COURSE SYLLABUS OUTLINE

Revised Summer 2013

Department: ELC **Course Number: CNS 625** **Credit Hours: 3 hours**

I. TITLE: Legal and Ethical Issues in Counseling

II. CATALOG DESCRIPTION:

This course will present the legal and ethical ramifications that being a counselor in today's complex society demands. An in-depth examination of current contemporary issues will highlight the course.

Prerequisite(s): None

III. COURSE OBJECTIVES:

Knowledge

A. To know what it means to be an ethical professional counselor (Section II G.1.b, G 1.c).
B. To be aware and understand the implications of many of the ethical, legal, and professional issues currently involved in the counseling profession (Section III CHMC: C9).
C. To be familiar with the American Counseling Associations (ACA) Code of Ethics (Section II: G1.j).
D. To be familiar with ethical issues related to counseling certification and licensure requirements (Section II: G.1.g).
E. To be aware of ethical practices for working in a multicultural society (Section II G.2.a; Section III CHMC: D5; Section III School: E1)
F. To be aware of counselor biases, personal culture, beliefs and fears as they relate to ethics in professional counseling (Section II: G.2.a; Section III CMHC: D9; Section III School: E1).
G. To become aware of significant legal issues/cases relevant to counseling (Section III CMHC: C9)
H. To be aware of ethical issues specific to mental health agencies and school settings (Section II: G.1.j.; Section III CMHC: A2; Section III School: A2).
I. To be aware of the ethical issues related to counselor self-care and impairment (Section II G.1.d; Section III CHMC: D9).
J. To know and understand relevant ethical decision making models (Section III CHMC: B2; Section III School: B1).

Skill

K. To demonstrate the ability to understand and use the ACA Code of ethics to make an ethical decision (Section III CMHC: B1; Section III School: B1).
L. To Demonstrate the ability to use a specific ethical decision making model (Section III CMHC: B2).
M. To use research effectively to inform evidence-based practice (Section II: G.8.e.)

The MSU counseling faculty recognize diversity and embrace a cross-cultural approach in support of the worth, dignity, potential, and uniqueness of people within their social and cultural contexts (ACA 2005 Code of Ethics Preamble).

IV. CONTENT OUTLINE:

A. Ethical Decision Making
B. Ethical Standards, Ethics & the Law
C. Informed Consent,
D. Cultural Values
E. Confidentiality/ Privileged Communication
F. Issues in Consultation
G. Dual Relationships
H. Duty to Warn
I. Group Work
J. Relevant Legal Cases/Issues
K. Misconduct/Malpractice
L. Marital & Family
M. Issues specific to schools
N. Issues related to minors

V. INSTRUCTIONAL ACTIVITIES:

A. Lecture/Tegrity Videos
B. Class participation/discussion board
C. Readings
D. Case Studies
E. Research & Reflection Papers

VI. FIELD, CLINICAL, AND/OR LABORATORY EXPERIENCES:

None

VII. RESOURCES:

A. Ethical Codes of Conduct for Counselors

1. American Counseling Association (ACA) Code of Ethics
   www.counseling.org/Resources/aca-code-of-ethics.pdf

2. National Board for Certified Counselors (NBCC) Code of Ethics
   http://www.nbcc.org/assets/ethics/nbcc-codeofethics.pdf

3. American Mental Health Counselors Association (AMHCA) Code of Ethics http://www.amhca.org

4. Association for Group Work Specialists (ASGW) Best Practices
   http://www.asgw.org/pdf/Best_Practices.pdf

5. American School Counselor Association (ASCA) Code of Ethics
   www.schoolcounselor.org/files/EthicalStandards2010.pdf

B. Texts:

Remley, T. P. & Herlihy, B. (2010). *Ethical, Legal, and Professional Issues in Counseling* (3rd ed.). Upper Saddle River, NJ: Merrill.

Stone, C. (Ed.). (2009). *School Counseling Principles: Ethics and Law*. Alexandria, VA: American School Counselor Association.

ACA. (2005). ACA Code of Ethics. Alexandria, VA: American Counseling Association.

C. References:

Cottone, R. R., & Tarvydas, V. M. (2007). *Counseling Ethics and Decision Making*. (3rd ed.). Upper Saddle River, NJ: Pearson.

Forester-Miller, H., & David, T. (1996). A Practitioner's Guide to Ethical Decision Making. Retrieved May 31, 2006, from http://www.counseling.org/Resources/CodeOfEthics/TP/Home/CT2.aspx

Herlighy, B., Remley, T. P. Jr., Garry, S. E., & Garry, J. M. (2004). *Scenarios in Counseling: Guided Interactive Practice in Understanding Ethical and Legal Issues.* Upper Saddle River, NJ: Pearson.

Herlihy, B., & Corey, G. (2006). *ACA Ethical Standards Casebooks* (6th ed.). Alexandria, VA: American Counseling Association.

Wilcoxon, S. A., Remley, T. P. Jr., Gladding, S. T., & Huber, C. H. (2007) *Ethical, Legal, and Professional Issues in the Practice of Marriage and Family Therapy* (4th ed.). Upper Saddle River, NJ: Pearson.

VIII. GRADING PROCEDURES:

Evaluation and grade will be determined by tests and assignments based on texts, supplementary readings in professional journals, lectures, group activities, and class discussion.

Grades: Total of 200 points possible

A = 90-100 90%
B = 81-100 80%
C = 71-100 70%

A. Discussion 1	25 points
B. Group Case Study 1	75 points
C. Test 1	50 points
D. Discussion 2	25 points
E. Test 2	50 points

F.	Paper 2 - Greatest Fear Paper	75 points
G.	Discussion 3	50 points
H.	Group Case Study 2	75 points
I.	Test 3	75 points
J.	Discussion 4	25 points
K.	Test 4	100 points
L.	Paper 4	100 points
	Total	700 points

A. **Discussion 1** (25 points) what does it mean to be an ethical Counselor? Answer questions in Canvas Discussion section. You may submit a written or video response to the question (Section II G.1.b, G.1.j).

B. **First Group Case Study** (75 points) Working online with your assigned group, read the provided case study and answer the following questions (Section III CMHC: B1; School: B1)
   - **Identify and discuss the groups first emotional reaction to this case.**
   - **What are the ethical implications for this case?**
   - **What are some of the multicultural issues related in this case?**
   - **How would a decision making model help you address this case?**

C. **Test 1** (50 points). Will be taken via canvas and will cover material covered in Remily & Herhily (R & H) chapters 1, 2, 3 and Stone chapters 1 & 11.

D. **Discussion 2** (25 points) Based on your readings, answer the following questions (Section II G.1.j; Section III CMHC: B1, B2; School: B1)
   - **What are your thoughts about relationship and boundary issues covered in the text book?**
   - **How does the code of ethics address these issues?**
   - **Choose one decision making model to address these issues.**

E. **Test 2** (50 points). Will be taken via Canvas and will cover material covered in R & H chapters 4, 5 & 8 and Stone chapters 2 & 3

F. **Paper 2 - Greatest Fear Paper** (75 points). Write a 3-4 page paper identifying an ethical dilemma you fear the most. Divide your paper into 2 parts, First, introduce and discuss in detail why this issue in particular is more challenging and frightening for you to have to deal with than all the others. Second, use research and proper citations of current research that address this issue in the literature to show that this is a legitimate ethical issue counselors face today (minimum of 3 sources) (Section II G.1.j, G.8.e; Section III CMHC: A2; Section III School: A2).

G. **Discussion 3** (50 points) Answer posted question in Canvas. Leave written or video response (Section II G.1.j; Section III CMHC: A2; Section III School: A2).

H. **Second Group Case Study** (75 points) (Section II

I. **Test 3** (50 points). Will be taken via Canvas and will cover material covered in R & H chapters 6, 7, 11 & 12 and Stone chapters 4, 5 & 6

J. **Discussion 4** (50 point) Answer posted question in Canvas. Leave written or video response (Section II G.1.j; Section III CMHC: A2; Section III School: A2)

K. **Test 4** (50 points). Will be taken via Canvas and will cover material covered in R & H chapters 9, 10, 13, 14, 15, 16 and Stone chapters 7, 8, 9, 10 & 11.

L. **Paper 4 - What I have learned** (75 points). Write a 4-5 page paper that accomplishes the following (Section II G.1.j, G.8.e; Section III CMHC: A2; Section III School: A2):

1) Outline a plan of action that describes how you plan to address the situation you described as your "greatest fear." Use a specific decision making model.
2) If applicable to your situation, Identify steps you can take to avoid this situation happening to you.
3) Conclude by Summarizing what you have learned about yourself, your values and your fears by confronting this issue.

IX. ATTENDANCE POLICY:

Due to the condensed nature of this course over 5 weeks, attendance is vital to the learning environment of each student. Students will be allowed 1 excused absence. Unexcused absences will result in a 5 point deduction.

X. ACADEMIC HONESTY POLICY:

Cheating, plagiarism (submitting another person's material as one's own), or doing work for another person which will receive academic credit are all impermissible. This includes the use of unauthorized books, notebooks, or other sources in order to secure or give help during an examination, the unauthorized copying of examinations, assignments, reports, or term papers, or the presentation of unacknowledged material as if it were the student's own work. Disciplinary action may be taken beyond the academic discipline administered by the faculty member who teaches the course in which the cheating took place.

Note: Faculty reserve the right to invalidate any examination or other evaluative measures if substantial evidence exists that the integrity of the examination has been compromised

XI. NONDISCRIMINATION POLICY STATEEMENT:

Murray State University endorses the intent of all federal and state laws created to prohibit discrimination. Murray State University does not discriminate on the basis of race, color, national origin, gender, sexual orientation, religion, age, veteran status, or disability in employment, admissions, or the provision or services and provides, up[on request, reasonable accommodation including auxiliary aids and services necessary to afford individuals with disabilities equal access to participate in all programs and activities. For more information, contact, Director of Equal Opportunity, Murray State University, 103 Wells Hall, Murray, KY 42071-3318. Telephone: 270-809-3155 (voice), 270-809-3361 (TDD).

CACREP Counseling Program Specifics for CNS 625

Clinical Mental Health Counseling Objectives		**Assessment**
Foundations A2	Understands ethical and legal considerations specifically related to the practice of clinical mental health counseling.	Discussions, papers, case studies and exams
Foundations B1	Demonstrates the ability to apply and adhere to ethical and legal standards in clinical mental health counseling.	Discussions, papers, case studies and exams
Foundations B2	Demonstrates the ability to apply and adhere to ethical policy, financing, and regulatory processes to improve service delivery opportunities in clinical mental health.	Discussions, papers, case studies and exams
Prevention C9	Understands professional issues relevant to the practice of clinical mental health counseling	Discussions, papers, case studies and exams
Prevention D5	Demonstrates appropriate use of culturally responsive individual, couple, family, group, and systems modalities for initiating, maintaining, and terminating counseling.	Discussions, papers, case studies and exams
Prevention D9	Demonstrates the ability to recognize his or her own limitations as a clinical mental health counselor and to seek supervision or refer clients when appropriate.	Discussions, papers, case studies and exams
School Counseling Objectives		**Assessment**
Foundations A2	Understands ethical and legal considerations specifically related to the practice of school counseling..	Discussions, papers, case studies and exams
Foundations B1	Demonstrates the ability to apply and adhere to ethical and legal standards in school counseling.	Discussions, papers, case studies and exams
Diversity E1	Understands the cultural, ethical, economic, legal, and political issues surrounding diversity, equity, and excellence in terms of student learning.	Discussions, papers, case studies and exams

Course Schedule and Assignments

Date	Topics to Read & Discuss	Readings/Assignments	CACREP Standards
Module 1 **4/28 - 6/2**	Introduction to Ethics Ethical Decision Making Professional Counseling Multicultural Competencies	R & H 1, 2 & 3 Stone 11 (also in unit 4) ACA Code of Ethics Posted Blackboard articles & PowerPoint notes **Discussion 1** **Group Case Study 1** **Test 1**	Section II G.1.b, G.1.j, G.2.a; G.8.e; Section III CMHC: B1, D5; Section III School: B1, E1
Module 2 **6/3 – 6/ 9**	Client Rights & Counselor Responsibilities Confidentiality & Privileged Communication FERPA Boundaries	R & H 4, 5 & 8 Stone 2 & 3 Posted Blackboard articles & PowerPoint notes **Discussion 2** **Greatest Fear Paper** **Test 2**	Section II G.1.b, G.1.j, G.2.a; G.8.e; Section III CMHC: B1, D5; Section III School: B1, E1
Module 3 **6/10 – 6/ 16**	Self-Care &Competence Negligence & Malpractice Records, Subpoenas & technology Evaluation Professional Relationships Child Abuse	R & H 6, 7, 11 & 12 Stone 4, 5, 6 & 7 Posted Blackboard articles & PowerPoint notes **Discussion 3** **Group Case Study 2** **Test 3**	Section II G.1.b, G.1.c, G.1.d, G.1.j, G.2.a; G.8.e; Section III CMHC: B1, D5; Section III School: B1, E1
Module 4 **6/17-6/23**	Counseling Children, families & groups Sexual Issues	R & H 9, 10, 13, 14, & 15 Stone 8, 9 & 10 **Discussion 4** **What I have learned paper** **Test 4 (due 6/28)**	Section II G.1.b, G.1.j, G.2.a; G.8.e; Section III CMHC: B1, D5; Section III School: B1, E1

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Rubric : Online Discussion Participation

CATEGORY	5 Meets Standards	3-4 Developing Standards	1-2 Below Standards	Score
Original Response to Discussion Posting	The student makes a clear response of 200 words or more to each original posting.	The student makes a response of around 150-200 words to the original posting or addresses only part of the postings	The student makes a response of 100 words or less to the original posting.	/5
Evidence of reading	The student provides clear evidence of having read the background material by quotation or reference to at least one resource in addition to the textbook	The student provides some evidence of having read the background material	The student provides little or no evidence of having read the background	/5
Responses to Colleagues	The student makes several responses to other students' postings of 100-150 words.	The student makes at least one response to other students' postings of about 50-100 words.	The student makes at least one response to another student's posting of about 50 words or less.	/5
Response content	The responses show clear evidence of reflection about and understanding of the original poster's point of view.	The response(s) show(s) some evidence of reflection about and understanding of the original poster's point of view.	The response(s) show(s) little or no evidence of reflection about and understanding of the original poster's point of view.	/5
Writing Style	Well written with no grammar or spelling mistakes. Professional writing style and tone.	Occasional grammar or spelling errors. Mostly professional tone	Poor grammar, many spelling errors and/or non-professional tone	/5

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Rubric : Greatest Fear Paper

CATEGORY	2.5 Above Standards	1.5 Meets Standards	.5 Below Standards	Score
Description and explanation of ethical dilemma	Thoroughly explains and introduces the ethical dilemma	Partially explains and introduces the ethical dilemma	Fails to describe or introduce the ethical dilemma	**2.5**
Justification/Citations	Thoroughly justifies paper's topic by effectively using 3 appropriate citations to demonstrate the significance of the writer's fear to the field of counseling	Justifies paper's topic by using 3 or less citations to partially demonstrate the significance of the writer's fear to the field of counseling	Fails to justify paper's topic by using 3 or less citations to demonstrate the significance of the writer's fear to the field of counseling	**2.5**
Explanation and justification why issue is writer's greatest fear	Thoroughly explains the personal connection of the writer to their topic and why it is their "greatest fear"	Partially explains the personal connection of the writer to their topic and why it is their "greatest fear"	Fails to explain the personal connection of the writer to their topic and why it is their "greatest fear"	**2.5**
Writing Style	Uses appropriate APA Format without any grammar or spelling errors.	Partial APA format and/or some typos and grammar errors.	Does not use APA format and/or several grammar and spelling errors.	**2.5**
Total				**10 Points**

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Rubric: What I have learned Paper

CATEGORY	25 Exceeds Standards	24-20 Meets Standards	19- 16 Below Standards	<15 Does Not Meet Standards	Score
Greatest Fear Summary		Original and well developed brief summary reminding reader of writer's "Greatest Fear"	Summary not original. Appears to be cut and pasted from "Greatest Fear paper" or too lengthy and repetitious of first paper	Summary of "Greatest Fear" absent	25
Plan of Action		Outlines a well thought out and thorough and literature supported plan of action.	Plan of action is only partially developed, lacks supporting literature	Plan of action is not supported by literature or is contrary to ethical guidelines.	25
CATEGORY	**1 Exceeds Standards**	**3.5 Meets Standards**	**2.5 Below Standards**	**1 Does Not Meet Standards**	**Score**
Summary of Personal Learning		Thorough description of what this class and this process of addressing your greatest fear has helped learn about yourself as a person and as a counselor.	Partial or weak description of what this class and this process of addressing your greatest fear has helped learn about yourself as a person and as a counselor.	Fails to describe any personal insight or self learning.	25
Writing Style		Uses appropriate APA Format without any grammar or spelling errors.	Partial APA format and/or some typos and grammar errors.	Does not use APA format and/or several grammar and spelling errors.	25
	Total				**100 Points**