Course Description

CNEP 5327: Ethical and Legal Issues in Counseling (3 SCH). This course offers in-depth consideration of topics including ethical and legal issues that affect the practice of counseling in clinical mental health counseling; marital, couple, and family counseling; addictions counseling; and school counseling settings. The course will assist students in understanding and formulating sound positions on a variety of major issues related to the field of counseling. Students are expected to be familiar with a variety of ethical codes as well as laws regulating the profession. In addition, students will demonstrate the ability to use ethical decision-making models to think critically about and resolve ethical issues in a variety of situations. There is no pre-requisite for this course.

Rationale

This course meets a number of specific accreditation standards set forth by the Council for Accreditation of Counseling and Related Educational Programs (CACREP) for clinical mental health counseling; marital, couple, and family counseling; addictions counseling; and school counseling. In addition, it fulfills specific content requirements set forth by the State of Texas for both the Licensed Professional Counselor and Licensed Marriage and Family Therapist.

Instructional Methods

Course content will be presented using multiple teaching strategies including lecture and discussion, exploration and inquiry, field experiences, cooperative group work, demonstrations, role plays, and/or presentations.

Learning Objectives

This course is designed to meet 2016 CACREP entry-level specialty area standards (Sections 2 and 5) for counseling. The following standards represent the learning objectives established for this course. Upon completion of the course, students will be knowledgeable of:

- CACREP Standard 2-F-1-i: ethical standards of professional counseling organizations and credentialing bodies, and applications of ethical and legal considerations in professional counseling. [Students will successfully complete this learning objective by achieving a score of 80% or higher on reading quizzes, mid-term examination, case study, and reflective research paper]
• **CACREP Standard 2-F-5-d:** ethical and culturally relevant strategies for establishing and maintaining in-person and technology-assisted relationships. *Students will successfully complete this learning objective by achieving a score of 80% or higher on reading quizzes, mid-term examination, technology in counseling report, and reflective research paper*

• **CACREP Standard 2-F-5-e:** the impact of technology on the counseling process. *Students will successfully complete this learning objective by achieving a score of 80% or higher on reading quizzes and technology in counseling report*

• **CACREP Standard 5-C-2-i:** legislation and government policy relevant to clinical mental health counseling. *Students will successfully complete this learning objective by achieving a score of 80% or higher on reading quizzes, mid-term examination, case study, and reflective research paper*

• **CACREP Standard 5-C-2-l:** legal and ethical considerations specific to clinical mental health counseling. *Students will achieve a score of 80% or higher on reading quizzes, mid-term examination, case study, and reflective research paper*

• **CACREP Standard 5-C-3-c:** strategies for interfacing with the legal system regarding court-referred clients. *Students will successfully complete this learning objective by achieving a score of 80% or higher on reading quizzes, case study, and reflective research paper*

• **CACREP Standard 5-F-2-p:** record keeping, third party reimbursement, and other practice and management considerations in marriage, couple, and family counseling. *Students will achieve a score of 80% or higher on reading quizzes, mid-term examination, and reflective research paper*

• **CACREP Standard 5-F-3-e:** strategies for interfacing with the legal system relevant to marriage, couple, and family counseling. *Students will successfully complete this learning objective by achieving a score of 80% or higher on reading quizzes, case study, and reflective research paper*

**Major Course Requirements**

1. **Online discussions:** Students will be expected to actively participate in on-line discussions. Case studies and/or research articles will be posted on the Discussion Forum on Blackboard. Students are required to answer questions related to brief case studies and/or articles and engage in online discussion by providing thoughtful feedback/responses to at least two (2) classmates in the discussion board.

2. **Reading quizzes:** A brief quiz will be posted to assess students’ understanding of the topics being discussed each week. The quizzes will be made available online through Blackboard. Quiz questions will be presented in multiple-choice and/or true-false format, and only reflect the material discussed for the previous or current week (not cumulative). The use of notes and textbooks is allowed; however, students must work alone and not seek outside help from
fellow classmates or other individuals. There will be five quizzes available for students to take throughout the semester.

3. **Examination**: There is one examination at mid-term. Questions are objective, including multiple-choice and true/false. Topics covered in mid-term examination include professional ethics, counselor identity, values and the helping relationship, multicultural perspectives and diversity issues, client rights and counselor responsibilities, confidentiality issues, legislation and government policy, boundaries and multiple relationships, and professional competence. Mid-term exam will be made available online through Blackboard.

4. **Case study**: A case study illustrating ethical dilemmas and potential legal issues will be provided. Students will submit a report in which potential dilemmas are identified. Students will then describe the thinking process used in making decisions about how the case might be handled, including the use of an ethical decision-making model. Recognition and identification of more than one decision that might be made using appropriate processes for identification of same are acceptable. Content from applicable codes used in thinking through the case must be identified. The case study report does not have a set length, but should cover the material adequately. The report may use bullet points; however, the information should be reported in such a way that I can follow the thinking without drawing inferences.

5. **Reflective research paper**: Students will review the code of ethics of their regulatory bodies (LPC or LMFT) and primary professional association (ACA, ASCA, or additional associations as appropriate). Paper should note similarities and differences in the codes and identify ways in which they might experience some conflict arising from personal values and that might spur growth. Students should include at least three journal articles concerning ethical issues relevant to their reflections. The paper should be no more than 8 pages long, not including title and reference pages. Students are required to appropriately use APA’s *Publication Manual* (7th ed.).

6. **Technology in counseling report**: Students will work in groups of 3 or 4 and write a report regarding the use of technology in counseling that includes the following components: 1) history of technology in counseling, 2) the impact of technology in counseling, 3) ethical and legal issues relating to the use of technology in counseling, and 4) group reflection on the use of technology in counseling. Students should include at least three journal articles and/or textbook in their report. The paper should be no more than 10 pages long, not including title and reference pages. The paper should be written in an APA format (7th ed.).

**Point Allocation**

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<tr>
<th>Component</th>
<th>Points</th>
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<tr>
<td>Online Discussions (5 @ 10 points each)</td>
<td>50</td>
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<tr>
<td>Reading Quizzes (5 @ 20 points each)</td>
<td>100</td>
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<td>Mid-Term Examination</td>
<td>50</td>
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<td>Case Study</td>
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<td>Reflective Research Paper</td>
<td>30</td>
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<td>Technology in Counseling Report</td>
<td>50</td>
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<td><strong>TOTAL</strong></td>
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Grade Distribution

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<td>270-300</td>
<td>240-269</td>
<td>210-239</td>
<td>180-209</td>
<td>Below 180</td>
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Required or Recommended Readings

*Textbook:*


*Web resources for this course include but are not limited to:*


Ethical Standards for School Counselors [available from https://www.schoolcounselor.org/school-counselors-members/legal-ethical ]

Texas LPC Board Rules, 22 TAC §681 (I expect you to locate and download these.)

Health Insurance Portability and Accountability Act of 1996 (HIPAA) [available from https://www.gpo.gov/fdsys/pkg/PLAW-104publ191/pdf/PLAW-104publ191.pdf as well as other web addresses]


*Recommended or supplemental readings:*


https://www.counseling.org/resources/aca-code-of-ethics.pdf


https://www.schoolcounselor.org/asca/media/asca/Ethics/EthicalStandards2016.pdf

Counseling Association.


**State Adopted Proficiencies for School Counselors**

*Standard VI Learner-Centered Professional Development:* The certified school counselor continues professional development, demonstrating a commitment to learn to improve the profession, and to model professional ethics and personal integrity.

**TExES Competencies**

*Competency 010 (Professionalism):* The school counselor understands and complies with ethical,
legal, and professional standards relevant to the profession.

**Course Policies**

**Attendance**

Attendance during class periods is necessary for an optimal learning experience for oneself and peers. Absences for university-approved reasons will be accepted and considered when arranging for make-up credit. Unexcused absences will have a direct impact on grades as normally these absences result in the forfeiture of points available for earning on the day of absence. Students will be responsible for make-up of all the missed work on days of their absence. Experiential exercises are an important component of the class some of which will require an alternate assignment to substitute for experiences missed. The alternative assignment will involve an activity/assignment commensurate in time and learning objectives to the one missed. All make ups must be arranged individually with the instructor.

The ability to work in small groups is an integral aspect of this course. Consistent participation, shared assumption of responsibility, and cooperative presentation of the group assignment are expected.

**Communication**

Each TAMUCC student has access to an individual e-mail account assigned to them by the university. This is the primary method through which I will communicate with you throughout the semester. At the beginning of the course, students should make sure they have activated their account and make plans to check the account regularly. Students can expect a response to their questions from me within 48 hours (excluding weekends & university-recognized holidays).

**Late Submissions of Student Work and Make-Up Exams**

Assignments are due during the periods designated for the course to meet. Late work will result in 10% deduction of points each day tardy. No late work will be accepted beyond the last class day for the semester. Make-up exams must be scheduled within one week unless exceptional and verified circumstances apply.

**Extra Credit**

As a rule, extra credit opportunities will not be extended in this course. Course grades should be reflective of the proficiency level students are able to demonstrate through all course assignments and assessments. Requests to award additional points without just cause or to assign alternative/additional work for credit will be denied.

**Academic Integrity and Plagiarism**

**TAMUCC Graduate Catalogue (please refer to current version)**

University students are expected to conduct themselves in accordance with the highest standards
of academic honesty. Academic misconduct for which a student is subject to penalty includes all forms of cheating, such as illicit possession of examinations or examination materials, forgery, or plagiarism (plagiarism is the presentation of the work of another as one's own work).

Disciplinary action for academic misconduct is the responsibility of the faculty member assigned to the course. The faculty member is charged with assessing the gravity of any case of academic dishonesty, and with giving sanction to any student involved. Penalties that the instructor might possibly apply to individual cases of academic dishonesty include:

- Written reprimand
- Requirement to re-do work in question
- Requirement to submit additional work
- Lowering of grade on work in question
- Assigning grade of "F" to work in question
- Assigning grade of "F" for course
- Recommendation for more severe punishment, such as dismissal from program or University

If the faculty member determines that assigning a grade of "F" to the course is the appropriate penalty and this disciplinary action occurs prior to the deadline for dropping courses, the student forfeits his/her right to drop the course in question.

If the faculty member recommends more severe punishment, such as dismissal from the program or from the University, the faculty member will notify the appropriate chair/college dean, who in turn will notify the Office of Student Affairs. If dismissal from the University is recommended, the Office of Student Affairs will follow its procedure for such cases.

The faculty member must file a record for each case of academic dishonesty, including a description of the disciplinary action taken, along with any materials involved, with his or her college dean, who will forward a copy to the Office of Student Affairs. The office of the academic dean of the college in which the offense took place will maintain records of all cases of academic dishonesty reported for a period of five years. The Office of Student Affairs will also maintain records of such cases for a period of five years. The Office of Student Affairs will inform the Graduate Dean as appropriate.

Any student who has been penalized for academic dishonesty has the right to appeal the judgment or the penalty assessed. Students who wish to appeal an academic dishonesty decision should contact the Office of Student Affairs for guidance on the appropriate steps for initiating the process.

**Dropping a Class**

I hope that you never find it necessary to drop this or any other class. However, events can sometimes occur that make dropping a course necessary or wise. Please consult with me before you decide to drop to be sure it is the best thing to do. Should dropping the course be the best course of action, YOU must initiate the process to drop the course by going to the Student
Services Center and filling out a course drop form. Simply discontinuing your attendance and participation WILL NOT automatically result in you being dropped from the class. Students are responsible for checking the official academic calendar for the last day to drop a course with an automatic grade of “W” for the semester.

Classroom/Professional Behavior

Texas A&M University-Corpus Christi, as an academic community, requires everyone to respect the needs of others to study and learn in a peaceful atmosphere. Under Article III of the Student Code of Conduct, classroom behavior that interferes with either (a) the instructor’s ability to conduct the class or (b) the ability of other students to profit from the instructional program may be considered a breach of the peace and is subject to disciplinary sanction outlined in article VII of the Student Code of Conduct. Students engaging in unacceptable behavior may be instructed to leave the classroom. This prohibition applies to all instructional forums, including classrooms, electronic classrooms, labs, discussion groups, field trips, etc. Since this is an online course, please practice proper netiquette and respect the experience of all students enrolled in the course.

Statement of Civility

Texas A&M University-Corpus Christi has a diverse student population that represents the population of the state. The University’s goal is to provide you with a high quality educational experience that is free from repression. To assist in meeting this goal, you are responsible for following the rules of the University, city, state, and federal government. You are expected to behave in a manner that is dignified, respectful, and courteous to all people; regardless of gender, ethnic/racial origin, religious background, age, sexual orientation or disability. Behaviors that infringe on the rights of another individual will not be tolerated.

Texas A&M University-Corpus Christi is committed to fostering a culture of caring and respect that is free from discrimination, relationship violence and sexual misconduct, and ensuring that all affected students have access to services. For information on reporting Civil Rights complaints, options and support resources (including pregnancy support accommodations) or university policies and procedures, please contact the University Title IX Coordinator, Sam Ramirez (Samuel.ramirez@tamucc.edu) or Deputy Title IX Coordinator, Rosie Ruiz (Rosie.Ruiz@tamucc.edu) x5826, or visit website at Title IX/Sexual Assault/Pregnancy.

Limits to confidentiality. Essays, journals, and other materials submitted for this class are generally considered confidential pursuant to the University's student record policies. However, students should be aware that University employees, including instructors, are not able to maintain confidentiality when it conflicts with their responsibility to report alleged or suspected civil rights discrimination that is observed by or made known to an employee in the course and scope of their employment. As the instructor, I must report allegations of civil rights discrimination, including sexual assault, relationship violence, stalking, or sexual harassment to the Title IX Coordinator if you share it with me.

These reports will trigger contact with you from the Civil Rights/Title IX Compliance office who will inform you of your options and resources regarding the incident that you have shared. If
you would like to talk about these incidents in a **confidential** setting, you are encouraged to make an appointment with counselors in the University Counseling Center.

**Grade Appeals**

As stated in University Procedure 13.02.99.C0.03, Student Grade Appeal Procedures, a student who believes that he or she has not been held to appropriate academic standards as outlined in the class syllabus, equitable evaluation procedures, or appropriate grading, may appeal the final grade given in the course. The burden of proof is upon the student to demonstrate the appropriateness of the appeal. A student with a complaint about a grade is encouraged to first discuss the matter with the instructor. For complete details, including the responsibilities of the parties involved in the process and the number of days allowed for completing the steps in the process, see University Procedure 13.02.99.C0.03 Student Grade Appeal Procedures. Documents are accessible through the University Rules Web site at [http://academicaffairs.tamucc.edu/rules_procedures/](http://academicaffairs.tamucc.edu/rules_procedures/). For assistance in the grade appeal process, students may contact the Dean’s office in the college in which the course is taught or the Office of the Provost.

**Disabilities Accommodations**

The Americans with Disabilities Act (ADA) is a federal anti-discrimination statute that provides comprehensive civil rights protection for persons with disabilities. Among other things, this legislation requires that all students with disabilities be guaranteed a learning environment that provides for reasonable accommodation of their disabilities. If you believe you have a disability requiring an accommodation, please call or visit Disability Services at (361) 825-5816 in Corpus Christi Hall 116.

If you are a returning veteran and are experiencing cognitive and/or physical access issues in the classroom or on campus, please contact Disability Services for assistance at (361) 825-5816.

**Statement of Academic Continuity**

In the event of an unforeseen adverse event, such as a major hurricane and classes could not be held on the campus of Texas A&M University–Corpus Christi; this course would continue using Blackboard and/or e-mail. In addition, the syllabus and class activities may be modified to allow continuation of the course. Ideally, University facilities (i.e., e-mails, web sites, and Blackboard) will be operational within two days of the closing of the physical campus. However, students need to make certain that the course instructor has a primary and a secondary means of contacting each student.

**Cell Phone/Electronic Device Usage**

Cell phones and electronic paging devices are to be silenced during class times. Students serving on emergency call are to notify the instructor. Unnecessary use of electronic devices will result in being asked to leave class. Participation points will be lost for that class period. Please limit in-class use of your computer to note taking.
# Required Method of Scholarly Citations

Other than informal journal writing or similar assignments, all written work is to be typed and comply with the APA (6th Edition) writing and publication guidelines. Failure to follow APA guidelines may result in significant point reduction. Work will be evaluated for style, content, grammar, spelling, and syntax.

## Tentative Course Schedule (Summer II 2020)

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<thead>
<tr>
<th>Date</th>
<th>Topic</th>
<th>Assignments and Readings</th>
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<tbody>
<tr>
<td><strong>Week 1</strong></td>
<td>Orientation to the Course. Introduction to Professional Ethics. The counselor as a Person and as a Professional Values and the Helping Relationship. <em>CACREP Standards 2-F-1-i, 2-F-5-d, 5-C-2-i, 5-C-2-l</em></td>
<td>Chapters 1, 2, 3&lt;br&gt;Online Discussion 1 due on 7/9 by 11:59 pm&lt;br&gt;Quiz 1 due on 7/12 by 11:59 pm</td>
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<td>7/6–7/12</td>
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<td><strong>Week 2</strong></td>
<td>Multicultural Perspectives and Diversity Issues. Client Rights and Counselor Responsibilities. Confidentiality: Ethical and Legal Issues. <em>CACREP Standards 2-F-1-i, 2-F-5-d, 2-F-5-e, 5-C-2-i, 5-C-2-l, 5-C-3-c</em></td>
<td>Chapters 4, 5, 6&lt;br&gt;Online Discussion 2 due on 7/16 by 11:59 pm&lt;br&gt;Case Study due on 7/17 by 11:59 pm&lt;br&gt;Quiz 2 due on 7/19 by 11:59 pm</td>
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<td><strong>Week 3</strong></td>
<td>Managing Boundaries and Multiple Relationships. Professional Competence and Training. <em>CACREP Standards 2-F-1-i, 2-F-5-d, 2-F-5-e, 5-C-2-i, 5-C-2-l, 5-C-3-c, 5-F-2-p</em></td>
<td>Chapters 7, 8&lt;br&gt;Mid-Term Exam on 7/23 at 6:00 pm&lt;br&gt;Online Discussion 3 due on 7/23 by 11:59 pm&lt;br&gt;Quiz 3 due on 7/26 by 11:59 pm</td>
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<td>7/20–7/26</td>
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<td><strong>Week 4</strong></td>
<td>Ethical Issues in Supervision. Issues in Theory and Practice. <em>CACREP Standards 2-F-1-i, 2-F-5-d, 5-C-2-l</em></td>
<td>Chapters 9, 10&lt;br&gt;Online Discussion 4 due on 7/30 by 11:59 pm&lt;br&gt;Technology in Counseling Report due on 7/31 by 11:59 pm&lt;br&gt;Quiz 4 due on 8/2 by 11:59 pm</td>
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<td>7/27–8/2</td>
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<td><strong>Week 5</strong></td>
<td>Ethical Issues in Couples and Family Therapy. Ethical Issues in Group Work Community and Social Justice Perspectives <em>CACREP Standards 2-F-1-i, 5-C-2-l, 5-F-2-p, 5-F-3-e</em></td>
<td>Chapters 11, 12, 13&lt;br&gt;Online Discussion 5 due on 8/6 by 11:59 pm&lt;br&gt;Reflective Research Paper due on 8/7 by 11:59 pm&lt;br&gt;Quiz 5 due on 8/9 by 11:59 pm</td>
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<td>8/3–8/9</td>
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Rubrics

Note: For all rubrics below, elements of description for B or lower grades should be considered as “or” conditions rather than “and” conditions. That is, any of the factors listed could earn a grade at that level.

Case Study

A Paper (90-100 pts.): Dilemmas are correctly identified, as are the relevant ethical codes from both national association(s) and state regulatory boards. Thinking process is clearly identified. A decision-making model from the counseling literature is identified, with steps followed being explained in such a way that inferences about meaning need not be made. Writing follows APA (7th ed.) format where applicable, and correct spelling and grammar is used.

B Paper (80-89 pts.): Dilemmas are correctly identified, as are the relevant ethical codes from both national association(s) and state regulatory boards, though perhaps less clearly than in the A paper. A decision-making model from the counseling literature is identified, though steps followed in making a decision may not be clearly explained. Some APA and writing issues may be evident.

C Paper (70-79 pts.): All elements are present; however, writing may be confusing or may evidence lack of clarity in thought. Significant APA issues may be present. There may be failure to adequately or logically explain the thinking in the decision-making process, or there may be lack of evidence of clear understanding of the relevant codes.

Failing Paper (69 and below): Dilemmas are not clearly identified. Relevant ethical codes are not cited, or either state or national codes are omitted. Thinking is not detailed in the decision-making model. Understanding of the codes is not displayed or is clearly erroneous. Writing is significantly below expected graduate-level work.

Reflective Research Paper

A paper (90-100 pts.): All elements of the paper are present as described in the assignment. The paper reflects clear understanding of the codes considered. Areas of similarity and difference in professional association and regulatory board codes are discussed. Personal values that could be challenged by the codes are thoughtfully discussed. References from professional journals regarding personal values material or specific elements of the codes are included. Within text citations and the reference page follow APA (7th ed.) format, as does the rest of the paper. Spelling and grammatical errors are absent or minimal.

B paper (80-89 pts.): All elements described in the assignment are present; however, the material may not be clearly articulated or reflect lack of depth of understanding. The paper reflects understanding of the codes considered, but discussion may not be as clearly articulated as in the A paper. Discussion of personal values that might be challenged may be superficial. References may be tangential. Within text citations and the reference page follow APA (7th ed.) format, as does the rest of the paper, with only minor errors. Spelling and grammatical errors are minor.
C paper (70-79 pts.): While all elements are present, the paper may have the appearance of last-minute work, and reflect lack of serious consideration of the topic. Minimal understanding of the codes considered is reflected. References may be tangential. Personal reflections may be superficial. Within text citations and the reference page do not follow APA (7th ed.), and other APA style errors are present. Spelling and grammatical errors may appear or be frequent.

Failing paper (69 and below): Paper may not contain all elements. Paper may fail to identify any similarities or find differences in the codes. Paper may reflect limited or no understanding of the codes being considered. Personal reflections are not evident or are superficial. Professional journal references are lacking. Significant and repeated errors in the use of APA style are present.

Technology in Counseling Report

A Paper (90-100 pts.): All elements of the paper are present as described in the assignment. The paper reflects clear understanding of the use of technology in the counseling profession. The impact of technology in counseling is discussed. Ethical and legal issues related to the use of technology in counseling are clearly discussed. Group reflection on the use of technology in counseling is thoughtfully present. References from professional journals regarding technology in counseling are included. Within text citations and reference page follow the APA (7th ed.) format. Spelling and grammatical errors are absent or minimal.

B paper (80-89 pts.): All elements described in the assignment are present. However, the material may not be clearly articulated. The paper reflects understanding of the use of technology in counseling, but the discussion of ethical and legal issues relating to the use of technology in counseling may not be as clearly defined as in the A paper. Group reflection may be superficial. Within text citations and the reference page follow the APA (7th ed.) format with only minor errors. Spelling and grammatical errors are minor.

C paper (70-79 pts.): All elements of the paper are present, but the paper may lack serious consideration of the topic. The paper demonstrates minimal understanding of ethical and legal issues relating to the use of technology in counseling. Group reflection may be superficial. Within text citations and the reference page do not follow the APA (7th ed.) format. Spelling and grammatical errors may appear or be frequent.

Failing paper (69 and below): Paper may not contain all elements described in the assignment. Paper may reflect limited or no understanding of the impact of technology in the counseling process. Paper may fail to identify any relevant ethical and legal issues in the use of technology in counseling. Group reflection may be superficial. Within text citations and the reference page do not follow the APA (7th ed.) format. Professional journal references are lacking. Significant grammatical errors are present in the paper.