

## **Ethical, Legal and Social Issues in Counseling Practice Syllabus**

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**Class time:** Wednesdays 4:10-7:00PM  
**Class Location:** Mayborn 105

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**Course Description:** This course is designed to provide the prospective counselor with the knowledge of the professions' ethical and legal standards, as well as the social/community aspect of the profession. The course will explore the evolution of those standards, methods of change and applications to various professional activities.

### **Required Text:**

Remley, T.P. & Herlihy, B.P. (2015). Ethical, Legal, and Professional Issues in Counseling (5<sup>th</sup> ed), ISBN-13: 978-0134379104  
ISBN-10: 0134379101

- You will refer to the ACA Ethical Guidelines and will benefit from familiarizing yourself with the searchable Revised ACA Ethical Guidelines online at:  
<http://www.counseling.org/resources/aca-code-of-ethics.pdf>

### **Knowledge and Skill Outcomes:**

(NOTE: CACREP 2016 standards are coded below and are assessed via Disclosure Statement [D], Quizzes [Q], Midterm Exam [M], Advocacy Paper [A], Trigger Paper [T] and Group Presentation [G].

- Enhancing understanding of the legal and professional context within which ethical decision-making occurs. (Q, M)
- Learning how mental health practice is "regulated" through the passage and enforcement of licensing statutes by state legislatures and the development of voluntary ethical codes and credentialing and accreditation procedures by professional organizations. (Q, M, A)
- Becoming familiar with the current Ethics Codes of the American Counseling Association, The Association of State and Provincial Licensing Boards, and the Laws governing the state of Tennessee. (Q,M)
- To apply professional ethical standards in practical situations. (G, D, Q)
- To explain the relationship between professional preparation standards and current professional roles and functions. (Q, M)
- Learning "how public policies on the local, state and national levels affect the quality and accessibility of mental health services. (Q, M, A)
- Appreciating the "importance of advocating for policies, programs and services that are equitable and responsive to the unique needs of clients. (Q, M, A)
- Increasing awareness of your own "ordinary moral sense" (i.e., personal values, attitudes, beliefs, and biases that effect your ethical decision making). (T, G)
- Stimulating understanding of widely accepted ethical concepts, principles, and theories as they apply to the counseling practitioner. (Q, G)
- Developing an ethical decision-making model that you will use systematically and consistently in analyzing and responding to ethical issues. (Q, G)

**Method of Instruction:**

- Traditional experiences - class will be structured in a seminar/discussion format.
- This class will be the most beneficial to those who are fully engaged; therefore, **the use of electronics of any kind is prohibited during class.**
- Clinical experiences – group presentation: student is responsible for the presentation of one topic during the course of the semester. That responsibility includes, but is not limited to finding journal articles, or legal rulings about the topic, or finding examples of ethical dilemmas posed by various aspects of the topic.

**2016 CACREP Clinical Mental Health Counseling Standards**

Standard		Measured
5.C.2.i	legislation and government policy relevant to clinical mental health counseling	Q, M, A
5.C.2.l	legal and ethical considerations specific to clinical mental health counseling	Q, M
5.C.2.m	record keeping, third party reimbursement, and other practice and management issues in clinical mental health counseling	Q, M
5.C.3.c	strategies for interfacing with legal systems regarding court-referred clients	G, A
5.C.3.e	strategies to advocate for persons with mental health issues	Q, A

**2016 CACREP Core Standards**

Standard		Measured
2.F.1.i	Ethical standards of professional counseling organizations and credentialing bodies and applications of ethical and legal considerations in professional counseling 2.f.1.i	Q, M
2.F.1.k	strategies for personal and professional self-evaluation and implications for practice	T, M, G

**Tentative Weekly Schedule**

Classes will be structured and scheduled in the following way:

4:10 -5:30PM Textbook reading – related discussion and activities (Lisa Henderson \*)

5:45-7PM Review of additional content papers and readings that will be provided with class discussion (George Davis \*\*)

Week	1 <sup>st</sup> Session	2 <sup>nd</sup> Session	Assignments	Readings*
1	Introduction	Sources of Authority		ACA Code Preamble Chp 1, pp 1-14, 18-23
2	Ethical Decision-Making Process	Sources of Authority, LPC Licensure Rules & Regs		Chp 1, pp 14-18 ACA Decision Making Model (online materials) P&V Chp 17 (online materials)
3	Client Rights and Counselor Responsibility	Confidentiality with Minor Clients/Releasing Adolescent Records		ACA Section A, B, C Chp 4, pp 79-

			90, 94-105
4	Assessment & Diagnosis	Documentation	ACA Section E Chp 7

5	Confidentiality	<u>Jaffee/Culbertson II</u> Confidentiality with Adult Clients Responding to a Subpoena	<b>Disclosure paper due**</b>	ACA Section B Chp 5 & 6
6	Suicidal Clients	Duty to Warn: <u>Turner v Jordan</u> ; The Dangerous Client		P&V Chp 25 (online material)
7	Working with Members of Vulnerable Populations	Minor Sexuality / Minor Decision Tree Confidentiality with Minors		Chp 11
8	Midterm	Elder Abuse		
9	Multicultural Competence and Social Justice	(Discuss Trigger papers)	<b>Trigger Assignment Due</b> Group 1**	Chp 3
10	Boundaries	Therapist Sexual Misconduct	Group 2*	Chp 9
11	Technology Related Issues	Electronic Considerations	Group 3*	ACA Section H Chp 10
12	Malpractice and Resolving Ethical/Legal Challenges	Legal Actions Primer for Counselors	Group 4*	ACA Section I Chp 8
13	Absences and Endings	Abandonment Professional Wills	<b>Advocacy Paper Due,</b> Group 5**	Chp 4, pp 90-94
14	Teaching and Research	Final review**	Group 6**	ACA Sections F&G Chp 14, 15, 16
15	Final Exam	Movie night: Boundaries	<b>Final Exam</b>	

### Evaluation and Grade Assignment:

- Disclosure Statement. (must be in to take midterm)
- Quizzes (40 points) 4 best of 6 quizzes at 10 points each.
- Midterm Exam (20 points)
- Advocacy Paper (5 points)
- Trigger Population Paper (15 points.)
- Group Case Presentation. (20 points)
- Optional Final Exam (20 points to replace 2 lowest quiz grades) **Replacement is mandatory if taken.**

**Disclosure statement:** Each student will be required to prepare a disclosure statement similar to one you would give a client in a clinical setting. Examples will be provided. This is an opportunity for you to apply ethical thinking to your clinical practice.

**Mid-Term:** Test will be both multiple choice and short answer response to clinical scenarios. It will test your knowledge and understanding of the ethical issues presented as well as your ability to engage in an ethical decision-making process around them.

**Advocacy Paper:** The advocacy paper will be a 1-2-page discussion of the type/s of advocacy in which the student anticipates they may be likely to/called upon to engage in their chosen area of counseling.

**Trigger Population Paper:** This will be a 5-page paper that develops your own personal plan for the ethical practice of therapy with a client that has characteristics, issues, or diagnosis that you have significant bias against (e.g. pedophiles, addicts, personality disorders, sex offenders, batterers, narcissistic men, someone with political/social issues stance opposite of yours, etc.).

**Group Case Presentation:** This will be a case study of an ethical scenario and demonstration of working through an ethical decision-making model (does not have to be the one presented in class). Presentation should include relevant points from the ACA Code of Ethics, legal case law or legislation, and discussion of potential courses of action and their outcomes.

**Final Exam (optional):** Full semester cumulative. Short answer essay exam covering textbook, content papers and class lecture material. This exam is worth 20 points and is optional. It can be used to replace student's 2 lowest quiz grades. Replacement is mandatory.

### Grading Scale

A = 100-94	A- = 90-93	B+ = 89-88
B = 87-84	B- = 83-80	C+ = 79-78
C = 77-74	C- = 73-70	D = 69-65
F = < 65		

### General Paper Grading Guidelines

**A:** A **superior** paper, well organized and comprehensive, focusing in depth on the central and relevant topics. *It is written with correct grammar and spelling and flowing sentence and paragraph structure.* It is clear, and concise, avoiding vague generalities... The argumentation is convincing and logical. Controversial issues and the positions of others are accurately represented; factual errors are absent. Rather than merely summarizing, describing, or expressing unsupported opinions or conclusions, *it critically analyzes the material, appropriately applying course concepts. With originality and creativity, it goes beyond the basic requirements, demonstrating intellectual struggle and hard work.*

**B:** A **good** paper, containing no factual errors and substantially meeting the requirements of the assignment as expected of upper-level college students. Although the paper may be better than average, it lacks one or more of the qualities of the A paper described above.

**C:** A **competent** paper. It develops certain arguments quite well and meets the minimal requirements of the assignment, but shows definite weaknesses in one or more of the following: organization; **proofreading**; precision in reporting factual data; convincing, clear, and critical argumentation; careful researching of the topic; proper use of English.

**D:** An **unsatisfactory** paper containing some of the deficiencies of the C paper, but to a greater degree. It appears to be hastily written or demonstrates little careful thought.

**F:** A **poor** paper that shows little comprehension of the subject matter or little organization. It appears to have been written by someone who did not understand the material or the purpose or requirements of the assignment.

### **Policy on Instructional Modification:**

Students who have a disability or condition, which may impair their ability to complete assignments or otherwise satisfy course criteria, are encouraged to meet with the course instructor to identify, discuss and document any feasible instructional modifications or accommodations. The student should notify the instructor no later than the end of the second week of the semester/term in which the course is offered or no later than the end of the second week latter such a disability or condition is diagnosed, whichever occurs earliest.

### **Policy on Mandatory Reporting**

All faculty (including TAs) must report allegations of sexual misconduct and intimate partner violence to the Title IX Coordinator. Vanderbilt has several programs designated as limited confidential resources, meaning that they will generally not reveal personally identifying information about the incident to others in the University barring situations where failure to report that information could potentially result in further harm to others. These are:

Project Safe: 304 West Side Row: [615-875-0660](tel:615-875-0660)  
P.C.C. (Psychological & Counseling Center: 2015 Terrace Place: [615-322-2571](tel:615-322-2571)  
Office of University Chaplain & Religious Life: 401 24th Ave. S: [615-343-2288](tel:615-343-2288)

### **Inclusivity Statement**

As we all grow and develop as people and professionals, we constantly strive to improve ourselves in numerous areas of our lives. We value the diversity of our learning community and consider peoples' varied identities and differences as strengths and resources upon which to build community and facilitate human development. HDC students and faculty welcome your informal and formal suggestions for improvement of our classroom, program and university climate and culture, as well as course materials and content.

### **Trigger Warning**

At times this semester, we will be discussing topics that may be disturbing and even traumatizing to some students. If you ever feel the need to step outside during one of these discussions, either for a short time or for the rest of the class session, you may always do so without academic penalty. You will, however, be responsible for any material you miss. If you ever wish to discuss your personal reactions to this material, either with the class or with me, I would welcome such a conversation as an appropriate part of your professional development. Learning to manage personal reactions to potentially disturbing material that our clients discuss is an important part of preparing to be a counselor.

### **Academic Honesty/Honor Code Violations**

Vanderbilt University places a high priority on and strives to uphold the highest standards of academic integrity while protecting the rights of students and faculty. Should the instructor find

evidence of cheating, plagiarism, other inappropriate assistance in work presented by a student, or any other violation of the honor the code, the student will receive no points on the assignment/exam, and will be referred to the Honor Council for further disciplinary action. A list of honor code violations is included below.

**Violations of the Honor Code are cause for disciplinary actions imposed by the appropriate honor council. The following are included as violations:**

- **Falsifying or cheating** on a report, paper, exercise, problem, test or examination, tape, film, or computer program submitted by a student to meet course requirements. Cheating includes the use of unauthorized aids (such as crib sheets, discarded computer programs, the aid of another person on a take-home exam, etc.); copying from another student's work; soliciting, giving, and/or receiving unauthorized aid orally or in writing; or similar action contrary to the principles of academic honesty.
- **Plagiarism** on an assigned paper, theme, report, or other material submitted to meet course requirements. Plagiarism is defined as incorporating into one's own work the work of another without properly indicating that source. A full description of plagiarism is given in the section below.
- **Failure to report** a known or suspected violation of the Code in the manner prescribed.
- **Any action designed to deceive** a member of the faculty, a staff member, or a fellow student regarding principles contained in the Honor Code, such as securing an answer to a problem for one course from a faculty member in another course when such assistance has not been authorized.
- **Submission of work prepared for another course** without specific prior authorization of the instructors in both courses.
- **Use of texts or papers prepared by commercial or noncommercial agents** and submitted as a student's own work.
- **Falsification of results** of study and research.

### **The Honor Code Applied to Preparation of Papers**

Papers are to express the original thoughts of the student. If a topic for a paper has been discussed fully among students prior to an assignment, then the students should consult the instructor about writing on that particular topic.

Failure to indicate the source of ideas, expressions, phrases, or sentences constitutes plagiarism.

A student may not submit papers substantially the same in content for credit in more than one course, without specific and prior permission of all instructors concerned.