**COURSE SYLLABUS**

**EPCE 5370 - Ethical & Legal Issues in Counseling**

**Texas Tech University**

**Fall 2019**

*Information about the instructor:*

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**Overview of Document**

This syllabus represents a contract between me as the professor and you as a student. I’ve taken as much care as I can in creating a flawless syllabus. However, there may be instances where I need to augment this contract due to unforeseen circumstances. If a change is required, I will ensure that the change does not impact your learning, status in the program or course grade.

*Information about the course:*

The following sections refer to: Ethical & Legal Issues in Counseling

Course Prefix and Number: EPCE 5370 – D01 – CRN# 36916

Course Credit: 3 semester hours

Semester and Year: Fall 2019

Class meeting time and location: Online – <http://ttu.blackboard.com>

*Course Overview:* EPCE 5370 is a required course in both the School Counseling and Clinical Mental Health Program and engages students in the broad study of counselor ethics, professional identity development, Professional School Counseling generally, and Texas specifically.

*Course Description:* An investigation of legal and ethical issues in the counseling profession. Focus on schools and clinical mental health agencies.

*Course Purpose:*

This course is intended to provide an opportunity to understand the professional, ethical, and legal issues in counseling and licensure requirements. It will assist students in learning the parameters of ethical practice, legal requirements, credentialing, supervision, and consultation. The specific requirements for school counseling and clinical counseling credentials and licensing in Texas will be reviewed. This class will assist in helping the student in making sound ethical decisions to improve the quality of care involved in the numerous types of helping relationships and to meet the challenges of the universal counseling profession for the 21st Century.

*Course Goals:*

* Apply knowledge ofethical standards of professional organizations and credentialing bodies, and applications of ethical and legal considerations in professional counseling.
* Provide knowledge ofprofessional organizations, including membership benefits, activities, services to members, current issues (including the effects of public policy on counseling issues), and professional credentialing (including certification, licensure, accreditation, and practices and standards).
* Develop knowledge in ethical decision making in any ethical or legal situation
* Recognize when an issue is ethical or legal
* Understand the 4 torts of a negligence lawsuit - duty, breach, proximate causation and injury
* Understand the roles of counselors in educational and community/clinical settings.

*Conceptual framework:*

* EPCE 5370 is grounded in CACREP standards, that can be viewed at <http://www.cacrep.org/for-programs/2016-cacrep-standards/>
* CACREP stresses the importance of professional ethics/values as well as skills and knowledge in the use of technology and a commitment to multicultural competence and awareness.
  + You will develop higher-level skills and products. Learning outcomes in this course will still include knowledge and reasoning, but these will serve as prerequisites to higher level skill and product competencies you will develop.
  + You will learn what is valued by employers and counseling professionals. State and national standards (i.e. Texas Counseling Model, advocacy competencies, codes of ethics), CACREP accreditation standards (2016), professional literature, a variety of focus groups, and counseling supervisors/employers were all involved in determining the learning outcomes for this course.
  + Instruction will be connected to improved beneficence within the profession as well as positive outcomes of clients/students you will be counseling.
  + You will learn to use technology in innovative ways.
  + This course does not stand alone, but is part of an integrated program that has well-articulated and distinctive outcomes.

*Course Materials:*

Texas Administrative Code

Texas Family Code

Texas Education Code

Texas Educator Code of Ethics

American Counseling Association Code of Ethics

American School Counseling Association Ethical Standards

CACREP Standards

ASCA Materials

Higher Education Coordinating Board

Needs Assessment

[The Council for Accreditation of Counseling and Related Educational Programs - CACREP](https://www.cacrep.org/for-programs/2016-cacrep-standards/)

**The following CACREP standards are addressed in EPCE 5370**

Section 2: Professional Counseling Identity

1. [PROFESSIONAL COUNSELING ORIENTATION AND ETHICAL PRACTICE](#_bookmark18)

F. The eight common core areas represent the foundational knowledge required of *all* entry-level counselor education graduates.

c. counselors’ roles and responsibilities as members of interdisciplinary community

outreach and emergency management response teams

d. the role and process of the professional counselor advocating on behalf of the

profession

i. ethical standards of professional counseling organizations and credentialing bodies,

and applications of ethical and legal considerations in professional counseling

j. technology’s impact on the counseling profession

l. self-care strategies appropriate to the counselor role

Section 5: Entry-level specialty areas

G. School counseling

Students who are preparing to specialize as school counselors will demonstrate the professional knowledge and skills necessary to promote the academic, career, and personal/social development of all P–12 students through data-informed school counseling programs.

2. CONTEXTUAL DIMENSIONS

a. school counselor roles as leaders, advocates, and systems change agents in P-12 schools

f. competencies to advocate for school counseling roles

k. community resources and referral sources

l. professional organizations, preparation standards, and credentials relevant to the practice of

school counseling

m. legislation and government policy relevant to school counseling

n. legal and ethical considerations specific to school counseling

3. PRACTICE

g. strategies to facilitate school and postsecondary transitions

h. skills to critically examine the connections between social, familial, emotional, and

behavior problems and academic achievement

n. use of accountability data to inform decision making

o. use of data to advocate for programs and students

CACREP Standards and the literature associated with the CACREP knowledge standards are met in this course completely through discussions. However, the discussion questions will subjectively engage skills and dispositions in students through the use of rubrics supplied at the end of this document, to help round out your knowledge, skills, and dispositions in School Counseling

*Student learning outcomes and assessment of outcome*s

I will document the discussion number according to how the semester evolves to address topics in the most appropriate manner.

|  |  |
| --- | --- |
| By the end of this course, students will differentiate: | Discussion # |
| c. counselors’ roles and responsibilities as members of interdisciplinary community outreach and emergency management response teams |  |
| d. the role and process of the professional counselor advocating on behalf of the profession |  |
| i. ethical standards of professional counseling organizations and credentialing bodies, and applications of ethical and legal considerations in professional counseling |  |
| j. technology’s impact on the counseling profession |  |
| l. self-care strategies appropriate to the counselor role |  |
|  | |
| 2. CONTEXTUAL DIMENSIONS | |
| a. school counselor roles as leaders, advocates, and systems change agents in P-12 schools |  |
| f. competencies to advocate for school counseling roles |  |
| k. community resources and referral sources |  |
| l. professional organizations, preparation standards, and credentials relevant to the practice of school counseling |  |
| m. legislation and government policy relevant to school counseling |  |
| n. legal and ethical considerations specific to school counseling |  |
| 3. PRACTICE | |
| g. strategies to facilitate school and postsecondary transitions |  |
| h. skills to critically examine the connections between social, familial, emotional, and behavior problems and academic achievement |  |
| n. use of accountability data to inform decision making |  |
| o. use of data to advocate for programs and students |  |
|  |  |

*Course schedule*

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Week | start | end | Activity |  | Due |
| 1 | 26-Aug | 1-Sep | Introduction |  |  |
| 2 | 2-Sep | 8-Sep | 5 Moral Principles |  | Discussion 1 |
| 3 | 9-Sep | 15-Sep | Expectations | @Wylie ISD 9/11 4:00pm |  |
| 4 | 16-Sep | 22-Sep | School Counselor Ethics Overview |  | Discussion 2 |
| 5 | 23-Sep | 29-Sep | ASCA Standards |  | Discussion 3 |
| 6 | 30-Sep | 6-Oct | ASCA Standards |  | Discussion 4 |
| 7 | 7-Oct | 13-Oct | ASCA Standards |  | Discussion 5 |
| 8 | 14-Oct | 20-Oct | Advocacy |  | Discussion 6  Short Paper |
| 9 | 21-Oct | 27-Oct | Texas Codes  Educator, LPC |  | Discussion 7 |
| 10 | 28-Oct | 3-Nov | Texas PSC Policy |  | Discussion 8 |
| 11 | 4-Nov | 10-Nov | Nashville, TN Conference | TNCA | Discussion 9  Media Critique |
| 12 | 11-Nov | 17-Nov | Ft. Worth Conference | TCA | Discussion 10 |
| 13 | 18-Nov | 24-Nov | Technology in Counseling | Gobble Gobble | Discussion 11 |
| 14 | 25-Nov | 1-Dec |  |  | Discussion 12  Case Study and Analysis |
|  | 2-Dec | 15-Dec | Individual Meetings | I will meet with each student via Zoom |  |
|  |  |  |  |  |  |

*Course Assignments:*

Discussion Board Activities – 12 weeks, 20/10 points per discussion/response - 360 points

* Each week there will be a discussion prompt posted in the discussion section of the course *Monday* at 12:00 Noon. You must respond to the discussion question AND respond to one other classmate. If a post or response is late, no points can be earned for the week.
* Your response to the discussion prompt is due Friday by 6:00pm. *20 points each*
  + Your original post must:
    - be at least 360 words
    - exhibit correct English grammar
    - address all requirements of the discussion prompt
    - prove that you understand the intent of the discussion
* Your response to one classmate’s post is due by Sunday at 11:00pm. *10 points each*
* In your reply you may ratify, object or compare/contrast information in the posting. You must go beyond a simple statement of opinion and rationalize your responses with logic and evidence. Enhance your classmate’s original post by adding information if you agree. If you challenge your classmate’s post, you must support your position by providing clear logic and reputable evidence.

Media/Political Critique: 100 points

You select a movie, television show, or a news story (past or present) pertaining to an ethical and/or legal issue in school counseling or relevant educational concern. Be prepared to include a video clip of the media you choose. Include in your presentation how your media relates to the practice of school counseling. Your presentation can be a maximum of 15 minutes. Provide a five-paragraph essay of your personal reactions to this topic. You will submit your presentation in blackboard using your choice of software. Send your topic to [Charles.crews@ttu.edu](mailto:Charles.crews@ttu.edu).

Case Study and Analysis: 100 points

You will create an ethical case study. The purpose of the *Case Study* assignment is to demonstrate a systematic approach to ethical decision-making that counselors can use when confronted with ethical or legal dilemmas.

At the completion of this assignment, the student should be able to:

(a) Define an ethical/legal dilemma

(b) Apply the 5 moral principles

(c) Describe an ethical decision-making model

(d) Apply an ethical decision-making model.

The case study should present an ethical or legal dilemma that a school counselor could face. Select a setting for the scenario (school, grade, etc…) The case should be no more than 2 typed pages. In addition, you will type an analysis of your case study, explaining in detail how you would resolve the issue including the location in the ASCA ethical standards using the outline numbers and letters.

Short Paper: 100 points

Students are expected to compose a brief 5-page literature review on a topic of your choice. You need to address the ethical or legal issues potentially associated with the topic.

***Examples*** of possible topics include, SEL curricula, how teachers can better infuse SEL concepts into their classrooms, Zero Tolerance Policies, Homeless Students, Foster Children in schools, Pressures to push students into STEM fields, or pushing students into higher education when they have no business being in higher education.

Your literature review should clearly synthesize the literature you find, and include potential legal sources, journal articles, books, and/or codes of ethics and ethical standards. Conclude with a fictional case study and how you think you will resolve such an issue in your future work as a counselor.

*Grading policy*

Your final grade will be determined by adding up the points earned per assignment and discussion posts.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| 100% | 660 | 660 | A+ | Missing no deadlines, engaged in discussions, above and beyond the status quo in assignments, a joy to teach! |
| 90% | 659 | 594 | A | Missing only 1 deadline, engaged in discussions, above status quo in assignments. |
| 80% | 593 | 528 | B | Missing <3 deadlines, engaged in discussions, status quo in assignments. |
| 70% | 527 | 462 | C | Missing >3 deadlines, mediocre discussions, assignments are poorly done. |
| 60% | 461 | 396 | D |  |
| <60% | 395 | 0 | F |  |

*Course Policies*

Attendance: Students are expected to participate in all activities online.

Absences: This is an online course so there are no absences, but I will be able to tell if you have logged in or not, and for how long, and other metrics. Lack of participation will be evident.

Make-up: Course assignments may be completed and turned in for full credit with written proof of illness or emergency if you miss a deadline. If we get to this point, I must report the situation to student affairs to make ensure proper handling of the issue, and to help you.

On-line behavior: Class discussions are to be conducted with civility and respect for other students. Students who fail to be civil and respectful will be banned from the discussion forum and receive a 0 for the remaining assignments.

*Scholastic Dishonesty*

It is the aim of the faculty of Texas Tech University to foster a spirit of complete honesty and high standard of integrity. The attempt of students to present as their own any work not honestly performed is regarded by the faculty and administration as a most serious offense and renders the offenders liable to serious consequences, possibly suspension.

“Scholastic dishonesty” includes, but it not limited to, cheating, plagiarism, collusion, falsifying academic records, misrepresenting facts, and any act designed to give unfair academic advantage to the student (such as, but not limited to, submission of essentially the same written assignment for two courses without the prior permission of the instructor) or the attempt to commit such an act.

Counselor Education students are expected to exhibit ethical conduct at all times and are subject to the Ethical Codes or Standards of the Texas State Board of Examiners for Professional Counselors, The American Counseling Association, and /or the American School Counselor Association.

*ADA Information*

Any student who, because of a disability, may require special arrangements in order to meet the course requirements should contact the instructor as soon as possible to make any necessary arrangements. Students should present appropriate verification from Student Disability Services during the instructor’s office hours. Please note instructors are not allowed to provide classroom accommodations to a student until appropriate verification from Student Disability Services has been provided. For additional information, you may contact the Student Disability Services office in 335 West Hall or 806-742-2405.

A student must register with Student Disability Services and file appropriate documentation in order to be eligible for any disability benefits and services described in this operating policy. The university-approved mechanism for establishing reasonable accommodation is written notification in the form of a Letter of Accommodation from Student Disability Services. The Letter of Accommodation indicates to faculty that the student has given proof of her/his disability and that the accommodation noted is considered appropriate and reasonable. No further proof of disability should be required of the student. Students presenting other kinds of verification should be referred to Student Disability Services for the appropriate identification. No requirement exists that accommodation be made prior to completion of the approved university process.

Faculty members are not permitted to provide accommodations for a student’s disability needs unless the student provides a Letter of Accommodation from Student Disability Services. Ideally, Letters of Accommodation should be presented to instructors at the beginning of the semester; however, Letters of Accommodation may be submitted at any point during a semester. If a Letter of Accommodation is presented after a semester begins, the accommodation applies only from the date presented to and signed by the faculty member until the completion of the semester. One week is considered a reasonable amount of time to allow the faculty member to implement the accommodation.

*Religious Observations* – Again, online course. If you are unable to use technology due to religious observance please submit your work prior to the observance. Please inform the professor as soon as possible if you anticipate any issue.

*Violence and Sexual Harassment*

The university is committed to providing and strengthening an educational, working, and living environment where students, faculty, staff, and visitors are free from sex discrimination of any kind. In accordance with Title VII, Title IX, the Violence against Women Act (VAWA), the Campus Sexual Violence Elimination Act (SaVE), and other federal and state law, the university prohibits discrimination based on sex and other types of Sexual Misconduct. Sexual Misconduct is a broad term encompassing all forms of gender-based harassment or discrimination and unwelcome behavior of a sexual nature. The term includes sexual harassment, nonconsensual sexual contact, nonconsensual sexual intercourse, sexual assault, sexual exploitation, stalking, public indecency, interpersonal violence, sexual violence, and any other misconduct based on sex. Any acts that fall within the scope of this policy hereinafter are referred to as Sexual Misconduct.

While sexual orientation and gender identity are not explicitly protected categories under state or federal law, it is the university’s policy not to discriminate in employment, admission, or use of programs, activities, facilities, or services on this basis. Discriminatory behavior is prohibited regardless of the manner in which it is exhibited, whether verbally, in writing, by actions, or electronically displayed or conveyed.

This policy applies to all university students and employees, visitors, applicants for admission to or employment with the university, as well as university affiliates and others conducting business on campus. This policy will apply to on-campus and off-campus conduct of which the university is made aware and which adversely impacts the educational and employment environments of the university. The university will take all reasonable steps to prevent recurrence of any Sexual Misconduct and remedy discriminatory effects on the Reporting Party and others, if appropriate.

The full description of the University’s policy on violence and sexual harassment can be found in OP 40.03. - <https://www.depts.ttu.edu/titleix/>

*Title IX*

Texas Tech University is dedicated to providing a safe and equitable learning environment for all students. Discrimination, sexual assault, and harassment are not tolerated by the university. You are encouraged to report any incidents to The Student Resolution Center: (806) 742-SAFE (7233). The TTU Counseling Center (http://www.depts.ttu.edu/scc/) provides confidential support (806-742-3674) and the Voices of Hope Lubbock Rape Crisis Center has a 24-hour hotline: 806-763-RAPE (7273). For more information about support, reporting options, and other resources, go to: <http://www.depts.ttu.edu/sexualviolence/>

*Civility/Etiquette*

Students are encouraged to follow the eight ethical principles supported in the Strive for Honor brochure. They are:

* Mutual Respect – Each member of the Texas Tech community has the right to be treated with respect and dignity.
* Cooperation and Communication – We encourage and provide opportunities for the free and open exchange of ideas both inside and outside the classroom.
* Creativity and Innovation – A working and learning environment that encourages active participation.
* Community Service and Leadership – Exemplary professional and community service through research, creative works, and service programs that extend beyond the university environment.
* Pursuit of Excellence – Texas Tech University is committed to achieving excellence following best practices in its professional work, displaying the highest standards in its scholarly work, and offering venues to showcase national and international examples of achievement.
* Public Accountability – We strive to do what is honest and ethical even if no one is watching us or compelling us “to do the right thing”.
* Diversity – An environment of mutual respect, appreciation, and tolerance for differing values, beliefs, and backgrounds.
* Academic Integrity – Being responsible for your own work ensures that grades are earned honestly.

In addition to above, a rubric to rate citizenship in the classroom appears at the end of this syllabus.

**Texas Tech University**

**College of Education/Counselor Education**

**Rubric to Rate Oral Presentations**

Student: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Class: \_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Subskill** | **Beginning**  **1** | **Basic**  **2** | **Proficient**  **3** | **Advanced**  **4** | **Exceptional**  **5** | **Score** |
| **Organization** | The presentation lacked organization | The presentation was somewhat organized | The presentation was organized for the most part | The presentation was well organized | The presentation was very well organized with clear transitions |  |
| **Timing** | The presentation lacked timing, resulting in poor coverage toward the end | The presentation somewhat lacked a logical allocation of time to given topics | The presentation allotted equal time to topics | The presentation allotted time in a thoughtful way, depending on the topic | The presentation allocated time artfully wherein basic to more complex topics were addressed seamlessly |  |
| **Documentation** | The presentation lacked facts, research, evidence, and sources | The presentation included sparse facts, research, evidence, and resources | The presentation offered facts, research, evidence, and resources | The presentation provided relevant facts, research, evidence, and resources | The presentation provided very relevant and current facts, research, evidence, and resources |  |
| **Content** | The presentation included irrelevant and unrelated content | The presentation focused on content that was somewhat relevant and coherent | The presentation focused on relevant and coherent content based in adequate preparation | The presentation contained very relevant and coherent content that reflected good preparation | The presentation was exceptionally conceived wherein topics were highly relevant and coherent and clearly reflected extensive preparation |  |
| **Team Work** | The team appeared to lack an effective distribution of responsibilities | The team demonstrated evidence of some distribution of responsibilities | The team showed evidence of an effective distribution of responsibilities | The team showed evidence that responsibilities were thoughtfully distributed according to skills and interests | The team showed evidence of a synergistic assignments of responsibilities that made the presentation very effective |  |
| **Presentation Delivery** | The presenters lacked effective use of voice volume, tone, animation, grammar, and pronunciation | The presenters use of voice volume, tone, animation, grammar, and pronunciation was somewhat effective | The presenters use of voice volume, tone, animation, grammar, and pronunciation was effective | The presenters use of voice volume, tone, animation, grammar, and pronunciation was quite effective | The presenters use of voice volume, tone, animation, grammar, and pronunciation was very effective |  |
| **Audience Engagement** | The presentation failed to establish and maintain audience interest and attention | The presentation somewhat established and maintained audience interest and attention | The presentation established and maintained audience interest and attention | The presentation effectively established and maintained audience interest and attention | The presentation very effectively established and maintained audience interest and attention |  |
| **Use of audio-visual aides** | The presentation failed to employ visuals or technology | The presentation used visuals such as a PowerPoint but it lacked appropriate formatting | The presentation employed varied types of visuals with appropriate formatting | The presentation employed quite effective use of varied types of visuals with appropriate formatting | The presentation employed very effective use of varied types of visuals with appropriate formatting |  |
| **Presenters’ Demeanor**  **As appropriate for digital presentation** | Presenters lacked animation, eye contact with the audience, poise, and professionalism | Presenters somewhat conveyed animation, eye contact with the audience, poise, and professionalism | Presenters conveyed animation, eye contact with the audience, poise, and professionalism | Presenters effectively conveyed animation, eye contact with the audience, poise, and professionalism | Presenters very effectively conveyed animation, eye contact with the audience, poise, and professionalism |  |
| Comments: | | | | | | |

**Texas Tech University**

**College of Education/Counselor Education**

**Discussion Participation Rubric**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Criteria** | **Poor** 1 | **Acceptable** 2 | **Good** 3 | **Excellent** 4 | **Superior** 5 |
| **Participation** | No postings or one post with no response to a classmate’s original post | Posts an inadequate assignment with shallow thought and preparation; doesn’t address all aspects of the task | Posts adequately developed assignment that addresses most aspects of the task; lacks full development of concepts | Posts well developed assignment that addresses and develops most aspects of the task | Posts above average and well-developed assignment that addresses all aspects of the task |
| **Initial Posting/s** | Posts no follow-up response or one follow-up response to others, but no original posting | Provides a weak contribution to discussion (“I agree” or “I disagree”); does not improve the quality of the discussion | Elaborates on an existing posting with additional comment, experience, or observation | Demonstrates analysis of others' posts; provides meaningful discussion by building on previous posts | Provides a full understanding of others’ posts and forms an exceptional response that builds on previous posts |
| **Content** | Posts information that is off-topic, incorrect, or irrelevant to discussion | Repeats but does not add significant information to the discussion | Posts information that is factually correct; lacks full development of concept or thought | Posts factually correct, reflective and substantive contribution;  advances discussion | Provides a reflective, intriguing, and factually correct contribution by supporting his/her post with multiple references |
| **Integration of Knowledge** | Includes no references or supporting experience relevant to topic | Uses personal experience, but no references to readings or research | Incorporates some references from literature and personal experience | Uses references to literature, readings, or personal experience to support comments | Uses multiple references to literature, readings, or personal experience; includes the references throughout the post |
| **Clarity & Mechanics** | Posts long, unorganized or inappropriate content that may contain multiple errors | Communicates in a friendly and helpful manner with some errors in clarity or mechanics | Contributes valuable information to discussion with minor clarity or mechanics errors | Contributes to discussion with clear, concise comments formatted in an easy to read style that had few grammatical or spelling errors | Semantics and grammar were clear and concise; formatting was correct and there were no spelling errors present |