

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]

Fall 2011

Class Location: Robinson Hall A 349

Class Time & Date: Thursdays 4:30P-7:10P

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Office Hours: by appointment

Course Description

Prerequisite(s): Admission to the CNDV program, and successful completion of EDCE 602: Foundations of Counseling and EDCE 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.

EDCD 611 also addresses requirements for school counseling licensure that candidates understand the 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.

Student Outcomes

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

1. Demonstrate knowledge of the theory and practice of ethical principles and standards.
2. Describe differences between ethical principles and legal standards.
3. Demonstrate an awareness of the potential ethical dilemmas school counselors face.
4. Demonstrate a working knowledge of various Codes of Ethics to their daily practice.

5. Demonstrate an ethical decision-making processes.
6. Demonstrate a working knowledge of the laws that pertain to school counseling in the Commonwealth of Virginia.
7. Demonstrate a working knowledge of the child abuse intervention and report laws that pertain to all educators in the Commonwealth of Virginia.
8. Become familiar with effective intervention strategies.
9. Demonstrate an understanding of the legal exceptions to confidentiality and privileged communication.
10. Demonstrate an understanding of the legal requirements and qualifiers for records, technology, and subpoenas.

ASCA School Counselor Competencies

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.

Course Materials and Assignments

This course is taught through a combination of lectures, class discussions, small group discussions, group presentation, assigned readings, experiential exercises, research, multi-media presentations, guest speakers, examinations and online learning formats to advance and evaluate students' knowledge and skills.

Required Texts

Stone, C.B. (2009). *School counseling principles: Ethics and law* (2nd ed.). Alexandria, VA: American School Counselor Association. ISBN: 978-1-929289-17-2

Cottone, R. R., & Tarvydas, V. M. (2007). *Counseling ethics and decision making* (3rd ed.). Upper Saddle River, NJ: Pearson Education, Inc. ISBN: 978-0131710054

*Additional readings may be assigned at the discretion of the instructor.

Recommended Reading (Optional)

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.

American Psychological Association. (2011). *Publication manual of the American psychological association* (6th ed.). Washington, DC: Author.

Or

The University of Purdue, online APA formatting and style guide. Retrieved from:
(<http://owl.english.purdue.edu/owl/resource/560/01/>)

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

National Board for Certified Counselors

www.nbcc.org/AssetManagerFiles/ethics/nbcc-codeofethics.pdf

Assignments

Grading on written work will take into account the following factors: quality of written work, knowledge of content area, APA 6th edition format, and adherence to requirements of assignment. **As a graduate student, it is expected that all of your work will be turned in on the assigned dates. If an assignment is accepted at a later date, it is subject to a penalty of 10% of the award for every day it is overdue.** Assignments are considered late after 15 minutes of the class session in which they are due. If you are absent, you are responsible for the information missed in class, including but not limited to assignments, change in due dates, content of discussion and/or lecture, and handouts.

Class Attendance and Participation (10 points)

Students are expected to attend all scheduled classes and will be assessed by their preparedness for class and involvement in class discussions and activities. It is expected that you will have done the readings prior to the class and are prepared to participate in the class discussions. Much of your learning will take place as a result of your interactions and participation in class. ***Online discussions of readings and case studies will be held and students are expected to participate in all online discussions and to post responses in a timely manner.*** As a graduate student, you are expected to arrive on time and stay for the entire class period. **Students are expected to attend class, arrive on time and stay for the entire class period. Students with more than one unexcused absence will fail the class. Excused absences should be accompanied by a note from someone's doctor, etc. Finally, lateness to or leaving early from class can count towards someone's absence and/or participation grade.** If you must miss a class or arrive late, please call and notify the professor before the class meeting. A rubric will be provided in class.

Ethics Quizzes -- Examination (20 points)

Students are required to complete two quizzes during the course. In each ethics quiz you will be asked to answer true/false questions and apply the concepts from the text, lectures and readings to a hypothetical case(s) that is based on actual cases. Ethics Quizzes will be completed during the first or last 30-45 minutes of class and will be in an open-book and open-note format.

Each quiz is worth a maximum of 10 points. The following evaluation criteria will be applied to cases:

- Understanding of how laws and ethical standards apply to the case
- Accurate interpretation of the facts of the case
- Knowledge of the relevant aspects of research and scholarship on the subject
- Capacity to apply standards and material from assigned readings to a specific case
- Ability to express ideas clearly...

Ethics Case Studies -- Team Presentation (15 points)

Students will be assigned to a team of presenters (second day of class) that will be required to develop an ethics case and lead a discussion about this case that involves an ethical, legal and/or value issue in counseling. Your team can highlight an issue that emphasizes a particular professional practice area if it so desires. The team is expected to present the case to the class using a prominent ethical decision making model, lead a class discussion of the issues involved, analyze at least two alternative responses, and provide your preferred response with your justification. You should hand out a reference list to the group at the time of the presentation providing the citations from the literature that support your presentation. Finally, you are to provide a **brief written analysis (2 - 3 pages)** of the strengths and weaknesses of the model and the issues you would wish to consider in using it as a counselor educator within an ethics course. Students will post their papers on Blackboard and participate in an online discussion about each other's papers. A rubric will be provided in class.

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 Students will submit a copy of the Certificate of Completion to demonstrate completion of the online training.

Ethical Dilemma and Social Justice Paper (15 points)

Students will compose a **5-6 page paper** (excluding title and reference pages), of an ethical dilemma with social justice implications you have experienced or witnessed with a co-worker, peer or supervisor in a school setting. If students are unable to come up with an example of an ethical dilemma, they may use real world examples from the school counseling literature. A rubric will be provided in class.

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 (and/or culturally appropriate 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/multicultural 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--ten 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.

Resource/Referral List (10 points)

School Counselors: Create a list of 15 resources/referrals for your local district. Include descriptions of the resources and contact information. Think broadly about issues that arise with the population of students/families with which you work. Be sure to think about factors such as language, SES, and ethnicity/culture of your students and their families. The list will be posted on Blackboard and shared with the class.

Final Paper (20 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. A rubric will be provided in class.

Course Requirements and Evaluation

Assignments	Points	Due Dates
Class Attendance and Participation	10	Evaluation throughout semester
Child Abuse Online Training Certificate	10	Oct. 6 th
Ethics Quizzes	20	Sept. 22 nd & Oct. 13 th
Ethics Case- Team Presentation	15	Sept. 29 th
SC Resource List	10	Oct. 27 th
Ethical Dilemma and Social Justice Paper	15	Oct. 20 th
Final Paper	20	Nov. 3 rd

Total Points Possible	100
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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		

COLLEGE OF EDUCATION AND HUMAN DEVELOPMENT

Student Expectations

- Students must adhere to the guidelines of the George Mason University Honor Code [See <http://academicintegrity.gmu.edu/honorcode/>].
- Students with disabilities who seek accommodations in a course must be registered with the George Mason University Office of Disability Services (ODS) and inform their instructor, in writing, at the beginning of the semester [See <http://ods.gmu.edu/>].
- Students must follow the university policy for Responsible Use of Computing [See <http://universitypolicy.gmu.edu/1301gen.html>].
- Students are responsible for the content of university communications sent to their George Mason University email account and are required to activate their account and check it regularly. All communication from the university, college, school, and program will be sent to students solely through their Mason email account.
- Students must follow the university policy stating that all sound emitting devices shall be turned off during class unless otherwise authorized by the instructor.
- Students are expected to exhibit professional behaviors and dispositions at all times.

Campus Resources

- The George Mason University Counseling and Psychological Services (CAPS) staff consists of professional counseling and clinical psychologists, social workers, and counselors who offer a wide range of services (e.g., individual and group counseling, workshops and outreach programs) to enhance students' personal experience and academic performance [See <http://caps.gmu.edu/>].
- 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 our website [See <http://gse.gmu.edu/>].

C&D Program 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>

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. 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.

Use of Technology

Cell phones, pagers, and other communicative devices are not allowed in this class. Please keep them stowed away and out of sight. Laptops or tablets (e.g. iPads) may be permitted for the purpose of taking notes only, but you must submit a request in writing to do so. Engaging in activities not related to the course (e.g. gaming, email, chat, etc.) will result in a significant deduction in your participation grade.

EDCD 611 – Tentative Class Schedule

Date	Topic	Readings and Assignments
Week 1: Sept. 1	Topic: Orientation & Introductions	
Week 2: Sept. 8	Topic: Ethical Principles and Standards in Counseling Ethics and the Law Professionalism	Readings: Stone-1 &2; Cotton & Tarvydas 1 & 3
Week 3: Sept. 15	Topic: Ethical Decision Making Models Ethical School Climate School Counseling Ethical Overview Individual & Group Counseling, and Classroom Guidance	Readings: Stone 7; Cotton & Tarvydas -6 &13
Week 4: Sept. 22	Topic: Ethics and Multiculturalism/Social Justice Topic: School Counselors as Social Change Agents Advocacy/Special Populations Special Education <ul style="list-style-type: none"> • Gay, lesbian, bisexual and transgender students 	DUE: Ethics Quiz #1 Readings: Cotton & Tarvydas -11; Special Readings available on Blackboard (Remley, Hermann, & Huey) Readings: Stone- 12 Special Readings available on Blackboard
Week 5: Sept. 29	Topic: Application of Ethical Models to Case Emphasizes on Social Justice & Advocacy House-Keeping Issues	DUE: Ethics Case—Team Presentations

Week 6: Oct. 6	<p>Topic: Students at-risk for Suicide & Substance Abuse</p> <ul style="list-style-type: none"> • Sexually harassment • Child Abuse • Sexually active students <p>Rights of Parents Family Education Act and Privacy Act Confidentiality and Privileged Communication</p>	<p>DUE: Child Abuse Online Training</p> <p>Readings: Stone-6 &3</p> <p>Special Readings available on Blackboard (Remley, Hermann, & Huey)</p>
Week 7: Oct. 13	<p>Topic: Bullying, violence, and criminal activity GBLT Students</p>	<p>Readings: Stone-10-11 Due: Ethical Quiz # 2</p>
Week 8: Oct. 20	<p>Topic: Sexual harassment/Sexually Active Students</p>	<p>DUE: Ethical Dilemma and Social Justice Paper</p> <p>Readings: Stone-8 & 9</p>
Week 9: Oct. 27	<p>Topic: Courts/Legal Issues Court Appearances</p> <p>Ethical Climate</p>	<p>Due: Resource List</p> <p>Readings: Stone-4-5;Cotton & Tarvydas -7</p>
Week 10: Nov. 3	<p>Topic: The Ethical Professional Counselor</p> <p>Ethics of Supervision/Consultation</p> <p style="text-align: center;"><i>Closure</i></p>	<p>DUE: Final Paper</p> <p>Readings: Cotton & Tarvydas- 19 & 20</p>

Notes:

Course Agenda is subject to change at the discretion of the professor based on the unique characteristics of the class and course content.

Rubric for Class Attendance & Participation

	Exceeds	Adequate	Emerging	Not Present
Attendance	Attends all classes, arrives on time and stays for the entire class. (5)	Misses one full class; or comes late twice; and/or leaves early twice. (4)	Misses two full classes; or comes late 3 or more times; and/or leaves early three or more times (3)	Misses more than two classes and must withdraw from the course.
Class and Small Group Participation Behaviors	Regularly asks/answers questions and/or makes observations that indicate reflection and analysis appropriate to topic, lecture, or assigned readings. (5)	Occasionally asks/answers questions and/or makes observations that indicate reflection and analysis appropriate to topic, lecture, or assigned readings. (3)	Rarely asks/answers questions or makes comments that indicate familiarity with topic, lecture, or assigned readings. (2)	Never asks/answers or makes comments that indicate familiarity with the topic, lecture, or assigned readings. (0)

Points: 10

Ethics Case Team Presentation

	Criteria				Points
	0	1	1-2	2-3	
Relevant Information	Product is incomplete	Product is missing one of the required components Product fails to provide any of the previously described components	Includes resources and/or supportive material. Accurate citations	Product provides relevant & accurate counseling info Includes resources and/or supportive material. Accurate citations	___
Content Knowledge	Student does not seem to have grasped the information presented.	Explanations of concepts and/or theories are inaccurate or incomplete. Little attempt is made to tie in theory.	Student is at ease with content, but fails to elaborate or provide examples.	Speaker provides an accurate and complete explanation of key concepts and theories with explanations and elaboration.	___
Mechanics	Student presentation had four or more spelling errors and/or grammatical errors.	Audience occasionally has trouble hearing the presentation; seems uncomfortable Presentation had three misspellings and/or grammatical errors.	Clear articulation but not as polished; slightly uncomfortable at times. Presentation has no more than two misspellings and/or grammatical errors.	Poised, clear articulation; proper volume; steady rate; enthusiasm; confidence Presentation has no misspellings or grammatical errors.	___
Delivery	Student is not able to keep the audience engaged. The verbal or nonverbal feedback from the audience may suggest a lack of interest or confusion. Student makes no eye contact and only reads from notes.	Student is able to keep the audience engaged at least half of the time. Student occasionally uses eye contact, but still reads mostly from notes.	Student is able to keep the audience engaged most of the time. Some effort to make the material relevant to audience needs and interests. Student maintains eye contact most of the time but frequently returns to notes.	Student is able to effectively keep the audience engaged. Material is modified or clarified as needed given audience verbal and nonverbal feedback. Student maintains eye contact with audience, seldom returning to notes.	___
Ethical Model Break down.	Student did not participate in the presentation of ethical model.	Students were somewhat unprepared/unfamiliar with their assigned ethical model	Students were slightly uncomfortable at times in their understanding, articulation, and application of the ethical model.	Students clearly articulated and demonstrated the use of an ethical problem to solve a dilemma.	___
				Total---->	___

Points: 15

Ethical Dilemma and Social Justice Implications -PAPER EVALUATION	
Criteria	Points
Possible Assigned	
1. Format: Overall format of paper:	1 _____
a. Is it in correct APA format?	
b. Did you use proper citation style (e.g., Burns, 1996)?	
2. Writing Style: Is the writing clear and easy to understand?	2 _____
a. Was the overall organization of the paper clear?	
b. Were sentences clearly and appropriately constructed?	
c. Were there grammatical/spelling errors?	
Required Sections of Personal Counseling Therapy	
3. Abstract: Does paper have a clear, concise, and informative description	1 _____
4. Case Scenario: Does paper succinctly describe the situation	1 _____
5. Ethical Dilemma and Social Justice implications: Does the paper state SJ implications, analyzes actions taken, provide supporting evidence, etc.	5 _____
6. Implications for PSC: Does the paper present a thoughtful and reflective summary of the role of the PSC related to the case study, etc.	5 _____
	Total: 15 _____
Other Comments:	

Ethical Dilemma and Social Justice Implications -PAPER EVALUATION	
Criteria	Points
Possible Assigned	
1. Format: Overall format of paper:	1 _____
a. Is it in correct APA format?	
b. Did you use proper citation style (e.g., Burns, 1996)?	
2. Writing Style: Is the writing clear and easy to understand?	2 _____
a. Was the overall organization of the paper clear?	
b. Were sentences clearly and appropriately constructed?	
c. Were there grammatical/spelling errors?	
Required Sections of Personal Counseling Therapy	
3. Abstract: Does paper have a clear, concise, and informative description	1 _____
4. Case Scenario: Does paper succinctly describe the situation	1 _____
5. Ethical Dilemma and Social Justice Implications: Does the paper state SJ implications, analyzes actions taken, provide supporting evidence, etc.	5 _____
6. Implications for PSC: Does the paper present a thoughtful and reflective summary of the role of the PSC related to the case study, etc.	5 _____
	Total: 15 _____
Other Comments:	

Final -PAPER EVALUATION	
Criteria	Points
Possible Assigned	
1. Format: Overall format of paper:	2 _____
a. Is it in correct APA format?	
b. Did you use proper citation style (e.g., Burns, 1996)?	
2. Writing Style: Is the writing clear and easy to understand?	3 _____
a. Was the overall organization of the paper clear?	
b. Were sentences clearly and appropriately constructed?	
c. Were there grammatical/spelling errors?	
Required Sections of Personal Counseling Therapy	
3. Abstract: Does paper have a clear, concise, and informative description	1 _____
4. Distinguish between ASCA, ACA, and NBCC Code of Ethics: Does paper succinctly distinguish between the previous listed code of ethics	7 _____
5. Differences between Counseling Professions: Does the paper succinctly describe how these differences in code of ethics reflect the differences between school counseling and other counseling practices?	7 _____
	Total: 20 _____
Other Comments:	