



WINEBRENNER  
THEOLOGICAL SEMINARY

*“Winebrenner equips leaders for service in God’s Kingdom.”*

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**Term:**

**Course:** CC 5400; Legal & Ethical Issues in Counseling

**Instructor:**

**Phone:**

**Email:**

**Office/Contact Hours:**

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MACC Syllabus

COURSE DESCRIPTION

This course introduces students to ethical standards for the profession and to the research relevant to ethical behavior of counselors in mental health settings. Students will learn important legal developments related to confidentiality, testing, research and supervision. They will apply ethical and legal standards to complex cases through examination and utilization of ethical decision-making models. *(3 credit hours)*

COURSE OUTCOMES

This course addresses the following 2024 CACREP Standards for Clinical Mental Health Counseling Programs. At the conclusion of this course, the successful student will successfully meet the following standards:

1. Utilize critical ethical thinking and reasoning strategies for clinical judgment in the counseling process. **(3.E.2)**
  - Assessment occurs through application exercises and class discussions.
2. Review and apply legislation, government policy, and regulatory processes relevant to clinical mental health counseling **(5.C.3)**
  - Assessment occurs through informed consent activity, ethical and legal presentation, professional paper, application exercises, and final exam.

3. Identify the strategies for interfacing with the legal system regarding court-referred clients and the strategies for interfacing with integrated behavioral health care professionals. **(5.C.6 and 5.C.7)**
  - Assessment occurs through ethical and legal presentation, application exercises, class lecture and discussion, and final exam.
4. Understand third-party reimbursement and other practice and management issues in clinical mental health counseling. **(5.C.9)**
  - Assessment occurs through discussion and class activity during Week 10 class, and final exam.
5. Understand and apply principles and strategies of caseload management and the referral process to promote independence, optimal wellness, empowerment, and engagement with community resources. **(3.E.17)**
  - Assessment occurs through discussion and class activity during Week 10 & 11 classes.
6. Identify ethical and legal issues relevant to establishing and maintaining counseling relationships across service delivery modalities. **(3.E.6)**
  - Assessment occurs through ethical and legal presentations, application exercises, discussions, class activity during Week 10 & 11 classes, and final exam.
7. Demonstrate an understanding of the ethical and legal consideration for selecting, administering, and interpreting assessments. **(3.G.6)**
  - Assessment occurs through individual presentations, application exercises, class discussions, and final exam.
8. Explain the ethical and legal considerations relevant to conducting, interpreting, and reporting the results of research and/or program evaluation. **(3.H.10)**
  - Assessment occurs through Week 10 & 11 in-class application exercises and final exam.
9. Identify and apply ethical standards of professional counseling organizations and credentialing bodies, and applications of ethical and legal considerations in professional counseling across service delivery modalities and specialized practice areas. **(3.A.10)**
  - Assessment occurs through discussions, application exercises, ethical and legal presentations, and final exam.
10. Identify and apply legislation, regulatory processes, and government/public policy relevant to and impact on service delivery of professional counseling across service delivery modalities and specialized practice areas. **(3.A.8)**
  - Assessment occurs through discussions, application exercises, ethical and legal presentations, and final exam.

11. Understand the ethical and legal application of technology related to counseling **(3.E.5)**
  - Assessment occurs through ethical and legal presentation, application exercises, and final exam.
12. Understand professional counseling credentialing across service delivery modalities, including certification, licensure, and accreditation practices and standards for all specialized practice areas. **(3.A.7)**
  - Assessment occurs through discussions, Week 2 in-class application exercise, and final exam.
13. Understand the history and philosophy of the counseling profession and its specialized practice areas as they apply to the identities of the counselors in multiples roles and functions. **(3.A.1 & 2)**
  - Assessment occurs through discussions, application exercises, and final examination.
14. Recognize ethical and legal considerations relative to the delivery of group counseling and group work across service delivery modalities **(3.F.9)**
  - Assessment occurs through class discussions and final exam.
15. Understand the importance of accurate record keeping and documentation skills. **(3.E.16)**
  - Assessment occurs through application exercises, discussions, and final exam.
16. Identify suicide prevention and response models and strategies. **(3.E.19)**
  - Assessment occurs through class discussions and application exercises.
17. Know the procedures for assessing and responding to risks of aggression or danger to others, self-inflicted harm, and suicide. **(3.G.13)**
  - Assessment occurs through ethical and legal presentations, application exercises, and class discussions.
18. Know applicable ethical standards, laws, and the procedures for identifying and reporting signs of abuse and neglect. **(3.G.15).**
  - Assessment occurs through ethical and legal presentations, application exercises, and class discussions.
19. The student will make decisions through a spiritually informed decision-making process. **(CWSLO)**
  - Assessment occurs through application exercises and professional paper.
20. The student will integrate personal reflection that leads to personal growth. **(CWSLO)**
  - Assessment occurs through discussions and professional paper.
21. The student will embody Christlikeness through professional dispositions. **(CWSLO)**
  - Assessment occurs through discussions, class participation and interactions with others, and professional paper.

## REQUIRED TEXTBOOKS

American Psychological Association. (2020). *Publication manual of the American Psychological Association* (7th ed.). Author.

Remley, T., & Herlihy, B. (2024). *Ethical, legal, and professional issues in counseling* (7th ed). Pearson. ISBN-10: 0138168091

Herlihy, B., & Corey, G. (2014). *ACA Ethical standards casebook* (7<sup>th</sup> ed). Wiley. ISBN-10: 1556203217

**Additional required reading is available on Populi.**

## METHODOLOGY

Instructional methodology includes didactic and experiential learning activities, interaction with reading assignments, in-class discussions, application of an ethical decision-making model (based upon the ACA Ethical Decision-Making Model) to case studies, whole group and small group discussions about case studies, written assignments, in-class and out of class assignments, student presentations on topics related to state laws and professional ethics, and demonstration of skills required to provide informed consent to clients in counseling settings.

*Class Meeting Participation Expectations:* Class discussions are powered and enriched by everyone processing and sharing what has been discovered from assigned reading, from personal experiences, and from in-class interactions. Learning is synergistic; it deals with abstract or theoretical ideas that have not yet been fully understood or internalized, and constructing learning and mastering concepts requires the community of learners sharing together—verbally. It's not a repetition of facts; if that's all we were interested in we could just do a quiz on the reading and be done. It's not a debate or an argument or posturing. Our class sessions are where we all can ask questions, make assertions, share concerns or doubts, express opinions, navigate new ideas, and encounter new ways of thinking. Everyone's input is vital to the learning environment. Quiet observation may have its place for most of the class session, but failing to contribute meaningfully is virtually the same as being absent from class.

## EVALUATION AND GRADE SCALE

### Grade Scale

Letter Grade	Percentage
A+	99-100%
A	94-98%
A-	90-93%
B+	87-89%
B	83-86%
B-	80-82%
C+	77-79%
C	73-76%
C-	70-73%
F	Below 70%

*A course grade of F will not meet the requirements for degree credit.*

Pluses and minuses are regularly assigned. The student's GPA is determined by dividing the total points by the number of trimester hours completed.

#### Calculation of grade will be based on the following:

Participation:	10 pts.
Application Exercises:	20 pts.
Informed Consent Activity:	10 pts.
Individual Presentation:	20 pts.
Professional Paper:	20 pts.
<u>Final Exam:</u>	<u>20 pts.</u>
TOTAL	100 pts.

Participation grades are limited to 10% of the course grade and may include, but is not limited to, classroom engagement, attendance, on time arrivals, timely responses to instructor emails, completion of required readings, engagement in synchronous sessions (online), and discussion board posts that meet the instructor's standards for quality and quantity (online). Consult the participation section of the syllabus for more details. Students who have agreed to be on campus will be on campus for every class session. Non-compliance will be considered an absence.

## COURSE REQUIREMENTS

Students must satisfactorily complete each of the course projects. Grades will be calculated on a total of 100 for the course. Format for projects is double-spaced with appropriate documentation of sources, utilizing the *Publication manual of the American Psychological Association*, 7th edition.

- 1. Participation** – A portion of your grade will depend upon your level of participation during class each week. Students are expected to arrive to class on time, stay for the

duration of class, and remain focused during the allotted class time. Students are also expected to be prepared for class by bringing textbooks, articles, and other course material to class each week. Additionally, reading required materials and viewing required videos prior to class time is essential as students cannot enter class discussions and activities with relevant questions and comments if they are not prepared. Class discussions are powered and enriched by everyone processing and sharing what has been discovered from assigned reading, from personal experiences, and from in-class interactions. Spontaneous assessments may be given to assess student preparedness. As we strive to provide a biblically-based approach to counseling, it is expected that you evaluate all readings and discussions from a Christian perspective and work to integrate biblical truth into your life, thought, and work.

2. **Application Exercises (KPI 4)** – Practical application exercises will offer students opportunities to apply ethical standards and laws **from each student’s home state** (see **FindLaw** in WEBSITES section of the syllabus) to vignettes. Students will use a Decision Making and Application Exercise Form to complete the assignments.
3. **Informed Consent Activity** – Write an informed consent document for use as a counseling student intern. You will be able to select the population/site and write accordingly. Students will record a session introducing the counseling relationship to a “client” (e.g., friends, family member, co-worker, classmate). The purpose of this assignment is to practice informed consent. Peers will evaluate the session for completeness and offer feedback. The interview will cover the following:
  - a. Introduction to counseling
  - b. Explanation of consent
  - c. Explanation of confidentiality
  - d. Discussion of supervisory relationship
  - e. Discussion of the goals of counseling
  - f. Responsibilities of the counselor
  - g. Responsibilities of the client
  - h. Permission to record (if applicable)
  - i. Summary and questions from client

*See Populi for scoring rubric.*

4. **Partner Presentation (KPI 4)** – Two students (partners) will give a 35-45 minute presentation on a particular ethical and/or legal issue (local, state, national level) within clinical mental health counseling. Partners will (a) investigate the ethical codes associated with the problem, current laws and any proposed legislation **in your state** (see **FindLaw** in WEBSITES section of the syllabus) regarding the issue, (b) present a Power Point presentation of the information about the topic and include applicable laws and ethical codes, and (c) provide an application exercise and lead the class in a discussion of the laws and ethical codes involved in the decision-making process for handling the ethical dilemma. A minimum of 5 scholarly references must be used in the presentation (not including course text). Presentation responsibilities will be divided between the partners for grading purposes. *See grading rubric on Populi.*

5. **Professional Paper (KPI 4)** - Write a 5-8-page paper (APA format) discussing the following: (1) **Ethical Autobiography**. Explain how your background helps you critically and logically think and identify what is right and wrong, as well as what constitutes ethical professional behavior. Specify your current level of ethical commitment and ethical sensitivity. (2) **Values Issue**. Write about a counseling ethics topic related to **counselor values** from issues explored in the course text, discussed in class, raised in a professional counseling journal, or from your place of employment. *See grading rubric on Populi.*

You are expected to consult with the course instructor regarding your selection of topics/questions as needed. Your ideas must be substantiated by professional literature and ethical guidelines. A minimum of three scholarly references must be used (not including course text). ***If your ideas/opinions differ from recommendations of the American Counselor Association, you must give a rationale for your ideas/opinions.***

6. **Final Examination** – There will be one exam in this course. The final exam will be objective (multiple-choice) and comprehensive. Questions will be taken from texts, articles, class discussions and presentations. Please contact UF IT (419-434-4357) if you experience technical difficulties while taking your exam.

CLASS SCHEDULE *All class meetings will be offered in-person and online via Teams meetings.*

Week	Topic	Readings/Assignments
1	Course Overview/Introduction to Ethics Complete Attitude & Belief Inventory Values Auction	R/H Ch 1, H/C Part I
2	Professional Identity of Counselor <i>What Oar do You Have in the Water?</i> Third Party Legislation & HIPPA Multicultural Competence and Social Justice <b>“Rhonda” In-Class Group Application Exercise and Discussion</b>	R/H Ch 2, Ch 3 H/C Part IIA, Part III- Ch 2 <i>NBCC Code of Ethics</i>
3	Client Rights and Counselor Responsibilities	R/H Ch 4 H/C Part IIC, Part III Ch 1 <b>Professional Presentation</b>
4	Confidentiality and Privileged Communication	R/H Ch 5 H/C Part IIB, Part III-Ch 3 <b>Professional Presentation</b>
5	Records and Subpoenas <b>“Jonathon” In-Class Application Exercise</b>	R/H Ch 6 H/C Part II-E, Part III Ch 4 <b>Professional Presentation</b>

6	Competence, Assessment, and Diagnosis (Counselor Burn-out, Distress, & Impairment) <b>“Viv” In-Class Application Exercise</b>	R/H Ch 7 H/C Part II-I, Part III Ch 12 <b>Professional Presentation</b>
7	Malpractice and Resolving Legal and Ethical Challenges Boundary Issues	R/H Ch 8 & 9 H/C Part III-Ch 5, Ch 7 <b>Professional Presentation</b> <i>Application Exercise One</i> <i>due</i>
8	Technology in Counseling & Virtual Counseling <b>*Professional Dispositions Review</b>	R/H Ch 10 H/C Part II-H, Part III Ch 9 <b>Professional Presentation</b> <i>Application Exercise Two</i> <i>due</i>
9	Counseling Children and Vulnerable Adults Counseling Families and Groups	R/H Ch 11, Ch 12 H/C Part III Ch 6, Ch 8 <b>Professional Presentation</b>
10	Professional Relationships, Private Practice, & Health Care Plans <b>“Darma” (Part 1) In-Class Group Application Exercise and Discussion (KPI 4)</b>	R/H Ch 13 H/C Part IID <i>Complete Application Exercise Three &amp;</i> <b>Professional Presentations</b> <b>Professional Paper Due</b> <i>Application Exercise Three</i> <i>due</i>
11	Issues in Counselor Education Supervision and Consultation <b>“Darma” (Part 2) In-Class Group Application Exercise and Discussion (KPI 4)</b>	R/H Ch 14, Ch 15 H/C Part II-F, Part III Ch 10 <b>Professional Presentations</b> <b>Informed Consent Due</b> <i>Application Exercise Four</i> <i>due</i>
12	Professional Writing, Conducting Research, and Publishing <b>“William” In-Class Application Exercise</b> Review for final exam	R/H Ch 16 H/C Part II-G, Part III Ch11 <b>Professional Dispositions</b> <b>due</b>
<b>11/21-11/22</b> <b>(9 AM– 9 AM)</b>	<b>Final Exam</b>	<b>On Populi</b>

## WEBSITES

American Counseling Association *Code of Ethics*

<https://www.counseling.org/resources/aca-code-of-ethics.pdf>

*Students' State Branch of the American Counseling Association:*

<https://www.counseling.org/about/divisions-regions-branches>

**FindLaw – US Codes & State Statutes**

<https://codes.findlaw.com/>

Ohio Revised Code – Ohio Law

<https://codes.ohio.gov/ohio-revised-code>

*Students' State Licensing Boards:* <https://nbcc.org/search/stateboarddirectory>

State of Ohio Counselor, Social Worker, Marriage & Family Therapist Board

<https://www.cswmft.ohio.gov/>

Purdue Owl APA Writing Assistance

<https://owl.english.purdue.edu>

## PROFESSIONAL DISPOSITIONS

The Master of Arts in Clinical Counseling Program has adopted a set of dispositions to be demonstrated by all students. These dispositions include:

- **Commitment** – including counselor identity, investment, advocacy, collaboration, and interpersonal competence.
- **Openness to ideas** – including learning, identifying needed changes, giving and receiving feedback to and from others, and engaging in self-development.
- **Respect for self and others** – including honoring diversity, self-care, and wellness.
- **Integrity** – including personal responsibility, maturity, honesty, courage, and congruence.
- **Self-awareness** – including humility, self-reflection, and understanding of place in history.

These dispositions represent the values of the Department of Counselor Education at Winebrenner Theological Seminary. All students should embody these dispositions inside and outside the classroom to the greatest extent possible.

## DIGITAL DELIVERY GUIDELINES

*(Since all of this course is digitally delivered, the following guidelines will be followed.)*

### *Teams Online Meeting Etiquette*

Students attending class via Microsoft Teams should do so in a distraction free environment and a learning posture. Taking class while driving or engaged in other activities that requires direct attention should be avoided. **For class sessions** you will need your computer with camera and microphone and a stable Internet connection. Your instructor recommends using a desktop or laptop that is stationary to avoid making your classmates “seasick” with a moving image of you on the screen. It is optimal that you can look straight into the camera rather than down or to the side to give everyone in the class session a sense that we are all “present” and looking at each other. You can have the session on one side of your screen and take notes or view documents beside it in a split screen.

Except during breaks, all cameras should be turned on, and you must be present; no blank screens or avatars during class session. **Exercising, walking on a treadmill, driving your car, or rocking in a chair can also disrupt the classroom environment; please refrain from engaging in distracting activities during class sessions.** Unless otherwise specified by the instructor, please mute yourself until ready to speak to avoid having the class disrupted by background noise. You may use headphones if background noise is present. **Participation grades do include students’ attentiveness whether in-person or online.**

### *Secure Environment*

An adequate and appropriate learning environment is necessary when working within digital delivery systems. Students enrolled in the MACC digital delivery program must adhere to the following guidelines:

- Students should attend class meetings in a distraction-free environment that is secure from inadvertent breaches of privacy and confidentiality.
- Students should attend class from a webcam equipped computer or tablet with keyboard and use headphones if background noise is present.

### *Video Submissions*

For class assignments requiring submission of a video displaying your skills in working with another individual, guidelines have been created to uphold privacy. Creating secure videos and submitting them for grading involves several key steps to ensure both the integrity of the content and the privacy of the individuals involved. To create secure videos for grading, **follow these guidelines:**

- *Use Secure Recording Tools:* Utilize software that offers encryption to protect your video files from unauthorized access.
- *Ensure Privacy:* Make sure to record in a private, quiet environment to avoid capturing sensitive information or background noise.
- *File Protection:* Save your videos in a secure format and use strong passwords for any file-sharing services.

- *Submission Protocols:* Videos will be submitted through Populi (Winebrenner's Learning Management System). Due to size limitations, links may be submitted. Again, ensure that links are secured with access limited to only the course instructor.
- *Data Backup & Deletion:* Keep a backup of your videos in a secure location to prevent data loss. Upon completion of the assignment and instructor grading, all data should be permanently deleted.

By adhering to these practices, you can ensure that your videos are both secure and ready for grading while protecting the privacy of individuals and confidentiality of the content.

## THE SEMINARY POLICIES FOR PAPERS AND LATE WORK

All work is due to the instructor on or before the final day of class, according to the syllabus schedule.

### *Late Work During the Term*

A student who submits assigned written work late during the trimester, when the lateness is not due to a serious illness or death of a family member or extreme life/ministry situations outside his/her control, and reported to the instructor at the time of the late submission, will have his or her grade on such late work reduced a total of 10% for the first week's lateness (from one to seven days). The reduction will be an additional 10% for the second week's lateness (from eight to fourteen days, for a cumulative total of 20% penalty); and another 10% for the third week's lateness, after which the grade on the late work becomes an F. This same policy will also apply to scheduled examinations or tests. Students may petition the instructor in writing for an exception to this policy. When such exceptions last longer than the initial one week, the Chief Academic Officer (CAO) shall be notified by the instructor.

The instructor may have a stricter policy provided they consult with the CAO to make a final determination. It must be clearly stated in the syllabus with corresponding reasons for the exception, such as multiple assignments building on each other.

Coursework extensions are negotiated with the course instructor during the term. Late work may not be submitted after the end of a term without filing a request for a course extension of the course through the CAO no later than one week prior to the end of the term.

## DISABILITY INFORMATION

If you are a student with a diagnosed disability, it is your responsibility to notify your instructor and the Chief Academic Officer at least one week prior to beginning of the trimester so that reasonable accommodations can be made. Students with approved ISAPs are responsible for providing each of their instructors with a copy of their ISAP and having a careful conversation with each instructor regarding how the ISAP can best be followed within the specific parameters of the course. See the Graduate Catalog for the full policy.

## ACADEMIC INTEGRITY

Academic integrity is the personal responsibility of students to represent as their own work in reports, papers, or examinations only what they are entitled to honestly present. Violations of academic integrity include dishonesty and plagiarism. If a student violates the standard on academic integrity, he or she will be subject to disciplinary action determined by the instructor and CAO.

**A growing concern** in graduate work is the use of artificial intelligence (AI) to compose or contribute to some or all written work. Please be aware that this is considered plagiarism. Doing respected, scholarly work requires that the work submitted is the learner's own, original work. Something written by AI is not considered the original work of the learner, but the work of the AI. Academic integrity at Winebrenner requires that all learners submit work that is their own.

Using helpful tools or apps to check spelling and grammar are permissible. For example, tools like MS Word autocorrect, spell-check, grammar-check features, or the Grammarly app can scan for errors and may make suggestions for edits. A translation app may help improve the readability of a paper for those whose first language is not English. However, using a translation app to improve another translation app can appear to be plagiarism. These helpful, rule-based, non-generative AI programs are very different from an AI program that composes writing from a few suggestions.

There are some educational benefits of using generative AI, so Winebrenner does not unilaterally prohibit all use of AI. Generative AI may only be used in very specific courses and assignments with the express permission of the instructor of record.

## GRADE DISPUTE

When a student wishes to dispute a grade assigned in a course, the student should contact the Chief Academic Officer. This appeal process must be started within three weeks of the grade in dispute being posted. A Committee of Arbitration will be convened, whose decision shall be final. (See the Graduate Catalog for full details.)

## INFORMED CONSENT

The MACC faculty members are dedicated to the educational, personal, spiritual, and professional growth and development of Winebrenner students. Faculty are in a unique position as both instructors who assess students' academic skills and members of the counseling profession with an ethical obligation to the profession. All students are cautioned that the MACC courses are not meant to be a means of personal therapy. The focus in classes is on self-awareness and the enhancement and growth of necessary counselor knowledge and skills. Should a student disclose information indicating impairment or the potential for harm to themselves, future clients, and/or others (including animals), the faculty member may take

appropriate action in accordance with the state laws and the ACA Code of Ethics (2014). It is each student's responsibility to determine *an appropriate level of self-disclosure balanced with reactions* in experiential learning activities. A more detailed Informed Consent Statement is available from the CAO. It will also be made available to all students. Please contact Dr. Liames if you have any questions or concerns about the Informed Consent Statement.

*All students are subject to policies outlined in the Winebrenner Graduate Catalog.*

Syllabus revised: 01/01/2026