

**George Mason University**  
**College of Education and Human Development**  
**Graduate School of Education - Counseling & Development**

**EDCD 611: Legal and Ethical Issues in School Counseling**

**2 credit hours** [10 weeks]

Spring 2011 Thursdays 7:20-10:00 Robinson A349

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**Office Hours:** by appointment

**Course Description**

*Prerequisite: Admission to the Counseling & Development Program, and successful completion of EDCD 602: Foundations of Counseling and EDCD 626: Principles and Practices of School Counseling.*

EDCD 611 is designed for counseling students in the school counseling track. It is designed to be taken midway through the curriculum so students should be familiar with basic counseling skills and applications, have an understanding of school counseling programs, and understand the developmental needs of children at either the elementary or secondary level.

EDCD 611 introduces principles, practices, and application of ethical and legal issues in school counseling, with emphasis on the Counseling & Development program's basic mission to help future counselors develop advocacy, leadership, social justice, and multicultural competencies.

Learning in this course will be achieved through the RED principles of adult learning.

**Responsibility:** Students will be respected as adults who are responsible for their own learning. Students are assumed to be responsible adults who can manage their schedules and workloads are expected to treat others respectfully.

**Experience:** This course acknowledges that all students bring a wealth of life experiences as well as experience and knowledge from previous courses on the Counseling and Development program. This experience will guide their learning and facilitate the learning of others.

**Desire:** Students are assumed to be motivated by an internal desire to learn and therefore will accomplish the learning without the need for external motivations.

This course also follows the four pillars of education:

**To Do:** Students will behave in an ethical manner and complete assignments to enhance and demonstrate learning

**To Know:** Students will know the laws, standards of ethical practice and parameters of legal and ethical behavior

**To Think:** Students will develop the ability to use their knowledge of legal and ethical issues to make deliberate and informed decisions

**To Become:** Students will become school counselors who instinctively make moral and ethical decisions and exhibit moral and ethical behaviors

## **Student Outcomes**

At successful completion of this course, students should be able to:

- Demonstrate knowledge of the theory and practice of ethical principles and standards.
- Describe differences between ethical principles and legal standards.
- Demonstrate an awareness of the potential ethical dilemmas school counselors face.
- Apply a working knowledge of various Codes of Ethics to their daily practice.
- Use ethical decision-making processes.
- Demonstrate a working knowledge of the laws that pertain to school counseling in the Commonwealth of Virginia.
- Demonstrate a working knowledge of the child abuse intervention and report laws that pertain to all educators in the Commonwealth of Virginia.
- Become familiar with effective intervention strategies.
- Demonstrate an understanding of the legal exceptions to confidentiality and privileged communication.
- Demonstrate an understanding of the legal requirements and qualifiers for records, technology, and subpoenas.

At the end of this course, students will demonstrate the following ASCA School Counselor Competencies.

- II-B-4. Applies the ethical standards and principles of the school counseling profession and adheres to the legal aspects of the role of the school counselor.
- II-B-4a. Practices ethical principles of the school counseling profession in accordance with the ASCA Ethical Standards for School Counselors.
- II-B-4b. Understands the legal and ethical nature of working in a pluralistic, multicultural, and technological society.
- II-B-4c. Understands and practices in accordance with school district policy and local, state and federal statutory requirements.
- II-B-4d. Understands the unique legal and ethical nature of working with minor students in a school setting.
- II-B-4e. Advocates responsibly for school board policy, local, state and federal statutory requirements that are in the best interests of students.
- II-B-4f. Resolves ethical dilemmas by employing an ethical decision-making model appropriate to work in schools.
- II-B-4g. Models ethical behavior.
- II-B-4h. Continuously engages in professional development and uses resources to inform and guide ethical and legal work.
- II-B-4i. Practices within the ethical and statutory limits of confidentiality.
- II-B-4j. Continually seeks consultation and supervision to guide legal and ethical decision making and to recognize and resolve ethical dilemmas.
- II-B-4k. Understands and applies an ethical and legal obligation not only to students but to parents, administration and teachers as well.

EDCD 611 also addresses requirements for school counseling licensure that candidates understand legal, ethical, and professional issues and standards of the counseling profession. It

also addresses the specialty area requirements of the Council for the Accreditation of Counseling and Related Educational Programs (CACREP) for school counseling programs.

- CACREP-Section II.K.a: An understanding of all aspects of professional functioning, to include: Ethical standards of ACA/ASCA and related entities, and applications of ethical and legal considerations in professional counseling; and
- CACREP-Section SCP.A: An understanding of professional functioning in School Counseling.

### **Course Materials and Assignments**

This course is taught through discussion using face-to-face classroom and online learning formats. Students will be sent an invitation and link to access each on-line session. The invitations will be sent no later than 48 hours before each on-line session.

### **Required Texts**

Remley, T. P., Hermann, M. A., & Huey, W. C (Ed), (2010). *Ethical and legal issues in school counseling* (3rd ed.). Alexandria, VA: American School Counselor Association.

Stone, C.B. (2009). *School counseling principles: Ethics and law* (2nd ed.). Alexandria, VA: American School Counselor Association.

### **Codes of Ethics**

American School Counselor Association

<http://asca2.timberlakepublishing.com//files/EthicalStandards2010.pdf>

American Counseling Association

[www.counseling.org/Resources/CodeOfEthics/TP/Home/CT2.aspx](http://www.counseling.org/Resources/CodeOfEthics/TP/Home/CT2.aspx)

National Board for Certified Counselors

[www.nbcc.org/AssetManagerFiles/ethics/nbcc-codeofethics.pdf](http://www.nbcc.org/AssetManagerFiles/ethics/nbcc-codeofethics.pdf)

### **Assignments**

The following assignments are required. Assignments not submitted or posted by the class period after they are due will not be accepted.

#### **Ethics Quiz** (10 points)

Students will watch the online presentation, *Legal and Ethical Complications of Working with Minors in Schools* by Carolyn Stone and take the accompanying quiz.

#### **Case studies** (10 points each)

Students will be presented with two cases studies and are asked to apply the Solutions to Ethical Problems in Schools process (Stone, 2001, pp.20-24) to address the ethical dilemma presented.

Case studies will be addressed in a paper of no more than two typed, double-spaced pages.

Students will post their papers on Blackboard and participate in an online discussion about each other's papers.

### Amicus Brief (15 points)

Students will research the lawsuit *Keeton v Augusta State University* and write an amicus brief supporting either the school's right to require Jennifer Keeton to complete a remediation plan because of her religious beliefs regarding homosexuality or supporting Keeton's First Amendment rights to free speech and free exercise of religion. Students will post their papers on Blackboard and engage in an online discussion about each other's papers.

### Child Abuse Online Training (10 points)

Students will take the on-line child abuse training course required for certification in Virginia. The course can be accessed at [www.vcu.edu/vissta/training/va\\_teachers](http://www.vcu.edu/vissta/training/va_teachers) Students will submit a copy of the Certificate of Completion to demonstrate completion of the online training.

### Ethical Dilemma and Social Justice Paper (20 points)

In a paper of no more than three typed, double-spaced pages (excluding title and reference pages), present an example of an ethical dilemma with social justice implications you have experienced or witnessed with a co-worker, peer or supervisor in a school setting. The paper should be written objectively, taking care not to name specific people or agencies/schools.

The title of the paper is: The Role of the Professional School Counselor: Social Justice and Ethics.

The running head is: SC-Social Justice and Ethics. The paper should include the following:

- *Abstract*. Approximately 80 to 120 words, the abstract should include a short definition of the term, "social justice." After the Abstract, an opening paragraph briefly introduces the content of the paper and includes a more detailed definition of the term social justice presented in the abstract. The opening paragraph is written in an objective, third person voice.
- *Case Scenario* (subhead). This section succinctly describes the situation in no more than one page. The case scenario is written in an objective, third person voice.
- *Ethical Dilemma and Social Justice Implications* (subhead). This section succinctly describes the ethical dilemma and states the social justice implications. It also analyzes any action taken, exploring whether the person made an ethically sound decision, with supporting evidence or discussion of an ethically sound approach that should have been taken. The analysis should be based on research, with citations, and is written in an objective, third person voice.
- *Implications for Professional School Counselors* (subhead). This section presents a thoughtful and reflective summary of the role of the professional school counselor related to the case study, highlighting the social justice issues and ethical principle(s) of the case and suggestions for improvement. This section is written in a subjective, first person voice (Use personal pronouns such as "I," "me," and "my.")

The paper must be based on the professional literature with at least one article from a juried professional counseling journal such as the *Professional School Counselor* journal published by ASCA or the *Journal of Counseling and Development* published by ACA. Publication date must not exceed five years. Research citations should be used throughout the paper. Although the summary section is reflective in nature, the rest of the paper must be written in an objective voice.

### Final Paper (25 points)

In a paper of no more than five typed, double-spaced pages (excluding title and reference pages), students will address this question:

What is the difference between the ASCA Ethical Standards for School Counselors and the codes of ethics developed by ACA and NBCC. How do these differences reflect the difference between school counseling and other counseling practices?

The case studies, social justice paper and final paper must follow the APA 6th edition format. The social justice paper and final paper should include a cover page and reference page. They also should include an abstract that summarizes the main point(s) of the paper. The abstract should be approximately 80 to 120 words. Students should use appropriate research citations throughout their work.

### **Grades**

George Mason University policies prohibit instructors from issuing a grade of A+. The following grading scale will be used for this course:

A	97—100	B+	91—93	C	80—83
A-	94—96	B	87—90	F	0—79
		B-	84—86		

### **George Mason University Policies and Requirements**

#### **ADA**

The Americans with Disabilities Act (ADA) prohibits discrimination against individuals with disabilities in the services, programs, or activities of all state and local governments. Students with disabilities who seek accommodations in a course must be registered with the GMU Disability Resource Center (DRC) and inform the instructor, in writing, at the *beginning* of the semester. See [www.gmu.edu/student/drc](http://www.gmu.edu/student/drc) or call 703-993-2474 to access the DRC.

#### **GMU's Honor Code**

Students must adhere to the guidelines of the George Mason University Honor Code [See <http://academicintegrity.gmu.edu/honorcode/>] “To promote a stronger sense of mutual responsibility, respect, trust, and fairness among all members of George Mason University and with the desire for greater academic and personal achievement, we, the members of George Mason University, have set forth the following code of honor. Any individual who is caught in the act of cheating or attempting to cheat, plagiarizing, or stealing will be brought forth before a council of their peers. In the event that the individual is found guilty, he or she will be punished accordingly.”

#### **Technology Use**

GMU students must agree to abide by the university policy for Responsible Use of Computing. See <http://universitypolicy.gmu.edu/1301gen.html>

#### **GMU E-mail**

All students must have and use their GMU e-mail account accessible at <http://mail.gmu.edu>. This is the official e-mail address used by the Registrar, the Dean's office, and C&D faculty and instructors. All communication from the university, college, school, and program will be sent to students solely through their Mason email account. Students are required to activate their account and are expected to check their GMU e-mail on a daily basis during the semester and to monitor their quota restrictions, especially if they have mail forwarded to personal accounts. Students are

responsible for the content of university communications sent to their George Mason University email account.

### **BlackBoard**

BlackBoard will be used as the primary web link to access course instruction and documents, and to communicate with classmates. GMU's Blackboard address is: <http://courses.gmu.edu>  
Your "login" name is your GMU user id (the first part of your email address before the "@gmu.edu." Your user name is the same as your email password. All documents for EDCD 611, including all PowerPoint lectures, are posted on Blackboard. To download documents, put the cursor on the document and simply right-click and "save as" onto your hard drive.

### **Professional Dispositions**

GMU students are expected to exhibit professional behavior. See: [www.gse.gmu.edu](http://www.gse.gmu.edu) for a listing of these dispositions.

Students must follow the university policy stating that all sound emitting devices shall be turned off during class unless otherwise authorized by the instructor

### **Professional Performance Criteria (Effective February 25, 2003)**

The Counseling and Development Program in the Graduate School of Education at George Mason University requires its students to adhere to specific Professional Performance Criteria. These *Performance Criteria* are on the Counseling & Development program's homepage: <http://gse.gmu.edu/programs/counseling/resources>

### **APA Style**

APA Style is enforced in all classes since many faculty members. There is a new sixth edition of the manual that came out in August 2009.

### **Plagiarism**

The following two paragraphs are taken directly from GMU's website addressing plagiarism. Read them carefully to ensure thorough understanding of this issue. **NOTE:** Any form of plagiarism could be justification for dismissal from the Counseling & Development program. The full GMU Plagiarism Policy can be found at <http://mason.gmu.edu/~montecin/plagiarism.htm#plagiarism>

### ***Plagiarism Statement***

*Plagiarism means using the exact words, opinions, or factual information from another person without giving that person credit. Writers give credit through accepted documentation styles, such as parenthetical citation, footnotes, or endnotes; a simple listing of books and articles is not sufficient. Plagiarism is the equivalent of intellectual robbery and cannot be tolerated in an academic setting. Student writers are often confused as to what should be cited. Some think that only direct quotations need to be credited. While direct quotations do need citations, so do paraphrases and summaries of opinions or factual information formerly unknown to the writers or which the writers did not discover themselves. Exceptions for this include factual information which can be obtained from a variety of sources, the writers' own insights or findings from their own field research, and what has been termed common knowledge. What constitutes common*

*knowledge can sometimes be precarious; what is common knowledge for one audience may not be so for another. In such situations, it is helpful, to keep the reader in mind and to think of citations as being "reader friendly." In other words, writers provide a citation for any piece of information that they think their readers might want to investigate further. Not only is this attitude considerate of readers, it will almost certainly ensure that writers will never be guilty of plagiarism.*

### ***Plagiarism and the Internet***

*Copyright rules also apply to users of the Internet who cite from Internet sources. Information and graphics accessed electronically must also be cited, giving credit to the sources. This material includes but is not limited to e-mail (don't cite or forward someone else's e-mail without permission), newsgroup material, information from Web sites, including graphics. Even if you give credit, you must get permission from the original source to put any graphic that you did not create on your web page. Shareware graphics are not free. Freeware clipart is available for you to freely use. If the material does not say "free," assume it is not. Putting someone else's Internet material on your web page is stealing intellectual property. Making links to a site is, at this time, okay, but getting permission is strongly advised, since many Web sites have their own requirements for linking to their material. (Virginia Montecino)*

### **Attendance**

Students are expected to attend class, arrive on time and stay for the entire class period. Missing two classes could result in failing the course. Students with more than one unexcused absence, will fail a class. Excused absences should be accompanied by a note from someone's doctor, etc. Finally, lateness to class can count towards someone's absence and/or participation grade.

### **Counseling Services**

As a counseling program, Counseling & Development fully supports its students in their personal growth and encourages them to use the free counseling services at GMU. Counseling can help students cope with the stressful demands of a graduate program and can afford students the opportunity to experience both sides of the counseling relationship.

### **Writing Center**

The George Mason University Writing Center staff provides a variety of resources and services (e.g., tutoring, workshops, writing guides, handbooks) intended to support students as they work to construct and share knowledge through writing. See <http://writingcenter.gmu.edu/>

For additional information on the College of Education and Human Development, Graduate School of Education, please visit the website <http://gse.gmu.edu/>

## EDCD 611 - Class Schedule

Class will be conducted through six classroom sessions and four on-line sessions using the following schedule:

<u>Date/Format &amp; Topic</u>	<u>Readings</u>	<u>Assignment Due</u>
02/03/2011: Classroom Introduction		
02/10/2011: Classroom Professionalism and Decision-making	Stone-1 & 2, RH&H-1, 2	Ethics Quiz
02/17/2011: On-line Courts/Legal Issues	Stone- 4, 5, RH&H-1	Case Study
02/24/2011: Classroom Courts/Legal Issues	Stone- 4, 5, RH&H-1	
03/03/2011: On-line Child Abuse	Stone-6, , RH&H-5	Child Abuse Cert.
03/10/2011: Classroom Records and Reporting	Stone-3, RH&H- 2, 5	
03/17/2011: Spring Break		
03/24/2011: Online Bullying and Violence	Stone-10, RH&H-4	Case Study
03/31/2011: Classroom Sexual Harassment/Sexually Active Students	Stone-8, 9	Social Justice Paper
04/07/2011: Online GBLT Students	Stone-11	Amicus Brief
04/14/2011: Classroom Advocacy/Special Populations	Stone-12	Final Paper

The schedule and syllabus are subject to change based on the needs of the class.