

Austin Peay State University
Department of Psychological Science & Counseling

COUN 6010: Ethical, Legal and Professional Issues in Counseling

Term: Fall 2019, B

Credit Hours: 3

Meeting Time: Mon: 4:30pm to 7:30pm

Room #: Clement 306

Instructor: Jessica Fripp, PhD, NCC

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Email Address: frippj@apsu.edu

Office: CL 303B

Office Hours: Mon, Tues and Thurs: 2:00-4:00p

Prerequisites:

Admittance to the Counseling Program, or permission of the instructor.

Required Text(s):

Remley, T. & Herlihy, B. (2013). *Ethical, Legal & Professional Issues in Counseling* (6th. Ed.). Prentice Hall. ISBN# 0-13-518381-2

Stone, C. (2013). *School counseling principles: Ethics and law* (3rd edition). Alexandria, VA: American School Counseling Association. ISBN# 1-929289-05-7

Recommended Text(s):

Corey, G., Corey, M., Corey, C., & Callanan, P. (2014). *Issues and ethics in the helping professions* (9th ed.). Belmont, CA: Brooks Cole.

Additional Requirements:

Your respective professional organization's Code of Ethics, as applicable:

- All Clinical Mental Health Counseling students must acquire the American Counseling Association [Code of Ethics](#) (2014), available on the ACA website: <https://www.counseling.org/> Available online at: <https://www.counseling.org/resources/aca-code-of-ethics.pdf>
- Students in the School Counseling concentration ALSO must acquire the American School Counselor Association's [Ethical Standards for School Counselors](#), available on the ASCA web site: www.schoolcounselor.org. Available online at: <https://www.schoolcounselor.org/asca/media/asca/Resource%20Center/Legal%20and%20Ethical%20Issues/Sample%20Documents/EthicalStandards2010.pdf>

- Other assigned readings may be posted on the D2L Course Website

Course Description:

This course examines the professional, ethical and legal issues that impact the practice of the professional counselor. Emphasis is placed upon the understanding and application of ethical standards and legal statutes that affect professional counselors when making critical decisions concerning working with individuals in school and mental health settings.

**Austin Peay State University
College of Education**

CONCEPTUAL FRAMEWORK OVERVIEW, INITIAL LICENSURE PROGRAMS

As part of the educational unit at Austin Peay State University, the School Counseling program embrace the College of Education's commitment to preparing highly qualified professionals who are knowledgeable in standards-based practice. Our common goal is to prepare competent, reflective, and caring educators who, while working in collaboration with other professionals, will serve as change agents to foster development and learning in the lives of learners. Our theme "Preparing Professionals Through Standards-Based Practices" reflects our vision, mission, and goals, and supports reflective, data-informed planning for continuous improvement. Our focus is on preparing professionals for the P-12 environment by providing three key elements – knowledge, skills, and dispositions.

Counseling Program Course Policies

CoBHS Diversity Statement:

The College of Behavioral and Health Sciences values human diversity in all its richly complex and multi-faceted forms. Elements of diversity may be expressed through race and ethnicity, culture, political and social views, religious and spiritual beliefs, language and geographic characteristics, gender, gender identities and sexual orientations, learning and physical abilities, age, and social or economic classes. Every student will be treated fairly and with respect. Students will be valued and encouraged to share their unique perspectives as an individual, not as a representative of any group. We strive to provide course curriculum that respects diversity of thought, background, and experience within materials and student activities. These values are consistent with the mission of the [Office of Equity, Access, and Inclusion](#).

Divisive Concepts Statement:

APSU is committed to the free and full exchange of ideas and perspectives that is central to the educational enterprise. We are also committed to encouraging students—and all people—to be exposed to, and think critically about, sensitive topics and issues. This is an essential element of higher education and necessary to better prepare students for community participation and robust civic engagement. Curricular materials on concepts including but not limited to racism, sexism and classism may be presented and discussed in this class; while students are expected

to master course content, it is not expected that students endorse or subscribe to any theory or viewpoint.

Students with Disabilities:

Any student who has a disability that may affect her/his academic performance is encouraged to make an appointment with me to discuss this matter, or you may contact Disability Services: (phone #: 221-6230; email: disabilityservices@apsu.edu)

Academic and Classroom Misconduct:

Students are expected to conduct themselves appropriately at all times. Academic and classroom misconduct will not be tolerated. Students must read the “Code of Conduct” in the new *Student Handbook* for an understanding of what will be expected of them within the academic setting.

Writing Quality and Academic Honesty:

It is important that all written work meets the academic standards of graduate students using APA 7th edition formatting. If you feel you need assistance with your writing, please contact the Writing Center in Woodward Library: (phone #: 221-6559; email: writinglab@apsu.edu)

You are expected to adhere to the academic honesty policy as described in the APSU Code of Student Conduct. Plagiarism most commonly occurs when material is taken from a source without proper citation. Whenever material is directly quoted, it must appear in quotation marks and be properly cited. Materials that are taken from a source (but not directly quoted) must also be cited appropriately. Additionally, integrity also applies to sharing work. Students are expected to refrain from sharing (or selling) completed assignments which may negatively influence the academic honesty of other students at APSU or other universities. If you are in doubt, please ask me for further clarification. Students found in violation of academic honesty may be subject to further disciplinary action in accordance with university policy.

Plagiarism Policy:

Plagiarism is defined as the adoption or reproduction of ideas, words, statements, images or works of another person as one’s own without proper attribution. This includes having another individual write your assignment and presenting as your own. In addition, self-plagiarism is defined as a type of plagiarism in which the writer republishes a work in its entirety or reuses portions of a previously written text while authoring a new work. Therefore, using previous work or work from other persons without proper citations will be perceived as plagiarism.

Key writing assignments will be submitted through TurnItIn. Material will be considered to include plagiarism if it returns >25% similarity. However, each case will be evaluated independently. For example, even in cases of lower percentages of similarity, if the matching text is one continuous block of borrowed material, it will be considered as plagiarized text of significant concern. On the other hand, text similarity due to the usage of common

terminologies and method related details in “Methodology” part of a manuscript should not raise a serious ethical concern.

Policy on Minors:

Minors (any non-student under the age of 18) accompanying staff, faculty, students, or visitors on campus are not permitted in the classroom. However, affiliated minors may utilize classrooms designated for use by a program approved by the university in which they are a participant.

Service Animals in the Classroom:

Consult [Policy 3:007 Animals on Campus](#) for appropriate situations allowing service animals in the classroom.

Confidentiality:

This course, as other courses in the Counseling Program, requires that learners maintain absolute confidentiality regarding all personal information related by classmates and clients. The information we discuss in class is not to be discussed outside of our class, only as it pertains to helping a classmate or client. Any breach of confidentiality or respect will be considered a serious ethical and professional violation and will result in immediate dismissal from the program. Confidentiality as outlined in the current *ACA Code of Ethics* will be followed.

Email Policy:

It is important for students to remember that faculty are not available 24 hours a day, 7 day a week. Wellness and appropriate boundaries are important values for all counselors and counselor educators. The instructor of this course will respond to all inquiries, questions, and other electronic correspondence within a timely, but not necessarily immediate, manner. Most electronic communications will be answered within 48 hours (Monday-Friday).

Class Grievances:

I am willing to meet with you to discuss our class and/or particular assignments. I ask that you wait 24 hours after you have received a graded assignment to come see me. Before we discuss your work, you are required to type out a document detailing what particular elements of your work you feel merit discussion.

Counseling Services

The [APSU Health and Counseling Center](#) provides therapeutic services to currently enrolled undergraduate and graduate students on a no-fee basis. Services provided by Counseling Services include: crisis intervention; individual and couples counseling; group counseling on specific topics (e.g., assertiveness training, self-esteem, stress management, relationships, grief); drug and alcohol counseling, outreach programs, referral, and consultation.

Minimal Technology Requirements

Hardware: We prefer that you do not solely rely on mobile devices like tablets and smartphones to complete course work. To be safe, you should avoid using mobile devices for high-stakes course activities like quizzes, exams, and papers even though D2L is available through mobile browsers. If you choose to engage in synchronous online meetings via zoom, you will need access to a camera, speakers, and microphone on a device capable of accessing zoom.

Web Browser: Online course content is delivered through the D2L learning management system which is accessible through any web browser; however, Distance Education recommends the most up-to-date versions of Google Chrome or Apple Safari. Please use the [D2L System Check](#) to ensure that your web browser is properly configured.

Software: You will need software for word processing, spreadsheets, and presentations like Microsoft Office for course assignments. Currently enrolled APSU students receive access to Microsoft Office 365 for free and can install it on up to 5 compatible PCs or Macs. Additional information is available through the [GOVSTECH Website](#). Contact GOVSTECH at govstech@apsu.edu with questions.

You can find more information about technology for digital learning through the [Office of Distance Education](#). You can find more information about technology resources available for students through the [Office of Informational Technology](#).

Assignment Related Policies

Relax, Relate, & Release Policy

*NOTE: may not be applicable for an accelerated course

Students will have the option of utilizing the “Relax, Relate, & Release Policy” in which they can miss one class without penalty. Exceptions to this policy include scheduled presentations.

Students are still responsible for assignments due and material covered. Students utilizing this option must notify the professor prior to the missed class. Click here for more information on wellness:

<https://www.eboniesintheivory.com/news-notes/2020/4/7/relax-relate-release-a-wellness-guide-during-uncertain-times>

Late Assignments

Late assignments will have a **10% per day** point deduction, unless the student elects to take advantage of the LIFE HAPPENS policy (for applicable assignments).

Life Happens Policy

If needed, students can submit one late assignment without penalty (up to three days). This policy does not apply to presentations or assignments due on the final day of class. Students must explicitly state that they are utilizing this option upon submission.

Note: As the Instructor, I reserve the right to revise assignments as deemed necessary for optimal student learning. This syllabus and the class schedule may be amended in the event of extenuating circumstances. Should the need arise, students can expect revisions to be announced orally in class and/or posted electronically.

Common Courtesies:

- Use of cell phones or other technology during class time for non-course related activities is prohibited. Please turn off your cell phones while in class or change it to the silent mode. **Do not answer the phone OR text during class.** If you are expecting a very important call, please let me know before class.

Course Objectives and Requirements

Knowledge and Skill Outcomes

The objectives of this course align with the CACREP Standards (2016) stated below. As a result of successfully completing this course, students will have the knowledge and skills related to:

Course Objectives	CACREP Standards	Course Activities
Have a knowledge of the history and philosophy of the counseling profession as it relates to clinical mental health and school counseling	F.1.a. CMHC C.1.a. SC G.1.a	Lecture, readings, exam
Understanding and advocating for the roles of counselors as they relate to human services, crises intervention, trauma, management plans, and interactions with community agencies; engage the role of advocacy for self as the counselor and social justice processes for clients they serve	F.1.b. F.1.c. F.1.d. F.6.e. F.7.d. CMHC C.2.a. CMHC C.2.c. CMHC C.3.e. SC G.2.b. SC G.2.e. SC G.2.f.	Lecture, readings, exam, Case Analysis Presentation
Examining the processes needed to address institutional and social barriers that impede access, equity, and success; addressing ethical and culturally relevant strategies for selecting, administering, and interpreting assessment and test results	F.1.e. F.7.m. SC G.2.a. SC G.2.k.	Lecture, reading, Case Analysis, Exam
Understanding the ethical and legal policies that govern the counseling professions; recognizing technology's impact on the counseling profession; addressing current labor market information within the realm of practice	F.1.h. F.1.i. F.1.j. F.5.c. F.5.e. CMHC C.2.i. CMHC C.2.l. CMHC C.3.c. SC G.2.m. SC G.2.n.	Lecture, readings, exams, Case Analysis Presentation, Professional Disclosure Statement
Recognizing professional counseling organizations, and having knowledge of the accreditation practices and standards of the counseling profession; identify role of counseling supervision in the profession as well as strategies for professional self-evaluation; developing strategies of self-care	F.1.f. F.1.g. F.1.k. F.1.l. F.1.m. F.5.c. CMHC C.2.k.	Lecture, readings, exams, Professional Development Activity

	CMHC C.3.d. SC G.2.I.	
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Methods of Instruction:

A variety of instructional methods are used to advance the course objectives. Documentaries and/or videos are shown. The format includes but is not limited to formal lecture, media presentations, research activities, class discussion, and role plays to expand the topic. Guest speakers and panelists may also be invited to share their stories.

Student Performance Evaluation Criteria & Procedures

(Please note: The following assignments are intended to facilitate your involvement in this course and to satisfy the course objectives)

Technology:

Students may use word processing, and PowerPoint software to complete assignments. Also, the Internet, (e.g., Desire to Learn -D2L-) and other electronic mail systems will be used as needed to complete assignments and projects.

Attendance and Participation (15)

Attendance at all class meetings is expected and is of the utmost importance in a class of this nature. Students can miss one class; any subsequent absence will result in the student receiving a 5-point grade reduction in the course for each day missed. You are responsible for making sure you receive the necessary assignments and class notes you miss.

Student participation and interaction will be a major focus of this class. Active participation in all discussions/activities is expected and necessary for successful completion of the course. Preparation for class should include reading and reflecting on the material. Your insights and reactions to the course material are a vital aspect of the learning process, and articulate presentation of these is encouraged. Your respect for and openness to others' perspectives, as well as a willingness to examine your own, will be valuable to your learning process.

Students will be evaluated on their level of participation during the course. There will be many opportunities for students to engage in classroom activities and personal growth experiences. Students will be evaluated on level of engagement, attentiveness, and preparedness. The criteria for evaluation include:

- 13 – 15 Attendance at all classes, high level of engagement, prepared for class as evident by responsiveness during large group discussions, active participation during small group interactions.
- 6 – 12 Attendance at all but one class, moderate level of engagement, prepared for class and somewhat responsive during large group discussions, active participation during small group interactions.
- 0 – 5 Attendance at all but two classes, minimal level of engagement, not prepared for class as evident by lack of responsiveness during large group discussions, active participation during small group interactions.

Activities that demonstrate lack of participation include: texting, surfing the web, sleeping, chatting, or anything other than focusing on class.

Absences will be excused only under the following circumstances:

- Absence while under a doctor's care (written documentation required);

- Absence due to participation in an authorized college activity (advance notification and written documentation required);
- Absence due to attendance at legal proceedings requiring your presence (advance notification and written documentation required); and/or
- Absence due to the death or serious illness of an immediate family member (written documentation required).

I consider an excused absence one in which the absence is beyond your control. (For example, the time of a checkup or a dental appointment *can be controlled*). I will not excuse an absence in which you must take somebody else to the doctor, hospital, dentist, court, etc. Exceptions related to VA medical appointments or other situations will be considered and must be communicated in a timely manner.

Assigned Readings:

The quality of our discussions depends a great deal upon your commitment and diligence in reading assigned materials. Please come to class prepared, having read the assigned material prior to entering the classroom.

Discussion Posts (10) – Due by the start of class each week

Each week, a discussion prompt will be posted to the discussion board to which you will offer a thoughtful and substantive response based on your reading of Remley and Herlihy's *Ethical, Legal, and Professional Issues in Counseling*. In addition to responding to the prompt, there is an expectation that you will also respond to the posts of at least **two** of your classmates. Do not just say "Good post" or "I enjoyed reading your post", etc. or you will not receive all of the possible points. The purpose of this assignment will be to stimulate discussion and promote meaningful dialogue about the content that we will be covering throughout the term. It is imperative that comments remain respectful and reflect openness to diverse opinions. Anything posted on the discussion board that can be deemed otherwise will be given a zero for that week's grade. We are all entitled to express our opinions; however, it is important to be cognizant of the manner in which we state them. Respect is essential for us all to feel comfortable in sharing our thoughts and opinions. Lastly, your classmates rely on you to post your initial discussion in a **timely manner** so that they have your discussion to react to. Please **DO NOT** wait until the last minute to submit your initial discussion. Your first submission should be completed by Wednesday and the responses to peers are due at the beginning of class on Mondays.

Professional Disclosure Statement and Informed Consent (30) – DUE: December 2nd, 2019

Note: As the LiveText Key Assessment for this course, your assignment must be submitted through LiveText by the assignment due date. This assignment will not be graded until it is uploaded to LiveText; and, if your assignment is not uploaded by the due date, your grade for this assignment will be lowered by 10 points for each day the assignment is late.

Develop a Professional Disclosure & Informed Consent form you would provide to a client/parent(s)/student/teacher(s). Write it to fit the developmental level and setting (target audience) in which you would like to work or currently work. There are many examples available online for different counseling specialties and practice settings that might serve as stimuli; however, do not take one of these examples and use it as your own given that you must include required elements from the American Counseling Association and the Tennessee Code at a minimum.

The professional disclosure statement should:

- (1) introduce yourself,
- (2) outline your role in the school or mental health agency,
- (3) describe counseling services offered and theoretical approaches utilized,
- (4) outline the meaning and limits of confidentiality,
- (5) explain services provided and fees,
- (6) list contact information,
- (7) explain complaint procedures,
- (8) request consent for treatment (signatures)

Additional guidelines:

- Please type; single-spaced; no more than 2 pages long; and, check for grammar.
- Consider your potential audience to format the document appropriately and choose wording/language for accessibility and high “read-appeal.”
- Consider the different communication styles of your consumer/client/student. You might discuss using the Google Translator to translate the Professional Disclosure Statement to a language other than English that is or may be common for the professional setting and populations you’ll serve.
 - [You can find the Google Translator Toolkit at:](#)

Exam (20 points total) – Date: December 9th, 2019

Students will have an opportunity to take a final exam. The exam will cover course reading materials and lectures. This exam may consist of multiple-choice, fill in the blank, true and false, and/or short answer questions.

Case Analysis Presentation (25)

In groups of 3, students will complete and present a case analysis based on an ethical, legal or professional behavior dilemma provided by the instructor. In keeping with acceptable professional standards, group members are encouraged to consult with student colleagues, practicing professionals, attorneys and/or any written materials in the development of the analysis and recommendation.

1. You should expect to have, at a minimum, two case analysis meetings in order to fully understand the implications of your case.
2. Class Presentation: Each group will make a 15-20 minute class presentation and then facilitate 15 minutes of discussion. The class presentation should be supported by Power Point, Prezi, Google Slides or some other acceptable presentation editor.

3. Written Summary: Prepare a 3 to 4-page written summary; provide copies for all class members at the time of the class presentation. The summary should be divided into the following headings with bullet points of information listed below each heading.
 - a. **Description of Situation:** Brief overview of case and background of treatment
 - b. **Dilemma/Competing Issues:** What is the tension – dilemma – competing issue? The tension (dilemma/competing issues) could be a function of ethics vs. laws, ethics vs. institutional policies, ethics vs. a community norm, or any of those vs. professional behavior. Determine the underlying moral principle (Autonomy, Nonmaleficence, Beneficence, Justice, Fidelity, or Veracity) associated with each dilemma.
 - c. **Ethical Code, Tennessee Statute, and/or Administrative Policy:** Cite specific guidance from the relevant professional ethical code(s) -ACA, AHMCA, ASCA or NBCC- Tennessee Statute, government/federal laws, and/or other administrative regulation or policy (school board policy, agency policy etc.)
 - d. **Personal Values / Morals:** Identify any personal values and/or moral conflicts that were influencing (pushing away from or pulling toward any action) members of the group.
 - e. **Desired Outcome:** What would constitute successful resolution of the dilemma? List and describe.
 - f. **Possible Course(s) of Action:** Identify and list the possible courses of action. Describe the limitations and potential consequences associated with each course of action.
 - g. **Recommended Course of Action:** State the Recommended Course of Action. Define how your recommendation(s) is (are) in the best interest of the client and satisfies the legal/ethical/professional behavior dilemma. Include the possible ethical or licensing consequences of the inappropriate handling of the dynamics of the case. If appropriate, describe a necessary fallback recommendation in the event your first recommendation is not possible.

Missed/Late Assignment:

- If you miss class, please consult with one of your fellow students for the notes and/or homework. You should contact the Instructor after you have tried contacting multiple classmates, multiple times.
- If you miss a class the day an assignment is due, you must turn in the assignment **before** class. Late assignments will not be accepted without significant reason for the delay, determined by the Instructor.
- *If* work is accepted late, 5 points will be deducted for each day it is late. There are some exceptions for excused absences.

Grading Standards:

Grades will be assigned on a standard 90 = A, 80 = B, etc. An Incomplete in class will be granted only in rare situations. Should you feel that you will need an Incomplete, it is your responsibility to communicate with the instructor in a timely manner (before the last regular day of class) to seek approval. It is then your responsibility to initiate the paperwork to request

the Incomplete, and to generate a timeline for completing any remaining material. Failure to do so will result in your receiving a grade for the course based on the points you earned according to the due dates listed in the syllabus.

Grading:

Assignment	Value
Attendance & Participation	15
Professional Disclosure Statement	30
Discussion Board	10
Exam	20
Case Analysis Presentation	<u>25</u>
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TOTAL	100

Tentative Course Schedule

Note: Instructor reserves the right to make changes to the course schedule as necessary

Week	Date	Topic	Readings/Assignments Due
10	10/26	<p>Introductions & Course Overview Presentation Assignments Introduction to Professional Ethics (CACREP 2.F.1.a; CACREP 2.F.1.f; CACREP 2.F.1.h)</p>	<p>R&H, Ch. 1 CCC, Ch. 1 2014 ACA Code of Ethics 2010 ASCA Code of Ethics Evans, Levitt & Henning, 2012</p>
11	11/2	<p>Professional Identity of Counselors (CACREP 2.F.1.b; CACREP 2.F.1.c; CACREP 2.F.1.f; CACREP 2.F.1.g; CMHC C.1.a.; CMHC C.2.a, CMHC C.2.k; SC G.1.a)</p> <p>Values and the Helping Relationship (CACREP 2.F.1.c; CACREP 2.F.1.e)</p>	<p>R&H, Ch. 2 CCC, Ch. 2 & 3 Mellin, Hunt & Nichols (2011) Richards, Campenni & Muse-Burke (2010)</p>
12	11/9	<p>OUT OF CLASS Subpoenas, Records, Malpractice and Resolving Legal and Ethical Challenges</p> <p>Counseling Children and Vulnerable Adults Obligations to the Court Child Abuse</p> <p>(CACREP 2.F.1.e; CACREP 2.F.1.g; CACREP 2.F.1.i; CMHC C.2.i; CMHC C.2.l; CMHC C.3.c)</p> <p>Counseling Families and Groups</p> <p>(CACREP 2.F.1.i; CACREP 2.F.6.e.; SC.G.2.b)</p>	<p>R&H, Ch. 6, 8, 11, & 12</p> <p>Stone, Ch. 6 Stone, Ch. 7</p>
13	11/16	<p>Multicultural Perspectives and Diversity Issues LGBTQ Students Crisis Counseling and Diverse Populations (CACREP 2.F.1.e; CACREP 2.F.7.d.; CACREP 2.F.7.m.; CMHC C.2.f; SC G.2.f)</p>	<p>R&H, Ch. 3 CCC, Ch. 4</p> <p>Stone, Ch. 10</p>

Week	Date	Topic	Readings/Assignments Due
14	11/23	<p>Client Rights and Counselor Responsibilities (CMHC C.1.a; SC G.2.a; SC G.2.e)</p> <p>Confidentiality: Ethical and Legal Issues (CACREP 2.F.1.i; CACREP 2.F.5.e.; SC G.2.n)</p>	R&H Ch. 4, 5
15	11/30	<p>Managing Boundaries and Multiple Relationships Professionalism</p> <p>(CACREP 2.F.1.i; CACREP 2.F.1.l)</p> <p>Supervision and Consultation (CACREP 2.F.1.c; CACREP 2.F.1.g; CACREP 2.F.1.k; CACREP 2.F.1.l; CACREP 2.F.1.m; CACREP 2.F.5.c; CMHC C.3.d.; SC G.2.l)</p>	<p>*Group Presentations *DUE: Professional Disclosure Statement</p> <p>R&H, Ch. 9, 15 CCC, Ch. 7 Stone, Ch. 2</p>
16	12/7	<p>LAST DAY OF CLASS Professional Relationships, Private Practice, and Health Care Plans</p> <p>Community and Social Justice Perspectives The Ethics of Advocacy</p> <p>(CACREP 2.F.1.b; CACREP 2.F.1.d; CACREP 2.F.1.e; CACREP 2.F.1.j; CMHC C.2.c.; CMHC C.3.e.; SC G.2.k; SC G.2.m)</p>	<p>*Group Presentations *DUE: Final Exam</p> <p>R&H, Ch. 13 CCC, Ch. 13 Stone, Ch. 14</p>