NAVIGATING DIFFICULT WATERS:
Addressing Problems of Professional Competence and Responsibility for School Psychologists

Nicole D. Price, LSSP, NCSP

Region 4 Education Service Center – Special Education Solutions

Texas Association of School Psychologists 2024 Annual Convention

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Agenda

- Texas Behavioral Health Executive Council (TBHEC)/Texas State Board of Examiners of Psychologists (TSBEP) Board Updates
- Problems of Professional Competence and Responsibility
- An Ethical Decision-Making Model for School Psychologists
- Remediation and Strength-Based Mentoring and Supervision

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Learning Objectives

- Review and discuss any current updates from the Texas Behavioral Health Executive Council (TBHEC) and Texas State Board of Examiners of Psychologists (TSBEP).

- Discuss problems of professional competence and responsibility, how they affect our field, and why they should be addressed.

- Learn about and practice using an ethical decision-making model to address problems of professional competence and responsibility.

- Review strategies for remediation of problems in professional competence and a new approach to supporting new and experienced School Psychologists: strength-based mentoring and supervision.

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TBHEC/TSBEP Board Updates

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New TBHEC Rules

The current TBHEC/TSBEP rulebook is dated August 15, 2024.

TBHEC rules amended in June 2024:

- 882.2 General Application File Requirements
  - This amended rule clarifies the information Council staff can rely upon when verifying an applicant's out-of-state licensure.
    - Official verification received from the other jurisdiction.
    - Information reflected on a government website.
    - Verbal or emailed verification directly from the other jurisdiction.

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TSBEP:
There are no recently adopted rules related to psychology.

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Human Trafficking Requirement Reminders

- The Human Trafficking course requirement took effect September 1, 2020.
- All licensed healthcare practitioners that deliver direct patient care are subject to this requirement.
- Licensees are required to take a course approved by the Texas Health and Human Services Commission (HHSC) every renewal cycle.
  - Therefore, it is required **every two years** for the LSSP license.

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Human Trafficking Requirement Reminders

- The requirement is to complete a course by the HHSC; there is no set hour requirement for the course itself.
- You can take the same course as many times as you wish per renewal cycle.
- Licensees can find approved courses on the HHSC website, https://www.hhs.texas.gov/services/safety/texas-human-trafficking-resource-center/health-care-practitioner-human-trafficking-training.
  - Remember, the course must be an **HHSC-approved** course to count for your renewal.

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Problems of Professional Competence and Responsibility
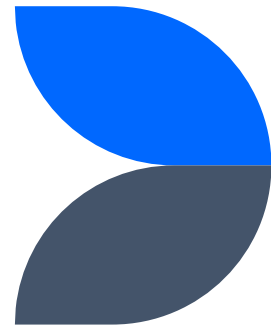
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> "To know one's own limitations is the hallmark of competence.
>
> Dorothy L. Sayers

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Activity:
Turn & Talk

Work with your elbow partners to produce a definition of "professional competence."

Be prepared to share out.

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Definitions of Professional Competence

Barnett, et al. (2007)
"The knowledge and skills, and attitudes, values, and judgment needed to perform the work of a psychologist."

Epstein & Hundert (2002)
"The habitual and judicious use of communication, knowledge, technical skills, clinical reasoning, emotions, values, and reflection in daily practice for the benefit of the individual and community being served."

Cruise & Swerdlik (2010)
"The academic, assessment, clinical, ethical, and interpersonal skills that yield a complete picture of professional behavior."

Dreyfus, 1997; Nagy, (2012)
"The practitioner is able to integrate professional knowledge and skills with an understanding of the client and situation and make appropriate decisions, based on consideration of immediate and long-term effects."

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Relationship Between Ethics and Competency

Sensitive to the ethical components of our work.

Awareness that our actions have real ethical consequences that can help or harm.

Sound, working knowledge of codes of ethics, professional standards, and law pertinent to the practice of school psychology and special education.

Commitment to proactive ethical thinking and conduct to prevent problems from arising.

Ability to analyze ethical dimensions of a situation and demonstrate honed skills to reason about ethical issues, including mastering use of an effective problem-solving model.

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Relationship Between Ethics and Competency

Sensitivity to personal values and standards and how these might align or differ from other cultural groups that drives us to understand others.

Awareness of personal beliefs and feelings and how these can influence our professional decision making.

Strive to engage in positive ethics, going above and beyond minimal obligations in codes of ethics and law.

Acknowledgement and acceptance that there may be more than one appropriate course of action within ethical situations.

Personal strength to act on decisions made and accept responsibility for actions taken.

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NASP's Broad Theme II: Professional Competence and Responsibility

Within its 2020 *Principles for Professional Ethics*, the National Association of School Psychologists (NASP) notes,

"Beneficence, or responsible caring, means that the school psychologist acts to benefit others. To do this, school psychologists must practice within the boundaries of their **competence**, use scientific knowledge from psychology and education to help clients and others make informed choices, and accept **responsibility** for their work."

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NASP Guiding Principle II.1 Competence

Standard II.1.1 Practice in Area of Competence

- Recognize strengths and limitations of graduate preparation and training.
- Engage only in practices for which qualified.
- Enlist assistance of other specialists in supervisory, consultative, or referral roles as needed.
- Explain their limitations of experience to parents/guardians if no appropriate referral is available.
- Seek consultation, professional development, and supervision as needed to ensure students do not go without assistance and services.

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NASP Guiding Principle II.1 Competence

Standard II.1.2 Personal Problems

- Refrain from any work-related activity in which personal problems may interfere with professional effectiveness.
- Seek consultation or other assistance when personal problems surface that may threaten to compromise professional effectiveness.

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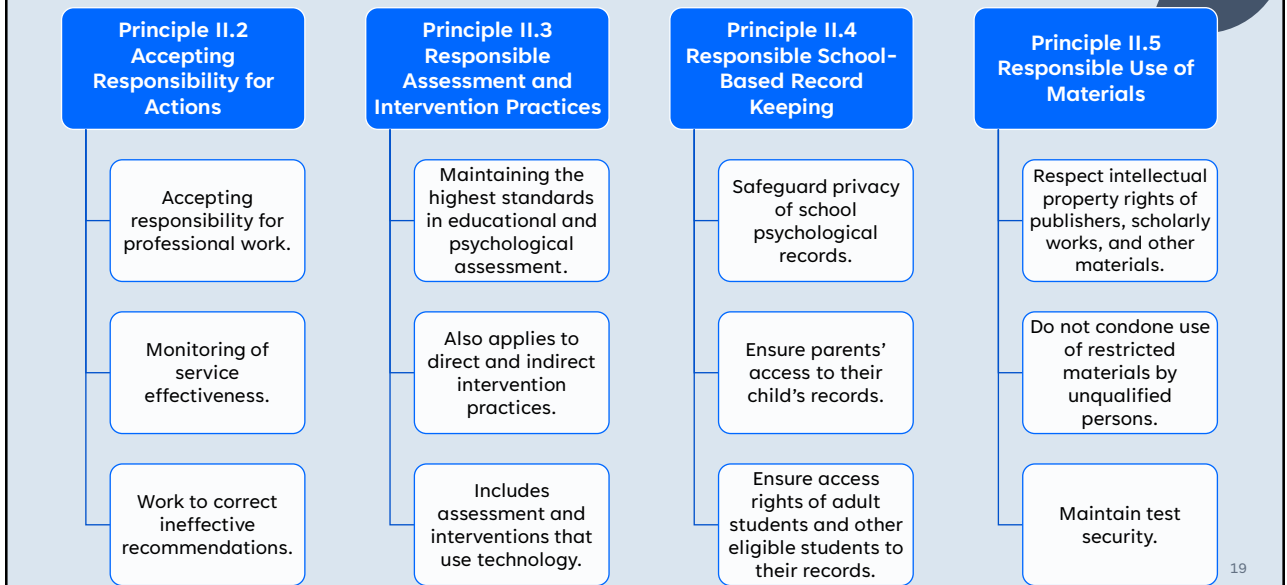# NASP Guiding Principle II.1 Competence

Standard II.1.3 Continuing Professional Development

- Engage in continuing professional development and growth.
- Remain up-to-date on developments in research, professional practices, and professional development that benefit children, families, and schools.

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Additional Aspects of NASP's Broad Theme II: Professional Competence and Responsibility

Principle II.2 Accepting Responsibility for Actions	Principle II.3 Responsible Assessment and Intervention Practices	Principle II.4 Responsible School-Based Record Keeping	Principle II.5 Responsible Use of Materials
Accepting responsibility for professional work.	Maintaining the highest standards in educational and psychological assessment.	Safeguard privacy of school psychological records.	Respect intellectual property rights of publishers, scholarly works, and other materials.
Monitoring of service effectiveness.	Also applies to direct and indirect intervention practices.	Ensure parents' access to their child's records.	Do not condone use of restricted materials by unqualified persons.
Work to correct ineffective recommendations.	Includes assessment and interventions that use technology.	Ensure access rights of adult students and other eligible students to their records.	Maintain test security.

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Activity: Scavenger Hunt

With your small group, review NASP's Principles for Professional Ethics, Broad Theme II on your assigned guiding principle in professional competence and responsibility.

Review and be prepared to present a summary of the standards included in your respective guiding principle and how competency relates to your noted standards.

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APA Ethical Principles of Psychologists and Code of Conduct

Section 2.01 Boundaries of Competence

Psychologists provide services, teach, conduct research only within boundaries of competency.

Obtain training, experience, consultation, or supervision needed to ensure the competence of service delivery.

Be familiar with judicial and administrative rules governing their role(s) and responsibilities.

Section 2.02 Providing Services in Emergencies

In an emergency, psychologists may provide services for which they have not obtained necessary training to ensure that services are not denied.

As soon as the emergency has ended or appropriate services are available, the psychologist discontinues the service.

Section 2.03 Maintaining Competence

Psychologists undertake ongoing efforts to develop and maintain their competence.

Professional development and training, learning, and growth is paramount to the professional – not just signing up for a workshop to check a box.

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APA Ethical Principles of Psychologists and Code of Conduct

Section 2.04 Bases for Scientific and Professional Judgments

Psychologists' work is based on established scientific and professional knowledge of the discipline.

Evidence-based, research-based.

Section 2.05 Delegation of Work to Others

Psychologists who delegate work take appropriate steps to avoid giving work to people with dual relationships that will cause an ethical issue.

Authorize only those responsibilities that the delegate can be expected to perform competently and see that they perform these services in a competent manner.

Section 2.06 Personal Problems and Conflicts

Psychologists refrain from engaging in an activity when they know there is a likelihood that their personal problems will prevent them from performing their work competently.

When psychologists become aware of personal problems that might interfere with their performance, they take appropriate measures.

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The Stage Model of Ethical Competency Development

1

Novice

New practitioners are more rule-bound and slow to make decisions on their own.

They need more supervision and consultation in ethical decision making.

2

Advanced Beginner

More capable of identifying aspects of complex situations and taking context into account.

Still rely heavily on technical mastery of their skills and learning.

3

Competent

Better able to identify key elements and relationships in a situation, balance skills and empathy, and consider long-term effects of decisions.

Can become overwhelmed by the complexity of real-world problems.

4

Proficient

Able to prioritize elements in decision making more effortlessly.

Might have more difficulty with the processes that provide the foundation of appropriate choices.

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Experts

Have had many experiences with diverse situations and can rely on past decision-making to inform future decisions.

Able to base decisions on subtle qualitative distinctions.

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Teaching Ethical Competency as a Skill

Formal, integrated coursework in ethics and law.

Continued professional development in ethics and law.

Self-assessment activities designed to heighten personal awareness.

Deliberate practice of ethical issues and problem-solving.

Regular ethical consultations or roundtables to discuss and process ethical situations.

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Activity: Riddle Me This

With your small group, draft at least two ways that you could incorporate more training in ethical competency within your evaluation team and/or department. Be prepared to share your ideas.

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Problems of Professional Competence (PPC)

Addressing problems of professional competence (PPC; Shen-Miller et al., 2011) is a distinct domain in APA's *Guidelines for Supervision in Health Service Psychology* (2014). It is also woven throughout NASP's *Professional Standards of the National Association of School Psychologists* (2020).
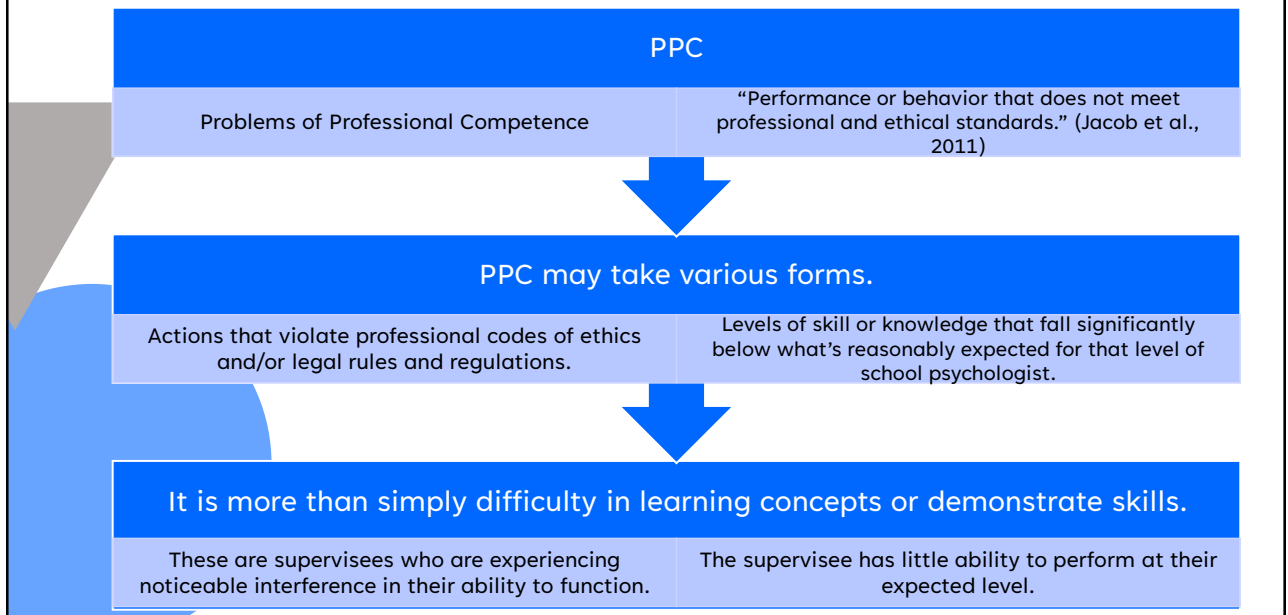
Addressing and ensuring professional competency is a key responsibility for field and university supervisors of interns and early-career school psychologists.

PPC is also a concern for experienced psychologists, so clinical and administrative supervisors should be prepared to handle concerns as well.

Supervisors have an ethical and legal obligation to address PPC and are responsible for ensuring that only qualified people provide psychological services.

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What is PPC?

PPC	
Problems of Professional Competence	"Performance or behavior that does not meet professional and ethical standards." (Jacob et al., 2011)

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PPC may take various forms.	
Actions that violate professional codes of ethics and/or legal rules and regulations.	Levels of skill or knowledge that fall significantly below what's reasonably expected for that level of school psychologist.

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It is more than simply difficulty in learning concepts or demonstrate skills.	
These are supervisees who are experiencing noticeable interference in their ability to function.	The supervisee has little ability to perform at their expected level.

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Effects of Problems of Professional Competence

Harm to Clients

- Lack of competency can cause harm to clients and their families.
- Both NASP and APA's codes of ethics note that psychologists must take steps to minimize foreseeable harm to their clients and the public.

Harm to Public Opinion of the Field

- Psychologists are required to uphold scientific and professional standards when interacting in public spaces.
- Practitioners must be careful about disseminating psychological knowledge and research to the general public.

Lack of Prepared Professionals in the Field

- New professionals with significant competency concerns will not be able to enter the field.
- Additionally, existing professionals that do not continually keep their skills fresh and engage in ongoing professional development risk harm to clients and the public.

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Difficulty Addressing PPC Issues

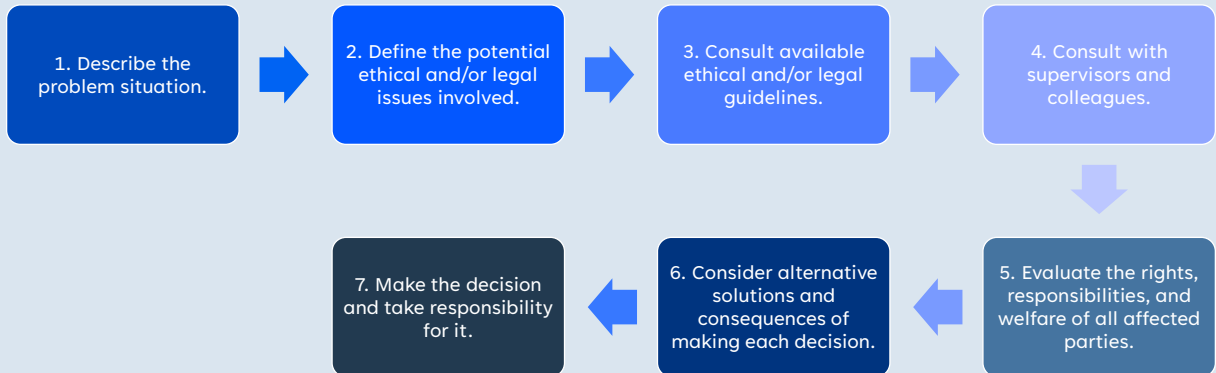|		
Lack of training in how to deal with ethical dilemmas and PPC issues.	Concern about colleague and/or supervisor response to discussing or reporting PPC.	Self-protection, especially if the professional has also had recent PPC concerns.
Intersectionality of diversity and PPC issues.	Fear of consequences or retaliation.	Perceived lack of empowerment and support for reporting and addressing PPC concerns.

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An Ethical Problem-Solving Model for School Psychologists

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NASP's Ethical Decision-Making Model

| 1. Describe the problem situation. | → | 2. Define the potential ethical and/or legal issues involved. | → | 3. Consult available ethical and/or legal guidelines. | → | 4. Consult with supervisors and colleagues. |

| 7. Make the decision and take responsibility for it. | ← | 6. Consider alternative solutions and consequences of making each decision. | ← | 5. Evaluate the rights, responsibilities, and welfare of all affected parties. |

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NASP's Ethical Decision-Making Model

1. Describe the problem situation.

- Focus on the available information.
- State the issues in an objective manner.
- Consider breaking down complex situations into clear, behavioral statements.

2. Define the potential ethical and/or legal issues involved.

- Enumerate the ethical and legal issues in question.
- State the issues are clearly and accurately as possible, without bias, emotionality, or exaggeration.

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NASP's Ethical Decision-Making Model

3. Consult available ethical and/or legal guidelines.

- Research the issues in question.
- Resources can include NASP, APA, the Individuals with Disabilities Education Act (IDEA), state regulations, texts on ethics and law in school psychology, district policies, etc.

4. Consult with supervisors and colleagues.

- Talk with your supervisor and trusted colleagues who are well-versed in the ethical and legal guidelines that apply to school psychology.
- Brainstorm possible alternatives and consequences.
- Continue to guard confidentiality.

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NASP's Ethical Decision-Making Model

5. Evaluate the rights, responsibilities, and welfare of all affected parties.

- Consider the big picture and implications for students, families, school staff, and yourself.
- How will the various courses of action affect each party involved?
- Remember that we are advocates to our clients and we are to do no harm.

6. Consider alternative solutions and consequences of making each decision.

- Evaluate, step-by-step, how each alternative solution will affect the involved parties.
- Weigh the pros and cons.
- Carefully consider all the information you've gathered.

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NASP's Ethical Decision-Making Model

7. Make the decision and take responsibility for it.

- Make a decision that is consistent with ethical and/or legal guidelines.
- Your decision should be one that your feel confident is the best choice.
- Take responsibility for following through on your decision, attend to the details, and attempt to bring closure to the situation.

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Activity:
Case Scenarios

In your small groups, choose one of the 10 presented scenarios, read and discuss the case, and use the ethical decision-making model and NASP worksheet to draft a solution. Be prepared to share.

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Case 1

An LSSP working for a small, rural school district was instructed by the campus principal to complete evaluations for preschool students, ages 3-5. The LSSP is well-versed in the assessment of elementary and secondary students but has not received any formal training in early childhood assessment or working with a preschool population.

She agreed to do the assessments in the future, after completing professional development in this specific area of assessment. However, the principal insisted that she complete the evaluations, or her job could be at risk for refusing to do her job duties.

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Case 2

Recently, an LSSP was writing the summary of a reevaluation of a student's special education placement. The student received services for three (3) years, with little to no improvement or progress in academic achievement.

The LSSP was planning to recommend continued special education placement but realized, without significant changes in the services the student was receiving, it was unlikely that he would benefit from his IEP. The LSSP is wondering about any ethical obligations to recommend changes to the student's plan.

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Case 3

An LSSP was married to the Special Education Lead Teacher at her campus for 20 years; last year, the two were divorced and the proceedings were not amicable.

The LSSP and his ex-wife (the Special Education Lead Teacher) can get along when necessary, in professional interactions, but the LSSP is not sure that he can handle things objectively when he is handed an evaluation for a student in his ex-wife's class. He is thinking about applying to another district, but he loves his current district and has built many solid relationships there.

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Case 4

Several senior-level LSSPs in this LSSP's district were trained at a time when cultural and linguistic diversity (CLD) were not considered in evaluating students. They do not seem interested in engaging in professional development to learn more about CLD issues and how to incorporate practices into their work.

This is causing problems when they find students eligible for special education and related services based on outdated ideas and then other psychologists dispute their findings.

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Case 5

An LSSP understands the importance of professional development and regularly attends TASP conferences and NASP conventions that are held within a reasonable distance from her home.

The LSSP has several parents in his school who are using certain restrictive diets as interventions to help their children's autism. He has learned that many of these diets are ineffective and, in some instances, dangerous. However, he is unsure of his obligation to share research findings with others – especially parents/non-psychologists.

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Case 6

Recently in a student referral meeting, a parent and her advocate listed the various assessments they wanted used in the student's FIIE. Included was a test with questionable validity that the LSSP does not consider appropriate for the student and the referral question.

The parent and advocate threated to get an outside evaluation at the expense of the district if their specific requested tests were not used. The LSSP's campus principal told the LSSP, "Just use these tests; we don't need any more problems from this family."

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Case 7

Recently, an LSSP saw the latest version of a widely used intelligence test being sold on an Internet auction site. In addition, they have heard of a group of parents in the district she works in that "train" other parents on how to have their students practice on the test so they know how to answer if they will be receiving an initial FIE.

The LSSP is wondering what her professional responsibility is to do something about both the Internet auction site and the parent "testing" group.

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Case 8

An LSSP's school district has relationships with several private mental health programs, such as day treatment programs and group. Frequently the LSSP is asked to send copies of the psychological and/or FIE reports to these agencies and it has become routine for the campus secretary just to mail, email, or fax the reports with "Confidential" stamped at the top.

The LSSP is concerned about sending these records to the agencies but also understands the agencies need pertinent information on the students to assist in treatment planning.

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Case 9

At this first-year LSSP's campus, they are asking him to put all of a student's background information in their FIE, including parent marital and employment status, education level, socioeconomic status, etc. The LSSP is aware of a large number of people in schools who often have access to student information and data and he is unsure how much background information to include in his psychological reports for ARD committee meetings.

The LSSP is also uncomfortable with his campus' demand for all of this information, even verbally, during ARD committee meetings.

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Case 10

An LSSP gets mild criticism from some of her colleagues about the length of her FIEs. However, they were trained to use a multimethod, multi-informant, ecological perspective for assessment. This process involves many pieces of evaluation, such as classroom observations, reviewing curriculum materials, interviewing teachers, parents, and other school staff, etc.

One of the LSSP's colleagues told them that they look like a "goody two-shoes" and should stop making the other school psychologists "look bad". The LSSP is considering doing less than normal for her evaluations, going forward after this conversation.

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Remediation and Strength-Based Mentoring and Supervision
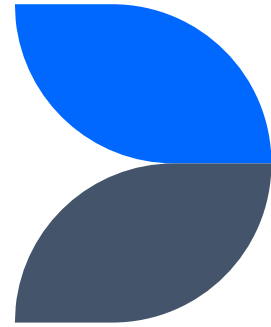
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Having Difficult Remediation Conversations

Prepare for the conversation. Know what you are going to discuss and how the problems relate to the colleague's practice.

Think about you and your colleague's individual communication styles.

Establish the "ground rules" for the conversation.

Use your decision-making model to approach the problems of professional competency.

Focus on operationally defined behaviors; be objective and reduce subjectivity as much as possible.

Stay aware of your own emotions, thoughts, and reactions to the conversation and the verbal and nonverbal cues of the supervisee.

Don't forget the follow up if a remediation plan is created! Try to schedule the next meeting before the conversation is over.

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Creating a PPC Remediation Plan

Accurately Identify PPC Areas
Clearly define the problems of professional competence and any other issues at hand.

Make the Plan SMART
Use SMART goals to make the plan detailed, clear, measurable, and attainable.

Incorporate Regular Follow-Ups
Remediation is not just a "one-off" situation. Regular follow ups to ensure that issues are getting better are needed to grow towards competence.

Remember to Have Heart
Being faced with concerns about your competence or ethical issues you may be involved in is not easy. Remember to be empathetic in working with your colleague.

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Potential Interventions for PPC Remediation Plans

Lack of Knowledge
Additional professional development opportunities, readings, or research.

Lack of Skill
Deliberate practice, observation of other colleagues, or coaching.

Lack of Confidence
Highlight strengths and provide supportive feedback.

Interpersonal Difficulties
Provide appropriate models and engage in deliberate practice of skills.

Communication Problems
Model appropriate skills, check for understanding, follow up verbal communications with written documentation.

Organization & Time Management
Provide suggestions for organization and time management; seek input from colleagues on what works for them.

Respecting Diversity
Encourage self-reflection of personal experiences ad potential biases, assign readings, suggest professional development opportunities.

Difficulties in Personal Life
Be supportive but maintain boundaries. Provide resources for counseling or district employee assistance program (EAP).

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Another Approach: Strength-Based Mentoring and Supervision

- Regardless of their career stage or employment setting, both NASP and APA note that psychologists can benefit from professional support and mentoring.
- NASP goes on to state in their *Guidance for Postgraduate Mentorship and Professional Support* (2016), that all school psychologists should have access to a professional support relationship that supplements their work and is distinct from an administrative dynamic.

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Mentoring and Professional Support

- The mentee holds a credential and assumes responsibility and liability.
- The mentor does not assume responsibility or liability in the dynamic.

- The relationship is not evaluative.
- The mentor does not have evaluation authority over the mentee.

- Mentoring can be accomplished in a variety of formats.
- For example, individual, group, through virtual means, collaboration rounds, book studies, etc.

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Benefits of Mentoring Relationships Throughout the Career Span

Assistance with time management and organizational skills.

Serves as emotional support and a protective factor against burnout.

Help identifying or revising career goals and plans.

Foster development of professional skills and competencies.

Create a strong foundation to become supervisors or mentors in the future.

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Strength-Based Mentoring & Supervision

Strength-Based supervision has started to emerge in various healthcare and service fields, such as clinical and counseling psychology, social work, early childhood professionals, and parent/student engagement.

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Strength-Based Mentoring & Supervision

- A strength-based approach is built on the foundations of positive psychology and involves the following, all within a trusting, empathetic relationship:
  - A process of collaboratively reviewing the mentee's (or supervisee's) strengths and cultural assets.
  - Focusing more on strengths than deficits.
  - Working together to focus on areas in need of development.
  - Effective feedback and coaching.

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Common Concepts of Strength-Based Mentoring and Supervision

Nurture-Learned Optimism

- Move from ongoing negative feedback and commentary and focus on how to foster growth by building upon what is going well for the colleague.
- Can help colleagues view problems as solvable and challenges that can be addressed appropriately.

Engage Broaden-and-Build Theory

- Positive expectations and emotions help colleagues increase their repertoire of potential thoughts and actions, strategies, and decrease consequences of prior negative experiences.
- Challenges are looked at as opportunities for growth.

Cultural Responsiveness

- A strength-based approach views diversity as a conduit to strengthen the mentoring (or supervision) process.
- When included in mentoring (or supervision), it helps highlight the value of fostering diverse perspectives, new insights, and flexibility.

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" The most important thing in terms of your circle of competence is not how large the area of it is, but how well you've defined the perimeter. "

Warren Buffett

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REFERENCES

- Alexander, A. (2018). *Knowing what you don't know: Addressing professional competence*. Psychotherapy Bulletin, 53(2), 53-58.
- American Psychological Association. (2017). *Ethical principles of psychologists and code of conduct* (2017). Washington, DC: Author.
- Armistead, L., Williams, B. B., & Jacob, S. (2011). *Professional ethics for school psychologists: A problem-solving model casebook*. National Association of School Psychologists: Bethesda, MD.
- Dean, D. M. (2010). *Clinical competency and ethics in psychology*. Inquiries Journal/Student Pulse. http://www.inquiriesjournal.com/a?id=308.
- Guiney, M. C. (2018). *Addressing problems of professional competence: Collaborating with university training programs to support struggling supervisees*. Communiqué, 46(6), 4, 6-7.
- Guiney, M.C. (2019). *The school psychology supervisor's tooklit*. New York: Routledge.
- Harvey, V. S. & Struzziero, J. A., & Desai, S. (2014). *Best practices in supervision and mentoring of school psychologists*. In A. Thomas & P. Harrison (Eds.), *Best practices in school psychology: Foundations* (pp. 567-580). Bethesda, MD: National Association of School Psychologists.

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REFERENCES

- Huff, C. (2020). *How to help trainees with competency problems*. CE Corner. American Psychological Association. Washington, DC.

- Jacob, S. Decker, D. M., & Lugg, E. T. (2016). *Ethics and law for school psychologists* (7th ed.). New Jersey: John Wiley Publishers.

- Klose, L. & Pearrow, M. (2020). Guidance for use of the NASP ethical problem-solving worksheet. National Association of School Psychologists. Bethesda, MD.

- National Association of School Psychologists. (2020). *The professional standards of the National Association of School Psychologists*. Bethesda, MD: Author.

- National Association of School Psychologists. (2021). *Guidance for postgraduate mentorship and professional support*. Bethesda, MD: Author.

- Newman, D. S., Guiney, M. C., & Silva, A. E. (2017). *Strengths-based supervision in school psychology: Accentuate the positive; Eliminate the negative*. Communiqué, 46(1), 1, 21.

- Shen-Miller, D. S., Schwartz-Mette, R., Sickle, K.S., et al. (2014). *Professional competence problems in training: A qualitative investigation of trainee perspectives.* Training and Education in Professional Psychology. Advance online publication. http://dx.doi.org/10.1037/tep0000072.

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Thank you!

Nicole D. Price, LSSP, NCSP

nicole.price@esc4.net
Region 4 Education Service Center

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