



Chaminade University

School of Education and Behavioral Sciences
Educational Psychology

EPSY 703 Legal and Ethical Issues in Educational Psychology

Location meeting and Class meeting schedule: Online Asynchronous

Credits: #3

Section: #703-90-7 & 703-91-7

Term: Accelerated Winter Term

Instructor Information



Instructor: Daniel McCleary, Ph.D., LSSP, LP, NCSP

Email: daniel.mccleary@chaminade.edu

Phone: NA

Office Location: NA

Office Hours: NA

Virtual Office: By appointment

Virtual Office Hours: By appointment

Communication

The best way to communicate with me is via email at daniel.mccleary@chaminade.edu. During normal weekdays you can expect a response within 24 hours. However, a longer response time should be expected during holidays, weekends, and during the NASP Convention. If you would like to schedule a virtual meeting, send me an email to arrange a mutually beneficial time for us to meet. I am in the Central Standard Time zone.

School & Department Information

School of Education and Behavioral Sciences

Office Location: 3140 Waialae Avenue, Honolulu, Hawaii 96816

Phone: (808) 440-4223 (Program Administration)

If you have questions regarding the Educational Psychology program, reach out to your Instructor or the School of Behavioral Sciences.

Course Description & Materials

Catalog Course Description

This course focuses on the legal, professional, and ethical issues related to the role of educational psychologists and mental health counseling providers in organizations will be synthesized through engaging case analyses. Development of professional identity, ethical and legal responsibilities, and liabilities are discussed within the context of professional ethical codes (e.g., American Counseling Association) and relevant state regulations.

Time Allocation

The unit of semester credit is defined as university-level credit that is awarded for the completion of coursework. One credit hour reflects the amount of work represented in the intended learning outcomes and verified by evidence of student achievement for those learning outcomes. Each credit hour earned at Chaminade University should result in 45 hours of engagement. For example, in a one credit hour traditional face-to-face course, students spend 50 minutes in class per week for 15 weeks, resulting in a minimum of 12.5 instructional hours for the semester. Students are expected to engage in reading and other assignments outside of class for at least 2.17 additional hours per week, which equals an additional 32.5 hours. These two sums result in total student engagement time of 45 hours for the course, the total engagement time expected for each one credit course at Chaminade.

The minimum 45 hours of engagement per credit hour can be satisfied in fully online, internship, or other specialized courses through several means, including (a) regular online instruction or interaction with the faculty member and fellow students and (b) academic engagement through extensive reading, research, online discussion, online quizzes or exams; instruction, collaborative group work, internships, laboratory work, practica, studio work, and preparation of papers, presentations, or other forms of assessment. This policy is in accordance with federal regulations and regional accrediting agencies.

This is a three-credit hour course requiring 135 clock hours of student engagement, per the official CUH Credit Hour Policy (as shown above). Students enrolled in this course are anticipated to spend an average of 13.5 hours per week engaged in this course, 12 hours on the case scenarios; 2 hours taking quizzes; 1 hour writing a reflection and responding to peer's reflections; 3 hours creating the landmark presentation, and approximately 117 hours of additional class engagement (assigned readings and videos).

Required Materials

American Counseling Association. (2014). *Code of ethics*.

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

American Psychological Association. (2017, January 1). *Ethical principles of psychologists and code of conduct*. <https://www.apa.org/ethics/code/ethics-code-2017.pdf>

Jacob, S., Decker, D. M., Lugg, E. T., & Diamond, E. (2022). *Ethics and law for school psychologists* (8th ed.). John Wiley & Sons, Inc.

McCleary, D. F., & Dawes, J. (2023). *School psychology ethics in the workplace*. Routledge.

National Association of School Psychology (2020). *The professional standards of the National Association of School Psychologists*. Retrieved May 1, 2021, from <https://www.nasponline.org/x55315.xml>

Recommended Items

American Psychological Association Committee on Legal Issues. (2016). Strategies for private practitioners coping with subpoenas or compelled testimony for client/patient records or test data or test materials. *Professional Psychology: Research and Practice*, 47, 1-11. <https://www.doi.org/10.1037/pro0000063>

Canvas (<https://chaminade.instructure.com>)

Canvas is the learning management system (LMS) used by Chaminade University. This platform will be used for all coursework and is where you will find your assignment grades.

Learning Outcomes

EdD in Educational Psychology Program Learning Outcomes (PLOs)

1. Develop and apply advanced clinical skills to effectively assess, diagnose, and treat a wide range of mental health concerns in PK-12 students, utilizing evidence-based practices and culturally responsive approaches.
2. Engage with an innovative, research-based, and real-world curriculum that emphasizes the development of strong clinical competencies, equipping them to meet the holistic and mental health needs of PK-12 students and deliver effective mental health services in educational settings.
3. Critically evaluate and apply scientific knowledge and research to inform the selection and implementation of effective mental health interventions, prevention strategies, and wellness approaches that promote the well-being of PK-12 students.
4. Synthesize the value of adaptation and change with applied 21st century leadership, supervision, and consultation skills, adapting to the evolving needs of diverse and complex organizational systems in the provision of comprehensive mental health services within educational settings.

Course Learning Outcomes (CLOs)

1. Define the legal and ethical roles and responsibilities of educational psychologists as psychological examiners, mental health counselors, and administrators (PLO 1).
2. Analyze the impact culture, diversity, and indigenous practices on ethical decision-making and professional issues in psychological testing and mental health counseling (PLO 3).
3. Synthesize national and local standards with the development of professional practice as a psychological examiner and a mental health counselor (PLO 1).
4. Apply ethical decision-making in the mental health counseling context (PLO 1).

Marianist Values

This class represents one component of your education at Chaminade University of Honolulu. An education in the Marianist Tradition is marked by five principles and you should take every opportunity possible to reflect upon the role of these characteristics in your education and development:

1. Education for formation in faith.
2. Provide an integral, quality education.
3. Educate in family spirit.
4. Educate for service, justice and peace, and integrity of creation.
5. Educate for adaptation and change.

This course primarily focuses on values #2 and 4 above. You will be exploring how ethics, law, and professional practices/dispositions impact service delivery for the individual, family, and community.

Native Hawaiian Values

Education is an integral value in both Marianist and Native Hawaiian culture. Both recognize the transformative effect of a well-rounded, value-centered education on society, particularly in seeking justice for the marginalized, the forgotten, and the oppressed, always with an eye toward God (Ke Akua). This is reflected in the 'Ōlelo No'eau (Hawaiian proverbs) and Marianist core beliefs:

1. Educate for Formation in Faith (Mana) E ola au i ke akua ('Ōlelo No'eau 364) May I live by God.
2. Provide an Integral, Quality Education (Na'auao) Lawe i ka ma'alea a kū'ono'ono ('Ōlelo No'eau 1957) Acquire skill and make it deep.

3. Educate in Family Spirit ('Ohana) 'Ike aku, 'ike mai, kōkua aku kōkua mai; pela iho la ka nohana 'ohana ('Ōlelo No'eau 1200) Recognize others, be recognized, help others, be helped; such is a family relationship.
4. Educate for Service, Justice and Peace (Aloha) Ka lama kū o ka no'eau ('Ōlelo No'eau 1430) Education is the standing torch of wisdom.
5. Educate for Adaptation and Change (Aina) 'A'ohe pau ka 'ike i ka hālau ho'okahi ('Ōlelo No'eau 203) All knowledge is not taught in the same school

Alignment of Course Learning Outcomes

	CLO 1	CLO 2	CLO 3	CLO 4
Marianist Values	2,	2, 3, 4	2, 3, 4, 5	2, 4, 5
PLOs	1	3	1	1
Native Hawaiian Values	2, 3, 4, 5	2, 3, 4, 5	2, 3, 4, 5	2, 3, 4, 5
Gen Ed Learning Outcomes (if applicable)	NA	NA	NA	NA

Course Activities

Discussions

Reflection Post and Comments (50 points//14%). Students will write a 2-3 page reflection on what they have learned in the course and how it applies to their current or future work in school systems. The reflection will be posted on the course website for peers to read and comment on. The post should not be a summary of information presented in the course. Instead, it should present how the information in the course pertains to lived experiences and/or connects with information learned in other courses. The reflection may also address how one's perspective of ethics and laws related to school systems has changed over the course of the semester. Each student must also respond to at least 3 peer's reflection post in a meaningful and thoughtful way. ***In order to respond to peer's post before the due date, you and your peers will have to post your reflections well before the due date.***

Quizzes

Quizzes (100 points//29%): Twelve quizzes will be given during the semester. Each quiz is worth 10 points. Each quiz will cover content assigned for the week the quiz is given. The lowest two quiz grades will be dropped.

Team Projects

Case Scenarios: Group Project (100 points//29%). In groups of two, students will work collaboratively using an ethical problem-solving model to evaluate case scenarios related to the practice of psychology. Each group will submit a total of 12 case scenarios for a grade, two per designated week. The lowest two case scenario grades will be dropped.

Individual Projects

Landmark Presentation (100 points//29%): Students must select and present a landmark court case related to working within a school system to the class. A non-exhaustive list of landmark court cases is attached at the end of this syllabus. Students are required to identify the year, plaintiff(s), defendant(s), why the case went to court, decision of the court, and how the decision affects the education system. Presentations shall address related and current case law, citing related ethical standards. A brief summary handout should also be created and posted on the course website. Video recorded presentations should last between 10-12 minutes.

Course Policies

Attendance

Students are expected to attend regularly all courses for which they are registered. Students should notify their instructor when illness prevents them from attending class and make arrangements to complete missed assignments. Notification may be done by contacting the instructor prior to missed class or assignment. It is the instructor's prerogative to modify deadlines of course requirements accordingly. Any student who stops attending a course will receive a failing grade.

Students are expected to actively participate in course room discussions. Students should notify their instructor when illness or circumstances prevents them from actively participating in class for periods longer than one week.

Unexcused absences equivalent to more than three days of classes may lead to a grade reduction for the course. Any absence exceeding three days or more must be reported to the Associate Provost and the Records Office by the instructor.

Federal regulations require continued attendance for continuing payment of financial aid. If attendance is not continuous, financial aid may be terminated. When illness or personal reasons necessitate continued absence, the student should officially withdraw from all affected courses. Anyone who stops attending a course without official withdrawal may receive a failing grade.

Late Work

*All assignments are expected to be completed by the date stated on the calendar. Late work at the graduate level is considered unacceptable. If there are extenuating circumstances, late assignments may be accepted if **you** contact the professor **prior** to the date the assignment is due. Failure to communicate with the professor prior to the due date will result in a grade of zero. If the late assignment is accepted, **ten points** will be deducted for every day the assignment is late.*

Extra Credit

Official Course Evaluation (3 points): 100% of students must complete for any student to receive credit

Changes to the Syllabus

While the provisions of this syllabus are as accurate and complete as possible, your instructor reserves the right to change any provision herein at any time. Every effort will be made to keep you advised of such changes, and information about such changes will be available from your instructor.

Grades of Incomplete

An Incomplete will be given under limited circumstances (e.g., personal situations, illness). The University policy for incompletes will be used (consult these guidelines). Make-up procedures must be arranged immediately with the instructor of record. It is my intention to facilitate your success in this course. Please do not hesitate to contact me if you feel there are specific barriers preventing this goal.

Final Grades

Final grades are submitted to [Self-Service](#):

- A = 90% and above (315-350 points)
- B = 80-89% (280-314 points)
- C = 70-79% (245-279 points)
- D = 60-69% 210-244 points)
- F = 59% and below (0-209 points)

Important Information

Academic Honesty

Academic honesty is an essential aspect of all learning, scholarship, and research. It is one of the values regarded most highly by academic communities throughout the world. Violations of the principle of academic honesty are extremely serious and will not be tolerated.

Students are responsible for promoting academic honesty at Chaminade by not participating in any act of dishonesty and by reporting any incidence of academic dishonesty to an instructor or to a University official. Academic dishonesty may include theft of records or examinations, alteration of grades, and plagiarism, in addition to more obvious dishonesty.

Questions of academic dishonesty in a particular class are first reviewed by the instructor, who must make a report with recommendations to the Dean of the Academic Division. Punishment for academic dishonesty will be determined by the instructor and the Dean of Academic Division and may include an “F” grade for the work in question, an “F” grade for the course, suspension, or dismissal from the University.

For the most up to date information, please refer to the [Academic Honesty Policy](#) on the Chaminade University Catalog website.

Title IX and Nondiscrimination Statement

Chaminade University of Honolulu is committed to providing a learning, working and living environment that promotes the dignity of all people, inclusivity and mutual respect and is free of all forms of sex discrimination and gender-based violence, including sexual assault, sexual harassment, gender-based harassment, domestic violence, dating violence, and stalking. As a member of the University faculty, I am required to immediately report any incident of sex discrimination or gender-based violence to the campus Title IX Coordinator.

Nondiscrimination Policy & Notice of Nondiscrimination

Chaminade University of Honolulu does not discriminate on the basis of sex and prohibits sex discrimination in any education program or activity that it operates, as required by Title IX and its regulations, including in admission and employment. Inquiries about Title IX may be referred to the University’s Title IX Coordinator, the U.S. Department of Education’s Office for Civil Rights, or both and contact information may be found at the [Chaminade University Title IX Office Contact Information and Confidential Resources website](#). On-campus Confidential Resources may also be found here at [CAMPUS CONFIDENTIAL RESOURCES](#).

The University's Nondiscrimination Policy and Grievance Procedures can be located on the University webpage at: <https://chaminade.edu/compliance/title-ix-nondiscrimination-policies-procedures/>.

To report information about conduct that may constitute sex discrimination or make a complaint of sex discrimination under Title IX, please refer to the [Campus Incident Report form](#). Chaminade University of Honolulu prohibits sex discrimination in any education program or activity that it operates. The NOTICE of NONDISCRIMINATION can be found here: [Notice of Nondiscrimination](#).

[CUH Alert Emergency Notification](#)

To get the latest emergency communication from Chaminade University, students' cell numbers will be connected to Chaminade's emergency notification text system. When you log in to the Chaminade portal, you will be asked to provide some emergency contact information. If you provide a cellphone number, you will receive a text from our emergency notification system asking you to confirm your number. You must respond to that message to complete your registration and get emergency notifications on your phone.

[Assessment for Student Work](#)

With the goal of continuing to improve the quality of educational services offered to students, Chaminade University conducts assessments of student achievement of course, program, and institutional learning outcomes. Student work is used anonymously as the basis of these assessments, and the work you do in this course may be used in these assessment efforts.

[Student with Disabilities Statement](#)

Chaminade University of Honolulu offers accommodations for all actively enrolled students with disabilities in compliance with Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act (ADA) of 1990, and the ADA Amendments Act (2008).

Students are responsible for contacting Kokua Ike: Center for Student Learning to schedule an appointment. Verification of their disability will be requested through appropriate documentation and once received it will take up to approximately 2–3 weeks to review them. Appropriate paperwork will be completed by the student before notification will be sent out to their instructors. Accommodation paperwork will not be automatically sent out to instructors each semester, as the student is responsible to notify Kokua Ike via email at ada@chaminade.edu each semester if changes or notifications are needed.

Kōkua 'Ike: Tutoring & Learning Services

Chaminade is proud to offer free, one-on-one tutoring and writing assistance to all students. Tutoring and writing help is available on campus at Kōkua 'Ike: Center for Student Learning in a variety of subjects (including, but are not limited to biology, chemistry, math, nursing, English, etc.) from trained Peer and Professional Tutors. Please check [Kōkua 'Ike's](#) website for the latest times, list of drop-in hours, and information on scheduling an appointment. Free online tutoring is also available via TutorMe. Tutor Me can be accessed 24/7 from your Canvas account. Simply click on Account > TutorMe. For more information, please contact Kōkua 'Ike at tutoring@chaminade.edu or 808-739-8305.

Readings & Due Dates

Wk of	Topic	Required Reading	Assignments (<i>all are due on Friday</i>)
1/6	Course introduction/syllabus	Syllabus	
	Ch.1 Ethics in SP Principles for Professional Ethics	Jacob et al. NASP	Quiz 1
1/13	Ch. 2 Law and SP Ethical Principles & Code	Jacob et al. APA	Quiz 2
1/20	Ch. 3 Privacy, Consent, & Records Code of Ethics	Jacob et al. ACA	Quiz 3
1/27	Ch. 4 Legal Issues & IDEA ABCs & 123s Encryption//Professional Your Professional Will	Jacob et al. Good Practice Good Practice	Quiz 4 Landmark Presentation DUE
2/3	Ch. 5 504 & ADA Chs. 4-5 Consent & Confidentiality	Jacob et al. McCleary & Dawes	Quiz 5 Group Project #1
2/10	Ch. 6 – Issues in Assessment Chs. 6-7 Competence & Service Provision	Jacob et al. McCleary & Dawes	Quiz 6 Group Project #2
2/17	Ch. 7 Issues in Interventions Chs. 8-9 Records & Credentials	Jacob et al. McCleary & Dawes	Quiz 7 Group Project #3
2/24	Ch. 8 Indirect Services I Chs. 10-11 Collaboration & Disclosure	Jacob et al. McCleary & Dawes	Quiz 8 Group Project #4
3/3	Ch. 9 Indirect Services II Chs. 10 Issues in Research Chs. 12-13 Professionalism and	Jacob et al. Jacob et al. McCleary & Dawes	Quiz 9 Quiz 10 Group Project #5
3/10	Ch. 11 Issues in Supervision Ch. 12 Advocacy Scholarly Activity	Jacob et al. Jacob et al.	Quiz 11 Quiz 12 Reflection Post & Comments DUE
3/17	Ch. 14 Complex Case Scenarios	McCleary & Dawes	Group Project #6

Additional readings may be assigned during class.

Landmark Presentation Rubric

Scoring Criteria	Total Points	Score
Introduction is attention getting and lays out the issue well.	5	
Presentation identifies the year, plaintiff(s), defendant(s), why the case went to court, and the decision of the court, and how the decision affects the education system.	10	
Technical terms are well-defined in language a reasonable person could understand (e.g., parent at an IEP meeting).	10	
Presentation contains accurate information (i.e., presenter has a clear understanding of the material presented and provides current information).	10	
Clear explanation of how the decision affects the educational system.	20	
Appropriate amount of material is prepared, and points made appropriately reflect their relative importance.	5	
A one-page handout is provided to the audience. The handout contains pertinent information and is useful (i.e., irrelevant and filler information is excluded).	10	
There is an obvious conclusion summarizing the presentation, with an emphasis on how the landmark case fits within the history and foundation of educational systems.	10	
Speaker maintains good eye contact with the audience and is appropriately animated (e.g., gestures, moving around, etc.). Information was well communicated and maintained a sense of <i>professionalism</i> .	10	
Length of presentation is within the assigned time limit (10-12 minutes).	10	
Total Points	100	

Areas of Reinforcement:

Areas of Refinement:

Reflection Post and Comments Rubric

Scoring Criteria	Total Points	Score
Reflection post is 2-3 pages long and submitted as a Word attachment.	10	
Reflection focuses on what was learned in the course and how it applies to their current or future work in school systems (e.g., how the information pertains to lived experiences and/or connects with information learned in other courses). The reflection may also address how one's perspective of ethics and laws related to school systems has changed over the course of the semester.	20	
The reflection does <u>NOT</u> include a summary or regurgitation of textbook information.	5	
The student responded to at least 3 peer's reflection posts in a meaningful and thoughtful way.	15	
Total Points	50	

Case Scenarios: Group Project Rubric

Date: _____

Names of Group Members: _____

Case Scenario Page Number: _____

Content	Grade
List all applicable codes and standards (3 pts)	
Describe why those codes and standards apply to the current situation and whether a violation has occurred based on those codes and standards. (2 pts)	
Identify contributing factors, including one's own belief system, and actions that could have been taken to avoid the scenario. (2 pts)	
Select the ethical course of action moving forward, as well as risk factors and continued monitoring needs (3 pts)	
Total	

Group report

-The group was cohesive: Yes ____ No ____

-The group worked together, and no one dominated discussion or remained predominately silent: Yes ____ No ____

-Everyone came prepared to discuss the case and contributed to the discussion: Yes ____ No ____

If no, explain:

Selected Landmark Court Cases

PARC v. Commonwealth of Pennsylvania
Brown v. Board of Education
Mills v. Board of Education of the District of Columbia
Tinker v. Des Moines Independent Community School District
Tarasoff v. Regents of the University of California
Diana v. State Board of Education
Guadalupe Organization, Inc. v. Tempe Elementary School District
Hobson v. Hanson
Ingraham v. Wright
Larry P. v. Riles
PASE v. Hannon
Parents Against Abuse in Schools v. Williamsport Area School District
Wyatt v. Stickney
Plessy v. Ferguson
Goss v. Lopez
Parham v. J. R.
Georgia State Conference of Branches of NAACP v. State of Georgia
Mattie T. v. Holladay
Wood v. Strickland
Washington v. Davis
Lau v. Nichols
Board of Education of the Hendrick Hudson Central School District v. Rowley
Irving Independent School District v. Tatro
Oberti v. Clementon
Newport – Mesa Unified School District v. State of California Department of Education
J. L. and M. L. and their minor daughter K. L. v. Mercer Island School District (2006)

*Also see Appendix C in Jacob et al. (2022)