

Using the Tarvydas Integrative Model for Ethical Decision-Making

ABSTRACT

This paper examines an ethical dilemma present during a supervisory relationship between a doctoral level supervisor and a master's level supervisee. Applicable American Counseling Association (ACA) ethical codes are discussed as they apply to the scenario, and the Tarvydas Integrative Decision-Making Model of Ethical Behavior is explored to reach resolution of the present dilemma. Additionally, Association for Counselor Education and Supervision (ACES) Best Practices for Clinical Supervision are considered and applied throughout the scenario, and a proposed resolution to the ethical dilemma is discussed.

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Ethics, generally defined, are ideas about what behavior is considered acceptable or unacceptable (Cottone & Tarvydas, 2016). In the counseling profession, ethics become more complex as multiple relational systems interact and inform individual's behavior. Within the profession, counselors have a variety of resources to help inform ethical practice, including the American Counseling Association (ACA) *Code of Ethics* (2014) and the Association for Counselor Education and Supervision (ACES) *Best Practices for Clinical Supervision* (2011). Ethical codes give "guidance" (p. 58) to navigate ethical scenarios counselors are confronted with in every day practice (Cottone & Tarvydas, 2016). However, ethical dilemmas occur when "there are good, but contradictory ethical reasons to take conflicting and incompatible courses of action" (Kitchener, 1984, p. 43). Additionally, Kitchener (1984) found that while ethical codes attempt to cover a wide variety of scenarios that counselors may encounter, gaps in ethical codes contribute to "minimal guidance" (p. 43) when navigating ethical dilemmas. Ethical decision-making models, such as the Tarvydas Integrative Decision-Making Model of Ethical Behavior (Tarvydas, 2012), are tools that counselors can use to reach an educated resolution in a "systematic and deliberate way" (Cottone & Tarvydas, 2016, p. 20). As Cottone and Tarvydas (2016) note, counselors must be able to identify ethical conflicts and apply decision-making steps to resolve conflicts.

Tarvydas Integrative Decision-Making Model of Ethical Behavior

The Tarvydas Integrative Decision-Making Model of Ethical behavior (Tarvydas, 2012) integrates principle ethics and virtue ethics with a "reflective attitude at the heart of the process" (Cottone & Tarvydas, 2016, p. 67). This involves blending ethical codes and law - principle ethics - with moral and value characteristics of the counselor - virtue ethics. This model allows

the counselor to consider environmental and situational factors that contribute to the course of action, allowing the counselor to reflect and consider the multi-facets of each ethical dilemma (Cottone & Tarvydas, 2016). Given the complexity of ethical decision-making, some models can “become overwhelming” (p. 70) and an important component of the Tarvydas Model is that the counselor is continually reminded to slow the process down, remain calm, and be thorough in analyzing all factors of the scenario (Cottone & Tarvydas, 2016).

There are four main steps of the Tarvydas Model, and each one contains multiple components for consideration (Cottone & Tarvydas, 2016). The first step involves being able to interpret a situation through an intentional awareness of the facts present (Cottone & Tarvydas, 2016). During this stage, it is important to develop a sensitivity to the needs of those involved and an awareness of the impact on each person (Cottone & Tarvydas, 2016). The second component involves taking “an inventory” (p. 72) of all the stakeholders in the decision (Cottone & Tarvydas, 2016). Cottone and Tarvydas (2016) note that while the client is the primary stakeholder in all ethical considerations, the counselor cannot fail to acknowledge other affected individuals; including influences at the following levels: clinical, interdisciplinary, institutional, and societal. The final component of the first stage is to begin gathering all the information relevant to the given situation (Cottone & Tarvydas, 2016).

Stage two of the Tarvydas Model involves formulating an ethical decision (Cottone & Tarvydas, 2016). During this stage, it is important that the counselor review the ethical dilemma and consider any new information gained during the fact finding (Cottone & Tarvydas, 2016). Component two involves reviewing all relevant ethical codes, state or federal laws, ethical principles, or institutional/agency policies that exist and can be applied to the dilemma (Cottone & Tarvydas, 2016). After looking at the appropriate legal and ethical codes, the counselor

should consider the advantages and disadvantages of each course of action listed (Cottone & Tarvydas, 2016). The final two components of stage two involve seeking consultation with other supervisors or competent peers within the profession and selecting the most ethical course of action from the compiled list (Cottone & Tarvydas, 2016).

While most decision-making models culminate after ethical decision is made, the Tarvydas Model continues with two additional stages. Cottone and Tarvydas (2016) suggest that although an ethical decision has been made, the act of completing the ethical decision could fail to be carried out, due to influence of other factors. Therefore, the third stage of the Tarvydas Model involves “selecting an action by weighing competing, nonmoral values, personal blind spots, or prejudices” (Cottone & Tarvydas, 2016, p. 73). This stage is characterized by the reflection process that Tarvydas infuses throughout her model. The counselor is encouraged to reflect and analyze their personal values, prejudices, or biases, as well as outside influence on the context of the situation (Cottone & Tarvydas, 2016). The final component in this stage is to decide on the preferred course of action based on reflection and personal analysis (Cottone & Tarvydas, 2016).

The last stage of the Tarvydas Model involves following through with the selected course of action (Cottone & Tarvydas, 2016). First, the counselor delineates a “reasonable sequence” (p. 73) of specific actions that are to be taken, then the counselor identifies and works through any potential obstacles in carrying out the proposed course of action, and the final step is to complete the course of action, remembering to document each step, and evaluate the selected course of action once completed (Cottone & Tarvydas, 2016).

The Tarvydas Model was chosen due to its inclusion of reflective components, which is a hallmark of the counseling profession; as well as its consideration of contextual influences on the

decision-making process and the many stakeholders involved. Additionally, a separation of personal and professional values is clear in the Tarvydas Model, allowing for reflection on both throughout the process. As Cottone and Tarvydas (2016) note, the Tarvydas Model borrows concepts from the works of Rest and Kitchener, who are major contributors to the field with ethics and moral reasoning. The Tarvydas Model remains rooted in the important constructs of ethical decision-making, while incorporating the multicultural and cognitive-complexity components that reflect the evolution of the counseling profession. As the counseling profession continues to evolve, ethical decision-making models that grow with the profession will prove to be important in counseling ethics.

Ethical Dilemma

The scenario presents a complex situation where Ben, a doctoral student, is conducting supervision with a master's level student, Sarah, who is completing her first semester of internship at a local high school. Sarah is working with a 15-year-old client who identifies as lesbian and would like Sarah's help in coming out to her classmates and parents. Sarah, however, is a Christian who believes that homosexuality is a sin. While Sarah acknowledges that she needs to remain values-neutral in her sessions, she does not believe she should actively encourage the client's sin. Ben, as a gay man, finds himself identifying with Sarah's client, and worries about his own personal values affecting his supervision with Sarah. Although Ben recognizes a potential conflict in his supervision, he fails to consult with doctoral peers during group supervision.

The ethical dilemma involves Ben's hesitation to seek supervision and consultation regarding his feeling of being uncomfortable with Sarah's actions. Ben needs to address the fact that his personal values and LGBTQ advocacy might impact his supervision of Sarah

considering her religious beliefs and values. Since Ben personally identifies with Sarah's client, he may skew the supervision he provides, imposing his personal values and beliefs onto Sarah, influencing her work with her client in a way that he deems appropriate. This behavior is against the ACA's (2014) *Code of Ethics* and the ACES (2011) Best Practices for Clinical Supervision. Additionally, Ben could also pose harm to Sarah and impact her development as a counselor which might damage her relationship with this client and future clients.

ACA Code Conflicts

Examining the ACA (2014) *Code of Ethics* resulted in the identification of several applicable codes that pertain to Ben's situation. Code A.4.b. Personal Values advises that counselors should be aware of their own personal "values, attitudes, beliefs, and behaviors" (p. 5) and avoid imposing those on clients or supervisees (ACA, 2014). Ben maintains an awareness that his values conflict with Sarah's, and he worries about imposing his values onto her, yet he has done nothing to avoid doing so. Instead, he ignores the situation entirely, and avoids seeking consultation with his supervisor or supervising peers. Code A.4.b. explains that counselors should seek training in the areas where the counselor risks imposing his/her own values (ACA, 2014). This ties closely into code C.2.e. Consultation on Ethical Obligations, which solicits counselors to "consult with other counselors, the ACA Ethics and Professional Standards Department, or related professionals" (p. 9) when ethical questions arise (ACA, 2014).

Nondiscrimination, code C.5., reminds counselors that no discrimination against "clients, students, employees, supervisees, or research participants" (p. 9) based on several areas including religion/spirituality, are acceptable (ACA, 2014). While Ben's values regarding LGBTQ issues conflict with Sarah's Christian religious beliefs, he should remain mindful not to

allow the conflict to affect his viewpoint on Sarah. By allowing his viewpoint to be affected, he runs the risk of discriminating against her.

Section F of the ACA (2014) *Code of Ethics* applies to Ben's situation, as this section deals with supervision specifically. Code F.2.b. Multicultural Issues/Diversity in Supervision and F.4.c. Standards for Supervisees both address issues relevant to Ben's situation. The first code states that supervisors remain aware of and address issues related to diversity in the supervisory relationship (ACA, 2014). The second code states that supervisors ensure supervisees are aware of ethical standards (ACA, 2014). If Ben worries that Sarah might be breaking ethical codes due to the values conflict between herself and her client, he is responsible for bringing this to her attention. Code F.5.a. Ethical Responsibilities expands on this, stating that supervisees understand the ACA *Code of Ethics* apply to them as it would to students in general, that the obligation to the client remains the same (ACA, 2014). Additionally, Ben is responsible for bringing up the diversity issues between himself and Sarah in supervision, allowing for full disclosure and avoiding potential imposition of values through communication, and reflection from both Ben and Sarah's perspectives.

Ben, as supervisor, holds some power involving gatekeeping (code F.6.b.). In this role, Ben is responsible for ensuring that Sarah is capable and ethical in her role as a counselor (ACA, 2014). Ben should continually monitor Sarah's interaction with her client and ensure no harm to the client is done. However, a bigger issue arises when Ben is hesitant in discussing Sarah's situation within his own supervision, which could possibly lead to him harshly evaluating her if she does not provide services the way Ben feels she should. F.6.b. continues to say that supervisors seek consultation and document decisions, which Ben is hesitant to do (ACA, 2014). If Ben continues to avoid discussing his thoughts and concerns regarding the situation, he runs

the risk of imposing harm on Sarah through harsh evaluations that could affect Sarah's progress through the program.

Section I of the ACA (2014) *Code of Ethics* focuses on resolving ethical issues. Code I.1.b. applies to Ben's predicament, stating that an ethical decision-making model is used to resolve ethical dilemmas, and could include such things as consultation, amongst others (ACA, 2014). Ben should consider using an ethical decision-making model to resolve his hesitation in discussing Sarah's situation, and his assumed unease with their individual value differences between himself and her. This could help him determine that consultation is necessary to resolve the dilemma; additionally, it direct him towards any of the identified ACA codes that apply in this situation, informing his decision as it relates to an appropriate course of action.

Tarvydas Model Applied to Ben's Ethical Dilemma

As noted previously, the first step in the Tarvydas Model is to gain awareness of the situation and gather as much information as possible (Cottone & Tarvydas, 2016). Ben is already aware of the situation, evidenced by his unease and hesitation to bring the situation up in supervision. However, he has not considered the sensitive nature of the situation and how his unease could affect others. According to ACES (2011) Best Practices for Clinical Supervision section 5.a., Ben should be aware that his relationship with Sarah is "key" (p. 7) in determining a positive supervisory experience that fosters Sarah's "growth and development" (p. 7). Additionally, section 5.a.i. and 5.a.iii. suggest that Ben that he should seek to enhance his self-awareness of cultural sensitivity and diversity as Sarah's supervisor, and should conduct himself "with emotional intelligence, maturity, flexibility, humility, and transparency" (ACES, 2011, p. 7). Ben needs to consider whether his current behaviors meet those suggestions for best practice as it concerns his supervision with Sarah.

Once Ben understands the nature of the dilemma, his next step is to consider all possible stakeholders (Cottone & Tarvydas, 2016). The obvious stakeholder is Sarah, but Ben also needs to consider her client's stake in his decision. Any impact that his supervision or resolution has on Sarah can have a direct impact on the working relationship between Sarah and her client. Section 5.b. states that the supervisor engages a supervisee "intentionally" (p. 7) to create a strong working relationship (ACES, 2011). Section 5.b.vi. continues that Ben should encourage Sarah to be aware of her own comfort level with scenarios, in this case her conflict between ethics and her religious beliefs, and work on expanding her comfort level (ACES, 2011). More importantly to Ben's dilemma, section 5.b.vii. reminds him that conflict in the supervisory relationship is unavoidable and he should deal with such conflict in ways that are productive (ACES, 2011). His hesitation to seek consultation or discuss dilemma shows that he is uncomfortable with the possible conflict, and currently is not choosing behavior that would be productive to moving forward.

The final component of step one involves Ben gathering as much information as he can about the situation (Cottone & Tarvydas, 2016). During this step, Ben needs to consider what is causing him to avoid addressing the dilemma in supervision. The scenario did not give many details about the nature of the conversation between Sarah and himself, however, more exploration on Ben's part to understand how Sarah is conducting herself in session with her client is needed. Sarah may be handling herself appropriately and ethically, however, Ben's hesitation to discuss the scenario is leaving out those important details and could be contributing to his unease, which may be unwarranted. Section 5.c. of ACES (2011) Best Practices for Clinical Supervision suggests that Ben should give attention to ethical and cultural concerns within the supervisory relationship. His avoidance shows that he is not comfortable doing so,

and this is part of the dilemma. While gathering all the information, Ben also needs to remain impartial and avoid imposing his own meanings or values onto Sarah or on her work with her client (ACES, 2011). More importantly, during this phase, Ben should follow section 5.c.v. which states that he needs to recognize his own issues of transference and countertransference within the supervisory relationship and consider resolutions that address these issues with minimal negative effects, such as supervision or consultation (ACES, 2011).

The second step in the Tarvydas Model involves making a decision that adheres to ethical guidelines (Cottone & Tarvydas, 2016). Ben should review the facts of the dilemma discovered in the previous step. He should then consult the ACA *Code of Ethics*, any program guidelines or procedures that apply, and consult the ACES Best Practices in Clinical Supervision guidelines. Once he understands what ethical codes and program policies apply to his specific dilemma, he should then create courses of action to resolve the dilemma (Cottone & Tarvydas, 2016). Pros and cons of each course of action should be weighed, and Ben should pick the most ethical decision (Cottone & Tarvydas, 2016).

The third stage of the Tarvydas Model involves reflection on the course of action chosen, and considering personal prejudices and beliefs, as well as “contextual influences” (p. 73) that impact the decision (Cottone & Tarvydas, 2016). Section 6.a. of the ACES (2011) Best Practices in Clinical Supervision reminds Ben that supervision is a multicultural process and he needs to broach difficult topics with Sarah. Additionally, section 6.b. encourages Ben to work with Sarah in developing her “knowledge and skills” (p. 9) for advocating and working with diverse clients (ACES, 2011). Upon further investigation into the ACES (2011) Best Practices in Clinical Supervision, section 7.b. states that Ben needs to monitor his own competence and seek

consultation or supervision regularly. Reflecting on the above information, Ben is then to select his preferred course of action (Cottone & Tarvydas, 2016).

The final stage in the Tarvydas Model is where Ben determines a set of reasonable steps to take (Cottone & Tarvydas, 2016). While determining these steps, he should consider possible barriers to the plan, and how to work around them while completing the steps (Cottone & Tarvydas, 2016). Once he completes the course of action, Ben then needs to document the steps he took. Evaluating how the process went and whether anything needs to be changed for a similar predicament in the future is the final step in the Tarvydas Model (Cottone & Tarvydas, 2016).

Proposed Action

After applying the steps of the Tarvydas Model, the following are the suggested steps for resolution in Ben's scenario. Ben needs to acknowledge the awareness of the ethical dilemma by seeking consultation from his program supervisor and his peer group of doctoral supervisors. While he's aware of the dilemma, he has not fully acknowledged the sensitive nature of the issue. This would lead into the information gathering aspect of the first stage, allowing him to gain insight on outside perspectives of the dilemma he may not have considered. Additionally, Ben needs to personally assess the nature of the supervisory relationship with Sarah, keeping in line with ACES (2011) Best Practices for Clinical Supervision. While conducting the personal assessment, Ben then needs to consider other stakeholders in his decision, including Sarah's client. Ben's decision to address the situation in supervision could affect Sarah's working relationship with her client.

Upon reviewing the information gathered, Ben then needs to examine his possible course of actions as they relate to the ethical codes and program policy. Some of Ben's ethical recourse

could be: 1) discussing the conflict with Sarah during supervision and working collaboratively with her to expand her comfort zone and conduct herself in an ethical manner with her client, 2) seeking consultation with his program supervisor and/or peer group supervision without Sarah's knowledge of the consult to enhance his supervision with her, or 3) discussing the conflict with Sarah, explaining his need for consultation, and working collaboratively with her to meet the needs of her client. After weighing both pros and cons of each of the above three choices, Ben chooses the most ethical decision, which would be discussing the conflict with Sarah, explaining the need for supervision, and working collaboratively with her to find the best course of action for her client.

During the third stage of the Tarvydas Model, Ben needs to reflect on his own biases and prejudices, considering contextual information of the dilemma and his chosen ethical decision. Ben should list his own personal values that are in support of or in conflict with the decision he's made, and determine his comfort level moving forward with the selected decision. For example, he could consider his own LGBTQ identity and group knowledge and how this might conflict or support his ethical decision. Ben could additionally reach out to a member of the religious community to gain insight into how resolutions are reached when conflicts in moral values and LGBTQ individuals are encountered; as well as reaching out to leaders in the LGBTQ community to inquire about how working relationships are created with the Christian community. After doing so, Ben would likely stay with his selected ethical decision, as it allows for integration of this new information into the collaborative working relationship with Sarah.

The final step is for Ben to determine reasonable steps to take to complete his selected course of action. First, Ben needs to have a conversation with Sarah surrounding his discomfort with the situation, and his need to seek consultation on how to address the situation appropriately

in supervision with her. Second, he needs to get supervision regarding the issue, incorporating feedback received into his working relationship with Sarah. Third, after consultation with community leaders, Ben should have further conversation with Sarah that allows him to share the knowledge that he has learned and listen to her feedback. During this supervision and later meetings, Ben would discuss with Sarah how to navigate a separation of personal values and professional obligations. Counselors grow as they learn to bracket their personal values and attend to their professional obligations when working with clients. During the process of carrying out each step, Ben documents who he met with, what was suggested, and his personal reflection on his growth and feelings throughout the process. After resolving the ethical dilemma, Ben should evaluate the effectiveness of the actions he took and consider whether changes are necessary to make for similar scenarios in the future. Ben should also reflect on the experience with his supervisor and peer supervision group. Acknowledging the ability to navigate ethical dilemmas will provide Ben with the skills necessary to grow and work effectively as a counselor.

References

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