

Lewis & Clark College  
Graduate School of Education and Counseling

SPSY 510-01: Ethical and Legal Issues in School Psychology  
Course Syllabus Fall 2022

**Instructor:**

Cynthia Panko, MS  
Cell Phone: (503) 616-8703  
Email: [pankoc@lclark.edu](mailto:pankoc@lclark.edu)  
Office Hours: by appointment

**Course Calendar:**

This course is scheduled to have 10 class sessions beginning Monday September 12, 2022. Class will meet Monday mornings from 9:00am-12:00pm in Corbett Room 105. See page 8 for schedule.

**Catalogue Description:** Consideration of the applicable ethical and legal issues for school psychologists in mental health and school settings. Students develop skills in counseling, consultation, assessment, and intervention planning.

**Course Objectives:**

Upon completion of this course, students will be able to:

1. Recognize professional, ethical, moral, and legal issues present in the field of school psychology
2. Distinguish between laws, professional ethics, rules, values, and personal beliefs
3. Reference and apply professional ethical codes and principles (APA, NASP), laws (IDEA, FERPA, OARs), and guidelines relevant to the field of school psychology
4. Discuss the steps to ethical decision making and utilize an ethical decision-making model to identify a defensible course of action when faced with an ethical dilemma in professional practice

**Tech Requirements:**

The main learning platforms for this class will include Moodle and may include Zoom. Moodle will be used as the primary course site and is where students will access learning modules and all course materials. Log in to [moodle.lclark.edu](http://moodle.lclark.edu) using your Lewis & Clark ID to access our class.

If you have questions about accessing and using Moodle, visit [Lewis & Clark's Moodle Resources page](#). Moodle and tech support is also available by email at [ITservice@lclark.edu](mailto:ITservice@lclark.edu) or by phone at 503-768-7225. If you call, leave a message and they will call you back.

For help and troubleshooting with Zoom, visit the Zoom Help Center: <https://support.zoom.us/hc/en-us>

If you face Internet access challenges: Some companies are offering free or discounted access during this time. To learn more about options visit Information Technology's [Learning Remotely website](#).

**Textbook and Other Reading Materials:**

**Required Textbook:**

Jacob, S., Decker, D.M., & Lugg, E.T., Diamond, E. (2022). *Ethics and law for school psychologists* (8<sup>th</sup> ed.). New York: John Wiley & Sons.

**Supplemental Required Readings (*provided by the instructor via Moodle*):**

- Armistead, L.D. (2014). Ethical and professional best practices in the digital age. In P. L. Harrison & A. Thomas (Eds.), *Best practices in school psychology: Foundations*, p. 459-474. Bethesda, MD: National Association of School Psychologists.
- Burns, M.K., Jacob, S., & Wagner, A.R. (2008). Ethical and legal issues associated with using response-to-intervention to assess learning disabilities. *Journal of School Psychology, 46*, 263-279.
- Crespi, T.D. (2009). Group counseling in the schools: Legal, ethical, and treatment issues in school practice. *Psychology in the Schools, 46*(3), 273-280.
- Dailor, A.N., & Jacob, S. (2011). Ethically challenging situations reported by school psychologists: Implications for training. *Psychology in the Schools, 48*(6), 619-631.
- Demers, J.A., & Sullivan, A.L. (2016). Confronting the ubiquity of electronic communication and social media: Ethical and legal considerations for psychoeducational practice. *Psychology in the Schools, 53*(5), 517-532.
- Diamond, E., Whalen, A., Kelly, K., & Davis, S. (2021). DECIDE: An ethical decision-making model supporting a socially just practice. *Communique*.
- Diamond, E.L. & Whalen, A. (2018). Ethics and social media: Professional considerations for the school psychologist. *Contemporary School Psychology*, <https://doi.org/10.1007/s40688-017-0170-x>.
- Fisher, E.S. (2014). Best practices in supporting students who are lesbian, gay, bisexual, transgender, and questioning. In P. L. Harrison & A. Thomas (Eds.), *Best practices in school psychology: Foundations*, p. 191-204. Bethesda, MD: National Association of School Psychologists.
- Fleury, I., & Dowdy, E. (2020). Social medial monitoring of students for harm and threat prevention: Ethical considerations for school psychologists. *Contemporary School Psychology*, <https://doi.org/10.1007/s40688-020-00311-y>
- Griffiths, A.J., Sharkey, J. D., & Furlong, M.J. (2008). Targeted threat assessment: Ethical considerations for school psychologists. *School Psychology Forum: Research in Practice, 2*(2), 30-48.
- Kelly, K., Diamond, E., Davis, S., & Whalen, A. (2019). Supervision in school settings: Maintaining a multicultural and ethical practice. *Training and Education in Professional Psychology*. DOI: 10.1037/tep0000220
- Klose, L.M., & Lasser, J. (2014). Best practices in the application of professional ethics. In P. L. Harrison & A. Thomas (Eds.), *Best practices in school psychology: Foundations*, p. 449-458. Bethesda, MD: National Association of School Psychologists.
- Mayworm, A.M., & Sharkey, J.D. (2014). Ethical considerations in a three-tiered approach to school discipline policy and practice. *Psychology in the Schools, 51*(7), 693-704.
- Ortiz, S.O. (2014). Best practices in nondiscriminatory assessment. In P. L. Harrison & A. Thomas (Eds.), *Best practices in school psychology: Foundations*, p. 61-74. Bethesda, MD: National Association of School Psychologists.
- Scheuermann, B., Peterson, R., Ryan, J.B., & Billingsley, G. (2016). Professional practice and ethical issues related to physical restraint and seclusion in schools. *Journal of Disability Policy Studies, 27*(2), 86-95.
- Stein, R., & Sharkey, J. (2015). Your hands are (not) tied: School-based ethics when parents revoke special education consent. *Psychology in the Schools, 52*(2), 168-180.

#### **Ethical codes and guidelines:**

- NASP 2020 Principles for Professional Ethics:  
<https://www.nasponline.org/standards-and-certification/professional-ethics>
- APA Ethical Principles of Psychologists and Code of Conduct:  
<http://www.apa.org/ethics/code/index.aspx>

#### **Oregon Law:**

- Oregon Teacher Standards and Practices Commission  
<http://www.oregon.gov/TSPC/Pages/index.aspx>
- The Laws of Psychology Practice [Oregon]  
[http://www.oregon.gov/obpe/Pages/laws\\_rules.aspx](http://www.oregon.gov/obpe/Pages/laws_rules.aspx)
- Oregon Administrative Rules, Division 15 (Special Education)  
[http://arcweb.sos.state.or.us/pages/rules/oars\\_500/oar\\_581/581\\_015.html](http://arcweb.sos.state.or.us/pages/rules/oars_500/oar_581/581_015.html)

#### **Course Requirements:**

**Participation (30 points)**

Active participation is essential to the success of this class, and the impact the course will have on students. Students are expected to engage with all asynchronous course materials (e.g., recorded class lectures), and complete all respective assignments prior to each class session. Students are expected to attend, and actively engage in all synchronous class sessions (e.g., live discussions), and come prepared to participate with assignments completed.

In the event that a student is unable to attend a class session, they are asked to notify the instructor prior to class (or as soon as they are able to, following the missed class). If class is missed, the student will reach out to the instructor for an alternate assignment. If two classes are missed, the student will be at risk of not passing the class.

**Assignments:**

**Ethics Autobiography (30 points)**

Students will write a paper in which they reflect on, and describe, their current (at the start of the term) personal values and thoughts about developing professional ethics. Students should reflect on their own state of moral and ethical development as they answer the following prompts within their paper: (1) What personal values do you hold? (2) Where do these values come from and how have they developed over time? (3) After reading the NASP and APA ethical codes, identify one or more specific standards that conflict (or have the potential to conflict) with your current personal values and describe the conflict, (4) Describe one or more challenges you expect to encounter as you begin to integrate personal values and professional ethics in your desired professional practice setting. The paper should be approximately 3 pages, double-spaced, with formatting consistent with APA style guidelines. The paper should be submitted to Moodle prior to the start of class the week it is due.

Component	Possible Points	Points Earned	Comments
<b>Personal values</b> • Key personal values are identified summarized	5		
<b>Development of values</b> • Summarizes where values came from • Summarizes how values have developed over time	5		
<b>Conflict with ethics and values</b> • References one or more specific standards that may conflict with values and describes the conflict	5		
<b>Expected challenges</b> • Describes one or more anticipated challenges with integrating personal values and professional ethics in school-based setting	10		
<b>Professional Writing</b> • Paper is clear and concise and free of spelling and grammar errors	5		

Total: \_\_\_\_/30

**Case Law Presentation (30 points)**

Students will sign up to present on a seminal legal case. A link to the sign up form can be found on Moodle. For the presentation, each student will prepare a 10-minute (approximate) video that covers information as outlined in the rubric below. In addition to the video, students will prepare a 1-page handout that classmates can use as a reference tool in the future. Both video and handout will be submitted to a google drive folder via a link available on Moodle. When naming

the video prior to uploading, please name/save with the title of the case (or an abbreviated title for long case names) and your last name. E.g. “Brown v Board of Education-Panko” as this will help others find and view the video. Videos are due on Moodle by Thursday September 29, 2022.

Component	Possible Points	Points Earned	Comments
<b>Setting the stage</b> <ul style="list-style-type: none"> <li>• Presentation identifies relevant historical events to contextualize case</li> </ul>	5		
<b>Overview of the case</b> <ul style="list-style-type: none"> <li>• Presentation includes an overview of the essential details of the case including a timeline of relevant events (i.e., tell the story of the case)</li> </ul>	5		
<b>Verdict</b> <ul style="list-style-type: none"> <li>• Presentation includes a summary of the verdict (or verdicts) and subsequent decisions of the court</li> </ul>	5		
<b>Relevance</b> <ul style="list-style-type: none"> <li>• Presentation identifies how the case has impacted special education law</li> <li>• Presentation identifies how the case is relevant to the current practice of school psychology</li> </ul>	5		
<b>Professionalism</b> <ul style="list-style-type: none"> <li>• The presenter speaks clearly, audibly, and at a steady pace</li> <li>• The presentation is clear, linear, and easy to follow</li> </ul>	5		
<b>One-page handout</b> <ul style="list-style-type: none"> <li>• Handout includes relevant information about the case that can serve as a reference guide in the future</li> <li>• Handout is clear and concise and free of spelling and grammar errors</li> <li>• Primary sources are cited</li> </ul>	5		

Total: \_\_\_\_/30

**Topical Presentation (50 points)**

Students will work in small groups to develop and deliver a 30-minute topical presentation related to professional ethics. A selection of topics will be provided by the instructor. Students will review current literature on the topic (e.g., book chapters, journal articles, case law, etc.) and develop a presentation that *supplements the course readings* and *deepens classmates’ knowledge of the topic*. In other words, the presentation may not simply cover material from the textbook or required readings. The presentation should provide a brief overview of the major legal and ethical issues relevant to your topic, explain how specific ethical codes, laws, and/or professional guidelines are relevant to your topic, and discuss at least two examples (e.g., vignettes, court cases, historic or personal examples) of how the issues may arise in professional practice. Below is an assignment rubric with more details. All group members are expected to contribute equally and will receive the same grade on the project.

In addition to the presentation, a final copy of presentation PowerPoint slides should be submitted to the google drive folder (link available on Moodle site). When naming the slides prior to uploading, please name/save with the title of the presentation/topic and your last name. E.g. “Discipline Practices-Panko” as this will help others find and view the slides.

Component	Possible Points	Points Earned	Comments
<b>Clear overview of the topic</b> <ul style="list-style-type: none"> <li>• What is the issue and why is it important?</li> <li>• Throughout presentation, reference relevant ethical codes, laws, principles</li> </ul>	10		
<b>Review of Literature</b> <ul style="list-style-type: none"> <li>• Thorough literature review</li> <li>• Summary of major findings</li> </ul>	10		
<b>Extends Learning</b> <ul style="list-style-type: none"> <li>• Builds upon, and goes beyond, coverage of the topic in other assigned course readings</li> </ul>	15		
<b>Professional Practice Examples</b> <ul style="list-style-type: none"> <li>• Includes two or more examples</li> <li>• Historic examples, court cases/case law, ethical vignettes, etc.</li> </ul>	10		
<b>Presentation</b> <ul style="list-style-type: none"> <li>• Professionalism (materials, tone)</li> <li>• Organization of content</li> <li>• Time management</li> <li>• Equal participation of group members</li> </ul>	5		

**Total: /50**

**Problem-Solving Model (x3) (50 points each)**

Students will be given a vignette outlining an ethical dilemma. Students will use the DECIDE decision-making model (See Diamond et al., 2021 and/or class notes for a copy of the model) to outline legal and ethical issues. The write up should be thorough, free of grammar and spelling errors, and address appropriate legal and ethical considerations. Below is an assignment rubric with more details. The assignment is due via Moodle prior to class the day it is due.

Component	Possible Points	Points Earned	Comments
<b>Define the Problem</b> <ul style="list-style-type: none"> <li>• Relevant issues of the vignette are clearly summarized</li> <li>• Extraneous variables are not included</li> </ul>	5		
<b>Ecological Framework</b> <ul style="list-style-type: none"> <li>• Relevant cultural and contextual factors are addressed</li> </ul>	5		
<b>Consider ethical, legal, and policy guidelines</b> <ul style="list-style-type: none"> <li>• Relevant major legal issues/themes are identified and legal codes are listed with specific code/case law and brief description</li> <li>• Relevant major ethical issues/themes are identified and ethical guidelines are listed with specific ethical standard/principle and description</li> </ul>	20		

<ul style="list-style-type: none"> <li>• Relevant policy guidelines are identified</li> </ul>			
<b>Identify the rights and responsibilities of all parties</b> <ul style="list-style-type: none"> <li>• The rights of key individuals related to the vignette are outlined and explored</li> <li>• The responsibilities of key individuals related to the vignette are outlined and explored</li> </ul>	5		
<b>Determine courses of action and consequences</b> <ul style="list-style-type: none"> <li>• 3-4 alternative decisions are outlined</li> <li>• Possible consequences for each of the alternative decisions are explored</li> </ul>	5		
<b>Establish a plan</b> <ul style="list-style-type: none"> <li>• Final decision of action is clear and concise</li> <li>• Final decision is consistent with legal and ethical codes and a socially just practice</li> </ul>	5		
<b>Professional Writing</b> <ul style="list-style-type: none"> <li>• Writing is clear and concise</li> <li>• Writing is free of grammar and spelling errors</li> </ul>	5		

Total: /50

**Final (50 points)**

Students will complete a final exam at the end of the term. The final is due by the end of the last day of class.

**Grading:**

Each of the assignments or grading areas has been given a maximum point value and some general evaluation criteria. Your grade for the course will be based on the total number of points you earn, in connection with the following breakdown of 100% of possible points:

99-100:	A+	79-82.9:	B-
94-98.9:	A	76-78.9:	C+
91-93.9:	A-	73-75.9:	C
87-90.9:	B+	70-72.9:	C-
83-86.9:	B	< 70:	F

Regarding timeliness of assignments, it is expected that all work will be completed and turned in on the assigned due dates. Points will be deducted for late work (-10% per calendar day late), unless negotiated with the instructor in advance of the due date. As instructor of this course, I reserve the right to establish absolute dates beyond which late work will not be accepted. I will be reasonable in these matters in the event of illness or related significant personal matters that may require submitting work late. Incompletes will be given only under special circumstances, in accordance with Lewis & Clark policy.

**Non-discrimination policy and special assistance:**

Lewis & Clark College adheres to a nondiscriminatory policy. The College does not discriminate on the basis of race, color, creed, religion, sex, national origin, age, handicap or disability, sexual orientation, or marital status and has a firm commitment to promote the letter and spirit of all equal opportunity and civil rights laws. If you need course adaptations or accommodations because of a disability and/or you have emergency medical information to share, please make an appointment with the instructor as soon as possible

If you have a disability that may impact your academic performance, you may request accommodations by submitting documentation to the Student Support Services Office in the Albany Quadrangle (503-768-7192). After you have submitted documentation and filled out paperwork there for the current semester requesting accommodations, staff in that

office will notify me of the accommodations for which you are eligible. *Because our course delivery will be online this summer, it is particularly important that you talk to me soon about accommodations and needs.*

## SPSY 510 Fall 2022 Course Schedule

Syllabus and schedule are subject to change at the instructor's discretion, in response to student learning or extenuating circumstances. If you are absent from class, it is your responsibility to ask about announcements and assignments that may have been given while you were absent.

Date	Topics	Reading/Videos *JD&L = Jacob, Decker & Lugg *BP = Best Practices Series	Assignments Due
Class 1 9/12/22	<ul style="list-style-type: none"> <li>Course overview and expectations</li> <li>Introduction to ethics and law in school psychology</li> </ul>	*JD&L Chapter 1-2 Dailor & Jacob (2011)	Sign up for presentations <ul style="list-style-type: none"> <li>Case presentation</li> <li>Topical Presentation</li> </ul>
Class 2 9/21/22	<ul style="list-style-type: none"> <li>Introduction to an ethical decision-making model</li> <li>History of legal and ethical issues in School Psychology</li> </ul>	Principles & Codes: NASP (2020), APA (2017)  Diamond et al. (2021)	Ethics Autobiography
Class 3 9/26/22	<ul style="list-style-type: none"> <li>Ethical and legal issues related to privacy, informed consent, confidentiality, and record keeping</li> <li><b>Review Case Presentation videos:</b> <i>Tinker v. Des Monis (1969)</i> <i>Merriken v. Cressman (1973)</i> <i>New Jersey v. T.L.O (1985)</i> <i>Stafford v. Redding (2009)</i></li> </ul>	*JD&L Chapter 3 Klose & Lasser (2014 BP)	Case Law Presentation Due (upload to moodle by 9/23)  Week 3 Vignette
Class 4 10/3/22	<ul style="list-style-type: none"> <li>Ethical and legal issues in education of students with disabilities under IDEA</li> <li><b>Review Case Presentation videos:</b> <i>Brown v. Board of Education (1954)</i> <i>Board of Education of Hendrick Hudson Central School District v. Rowley 458 (1982)</i> <i>PARC v. Commonwealth of Pennsylvania (1971, 1972)</i> <i>Mills V. Board of Education of District of Columbia (1972)</i></li> <li><b>Review Topical Presentation:</b> Discipline practices for students with disabilities</li> </ul>	*JD&L Chapter 4 Scheuermann, et al. (2016) Mayworm & Sharkey (2014)	Problem Solving Model #1 (Week 4 Vignette)
Class 5 10/10/22	<ul style="list-style-type: none"> <li>Ethical and legal issues in education of students with disabilities under Section 504 and the ADA</li> <li><b>Review Case Presentation videos:</b> <i>Fry v. Napoleon Comm. School District (2017)</i> <i>Andrew F. v Douglas County, Supreme Court (2017)</i> <i>T.F. v Fox Chapel, Western Pennsylvania District Court (2013)</i> <i>A.C. v Shelby County (2013)</i></li> <li><b>Review Topical Presentation:</b> Addressing bullying in schools</li> </ul>	*JD&L Chapter 5 Stein & Sharkey (2015) Procedural Safeguards Handout	Week 5 Vignette
Class 6 10/17/22	<ul style="list-style-type: none"> <li>Ethical and legal issues in psychoeducational assessment</li> <li><b>Review Case Presentation videos:</b></li> </ul>	*JD&L Chapter 6 Ortiz (2014 BP) Burns et al. (2008)	Week 6 Vignette



	<p><i>Diana v. State Board of Education (1970)</i>  <i>Hobson v Hansen (1967, 1969)</i>  <i>Larry P v Riles (1979)</i></p> <ul style="list-style-type: none"> <li>• <b>Review Topical Presentation:</b> Supporting Culturally and Linguistically Diverse students in schools</li> </ul>		
Class 7 10/24/22	<ul style="list-style-type: none"> <li>• Ethical and legal issues in school-based interventions</li> <li>• <b>Review Case Presentation videos:</b> <i>Doug C. v Hawaii, Ninth Circuit (2013)</i> <i>Forest Grove SD v T.A (2009)</i></li> <li>• <b>Review Topical Presentation:</b> Supporting LGBTQ+ students in schools</li> </ul>	<p>* JD&amp;L Chapter 7  Griffiths, et al. (2008)  Crespi (2009)  Fisher (2014 BP)</p>	Problem Solving Model #2 (Week 7 Vignette)
Class 8 10/31/22	<ul style="list-style-type: none"> <li>• Ethical and legal issues in school-based consultation</li> <li>• <b>Review Case Presentation videos:</b> <i>Rafael Oberti v Borough of Clementon, Third Circuit (1993)</i> <i>Chipman v Grant County SD (1998)</i></li> <li>• <b>Review Topical Presentation:</b> The School Psychologist’s role in promoting social justice in schools</li> </ul>	*JD&L Chapter 8-9	Week 8 Vignette
Class 9 11/7/22	<ul style="list-style-type: none"> <li>• Ethical and legal issues in technology and social media</li> <li>• <b>Review Case Presentation videos:</b> <i>Richerson v Beckon (2008)</i> <i>Mahanoy Area SD v B.L (2021)</i></li> <li>• <b>Review Topical Presentation:</b> Social media use in schools</li> </ul>	Demers & Sullivan (2016) Diamond & Whalen (2018) Armistead (2014 BP) Fleury & Dowdy (2020)	Problem Solving Model #3 (Week 9 Vignette)
Class 10 11/14/22	<ul style="list-style-type: none"> <li>• Ethical and legal issues research and supervision</li> <li>• Reflections and Moving Forward</li> <li>• <b>Review Topical Presentation:</b> The School Psychologists role in Advocacy</li> </ul>	*JD&L Chapter 10-11	Final

CONGRATULATIONS ON COMPLETING YOUR FIRST COURSE! YOU DID IT!