciding what is best for that particular individual rather than on what is best for parents as a group, as demonstrated by Case 2. The guidelines encourage a reflection process in making the decision rather than a reliance on following the Head Start Performance Standard Final Rule (1996) or the NASW Code of Ethics (1999) without contemplation or deliberation. This type of reflection is in sync with Mattison's (2000) assertion that ethical decision-making involves continuous reflection and self-awareness. Clinical pragmatism also revolves around the use of consensus (Fins, Bacchetta, & Miller, 1997). In this option, consensus could be incorporated into the hiring decision process by involving the staff member who is providing case management services or the program manager, ensuring that the social worker receives guidance in coming to a determination, rather than making a unilateral decision. This step of consulting with colleagues is in keeping with Congress's (2000) process model for the

resolution of ethical dilemmas. In Case 2, the social worker administrator of the program consulted with Tabatha's case manager after obtaining Tabatha's consent and with members of the Early Head Start program management and staff. The Policy Council was also actively involved in making the decision regarding hiring Tabatha.

Overall, this option presents as the strongest of the three possible alternatives to resolving this dilemma in the practice situation. It is supported by ethical theory, it maximizes values and principles, and it adheres to the author's hierarchy of values. Based on these factors, the author would choose to follow this compromise solution and would support the hiring of parents to work in programs in some circumstances provided that guidelines were developed and were utilized to ensure that the risk of harm was significantly minimized.

## **Conclusion**

As more social workers are hired by Head Start and by other programs that hire clients or community members as staff, the issue of dual relationships will become increasingly pertinent. Through the use of an ethical model for decision-making, it is possible to determine that the compromise solution is the best option for the social worker in this situation to use in resolving this ethical dilemma. With this resolution, the social worker maintains the ability to act in compliance with federal regulations, and thereby ensures that the program funding is not placed in jeopardy. While this solution does potentially result in the establishment of some dual relationships with parents of enrolled children, the practice of coming to individualized decisions ensures that the possibility of harm or exploitation is significantly diminished. Social workers employed by programs using this solution would need to remain vigilant as to the potential for problems when dual relationships are established and to the potential for issues of inequality if parents are not treated equally as guidelines develop over time. Overall, this decision, which is securely grounded in the ethical and practice knowledge bases, represents the best alternative for ethical practice.

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# Forum: Rural Social Work Practice

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## Abstract

Management of dual relationships and confidentiality in social work practice is an essential ethical task for all professionals. Practitioners face special challenges presented by the choice of practice environment and the differential client and community expectations that may be inherent in rural practice. This article addresses the challenge through an analysis of dual relationships, boundary management, and confidentiality in rural practice environments across micro and macro practice activities and settings. The nature of the ethical challenge of dual relationships and the preservation of confidentiality and privacy are explored and an analysis of special practice issues in the rural environment is provided. Tools and suggestions for rural practitioners are presented to use in the ethical management of boundaries with clients, colleagues, and organizations.

*Keywords:* dual relationships; confidentiality; privacy; rural social work practice; boundary management

## Introduction

Managing dual relationships in social work practice can present many challenges to professional boundaries. These challenges are heightened in small communities and rural areas (Miller, 1998; Reamer 2001; Scopelliti et al., 2004), where dual and multiple relationships are a consequence of dense networks (Green & Mason, 2002; Green, 2003, Healy, 2004). A dual relationship can be defined as a set of multiple relationships in which one is professional, and the other(s) are of a social, financial, or professional nature (Campbell & Gordon, 2003). Dual relationships may create boundary issues for the practitioner. Reamer (2001) describes boundary issues as circumstances in which human service professionals encounter actual or potential conflicts between their professional duties, and their social, sexual, religious, or business relationships" (p. 1).

A direct service issue that arises within rural social work practice from the increased likelihood of encountering dual relationships is the maintenance of client confidentiality and privacy. This article will explore this particular practice issue and provide guidelines on how to protect privacy and confidentiality from clinical, organizational, and community perspectives.

## Literature Review

There is limited scholarship available that examines dual relationships in rural practice (Miller, 1998). There is an even smaller amount that examines confidentiality and privacy issues in rural areas. Green and Mason (2002) published one of the most extensive articles on this issue. They report on a research project that examined the experiences of social work and welfare practitioners practicing in rural areas in regard to personal and professional role boundaries. Three issues that emerged from the study concerning confidentiality were guarding privileged knowledge, the use of client-related knowledge gained informally, and rural service delivery considerations that protect client privacy and confidentiality. The authors point out that absolute confidentiality is difficult to obtain in rural areas. Ethical conflicts are often created between a practitioner's duty to the client and a duty to others. The argument is made that confidentiality should be a guarantee against disclosures except in clearly defined circumstances such as situations in which there is suspected child abuse, when the client is suicidal, or when there is a threat to another person. Confidentiality is particularly challenged since rural social work practice involves working with communities, groups, teams, and other agencies. The authors also point out that clients may choose not to obtain services, because of their concerns about how confidential information is handled.

Barbopoulos & Clark (2003) acknowledge that privacy and confidentiality present particular challenges to practitioners providing direct services to rural clients. Client privacy is difficult to maintain, as people know one another and are more likely to be seen in the location in which services are provided. Rural communities also allow opportunities for nonprofessional interactions with clients, friends of clients, or relatives of clients.

In a survey of college therapists, Sharkin and Birky (1992) found that 95% of their sample had accidental meetings with clients. Nonprofessional interactions in rural settings run the gamut from minor accidental meetings to substantial overlapping relationships. In another study, Schank and Skovholt (1997) surveyed members of the Minnesota Psychological Association practicing in rural areas and found that all respondents reported overlapping relationships. These overlapping relationships included ones with multiple family members for 75% of the participants, and situations in which different clients had relationships with each other for 56% of the participants. Respondents reported that boundary setting was particularly important to the protection of client

confidentiality. The authors assert that clear expectations and boundaries strengthen the therapeutic relationship and urge practitioners to obtain informed consent, protect confidentiality, and explain the limits of confidentiality discussing any overlapping relationships as essential to ensure sound professional practice in small communities.

### **Theoretical Framework**

A social workers obligation to maintain confidences is linked to the deontological conception of morality. According to this theory, actions or rules are right if they comply with a principle or principles of obligation. Deontology maintains that actions are morally wrong because an action is classified as a moral violation. Deontologists believe that relationships carry with them certain obligations, such as obligations social workers have with their clients. These obligations include confidentiality and respect for privacy (Beauchamp, 1991; Frankena, 1973). The *NASW Code of Ethics* would be considered a set of rules that every social worker must abide in to prevent immoral behavior. Within this code, privacy and confidentiality is considered an ethical standard to be upheld by practicing social workers. Parameters are set related to the management of confidentiality within the boundaries of professional relationships. Other relevant Codes of Ethics, such as those developed by the Clinical Social Work Federation, the Canadian Association of Social Workers, and the American Psychological Association, also include confidentiality as an important ethical standard.

In addition to obligation duties, social workers as individuals can turn to virtue ethics for guidance. Theories of virtue depend on an assessment of moral traits that establish an individual's moral character. A moral virtue is a character trait that is morally valued. Aristotle, a virtue ethicist, maintained that the virtue of people consists of how well they do

their work and their ability to function successfully. A virtue is a disposition, habit, quality, or trait of a person. He believed that there is an innate capacity for virtuous behavior which is developed through proper training and experience. Confidentialness and respectfulness for privacy are considered virtue standards (Beauchamp, 1991; Frankena, 1973). Applying this theory to the social work profession, social workers as individuals should aspire to cultivate confidentialness and respectfulness for privacy as character traits. To this end, guidelines are provided herein for clinical, organizational, and community practice to assist in the development of confidentialness and respectfulness for privacy for practitioners who work in rural environments.

## Clinical Considerations and Guidelines

Dual relationships are inherent in rural social work practice and create challenges to maintaining client confidentiality (Boisen & Bosch, 2005). Confidentiality can be described as the regulation, both legal and ethical, that protect the client's rights of privacy (Green & Mason, 2002, p. 270). Privacy refers to the degree of control a client has over what happens to information about him/her held by the worker (Green & Mason, 2002). Although boundary violations (where the worker is manipulative, exploitive, coercive, or deceptive to the client) may occur in rural areas, boundary crossings may emerge more frequently. Boundary crossings refer to the mix of professional and personal relationships in which the anonymity of clients and workers can be unavoidably compromised (Healy, 2003).

**Table 1.** Client-Worker Boundary Crossings

Type	Definition	Examples
business transactions	client-owned or client-employed businesses	grocery store, gas station, bank, farm implement store, telephone and electrical companies
community committees or clubs	worker-client joint affiliation and memberships	Parent Teacher Association (PTA), gardening and quilting clubs, 4-H, American Legionnaires, and Rotary club
community events	community-wide participatory activities	fund raisers, parades, celebrations, dances & dinners
social events	activity attendance that supports community members	athletic events, weddings, anniversaries, funerals, hunting & fishing activities
residence location	geographical proximity between client & worker	same neighborhood
organizational location	attendance at the same organization	schools, hospitals & places of worship
social & friendship networks	mutual worker-client social networks	spouses/partners, children, relatives, and friends
incidental occurrences	addressing each other in public places	greetings on the sidewalk

Rural areas include strong community ties with ample opportunity for chance encounters and boundary crossings with clients (Healy, 2003). Essentially, rural social workers are never off-duty within their communities since they often live and work in the same town, causing professional and personal relationships to blend. To be a member of a rural community means that close knit bonds exist and there is the expectation to engage in cultural mores and community events. To be seen in the community and to support activities builds trust and support for the professional role. Information received in informal settings or outside the realm of professional relationships presents challenges to the practitioner. For instance, clients and social workers may encounter each other in the grocery store, place of worship, or little league baseball game. Clients

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may regard these times as opportunities to ask for further assistance. Boundary crossings are not always harmful (Reamer, 2003); however, it is important for the practitioner to develop skills in assessing the potential harm or benefit in boundary crossings that may present themselves in clinical practice and to discuss these situations with the client. Table 1 outlines some of the types of boundary crossings that may be encountered by the professional social worker.

The rural social worker is responsible for maintaining appropriate boundaries regarding confidentiality and the protection of client-related information. Although the National Association of Social Workers and state licensing boards set standards and parameters in regard to confidentiality and privacy matters, no guidelines or practice tools are offered to address these standards, particularly within rural areas.

The professional literature offers some guidance. Kagle and Giebelhausen (1994) advocate the avoidance of dual relationships whenever possible, and suggest rural practitioners work and live in different geographical regions. Other authors note that these solutions are often not possible in rural areas and leave the practitioner with no direction on how to manage dual relationships in an ethical manner (Green & Mason, 2002; Healy, 2003; Evans & Harris, 2004).

### **Guidelines for Protecting Client Confidentiality**

The authors present a set of guidelines that attempt to balance the protection of privacy while acknowledging that chance encounters occur in rural areas. The following practice guidelines account for the complex nature of dual or multiple relationships and the opportunities for boundary crossings in rural areas.

1. Always use informed consent procedures in professional relationships. A discussion of policy and ethical considerations, particularly confidentiality rules, is an important component to the client-worker relationship in rural areas. While addressing informed consent, discussions need to deal with the types of boundary crossings and their possible risks to client confidentiality. One way to manage this dialogue is to give the client a handout of Table 1 to highlight examples of boundary crossings. The use of Table 1 as a guideline may heighten the client and workers sensitivity to possible boundary crossings and their consequences, which may be further explored during the assessment process.
2. Include a discussion of dual relationships and potential for boundary crossings during the assessment process. In the completion of psychosocial assessments, include a discussion of relationships and activities that the client is engaged in that may present the potential for boundary crossings between the client and the worker. The use of genograms and eco-maps will help in this process. For instance, during the assessment process, a client genogram may uncover mutual relationships between the client and the worker, whereas a client eco-map may identify mutual social systems. When a potential conflict is discovered, the client

and worker should engage in a mutual discussion about how potential encounters should be handled. This technique allows clients to take control of their privacy and reinforces their empowerment. In addition, this type of discussion strengthens the client-worker relationship as they work together to develop a plan of action that protects confidentiality.

3. Develop a plan of action regarding how boundary crossings will be handled. The development of a plan of action regarding boundary crossings prior to their occurrence enhances a client's ability to maintain control of his/her privacy. For instance, upon completing an eco-map, a worker may note that the client shares the same place of worship. A discussion of this association with the client will help each to prepare for chance encounters. Each discussion of mutual associations during the assessment process should include the development of a plan for how to address them. A plan of action should include points of choice making for clients, such as whether and how the client and worker should acknowledge each other in public places.
4. Conduct periodic evaluations on how boundary crossings are being handled. Exploring boundary crossings and their impact on client confidentiality needs to occur throughout the helping process. This evaluation should include a review of the plan of action, and a discussion of information, relationships, and mutual social systems not identified during the assessment phase. Also, any unplanned encounters should continue to be a point of discussion between the worker and client in regard to their impact on confidentiality and the helping relationship.

These guidelines are offered as suggestions for how social workers can manage client confidentiality, potential boundary crossings, and dual relationships in the delivery of services in rural areas. These guidelines are particularly suited for the practitioner working within a clinical practice.

However, agency attention to the issues of dual relationships, confidentiality, and privacy rights cannot be confined to micro and meso level practice issues. There are challenges at the macro level that involve the management of privacy and confidentiality within agencies and communities located in rural areas.

### **Macro Considerations and Guidelines**

If little is known about how rural social workers in direct practice address dual relationships and confidentiality issues, even less is known about how these issues impact macro practice in rural areas. Organizations have multiple relationships with other organizations in the community and internally with their clients, and members of the board, staff, and volunteers. Social workers, in leadership positions in their organizations and within the community as a whole, have a number of responsibilities to manage dual relationships and protect client confidentiality.

## **Organizational Policies on Confidentiality**

All organizations should have policies on confidentiality, which are shared with clients and staff. It is recommended that confidentiality policies include criteria for release of information about clients, the limitations of confidentiality, information about applicable state statutes and funder regulations, how to handle subpoenaed information, guidelines for what is included and excluded in permanent client files, and who has access to client files (Reamer, 2001; Wilson, 1978). Policies that address the protection of client information stored in computer files are also necessary to safeguard this material. Additionally, guidelines need to be developed on how staff use and manage e-mail communication that may include client information.

Clients should be informed in writing about the organizations confidentiality policies, as well as their limitations, especially with regard to disclosures of abuse of children, older adults, and persons with disabilities. Additionally, it is suggested that social work administrators include information about state laws that address whether certain professionals or persons working in specific types of agencies have privileged communication, and the limits of that privileged communication (Peterman & Dobos, 2004). One tool that can be used to inform clients of these policies is the development of a flyer that addresses boundary issues, confidentiality policies, and client rights (Kagle & Giebelhausen, 1994). This tool may be used within the helping relationship between client and worker and may serve to enhance the client-worker relationship through providing an opportunity for talking openly and genuinely about client confidentiality and privacy rights.

Agency policies should also address the termination of employees, board members, or volunteers who violate organizational policy on client confidentiality. It is helpful to present policies on confidentiality and organizational expectations related to these policies at the time of hire or appointment.

Also, the employer needs to inform personnel of client confidentiality policies, and the consequences for violating such policies. All employees and volunteers, including board members of human service agencies, should receive training on this information. It is suggested that employees, volunteers, and board members sign a statement indicating they have been informed, understand, and agree to abide by the policies they received information on during the training. It

is recommended that instruction on agency policies occur periodically to reinforce personnel's knowledge and awareness of them.

### **Use of Consultants**

Another area that may involve potential breaches of confidentiality by persons serving dual roles within the organization is the use of consultants (Yankey, 1998). Agencies should avoid hiring as a consultant someone who already has a relationship with the organization, whether they are board members, volunteers, or clients. As an administrative decision, it may be best to use out of town consultants. In consultation practice, the use of distance as a boundary may be more easily arranged than in direct community practice, and it is consistent with Kagle and Giebelhausens (1994) recommendation for rural practice management. Nevertheless, all consultants should be asked to sign a confidentiality pledge form. A professional social worker who functions as a consultant in the community should not accept an appointment with organizations where protection of confidentiality cannot be established. The status of former client of the agency on the part of the consultant or close personal relationship with former clients of an agency should rule out a consultation relationship with that agency.

Finally, more information is needed about how rural organizations handle dual relationships and confidentiality. Do models exist that create a balance between managing an agency and maintaining relationships in rural areas while protecting client confidentiality and respecting boundaries? How do rural agencies handle the protection of confidentiality between board members, staff, and clients in rural-based organizations? Are there ways in which organizations have organized their physical space (private waiting rooms, separate areas for entrance and exit) to ensure client confidentiality? More emphasis on these issues within the professional literature will help to strengthen rural social work practice.

### **Conclusion**

Social work professionals must attend to ethical practices regardless of the practice environment or the level of system where the practice occurs. For the rural practitioner, special challenges to ensuring confidentiality and privacy rights for clients, colleagues, and organizations are related to the dense and complex interactions in rural communities. To address this special challenge of rural community practice, social workers must take special care in the management

of agencies and in their interactions with clients to ensure that clients are empowered to participate in the management of their confidential information.

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**Editor's Note:** *The Journal of Social Work Values and Ethics* is pleased to present the Values and Ethics Forum. Within this forum, social workers are given an opportunity to address values and ethical issues that generate personal and/or professional concern. Readers are encouraged to submit responses to issues addressed in the forum. Readers' comments will be included within the same issue of the original commentary. Thus, please return to this URL to review how readers have responded to the commentary. Commentaries and responses to commentaries presented in the Values and Ethics Forum section are *not* refereed as the articles in the main section. In addition, the opinions expressed are solely those of the author(s) and not the journal, the publisher, or the editorial board.