

CPSE 710
Ethical and Legal Standards
Fall 2022

Class Meetings: 341 MCKB, 8-10:50am, Tuesdays

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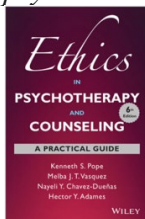
"Cowardice asks the question, 'Is it safe?' Expediency asks the question, 'Is it politic?' Vanity asks the question, 'Is it popular?' But, conscience asks the question, 'Is it right?' And there comes a time when one must take a position that is neither safe, nor politic, nor popular but one must take it because one's conscience tells one that it is right." Martin Luther King Jr.

Overview

This is an advanced course in ethics in counseling psychology. The course will provide doctoral students with a solid foundation in ethical, legal, and professional issues faced by psychology doctoral students and psychologists. The course will include a significant amount of reading and writing along with experiential activities, didactic methods, group discussion, and a final exam.

Texts and Materials

- 1) Pope, K. S., Vasquez, M. J. T., Chavez-Duenas, N. Y., & Adames, H. Y. (2021). *Ethics in psychotherapy and counseling: A practical guide. 6th Ed.* Wiley.
(go to lib.byu.edu; search for authors and "*Ethics in psychotherapy and counseling: A practical guide. 6th Ed.*" – chapters listed as hits)



- 2) APA Ethics Code. Available at: www.apa.org/ethics/code/
- 3) Guidelines for Psychological Practice with Lesbian, Gay, and Bisexual Clients (APA) www.apa.org/pi/lgbt/resources/guidelines.aspx
- 4) Guidelines on Multicultural Education, Training, Research, Practice, & Organizational Change (APA) www.apa.org/pi/oema/resources/policy/multicultural-guideline.pdf
- 5) Guidelines for Psychological Practice with Older Adults (APA) www.apa.org/practice/guidelines/older-adults.pdf
- 6) Guidelines for Psychological Practice with Girls and Women (APA) <https://www.apa.org/about/policy/psychological-practice-girls-women.pdf>
- 7) Guidelines for Assessment of and Intervention with Persons with Disabilities (APA) <http://www.apa.org/pi/disability/resources/assessment-disabilities.aspx>
- 8) Guidelines for Psychological Practice with Transgender and Gender Nonconforming People (APA) <http://www.apa.org/practice/guidelines/transgender.pdf>

Learning Outcomes

1. Demonstrate retention of the APA ethical codes and relevant laws and scholarship.
2. Show mastery of the philosophical foundations of ethical codes and systems.
3. Exhibit understanding of pluralistic, multicultural perspectives, and APA guidelines.
4. Analyze ethical dilemmas and clinical cases in ways that achieve optimal outcomes by applying the information learned in points 1-3 above.
5. Demonstrate self-awareness and enact a personal ethical decision-making model to maintain ethical and legal practices as a counseling psychologist.

Class Discussions

Open discussions enable us to benefit from one another. No one has all the answers, but we all have some important insights to share. *A culture of humility* (Byrd, D.) deliberately cultivates respect for expression of differing points of view by: (1) Knowing your own worldview. (2) Listening to understand the worldview of others. (3) Valuing diversity. (4) Recognizing that “our similarities stabilize us, our differences enrich us, and our unity strengthens us.” (5) Beginning conversations on common ground before explaining differences or challenging perspectives. (6) Respecting people enough to disagree with them. Psychologists respectfully critique others’ positions or behaviors while maintaining full respect for the individual/group and defending his/her expression of opposing views.

Contextual Information

Doctoral students are already intelligent and moral individuals. This course will foster awareness of ethical issues and enhance personal commitments and critical thinking, but the ultimate objective of the course is to make organizations and practices more ethically responsive through your constructive influence. In that spirit, we seek:

1. To use our power and influence to do good. Most ethics classes focus on avoiding misbehavior. We can elevate our aspirations. We can positively influence others.
2. To communicate clearly our reasons for taking certain actions, such as by applying research findings about human reasoning and decision making. The philosopher Hannah Arendt speaks of the “banality of evil,” meaning that most often, troubles stem from mundane sources, often a lack of reasoning by otherwise decent people.
3. To work with ethical dilemmas with candor, caring, and courage. We have little difficulty dealing with obviously erroneous decisions. Our toughest ethical decisions often come down to choices between multiple viable options that benefit different parties. Addressing those difficult situations in a way that openly accounts for such issues as personal benefit, power, and influence can prevent common ethical failures.

Assignment Descriptions

Contributions to Class Discussions (10%)

Punctuality and active participation enable class learning. Please be an active participant in each class session. Good participation will include regular class attendance, completion of assigned readings before arriving to class, papers, and active discussion with your classmates and instructor in class. I encourage you to be proactive in this class by directly approaching the professor with any questions or concerns that may arise.

Assigned Readings (10%)

You are required to complete *all* of the assigned readings before each class so that you will be fully prepared to discuss the most interesting and challenging concepts during class. By 9AM each Monday, please email the instructor a reaction paper consisting of a page and a half (no more than 2 pages), in Word, 12 font, Times New Roman, double-spaced confirming that you completed the readings and include at the end of your paper, one or two (no more than 2) *burning question(s)* that came to your mind as you did the readings. We will discuss your reactions to the reading(s), the questions, and comments during class. Towards the end of this syllabus is a sample of a reaction paper for you to consider.

Ethical Dilemma Interview and Presentation (10%)

We can learn much from others' experiences. You will have the opportunity to interview at least one helping professional about an ethical dilemma faced in their work. For example, you might interview a counseling center psychologist or a professor in the counseling or clinical psychology department (not me☺). Inform the professional you interview that you will not disclose his or her identity to the class. Please also ask them to maintain the confidentiality of others involved. Discuss the professional's perception of the ethical dilemma and how they perceived their professional role as it relates to the dilemma. Present the dilemma to the class *without* disclosing how the professional resolved it. Lead a discussion that uses as fully as possible different stages of ethical decision-making. After explaining how the professional dealt with the dilemma, expand the discussion to include similar situations and factors that would change the solution to the dilemma. You will be given up to 20 minutes to share this assignment in class.

Research Report and Presentation on a Special Topic in Ethics (10%)

Identify an ethical issue that you will encounter in your career (some example topics are listed at the end of this syllabus). Review recent research and the historical development of the ethical issue and/or theoretical scholarly writing on the issue. Take a position on the issue and make some recommendations in your class presentation. For example: What changes do you think should be made to the stand of our professional organization(s) on the issue? What recommendations would you make to your colleagues about how to handle this issue? The class presentation (preferably ppt) and discussion should take about 20 minutes total, including time for questions and discussion. Submit a two-page written report (double-spaced) to the instructor and class summarizing your points.

Personal Ethical Dilemma Report (10%)

Consider a personal ethical dilemma you have recently faced (e.g., at *work, school, volunteer service*). Summarize your dilemma in one paragraph (1 page, do not put your name on it), taking care to write it without making a decision for the reader (this paper will be anonymously shared with the class). Each of you will turn this paper in to me so I can anonymously distribute each paper to class members. On this same 1-page paper, please include below the paragraph a restatement/question of the decision at stake.

On separate pages (no more than 3), demonstrate your understanding of the Consequentialist, Utilitarian, Deontological, and Care Ethics frameworks by answering the following three questions for each framework: (1) What aspects of your dilemma would this framework tell you to consider? (2) How does this framework tell you to act when faced with this dilemma? (3) Why did you act in a way that followed or rejected this framework? Briefly state what *have you learned* from this analysis. (Did using these frameworks raise new issues or considerations? What do *you think now* about what you did? Would you *do things differently* in the future? Why or why not?

Ethical Decision-Making Model (30%)

Students will participate in Ethical Decision-Making during class time. During this process and application time, students will gain the content and knowledge of concepts, principles, APA Ethics Codes, sections, etc. to formulate their own Ethical Decision-Making Model (show Kawika's model and other previous students' models). Your model should include the aforementioned concepts/principles to navigate decision process to resolution of an ethical dilemma. Please search for and review various models in the psychological literature as examples for you to consider as you formulate your model. Here are just a few to consider: (1) E. R. Welfel "thoughtful" approach, (2) Corey, Corey, & Callanan's "mechanistic" model, and (3) Kitchener's "critical reasoning" model. Google search these and you should be able to find them. Some are older and others are more current models giving a range and variety of models from which you can glean ideas. On the assigned day, you will (1) show your model, (2) describe the parts/steps/processes (i.e., codes, standards, virtues, principles, etc.) to the class, (3) describe how your model fits your personal ethical decision-making approach, and (4) how you plan to use it in your professional career as a counseling psychologist. It should be no more than a 20-minute presentation, including class participation and discussion. You will also hand in a two-page write-up of this model delineating the steps above.

Final Exam (20%)

Applying the APA Ethics Code to case scenarios as an aim of the class, students will complete in-class case examples every week throughout the semester. The final exam will follow this same method in which you will be presented with an ethical dilemma. Your response will be based on utilizing your ethical decision-making model and provide (1) accurate recognition of the potential ethical dilemmas in the case and the corresponding principles/guidelines from the APA Ethics Code, (2) demonstration of critical thinking using multiple concepts covered in the class, and (3) report of what they personally could do to minimize the likelihood of similar ethical dilemmas occurring in their future career. The final exam will be administered at the time specified by the university (or another time agreed upon by students and the professor).

General Program Expectations

Students in our doctoral program are expected to plan ahead, complete all work on time, competently manage their personal issues without procrastination or excuses. Students are also expected to seek assistance as needed, including seeking feedback on how improvements can be made.

Grading Scale

Grades	Percent
A	95%
A-	90%
B+	85%
B	80%
B-	75%
C+	70%
C	65%
C-	60%
D+	55%
D	50%
D-	45%
E	0%

Schedule

(May be adjusted
during semester)

Date	Readings Due	Topics	Assignments/ Activities
Aug 30		Thinking critically about ethics Therapist as a person and professional Analytical thinking Ethical Principles and Philosophies, part 1 A Brief History and Overview of	Intros Field trip to the Tree of Wisdom Break Moral Courage Scale-self eval Syllabus – sign people up for assignments Break Introduction lecture slides Kawika’s “Golden Nuggets of Wisdom” EPPP
Sep 6	Part 1 Foundations: APA Ethics Code. Available at: http://www.apa.org/ethics/code/ <i>Chp. 1:</i> Helping Without Hurting <i>Chp. 2:</i> Ethics in Real Life <i>Chp. 3</i> Ethics Theories and Codes APA Guidelines #3	Ethical Principles and Philosophies, part 1 Foundations A Brief History and Overview of the APA Ethics Code	Prayer Nate Intro Assign students to presentation days Possible hike, ask about any off days Johari Window Readings discussion/burning Qs – small groups Break Introduction lecture slides Ethical Dilemma Case Practice items

<p>Sep 13</p>	<p><i>Chp. 4</i> Dignity and Respect</p> <p><i>Chp. 5</i> Trust, Power, Caring, and Healing</p> <p><i>Chp. 6</i> Competence, Humility, and the Human Therapist</p> <p>APA Guidelines #4</p>	<p>Ethical Principles and Philosophies, part 2</p> <p>Trust</p> <p>Competence</p> <p>Power</p> <p>Ten minute detailed video: No Place to Hide: Torture, Psychologists, and the APA https://www.youtube.com/watch?v=o84RE-9023U</p> <p>CIA Torture Defended By Psychologist Creator NBC News (just show 2 min)</p> <p>https://www.youtube.com/watch?v=0TMtF2K4meM</p>	<p>2010 revision: Psychologists and Torture – videos, Also, 2016 amendment: Kawika</p> <p>https://www.apa.org/ethics/code/revision-standard-304.pdf: Kawika</p> <p>Personal Ethical Dilemma Due – brief sharing by each (see assignment description for more details): Nate</p> <p>Mock Panel: Kawika</p> <p>EPPP Items: Kawika</p> <p>Readings: Nate</p>
<p>Sep 20</p>	<p><i>Chp. 7</i> Culture, Context, and Ethics in Psychotherapy and Counseling</p> <p><i>Chp. 8</i> Steps in Ethical Decision-Making</p> <p><i>Chp. 9</i> Moral Distress and Moral Courage</p> <p>APA Guidelines #5</p>	<p>Culture</p> <p>EDM – examples!</p>	<p>Mock Panel “Sharon”: Kawika</p> <p>Ethical Dilemma Interview Due (Each will be given up to 20 minutes to share)</p> <p>Indra Haydn Kiara</p> <p>EPPP Items: Kawika/Nate</p> <p>Readings: Nate</p>
<p>Sep 27</p>	<p>Part 2: Common Sources of Problems</p> <p><i>Chp. 10</i> Ethics, Science, and Pseudoscience</p> <p><i>Chp. 11</i> Ethical Fallacies</p> <p><i>Chp. 12</i> Pitfalls in Ethical Judgment</p> <p>APA Guidelines #6</p>		<p>Ethical Dilemma Interview Due (Each will be given up to 20 minutes to share) – Kawika/Nate</p> <p>Ben Logan Brenna</p> <p>Break</p> <p>Practice items – research specific: Nate</p> <p>Dr. Anderson’s ethical dilemma; discuss in dyads: Kawika</p>

Oct 4	<p><i>Chp. 13</i> Language and Ethics</p> <p><i>Chp. 14</i> Ethics Placebos, Rationalizations, and Excuses</p> <p>APA Guidelines #7</p>	<p>Multicultural perspectives and diversity issues</p> <p>Possible hike</p>	<p>Readings discussion/burning Qs Burning questions – small groups (choose 1 or 2)</p> <p>Case vignette</p> <p>Practice items</p>
Oct 11	<p>Part 3: Special Topics</p> <p><i>Chp. 15</i> Beginnings and Endings, Absence and Access</p> <p><i>Chp. 16</i> Informed Consent and Informed Refusal</p> <p>APA Guidelines #8</p>	<p>Consent</p> <p>Videos</p> <p>Lecture of privacy and confidentiality</p> <p><i>Video – watch in class</i></p> <p><i>Brief review of three exceptions: 3:00 to 4:30</i></p> <p>https://www.youtube.com/watch?v=7HiBNGkXLdc</p> <p>Example of how to provide informed consent:</p> <p>https://www.youtube.com/watch?v=ANs9s7_u8SE</p>	<p>Readings discussion/burning Qs – Collage of Brilliant Insight/Burning Questions: Kawika/Nate</p> <p>Ethical Dilemma Case: Dr. Anderson: Nate</p> <p>Practice items: Nate/Kawika</p>
Oct 18	<p><i>Chp. 17</i> Creating and Using Strategies for Self-Care</p> <p><i>Chp. 18</i> Creating a Professional Will</p>	<p>Self-care/Mental health for therapists</p> <p>Self-Awareness and Ethical Awareness</p>	<p>Time to talk about EDMM Send examples to students</p> <p>Rachel’s ethical issue at BYUH counseling center: Kawika</p> <p>Ukrainian immigrant</p> <p>Practice items</p>

Oct 25	<p><i>Chp. 19</i> Responding to Ethics, Licensing, or Malpractice Complaints</p> <p><i>Chp. 20</i> Assessment, Testing, and Diagnosis</p>	<p>Malpractice complaints</p> <p>Assessment and testing</p>	<p>Ethical Decision-Making Model Sharing – 3 students</p> <p>Brief lecture on HIPAA</p> <p>Practice items</p> <p>Ethical Dilemma Case – Mr. Bell (Mock Panel)</p> <p>Indra</p> <p>Brenna</p> <p>Haydn</p>
Nov 1	<p><i>Chp. 21</i> Confidentiality</p> <p><i>Chp. 22</i> Recognizing, Assessing, and Responding to Suicidal Risk</p>		<p>Ethical Decision-Making Model Sharing – 3 students</p> <p>Ben</p> <p>Logan</p> <p>Kiara</p> <p>Practice items (Nate)</p> <p>Ethical Dilemma Case (sex therapy case) (Kawika)</p>

Nov 8	<p><i>Chp. 23</i> Supporting Human Rights and Addressing Oppression in Psychotherapy</p> <p><i>Chp. 24</i> Therapists in Virtual World: Teletherapy, Electronic Records, and Social Media</p>	<p>Social Media and Ethics slides</p> <p>Telehealth/therapy</p> <p>https://time.com/5883704/teletherapy-coronavirus/</p> <p>Examples of telepsychology/psychotherapy</p>	<p>Brief Lecture on Social Media/Ethics – Kawika</p> <p>Perusal of websites regarding best ethical practices – Kawika/Nate/Students</p> <p>Time magazine article about teletherapy – Kawika</p> <p>See CAPS study and 2021 article on teletherapy meta-analysis.</p> <p>Practice items – Nate</p> <p>Mr. Cool and Miss Rebel – Kawika</p>
Nov 15	<p><i>Chp. 25</i> Sexual Attraction to Patients, Therapist Vulnerabilities, and Sexual Relationships with Patients</p> <p><i>Chp. 26</i> Nonsexual Multiple Relationships and Other Boundary Crossings: The Therapeutic, the Harmful, the Risky, and the Inevitable</p>	<p>Attraction</p> <p>Psychologist-Client Relationship</p>	<p>Review of Ethics Code related to Sexual Intimacies and Multiple Relationships</p> <p>https://www.apa.org/ethics/code</p> <p>Collage of Insight - Readings discussion/burning Qs (Kawika and Nate)</p> <p>Mock Panel Debate: Frank and the couple (Kawika)</p> <p>Research practice items (Nate)</p>
Nov 29	<p><i>Chp. 27</i> Steps to Strengthen Ethics in Organizations: Research Findings, Ethics Placebos, and What Works</p>	<p>Research</p>	<p>Check in! Discuss and share about end of course approaching</p> <p>Moral Courage Scale-self eval post-survey – compare results</p> <p>Ethical Dilemma</p> <p>Practice items</p> <p>Exam review</p>
Dec 6			<p>Research Reports</p>

	Final Exam: Take Home/Open Book		
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Example Topics for the Research Report

teaching of psychology

therapist (and student-therapist) competence

testing/assessment

“fringe” approaches and empirically unsupported treatments

confidentiality, privileged communication

dangerousness

working with children and vulnerable adults

special settings (e.g., military, rural communities, court)

individual differences (gender, race, sexual orientation, ethnicity, religion)

conflicts of interest (e.g., dual roles, attraction)

institutional conflicts of interest

documentation and record keeping

financial issues related to professional practice

advertising professional services

managed care

research integrity/responsible research

electronic communications and therapy

dealing with repressed memories

commitment and insanity

psychopharmacology

drug and alcohol users’ right to choose

euthanasia/suicide

right to treatment/refuse treatment

sport psychology

counseling abuse victims

health counseling

family therapy or group therapy

Sample of Reaction Paper

Reaction Paper:

Fretz, 1982; Watkins, 1994; Archival Statement

An opening statement in the Fretz (1982) article caught my eye, as it stated that counseling psychologists “approached practice with a significant emphasis on positive aspects” (p. 15). This stood out to me because the idea of positive psychology within the profession has been a more recent development; to my knowledge thus far of the profession, there has been a tendency of psychology (and counseling included) to focus on a medical model of fixing what is wrong with a person. Thus, I was surprised to see this in the introduction as I thought the integration of a strengths-based, positive psychology approach did not occur until more recently in the history of counseling psychology. With that said, the definition of the profession in this article includes “problems” three times, “crisis” once, and “resolve” and “remedy” as key verbs. From the sound of this working definition, the emphasis of the profession appears to be focused on remedying problems, not necessarily focusing on positive psychology approaches. However, I appreciate that Fretz underlines the dynamic nature of counseling, and that it should always undergo a reexamination because of changes in the way we analyze and experience human nature/interactions and environmental forces. I feel like this article is lacking an explicit statement on the value of multicultural awareness—an awareness of oneself and others, and how important it is for the psychologist to have examined his/her cultural lens that shapes the way he/she understands clients and the profession in general. Overall, I wonder how the counseling profession ever came to an actual definition of the profession considering how contradictory the feedback was from the Division 17 members: there does not appear to be a statement that satisfies everyone, and the identity of counseling seems to be a loose globe of different subspecialties patched together...

Watkins' (1994) article gives me a sense of self-reassurance in the fact that it identifies counseling psychologists as wearing many professional hats. When my parents ask me what I will be doing as a counseling psychologist, I'm often overwhelmed with the enormity of the question because the possibilities in the career routes that I can take branch in countless directions. And I have no clue which one I want to take, as many of the directions look appealing!!! The fact that Watkins articulates and embraces the diversity of the profession empowers me to feel more confident that it is ok at this point in my career to not know which direction I want to take: I can constantly reevaluate how my life goals fit with the professional activities provided by the counseling profession. I was also pleased to see the leading role that Division 17 members are having within APA's organizational structure and committees. We talked about this briefly in class, and I may also be biased but...I think counseling psychologists are good fits for these leadership roles because of the specific training we receive in graduate school. Counseling psychologists learn to navigate the interpersonal world, thus, are equipped with overall good communication skills (including the important active listening skills), resolution and problem-solving skills, and understand group dynamics. A growth point for me is to learn about how the structure of APA works, especially Division 17 and what types of decisions and activities occur in this organization.

The Archival Article (1999) shows some significant changes in the brief definition of Division 17 as compared to the Fretz (1992) article; I think the Archival Article makes it more clear that counseling psychologists are not just focused on a medical model of fixing what's broken but are actively engaged with client's "typical or normal developmental issues" and "healthy aspects and strengths of the client" (589). Furthermore, I think that the Archival Article does a better job of recognizing the importance of a multicultural understanding in our work;

however, I still feel like it's missing some pieces on multicultural issues. Specifically, I feel like this article could have included 'multicultural training' in the knowledge base section as a way to explicitly recognize the value of a multicultural perspective in our profession.

Library Resources

The library provides students with many types of academic support. Explore the library's [collections](#), [services](#), and [places](#). If you need general writing help, look to the [Research & Writing Center](#). If you need software help, look to the [Software Training Classes](#). For information about how Covid19 is impacting library services, see <https://lib.byu.edu/coronavirus/>.

If you need discipline-specific help, contact Dr. Emily Darowski, the psychology librarian.

- [Schedule an Appointment](#)
- Email: emily_darowski@byu.edu
- Phone: 801-422-6346
- [Psychology Subject Guide](#)

University Policies

Treating all Individuals with Respect:

All BYU students are expected to treat their peers, professors, personnel, clients, etc. with respect, especially when opinions by differ. Class discussions should demonstrate respect for all individuals involved. Respect and other principles for maintaining a healthy campus environment are found in BYU's Honor Code, see <https://policy.byu.edu/view/index.php?p=26>

Responding to and Reporting Sexual Harassment and Related Misconduct:

Title IX of the Education Amendments of 1972 prohibits sex discrimination against any participant in an educational program or activity that receives federal funds. The act is intended to eliminate sex discrimination in education. Title IX covers discrimination in programs, admissions, activities, and student-to-student sexual harassment. BYU's policy against sexual harassment extends not only to employees of the university but to students as well. If you encounter unlawful sexual harassment or gender based discrimination, you have several options of how to report or voice your concerns. You could talk with your professor; contact BYU's Equal Opportunity Manager at 801-422-

5895 or email [sue_demartini@byu.edu]; contact BYU's Honor Code Office at 801-422-2847. Refer to the following website regarding additional information about sexual misconduct: <https://policy.byu.edu/view/index.php?p=155>

Other options include calling or visiting with Tiffany Turley, who serves as the university's Title IX coordinator. Her office is in 1085 WSC. She can also be contacted by phone or email: 801-422-7256; tiffany_turley@byu.edu

You may also call or visit with Lisa Leavitt, BYU's full-time advocate for victims of sexual assault. If you wish to speak with someone confidentially about an incident of sexual assault or abuse, contact Lisa Leavitt: lisa_leavitt@byu.edu; advocate@byu.edu; or call 801-422-9071. Lisa's office is located in 1500 WSC on the BYU campus.

Understanding Services for Students with Disabilities:

Brigham Young University and I are personally committed to providing a working and learning atmosphere which reasonably accommodates qualified persons with disabilities. If you have any disability which may impair your ability to complete this course successfully, please contact me at the beginning of the semester, as early as possible, to ensure adequate prevention and intervention efforts to provide a positive learning experience. You may also contact the University Accessibility Center (UAC; 801-422-2767). They have an Internet site describing their services and contact information [<https://uac.byu.edu/>]. Reasonable academic accommodations are reviewed for all students who have qualified documented disabilities. Services are coordinated with the student and instructor by the UAC Office. If you need assistance or if you feel you have been unlawfully discriminated against on the basis of disability, you may seek resolution through established grievance policy and procedures. You may contact the Equal Employment Office in the ASB. They can be reached by phone at 801-422-6878 or 801-422-5895. You can also visit their

Laptop Computer/Electronics Use

Electronics and internet access can enhance student learning if they are used for that purpose. Full and effective participation in discussions and experiential activities is essential for learning and success. Students are expected to use phones, computers, and all other electronic devices to enhance learning and to refrain from distracting themselves or others during class meetings.