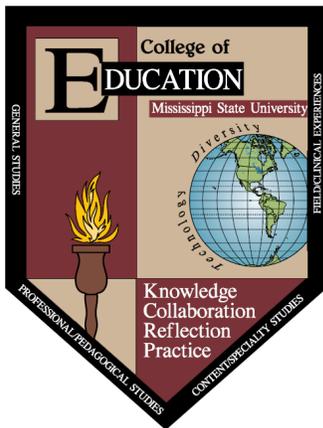


**MISSISSIPPI STATE UNIVERSITY
COLLEGE OF EDUCATION**

**DEPARTMENT of COUNSELING and EDUCATIONAL PSYCHOLOGY
COURSE SYLLABUS**

Course Prefix & Number:	COE 8623
Course Title:	Advanced Legal and Ethical Issues in Counseling
Credit Hours:	3 hours
Type of Course:	Lecture
Catalog Description:	Three hours lecture. Advanced study of professional, legal, and ethical issues in counseling.

College of Education Conceptual Framework:



The faculty in the College of Education at Mississippi State University are committed to assuring the success of students and graduates by providing superior learning opportunities that are continually improved as society, schools, and technology change. The organizing theme for the conceptual framework for the College of Education at Mississippi State University is educational professionals - dedicated to continual improvement of all students' educational experiences. The beliefs that guide program development are as follows:

1. **KNOWLEDGE** - Educational professionals must have a deep understanding of the organizing concepts, processes, and attitudes that comprise their chosen disciplinary knowledge base, the pedagogical knowledge base, and the pedagogical content knowledge base. They must also know how to complement these knowledge bases with the appropriate use of technology.
2. **COLLABORATION** - Educational professionals must continually seek opportunities to work together, learn from one another, forge partnerships, and assume positions of responsibility.
3. **REFLECTION** - Educational professionals must be willing to assess their own strengths and weaknesses through reflection. They must also possess the skills, behaviors, and attitudes necessary to learn, change, and grow as life-long learners.
4. **PRACTICE** - Educational professionals must have a rich repertoire of research-based strategies for instruction, assessment, and the use of technologies. They must be able to focus that array of skills on promoting authentic learning by all students or clients, while exhibiting an appreciation and commitment to the value and role of diversity.

This course is designed to meet the “professional orientation” content area requirement for Licensed Professional Counselors and National Board Certified Counselors.

Course Objectives:

At the completion of this course, students should be able to:

- Demonstrate knowledge of ethical codes, legal standards, and professional issues in counseling. ***CFPO 1, 3, 4, 5, 6, 8, 9, 10, 13,14.**
- Implement sound decision-making skills when confronted with professional, ethical, and legal dilemmas. **CFPO 1, 2, 3, 4, 5, 6, 8, 9, 10, 13, 14.**
- Demonstrate knowledge of professional organizations, professional credentialing processes, and continuing education requirements. **CFPO 1, 3, 9, 10, 13, 14.**
- Develop ethically sensitive practices for counseling clients from diverse backgrounds and develop advocacy processes to address institutional and social barriers that impede access, equity, and successful therapeutic interventions for clients. **CFPO 1, 2, 3, 5, 6, 8, 9, 10, 13, 14.**
- Demonstrate knowledge of the history and philosophy of the counseling profession. **CFPO 1, 3, 5, 6, 8, 11, 12, 14.**
- Understand counselors’ professional roles, including relationships with other human service professionals. **CFPO 1, 2, 3, 5, 6, 8, 9, 14.**
- Demonstrate knowledge of technology and computer literacy as they relate to counseling, including the legal and ethical issues involved in web counseling. **CFPO 1, 3, 5, 7, 9, 10, 14.**
- Understand public and private policy issues related to counseling, including the role of the professional counselor in advocating on behalf of the counseling profession. **CFPO 1, 2, 3, 5, 6, 8, 9, 14.**
- Locate and critically analyze counseling literature related to professional, legal, and ethical issues in counseling. **CFPO 1, 3, 4, 5, 8, 9, 11, 13, 14.**

*** Reference to CFPO (Conceptual Framework Program Outcomes) numbers are based on the Mississippi State University College of Education General Advanced Program Conceptual Framework.**

Topics to Be Covered:

- Overview of Ethics and Law (1.5 hrs)
- ACA Code of Ethics (1.5 hrs)
- Ethical and Professional Practice (1.5 hrs)
- Personal Ethics and Development (1.5 hrs)
- Multicultural and Spiritual Issues and Ethics (1.5 hrs)
- Organizational Ethics and Community Values (1.5 hrs)
- Professional /Ethical Decision Making (1.5 hrs)
- Competence (1.5 hrs)

- Confidentiality (1.5 hrs)
- Informed Consent (1.5 hrs)
- Conflict of Interests, Boundaries, and Power (1.5 hrs)
- Ethics in Mental Health Counseling (1.5 hrs)
- Ethics in Couple and Family Counseling (1.5 hrs)
- Ethics in School Counseling (1.5 hrs)
- Ethics in Career and Rehabilitation Counseling (1.5 hrs)
- Ethics in Supervision (1.5 hrs)
- Ethics in Everyday Counseling Practice (1.5 hrs)

Required Text:

Sperry, L. (2007). *The ethical and professional practice of counseling and psychotherapy*. Boston: Allyn & Bacon.

Methods of Instruction:

Lecture, discussion, guest speakers, and experiential learning activities.

Student Activities:

- **Course Participation:** You are expected attend class to actively participate in in-class discussions. There are also other resources on MyCourses site that may be required reading. Respectful discussions with peers are a major part of graduate and life learning. There may be outside-of-class activities. The website http://wps.ablongman.com/ab_sperry_issues_1/49/12757/3266020.cw/index.html that accompanies the book includes self-study and review exercises which complement other course activities. Included are Multiple Choice Questions for your review and practice, short answer questions, and case vignettes which require familiarity with various professional ethical codes.
- **Reading Reflection and Ethical Log Report:** This should be no longer than a 2 page typed, double spaced paper. It has two parts:
 - (1) Describes your reflection to the assigned readings of the week and
 - (2) Logs the ethical issues you have encountered that week, no matter how small. Relate each to the ethical principles: beneficence & non-maleficence; fidelity & responsibility; integrity; justice; and respect for other’s rights and dignity. The purpose of the ethical log segment of the paper is to increase your ethical sensitivity and awareness. **CFPO 1, 3, 4, 5, 6, 8, 9, 10, 13, 14.**
- **SIGNATURE ASSIGNMENT - Ethical Profile Position:** This is your opportunity to consider your ethical strengths and thinking – your profile as you continue to prepare as a professional in counseling. The paper should be approximately 10–12 pages. (Maximum of 15) in length and follow the APA style guide (6th ed). It will include four sections.

(1) *Ethical Autobiography*. Write about what in your backgrounds helps you think through and identify what is right and wrong, as well as what constitutes ethical professional behavior. Specify your current level of ethical commitment and ethical sensitivity.

(2) *Ethical Decision-Making Style*. Everyone has a unique ethical decision-making style which reflects their early and ongoing experiences with moral values and issues which has been influenced and shaped by parents, relatives, peers and valued adults in their lives, such as teachers and coaches. This section of your paper articulates your implicit style. You might begin by sketching a family genogram chart and describing the various relationships and the ways in which key individuals, particularly your parents, have dealt with moral issues and decisions and how this has influenced your style. {The genogram technique will be discussed}

(3) *Professional/Ethical Hero*. Describe the individual – possibly a mental health or school professional but not necessarily—that has most impressed you and serves as a role model for you because of their professional/ethical presence, i.e., sensitivity, ethical commitment and ethical courage.

(4) *Levels of Professional and Ethical Development*. Identify your current developmental levels in counseling and how it may have changed since you began your coursework and how you possibly anticipate how it has and will likely impact your work as a counselor. Suggest ways in which you can facilitate further development. **CFPO 1, 2, 3, 4, 5, 6, 8, 9, 10, 13, 14.**

- **Journal Articles:** Complete two journal article critiques from peer reviewed journals, published after 2005, on articles dealing with legal, ethical, and/or professional issues in counseling. The critiques should include the article’s citation, a summary of the article, why you chose each article, a critical analysis of the article, and your personal reflections on the content. Be prepared to discuss your article in class. Also post your article on MyCourses at least three days before critique due date. **CFPO 1, 3, 4, 5, 8, 9, 11, 13, 14.**
- **Final** Completion of a final. The final will consist of a formal class discussion. The class will decide three topics derived from the class discussions and subject matter. To know a topic well enough (perhaps with examples, statistics, case law, state statute) to participate in a professional discussion with peers and entertaining questions from other professionals and lay people is a true sense of learning. Discussion will be video recorded. **CFPO 1, 3, 4, 5, 8, 9, 11, 13, 14.**

Academic Integrity/Honor Code Policy:

Mississippi State University has an approved Honor Code that applies to all students. The code is as follows:

“As a Mississippi State University student I will conduct myself with honor and integrity at all times. I will not lie, cheat, or steal, nor will I accept the actions of those who do.”

Upon accepting admission to Mississippi State University, a student immediately assumes a

commitment to uphold the Student Honor Code, to accept responsibility for learning, and to follow the philosophy and rules of the Student Honor Code. Students will be required to state their commitment on examinations, research papers, and other academic work. Ignorance of the rules does not exclude any member of the MSU community from the requirements or the processes of the Student Honor Code. For additional information please visit: <http://www.honorcode.msstate.edu/>

Technology:

Technology is not an integral aspect of this course.

Nondiscrimination Policy:

Mississippi State University does not discriminate on the basis of race, color, religion, national origin, sex, age, disability, or veteran status. Mississippi State University conforms to Title IX of the education amendments of 1972, section 503. The department of counseling and educational psychology encourages the recruitment, acceptance, and enrollment of minority students of the region and beyond. Efforts are made to ensure that programs are diverse in terms of age, gender, ethnicity, race, sexual orientation, religion, socioeconomic status and disability. Members of minority groups are strongly encouraged to seek admission in the department.

Accommodations for Persons with Disabilities:

In accordance with University policy, Students with disabilities requiring accommodations to meet the expectations of this course are encouraged to bring this to the attention of the instructor and should register with the Office of Student Support Services as soon as possible. The Office of Student Support Services and Disability Support Services is located in 01 Montgomery Hall. The phone number is (662-325-3335) and their web address is <http://www.sss.msstate.edu/>

Field Experience;

None

Evaluation of student progress:

Class Participation	8 points
Reading Reflection & Ethical Log Report	10 points
Signature Assignment – Ethical Profile	30 points
Journal Article Critiques	20 (10) points each
<u>Final</u>	<u>30 points each</u>
Subtotal	98
<u>Free Points</u>	<u>2 to add where you want</u>
Grand Total	100

Grading Scale:

- A 90-100
- B 80-89
- C 70-79
- D 60-69
- F below 60

Incomplete Grades

A grade of “I” (Incomplete) may be submitted in lieu of a final grade when the student, because of illness, death in his or her immediate family, or similar circumstances beyond his or her control, is unable to complete the course requirements or to take final examinations). Graduate students who receive a grade of “I” must complete all work no later than the last day of class of the next semester (excluding summer) whether the student is enrolled or not. Failure of graduate students to remove an “I” grade during the specified time will result in an automatic grade of “F”. Once a grade of “I” has been converted to an “F” because of a student’s failure to complete the necessary course work or a lapse of the allowable time, no additional grade change will be allowed except under extreme circumstance(s) as recommended by the relevant deans and approved by the Provost and Executive Vice President.

Cell Phone and Technology Policy:

Cell Phones and Electronic Devices in the Classroom: In order to limit classroom disruptions, as well as to protect against academic misconduct, the use by students of cell phones, messaging devices and other electronic devices is prohibited in the classroom. (*Mississippi State University Academic Operating Procedure 10.08*).

Students who text message, talk on their telephones, answer their cell phones during class, or who appear to be engaged with their cell phones or other devices i.e., iPods in the classroom will be dismissed from class. No exceptions.

Department Retention Policy:

The Department of Counseling and Educational Psychology faculty endorse the American Counseling Association (ACA) and the American Psychological Association (APA) Code of Ethics that state that faculty members have a responsibility to dismiss students who are unable to render competent service due to academic or personal limitations. The faculty also recognizes their obligation: to assist students in obtaining remedial assistance as needed; to consult with colleagues and document their decision to refer students for assistance or to request that students be dismissed from the program; and also to assure that students have adequate recourse to address decisions made. For more information visit:

http://www.cep.msstate.edu/handbooks/pdf/2010_Graduate_Student_Handbook.pdf

Academic Programs Standards Policy:

The Department of Counseling and Educational Psychology defines unsatisfactory performance in graduate level course work as a grade of U, D, or F in any course and/or more than two grades

below a B. Failure of the master's comprehensive examination twice, failure of the written doctoral preliminary/comprehensive examination twice, oral doctoral preliminary/comprehensive examination twice, or failure of the doctoral dissertation defense twice also constitute unsatisfactory performance. Any of these or combination of these will result in termination of the student's graduate program in the department. For more information visit:

http://www.cep.msstate.edu/handbooks/pdf/2010_Graduate_Student_Handbook.pdf

Course Instructor Policies:

Absences

Members of the faculty evaluate student fitness and performance on an ongoing-basis. The faculty makes judgments as to students' fitness and performance based on observations of course performance, evaluations of students' performances in simulated practice situations, supervisors' evaluations of students' performances in clinical situations, and their adherence to their discipline's codes of ethics. A series of formal evaluations are conducted at key stages of the student's education such as at the end of each fall and spring semester and prior to enrollment in practicum and/or internship. In addition to reviewing students' academic performance, students' personal characteristics related to professionalism are evaluated using the Personal Characteristics Review Form (PCRF). Students with multiple absences are also evaluated to determine their continued success in the program.

Missed Exams

There will be no makeup exams without instructor permission.

Missed Assignments

All assignments are due at the beginning of class. Late assignments will not be accepted unless alternate arrangements have been made with the course instructor.

Written Assignment Policy

Students are expected to adhere to the APA style guidelines (6th ed.) for all written assignments submitted. Papers are expected to be of professional quality including clear and concise language, free of any grammar and punctuation errors, and organized to flow. In addition, all work submitted should be the result of the student's own original efforts. All submitted assignments that do not meet these standards will be graded accordingly.

Email Policy

Each student at MSU has access to an individual E-mail account through the university e-mail system. All students are expected to activate this e-mail account and to check messages on a regular basis. Announcements and attachments as supplements to the textbook may be sent periodically to class members through MyCourses. Students will be held responsible for accessing any e-mail or materials posted for this course. The E-mail and MyCourses systems are also very helpful for maintaining communication between the instructor and students.

Selected Bibliography:

- Capuzzi, D. (2002). Legal and ethical challenges in counseling suicidal students. *Professional School Counseling, 6*, 36-45.
- Cottone, R. R. (2001). A social constructivism model of ethical decision making in counseling. *Journal of Counseling and Development, 79*, 39-45.
- Eisel V. Board of Education*, 597 A.2d 447 (Md. 1991).
- Glosoff, H. L., Herlihy, B., & Spence, E. B. (2000). Privileged communication in the counselor-client relationship. *Journal of Counseling & Development, 78*, 454-462.
- Glosoff, H. L., & Pate, R. H., Jr. (2002). Privacy and confidentiality in school counseling. *Professional School Counseling, 6*, 20-27.
- Guillot-Miller, L., & Partin, P. W. (2003). Web-based resources for legal and ethical issues in school counseling. *Professional School Counseling, 7*, 52-57.
- Hermann, M. A. (2002). A study of legal issues encountered by school counselors and their perceptions of their preparedness to respond to legal challenges. *Professional School Counseling, 6*, 12-19.
- Hermann, M. A., & Finn, A. (2002). An ethical and legal perspective on the role of school counselors in preventing violence in schools. *Professional School Counseling, 6*, 46-54.
- Hermann, M. A., & Remley, T. P., Jr. (2000). Guns, violence, and schools: The results of school violence – litigation against educators and students shedding more constitutional rights at the school house gate. *Loyola Law Review, 46*, 389-439.
- Isaacs, M. L. (1997). The duty to warn and protect: *Tarasoff* and the elementary school counselor. *Elementary School Guidance and Counseling, 31*, 326-342.
- Isaacs, M. L., & Stone, C. (1999). School counselors and confidentiality: Factors affecting professional choices. *Professional School Counseling, 2*, 258-266.
- Jaffee v. Redmond*, 516 U. S. 1091 (1996).
- Lawrence, G., & Kurpius, S. E. (2000). Legal and ethical issues involved when counseling minors in nonschool settings. *Journal of Counseling and Development, 78*, 130-136.
- McFarland, W. P., & Dupuis, M. (2001). The legal duty to protect gay and lesbian students from violence in school. *Professional School Counseling, 4*, 171-179.

- Milsom, A. S. (2002). Students with disabilities: School counselor involvement and preparation. *Professional School Counseling, 5*, 331-338.
- Remley, T. P., Jr., & Herlihy, B. (2001). *Ethical, legal, and professional issues in counseling*. Upper Saddle River, NJ: Prentice-Hall.
- Remley, T. P., Jr., Herlihy, B., & Herlihy, S. B. (1997). The U.S. Supreme Court decision in *Jaffee v. Redmond*: Implications for counselors. *Journal of Counseling and Development, 75*, 213-218.
- Remley, T. P., Jr., Hermann, M. A., & Huey, W. C. (Eds.). (2003). *Ethical & Legal Issues in school counseling* (2nd ed.). Alexandria, VA: American School Counselor Association.
- Remley, T. P., Jr., & Huey, W. C. (2002). An ethics quiz for school counselors. *Professional School Counseling, 6*, 3-11.
- Sealander, K. A., Schwiebert, V. L., & Weekley, J. L. (1999). Confidentiality and the law. *Professional School Counseling, 2*, 122-127.
- Stone, C. (2002). Negligence in academic advising and abortion counseling: Court rulings and implications. *Professional School Counseling, 6*, 28-35.
- Stone, C. B. (2000). Advocacy for sexual harassment victims: Legal support and ethical aspects. *Professional School Counseling, 4*, 23-30.
- Tarasoff v. Regents of University of California*, 551 P.2d 334 (Cal. 1976).
- Wilcoxon, S. A., & Magnuson, S. (1999). Considerations for school counselors serving noncustodial parents: Premises and suggestions. *Professional School Counseling, 2*, 275-279.

COE 8623: ADVANCED LEGAL AND ETHICAL ISSUES IN COUNSELING

Topic	Assignments Due
Overview of Ethics and Law ACA Code of Ethics Ethical and Professional Practice Personal Ethics and Development	S 1&2 Draw for Theories
Multicultural and Spiritual Issues and Ethics Organizational Ethics and Community Values Professional /Ethical Decision Making	S 3&4 RLR - 1 Present & Discuss Theories CPH Reading available on MyCourses
Competence Confidentiality Informed Consent Conflict of Interests, Boundaries, and Power	S 6&7 RLR – 2 AC - 1
Optional Visit to Oktibbeha or Lowndes Chancery Court – Schedule of sessions will be presented in class.	
	Ethical Profile Due by 5pm on MyCourses On different day – S 8&9
Ethics in Mental Health counseling Ethics in Couple and Family Counseling	S 11&12 RLR 3 AC 2
Ethics in School Counseling Ethics in Career and Rehabilitation Counseling	S 10 & 13 RLR – 4 Decide on Final Topics
Ethics in Supervision Ethics in Everyday Counseling Practice	S 14&15 RLR 5
Finals	

S – Sperry

AC – Article Critiques

CPH – Liability Readings

RLR – Reading Reflection and Ethical Log Report

**MISSISSIPPI STATE UNIVERSITY
COUNSELING AND EDUCATIONAL PSYCHOLOGY
COE 8623: ADVANCED LEGAL AND ETHICAL ISSUES IN COUNSELING**

Individual Assignment Grading Record

Name: _____ Phone: _____

Article Critiques
1
2
Reading Reflections & Ethical Log Reports
1
2
3
4
5
Ethical Profile Position – Signature Assignment

Journal Article Critiques (10 points each - 20 Points)

1. Citation
2. Summary
3. Why chosen
4. Critical analysis
5. Personal reflection

Signature Assignment – Ethical Profile Position

- Ethical Autobiography
- Background
- Ethical behavior
- Commitment/Sensitivity

Reading Reflection & Ethical Log (10 Points)

- Reflection on chapters
- Ethical issues encountered
- Relation to ethical principles

- Ethical Decision-Making Style
- Influence
- Dealings with issues
- Professional/Ethical Hero

Description
Influence
Levels of Professional and Ethical
Development
Level of development

Ways to facilitate further
development
APA Style
Page Length 10-12 Max 15