# Austin Peay State University Department of Psychological Science & Counseling COUN 6010: Ethical, Legal and Professional Issues in Counseling

Term: Fall 2023 Meeting Time: Mon. 4:30-7:30 Room #: CL 306

Credit Hours: 3 Instructor: Dr. Mariama Sandifer she/her/hers E-mail address: sandiferm1@apsu.edu

Telephone: Student Hours: Office: CL 307A

(931) 221-7416 Mon: 1-3; Tues-Wed: 2:00-4:00 **Schedule an appointment:** 

https://calendly.com/sandiferm/30min

#### **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

#### **Required Text for School Counseling Students:**

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

American Counseling Association (2014). *ACA Code of Ethics*. Author. May be retrieved at: https://www.counseling.org/resources/aca-code-of-ethics.pdf

American School Counselor Association (2016). Ethical standards for school counselors. Author. May be retrieved at: https://www.schoolcounselor.org/asca/media/asca/Ethics/EthicalStandards2016.pdf

Other readings may be assigned throughout the course.

#### Additional Websites for Counseling and Ethical & Legal Guidelines:

American Counseling Association: www.counseling.org

American School Counseling Association: <a href="https://www.schoolcounselors.org">www.schoolcounselors.org</a> American Mental Health Counselors Association: <a href="https://www.amhca.org">http://www.amhca.org</a>

Association for Deaf Education and Counseling: www.adec.org

#### **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 embraces 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.

#### **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 their academic performance is encouraged to make an appointment with me to discuss this matter, or you may contact the Office of Student Disability Resource Center (MUC 114, phone #: 221-6230; email: <a href="mailto:sdrc@apsu.edu">sdrc@apsu.edu</a>)

#### **Campus Resources:**

Resource	Website	
Adult, Nontraditional & Transfer Student Center	https://www.apsu.edu/student-life/ants/antsresources.php	
S.O.S. Food Pantry	https://www.apsu.edu/volunteer/sos-food-pantry/index.php	
Heath & Counseling Services	https://www.apsu.edu/health-and-counseling/	

#### **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, Academic Honesty, and Plagiarism

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, contact the Writing Center in Woodward Library for in person or virtual appointments (phone #: 221-6559; email <a href="writinglab@apsu.edu">writinglab@apsu.edu</a>; schedule an appointment at <a href="majorage">apsu.mywconline.com</a>)

You are expected to adhere to the academic honesty policy as described in the APSU Code of Student Conduct. 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 and includes, but is not limited to, the following activities:

- 1. 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. (See the APA 7<sup>th</sup> edition formatting guide for more specific guidance).
- 2. Having another individual write your assignment and presenting as your own.
- 3. 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.
- 4. 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.
- 5. Use of AI resources such as ChatGPT to complete assignments. Choose to use as a supplement rather than replacement for your work.
- 6. Use of AI tools to modify content or evade plagiarism detection.
- 7. Failure to acknowledge use of AI in submitted work.

If you are in doubt regarding any aspect of this policy, please ask for further clarification. Students found in violation of academic honesty may be subject to further disciplinary action in accordance with university policy.

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 classrooms. 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 and then 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.

#### **Changes to Course Syllabus**

The instructor reserves the right to make modifications to this syllabus. Any modifications to the syllabus will be clearly communicated to students.

#### **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 <u>APSU Health and Counseling Center</u> 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 <a href="mailto:GOVSTECH Website">GOVSTECH Website</a>. Contact GOVSTECH at <a href="mailto:govstech@apsu.edu">govstech@apsu.edu</a> with questions.

You can find more information about technology for digital learning through the <u>Office of Distance Education</u>. You can find more information about technology resources available for students through the <u>Office of Informational Technology</u>.

#### **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, crisis 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.3.e. SC G.2.b.	Lecture, readings, exam, Case Analysis Presentation

	SC G.2.e.	
	SC G.2.f.	
Examining the processes needed to address institutional and	F.1.e.	Lecture, reading, Case
social barriers that impede access, equity, and success; addressing	F.7.m.	Analysis, Exam
ethical and culturally relevant strategies for selecting,	SC G.2.a.	
administering, and interpreting assessment and test results	SC G.2.k.	
Understanding the ethical and legal policies that govern the	F.1.h.	Lecture, readings, exams, Case
counseling professions; recognizing technology's impact on the	F.1.i.	Analysis Presentation,
counseling profession; addressing current labor market	F.1.j.	Professional Disclosure
information within the realm of practice	F.5.c.	Statement
	F.5.e.	
	CMHC C.2.i.	
	CMHC C.2.I.	
	CMHC C.3.c.	
	SC G.2.m.	
	SC G.2.n.	
Recognizing professional counseling organizations, and having	F.1.f.	Lecture, readings, exams,
knowledge of the accreditation practices and standards of the	F.1.g.	Professional Development
counseling profession; credentialing, identify role of counseling	F.1.k.	Activity
supervision in the profession as well as strategies for professional	F.1.l.	
self-evaluation; developing strategies of self-care	F.1.m.	
	F.5.c.	
	СМНС	
	C.2.k.	
	CMHC C.3.d.	
	SC G.2.I.	

#### **Methods of Instruction:**

The instructional methods are used to advance course objectives. Documentaries and/or videos are shown. The format includes but is not limited to formal lectures, 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)

#### Class Participation and Professionalism (15 points)

Attendance and active participation in class discussions and experiential activities are necessary. Each unexcused absence will result in a 5-point deduction from your attendance and participation grade. More than three unexcused absences will result in a failing grade in the course. Absences will be excused at the discretion of the instructor. However, please think in terms of life/death emergencies.

Becoming a professional counselor means assuming responsibility for not only your clients' well-being, but for the well-being of the school or agency where you work, as well as the reputation of the profession itself. As such, you are required to conduct yourself with the same level of professionalism that will be expected of you in a work setting. This includes things like confidentiality and respect in your presentations and management of clinical material; respect for peers, faculty and others in your conversation and behavior; timeliness, attentiveness, and participation in all class meetings, assignments, and activities; timely and respectful communication with faculty and peers; willingness to deepen your self-awareness and growth; responsibility for your own personal wellness; and so forth.

Evaluation Criteria for this assignment include following the above items in a consistent manner. If there were a problem, I would discuss with you the problem and include your advisor and Department Head as helpful.

#### Discussion Posts (10 points each)

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 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 way 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.

#### \*Tevera Key Assessment - Case Analysis Presentation (30 points)

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. <u>Case Analysis Meetings:</u> You should expect to have, at a minimum, two case analysis meetings to fully understand the implications of your case.
- 2. <u>Class Presentation:</u> Each group will make a 20-minute class presentation and then facilitate 15 minutes of discussion. The class presentation should be supported by PowerPoint, Prezi, Google Slides, Canva or some other acceptable presentation editor.
- 3. <u>Written Summary:</u> Prepare a 3 to 4-page written summary; provide copies (digital and/or hard copy) 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.

### Upload Case Presentation to Tevera on the day of your presentation Upload any supplemental presentation materials to D2L

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

#### Final Exam (20 points)

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/false, and/or short answer questions.

#### Professional Disclosure Statement and Informed Consent (25 points) – due November 20th

Develop a Professional Disclosure & Informed Consent form you would provide to a client/parent(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, American School Counseling Association (if applicable), 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 if applicable),
- (6) list contact information,
- (7) explain complaint procedures,
- (8) request consent/signatures for services (or treatment)

#### 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 (for example) 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.

Once you have created your document, you should provide a 10-15-minute recorded facilitation of the form using Zoom with a class peer. You and a peer are responsible for coordinating the time to record your explanation of the informed consent document and disclosure statement. The purpose of recording this form is to provide you with experience delivering this information in a clear and concise manner. Please be sure to upload your video link and paper, in the "Assignments" tab designated for the Informed Consent.

#### **Grading Standards:**

Grades will be assigned on a standard 90% = A, 80% = B, etc. An incomplete 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 you 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	25	
Discussion Board	10	
Exam	20	
Case Analysis Presentation	30	
TOTAL	100	

#### **Assignment Related Policies**

#### Relax, Relate, & Release Policy

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.

#### **Tentative Course Schedule**

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

Week	Date	Topic	Readings/Assignments Due
2	10/30	Introductions & Course Overview Presentation Assignments Introduction to Professional Ethics (CACREP 2.F.1.a; CACREP 2.F.1.f; CACREP 2.F.1.h)	<ul> <li>R&amp;H, Ch. 1</li> <li>2014 ACA Code of Ethics</li> <li>2010 ASCA Code of Ethics</li> <li>Evans, Levitt &amp; Henning,</li> <li>2012</li> </ul>
3	11/6	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)  Values and the Helping Relationship (CACREP 2.F.1.c; CACREP 2.F.1.e)	<ul> <li>□ R&amp;H, Ch. 2</li> <li>□ Mellin, Hunt &amp; Nichols (2011)</li> <li>□ Richards, Campenni &amp; Muse-Burke (2010)</li> </ul>
4	11/13	Subpoenas, Records, Malpractice and Resolving Legal and Ethical Challenges  Counseling Children and Vulnerable Adults Obligations to the Court Child Abuse  (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)  Counseling Families and Groups  (CACREP 2.F.1.i; CACREP 2.F.6.e.; SC.G.2.b)	□ R&H, Ch. 6, 8, 11, & 12  Stone, Ch. 6, 7
5	11/20	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)	<ul> <li>DUE:Professional Disclosure Statement</li> <li>R&amp;H, Ch. 3</li> <li>Stone, Ch. 10</li> </ul>
6	11/27	Client Rights and Counselor Responsibilities (CMHC C.1.a; SC G.2.a; SC G.2.e)  Confidentiality: Ethical and Legal Issues (CACREP 2.F.1.i; CACREP 2.F.5.e.; SC G.2.n)	● Group Presentations  □ R&H Ch. 4, 5

Week	Date	Topic	Readings/Assignments Due
7	12/4	Managing Boundaries and Multiple Relationships Professionalism  (CACREP 2.F.1.i; CACREP 2.F.1.l) 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)	• Group Presentations R&H, Ch. 9, 15 Stone, Ch. 2
8	12/11	LAST DAY OF CLASS Professional Relationships, Private Practice, and Health Care Plans  Community and Social Justice Perspectives The Ethics of Advocacy  (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)	<ul> <li>DUE: Final Exam (due 12/7)</li> <li>R&amp;H, Ch. 13</li> <li>Stone, Ch. 14</li> </ul>