**Texas Tech University**

**EPCE 5369**

**Seminar in Counseling: Ethics II**

**3 Credit Hours**

**Spring 2021**

**Instructor:**

**Phone:**

**Email:**

**Class meetings:**

**Office hours:**

1. **Course Goals for This Course Are to:**

* Develop a thorough understanding of the ethical standards of ACA and their implications for programming and service delivery.
* Evaluate major legal rulings that affect the work of counselors to see the interplay between ethics and the law.
* Explain the broader ethical principles underlying ethics codes so that students can make responsible ethical decisions complex ethical issues.

1. **Conceptual Framework**

The conceptual framework for this course includes the college’s nine initiatives for change. The essence of the framework is captured by the challenge, “Leading a Revolution in American Education.” This revolution, and thus the conceptual framework, has four major thrusts: 1) transforming educator/counselor preparation, 2) transforming client/university partnerships, 3) transforming educational research, and 4) transforming reward systems. All components are interrelated.

1. **CAEP Transformation**

Across the nation there are calls to drastically reform educator preparation, and Texas Tech University is responding by transforming its programs to meet those demands. A basic part of this transformation is rethinking how education and helping professionals are prepared. Becoming counselors and counselor educators means we must rethink how we advocate, disseminate knowledge, and conduct research. Doing so will transform Texas Tech counselor preparation programs from maintainers of the status quo to innovative leaders preparing counselors to meet the academic and economic challenges of the 21st Century. As such, this course takes into account both CAEP and CACREP accreditation standards.

“Leading a Revolution in American Education” is more than a theme; it captures several initiatives that are transforming educator preparation at the university. Many aspects of these reforms are found throughout this course—reforms that will change you. In this course:

* 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. ASCA National Model, advocacy competencies, codes of ethics, accurate diagnosis), CACREP accreditation standards, professional literature, a variety of focus groups, and counseling supervisors/employers were all involved in determining the learning outcomes for this course. In this course:
* You will learn to use technology in innovative ways
* Your instruction will be connected to improved beneficence within the profession as well as positive outcomes of clients/students you will be counseling.
* Your information on diagnosis is an integral part of this course, and you will be learning specific criteria used to formulate treatment plans and affect outcomes of future clients/students.
* You should note this course is not an independent course, but instead, it is part of an integrated program that has well-articulated and distinctive outcomes.

Products for both the Master’s degree in School counseling and the Master’s degree in mental health counseling are listed as follows:

1). Trademark Outcomes/Distinctive Emphases:

EPCE: Mental Health and School Counseling Programs

* MEd – School Counseling
* Implement the Texas Comprehensive School Counseling Model and the ASCA National Models whereby school counselors create, implement and evaluate the impact of value-added programs and services responsive to the needs of the school and all stake-holders.
* MEd – Mental Health Counseling
* Create, implement and evaluate the impact of treatment plans and programs that serve the needs of the clients, communities, and agencies where our graduates are employed.

2). Distinctive Assessments (A & E) for Master’s Programs   
(EPCE 5369 is Phase 2 Course)

* Ethical Controversy Research Paper: Students will examine an ethical issue/controversy in counseling and write an APA research paper to summarize and analyze the issue/controversy.

**B. Counselor Education Technology Competencies**Specific technology (outside class) competencies covered in this course include the student’s ability to:

1. Be able to use productivity software to develop web pages, word processing documents (letters, reports), basic databases, spreadsheets, and other forms of documentation or materials applicable to practice.

2. Be able to use such audiovisual equipment as video recorders, audio recorders, projection equipment, video conferencing equipment, playback units and other applications available through education and training experiences.

3. Be able to acquire, use and develop multimedia software, (i.e., PowerPoint/Keynote presentations, animated graphics, digital audio, digital video) applicable to education, training, and practice.

4. Be able to use email.

5. Be able to help clients search for and evaluate various types of counseling-related information via the Internet, including information about careers, employment opportunities, educational and training opportunities, financial assistance/scholarships, treatment procedures, and social and personal information.

6. Be able to access and use counseling-related research databases.

# **C. CACREP Standards for Masters’ Degree in Counseling**

CACREP Standards are integral to this course. The 2016 CACREP Standards can be viewed at <http://www.cacrep.org/for-programs/2016-cacrep-standards/>. Specific standards for this course are listed as follows:

**CACREP Guidelines, Section 2. Professional Counseling Identity**

2.F.1.g. Professional counseling credentialing, including certification, licensure, and accreditation practices and standards, and the effects of public policy on these issues.

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.5.d. Ethical and culturally relevant strategies for establishing and maintaining in-person and technology-assisted relationships.

2 .F.6.g. Ethical and culturally relevant strategies for designing and facilitating groups.

2 .F.7.m. Ethically and culturally relevant strategies for selecting, administering, and interpreting assessment and test results.

2.F.8.j. Ethical and culturally relevant strategies for conducting, interpreting, and reporting the results of research and/or program evaluation

**CACREP Guidelines, Section 5. Entry-Level Specialty Areas**

**C. Clinical Mental Health Counseling**

**2. Contextual Dimensions**

2.i. Legislation and government policy relevant to clinical mental health counseling.

2.k. Professional organizations, preparation standards, and credentials relevant to the practice of clinical mental health counseling.

2.l. Legal and ethical considerations specific to clinical mental health counseling.

**CACREP Guidelines, Section 5.**

**G. School Counseling**

2.l. Professional organizations, preparation standards, and credentials relevant to the practice of school counseling.

2.m. Legislation and government policy relevant to school counseling.

2.n. Legal and ethical considerations specific to school counseling.

**Course Purpose**The purpose of EPCE 5369 is to provide a detailed look into the ethical and legal aspects of counseling including ethical decision-making models, the relationship between ethics and law, and managing professional boundaries, social media, and a counseling practice.

1. **Course Description**

An investigation of legal and ethical issues in the counseling profession with a focus on records management, online counseling, and professional practice issues.

1. **Prerequisites**

Admission into the Masters Counselor Education Program and TTU Graduate School. Students must have successfully completed EPCE 5370 with a grade of at least a B or higher.

1. **Methods of Instruction**

This course utilizes readings, group discussion, class individual and/or group assignments, interactive and experiential assignments, computer assignments, videos, and student generated research presentations.

\*\*This class is online and utilizes BlackBoard. Please contact the BlackBoard Helpdesk if you need assistance or experience any problems: by phone at 806-742-4357 (HELP) or by email at ithelpcentral@ttu.edu.\*\*

1. **Course Objectives/Learning Outcomes and Assessments**

|  |  |
| --- | --- |
| **Student Learning Outcomes: At the conclusion of the course, students will:** | **Assessments: Assessment will be made as follows:** |
| Explore research findings on ethical behavior of counselors. | Written Assignments  Midterm and Final Exams |
| Differentiate the relationship between personal values, emotional stability and ethical actions as professionals. | Written Assignments  Midterm and Final Exams |
| Evaluate emerging ethical issues and the responsible use of technology in counseling. | Written Assignments  Midterm and Final Exams |
| Determine a counselor’s responsibility in records management. | Written Assignments  Midterm and Final Exams |
| Explore ethical issues related to online counseling. | Written Assignments  Midterm and Final Exams |
| Identify legal issues and risk management strategies for providing online counseling. | Written Assignments  Midterm and Final Exams |

1. **Course Requirements/Methods of Evaluation Employed**

**Assignments**

1. Course Requirements
2. Students must adhere to the 2014 *ACA Code of Ethics*.
3. Students must complete **all** assignments (includes all assignments including hours/hours logs).
4. Late assignments will not be accepted. Any late assignments will receive a grade of F (0 points).
5. Success in the Counselor Education program and this class consists of more than graded assignments. Work habits, positive attitude, and class attendance all play a major role in the success of any counseling student. Any of the following actions are considered just cause for immediate dismissal from the Counselor Education Program
6. Dishonesty (cheating, plagiarism, lying, etc.).
7. Unauthorized disclosure of confidential information.
8. Negligence or misconduct.
9. Mistreatment of fellow students, research participants, or faculty.
10. Abusing a fellow student, faculty member or staff member.
11. Violations of the rules, regulations, and principles in the *Code of Ethics* as identified by the American Counseling Association and the *Texas Tech University Code of Student Affairs.*
12. Willful submission of false information or alteration of any official records, counseling reports, papers, examinations, or dissertations.
13. Willful conduct that may cause injury to self or others.
14. Sexual harassment and/or violence in the workplace as defined by Texas Tech University.

**Evaluation and Grading Policy**A 90% - 100%

B 80% - 89%

C 70% - 79%

D 60% - 69%

F 59% and lower

Partial points will not be rounded to the nearest full point in calculation of the final grade. All written work is graded on content, format and meeting the requirements of the assignment and is not graded on effort.

A = Clearly stands out as an excellent performer. Has unusually sharp insight into material and initiates thoughtful questions. Sees many sides of an issue. Articulates well and writes logically and clearly. Integrates ideas previously learned from this and other disciplines; anticipates next steps in progression of ideas. Example: “A” work should be of such a nature that it could be put on reserve for all students to review and emulate. The “A” student is, in fact, an example for others to follow.

B = Grasps subject matter at a level considered to be good to very good. Participates actively in class discussion. Writes well. Speaks well. Accomplishes more than the minimum requirements. Produces high quality work. Example: “B” work indicates a high quality of performance and is given in recognition for solid work: a “B” should be considered a high grade.

C = Demonstrates a satisfactory comprehension of the subject matter. Accomplishes only the minimum requirements, and displays little or no initiative. Communicates orally (On-campus environments) and in writing at an acceptable level for a graduate student. Has an acceptable understanding of all basic concepts. Example: “C” work represents average work. A student receiving a “C” has met the requirements, including deadlines, of the course.

D = Quality and quantity of work is below average and barely acceptable. Example: “D” work is passing by a slim margin.

F = Quality and quantity of work is unacceptable. Academic credit is not earned for an F. Example: “F” work does not qualify the student to progress to a more advanced level of course work.

**Grading of Assignments**

|  |  |  |
| --- | --- | --- |
| **Assignment** | **Points Each:** | **Total Number of Points** |
| Discussion Posts/Participation (10) | 5 | 50 |
| Ethical Controversy/Case Study Papers (3) | 25 | 75 |
| Ethical Controversy Research Paper | 100 | 100 |
| Midterm | 50 | 50 |
| Final | 50 | 50 |
| **Total Points** |  | **325** |

**Course Assignments**

**Ethical Controversy Research Paper (100 points)**

Students will examine an ethical controversy in counseling. Students are to research the ethical controversy, identify and describe the ethical controversy and ethical principles involved, discuss any other incidents or court cases involving this particular type of controversy, and name and discuss any laws involved. This paper must explicitly analyze the ethical controversy and student must systematically develop and defend the ethical position of the controversy. Students are to write a 5-10 page research paper on the topic. Students are to cite research in discussing the points listed above for the paper. This paper should be written in APA format with a minimum of 10 primary sources over and above the textbooks.

**Ethical Controversy Assignments (75 points):**

Students will be presented with three ethical issues/controversies in counseling. Students will be required to research the issue/controversy, then discuss and analyze it. Papers should be written in APA format, include 3-5 references in APA format, and be 2-3 pages in length.

**Discussion Questions/Participation (50 points)**:

Discussion postings will prompt some personal thought and research on the topics being studied. The discussion question posting should be no less than 250 words, giving a clear answer to the question. The discussion postings are graded on clarity and an understanding of the information (quality of the response), not on the quantity of the words posted. The best answers are those that “get to the point” without undo excess. Cite your references in APA format and use additional resources other than your textbook. Make sure to post to three other student postings during that week to receive participation points. **Participation points are included in the points assigned per Discussion Forum.** You need to respond, post, debate, inform the posting with your classmates to get the participation points. Do not just say “*good point or nice post or I agree*.” This is not an acceptable response as your response should be rich and contain substantive responses to your fellow classmates.

**Midterm Exam (50 points)**

The Midterm examination for this course will be comprised of multiple-choice, short answer, and essay questions based on the course materials in Blackboard and the required text.

**Final Exam (50 points)**

The Final examination for this course will be comprised of multiple choice, short answer, and essay questions based on the course materials in Blackboard and the required text.

1. **Content Outline**

**EPCE 5369**

**Tentative Course Schedule**

| **Module** | **Topics** | **Assignments Due** |
| --- | --- | --- |
| Module 1 | The Counseling Profession  The Counselor as Person and Professional Identity  The Counseling Relationship  Overview of Law and Ethics  Ethical Decision Making | Discussion Forums  Ethical Controversy/ Case Study Assignment  *Reading Assignment:*  *Counselor and the Law: Chapters 1, 2, 3*  *Ethical, Legal, and Professional Issues: Chapters 1, 2* |
| Module 2 | Civil Malpractice Liability  Licensure Board Complaints and Criminal Actions  Confidentiality  Privileged Communication  HIPAA | Discussion Forums  Ethical Controversy/ Case Study Assignment  Midterm Exam  *Reading Assignment:*  *Counselor and the Law: Chapters 4, 5*  *Ethical, Legal, and Professional Issues: Chapter 5* |
| Module 3 | Duties to Report, Warn, and/or Protect  Suicide and Threats of Harm to Self  Malpractice | Discussion Forums  Ethical Controversy/ Case Study Assignment  *Reading Assignment:*  *Counselor and the Law: Chapters 6, 8*  *Ethical, Legal, and Professional Issues: Chapters 4, 8* |
| Module 4 | Business/Family Law  Professional Practice  Records Management  Current Board Rules in Texas Administrative Code 681.83  Competence  Assessment | Discussion Forums  *Reading Assignment:*  *Counselor and the Law: Chapters 9, 10*  *Ethical, Legal, and Professional Issues: Chapters 6, 7, 9* |
| Module 5 | Communication Technology and Social Media  Ethics and Technology  Managing a Counseling Practice  Private Practice  Health Care Plans  Business and Family Law | Discussion Forums  Ethical Controversy Research Paper  Final Exam  *Reading Assignment:*  *Counselor and the Law: Chapters 7, 11*  *Ethical, Legal, and Professional Issues: Chapters 10, 13* |

1. **Required Texts**

Wheeler, A.M. & Bertram, B. (2019). *The counselor and the law: A guide to legal and ethical practice* (8th ed.). Alexandria, VA: American Counseling Association.

Remley, T.P. & Herlihy, B.P. (2020). *Ethical, legal, and professional issues in counseling* (6th ed.). Pearson.

# American Counseling Association. (2014). *ACA code of ethics and standards of practice*. Alexandria, VA: Author.

#### **Other Required Materials (software, other readings, etc.):**

**Texas Administrative Code 681** (<https://texreg.sos.state.tx.us/public/readtac$ext.ViewTAC?tac_view=4&ti=22&pt=30&ch=681>)

**Texas Family Code**

Title 2 <https://statutes.capitol.texas.gov/Docs/FA/htm/FA.32.htm>

Chapter 261 Subchapter B <https://statutes.capitol.texas.gov/Docs/FA/htm/FA.261.htm>

**Texas Health and Safety Code**

Chapters 181 <https://statutes.capitol.texas.gov/Docs/HS/htm/HS.181.htm>

Chapters 611 <https://statutes.capitol.texas.gov/Docs/HS/htm/HS.611.htm>

### **Recommended Text:**

Herlihy, B. & Corey, G. (2015). *ACA ethical standards casebook* (7th ed.). Alexandria, VA: American Counseling Association.

1. **Scholastic Dishonesty**

Students are expected to exhibit ethical conduct at all times. Plagiarism and/or copying from another’s work are considered cheating and students will receive no credit for assignments if this conduct is displayed. Please refer to *Graduate School Handbook* and *Counselor Education Masters Admitted Student Handbook* for additional information.

1. **Handicapping Conditions/Religious Observances**

Any student who, because of a disability, may require special arrangements in order to meet the course requirements must contact the Office of Student Disability Services. Students must present to the instructor the appropriate verification from Student Disability Services during the instructor’s office hours or during the first class meeting. 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.

Students may be allowed an excused absence due to certain official religious holidays/observances. Students must notify the professor at the beginning of the semester and submit appropriate verification at least one week prior to the anticipated absence.

1. **Violence and Sexual Harassment**

All students are responsible for knowing and adhering to Texas Tech policies on sexual harassment and violence.

**TTU Resources for Discrimination, Harassment, and Sexual Violence**

Texas Tech University is committed to providing and strengthening an educational, working, and living environment where students, faculty, staff, and visitors are free from gender and/or sex discrimination of any kind. Sexual assault, discrimination, harassment, and other [Title IX violations](file:///C:\Users\lbradley\Documents\GA%20Work\Dropbox\Graduate%20Program%20Culminating%20Deliverables\Syllabi%2010-3-13\PhD%20-%20Phase%203\redir.aspx%3fREF=bTp_9LJr7xFeGNTnfbZsiFLD62XhyUk4mHi9lFflE-jlqQdPK0nTCAFodHRwOi8vdGl0bGVpeC50dHUuZWR1Lw) are not tolerated by the University. Report any incidents to the Student Resolution Center, (806)-742-SAFE (7233) or file a report online at [titleix.ttu.edu/students](file:///C:\Users\lbradley\Documents\GA%20Work\Dropbox\Graduate%20Program%20Culminating%20Deliverables\Syllabi%2010-3-13\PhD%20-%20Phase%203\redir.aspx%3fREF=2rfq2eOK4Z9BU8eB3jA30G8lPLWGdXOXF0QKDoqldLDlqQdPK0nTCAFodHRwOi8vdGl0bGVpeC50dHUuZWR1L3N0dWRlbnRz). Faculty and staff members at TTU are committed to connecting you to resources on campus. Some of these available resources are: **TTU Student Counseling Center,** 806-742-3674, [https://www.depts.ttu.edu/scc/](file:///C:\Users\lbradley\Documents\GA%20Work\Dropbox\Graduate%20Program%20Culminating%20Deliverables\Syllabi%2010-3-13\PhD%20-%20Phase%203\redir.aspx%3fREF=FDlqup5LQd9CICYAHkyU9YyD-1we7mbqQFoA55qFEUjlqQdPK0nTCAFodHRwczovL3d3dy5kZXB0cy50dHUuZWR1L3NjYy8) *(Provides confidential support on campus.)* **TTU Student Counseling Center 24-hour Helpline**,806-742-5555, *(Assists**students who are experiencing a mental health or interpersonal violence crisis.  If you call the helpline, you will speak with a mental health counselor.)* **Voice of Hope Lubbock Rape Crisis Center**, 806-763-7273, [voiceofhopelubbock.org](file:///C:\Users\lbradley\Documents\GA%20Work\Dropbox\Graduate%20Program%20Culminating%20Deliverables\Syllabi%2010-3-13\PhD%20-%20Phase%203\redir.aspx%3fREF=8dmhkaR7KbIzWT8TofivOVB25oxnQOXuQn6xzz7yDwhVCwpPK0nTCAFodHRwOi8vdm9pY2VvZmhvcGVsdWJib2NrLm9yZy8) *(24-hour hotline that provides support for survivors of sexual violence.)* **The Risk, Intervention, Safety and Education (RISE) Office**, 806-742-2110, [rise.ttu.edu](file:///C:\Users\lbradley\Documents\GA%20Work\Dropbox\Graduate%20Program%20Culminating%20Deliverables\Syllabi%2010-3-13\PhD%20-%20Phase%203\redir.aspx%3fREF=ZYpG27hiA3XvsOzoTF9BgGbs4VXOK51sFCofa-fN8t1VCwpPK0nTCAFodHRwczovL3d3dy5kZXB0cy50dHUuZWR1L3Jpc2Uv) *(Provides a range of resources and support options focused on prevention education and student wellness.)* **Texas Tech Police Department**, 806-742-3931, [http://www.depts.ttu.edu/ttpd/](file:///C:\Users\lbradley\Documents\GA%20Work\Dropbox\Graduate%20Program%20Culminating%20Deliverables\Syllabi%2010-3-13\PhD%20-%20Phase%203\redir.aspx%3fREF=fwsbQfodctJCW00CCZo8FICU7j3DexyhuAaD30X0bbdVCwpPK0nTCAFodHRwOi8vd3d3LmRlcHRzLnR0dS5lZHUvdHRwZC8) *(To report criminal activity that occurs on or near Texas Tech campus*.)

1. **ADA Compliance Statement**

Any student who because of a disability may require special arrangements in order to meet course requirements must contact the Office of Student Disability Services. Students must 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 received. For additional information, you may contact the Student Disabilities Service office at 335 West Hall or 806-742-2405.

1. **Other Class Policies**

Please read and adhere to the *Masters Admitted Student Handbook.* Students are responsible for understanding and implementing the policies and procedures in the *Handbook.*

1. **Course Resources and References**

# **References**

American Counseling Association. (2014). *ACA code of ethics*. Alexandria, VA: Author.

Auger, R.W. (2006). Delivering difficult news to parents: Guidelines for school counselors. *Professional School Counseling, 10(2),* 139-145.

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Barsky, A. E., & Gould, J.W. (2002). *Clinicians in court: A guide to subpoenas, depositions, testifying and everything else you need to know.* New York, NY: Guilford.

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Fowers, B. J., & Davidov, J. (2006). The virtue of multiculturalism: Personal transformation, character, and openness to the other. *American Psychologist*, *61*(6), 581-594.

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