Legal & Ethical Considerations in Behavior Analytic Supervision

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• Laws, rules, and BACB® documents do change. Always check the latest source.

Objectives

The student will be able to:
• Define ethics and how it pertains specifically to certification and supervision
• Identify and apply the Guidelines for Responsible Conduct for Behavior Analysts: The Behavior Analyst as Supervisor
• Identify legal issues related to Supervision
• Identify ethical considerations in selecting supervisees
• Identify ethical considerations in providing supervision
• Identify ethical considerations in terminating supervision
• Discuss ethical dilemmas related to behavior analytic supervision.

Sunland Ramifications

• Florida Law
  —Peer Review Committee
  —Certification exam
• Florida Association for Behavior Analysis 1981
  —1998 First State Chapter of ABAI to adopt Ethics Code (ABAI does not have one)
• BACB formed 1997
  —BACB Guidelines for Responsible Conduct 2004
Legal and Ethical Considerations

• Legal
  – Established by law
  • Statutes, Rules
  – Enforced by government agencies

• Ethics
  – Established by society, groups, professions
  – “behaviors, practices, and decisions that address three basic and fundamental questions: What is the right thing to do? What is worth doing? What does it mean to be a good behavior analyst?” (Martinez-Diaz, Freeman, Normand & Heron, 2007)

Legal Considerations

• Five general principles (Falvey, 2001, cited in Haarman, 2011)
  – Standard of Care
  – Statutory Liability
  – Negligence
  – Direct Liability
  – Vicarious Liability

Legal Considerations

• Standard of Care
  – Somewhat loosely defined
  – Ever-changing and improving
  – The practices that consumers can expect of a profession

Legal Considerations

• Standard of Care
  – Guidelines for Responsible Conduct
  – ABAI Position papers
    • Right to Effective Treatment, 1989
    • Student’s Right to Effective Education, 1990
Legal Considerations

• Standard of Care
  —Practice
    • Assessment
    • Least restrictive, most effective, individualized treatment
    • Teaching of functional skills
    • Evaluation of progress based on data collection

Legal Considerations

• Standard of Care
  —Supervision
    • Falendar & Shafranske, 2004 (cited in Haarman, 2011)
      —Supervision only within area of competence
      —Providing appropriate feedback and evaluation
      —Consistently monitoring and controlling supervisee’s activities
      —Accurately documenting supervisory activities
      —Providing consistent and timely supervision

Legal Considerations

• Standard of Care
  —Supervision
    • Association for Counselor Education and Supervision (ACES)
    • Best Practices in Clinical Supervision (2011)

Legal Considerations

• Statutory Liability
  —Statutes or Rule that apply to the practice of the profession
    • Title or practice acts
    • Child abuse reporting laws
    • Laws related to behavioral programming for individuals with disabilities

Legal Considerations

• Negligence
  —Failing to observe the standard of care
    • Applies to practice and to supervision

Legal Considerations

• Negligence
  —Four legal criteria (Haarman, 2011):
    • Duty to perform an action
    • Breach of that duty – violation of standard of care
    • Direct causation of damages
    • Damages occurred: physical, emotional, and/or financial
Legal Considerations

• Direct Liability
  — Responsibility for damages directly caused by the individual
  • Failure to supervise and/or monitor, failing to provide clear expectations in contract, inappropriate treatment recommendations

Legal Considerations

• Vicarious Liability
  — Responsibility for damages caused by employees, students, supervisees, or subordinates
  — Actions of those for whom you had authority and control (Haarman, 2011)
  • Actions that supervisee took that supervisor should have known about

Legal Considerations

• Vicarious Liability
  • The supervisor’s power to control the supervisee (administrative authority or ability to gain knowledge of what is being done)
  • The supervisee’s duty to perform the act (failure to perform in a manner that a reasonable supervisor in the same situation would assume)
  • The time, place, and purpose of the act (during formal supervision or within the scope of supervision)

Legal Considerations

• Duty To Warn
  — Tarasoff v. Regents of University of California
  • Duty to warn, protect, and predict lies not only with therapist, but also with supervisor

Legal Considerations

• Confidentiality
  — Privilege
  • Client-therapist privilege, supervisee-supervisor privilege
  • Supervisor must ensure supervisee maintains confidentiality, and that confidentiality continues through supervision
Legal Considerations

- Confidentiality
  - Modalities
    - Group Supervision
    - Video or live observation

- Informed Consent
  - Haas’ (1991) 7 categories
    1. Risks and benefits of treatment
    2. Logistics of Treatment: duration of sessions, treatment, fees, documentation
    3. Qualifications of the provider

- Informed Consent
  - Falvey, 2002 (cited in Falendar & Shafranske, 2004) five levels of informed consent
    - Client consents to treatment by supervisee, and that supervisor will supervise the case
    - Supervisor and supervisee consent to supervisory responsibility and relationship
    - Institution consents to comply with clinical, ethical and legal dimensions of supervision.

- Informed Consent
  - Falvey, 2002 (cited in Falendar & Shafranske, 2004) five levels of informed consent
    - Client must be informed that therapist is a trainee under the supervision of named individual
    - Client must consent that confidential information will be shared with supervisor

- Confidentiality
  - Online communication- HIPPA
    - Email
    - File sharing
    - Video-chat
Legal Considerations

- **Risk Management**
    - Informed Consent, competency, confidentiality, due process, duty to warn, ethical problem-solving models when situations arise

- **Risk Management**
    1. Consider developing supervision guidelines or a supervision contract
    2. When assigned a new supervisee, make inquiries to determine if there are any special concerns about a particular supervisee
    3. Follow up on complaints or concerns about a supervisee promptly and thoroughly. Documenting steps taken to resolve the problem may further reduce risk.
    4. Develop an informed consent form for supervisees to sign, indicating they understand what is expected of them.
    5. Establish and maintain appropriate supervision boundaries.
    6. When the supervisee is providing therapy associated with increased risk, more intensive supervision may be appropriate.
    7. Review charts of clients in treatment with supervisees. Develop a regular schedule for chart review.
    8. Establish regular hours for supervision and adhere to them.
    9. Establish routine guidelines for supervisees related to the management of suicidal or violent clients
    10. Document all supervision sessions. Take notes, and encourage supervisees to take notes as well. Ask supervisees to develop reports or to keep a supervision journal.

- **Risk Management**
    1. Maintain written policies
    2. Monitor Supervisees Competence through Work Samples
    3. Supervision Contract
    4. Be Accessible, Dependable and Available
    5. Informed Consent for Supervision

- **Risk Management**
    6. DOCUMENT, DOCUMENT, DOCUMENT
    7. Consult with Others Appropriately
    8. Know the Law and Administrative Regulations
    9. Discuss Ethical Codes
    10. Liability Insurance

**Active Student Responding**

While Legal and Ethical issues are related, the key difference between these is:

A. How they are enforced
B. How they affect your practice
C. Who they apply to
D. There is no difference
Active Student Responding

A scandal involving behavior modification on children with developmental disabilities occurred in the early 1970's in:

A. Tallahassee, FL
B. Kalamazoo, MI
C. Chicago, IL
D. Miami, FL

Active Student Responding

All of the following were legacies of the Sunland Miami scandal EXCEPT:

A. The creation of a peer review committee to oversee behavioral programming in the state
B. The creation of an exam to determine minimal competencies in the practice of applied behavior analysis
C. The restriction of psychologists from practicing behavior analysis unless they are certified
D. The creation of a Florida chapter of ABAI

Active Student Responding

The first organization to issue a code of ethics specific to Applied Behavior Analysis was:

A. APA Division 25
B. ABAI
C. BACB
D. FABA

Active Student Responding

Amy is Bill’s supervisor, but is unaware that Bill has been implementing contingent restraint for aggressive behavior in one of his 2-year old clients, due to the fact that she has gotten behind in her case review duties. If the client is injured by Bill, Amy may be responsible due to which concept?

A. Standard of care
B. Negligence
C. Direct Liability
D. Vicarious Liability

Active Student Responding

Anibel, a BCBA, develops the use of a mat wrap procedure for a student who engages in severe self-injurious behavior, and trains the teacher in the use of this procedure. During the implementation of the mat wrap by the teacher, the student bangs their head on the floor and suffers a concussion. In this case, Anibel is responsible under the concept of:

A. Standard of care
B. Negligence
C. Direct Liability
D. Vicarious Liability

Active Student Responding

In the investigation of the student's injury, it is discovered that Anibel has not visited the school to monitor the behavior program in over 6 months, and has merely had the teacher fax over the data (which have indicated use of the procedure multiple times daily) on a monthly basis. It would appear that Anibel may also be guilty of:

A. Standard of care
B. Negligence
C. Direct Liability
D. Vicarious Liability
Negligence often involves a failure to observe this, practices which a consumer can expect of a professional:

A. Standard of care  
B. Negligence  
C. Direct Liability  
D. Vicarious Liability

True or False:  
In the case of Tarasoff v. Regents of University of California, the courts found that it was sufficient that the therapist notified the police that their client may be dangerous:

A. True  
B. False

Information given to the client or supervisee prior to initiating therapy or supervision services:

A. Confidentiality  
B. Informed Consent  
C. Due Process  
D. Risk Management

Considerations include client-therapist, supervisee-supervisor, and supervisor-supervisor privilege:

A. Confidentiality  
B. Informed Consent  
C. Due Process  
D. Risk Management

Steps taken to ensure client welfare and reduce therapist or supervisor liability:

A. Confidentiality  
B. Informed Consent  
C. Due Process  
D. Risk Management

BACB Professional Disciplinary and Ethical Standards

The BACB may issue sanctions, including, but not limited to, denials of initial certification, renewal or recertification, revocation, suspension or any other limitation of certification or combination of sanctions.
BACB Professional Disciplinary and Ethical Standards

Grounds for issuing sanctions include:
1. Ineligibility for certification, regardless of when the ineligibility is discovered;
2. Any violation of a BACB rule or procedure, as may be revised from time to time, and any failure to provide information requested by BACB, or to update (within thirty days) information previously provided to BACB, including, but not limited to, any failure to timely report to BACB an action, complaint, or charge that relates to rules 6-8 of these grounds for disciplinary action;

BACB Professional Disciplinary and Ethical Standards

Grounds for issuing sanctions include:
3. Unauthorized possession of, use of, distribution of, or access to:
   I. BACB exams,
   II. Certificates,
   III. Logo of BACB,
   IV. BACB Trademarks and abbreviations relating thereto, including, but not limited to, misrepresentation of self, professional practice or BACB certification status, prior to or following the grant of certification by BACB, if any. Individuals not certified by the BACB are expressly prohibited from misrepresenting that they are BACB certified as either a BCBA or BCaBA, or misrepresenting eligibility for BCaBA or BCaBA certification, including misrepresentations of similar designations intended to imply BACB certification or eligibility status. This rule will be enforced against individuals who have graduated from a certificate awarding educational program, who are not entitled to represent BACB certification until such time as they are certified by the BACB. Applicants for certification who have previously misrepresented BACB certification or eligibility status may be subject to additional fines and penalties ($500 for each occurrence) for the misrepresentations prior to consideration of their certification application; and
   V. Any other BACB documents and materials.

BACB Professional Disciplinary and Ethical Standards

Grounds for issuing sanctions include:
4. Any examination irregularity, including, but not limited to, copying answers, permitting another to copy answers, disrupting the conduct of an examination, falsifying information or identification, education or credentials, providing and/or receiving unauthorized advice about exam content before, during, or following the examination. In addition to other authorized sanctions, the BACB may delay, cancel or refuse to release examination results if an exam irregularity has been demonstrated;

BACB Professional Disciplinary and Ethical Standards

Grounds for issuing sanctions include:
5. Obtaining or attempting to obtain certification or recertification for oneself or another by a false or misleading statement or failure to make a required statement, or fraud or deceit in any communication to BACB;
**BACB Professional Disciplinary and Ethical Standards**

**Grounds for issuing sanctions include:**

6. Gross or repeated negligence, incompetence, misconduct, or malpractice in professional work, including, but not limited to, a physical or mental condition that currently impairs competent professional performance or poses a substantial risk to the client/consumer of behavior analysis services; b. Professional conduct that constitutes an extreme and unjustified deviation from the customary standard of practice accepted in the applied behavior analytic community and that creates a serious risk or harm to or deception of consumers; c. Abandonment of a consumer resulting in the termination of imminently needed care of a consumer without adequate notice or provision for transition; d. Professional record keeping and/or data collection that constitutes an extreme and unjustified deviation from the customary standard of practice for the field, and for deceptively altering consumer records or data; e. Engaging in blatant fraud, deception, misrepresentation, false promise or pretense or intimidation in the practice of applied behavior analysis or in solicitation of consumers; and f. The unauthorized material disclosure of confidential consumer information. Gross or repeated negligence complaints must include evidence of a disciplinary review and formal finding by an employer, professional peer review organization/group, governing official agency, federal or state agency, or other licensing or certification board. If the certificant was not overseen by an employing agency, governing official agency, or other Board, then the BACB President and Executive Director shall determine, by consensus, whether the complaint should be submitted to a Review Committee.

Incompetence or malpractice must be evidenced by official determinations (such as, court orders, jury findings, or treatment professional findings of incompetence or malpractice).

7. Limitation, sanction, revocation or suspension by a health care organization, professional organization, or other private or governmental body, relating to behavior analysis practice, public health or safety or behavior analysis certification;

8. Any conviction of a felony or misdemeanor directly relating to behavior analysis practice and/or public health and safety.

9. Failure to adequately supervise or be supervised in accordance with the BACB Standards for Supervision.

**Ethical Considerations:**

**Accepting Supervisees**

- 2.0 The Behavior Analyst’s Responsibility to Clients:

  - 2.02 Accepting Clients
    - The behavior analyst accepts as clients only those individuals or entities (agencies, firms, etc.) whose behavior problems or requested service are commensurate with the behavior analyst’s education, training, and experience. In lieu of these conditions, the behavior analyst must function under the supervision of or in consultation with a behavior analyst whose credentials permit working with such behavior problems or services.

**Ethical Considerations:**

- Accepting Supervisees
- Providing Supervision
- Terminating Supervision
Ethical Considerations: Accepting Supervisees

- Informed Consent
  - 5.0 The Behavior Analyst as Teacher or Supervisor
    - 5.03 Providing Course or Supervision Objectives
      - The behavior analyst provides a clear description of the objectives of a course or supervision, preferably in writing, at the beginning of the course or supervisory relationship.

Ethical Considerations: Providing Supervision

- Nature of Supervision
  - 5.01 Designing Competent Training Programs and Supervised Work Experiences.
    - Behavior analysts who are responsible for education and training programs and supervisory activities seek to ensure that the programs and supervisory activities:
      - are competently designed
      - provide the proper experiences
      - and meet the requirements for licensure, certification, or other goals for which claims are made by the program or supervisor.

- Challenges in Supervision
  - 5.02 Limitations on Training
    - Behavior analysts do not teach the use of techniques or procedures that require specialized training, licensure, or expertise in other disciplines to individuals who lack the prerequisite training, legal scope of practice, or expertise, except as these techniques may be used in behavioral evaluation of the effects of various treatments, interventions, therapies, or educational methods.

- Describing Course Requirements
  - The behavior analyst provides a clear description of the demands of the supervisory relationship or course (e.g., papers, exams, projects, reports, intervention plans, graphic displays and face to face meetings) preferably in writing at the beginning of the supervisory relationship or course.

- Describing Evaluation Requirements
  - The behavior analyst provides a clear description of the requirements for the evaluation of student/supervisee performance at the beginning of the supervisory relationship or course.
Ethical Considerations: Providing Supervision

- Nature of Supervision
  - 5.06 Providing Feedback to Students/Supervisees
    - The behavior analyst provides feedback regarding the performance of a student or supervisee at least once per two weeks or consistent with BACB requirements.

- Nature of Supervision
  - 5.07 Feedback to Students/Supervisees
    - The behavior analyst provides feedback to the student/supervisee in a way that increases the probability that the student/supervisee will benefit from the feedback.

- Nature of Supervision
  - 5.08 Reinforcing Student/Supervisee Behavior.
    - The behavior analyst uses positive reinforcement as frequently as the behavior of the student/supervisee and the environmental conditions allow.

- Nature of Supervision
  - 5.10 Requirements of Supervisees
    - The behavior analyst's behavioral requirements of a supervisee must be in the behavioral repertoire of the supervisee. If the behavior required is not in the supervisee's repertoire, the behavior analyst attempts to provide the conditions for the acquisition of the required behavior, and refers the supervisee for remedial skill development services, or provides them with such services, permitting them to meet at least minimal behavioral performance requirements.

- Nature of Supervision
  - 5.11 Training, Supervision, and Safety
    - Behavior analysts provide proper training, supervision, and safety precautions to their employees or supervisees and take reasonable steps to see that such persons perform services responsibly, competently, and ethically. If institutional policies, procedures, or practices prevent fulfillment of this obligation, behavior analysts attempt to modify their role or to correct the situation to the extent feasible.

- Challenges in Supervision
  - Cultural, Gender, and other differences
Ethical Considerations: Providing Supervision

- Challenges in Supervision
  - 1.0 Responsible Conduct of a Behavior Analyst
    - 1.05 Professional and Scientific Relationships
      - (c) Where differences of age, gender, race, ethnicity, national origin, religion, sexual orientation, disability, language, or socioeconomic status significantly affect behavior analysts’ work concerning particular individuals or groups, behavior analysts obtain the training, experience, consultation, or supervision necessary to ensure the competence of their services, or they make appropriate referrals.

- Challenges in Supervision
  - 1.0 Responsible Conduct of a Behavior Analyst
    - 1.05 Professional and Scientific Relationships
      - (d) In their work-related activities, behavior analysts do not engage in discrimination against individuals or groups based on age, gender, race, ethnicity, national origin, religion, sexual orientation, disability, socioeconomic status, or any basis proscribed by law.

- Challenges in Supervision
  - 1.0 Responsible Conduct of a Behavior Analyst
    - 1.06 Dual Relationships and Conflicts of Interest.
      - (a) In many communities and situations, it may not be feasible or reasonable for behavior analysts to avoid social or other nonprofessional contacts with persons such as clients, students, supervisees, or research participants. Behavior analysts must always be sensitive to the potential harmful effects of other contacts on their work and on those persons with whom they deal.

- Challenges in Supervision
  - 1.0 Responsible Conduct of a Behavior Analyst
    - 1.06 Dual Relationships and Conflicts of Interest.
      - (b) A behavior analyst refrains from entering into or promising a personal, scientific, professional, financial, or other relationship with any such person if it appears likely that such a relationship reasonably might impair the behavior analyst’s objectivity or otherwise interfere with the behavior analyst’s ability to effectively perform his or her functions as a behavior analyst, or might harm or exploit the other party.
Ethical Considerations: Providing Supervision

• Challenges in Supervision
  • 1.0 Responsible Conduct of a Behavior Analyst
    • 1.07 Exploitative Relationships.
      • (a) Behavior analysts do not exploit persons over whom they have supervisory, evaluative, or other authority such as students, supervisees, employees, research participants, and clients.

• Challenges in Supervision
  • 1.0 Responsible Conduct of a Behavior Analyst
    • 1.07 Exploitative Relationships.
      • (b) Behavior analysts do not engage in sexual relationships with clients, students, or supervisees in training over whom the behavior analyst has evaluative or direct authority, because such relationships easily impair judgment or become exploitative.

• Challenges in Supervision
  • 1.0 Responsible Conduct of a Behavior Analyst
    • 1.07 Exploitative Relationships.
      • (b) Behavior analysts do not engage in sexual relationships with clients, students, or supervisees in training over whom the behavior analyst has evaluative or direct authority, because such relationships easily impair judgment or become exploitative.

• Challenges in Supervision
  • Multiple relationships (Bernard & Good Year, 2009)
    • Sexual Relationships
      • Sexual Attraction
      • Sexual Harassment
      • Consensual (but hidden) Sexual Relationships
      • Intimate Committed Relationships

• Challenges in Supervision
  • Multiple relationships (Bernard & Good Year, 2009)
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Ethical Considerations: Providing Supervision

• Challenges in Supervision
  • Multiple relationships (Bernard & Good Year, 2009)
    • Nonsexual Multiple Relationships

Ethical Considerations: Providing Supervision

• Challenges in Supervision
  • Due Process
    • Informing and discussing prior to removing a right
    • Procedural due process in supervision
    • Final evaluation, dismissal

Ethical Considerations: Providing Supervision

• Challenges in Supervision
  • Due Process
    • Informing and discussing prior to removing a right
    • Procedural due process in supervision
    • Final evaluation, dismissal
Ethical Considerations: Terminating Supervision

• Final Evaluation
  —Does the individual meet all the standards of the BACB?

• Mentorship
  —Continued relationship
  —“Behavioral Community”

ACES
Best Practices in Clinical Supervision

1. Initiating Supervision
   a. The supervisor engages in sound informed consent practices in the initial supervision session.
      i. The supervisor verbally describes and provides the supervisee with a written contract (or syllabus) that outlines expectations of the supervisor and supervisee; criteria for evaluation; consequences of underperformance; tasks, functions, and goals of supervision; and ethical and legal considerations (e.g., confidentiality in counseling and supervision sessions).
      ii. As appropriate, the specifics in the contract (or syllabus) are negotiated to meet the needs of the particular supervisee.
      iii. In academic settings, the supervisor employs written contracts specifying and differentiating the responsibilities of university and site supervisors.

   b. The supervisor explicitly states clear parameters for conducting supervision.
      i. The supervisor and supervisee agree on time, place, and duration of supervision sessions.
      ii. The supervisor and supervisee discuss how the supervisee will prepare for each supervision session relevant to the supervision format (e.g., individual, triadic, group).
      iii. The supervisor clearly delineates supervisor and supervisee responsibilities regarding the preparation for and conduct of supervision.
      iv. The supervisor and supervisee agree on cancellation and rescheduling procedures for supervision sessions.

   c. The supervisor facilitates a discussion about the supervision process to foster the supervisory working alliance.
      i. The supervisor establishes the beginning of a supervisory working alliance that is collaborative and egalitarian to assist in lessening supervisee anxiety about the supervision process.
      ii. The supervisor describes his/her role as supervisor, including teacher, counselor, consultant, mentor, and evaluator.
      iii. The supervisor describes the structure, process, and content of all relevant formats of supervision sessions (e.g., individual, triadic, peer, group supervision).
      iv. The supervisor and supervisee discuss the supervisee’s past experiences with supervision as well as preferred supervision styles and supervision interventions.
      v. The supervisor initiates a conversation about multicultural considerations and how they may affect both counseling and supervision relationships, indicating that such multicultural considerations will be an expected part of supervision conversations.
ACES
Best Practices in Clinical Supervision

2. Goal Setting
   a. To the extent possible, the supervisor co-develops specific goals for supervision with the supervisee.
      i. The supervisor and supervisee renegotiate the supervisory contract and supervisee’s goals as needed over the course of supervision.
      ii. The supervisor helps the supervisee develop goals that are realistic, measurable, and attainable within the context of the particular academic, field placement, or post-degree practice setting.

b. The supervisor emphasizes goals that directly benefit the therapeutic alliance between the supervisee and client and the effectiveness of services provided.
   i. The supervisor helps the supervisee create goals that include the core areas of counselor competence (e.g., relationship building, cultural competencies, professionalism) and/or addresses the traditional foci of supervision (e.g., counseling performance skills, cognitive counseling skills and case conceptualization, diagnosis and treatment planning, self-awareness, and professional behaviors).
   ii. The supervisor helps the supervisee develop goals that are based on the supervisee’s area(s) of need and learning priorities, feedback from previous supervisors, the supervisee’s developmental level, and the academic, field placement, or post-degree practice setting.
   iii. The supervisor ensures that the supervisee chooses goals that fit within the supervisor’s areas of competence.

ACES
Best Practices in Clinical Supervision

3. Giving Feedback
   a. The supervisor provides regular and ongoing feedback.
      i. The supervisor provides a manageable amount of feedback in each session, typically addressing no more than three skills or issues.
      ii. The supervisor provides a balance of challenging and supportive feedback appropriate to the counselor’s developmental level, experience, and client needs.
      iii. The supervisor provides feedback as close to the counseling session being reviewed as possible.
      iv. The supervisor helps the supervisee process feedback.
      v. The supervisor’s feedback is based on direct observation of the client and the counseling session (e.g., live observation, audio or video recording) as well as the supervisee’s self-report and analysis of the session.

b. The supervisor provides direct feedback as needed.
   i. The supervisor focuses on supervisee behaviors that can be changed.
   ii. The supervisor provides constructive feedback that is specific, concrete, and descriptive.
   iii. As appropriate, the supervisor offers alternatives for supervisee’s behaviors that need to be changed, or provides directives as needed to ensure client needs are met.

ACES
Best Practices in Clinical Supervision

3. Giving Feedback
   c. The supervisor pays attention to the multiple sources of feedback available to the supervisee.
      i. The supervisor helps the supervisee gather performance feedback from multiple sources (e.g., clients, peers, supervisors) using both informal methods (e.g., observation of clients’ nonverbal responses) and formal methods (e.g., standardized assessments completed by clients on a regular basis). conceptualization, diagnosis and treatment planning, self-awareness, and
      ii. The supervisor is aware that he/she is constantly providing feedback through his/her in-session behavior, including verbal and nonverbal behaviors, as well as by what he/she does and does not address.

ACES
Best Practices in Clinical Supervision

4. Conducting Supervision
   a. The supervisor adheres to appropriate professional standards (e.g., accreditation, certification, and licensure regulations) in establishing the frequency and modality of supervision sessions.
      i. The supervisor meets with the supervisee on a regular basis as required by the appropriate standards (e.g., weekly individual, triadic, and/or group supervision sessions).
      ii. The supervisor conducts supervision sessions in a professional setting.
      iii. The supervisor meets face-to-face with the supervisee(s) for individual, triadic, and/or group supervision.
      iv. The supervisor uses technology that clearly approximates face-to-face synchronous contact, as permitted by relevant standards. (See also point f. below.)
   v. The supervisor adheres to appropriate standards in ways that meet the needs of the supervisee.
ACES
Best Practices in Clinical Supervision

4. Conducting Supervision

b. The supervisor provides a safe, supportive, and structured supervision climate.
   i. The supervisor plans for supervision so that sessions (individual, triadic, and group) are structured, purposeful, and goal-oriented.
   ii. The supervisor gives attention to both the personal and professional learning curves of the supervisee.
   iii. The supervisor modifies his/her style of and approach to supervision (both within a session and across sessions) based on his/her assessment of client welfare, supervisee characteristics, supervisee’s immediate needs, supervisee’s developmental level, supervisee’s supervision goals, environmental demands, as well as the supervision context.

c. The supervisor uses a variety of supervisory interventions.
   i. The supervisor uses methods of direct observation (e.g., recordings of counseling sessions, live observation, live supervision).
   ii. The supervisor uses interventions that address a range of supervision foci, including counseling performance skills, cognitive counseling skills, case conceptualization, self-awareness, and professional behaviors.
   iii. The supervisor selects interventions intentionally, based on an assessment of the supervisee’s developmental level, confidence, self-efficacy, and learning style; the clinical and supervision contexts; and the needs of the client.
   iv. The supervisor chooses interventions that will help the supervisee work toward his/her learning goals.

d. The supervisor chooses a group supervision format for multiple reasons; time efficiency is not a primary rationale.
   i. The supervisor is intentional about structure and goals, with particular attention to what is developmentally-appropriate, when conducting group supervision.
   ii. The supervisor differentiates between group, individual, and triadic supervision, understands their complimentary nature, and shares this information with supervisees.
   iii. The supervisor assists group members in establishing ground rules for the conduct of the supervision group.
   iv. The supervisor uses group facilitation skills designed to enhance the working of the group.
   v. The group supervisor fosters meaningful and productive feedback among the supervisees.

vi. The supervisor does not allow dominance by one or more members in the group.

vii. The supervisor encourages and allows increasing autonomy, leadership, and responsibility among group members over time and in line with supervisees’ developmental levels (i.e., helps the group move from supervision in a group to supervision by the group).

viii. The supervisor assists supervisees in generalizing learning from the group supervision experience and applying (transferring) what they learned to their own work with clients.

d. The supervisor chooses a group supervision format for multiple reasons; time efficiency is not a primary rationale.

i. The supervisor is intentional about structure and goals, with particular attention to what is developmentally appropriate, when conducting triadic supervision.

ii. The supervisor differentiates between triadic, individual, and group supervision, understands their complimentary nature, and shares this information with supervisees.

iii. The supervisor conducts triadic supervision so that the needs of both supervisees are addressed in each session.

iv. The supervisor provides peer feedback effectively and maintains involvement of both supervisees during the session.

v. The supervisor guides peer feedback in ways that help the supervisees learn how to give balanced and constructive feedback.

vi. The supervisor facilitates peer feedback in ways that help supervisees accept feedback they may perceive as challenging.

vii. The supervisor seeks to make effective supervisees matches (e.g., skill level, personality) that enhance the work of both supervisees.

viii. When triadic supervision involves one peer’s review of the other peer’s counseling session before the supervision session, the supervisor provides a structure or format for the review that facilitates balanced and constructive feedback (e.g., What did the peer do well? What could the peer have done differently? What did you learn from reviewing your peer’s counseling session?).
4. Conducting Supervision

f. The supervisor employs technology in ways that enhance the supervisory process and the development of the supervisee.
   i. In using technology for distance supervision, the supervisor clearly approximates face-to-face synchronous contact (e.g., formats that allow supervisors and supervisees to attend to non-verbal as well as verbal behavior).
   ii. The supervisor ensures that client and supervisee confidentiality are protected when using technology in supervision (e.g., takes precautions such as password protection and encryption) that are compliant with HIPPA guidelines.
   iii. The supervisor ensures that any technology employed in supervision is in compliance with ethical guidelines and regulations promulgated by accreditation, certification, and licensure bodies.
   iv. The supervisor is competent in the use of the technology employed in supervision.

b. The supervisor intentionally engages with the supervisee to facilitate development of a growth and development of the supervisee.
   a. The supervisor operates with an awareness that the supervisory and the development of the supervisee.
   b. The supervisor recognizes that some level of conflict is inevitable in the supervisory relationship and helps the supervisee understand this as well; the supervisor deals with conflict in productive ways.
   c. The supervisor operates with an awareness that the supervisory relationship is key to the effectiveness of supervision as well as the growth and development of the supervisee.
   i. The supervisor operates within the supervisory relationship with emotional intelligence, maturity, flexibility, humility, and transparency.
   ii. Within appropriate professional boundaries, the supervisor is accessible to the supervisee.
   iii. The supervisor continually seeks to enhance his/her self-awareness around supervisor traits/characteristics/factors that influence the supervisory relationship (e.g., cultural sensitivity, attachment style), based on current literature.

v. The supervisor encourages the supervisee to work outside her/his comfort zone by taking clinically appropriate risks and expanding her/his counseling approaches.

4. Conducting Supervision

g. In both academic and post-degree supervision, the supervisor actively evaluates the course of supervision on an ongoing basis.
   i. The supervisor regularly employs methods (appropriate to the supervision context) of gathering data on the effectiveness of supervision, in terms of both supervisee and client outcomes.
   ii. For academic settings, the university supervisor ensures that there is mutual agreement among the university supervisor, site supervisor, and supervisee about the expectations of each person involved in the supervision.
   iii. For field-based practicum and internship students, the supervisor provides a procedure by which the supervisee can provide feedback about the site that does not result in negative consequences for the supervisee.

vii. The supervisor recognizes that some level of conflict is inevitable in the supervisory relationship and helps the supervisee understand this as well; the supervisor deals with conflict in productive ways.

ii. The supervisor views supervisee resistance as a normal response to challenge, growth, and change.

viii. The supervisor recognizes that some level of conflict is inevitable in the supervisory relationship and helps the supervisee understand this as well; the supervisor deals with conflict in productive ways.

iii. The supervisor clearly defines the boundaries of the supervisory relationship and is transparent about this with the supervisee. The supervisor

ii. The supervisor is aware of the power differential inherent in the supervisory relationship and is transparent about this with the supervisee. The supervisor works to minimize the power differential while at the same time maintaining appropriate authority.

iii. The supervisor clearly defines the boundaries of the supervisory relationship and avoids multiple roles or dual relationships with the supervisee that may negatively influence the supervisee or the supervisory relationship. When this is not possible, the supervisor actively manages the multiplicity of roles to prevent harm to the supervisee and maintain objectivity in working with and evaluating the supervisee.
5. The Supervisory Relationship
   c. The supervisor attends to ethical and cultural concerns that impact the supervisory relationship. (See also Diversity Considerations and Ethical Considerations sections.)
   i. The supervisor recognizes that all supervision is multicultural supervision and infuses multicultural considerations into his/her approach to supervision.
   ii. The supervisor helps the supervisee develop a multicultural awareness, knowledge, and skills necessary for advocating with and, as appropriate, on behalf of their clients.
   iii. The supervisor encourages the supervisee to seek opportunities to work with a diverse client population.
   iv. The supervisor avoids imposing his/her own meanings, interpretations, values, and beliefs on the supervisee and/or the supervisee’s work with clients.
   v. The supervisor seeks to recognize and identify his/her own transference and countertransference issues in supervision, and seeks avenues to addressing these in ways that minimize their deleterious effects in supervision (e.g., consultation, peer supervision).

6. Diversity and Advocacy Considerations
   a. The supervisor conveys to the supervisee that both the supervisor and supervisee are expected to adhere to the ethical codes and guidelines endorsed by the American Counseling Association, the Association for Counselor Education and Supervision and other ACA divisions, relevant credentialing bodies, and models of ethical behavior.
   b. The supervisor encourages supervises to infuse diversity and advocacy considerations in their work with clients.
   i. In an initial supervision session, the supervisor introduces issues of culture, diversity, power, and privilege within the supervisory and counseling relationships, indicating these are important issues to be aware of and discuss openly.
   ii. The supervisor includes cultural and advocacy competences in the supervisory contract, and intentionally addresses these topics throughout the supervisory process.
   iii. The supervisor attends to the full range of cultural factors, including race, ethnicity, gender, sexual orientation, socioeconomic status, privilege, ability status, family characteristics and dynamics, country of origin, language, historical processes (e.g., history, migration), worldviews, spirituality and religion, and values.

7. Ethical Considerations
   a. The supervisor conveys to the supervisee that both the supervisor and supervisee are expected to adhere to the ethical codes and guidelines endorsed by the American Counseling Association, the Association for Counselor Education and Supervision and other ACA divisions, relevant credentialing bodies, and models of ethical behavior.
   i. The supervisor provides the supervisee with a professional disclosure statement and written informed consent as needed or relevant.
   ii. The supervisor advises the supervisee of the parameters of confidentiality in supervision and acts accordingly. This includes how evaluations of the supervisee may be shared with concurrent and/or future supervisors.
   iii. The supervisor infuses ethical discussions throughout supervision sessions.
   iv. The supervisor requires the supervisee to address ethical considerations as part of treatment planning and to document this in casenotes.
   v. The supervisor guides the supervisee’s critical thinking process about various ethical issues that arise in clinical work.
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7. Ethical Considerations

a. The supervisor conveys to the supervisee that both the supervisor and supervisee are expected to adhere to the ethical codes and guidelines endorsed by the American Counseling Association, the Association for Counselor Education and Supervision, and other ACA divisions, relevant credentialing bodies, and models of ethical behavior.

b. The supervisor continually monitors his/her own level of competence in providing supervision and acts accordingly.

c. The supervisor understands that client welfare is his/her first priority, and acts accordingly.

d. The supervisor does not engage in multiple relationships with supervisees nor with supervisees' significant others.

i. The supervisor does not engage in multiple relationships with supervisees nor with supervisees' significant others.

ii. The supervisor attends to power issues with the supervisee to prevent harmful non-sexual and sexual relationships.

iii. The supervisor explains to the supervisee the appropriate parameters of addressing the supervisee's personal issues in supervision (identifies the issue, helps the supervisee see the clinical implications, works to minimize the detrimental effects in the supervisee's clinical work, contributes to a plan for resolution that does not directly involve the supervisor(s) and acts accordingly).

iv. If the supervisor is a doctoral student, the doctoral student's supervisor avoids pairings of supervisor-supervisee that would pose a conflict of interest.

v. The supervisor provides the supervisee with fair and ongoing performance assessments and evaluations, including the supervisee's strengths and limitations.

vi. The supervisor appropriately engages in and models self-care.

vii. The supervisor provides input regarding appropriate clients (e.g., number, severity of client issues).

viii. The supervisor avoids behaviors that might lead to direct liability (e.g., failure to meet with the supervisee as scheduled and/or as needed, neglecting important client information that the supervisee shares, assigning clients to supervisees who are inadequately trained to deal with those clients' concerns) and indirect (vicarious) liability.

ix. The supervisor addresses ethical issues as needed and, when necessary, reports ethical breaches to relevant constituents (e.g., university, agency, certification and/or licensure board) in a timely manner.

x. The supervisor appropriately engages in and models self-care.

xi. The supervisor is engaged in ongoing continuing education in supervision and other professional development activities, including reading current literature on the conduct of supervision.

xii. The supervisor conducts supervision in a manner that prioritizes supervisees' and clients' needs and interests rather than the supervisor's needs.

xiii. The supervisor explains to the supervisee the appropriate parameters of addressing the supervisee's personal issues in supervision (identifies the issue, helps the supervisee see the clinical implications, works to minimize the detrimental effects in the supervisee's clinical work, contributes to a plan for resolution that does not directly involve the supervisor(s) and acts accordingly).

xiv. If the supervisor is a doctoral student, the doctoral student's supervisor avoids pairings of supervisor-supervisee that would pose a conflict of interest.

xv. The supervisor provides the supervisee with fair and ongoing performance assessments and evaluations, including the supervisee's strengths and limitations.

xvi. The supervisor appropriately engages in and models self-care.

xvii. The supervisor provides input regarding appropriate clients (e.g., number, severity of client issues).

xviii. The supervisor avoids behaviors that might lead to direct liability (e.g., failure to meet with the supervisee as scheduled and/or as needed, neglecting important client information that the supervisee shares, assigning clients to supervisees who are inadequately trained to deal with those clients' concerns) and indirect (vicarious) liability.

xix. The supervisor addresses ethical issues as needed and, when necessary, reports ethical breaches to relevant constituents (e.g., university, agency, certification and/or licensure board) in a timely manner.

xx. The supervisor appropriately engages in and models self-care.

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7. Ethical Considerations

b. The supervisor continually monitors his/her own level of competence in providing supervision and acts accordingly.

i. The supervisor provides supervision only for those supervisees and clients for whom the supervisor has adequate training and experience.

ii. The supervisor limits the number of supervisees he/she supervises at any one time so that adequate and effective supervision can be provided. At a minimum, the supervisor adheres to limits set in accreditation standards and licensure regulations, but chooses to supervise fewer supervisees as needed based on factors such as the needs of the supervisees and clients, as well as personal and contextual considerations.

iii. The supervisor regularly seeks consultation and/or peer supervision of his/her supervision.

iv. The supervisor is engaged in ongoing continuing education in supervision and other professional development activities, including reading current literature on the conduct of supervision.

v. The supervisor conducts supervision in a manner that prioritizes supervisees' and clients' needs and interests rather than the supervisor's needs.

vi. The supervisor appropriately engages in and models self-care.

vii. The supervisor provides the supervisee with fair and ongoing performance assessments and evaluations, including the supervisee's strengths and limitations.

viii. The supervisor appropriately engages in and models self-care.

ix. The supervisor avoids behaviors that might lead to direct liability (e.g., failure to meet with the supervisee as scheduled and/or as needed, neglecting important client information that the supervisee shares, assigning clients to supervisees who are inadequately trained to deal with those clients' concerns) and indirect (vicarious) liability.

x. The supervisor addresses ethical issues as needed and, when necessary, reports ethical breaches to relevant constituents (e.g., university, agency, certification and/or licensure board) in a timely manner.

xi. The supervisor appropriately engages in and models self-care.

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7. Ethical Considerations

d. The supervisor does not compromise the supervisory relationship by engaging in relationships that are considered inappropriate.

v. The supervisor does not include the supervisee's personal disclosures in written consent documents that specify that the supervisee is under supervision and is not licensed or certified, if this is the case, and includes the name and contact information of the supervisor.

vi. The supervisor ensures that supervisees provide clients with professional disclosure statements and written informed consent documents that specify that the supervisee is under supervision and is not licensed or certified, if this is the case, and includes the name and contact information of the supervisor.

vii. The supervisor appropriately engages in and models self-care.

viii. The supervisor appropriately engages in and models self-care.

ix. The supervisor avoids behaviors that might lead to direct liability (e.g., failure to meet with the supervisee as scheduled and/or as needed, neglecting important client information that the supervisee shares, assigning clients to supervisees who are inadequately trained to deal with those clients' concerns) and indirect (vicarious) liability.

x. The supervisor addresses ethical issues as needed and, when necessary, reports ethical breaches to relevant constituents (e.g., university, agency, certification and/or licensure board) in a timely manner.

xi. The supervisor appropriately engages in and models self-care.

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7. Ethical Considerations

c. The supervisor understands that client welfare is his/her first and highest responsibility and acts accordingly.

i. The supervisor assigns the supervisee clients who are appropriate to the supervisee's experience, developmental level, etc., and/or adjusts supervision (e.g., frequency, closeness) as needed. If clients are assigned by others, the supervisor provides input regarding appropriate clients (e.g., number, severity of client issues).

ii. The supervisor ensures that supervisees provide clients with professional disclosure statements and written informed consent documents that specify that the supervisee is under supervision and is not licensed or certified, if this is the case, and includes the name and contact information of the supervisor.

iii. The supervisor provides the supervisee with fair and ongoing performance assessments and evaluations, including the supervisee's strengths and limitations.

iv. The supervisor appropriately engages in and models self-care.

v. The supervisor avoids behaviors that might lead to direct liability (e.g., failure to meet with the supervisee as scheduled and/or as needed, neglecting important client information that the supervisee shares, assigning clients to supervisees who are inadequately trained to deal with those clients' concerns) and indirect (vicarious) liability.

vi. The supervisor addresses ethical issues as needed and, when necessary, reports ethical breaches to relevant constituents (e.g., university, agency, certification and/or licensure board) in a timely manner.

vii. The supervisor appropriately engages in and models self-care.

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ix. The supervisor avoids behaviors that might lead to direct liability (e.g., failure to meet with the supervisee as scheduled and/or as needed, neglecting important client information that the supervisee shares, assigning clients to supervisees who are inadequately trained to deal with those clients' concerns) and indirect (vicarious) liability.

x. The supervisor addresses ethical issues as needed and, when necessary, reports ethical breaches to relevant constituents (e.g., university, agency, certification and/or licensure board) in a timely manner.
8. Documentation

a. The supervisor maintains documentation that provides a system of supervisor accountability.

i. The supervisor maintains documentation that, at a minimum, includes the supervision contract signed by supervisor, supervisee, and, as appropriate, the site supervisor or others involved in the supervisory experience, supervision session case notes, and formative and summative evaluations of the supervisee.

ii. The supervisor includes the following information in supervision session case notes: supervisee and client informed consent (content of what was discussed [e.g., counseling session reviewed, client updates provided, site issues], review method used [e.g., recorded session, live observation]), goals developed for counseling sessions, and recommendations and/or directives regarding counseling session and/or client care. As needed, the supervisor also includes decision processes, problems and remediation efforts.

iii. The supervisor does not include unprofessional remarks about the supervisee or client, sensitive supervisee personal history information, or unsupported opinions in his/her case notes.

b. The supervisor clearly communicates the evaluation plan to the supervisee.

i. The supervisor presents, in writing, the evaluation plan (including the document/rating form and the timeline for providing formal, written evaluations) to the supervisee prior to beginning supervision. These also are discussed with the supervisee, who is provided the opportunity to ask questions.

ii. The supervisor highlights supervisee strengths and clearly indicates areas of growth in supervision.

iii. The supervisor provides the supervisee regular opportunities to offer verbal and written feedback about the supervisory process, including anonymous feedback when possible.

iv. The supervisor regularly employs methods of direct observation of the supervisee’s work with clients, including review of entire counseling sessions to ensure that all phases of a session are reviewed. When a supervisee is working with more than one supervisor (multiple supervisors, layers of supervision), at least one supervisor regularly reviews entire sessions.

v. The supervisor bases evaluations on direct observation of counselor performance (e.g., recorded counseling sessions, live observations).

vi. The supervisor includes the following information in supervision session case notes: supervisee and client informed consent (content of what was discussed [e.g., counseling session reviewed, client updates provided, site issues], review method used [e.g., recorded session, live observation]), goals developed for counseling sessions, and recommendations and/or directives regarding counseling session and/or client care. As needed, the supervisor also includes decision processes, problems and remediation efforts.

vii. The supervisor reviews a representative sample of the range of the supervisee’s work (e.g., individual counseling, group counseling, play therapy, family counseling), range of clients (e.g., adults, adolescents, children, families), and range of clinical issues (e.g., grief and loss, depression, self-injury, career development).

viii. The supervisor attempts to mitigate supervisee anxiety about evaluation by establishing evaluation norms early and exploring supervisee reactions to evaluation.

ix. The supervisor documents supervision sessions so as to protect client welfare, record supervisee development, provide guidance for preparing for and managing future supervision sessions, and serve as a basis for accurate supervisee evaluations.

x. The supervisor maintains documents related to supervision sessions so that they protect the privacy and confidentiality of the supervisee (e.g., in a locked file cabinet or on a secure server) and are separate from any client files.

xi. The supervisor maintains documentation according to the policies of his/her employing institution, ethical codes, and other relevant guidelines (e.g., licensure regulations). When providing supervision for certification or licensure, the supervisor maintains documentation until the supervisee submits such documentation for credentialing.

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xi. The supervisor maintains documentation according to the policies of his/her employing institution, ethical codes, and other relevant guidelines (e.g., licensure regulations). When providing supervision for certification or licensure, the supervisor maintains documentation until the supervisee submits such documentation for credentialing.
9. Evaluation
d. The supervisor takes appropriate steps when remediation is necessary.
   i. The supervisor normalizes developmental challenges while also
      providing feedback in clear and constructive language about skills and
      behaviors that need to be remediated.
   ii. When remediation is necessary, the supervisor notifies the supervisee
       promptly. The supervisor recommends specific interventions relevant to
       the area of deficit. The supervisor prepares a written remediation plan
       that includes clear objectives, requirements, a timeline, and
       consequences of compliance and noncompliance.
   iii. If the remediation plan includes personal counseling, the supervisor
       avoids dual relationships and invasion of supervisee privacy.

10. Supervisor Format
a. The supervisor employs various supervision formats (e.g.,
    individual, triadic, peer/colleague review, group supervision) in
    ways that adhere to accreditation standards and regulations of
    credentialing bodies (e.g., frequency of individual and group
    supervision) and that meet the needs of the supervisee, is
    appropriate to the site, and adequately addresses the needs of
    clients.

b. The supervisor does not choose a format based on what may be convenient for
   the supervisor (e.g., saves time).
   i. When more than one supervisee is involved, the supervisor
      chooses or creates a structure and process that minimizes
      supervisee involvement and constructed peer feedback.
   ii. The supervisor addresses the parameters of confidentiality in
       supervision formats with multiple supervisees (i.e., triadic, peer, group),
       including information shared about clients and supervision group
       members.
   iii. Whenever possible, the supervisor is intentional in pairing
       supervisees for peer, triadic, and group supervision.
   iv. The supervisor ensures that during triadic, peer, and group
       supervision, constructive feedback is provided and the process
       is not detrimental to the supervisees involved.

11. The Supervisor
a. The supervisor is competent in providing clinical supervision.
   i. The supervisor is a competent and experienced practitioner who has
      knowledge of a range of theoretical orientations and techniques and
      experience with diverse client populations, as relevant to their
      counseling setting.
   ii. The supervisor is highly competent, morally sensitive, and ethical in
       the practices of counseling and supervision.
   iii. The supervisor has formal training in clinical supervision.
   iv. The supervisor possesses a strong professional identity as a
       counselor and supervisor.
   v. The supervisor is knowledgeable about required and recommended
      experiences that promote self-efficacy, development, and competence in
      supervisees (e.g., practicum and internship students as well as post-
      degree counselors).
   vi. The supervisor is competent in multicultural counseling and
       supervision.
   vii. The supervisor is competent in implementing advocacy competencies
       in counseling and supervision.
   viii. The supervisor abides by his/her state counselor and supervisor
        licensing requirements as well as national counselor and supervisor
        credentialing.

   ix. The supervisor employs an appropriate ethical decision making model in
       responding to ethical challenges and issues and in determining courses of
       action and behavior for self and supervisee.
   x. The supervisor possesses a range of knowledge and skills in working with
      diverse supervisees.
   xi. The supervisor individualizes supervision based on the specific needs of
       the supervisee (e.g., learning goals, developmental level, learning style).
   xii. The supervisor incorporates elements of other supervisory styles if his/her
        preferred style of supervision does not enhance or challenge the supervisee’s
        professional development and growth to the fullest.
   xiii. The supervisor maintains regular and accurate supervision records.
11. The Supervisor

b. The supervisor can clearly describe the purpose of clinical supervision and distinguish it from the counseling process as well as from administrative and program supervision.
   i. The supervisor views supervision as an educational and developmental process.
   ii. The supervisor is intentional and proactive.
   iii. The supervisor is able to make the cognitive shift from thinking like a counselor to thinking like a supervisor.
   iv. The supervisor avoids acting as the supervisee’s counselor.
   v. The supervisor is aware of the power differential that exists between supervisor and supervisee, does not let it threaten supervisory trust, and makes power issues transparent.

vi. The supervisor understands, accepts, and acts on her/his role as an evaluator and professional gatekeeper, continually monitoring and evaluating the supervisee’s practice of counseling to protect and safeguard the well-being of clients.

vii. The supervisor encourages supervisee autonomy as appropriate.

viii. The supervisor can clearly articulate her/his role as supervisor, including teacher, counselor, consultant, mentor, and evaluator.

ix. The supervisor practices and promotes professional boundaries in supervision, thereby acting as a role model to the supervisee.

x. The supervisor demonstrates professionalism in an effort to encourage the supervisee to exhibit similar behavior.

c. The supervisor has a collaborative relationship with additional supervisors with whom the supervisee may be working (e.g., clinical, administrative, and/or program supervisor at the university, practicum or internship site, and/or work setting).
   i. The supervisor works to differentiate roles and responsibilities of each supervisor.
   ii. The supervisor establishes a communication method with other supervisors that enhances each supervisor’s work with the supervisee.
   iii. The supervisor manages any conflict with other supervisors respectfully and responsibly.

d. The supervisor engages in self-reflection and other avenues of personal professional development.
   i. The supervisor explores his/her own cultural identity, including issues of power and privilege, as well as how these affect his/her values and beliefs about counseling and supervision.
   ii. The supervisor integrates his/her own cultural self-awareness (see 11.d.i. above) into the supervisor role.
   iii. The supervisor is actively interested in other cultures and values ecosystemic differences.
   iv. The supervisor continually seeks and accepts new perspectives from the supervisee and others.
   v. The supervisor seeks active membership in relevant professional organizations, pursues counseling and supervision credentials, and is involved in ongoing professional development activities regarding supervision.

vi. The supervisor regularly reads research and other scholarly literature about supervision, and bases his/her supervision practice on current knowledge of best practices in supervision.

vii. The supervisor solicits effectiveness feedback from the supervisee and responds to feedback by paying attention to what can/needs to be changed in the supervisory relationship or the supervisory context.

viii. The supervisor is aware of, explores, and monitors his/her own strengths, limitations, abilities, and resources.

ix. The supervisor is open to ambiguity and the absence of knowledge, and does not pretend to have all the answers.

x. The supervisor has the courage to be imperfect and not expect perfection from self, the supervisee, and others.
11. The Supervisor
   e. The supervisor manages supervisory relationship dynamics competently and appropriately.
      i. The supervisor bases assessments, evaluations, and developmental feedback on supervisee behavior rather than supervisee personality traits.
      ii. The supervisor understands supervisee resistance and manages it effectively.
      iii. The supervisor emphasizes the supervisee’s intrinsic motivation rather than extrinsic motivation.

12. Supervisor Preparation: Supervision Training and Supervision of Supervision
   a. The supervisor has received didactic instruction and experiential training in clinical supervision (concurrent and/or sequential).
   b. The supervisor’s training is based in a developmental perspective and approach.
   c. The supervisor’s didactic instruction includes all the topics identified in guidelines published by relevant professional organizations (e.g., ACES) and credentialing bodies (e.g., NBCC, CRC). At a minimum, this didactic instruction includes the following: models of supervision; models of counselor development; formats of supervision; supervisory relationship dynamics; supervision methods and techniques; multicultural considerations; counselor assessment, feedback and evaluation; executive/administrative skills; ethical, legal, and professional regulatory issues; and research on these topics.

   d. The supervisor’s training emphasizes theoretical and conceptual knowledge, skills and techniques, and self-awareness.
   e. The supervisor’s training includes appropriate application of teaching, counseling, and consulting skills in supervision.
   f. The supervisor’s training emphasizes the role modeling that the supervisor provides in all his/her interactions with the supervisee.
   g. The supervisor’s training emphasizes the supervisory relationship as the primary vehicle for learning in supervision.
   h. The supervisor’s training includes an emphasis on managing the delicate balance of challenge and support of the supervisee.
   i. The supervisor’s training includes instruction in relevant learning theories, principles, and research.
   j. The supervisor is trained to understand that his/her focus includes both the clinical and the professional development of the supervisee.
   k. The supervisor’s training includes recognition of the need for different approaches, formats, structures, and types of supervision for different supervision settings (e.g., universities, agencies, schools, privately contracted).
   l. The supervisor articulates a personal philosophy of supervision as a result of training and supervised experience as a supervisor.
   m. The supervisor’s training includes supervision of supervision based in some form of direct observation of his/her work with supervisees.
      i. Supervision of supervision follows the guidelines of relevant accreditation standards and credentialing bodies.
      ii. Supervision of supervision adheres to all relevant “best practices” identified in this document.

Which is true regarding the BACB Guidelines for Responsible Conduct?

A. Failure to observe these can result in imprisonment or fines.
B. The Guidelines are merely suggestions, and are not able to be enforced by the board.
C. The guidelines can be enforced by way of the Disciplinary standards, for which violations can result in decertification or other sanctions.
D. The guidelines are the only source for standards of care for practicing behavior analysts.
Active Student Responding

The BACB Disciplinary Standards:
A. Are primarily concerned with the testing and certification process, as well as trademarks, and do not apply to the practice of behavior analysis.
B. Are values-statements of how behavior analysts should behave in practice.
C. Include standards of practice and supervision, and failure to abide by these can result in decertification.

Active Student Responding

Judy is a direct care staff with a company that provides early intervention to children with autism. Judy has begun course work for BCaBA certification, and is getting supervision from Kim, her boss and a BCBA. Kim emails Judy a teaching protocol and tells her to videotape herself implementing it. Three weeks later at the monthly staff meeting, Judy’s video is reviewed, and Kim points out everything she did wrong. **What ethical considerations apply?**

A. 5.02 Limitations on Training.
B. 5.05 Describing Evaluation Requirements.
C. 5.06 Providing Feedback to Students/Supervisees
D. 5.09 Providing Behavior Analysis Principles in Teaching.

Active Student Responding

5.06 Providing Feedback to Students/Supervisees.
The behavior analyst provides feedback regarding the performance of a student or supervisee at least once per two weeks or consistent with BACB requirements.

5.07 Feedback to Students/Supervisees.
The behavior analyst provides feedback to the student/supervisor in a way that increases the probability that the supervisee will benefit from the feedback.

5.08 Reinforcing Supervisee Behaviors.
The behavior analyst offers positive reinforcement as frequently as the behavior of the student/supervisor and the environment allow.

5.10 Requirements of Supervisees.
The behavior analyst’s behavioral requirements of a supervisee must be in the behavioral repertoire of the supervisee. If the behavior required is not in the supervisee’s repertoire, the behavior analyst attempts to provide the conditions for the acquisition of the required behavior, and may the supervisee to continue with the assignment until the behavior is acquired, or refer the supervisee to another who is qualified to provide the required behavior.

Firstly, sending an email does not constitute training. Kim cannot expect Judy to do anything she has not SEEN her do competently. Judy should be getting feedback on a regular basis, and it should involve reinforcement of approximations rather than punishment of incorrect behavior. Judy should review these guidelines with Kim and discuss her concerns regarding the supervision she is receiving.

Active Student Responding

Kim sends Amy to work with a highly aggressive child in a preschool setting. Amy has just begun her supervision as well, and though she has spent many years implementing programs written by behavior analysts, she has not yet taken part in assessment and development of an intervention. After a few weeks, Kim calls Amy into her office, and informs her that she is being pulled off the case, because the preschool teacher called to complain that Amy really wasn’t doing anything. When Amy states that she felt she was ill-prepared to take this case on by herself, Kim states that she will need to be independent as a BCBA, and will have to “jump in and get her feet wet”. **What ethical considerations apply?**

A. 5.02 Limitations on Training.
B. 5.05 Describing Evaluation Requirements.
C. 5.06 Providing Feedback to Students/Supervisees
D. 5.11 Training, Supervision, and Safety.

Active Student Responding

5.10 Requirements of Supervisees.
The behavior analyst’s behavioral requirements of a supervisee must be in the behavioral repertoire of the supervisee. If the behavior required is not in the supervisee’s repertoire, the behavior analyst attempts to provide the conditions for the acquisition of the required behavior, and may the supervisee to continue with the assignment until the behavior is acquired, or refer the supervisee for remedial skill development services, or provides them with such services, permitting them to meet at least minimal behavioral performance requirements.

5.11 Training, Supervision, and Safety.
Behavior analysts provide proper training, supervision, and safety precautions to their employees or supervisees and take reasonable steps to see that such persons perform services responsibly, competently, and ethically. If institutional policies, procedures, or practices prevent fulfillment of this obligation, behavior analysts attempt to modify their role or to correct the situation to the extent feasible.

Again, Kim cannot expect Amy to do anything she has not SEEN her do competently. Also, with the child being aggressive, it is Kim’s responsibility as the BCBA to ensure that everyone’s safety is ensured, and that proper assessment and procedures are implemented. Amy should review these guidelines with her supervisor and discuss their expectations.

Special Considerations: Distance Supervision

• Accepting Supervisees
  --Appropriate experiences
  --Minimum criteria for accepting
  --Legal considerations in supervisee’s location
Special Considerations: Distance Supervision

- Providing Supervision
  - Confidentiality concerns
  - Shared focus on skill building; modeling and feedback
    - synchronous or asynchronous video observation
    - Not just case review
  - Cultural Awareness

Next:

- How to develop the competent behavior analyst!

Conclusion

- Importance of Ethics in Practice
- Importance of Ethics in Supervision
  - Risk Management
  - Integrity of the Profession
    - Teaching through modeling and discussion

References


References