

**Michigan Association of School Psychologists (MASP)**  
**Procedures for Examining Complaints of Alleged Ethical Violations**

**ADOPTED 10/19/22**

In the event that a MASP member suspects that an ethical violation has occurred by another MASP member, the following is recommended:

- 1) First, review the NASP and APA ethics codes very carefully. Consult with colleagues regarding interpretation of the codes. Clearly identify what is happening that you believe is a violation of the codes.
  
- 2) Next, it is very important to genuinely and thoroughly try to attempt to solve the problem directly with the individual. This is a necessary and collegial first step in the process and affords opportunity for learning and correction. It affords benefit of the doubt and has potential to identify and resolve misinterpretations and misunderstandings as well before heading down a more formal path than is necessary. NASP and APA both are clear about this and publish the following guidance:

**NASP’s 2020 Principles for Professional Ethics**

***Standard IV.3.2 Resolution of Concerns With Colleagues***

When a school psychologist suspects that another school psychologist has engaged in unethical practices, they attempt to resolve the suspected problem through a collegial problem-solving process, if feasible. If a collegial problem-solving process is not possible or productive, school psychologists take further action appropriate to the situation, including discussing the situation with a supervisor in the employment setting, consulting state association ethics committees, and, if necessary, filing a formal ethical violation complaint with state associations, state credentialing bodies, or the NASP Ethical and Professional Practices Board in accordance with their procedures.

**APA’s 2016 Ethical Principles of Psychologists and Code of Conduct**

***Standard 1.04–Informal Resolution of Ethical Violations***

When psychologists believe that there may have been an ethical violation by another psychologist, they attempt to resolve the issue by bringing it to the attention of that individual, if an informal resolution appears appropriate and the intervention does not violate any confidentiality rights that may be involved.

***Standard 1.05–Reporting Ethical Violations***

If an apparent ethical violation has substantially harmed or is likely to substantially harm a person or organization and is not appropriate for informal resolution under Standard 1.04, or is not resolved properly in that fashion, psychologists take further action appropriate to the situation. Such action might include referral to state or national committees on professional ethics, to state licensing boards, or to the appropriate institutional authorities. This standard does not apply when an intervention would violate confidentiality rights or when psychologists have been retained to review the work of another psychologist whose professional conduct is in question.”

- 3) If informal resolution attempts are not successful, consult the Koocher & Keith-Spiegel (2008) 8-step problem-solving model suggested below or other similar ethical problem-solving models published within reputable and current school psychology literature. This will help you to structure your analysis and determine an appropriate course of action, with a fresh review of each code of ethical principles in mind. If a problem solving process was instituted as part of #2 above (informal resolution attempts), an additional formal problem-solving process with colleague consultation is recommended.

*Eight-step problem-solving model* (adapted from Koocher & Keith-Spiegel, 2008):

- 1) Describe the parameters of the situation
  - 2) Define the potential ethical-legal issues involved
  - 3) Consult ethical and legal guidelines and district policies that might apply to the resolution of each issue. Consider the broad ethical principles as well as specific mandates involved.
  - 4) Evaluate the rights, responsibilities, and welfare of all affected parties (e.g., students, teachers, classmates, other schools, staff, parents, siblings)
  - 5) Generate a list of alternative decisions possible for each issue.
  - 6) Enumerate the consequences of making each decision. Evaluate the short-term, ongoing, and long-term consequences of each possible decision, considering the possible psychological, social, and economic costs to affected parties. Consultation with colleagues may be helpful.
  - 7) Consider any evidence that the various consequences or benefits resulting from each decision will actually occur (i.e., a risk-benefit analysis).
  - 8) Make the decision. Consistent with codes of ethics (APA, NASP), the school psychologist accepts responsibility for the decision made and monitors the consequences of the course of action chosen.
- 4) If you cannot determine your options for resolution, and you would like informal help resolving the issue, the MASP Professional Standards Committee can provide consultation as well. Send correspondence directly to the Professional Standards Chair and Co-Chair as currently listed on the website requesting informal assistance with your concerns. The committee will contact you as quickly as possible to gain more information about the case. The committee will discuss the information. The committee will help you interpret the relevant APA and NASP ethical codes and help you to determine the potential options for proceeding in your resolution attempt.
  - 5) If a formal complaint is to be made to MASP, please carefully follow these procedures.

*Requirements for making complaints*

- a) Complaints must be in writing.
- b) Complaints must be sent directly and only to the Chair and the Co-chair of the Professional Standards committee, and not to any other Board member.\* Initial report and conversations will take place only among the committee charged with this specific work to minimize miscommunication and streamline the process.

- c) Complainants must be identified. Complaints cannot be anonymous. A third party cannot file a complaint on behalf of others. The complainants must be interviewed and play an active part in the discussion around the alleged violations.
- d) Complaints must clearly identify which NASP ethical principles are being violated, evidence must be provided for each principle alleged to be violated, and the impact of the alleged violation(s) must be described. Additionally, efforts made to resolve the issue informally, including open communications with the individual directly, must be delineated.
- e) By submitting a complaint, complainants are attesting that they have fully read these procedures in their entirety and included a completed, signed copy of the formal ethics complaint form.

*\*Note.* If the complaint is being made about the chair of the Professional Standards committee, the co-chair will lead the inquiry, and vice-versa. If a complaint is being made about *both* the chair *and* the co-chair, the President will lead the inquiry and engage a team comprised of other Officers/Executive Board (e.g., past-president, president-elect, secretary, and treasurer). Whoever is leading the inquiry will engage the Professional Standards committee members.

#### *Internal procedures*

Once a complaint is made, the chair and co-chair will engage the other committee members and initiate the problem solving model as delineated on the website (add link). MASP will consult NASP's professional decision-making model for determining ethical violations:

<https://www.nasponline.org/standards-and-certification/professional-ethics/informal-ethical-problem-solving-of-colleagues-misconduct>

<https://www.nasponline.org/standards-and-certification/professional-ethics/resolving-complaints>

A MASP representative will reply to the complaint as soon as possible to acknowledge receipt. The committee will make a good faith effort to respond to complaints promptly.

All information, discussions, and decisions will be considered fully confidential among the Professional Standards committee, Officers/Executive Council (as needed), and other individuals as necessary for consultation.

A final report of findings will be sent to the complainant.

#### *Potential Outcomes*

MASP values transparent, open communication in resolving problems, with an eye clearly on restorative intentions and processes. In that vein, it is implicit in these procedures that members first attempt to informally resolve situations in which MASP

members question the ethics and conduct of other members. All options must be exhausted.

If that is truly unsuccessful, and it is determined by MASP that there has been a violation, MASP will attempt intervention and restorative practices as well. At the point that this were to completely fail, then a variety of outcomes could result that would impact one's ability to serve in MASP positions and on committees, and may also extend to one's rights to membership entirely. Specifically, provisions around membership are outlined in our MASP Constitution (Section 2. Severance of Membership). This section indicates that a member confirmed to have committed a violation of the written ethical code may be expelled from MASP membership but is protected by due process. In such a case, due process procedures will be followed. The specific language is:

"Expulsion may be recommended by the Professional Standards Committee. Expulsion shall be confirmed by two-thirds vote of the Executive Board. Members shall be protected by the right of appeal."

#### *Scope of Impact*

The scope of authority of the MASP Board and the Professional Standards Committee is limited to participation with the Board and the individual membership status. This means that if the committee has a finding, the committee may determine that an individual may no longer be a member of the Michigan Association of School Psychologists. However, the committee does not make decisions regarding the status of the license or credential of the individual in the state of Michigan. We do not have authority in those areas. Any decision made by the Board will be commensurate with careful following of the procedures and processes as outlined in this document.

#### *Professional or Legal Consultation*

If the Professional Standards Committee and Board need additional guidance and perspective, the NASP Professional Standards chair and committee, and potentially other NASP leadership as relevant to the specific complaint, will be consulted. The Board will also determine if legal consultation is necessary on behalf of MASP.