



Here are the links to the current BACB and NASP Ethics codes. If you do not have it on your laptop, phone or other device download it. You will need your respective code of ethics for the rest of the session:

BACB: <https://www.bacb.com/wp-content/uploads/2022/01/Ethics-Code-for-Behavior-Analysts-220316-2.pdf>

NASP: <https://www.nasponline.org/standards-and-certification/professional-ethics>

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**Ethical Workouts:
Working with our
Colleagues to Improve
Services for all
Learners (BCBA,
NASP)**

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Today's Objective

1. Increase their familiarity with the Ethics Code for Behavior Analysts (BACB - 2021) and School Psychologists (NASP - 2020).
2. Participants will be able to identify the differences between the roles of school psychologists and behavior analysts and identify areas of overlap.
3. Participants will be able to identify and use decision making frameworks to address ethical issues.
4. Participants will develop a joint vocabulary to foster collaboration.
5. Develop an understanding of the core principles contained in the code and discuss how they will impact their work.
6. Be able to define the concept of "ethical fitness" and identify two activities in which they will engage to develop and maintain their own ethical fitness.



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What are the responsibilities of School Psychologists and Behavior Analysts

School Psychologists

- Assessments
- FBA
- Counseling
- Systems support
- Consultation & training
- Data Collection & decision making
- Academic Interventions and support

Behavior Analysts

- FBA
- Writing behavioral plans
- Implementing behavioral plans
- Staff training
- Data Collection

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What are Ethics?

- > Dictionary.com: Ethics are moral principles that govern a person's behavior or the conducting of an activity.
- > Ethics is a decision-making process that requires ongoing thought, practice-and study
- > "Ethics after all is not about what you do because regulation compels it (like paying to ride a train) or nature requires it. It is about what you ought to do -- have an obligation to do -- because it is 'right'." (Rushworth Kidder: "How Good People Make Tough Decisions." p. 152)

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What Ethics are not




- > HR issues
- > Billings
- > Right vs wrong

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Different Approaches to Ethics --Deontology




- > A rules-based approach to ethics is called deontology, sometimes referred to as Kantian ethics
- > In this approach, rules are prescribed and behavior is said to be ethical when the rules are followed
- > One benefit of this approach is thought to be the consistency and fairness of how rules are applied
- > A criticism of this approach is that it ignores contextual features and that history suggests that rules are not enforced uniformly (e.g., institutional racism)
- > The BACB Ethical C Code and NASP Principles of Professional Ethics is based on deontological ethics

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“... treating ethical rules as immutable ends in themselves, separating them from the ethical ideals (i.e., the principles and virtues) they were designed to reflect and support, can turn rules into obstacles rather than facilitators of ethical ideals such as respect, fairness, caring, beneficence, and avoidance of harm.”



Pettifor, Sinclair, Falendar (2014)

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Different Approaches to Ethics - Utilitarianism (Ends Based Ethics)




- > This approach suggests that ethical behavior should be judged by its outcome
- > The choice that makes that results in the greatest good for the greatest number of people is the ethical choice
- > John Stuart Mill (1861) is often associated with this approach
- > A criticism on this approach is that the need of individuals and their cultures are not considered


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Different Approaches to Ethics - Care Ethics




- > This approach suggests that ethical decisions must be made within the context of caring interpersonal relationships
- > Emphasis is on the response to the individual
- > The guiding question is "how to respond?" vs "what is just?"
- > Originator of ethics of care is Carol Gilligan
- > Situational details (a.k.a. context) is essential in determining the interest of the individuals involved

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Why Ethical Training and Guidance are Important




- > The Immortal Life of Henrietta Lacks (non-ABA specific, but a great read for anyone interested in research involving Human Subjects)
- > Sunland Training Center
- > Electric Shock Therapy/SIBIS
- > Judge Rotenberg Center
- > Rekers & Lovaas (1974)

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Brief History of Ethics in the BACB



- > 1999 - Professional Disciplinary Standards
- > 2001 - Guidelines for Responsible Conduct for Behavior Analysts
- > 2004 -- Guidelines for Responsible Conduct for Behavior Analysts (updated)
- > 2010 - Professional Disciplinary Standards and Guidelines for Responsible Conduct for Behavior Analysts (updated)
- > 2014 - Professional and Ethical Compliance Code for Behavior Analysts
- > 2020 - Ethics Code for Behavior Analysts
- > For more details on Ethics in the BACB see <https://www.bacb.com/ethics-information/ethics-resources/>

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Brief History of Ethics in School Psychology

<p>NASP</p> <ul style="list-style-type: none"> > 1974 Principles for Professional Ethics > Revisions: 1984, 1992, 1997, 2000, 2010, 2020 > For school psychologists employed in schools or in independent practice. > For school psychologists across a range of settings and roles. <p>https://www.nasponline.org/standards-and-certification/professional-ethics</p>	<p>APA</p> <ul style="list-style-type: none"> > 1953 Ethical Standards for Psychologists > Multiple revisions > Last amended in 2016 > For psychologists across a range of disciplines and settings <p>https://www.apa.org/ethics/code</p>
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Ethical Dilemmas and the School Psychologist

(Maki, Kranzler & Wheeler, 2022)



Ethical Dilemmas Encountered	Areas of Greatest Concern	Approaches to Resolving Dilemmas
<ol style="list-style-type: none"> 1. Assessment 2. Administrative pressure 3. Intervention 4. Parent Conflicts 5. Confidentiality 6. Informed consent 7. Job competence 8. Conflictual relationships 	<ol style="list-style-type: none"> 1. Administrative pressure 2. Telehealth practices 3. Interventions 4. Unsound ethical/educational practices in schools 	<p>Only 23% used a systematic decision-making model to address ethical dilemmas</p> <p>Most frequently used approaches:</p> <ol style="list-style-type: none"> 1. Consulting with other school psych or professional 2. Thought about the benefits and risks of various actions 3. Consulted ethics codes, laws, other guidelines

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The Use of Principles in Contextualizing Ethical Rules

- > What are ethical principles?
 - Broad statements that provide overarching information and guidance about the ideals and core values of a profession.
- > How can ethical principles help?
 - Can help the professional *prioritize* when two ethical rules conflict
 - Can help the professional *prioritize* when contextual or cultural variables may seem to suggest actions in conflict with ethical rules.
 - Can help the professional disseminate the ideals that frame their work in understandable and meaningful ways.

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Ethical Principles

Kelly, Greeny, Rosenberg, & Schwartz, 2020	BACB, 2020	NASP 2020
<ul style="list-style-type: none"> Beneficence Inclusion Professional Excellence Self-Determination Social Justice 	<ul style="list-style-type: none"> Benefit Others Treat Others with Compassion, Dignity, and Respect. Behave with Integrity Ensure their Competence 	<ul style="list-style-type: none"> Respect for the Dignity of Others Responsible Caring Integrity in Professional Relationships Responsibility to Community and Society

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Ethics Code for Practitioners- Core Principles

> In resolving an ethical dilemma, behavior analysts and school psychs should follow the spirit and letter of the Code's core principles and specific standards.

- > Benefit others
- > Treat others with compassion, dignity, and respect
- > Behave with integrity
- > Ensure their competence
- Respect for the Dignity of Others
- Responsible Caring
- Integrity in Professional Relationships
- Responsibility to Community and Society

See also Kelly, E. M., Greeny, K., Rosenberg, N., & Schwartz, J. (2020). When Rules Are Not Enough: Developing Principles to Guide Ethical Conduct. *Behavior Analysis in Practice*, 1-8.

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Ethical Decision Making as a Process

- > Practitioners will likely encounter complex and multifaceted ethical dilemmas and will need to make difficult decisions
- > A series of steps a behavior analyst would go through when considering an ethical issue.
- > Ethical conduct would then be judged by one's ability to stand in front of a court of peers and defend one's decision-making process, resolution and the reasons for it
- > Encourages ethical fitness

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Rosenberg & Schwartz, 2019	BACB 2020	NASP 2020
<ol style="list-style-type: none"> 1. Why does this trigger my ethical radar? 2. Brainstorm solutions 3. Evaluate solutions 4. Have you found an acceptable solutions 5. Make a decision and implement it with fidelity 6. Reflect upon the results and evaluate. 	<ol style="list-style-type: none"> 1. Clearly define the issue and consider potential risk 2. Identify all relevant individuals 3. Gather relevant supporting documentation 4. Consider your personal learning history and biases 5. Identify the relevant core principles of the Code 6. Consult available resources 7. Develop several possible actions to reduce or remove risk of harm, prioritizing the best interests of clients in accordance with the Code and applicable law. 8. Critically evaluate each possible action by considering its alignment with the "letter and spirit" of the Code, its potential impact on the client and stakeholders, the likelihood of it immediately 	<ol style="list-style-type: none"> 1. Describe the problem situation <ol style="list-style-type: none"> a. does an ethical dilemma exist? b. competing values or priorities c. Competing views of best practice d. Policy and procedure adoption/implementation e. Additional factors pertinent to situation/decision f. Identify broad ethical and legal issues (Federal, Ethical, Local) 2. Consult available ethical and legal guidelines <ol style="list-style-type: none"> a. List specific relevant ethical standards b. List specific and relevant federal statutes, state statutes, local policies or procedures 3. Consider, to the best of your ability, all factors pertinent to the decision

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Food for thought...



- > We see our process as a way to structure and stimulate healthy, ongoing debate and conversation about what makes an ethical practitioner.
- > It is a strategy to develop your ethical fitness. You need to work out frequently and in a functional manner so that when you need to use the skills you have them

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Helpful Resource from the BACB

- > <https://www.bacb.com/ethics-information/ethics-resources/>
- > Here is the link to the Current Ethics code. If you do not have it on your laptop, download it. You will need it for the rest of the session
- > <https://www.bacb.com/wp-content/uploads/2022/01/Ethics-Code-for-Behavior-Analysts-220316-2.pdf>

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Helpful Resources for the School Psychologist




NASP Professional Practice Standards.
<https://www.nasponline.org/standardsand-certification/professionalethics>

U.S. Department of Education, Individuals with Disabilities Education Act. <https://sites.ed.gov/idea/>

U.S. Department of Education, Office of Civil Rights: Protecting Students with Disabilities, FAQ about Section 504 and students with disabilities
<https://www2.ed.gov/about/offices/list/ocr/504faq.html>




U.S. Department of Education, Family Education Rights and Privacy Act (FERPA)
<https://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html>

State Departments of Education websites
<https://www2.ed.gov/about/contacts/state/index.html>

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Although the BACB code and NASP now have guidelines for ethical decision making, we will be using the Rosenberg & Schwartz process for this presentation

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A Process – Rosenberg & Schwartz, 2019

1. Why does this trigger my ethical radar?
2. Brainstorm solutions
3. Evaluate solutions
 - Client Safety, Dignity, Outcomes, Self Determination
 - Impact on relationships
 - Family Preferences
4. Have you found an acceptable solutions
5. Make a decision and implement it with fidelity
6. Reflect upon the results and evaluate.

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Step 1: Clarify the Problem

- > Identify the ethical dilemma
- > If applicable, identify the client(s)
- > Identify the relevant codes in the BACB Compliance Code or NASP Principles of Professional Ethics
- > Identify personal values or biases that may influence your decision making on this issue.

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Step 2: Brainstorm Solutions

- > What solutions does the BACB Compliance Code or NASP Principles of Professional Ethics suggest?
- > What are other possible solutions?

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Step 3: Evaluate Solutions

- > Consider what issues, conflicts, or tensions might potentially influence each solution. Also consider the following factors when evaluating solutions:
 - Client/student safety
 - Client/student dignity and self determination
 - Client/student outcomes
 - Impact on your relationships with other parties
 - Family preferences




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Step 4: Have you found an acceptable solution?




- > Has one of your solutions “bubbled to the top” as the best course of action?
- > Are you still feeling uneasy about the options?
 - Go back to the brainstorming step.
 - This is the time (if you haven't already) to enlist help - recruit trusted mentors/colleagues to help you both brainstorm and evaluate options.

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Step 5. Implement solution with fidelity.




- > Carefully document all actions taken.
- > We are all now very well aware of the importance of documenting our ABA and school psych services.
- > The same is true for your ethical decision making: document, document, document.
- > If you are ever questioned, you can show that you went through a thoughtful, deliberative process and arrived at the most ethical decision you could.

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Step 6: Reflect upon the results

- > Was it a successful resolution?
- > Do I need to take any further steps in this situation?
- > Have I learned anything that will affect future ethical decisions?







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Evaluating Solutions

Weigh the following factors when evaluating solutions:

- student safety
- student dignity and self-determination
- impact on your relationships
- student outcomes
- family preferences
- cultural norms and beliefs

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Let's practice our ethical fitness



You will need your 2022 Ethics Code for Behavior Analysts or 2020 NASP Principles of Professional Ethics




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School Systems Case Study: Evidence-Based Practices

BCBA	NASP
<p>Tonya is an ECSE teacher and a BCBA working in homes with families. She has been spending a great deal of time with one of her families, who has a four-year-old with ASD. The family has had a difficult time adjusting to their son's diagnosis, and is apprehensive about using ABA techniques. The mom had a negative initial experience with ABA, identifying the ABA consultants (prior to Tonya) very opinionated and therapy was structured and decontextualized. Tonya has been working very hard to gain trust and she feels that she has slowly made progress. At their most recent meeting, Mom tells her excitedly that she has just gone to a full day workshop on Floortime. She thought it was fantastic, and she wants to incorporate it into her son's school program. She gives Tonya the book on Floortime and asks Tonya if she could start incorporating it into Tonya's work with her son. Tonya doesn't know a lot about Floortime, but she's pretty sure it's not scientifically supported. How should Tonya handle this situation?</p>	<p>Jasmine is a school school psychologist supporting a suburban school district's Early Childhood Center (ECC). She is working with a teacher and family to support a four-year-old with ASD. The student's teacher is a second-year teacher and went to a conference on Floortime over the summer. She has shared this information with the student's family. The teacher and the student's family are suggesting the use of Floortime as an alternative to other behaviorally based strategies being used in the classroom and at home. During your research on Floortime, you've discovered that while there is emerging evidence, there is little evidence supporting Floortime as an effective treatment, and data collection for progress monitoring isn't built into this approach. How should Jasmine handle this situation?</p>

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2022 BCBA Code	2020 NASP Principles
<ul style="list-style-type: none"> • 2.01 Providing Effective Treatment • 2.09 Involving Clients and Stakeholders • 2.13 Selecting, Designing, and Implementing Behavior-Change Interventions • 3.01 Responsibility to Clients • 3.12 Advocating for Appropriate Services 	<ul style="list-style-type: none"> • Standard II 3.12 Intervention Selection • Standard II 2.2 Progress Monitoring • Standard II 13.3 Parental Involvement in Intervention Planning • Standard II 2.3 Appropriateness of Recommendations

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School Systems Case Study: Practicing within Scope/Are of Competency

BCBA	NASP
<p>Sahil is a BCBA who works in a large urban district. Staff are assigned to four-person interdisciplinary teams that consist of an educator/BCBA, SLP, OT, and a social worker. Other members (e.g., PTs) are brought on to the team as needed as consultants. The OT on the team recently attended a workshop on sensory integration and now wants to incorporate some of the sensory integration activities (e.g., providing deep pressure, sitting on a therapy ball during group activities) into the activities at the center. Many of the children seem to "enjoy" the activities and now the therapist seems to implement these strategies more broadly. Sahil is worried about how to navigate this situation. He is worried as a team member that he will hinder his working relationship with his colleagues if he disagrees on a practice that is out of his scope of practice to begin with. But, he recently read a study that showed no effect from some of these sensory integration activities. What should he do?</p>	<p>Lisa is a school psychologist for two elementary and one middle school in a rural school district. Lisa has recently been asked to provide counseling services to a transgender student. Additionally, she has been asked to support school leadership and staff in creating a safe and accessible environment for the student, and to provide recommendations to the family for community supports. This is Lisa's first case with a transgender student. She has been practicing in school district for 15 years and her pre-service training and ongoing professional development has not included training on working with transgender students. What should she do?</p>

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2022 BCBA Code	NASP Code
<ul style="list-style-type: none"> • 2.01 Providing Effective Treatment • 2.10 Collaborating with Colleagues • 2.13 Selecting, Designing, and Implementing Behavior-Change Interventions • 2.17 Collecting and Using Data • 2.18 Continual Evaluation of the Behavior-Change Intervention • 3.01 Responsibility to Clients • 3.06 Consulting with Other Providers • 3.12 Advocating for Appropriate Services 	<ul style="list-style-type: none"> • Standard II 1.1 Practice in Area of Competence • Standard II 1.3 Continued Professional Development • Standard III 1.1 Accurate Presentation of Professional Qualifications • Standard III 2.3 Priority of Child Welfare • Standard III 2.1 Explanation of Services to Clients • Standard I 3.2 Correcting Discriminatory Practices

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School Setting Case Study: Working with Other Providers

BCBA	NASP
<p>Toolkie is an EI teacher and BCBA serving children in an inclusive preschool program. One of her students, Fred, engages in high rates of high intensity challenging behavior. In addition to school services, Fred also receives family-negotiated clinic-based ABA services. The behavior of concern in the classroom is elopement. Fred's family reports not going into the community because of the safety concerns of this behavior. At school, Fred has left the building. Toolkie is targeting this behavior and it is the highest priority of intervention, but the BCBA providing family-negotiated services does not see this behavior as a priority. This is likely due to services being provided in a clinic setting and lack of opportunities for this behavior to occur. How should Toolkie approach working with another provider who does not identify similar target goals for intervention?</p>	<p>Darnell is a school psychologist who works with a multidisciplinary team to complete evaluations. Often, another team member completes the academic assessment and inserts the results into the report format. Darnell compiles the final report that includes his assessment and the assessment from the other professional. He has some concerns regarding the assessment tool that was used (the 4th edition came out over a year ago and the assessment used was the 3rd edition) and how the assessment findings are being reported. Darnell is concerned that, due to this, the report may violate ethical principles and/or best practice. What should Darnell do?</p>

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2022 Code	NASP Code
<ul style="list-style-type: none"> • 2.01 Providing Effective Treatment • 2.04 Third-Party Involvement in Services • 2.09 Treatment/Intervention Efficacy. • 2.19 Addressing Conditions Interfering with Service Delivery • 3.01 Responsibility to Clients • 3.06 Consulting with Other Providers • 3.12 Advocating for Appropriate Services 	<ul style="list-style-type: none"> • Standard III 3.1 Cooperating with Other Professionals • Standard III 3.3 Altering Reports • Standard II 3.4 Normative Data • Standard II 3.1 Interpretation of Results • Standard II 3.2 Assessment Techniques • Standard II 3.3 Instrument Selection




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School Setting Case Study: Leadership Pressure

BCBA	NASP
<p>Jarvis is a BCBA in an urban middle school that serves over 500 students. Jarvis has a full caseload and does not have capacity to take on additional students and ensure that they are provided with effective, meaningful intervention. However, the school has 6 students that recently transferred to the school and/or were recently diagnosed with a disability requiring service minutes. Jarvis is worried that if this students are placed on his caseload, he will not be able to ensure that they are provided with effective, comprehensive intervention because of his lack of time and availability to do so. But, school leadership does not account for this. These 6 students are put on Jarvis's caseload and he is now responsible for their IEP minutes. What should Jarvis do?</p>	<p>Chris is a school psychologist working in a suburban school district known to have a reputation for high scores on state assessments. He is in the process of a triennial evaluation for a sixth-grade student receiving specially designed instruction as a student with Autism. The sixth-grade transition has been challenging for this student. There was an increase in disruptive behaviors and elopement during the first half of the year, but Chris and the special education teacher developed a plan and have seen a reduction in these behaviors over the past two months. During an informal meeting with the principle, she mentioned this student's triennial evaluation and suggested that a recommendation for the county-run school for students with Autism should be included in Chris's report. What should Chris do?</p>

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2022 Code	NASP Code
<ul style="list-style-type: none"> • 2.01 Providing Effective Treatment • 2.02 Timeliness • 3.01 Responsibility to Clients • 3.03 Accepting Clients • 3.12 Advocating for Appropriate Services • 3.13 Referrals 	<ul style="list-style-type: none"> • Standard II 2.3 Appropriateness of Recommendations • Standard II 3.8 Validity and Fairness (Assessment) • Standard I 2.4 Need to Know • Standard I 3.1 Discrimination • Standard II 3.12 Intervention Selection

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BCBA and School Psychs: Shared Language/Joint Vocabulary

- Language that overlapped when discussing BCBA and NASP codes
 - Language that is common among disciplines
 - Language that has different terminology but similar meanings.

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Core Principles

- > Benefit others
- > Treat others with compassion, dignity, and respect
- > Behave with integrity
- > Ensure their competence
- > The BACB and NASP suggests that we should use these principles to interpret and apply the standards in the code.
- > How did these principles impact your discussions about ethical dilemmas?
- > What training do we need to provide to encourage CBAs and school psychs to integrate these principles into their work?

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Some Final Thoughts

- > Context matter
- > Culture always matter
- > Practice is important
- > Ethical fitness can be learned

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**Now, let's hear from you.
Questions? Comments?**

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