



UNIVERSITY OF
**NORTHERN
COLORADO**

University of Northern Colorado

APCE 657: Legal and Ethical Aspects of Counseling and Psychology
Summer 2024: May 17 – 19; May 31 – June 2

First Weekend

May 17 4pm-10pm
May 18 8am-5pm
May 19 8am-4pm

Second Weekend

May 31 4pm-10pm
June 1 8am-5pm
June 2 8am-4pm

Instructor: Jennifer Santopietro, PhD, LPC, SSP/SC Pronouns: she, her, hers
Email: jennifer.santopietro@unco.edu
Office Hours: By appointment via Zoom

COURSE DESCRIPTION:

The course covers the interrelationship of ethical standards and legal regulation in professional counseling, education, and psychology. Ethical standards, litigation and legal regulation are examined in regard to professional practice.

PREREQUISITE:

None

KNOWLEDGE AND SKILL OUTCOMES: Upon successful completion of this course students will have knowledge of and understand the:

1. Professional counseling credentialing, including certification, licensure, and accreditation practices and standards, and the effects of public policy on these issues (CACREP Standard: 2.F.1.g).
2. Ethical standards of professional counseling organizations and credentialing bodies, and applications of ethical and legal considerations in professional counseling (CACREP Standard: 2.F.1.i).
3. Ethical and culturally relevant strategies for establishing and maintaining in-person and technology-assisted relationships (CACREP Standard: 2.F.5.d).
4. Legal and ethical considerations specific to clinical mental health counseling (CACREP CMHC Standard: 5.C.2.1).
5. Record keeping, third party reimbursement, and other practice and management issues in clinical mental health counseling (CACREP CMHC Standard: 5.C.2.m).
6. Ethical and legal considerations and family law issues unique to the practice of marriage, couple, and family counseling (CACREP MCFC Standard: 5.F.2.o).
7. Legal and ethical considerations specific to school counseling (CACREP SC Standard: 5.G.2.n).
8. Professional issues that affect rehabilitation counselors, including independent provider status, expert witness status, forensic rehabilitation, and access to and practice privileges within a managed care systems (CACREP CRC Standard: 5.D.2.t).
9. Legal and ethical issues and responsibilities in clinical supervision (CACREP Standard: 6.B.2.j).



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

COURSE CONTENT:

This course is designed to address ethical and legal considerations for professional counseling, education, and psychology. It covers ethical standards for clinical counseling, school counseling, couple and family counseling, and psychology. It also addresses litigation and legal regulation in regard to professional practice. The course will introduce students to ethical standards of professional organizations and credentialing bodies (i.e. American Counseling Association, American School Counseling Association, Association of Marriage and Family Therapy).

APCE 657: Legal and Ethical Aspects of Counseling and Psychology - Professional Identity and Ethics Assessment Rubric

| Professional Identity and Ethics – Students will demonstrate an understanding of the counseling profession, develop an identity as a professional counselor, and abide by the counseling-related legal and ethical guidelines. | | | | |
|---|---|---|--|--|
| Knowledge Learning Outcome Assessed | Exemplary | Proficient | Partially Proficient | Beginning |
| Ethical Practice Student demonstrates knowledge and skills related to ethical professional counseling practice including the application of autonomy, beneficence, non-maleficence, justice, and fidelity in their work across client populations and community settings. | Student demonstrates superior knowledge and skills related to ethical professional counseling practice including the application of autonomy, beneficence, non-maleficence, justice, and fidelity in their work across client populations and community settings. | Student demonstrates basic, entry-level knowledge and skills related to ethical professional counseling practice including the application of autonomy, beneficence, non-maleficence, justice, and fidelity in their work across client populations and community settings. | Student demonstrates limited knowledge and skills related to ethical professional counseling practice including the application of autonomy, beneficence, non-maleficence, justice, and fidelity in their work across client populations and community settings. | Student demonstrates a lack of knowledge and skills related to ethical professional counseling practice including the application of autonomy, beneficence, non-maleficence, justice, and fidelity in their work across client populations and community settings. |
| Application of Ethical Codes Student demonstrates the knowledge | Student demonstrates superior knowledge and skills in applying relevant professional ethical codes to guide their work and | Student demonstrates basic, entry-level knowledge and skills in applying | Student demonstrates limited knowledge and skills in applying relevant professional ethical codes to guide their work and | Student demonstrates a lack of knowledge and skills in |



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| and skills in applying relevant professional ethical codes to guide their work and decision-making in their practice of counseling. | decision-making in their practice of counseling. | relevant professional ethical codes to guide their work and decision-making in their practice of counseling. | decision-making in their practice of counseling. | applying relevant professional ethical codes to guide their work and decision-making in their practice of counseling. |
| <p>Professional Identity</p> <p>Student demonstrates an understanding of their professional role and identity as a counselor, and their professional responsibility to their community.</p> | Student demonstrates a superior understanding of their professional role and identity as a counselor, and their professional responsibility to their community. | Student demonstrates a basic, entry-level understanding of their professional role and identity as a counselor, and their professional responsibility to their community. | Student demonstrates a limited understanding of their professional role and identity as a counselor, and their professional responsibility to their community. | Student demonstrates a lack of understanding of their professional role and identity as a counselor, and their professional responsibility to their community. |
| <p>Professional Boundaries</p> <p>Student demonstrates an understanding of the application of professional boundaries in their work with clients and the community; including respecting the values, cultural norms, and beliefs of others, while maintaining an awareness of self.</p> | Student demonstrates a superior understanding of the application of professional boundaries in their work with clients and the community; including respecting the values, cultural norms, and beliefs of others, while maintaining an awareness of self. | Student demonstrates a basic, entry-level understanding of the application of professional boundaries in their work with clients and the community; including respecting the values, cultural norms, and beliefs of others, while maintaining an awareness of self. | Student demonstrates a limited understanding of the application of professional boundaries in their work with clients and the community; including respecting the values, cultural norms, and beliefs of others, while maintaining an awareness of self. | Student demonstrates a lack of understanding of the application of professional boundaries in their work with clients and the community; including respecting the values, cultural norms, and beliefs of others, while maintaining an awareness of self. |



TEXTS AND ADDITIONAL REQUIRED READINGS:

- 1) Cottone, R. R., Tarvydas, V. M., & Hartley, M. T. (2021). *Ethics and decision making in counseling and psychotherapy*. Springer Publishing Company.
One place to access the text: [Ethics and Decision Making in Counseling and Psychotherapy | Springer Publishing](#)
- 2) Your respective professional organization's code of ethics, as applicable. All are available online through the respective organizations' websites:
 - **All PC Students** must acquire the American Counseling Association *Code of Ethics*, 2014 version.
 - **School Counseling majors ALSO** must acquire the American School Counselor Association's *Ethical standards for school counselors*, 2022 version.
 - **Marriage, Couples, and Family Counseling/Therapy majors ALSO** must acquire codes of ethics for **BOTH** (a) the AAMFT, 2015 version; and (b) the IAMFC, 2017 version.
 - If students are enrolled in an additional specialty, they must consult with the instructor.
- 3) *Journal Articles*: Several journal articles also will serve as required readings in addition to these texts. These specific articles are noted below in the Course Schedule and References List on the last page. These articles will be available on Canvas.
- 4) The appropriate CO DORA Documents. These documents (e.g., Colorado Mental Health Statutes, the respective appropriate Board of Examiner Rules and Policies documents) all are available for download directly via DORA's website

COURSE REQUIREMENTS/ASSIGNMENTS: All written assignments should be submitted using standard APA format (seventh edition). Unless indicated otherwise, please submit all assignments electronically via Canvas through the appropriate portal (e.g., Assignments tab).

- 1) **Class Attendance/Participation (15 points):** Please plan to attend all course meetings in their entirety and **meaningfully engage** in all course discussions and activities. Much of the learning with legal and ethical issues occurs through discussion and Q&A. Your attendance and degree of participation will be tracked by the instructor. Meaningful engagement means that your comments are additive to the discussion at hand and do not detract from the conversation or are not focused solely on personal issues. This class is highly collaborative in nature, thus a failure to remain meaningfully engaged potentially impacts the learning of the whole group.

You are expected to notify the instructor, via email, of any need to be late to class. If you suspect that attendance of any portion of this class may be difficult for you, then you are **STRONGLY ENCOURAGED** to take it at another time. Lack of participation or significant tardiness will result in a loss of points and a possible course grade reduction of at least one letter grade. Any unexcused absence may result in failing the course. "Incompletes" are to be completed in the next academic term.



A note about reading for this class. There are some chapters I will ask you to read prior to the day we will be utilizing the information, some chapters that we will be doing the reading in class, and some chapters that are labeled “Informed look-over”, which means look over the chapter for the major points to get a sense of it, but you do not have to read every word to the point of knowing the information.

- 2) **Personal Values Assessment** (25 points: due May 24th @ 11:59 pm): Please reflect on and consider your own set of personal values, beliefs, and unique characteristics as discussed in class; then, respond to the following two prompts in no more than seven pages of total text (no need for a cover page).

- Please describe three personal values, beliefs, or characteristics that you believe could negatively impact your work as a counselor. Please explain your points in some detail, including some examples that provide context.

- Please describe three personal values, beliefs, or characteristics that you believe could positively impact your work as a counselor. Again, please explain your points in some detail, including some examples that provide context.

Further Consideration: Please be sure that your reflections are specific to who you are as a person; the goal is to explore areas of your personhood. Please (a) concretely explain what these components look like for you, (b) explain how you think it originated, where it came from, (c) how you think it has the potential to impact your work with clients, and with regard to the hindrances: (d) how you’ll work to counteract the potential hindering impact.

- 3) **Personal Disclosure Statement Document** (20 points; Due 05/31 beginning of class):

Following graduation yet pre-licensure, imagine that you will be working in a private practice setting. Please develop and customize a personal disclosure statement document that you could use at that time; include everything that is required as well as some personal touches. You are allowed to be informed by, but you may not plagiarize, others’ disclosure statements.

NOTE: You will be uploading the disclosure to the assignment section on Canvas, and also bring a printed copy of the disclosure to class on Friday 5/31 as we will be using them in class that evening.

IMPORTANT: *This is a simulated informed consent document only. Once you are out of school, at minimum you would need to modify this document to fit your work environment and to ensure that it remains compliant with current Colorado law.*



- 4) **Ethical Dilemma Assignment (35 points; due 6/2 in class)** You will be working in a small group and given a case study which involves several ethical dilemmas for you to resolve together as a group. You will be given class time during both weekends to work on this project. Time outside of class may be needed to complete the assignment depending on your group's working rhythm. **This assignment has several components:**
- Group professional consultation sessions: You will determine and discuss the dilemmas as a consult group considering each person's perspectives. Assign someone to be a note taker during the discussions—these notes will be turned in as part of the assignment.
 - Determine the seminal questions that are driving the dilemmas
 - Discuss the ethical situations from the RESPECTFUL multicultural framework and note the areas of impact and how power and oppression are showing up in the dilemmas.
 - Choose and apply an ethical decision-making model to each dilemma to be solved
 - In-class presentation. The presentation will include summary information on the case; the seminal questions; the areas of impact from the RESPECTFUL framework; and the resolution based upon the ethical decision making model your group applied.

TOTAL POINTS POSSIBLE:

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| Attendance/Participation | 25 |
| Personal Values Assessment | 20 |
| Ethical Dilemma | 35 |
| Personal Disclosure Statement: | 20 |
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| Total Points Possible: | 100 |



TENATIVE COURSE SCHEDULE:

****PLEASE NOTE:** Although every attempt will be made to follow this schedule, Dr. Santopietro reserves the right to make changes as the semester proceeds. In such instances, you will be provided with as much advance notice and/or accommodation as is possible.

| Date | Topic | Readings/Assignments Due |
|-------------|--|---|
| 5/17 | <ul style="list-style-type: none">• Introductions• Therapist Personhood/Values/Values Sort• Course and syllabus overview• Introduction to Ethics/Ethical Codes (Lecture)• Ethical Code Group Presentation Prep | <ul style="list-style-type: none">• Cottone Text: Informed look over of chapters 1, 5, 6• Cottone Text: Read chapter 3• All ethical codes as applicable to your specialty area |
| 5/18 | <ul style="list-style-type: none">• Ethical Code Group Presentations• Multicultural Social Justice Counseling Competencies and the RESPECTFUL model (Lecture and discussion)• Ethics from a Relational-Cultural lens (discussion)• Ethical Decision-Making Models (Lecture and discussion)• Informed Consent (Lecture) | <ul style="list-style-type: none">• Cottone Text: Read chapter 4• Informed look over of Ratts et. al (2016)• Informed look over of Birrell and Bruns (2016)• Group work time |
| 5/19 | <ul style="list-style-type: none">• Group Q & A breakfast• DORA & CO Mental Health Law• Professional Competence• Research roundtable of ethical issues in counseling specialty areas (as applicable to the students in the class) | <ul style="list-style-type: none">• Cottone Text: Informed look over of chapter 14• Cottone Text: Read chapter 7• In-class use of Cottone chapters 8 – 13• DORA Documents• Group work time |
| 5/31 | <ul style="list-style-type: none">• Connection and settling in• Complexities of boundaries and compassion, from a lens of decolonizing mental health• Personal Disclosure Statement share• Confidentiality (Discussion)• Counseling outside the office (Discussion) | <ul style="list-style-type: none">• Relative research TBD• Group work time |
| 6/1 | <ul style="list-style-type: none">• Group Q & A breakfast• Ethics and Minors• Minor consent law• Records and release of records• Mandatory reporting• Licensure violations: what happens?• Going to Court | <ul style="list-style-type: none">• Colorado minor consent law (on Canvas)• DORA Documents and website• Colorado law around the release of mental health records (on Canvas)• Group work time if needed• Relative Research TBD• Cottone text: Informed look over of chapter 18 |



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| 6/2 | <ul style="list-style-type: none">• Ethical issues in the day-to-day of being a counselor: touch, gifts, running into clients, rural/small community settings, dual relationships (discussion), office set up• Ethical issues in telehealth• Ethical considerations with termination and referral• Ethical Dilemma Presentations | <ul style="list-style-type: none">• Cottone text: informed look over of chapters 17• Cottone text: Read chapter 15 |
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COVID-19

The COVID-19 pandemic is a complex, challenging, and fluid situation, which continues to evolve. UNC will follow applicable legal requirements and federal, state, and county public health recommendations and mandates in all decisions related to university operations. Current information and related UNC policies can be found at <https://www.unco.edu/coronavirus/>.

Disability Resources

It is the policy and practice of the University of Northern Colorado to create inclusive learning environments. If there are aspects of the instruction or design of this course that present barriers to students' inclusion or to accurate assessments of students' achievements (e.g. time-limited exams, inaccessible web content, use of videos without captions), students should communicate about these aspects with their instructor(s) and contact Disability Resource Center (DRC) to request accommodations.

Office: (970) 351-2289, Michener Library L-80.

Students can learn more here: www.unco.edu/disability-resource-center

Title IX

The University of Northern Colorado is committed to providing a safe learning environment for all students that is free of all forms of discrimination and sexual harassment, including sexual assault, domestic violence, dating violence, and stalking. Students who have experienced (or who know someone who has experienced) any of these incidents should know that they are not alone. UNC has staff members trained to support students to navigate campus life, to access health and counseling services, to provide academic and housing accommodations, to help with legal protective orders, and more.

Please be aware all UNC instructors and most staff members are required to report their awareness of sexual violence to the Office of Institutional Equity and Compliance (OIEC). This means that if students tell an instructor about a situation involving sexual harassment, sexual assault, dating violence, domestic violence, or stalking, the instructor must share that information with the Title IX Coordinator, Larry Loften. Larry or a trained staff member in OIEC will contact the reporting students to let them know about accommodations and support services at UNC as well as their options to pursue a process to hold accountable the person who caused the harm to them. Students who have experienced these situations are not required to speak with OIEC staff regarding the incident. Students' participation in OIEC processes are entirely voluntary.



If students do not want the Title IX Coordinator notified, instead of disclosing this information to the instructor, students can speak confidentially with the following people on campus and in the community. They can connect you with support services and help explore options now, or in the future.

Confidential Resources:

UNC's Assault Survivors Advocacy Program (ASAP):

24 Hr. Hotline 970-351-4040 or <http://www.unco.edu/asap>

University of Northern Colorado Counseling Center: 970-351-2496 or

<http://www.unco.edu/counseling>

UNC Psychological Services Clinic: 970-351-1645 or

http://www.unco.edu/cebs/psych_clinic

Students who are survivors, who are concerned about someone who is a survivor, or who would like to learn more about sexual misconduct or report an incident, can visit www.unco.edu/sexual-misconduct Students may also contact OIEC at 970-351-4899 or email titleix@unco.edu

Academic Integrity

Students are expected to practice academic honesty in every aspect of this course. Students who engage in academic misconduct are subject to grading consequences with regard to this course and/or university disciplinary procedures through the Dean of Students Office. More information about the academic misconduct process can be found in UNC's Student Code of Conduct (BEAR Code).

Equity and Inclusion

The University of Northern Colorado (UNC) embraces the diversity of students, faculty, and staff. UNC honors the inherent dignity of each individual, and welcomes their unique perspectives, behaviors, and world views. People of all races, religions, national origins, sexual orientations, ethnicities, genders and gender identities, cognitive, physical, and behavioral abilities, socioeconomic backgrounds, regions, immigrant statuses, military or veteran statuses, sizes and/or shapes are strongly encouraged to share their rich array of perspectives and experiences. Course content and campus discussions will heighten your awareness of others' individual and intersecting identities. For information or resources, contact the Division of Diversity, Equity and Inclusion, at 970-351-1944. If students want to report an incident related to identity-based discrimination/harassment, please visit www.unco.edu/institutional-equity-compliance.

Food Insecurity and Basic Needs

Knowing that food insecurity is experienced at higher rates among college students, UNC offers assistance to students facing food insecurity through an on-campus food pantry. The Bear Pantry is located in University Center 2166A and is open for regular hours throughout the semester. Please visit www.unco.edu/bear-pantry for more information. Students who face challenges (i.e., emotional distress, grief and loss, academic concerns, basic needs insecurity, navigating university processes) and believe this may affect their academic performance may contact Student Outreach and Support (SOS), which is part of the Dean of Students Office. SOS will help connect students with appropriate referrals based upon their needs. The Dean of Students Office can be reached at dos@unco.edu or via phone at 970-351-2001.



Land Acknowledgment

The University of Northern Colorado occupies the lands in the territories of the Ute, Cheyenne, Lakota and Arapaho peoples. The University acknowledges the 48 tribes that are historically tied to the state of Colorado. Thus, the land on which UNC is situated is tied to the history and culture of our native and indigenous peoples. UNC appreciates this connection and has great respect for this land. Additionally, the University community pays its respect to Elders past, present, and future, and to those who have stewarded this land throughout the generations. As part of the learning and reflection process please visit <https://native-land.ca/> or call the Office of Equity & Inclusion at 970-351-1944.

Name in Use/Pronoun in Use/Name Change

Some students may have changed their names to better reflect their gender identity or for other reasons. The process to request that the University change the name that appears on Canvas and on the course roster is available here: <https://www.unco.edu/registrar/name-change.aspx>

Writing Center

The Writing Center offers three kinds of sessions to meet your writing needs: In-Person, Email, and Zoom Sessions. Trained Writing Center Consultants can assist you with writing assignments from any course or subject. Even if you think your writing is pretty good, it's always nice to have another reader look over your work.

To guarantee a session time, make an appointment using our online scheduling system by visiting our website (below). We also have walk-in session times available during our scheduled open hours, Monday – Friday 9:00 am – 4:00 pm in the Writing Center, Ross Hall 1230 as well as walk-in sessions in the library (first floor) Monday – Thursday evenings, 5:00 pm – 8:00 pm.

If your instructor requires you to visit the Writing Center, make sure to alert your Consultant, and/or check the box on the appointment form, and we will send an email confirmation of your session to your instructor. For more information, email the Writing Center at writingcenter@unco.edu or visit the website: www.unco.edu/writing-center

Professional Conduct/Ethics

All students are required to know and adhere to their respective professional association (e.g., ACA, APA) code of ethics. Ethical violations may result in failure of the course and possibly dismissal from the program.

Recording Devices

Using recording devices or recording software/apps of any type will not be permitted (e.g., audio, video). Students needing to audio or video record classroom lectures must receive prior approval from this instructor or an accommodation letter from Disability Resource Center Services must be provided by the student prior to recording information. Violations may result in failure of the course and possibly dismissal from the program.



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Social Media

There should be no information related to this course posted or shared on any social media platform or the internet in any way. Violations may result in failure of the course and possibly dismissal from the program.

Electronic Devices

Using electronic devices (e.g., computers, iPads, phones) during class/clinic time for any reason not related to the course (e.g., social media or online use, messaging, texting) will not be permitted without prior approval. Violations may result in a reduction in final grade or failure of the course.



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