

**FLORIDA ATLANTIC UNIVERSITY  
DEPARTMENT OF COUNSELOR EDUCATION  
COLLEGE OF EDUCATION**

**MHS 6700  
LEGAL, ETHICAL & PROFESSIONAL ISSUES IN COUNSELING**

**This syllabus is a representative sample for this course. Specific information such as texts, assignments, and schedule may vary by semester.**

**COURSE DESCRIPTION**

Ethical standards are discussed from an historical and practice perspective, and an ethical decision-making model is explored. Laws that affect the professional practice of mental health, school and rehabilitation counseling are presented and examined. Professional issues concerns and associations are discussed.

*Prerequisites: Permission of Instructor*

**REQUIRED READINGS & MATERIALS**

1. American Psychological Association (2001) *Publication manual of the American Psychological Association* (5<sup>th</sup> Ed.). Washington, DC: Author. (Syllabus abbreviation = APA)
2. Sperry, L. (2007). *The ethical and professional practice of counseling and psychotherapy*. Boston: Allyn & Bacon.

**REQUIRED RESOURCES: LiveText**

Students in this course are required by the College of Education to have an active LiveText account to track mastery of programs skills, competencies and critical assignments and to meet program and college accreditation requirements. Students must have an account within: the first four (4) weeks of the fall or spring semester, within the first three (3) weeks of summer session, or after the first class of a fast track course. Students who do not have an active LiveText account may have an academic hold placed on their record. Information regarding account activation is provided on the College of Education website, <http://coe.fau.edu/livetext>.

**GUIDELINES USED IN DEVELOPING COURSE OBJECTIVES**

**CACREP: General:** 1.b, 1.d-h, 2.f, 3.c, 4.i, 5.g, 6.g, 7.i, 8.f

**CACREP: School:** A.7, A.11

**CACREP: Mental Health:** A2, A4, A5, A6, B1

**2010 FEAPs:** 5.1, 6.1, 6.2, 8.1, 8.2; **FEAP Competency Assessment:** 6.1

**2010 Subject Area Competencies & Skills (SAC&S):** 6.1-6.4

**CONCEPTUAL FRAMEWORK**

As a reflective decision-maker the student will demonstrate the ability to make informed decisions, exhibit ethical behavior, and provide evidence of being a capable professional through the implementation of direct and indirect guidance and counseling activities with written and verbal feedback from peers and multiple evaluators.

**COURSE OBJECTIVES**

This course aims to provide students with the ability to:

1. Apply ethical principles to individual, group, and family counseling situations including issues relating to and respecting cultural diversity.
2. Apply federal and state laws pertinent to mental health, school, and rehabilitation counseling.
3. Recognize implications for legal liability and malpractice.
4. Identify professional counselor roles and functions and how the roles and functions impact the relationships with other professionals
5. Identify organizations (e.g. ACA), and issues and requirements for professional credentialing, licensure, certification, registry and program accreditation
6. Identify the functions of professional counseling organizations including their role in the legislative process.
7. Apply the accepted code of ethics and standards of practice for counseling professionals (e.g., ACA, ASCA, AMHA, and ARCA).
8. Utilize Internet and library resources to obtain legal and ethical information.
9. Identify major legal trends and ethical issues in the counseling profession.

## COURSE REQUIREMENTS

1. **Classroom Attendance & Participation:** Students are expected to actively participate in class discussions and outside-of-class activities. The seminar/limited lecture format is used in this course. Therefore, your attendance and participation contributes to the determination of your final grade. Attendance is defined as being in class and attentive. Participation is defined as your contributions to the class that reflect conceptual and practical understanding
2. **Case Analysis Reports (5):** Prepare your responses [one page typed, single spaced in 12 pt. Times New Roman font] for the five case studies, which will be distributed in class. The report should answer the following 4 questions.
  - a. Brief summary of the case
  - b. What is the main problem in this case?
  - c. What is the main ethical issues of the case?
  - d. How would you do differently in the case?
3. **Term Paper:** This paper profiles you with regard to ethical and professional practice. The paper should be approximately 4 pp. (max of 16 in length and follow the APA style guide (5ed). The Ethical Profile Paper needs to include 3 sections.
  - a. *Counselor identity Autobiography*
  - b. Review of the process you went through in selecting the counseling profession. Ultimately, you should answer the following question: "why do I want to become a counselor?"
  - c. The amount of self-disclosure is entirely up to you.
  - d. *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.
  - e. *Levels of Professional and Ethical Development.* Identify your current developmental levels and indicate how it has and will likely impact your work as a counselor. Suggest ways in which you can facilitate further development.
4. **Ethical Dilemma Case Analysis Reports (2):** Students will submit written reports of their analysis of professional/ethics dilemmas following the designated ethical decision making model. Prepare a typed report [single spaced in 12 pt. Times New Roman font] approximately 3 pages. To receive full credit, the paper is to be turned in at the beginning of the indicated class and evidence competence in ethical decision-making.
5. **Exam:** There will be one exams in this course at the end of the semester. The examination will be administered in class.

## COURSE EVALUATION

**Grades will be assigned based on points earned.**

Assignment	CACREP	FEAP Indicators	SAC&S	Points
Classroom Attendance & Participation				10
Case Analysis Reports (5)				20
Term Paper				20
Ethical Dilemma Case Analysis Reports (2)				30
Exam				20
<b>TOTAL</b>				100

## GRADING SCALE

Scores are cumulative and the grade scale represents percentage of total points earned.

A = 100 – 94	B+ = 89 – 87	C+ = 79 – 77	D = 69 – 60	F = 59 – 0
A - = 93 – 90	B = 86 – 84	C = 76 – 74		
	B- = 83 – 80	C- = 73 – 70		

## ATTENDANCE

Students are expected to attend all of their scheduled University classes and to satisfy all academic objectives as outlined by the instructor. The effect of absences upon grades is determined by the instructor, and the University reserves the right to deal at any time with individual cases of nonattendance. Attendance includes active involvement in all class sessions, class discussions, and class activities, as well as professional conduct in class.

Students are responsible for arranging to make up work missed because of legitimate class absence, such as illness, family emergencies, military obligation, court-imposed legal obligations, or participation in University-sponsored activities (such as athletic or scholastic team, musical and theatrical performances, and debate activities). It is the student's responsibility to give the instructor notice prior to any anticipated absence, and within a reasonable amount of time after an unanticipated absence, ordinarily by the next scheduled class meeting. Instructors must allow each student who is absent for a University-approved reason the opportunity to make up work missed without any reduction in the student's final course grade as a direct result of such absence.

Because university-based professional programs are charged with the responsibility of preparing students for certification and/or licensure, attendance policies and other course requirements tend to be considerably more demanding than academic, non-professional programs. Accordingly, Counselor Education students are expected to attend every class meeting. Please notify the University Professor/Instructor if you must miss a session. More than two absences may result in an incomplete or lower grade in the course. Attendance includes meaningful, active involvement in all class sessions, class discussions, and class activities as well as professional, ethical, conduct in class.

### **RELIGIOUS ACCOMMODATION**

In accordance with rules of the Florida Board of Education and Florida law, students have the right to reasonable accommodations from the University in order to observe religious practices and beliefs with regard to admissions, registration, class attendance and the scheduling of examinations and work assignments. Students who wish to be excused from course work, class activities or examinations must notify the instructor in advance of their intention to participate in religious observation and request an excused absence. The instructor will provide a reasonable opportunity to make up such excused absences. Any student who feels aggrieved regarding religious accommodations may present a grievance to the director of Equal Opportunity Programs. Any such grievances will follow Florida Atlantic University's established grievance procedure regarding alleged discrimination.

### **UNIVERSITY HONOR CODE**

Students at Florida Atlantic University are expected to maintain the highest ethical standards. Academic dishonesty is considered a serious breach of these ethical standards, because it interferes with the university mission to provide a high quality education in which no student enjoys an unfair advantage over any other. Academic dishonesty is also destructive of the university community, which is grounded in a system of mutual trust and places high value on personal integrity and individual responsibility. The FAU Honor Code requires a faculty member, student, or staff member to notify an instructor when there is reason to believe an academic irregularity is occurring in a course. The instructor must pursue any reasonable allegation, taking action where appropriate. The following constitutes academic irregularities:

- (a) The use of notes, books or assistance from or to other students while taking an examination or working on other assignments unless specifically authorized by the instructor are defined as acts of cheating.
- (b) The presentation of words or ideas from any other source as one's own are an act defined as plagiarism.
- (c) Other activities that interfere with the educational mission of the university.

For full details of the FAU Honor Code, see University Regulation 4.001

at [http://www.fau.edu/regulations/chapter4/4.001\\_Code\\_of\\_Academic\\_Integrity.pdf](http://www.fau.edu/regulations/chapter4/4.001_Code_of_Academic_Integrity.pdf)

### **ACADEMIC INTEGRITY STATEMENT**

Because of its gate keeping function in training counselors for professional certification and licensure, the faculty of the Department of Counselor Education expects all of its graduate students to demonstrate the highest level of integrity in their personal and professional lives. Like faculty, students are expected to abide by the Ethics Code of the American Counseling Association and to know and observe both the Department's and the University's policies regarding, plagiarism, cheating, and other academic irregularities. In addition, any special requirements or permission regarding academic integrity in any course will be stated in the course syllabus and are binding. Failure to abide by these indicators of academic integrity will result in sanctions. In addition, students are expected to report cases of academic dishonesty to the instructor. The Counselor Education student handbook (pages 44 – 47) available at [www.coe.fau.edu/counsel/MED\\_Handbook\\_Final2009.pdf](http://www.coe.fau.edu/counsel/MED_Handbook_Final2009.pdf) includes specific policies regarding the Academic Integrity Statement, Policy on Plagiarism, Cheating, and Other Academic Irregularities. Students are encouraged to read and adhere to the outlined policies.

### **METHODS OF INSTRUCTION**

To provide the student with a variety of learning experiences the following methods of instruction are used in this class.

1. Lecture with & without audiovisual support (e.g., Power Point)

2. Class and small group discussion
3. Field observations
4. Skill demonstrations
5. Student presentations
6. Library research using on-line data bases (e.g., ERIC, PsychLit)
7. Academic manuscript preparation
8. Term projects
9. Email
10. Internet resources
11. Web-based instruction

### DISTANCE LEARNING REQUIREMENTS

1. Students will access Blackboard for course PowerPoint presentations, materials, discussion forums, syllabus, grading book, and/or exams.
2. Students are encouraged to use a broadband (cable or DSL) connection.
3. Students may use Windows or Mac operating systems.
4. Students may use Internet Explorer, Firefox, Safari browsers.
5. Student assignments must be completed using the Microsoft Office suite (Word, PowerPoint, Excel etc.) for Windows or Mac.
6. Student assignments should be **emailed** to the instructor on the **scheduled due date** (see course content and outline).
7. When scheduled, students are expected to make their initial posts on the discussion board by **10 pm on Wednesdays** and fulfill their discussion board responsibilities by **10 pm on Saturdays**.
8. Unless otherwise noted, all written assignments should follow APA style, including but not limited to: Title page, page numbers, running head, reference page, 12 pt. font, 1 in. margins etc.
9. Students are expected to adhere to all department, college, and university policies of Academic Integrity. This includes but is not limited to:
  - a. Cheating
  - b. Plagiarism
  - c. Misrepresenting information or failing to give proper credit for citations used
  - d. Participating or facilitating acts of academic dishonesty by others
  - e. Unauthorized prior possession or sharing of examinations
  - f. Submitting the work or tampering with the work of another person
10. Students will receive feedback on assignments from the instructor **via email**. Comments, suggestions, recommendations are provided in pdf format. If necessary, students can download the free Adobe Reader from <http://www.adobe.com/products/acrobat/readstep2.html>
11. Students should contact the instructor if they experience technical difficulty accessing course materials and activities on Blackboard. Students should contact the IRM helpdesk at [http://blackboard.fau.edu/webapps/portal/frameset.jsp?tab\\_id=107\\_1](http://blackboard.fau.edu/webapps/portal/frameset.jsp?tab_id=107_1) if you experience login or connection issues.
12. In order to minimize technological issues, prior to taking this course, students should be able to send and receive email, send attachments with emails, be familiar with Blackboard, navigating and conducting research on the World Wide Web.

### REFERENCES

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- Gabriel, L. (2005). *Speaking the unspeakable: The ethics of dual relationships in counselling and psychotherapy*. London: Routledge.
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- Mottram, K. P. (2007). *Caring for those in crisis: Facing ethical dilemmas with patients and families*. Grand Rapids, Mich: Brazos.

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- Tyson, L. E., Culbreth, J. R., Harrington, J. A., & American Counseling Association. (2008). *Critical incidents in clinical supervision: Addictions, community, and school counseling*. Alexandria, VA: American Counseling Association.

<b>COMPETENCY ASSESSMENTS of FEAPS</b>
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Any student who does not meet expectations on a competency assessment is required to remediate on the assignment before earning a grade in the course. Students should refer to the provided Competency Assessment rubric for evaluation criteria on each required assignment.

Standard	Indicator	Detailed description of assignment or activity	Instrument
FEAP 6. Ethics	<b>6.1</b> Demonstrates knowledge of professional and ethical issues needed to maintain professional integrity and honesty.	<b>Ethical Profile Paper:</b> The school counselor candidate will prepare a 4 -5 page paper including an ethical autobiography, ethical decision making style, professional/ethical hero, and levels of professional and ethical development.	Assignment Rubric

<b>COURSE CONTENT &amp; OUTLINE</b>
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The content and activities for each session are described below. Assigned readings should take place prior to class.

MEETING	SESSION	TOPICS			READINGS & ASSIGNMENTS DUE
1	1  I. Course Overview II. Helping Process	A. Course focus B. Course Standards C. Course Outline	A. Process B. Relationship C. Client role D. Counselor role E. Helper Traits F. Cultural sensitivity G. Ethical timeline	Values Exercise	Text: Ch. 1-5 APA: Ch. 1-5
	2  III. Professionalism IV. Intro to Ethics APA Style	A. Characteristics B. Responsibilities C. Contributions D. Associations E. Legislative Participation	A. Definitions B. Roots C. Stages of Moral Development	A. Editorial Style B. Expository Style C. Paper Requirements	
	3  V. Foundation Principles VI. Codes of Ethics	A. Normale feasance B. Autonomy C. Beneficence D. Justice E. Fidelity F. Veracity	A. ACA Codes of Ethics B. Comparisons C. Basic issues D. Dilemmas E. Decision-making	Discussion of Moral principles	Codes of Ethics
2	4  VII. Informed Consent VIII. Confidentiality	A. Rationale B. Concept C. Grounding D. Elements E. Process F. Exceptions	A. Basic Concepts B. Definition C. Privilege D. Underage populations	Case Discussion	Text: Ch. 6-9 <b>Term paper topics due</b>
	5  IX. At Risk Clients X. Duty to Warn	A. Suicidal clients B. Dangerous clients	A. Concept B. HIV Act C. Baker Act D. Involuntary participation	Case Discussion	
	6  XI. General Exceptions XII. Boundaries & Power	A. Minors B. Couples C. Families D. Groups E. Impairment F. Reporting	A. Power B. Boundary setting C. Objectivity D. Counter Transference E. Dual relationships	Case Discussion	
	7  XIII. Efficacy of Treatment XIV. Evaluation & Accountability	A. Competent practice B. Competency development C. Standard of Care D. Use of referral	A. Monitoring & evaluation B. Setting Tx Goals C. Outcome measures		
Meeting 3	8	Case Analysis Reports (5)			Cases (5) Distributed
	9	A. Role of law	A. VR	Case Discussion	Text: Ch. 10-11

	XV. Ethics & Law XVI. Rehabilitation Law	B. Types of law C. legal decisions D. Classes of law E. The legal contract F. Acting legally vs., Ethically	Amendments of 1954 B. VR Amendments of 1973 C. ADA 1990 D. Unified Code of Ethics E. Solicitation codes		Appendix A
	10  XVII. School Law XVIII. FL MH Law	A. Confidentiality B. Malpractice C. FERPA D. FL DOE Standards E. Special needs Behavior control	A. Medical Quality Assurance Board B. History C. Practice definitions D. Limitations	Case Discussion	
Meeting 4	11  XIX. Supervision XX. Insurance & Record Keeping	A. Definition B. Types C. Issues D. Fair evaluation E. Informed consent F. Supervisory competence	A. Organizational culture B. Ethical culture C. Who is the client? D. Records E. APA guidelines F. FL law on records	Case Discussion	Text: Ch. 12-14 <b>Final Exam Distributed</b>  <b>Case Analysis Reports (5) due</b>
	12 XXI. Addictions Counseling XXII. Crisis Intervention	A. Ethical issues in addictions counseling B. FL CAP program	A. Ethical issues in crisis intervention B. FL crisis intervention	Case Discussion	
	13 XXIII. Internet Counseling XXIV. Spiritual Counseling	A. Names for B. Definitions C. History & law D. Present utilization E. Techniques	A. Pastoral counseling B. Licensure vs. ordination C. Issues of informed consent	Case Discussion	
Meeting 5	14  XXV. Testing XXVI. Research & Publishing XXVIII. Stepping in it!	A. Joint committee B. Rights of test takers C. Multicultural Assessment D. Code of Fair Testing Practices	A. Action based research B. Definition of action research C. Research responsibilities D. Informed consent	A. Nonmaleficence B. Autonomy D. Client competence E. Malpractice F. Legal decision making	Text: Ch. 15 Appendix B <b>Term Paper Due</b>  <b>Final Exam Due</b>
	15	A. Wrap up & B. Counselor Defense Issues			

### BIBLIOGRAPHY

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