



College of Education and Human Development

Counseling & Development  
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<http://gse.gmu.edu/counseling/>

**EDCD 611.001: Intro to Ethical and Legal Issues in School  
Counseling  
2 credit hours  
Spring 2015  
Wednesday, 4:30pm-7:10pm  
Aquia 219**

**Instructor:** Mary Jordan, Ed. D.

**Office Hours:** Available upon request.

**Office Location:** Off campus.

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**Course Description**

*Prerequisite(s): Admission to the CNDV program, and successful completion of EDCE 603: Foundations of Counseling and successful completion of or concurrently enrolled in EDCE 626: Principles and Practices of School Counseling. University Catalog Course Description: Introduces principles, practices, and application of ethical and legal issues in school counseling.*

**Intro Ethical and Legal Issues in School Counseling**

This course 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 that can be used effectively across a diverse range of ethnic, socioeconomic, geographic, and cultural school communities. Students should also have an understanding of school counseling programs and the developmental needs of children at both the elementary and secondary level.

This course introduces principles, practices, and applications of ethical and legal issues in school counseling, within a multicultural and social justice context. The course also addresses requirements for school counseling licensure that candidates understand the legal, ethical, and professional issues and standards of the counseling profession. The primary goal of the course is to help students become more ethical and culturally competent counselors.

**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 an understanding of the relationship between personal/cultural values, beliefs and ethical actions as professionals.

5. Demonstrate an understanding of how racism, sexism, ageism, heterosexism, ability, and other forms of stereotyping are ethical issues.
6. Demonstrate a working knowledge of various Codes of Ethics to their daily practice.
7. Demonstrate an ethical decision-making process.
8. Demonstrate a working knowledge of the laws that pertain to school counseling in the Commonwealth of Virginia.
9. Demonstrate a working knowledge of the child abuse intervention and report laws that pertain to all educators in the Commonwealth of Virginia.
10. Become familiar with effective intervention strategies.
11. Demonstrate an understanding of the legal exceptions to confidentiality and privileged communication.
12. Demonstrate an understanding of the legal requirements and qualifiers for records, technology, and subpoenas.

### **CACREP Specialty Area Requirements**

At the end of this course, students will demonstrate the following CACREP specialty area requirements for school counseling programs.

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

Section SCP.A. An understanding of professional functioning in School Counseling.

### **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, global, 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.

### **Required Texts**

*Dahir, C and Stone C.B. (2012). The transformed school counselor (3<sup>rd</sup>. ed.). Belmont, CA: Brooks/Cole Cengage Learning. ISBN:978-1-285-19120-1*

*Stone, C.B. (2013). School counseling principles: Ethics and law (3<sup>rd</sup>. ed.). Alexandria, VA: American School Counselor Association. ISBN: 978-1-929289-41-7*

### **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.

**\*Additional readings are available on the course's Blackboard page.**

### **Recommended Reading (Optional)**

American Psychological Association. (2011). *Publication manual of the American Psychological Association* (6<sup>th</sup> 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](http://www.counseling.org/Resources/CodeOfEthics/TP/Home/CT2.aspx)

*Counselors for Social Justice*  
[www.counselorsforsocialjustice.com](http://www.counselorsforsocialjustice.com)

*National Board for Certified Counselors*  
[www.nbcc.org/AssetManagerFiles/ethics/nbcc-codeofethics.pdf](http://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 6<sup>th</sup> 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. All assignments should be uploaded via Blackboard, as well as turned into class via hard copy on the day the assignment is due.

## **Class Attendance and Participation (10 points)**

Due to the limited time class attendance is indispensable. Students are expected to attend all schedule 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. 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. Much of your learning will take place as a result of your interactions and participation in class.

Subsequently, any unexcused absence will result in failing the course (<http://gse.gmu.edu/programs/counseling/resources/>) or lowering of the final grade. Excused absences can only be arranged with instructor on a case by case basis. Students who miss more than (1) class with an excused absence will result in a 1 letter grade deduction per absence. If you must miss a class or arrive late, please call and notify the professor before the class meeting. A rubric will be provided on Blackboard.

Contacting the instructor for absences, late arrivals or early dismissals is a courtesy and does not necessarily mean exemption from attendance and participation responsibility; this means points may be deducted as stated in the syllabus.

## **Decision Making Model Quizzes - Examination (20 points total-10 points each)**

Students are required to analyze ethical/legal dilemmas by applying a decision making model. In each ethics quiz you will be asked to answer true/false, multiple choice, or short answer essay questions and apply the concepts from the text, lectures and readings to hypothetical ethical case studies. Decision Making Model Quizzes will be in an open-book and open-note format. Quizzes' will be handed out in class or posted on Blackboard 1 week prior to the due date. Answers and responses to the essay questions must be more than a repeat and rewrite of the material contained in each chapter. It is recommended that you review the GMU plagiarism policy and APA Publication Manual guidelines. Students are expected to write responses that

also capture their own thoughts and ideas about the content and thrust of each question.

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 (20 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. 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 might consider making the presentation interactive (if time allows). Presenting through PowerPoint or a Prezi is encouraged. Finally, your team will 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 school counselor. Students will post their presentations, any handouts and written analysis on the strengths and weaknesses of the model on Blackboard prior to the start of class. A rubric will be provided on Blackboard.

### **School Counselor Interview (20 points)**

Interview an elementary, middle, *or* high school professional School Counselor to discuss frequent and/or challenging ethical dilemma(s) he or she has experienced while in the profession. Exhaustively describe the dilemma(s). Provide additional information such as ***but not limited to*** demographic information of the interviewee, school demographics, number of years the interviewee has been a professional school counselor, changes in ethical dilemmas throughout the interviewee's career, interviewees thoughts about the future of the school counseling profession and ethical dilemmas, etc. Be sure to obtain signatures on the written consent form. Identify three scholarly, peer reviewed journal articles that parallel the topic. Create PowerPoint presentation of the interview and journal review and upload it along with the written consent form into the Discussion Board of Bb. A rubric and additional documentation will be provided on Bb.

### **Discussion Board Comments and Questions (30 points)**

Prior to each class meeting, students will post a reflection on the reading(s) on the Discussion Board in Blackboard (Bb) (1 comment and 1 question). Postings can include: salient points, reactions, or questions and/or observations based on the assigned readings that could serve as points of discussion for the class. Students are encouraged to comment on their peers posting. These assignments are to be posted on Bb by 4:00 PM the day before class. Students should be prepared to discuss each other's questions/comments. This assignment encourages critical thinking and encourages you to be prepared before class. Each submission will be graded as very good (2.0 points), adequate (1 point), or inadequate/not turned in (0 points). A rubric will be provided on Bb.



## Course Requirements and Evaluation

Assignments	Points	Due Dates
Class Attendance and Participation	10	Weekly (unless a change is announced)
Decision Making Model Quizzes	20	February 2, 2015: Quiz 1 <b>April 1, 2015 Quiz 2</b>
Ethics Case-Team	20	April 1, 2015
School Counselor Interview	20	PowerPoint Presentation and Consent Uploaded to the Discussion Board
Discussion Board Comments	30	Weekly (unless stated otherwise)
<b>Total Points Possible</b>	<b>100</b>	

### 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		

### **TASKSTREAM REQUIREMENTS**

**Every student for any Counseling and Development EDCD 611-001 Legal and Ethical Issues course with a required performance-based assessment is required to submit Quiz 2 to task Stream (regardless of whether a course is an elective, a onetime course or part of an undergraduate minor). Evaluation of the performance-based assessment by the course instructor will also be completed in TaskStream. Failure to submit the assessment to TaskStream will result in the course instructor reporting the course grade as incomplete (IN). Unless the IN grade is changed upon completion of the required TaskStream submission, the IN will convert to an F nine weeks into the following semester. <http://cehd.gmu.edu/api/taskstream>**

### **George Mason University Policies and Resources for Students**

- Academic integrity (honor code, plagiarism) – Students must adhere to guidelines of the George Mason University Honor Code [See <http://oai.gmu.edu/the-mason-honor-code/>].
- Mason Email – 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, division, and program will be sent to students solely through their Mason email account.

- Students must follow the university policy for Responsible Use of Computing [See <http://universitypolicy.gmu.edu/policies/responsible-use-of-computing/>].
- Counseling and Psychological Services – 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/>].
- Office of Disability Services – 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 <http://ods.gmu.edu/>].
- Students must follow the university policy stating that all sound emitting devices shall be turned off during class unless otherwise authorized by the instructor.
- The Writing Center (Optional Resource) – 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/>].
- University Libraries (Optional Resource) – The George Mason University Libraries provide numerous services, research tools, and help with using the library resources [See <http://library.gmu.edu/>].

## PROFESSIONAL DISPOSITIONS

Students are expected to exhibit professional behaviors and dispositions at all times.

## CORE VALUES COMMITMENT

The College of Education & Human Development is committed to collaboration, ethical leadership, innovation, research-based practice, and social justice. Students are expected to adhere to these principles: <http://cehd.gmu.edu/values/>.

**For additional information on the College of Education and Human Development, Graduate School of Education, please visit our website <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 one or more unexcused absence will fail a class. Excused absences can only be arranged with instructor on a case-by-case basis. 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 or viewing class documents only. Engaging in activities not related to the course (e.g. gaming, email, social media, ordering, etc.) will result in a significant reduction in your participation grade.

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

WEEK	DATE	TOPIC(S)	READING(S) DUE	ASSIGNMENT(S) DUE
				<i>Discussion Board reflections are to be posted in the Discussion Board section of Bb by 4:00pm EST of the evening of each class.</i>
1	January 21	Introduction to Legal and Ethical Issues	E&L, Ch. 1 TSC, Ch. 6	Pre-test, Knowledge Check!  <b>BioSlide</b> (See Dr. Jordan's as an example posted in the <b>Course Content</b> section of Bb. <b>Post your BioSlide the Discussion Board section of Bb by 12:00 noon on 1/21.</b> )  <b>Bring:</b> ASCA code of ethics <b>Bring:</b> CSJ code of ethics <b>Bring:</b> ACA code of ethics
2	January 28	Professionalism  Individual and Group Counseling	E&L, Ch. 2 TSC, Ch. 7  E&L, Ch. 8 TSC, Ch. 3	
3	February 4	Family Educational Rights and Privacy Act  Obligations to the Court	E&L, Ch. 4  E&L, Ch. 6	
4	February 11  <b>ONLINE and OFFSITE</b>	Environment  <i><b>This class will NOT meet on campus!</b></i>	TSC, Ch. 11	Conduct a School Counselor Interview re an Ethical/Legal dilemma.  <i><b>This class will NOT meet on campus!</b></i>
5	February 18	Negligence  Child Abuse	E&L, Ch. 5  E&L, Ch. 7	<b>Upload School Counselor Interview into the Discussion Board in Bb by 4:00pm EST on 2/18. Be prepared to discuss/share in class.</b>  <b>Model Quiz #1 posted.</b>
6	February 25	Cyberspace  Sexual Harassment	E&L, Ch. 3  E&L, Ch. 11	<b>Model Quiz #1 due to the Discussion Board in Bb by 4:00pm EST on Feb. 18.</b>
7	March 4	Sexually Active Students  Lesbian, Gay, Bisexual, Transgender	E&L, Ch. 9 TSC, Ch. 9  E&L, Ch. 10	

	<b>SPRING BREAK</b>	<b><i>ENJOY YOUR TIME OFF</i></b>		<b><i>WITH FAMILY AND FRIENDS!</i></b>
8	March 18	Bullying, etc.  Violence and Criminal Activity	E&L, Ch. 12  E&L, Ch. 13	
9	March 25	Advocacy  Special Needs  Post-Secondary	E&L, Ch. 14 TSC, Ch. 5  TSC, Ch. 10  TSC, Ch. 14	<b>Model Quiz #2 posted.</b>

The Steps Model For School Setting Rubric	
Stone, C.B. (2013). <i>School counseling principles: Ethics and law</i> (3rd ed.). Alexandria, VA: American School Counselor Association. ISBN: 978-1-929289-41-7 (p.24-29)	Points (20)
Directions: Develop a well-defined ethical or legal dilemma which is prevalent in literature, the law, or the media in school environments. Divide the responsibilities of presenting the dilemma with your group members. Present a high quality PowerPoint .	
<p>Step 1: Define the Problem Emotionally and Intellectually:</p> <ul style="list-style-type: none"> <li>• What do your emotions or instinct tell you about the problem?</li> <li>• What does your intellect tell you about the problem?</li> <li>• What are the facts?</li> </ul> <p>Summarize the logic behind whether your emotional, intellectual, and/or factual perceptions should be considered to assess this impending dilemma.</p>	2
<p>Step 2: Apply the ASCA and ACA Ethical Codes and the Law:</p> <ul style="list-style-type: none"> <li>• Do the ASCA or ACA codes offer directives about how to respond to this dilemma?</li> <li>• Do the Counselors for Social Justice (CSJ) Code of Ethics also give you directives about additional directions to focus on in this case?</li> <li>• Do the laws direct you to proceed in a certain direction to mitigate this dilemma?</li> </ul>	5
Step 3: Consider the child's developmental stage, beyond chronological age? You should consider Piaget, Erikson, maturity, disability, autism, or intellectual delays in the student's role in this dilemma?	2

<p>Step 4: Consider the Setting, Parental Rights, and Minors' Rights. Are you considering the rights of the student's parents as the guardian? Is there a duty to breach confidentiality? Do you have limited confidential guidelines in the school setting?</p>	1
<p>Step 5: Apply Moral Principals. Assess whether you are not upholding to beneficence (promoting good to others), nonmaleficence (avoiding harm), justice (providing equal treatment to all regardless of differences), and loyalty (staying connected to students)? Which moral principles can be compromised by this dilemma? Are any moral principles in conflict with the others?</p>	2
<p>Step 6: Determine your potential courses of action and their consequences. Have you created several scenarios? Exhaust several options and denote the pros and cons of each decision.</p>	2
<p>Step 7: Evaluate the Selected Action. Evaluate the options and determine which</p>	2

<p>option fits the desired outcome.</p> <ul style="list-style-type: none"> <li>• Apply whether the decision would be fair amongst many groups.</li> <li>• Apply publicity and determine if this decision could appear in the press and you would be comfortable.</li> <li>• Apply universality and decide if you could apply this to another counselor in the same situation?</li> <li>• If the dilemma cannot be applied universally you must reassess options. The solution should produce the maximized good across similar scenarios.</li> </ul>	
<p>Step 8: Consult. Did you consult with a colleague, lead counselor, school counselor supervisor, school site administrator, student services supervisor, superintendent office, school legal department, ASCA ethical representative, ACA ethical representative, Liability Insurance Consultant, union, officer, or attorney? Who would you consult with for this dilemma?</p>	1.5
<p>Step 9: Implement the course of action. Make certain that you are mindful of the law, ethics, and regulations of your school system? Try to minimize problem areas although you might not eliminate all.</p>	1.5



Processing: What was your experience dissecting this dilemma?	1
Total	(20)/

**Discussion Board Comments and Questions Rubric (30 points)**

Prior to each class meeting, students will post a reflection on the reading(s) on the Discussion Board in Blackboard (Bb) **(1 comment and 1 question)**. Postings can include: salient points, reactions, or questions and/or observations based on the assigned readings that could serve as points of discussion for the class. Students are encouraged to comment on their peers posting. These assignments are to be posted on Bb by 4:00 PM the day before class. Students should be prepared to discuss each other's questions/comments. ~~This assignment encourages critical thinking and analytical preparation for class. Each submission will be~~

	Very Good	Adequate (2.0)	Inadequate/Not Turned In (0)
1 Comment	APA format with a citation. It is not a restatement of the facts, but an analysis of the reading. There are at least two to three major issues raised. It adds new discussion points to the reading. It is representative of upholding no maleficence, beneficence, justice, or fidelity.	APA format with a citation. It is not a restatement of the facts, but an analysis of the reading. There are one to two points raised. It is	No APA formatting nor citation. There are no new issues raised. It is a restatement of the facts. It is a brief statement. It is not representative of no maleficence, beneficence, justice, or fidelity.
1 Question	It directly addresses the topic from a new perspective. It invokes two or more ethical or legal ways to view the presenting issue. It is representative of supporting no maleficence, beneficence, justice, or fidelity.	It directly addresses the topic from a new perspective. It invokes at least one ethical or legal way to view the presenting	It does not pertain to the topic. It is not representative of no maleficence, beneficence, justice, or fidelity. It does not invoke one ethical or legal way to view the presenting issue.

## NOTES