

**George Mason University**  
**College of Education and Human Development**  
**Counseling and Development**

EDCD 611.001 – Introduction to Ethical and Legal Issues in Counseling  
2 Credits, Spring 2017  
Wednesdays 4:30 – 7:10 PM Thompson Hall Room 1018 – Fairfax

**Faculty**

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**Prerequisites/Co-requisites**

Admission to CNDV program, and successful completion of EDCE 603: Counseling Theories and Practice 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.

**Course Overview**

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.

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.

**Course Delivery Method**

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.

## **Learner Outcomes or Objectives**

This course is designed to enable students to do the following:

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.

## **Professional Standards (CACREP):**

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**

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

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

**RECOMMENDED TEXTS:**

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

Or

*American School Counselor Association*  
<https://www.schoolcounselor.org/>

*American Counseling Association*  
<http://www.counseling.org/knowledge-center/ethics>

## Course Performance Evaluation

Students are expected to submit all assignments on time in the manner outlined by the instructor (e.g., Blackboard, Tk20, hard copy).

- **Assignments and/or Examinations**

**Assignment 1:** Participation and Attendance (*10% of total grade*)

As a skill-based class, we will spend a great deal of time processing information through class discussion, group work, and participating in experiential activities. Because the class will be so interactive and experiential, there is no way to “get the information” from a missed class—the class experience cannot be replicated. For these reasons, your class attendance and active participation is vital not only to your learning, but to your classmates’ learning as well. Several factors will go into your participation grade, including:

- a. **attendance** (every student is expected to be at every class),
- b. **punctuality** (every student is expected to be ready to go when class begins, and to stay for the duration of class time),
- c. **active participation** in class exercises (key is *active*, contributing ideas, giving feedback, participating in group discussions)
- d. **substantive contributions** to class discussions (not quantity of contributions, but contributions that demonstrate thoughtful analysis of information; comments that move discussion forward; comments based on knowledge and experience, not just opinion; and a demonstrated ability to propose new ideas and/or build on others’ ideas in a meaningful way). A rubric will be provided on Bb.

**Assignment 2:** Weekly Reading Questions (*15% of total grade*)

In order to help students complete their reading assignments, students will hand in at least **one** multi-level question (typed) for each assigned chapter prior to the start of each class meeting. The multi-level questions will form the basis of class discussions. The professor will not accept late questions. Students will not be allowed to make up Weekly Reading Questions points under any circumstance (with the exception of an excused absence). Each set of questions not handed in on time will receive the score of zero (0). Each submission will be graded as very good (1.0 point), adequate (0.5point), or inadequate/not turned in (0 points).

**Assignment 3:** Ethical Quizzes (*45% of total grade – 15% each*)

Students are required to complete **three** quizzes during the course. 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 a hypothetical ethical case studies. Ethics 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 (recommended that you review the plagiarism policy). 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 15 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...

**Assignment 4:** Ethical Decision-Making Models – Jigsaw Activity (*10% of total grade*)

A jigsaw activity allows students both to teach and to learn from their peers. Students will be assigned to a group on the second day of class to focus on one prominent ethical decision making model. The students will meet in their groups to share, discuss and debate what they believe to be their model's most important points. They will then reach an agreement concerning what they want to "teach" to others in the class. The group is expected to prepare a case study and lead the class in solving the ethical dilemma (e.g., discussion of the issues involved, analyze at least two alternative responses, and provide your preferred response with your justification) using their assigned ethical decision making model. A rubric will be provided on Blackboard.

**Assignment 5:** Final Case Study Examination (*20% of total grade*)

Students are required to analyze an ethical/legal dilemma by applying a decision making model. You will be asked to apply the concepts from the text, lectures and readings to a hypothetical ethical case study. The Final will be in an open-book and open-note format. The Final exam will be 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.

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

- **Other Requirements**

**Electronic Devices**

Turn off and put away all electronic communication devices during class. 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, text, etc.) will result in a significant reduction in your participation grade. Notify the instructor prior to class if you have an emergency situation that requires accommodation.

**Attendance**

In accordance with the policies of the Counseling and Development Program, on-time attendance at every class meeting is expected. **Any unexcused absence will result in failing the course** (<http://gse.gmu.edu/programs/counseling/resources/>). Excused absences can only be arranged with instructor on a case by case basis. 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. If there is a scheduling conflict that interferes with your attendance during any portion of the class; students should see the instructor in the first class to discuss continuing in the class this semester or taking the course during another semester.

**Assignment Policy**

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. When 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 assignment should be uploaded via Blackboard, as well as turned into class via hard copy on the day the assignment is due.

Students must have their own audio/digital recording equipment. Digital recorders are recommended. Students are expected to be able to use a computer, send and retrieve email, open attachments, access to the internet, participate in online discussions, use Blackboard, and conduct a library search on line. In addition, students should check Blackboard and their GMU email for course updates on a daily basis. All course documents will be available on Blackboard. Email messages sent using Blackboard need to be forwarded to your GMU email.

For more information on checking-out audio/digital recording equipment, please visit STAR- Multimedia ([http://doit.gmu.edu/staffSection.asp?page=video\\_checkout](http://doit.gmu.edu/staffSection.asp?page=video_checkout)) or call

(703) 993- 8990. The STAR lab is located on the second floor of the Johnson Center, Room 229. Please note that the C&D program has video equipment available for check-out. Please speak with the instructor for more information.

- **Grading**

- **Assignment weights**

Participation and Attendance	10%
Weekly Reading Questions	15%
Ethical Quiz #1	15%
Ethical Quiz #2	15%
Ethical Quiz #3	15%
Ethical Decision-Making Model – Jigsaw	10%
Final Case Study Examination	20%

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

**Professional Dispositions**

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

### Proposed Class Schedule

Week	Date	Topic(s)	Reading(s) Due	Assignment(s) Due
1	January 25 <sup>th</sup> , 2017	Introduction to Legal and Ethical Issues	Stone, Ch. 1	<b>Bring:</b> ASCA code of ethics <b>Bring:</b> ACA code of ethics
2	February 1 <sup>st</sup> , 2017	Professionalism  Negligence	Stone, Ch. 2 & 5	
3	February 8 <sup>th</sup> , 2017	Cyberspace  Individual and Group Counseling	Stone, Ch. 3 & 8	
4	February 15 <sup>th</sup> , 2017	Family Educational Rights and Privacy Act  Obligations to the Court	Stone, Ch. 4 & 6	<b>Ethics Quiz #1</b>
5	February 22 <sup>nd</sup> , 2017	Child Abuse  Sexual Harassment	Stone, Ch. 7 & 11	
6	March 1 <sup>st</sup> , 2017	Values and Ethics Conflict:	Article Readings	<b>Ethics Quiz #2</b>
7	March 8 <sup>th</sup> , 2017	Ethical Decision Making Models		<b>EDMM - Jigsaw Activity</b>
	March 15 <sup>th</sup> , 2017	<b>No Class Spring Break</b>		
8	March 22 <sup>nd</sup> , 2017	Sexually Active Students  Lesbian, Gay, Bisexual, Transgender	Stone, Ch. 9 & 10	<b>Ethics Quiz #3</b>
9	March 29 <sup>th</sup> , 2017	Bullying, etc.  Violence and Criminal Activity	Stone, Ch. 12 & 13	
10	April 5 <sup>th</sup> , 2017	The Ethics of Advocacy <b>Course Wrap Up</b>	Stone, Ch. 14	
11	April 12 <sup>th</sup> , 2017	<b>TBA</b>		<b>Final Case Study Examination</b>

Note: Faculty reserves the right to alter the schedule as necessary, with notification to students.

## Core Values Commitment

The College of Education and 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/>.

## GMU Policies and Resources for Students

### *Policies*

- Students must adhere to the guidelines of the Mason Honor Code (see <http://oai.gmu.edu/the-mason-honor-code/>).
- Students must follow the university policy for Responsible Use of Computing (see <http://universitypolicy.gmu.edu/policies/responsible-use-of-computing/>).
- Students are responsible for the content of university communications sent to their Mason 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 with disabilities who seek accommodations in a course must be registered with George Mason University Disability Services. Approved accommodations will begin at the time the written letter from Disability Services is received by the instructor (see <http://ods.gmu.edu/>).
- Students must follow the university policy stating that all sound emitting devices shall be silenced during class unless otherwise authorized by the instructor.

### *Campus Resources*

- Support for submission of assignments to Tk20 should be directed to [tk20help@gmu.edu](mailto:tk20help@gmu.edu) or <https://cehd.gmu.edu/aero/tk20>. Questions or concerns regarding use of Blackboard should be directed to <http://coursessupport.gmu.edu/>.
- The Writing Center 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/>).
- The 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 Student Support & Advocacy Center staff helps students develop and maintain healthy lifestyles through confidential one-on-one support as well as through interactive programs and resources. Some of the topics they address are healthy relationships, stress management, nutrition, sexual assault, drug and alcohol use, and sexual health (see <http://ssac.gmu.edu/>). Students in need of these services may contact the office by phone at 703-993-3686. Concerned students, faculty and staff may also make a referral to express concern for the safety or well-being of a Mason student or the community by going to <http://ssac.gmu.edu/make-a-referral/>.

**For additional information on the College of Education and Human Development, please visit our website <https://cehd.gmu.edu/>.**

**Assessment Rubric(s)**

**EDCD 611 Final Case Study Exam**

<b>The Steps Model For School Setting Rubric</b>	
<p><b>Step 1: Define the Problem Emotionally and Intellectually:</b></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><b>Step 2: Apply the ASCA and ACA Ethical Codes and the Law:</b></p> <ul style="list-style-type: none"> <li>• Do the ASCA or ACA codes offer directives about how to respond to this dilemma? If so, which ones?</li> <li>• Do the laws direct you to proceed in a certain direction to mitigate this dilemma? If so, which ones?</li> </ul>	4
<p><b>Step 3: Consider the child's developmental stage, beyond chronological age?</b></p> <ul style="list-style-type: none"> <li>• You should consider Piaget, Erikson, maturity, disability, autism, or intellectual delays in the student's role in this dilemma? If so, which ones and why?</li> </ul>	2
<p><b>Step 4: Consider the Setting, Parental Rights, and Minors' Rights.</b></p> <ul style="list-style-type: none"> <li>• Are you considering the rights of the student's parents as the guardian? Is there a duty to breach confidentiality?</li> <li>• Do you have limited confidential guidelines in the school setting?</li> </ul>	2

<p><b>Step 5: Apply Moral Principals.</b></p> <ul style="list-style-type: none"> <li>• Assess whether you are not upholding to beneficence (promoting good to others), non-maleficence (avoiding harm), justice (providing equal treatment to all regardless of differences), and loyalty (staying connected to students)?</li> <li>• Which moral principles can be compromised by this dilemma?</li> <li>• Are any moral principles in conflict with the others?</li> </ul>	2
<p><b>Step 6: Determine your potential courses of action and their consequences.</b></p> <ul style="list-style-type: none"> <li>• Have you created several scenarios? Exhaust several options (at least 3) and denote the pros and cons of each decision.</li> </ul>	4
<p><b>Step 7: Evaluate the Selected Action.</b></p> <ul style="list-style-type: none"> <li>• Evaluate the options and determine which 2 option fits the desired outcome.</li> <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? If the dilemma cannot be applied universally you must reassess options. The solution should produce the maximized good across similar scenarios.</li> </ul>	2
<p><b>Step 8: Consult.</b></p> <ul style="list-style-type: none"> <li>• 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?</li> <li>• Who would you consult with for this dilemma? and Why?</li> </ul>	1
<p><b>Step 9: Implement the course of action.</b></p> <ul style="list-style-type: none"> <li>• 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.</li> </ul>	1
<p><b>Total</b></p>	(20)