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/wpcontent/uploads/2022/01/Ethics-Code-for-Behavior-Analysts-220316-2.pdf

NASP: https://www.nasponline.org/standards-andcertification/professional-ethics



Ethical Workouts: Working with our Colleagues to Improve Services for all Learners (BCBA, NASP) Ilene Schwartz, Ph.D., BCBA-D Katherine Bateman, Ph.D., BCBA-D Jennifer Jeffrey-Pearsall, Ph.D., BCBA-D, NCSP

Jennifer Jeffrey-Pearsall, Ph.D., BCBA-D, NCSP UNITEGRIT # WARMAGIZE HARING CENTER FOR INCLUSIVE EDUCATION Sheppard Pratt



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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 to 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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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
- sum to be entitled when the fues are bollowed > 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 ratio not end or contend uniformity (e.g., institutional ratio are not enforced uniformity (e.g., institutional racism)
- The BACB Ethical C Code and NASP Principles of Professional Ethics is based on deontological ethics

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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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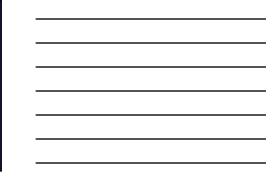
Why Ethical Training and Guidance are Important

- > 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)

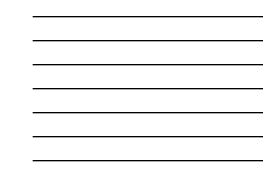
Brief History of Ethics in the BACB

- > 1999 Professional Disciplinary Standards
- > 2001 Guidelines for Responsible Conduct for Behavior Applysts
- Analysts > 2004 -- Guidelines for Responsible Conduct for Behavior Analysts (updated)
- 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
- 2014 Foressional 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-
- https://www.bacb.com/ethics-information/ethicsresources/





Ethical Dilemmas Encountered	Areas of Greatest Concern	Approaches to Resolving Dilemmas
		Only 23% used a systematic
		decision-making model to
2.Administrative pressure 3.Intervention	1,Administrative pressure 2.Telehealth practices	address ethical dilemmas
		Most frequently used
5.Confidentiality		approaches:
6.Informed consent 7.Job competence	practices in schools	1.Consulting with other school psych or professional
		2. Thought about the benefits
		3.Consulted ethics condes,
		laws, other guidelines



14

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
- 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

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ways.

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Kelly, Greeny, Rosenberg, & Schwartz, 2020	BACB, 2020	NASP 2020
Beneficence Inclusion Professional Excellence Self-Determination Social Justice	 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



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.



17

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

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> Encourages ethical fitness

Ros 201	enberg & Schwartz, 9	BACB 2020	NASP 2020
1.	Why does this trigger my ethical radar?	 Clearly define the issue and consider potential risk Identify all relevant individuals 	 Describe the problem situation does an ethical dilema exist? competing values or priorities
2.	Brainstorm solutions	 Gather relevant supporting documentation Consider your personal 	c. Competing views of best practice d. Policy and procedure
3.	Evaluate solutions	learning history and biases 5. Identify the relevant core principles of the Code	adoption/implementation e. Additional factors pertinent to
4.	Have you found an acceptable solutions	 Consult available resources Develop several possible actions to reduce or remove risk of harm, prioritizing the 	situation/decision f. Identify broad ethical and legal issues (Federal, Ethical, Local)
5.	Make a decision and	best interests of clients in accordance with the Code and applicable law.	 Consult available ethical and legal guidelines List specific relevant ethic standards
	implement it with fidelity	 Critically evaluate each possible action by considering its alignment with the "letter 	b. List specific and relevant federal statutes, state statutes, local policies or
6.	Reflect upon the results and evaluate.	and spirit" of the Code, its potential impact on the client and stakeholders, the likelihood of it immediately	 Consider, to the best of your ability, all factors pertinent to the decision

Food for thought...

- > We see our process as a way to structure and stimulate healthy, ongoing debate and conversation about what makes an ethical practicioner.
- 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

- > <u>https://www.bacb.com/ethics-information/ethics-resources/</u>
- 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/wpcontent/uploads/2022/01/Ethics-Code-for-Behavior-Analysts-220316-2.pdf

Helpful Resources for the School Psychologist

https://www.nasponline.org/standards-andcertification/professionalethics U.S. Department of Education, Individuals with Disabilities Education Act. <u>https://sites.ed.gov/idea/</u>

U.S. Department of Education, Office of Civil Rights: Protecting Students with Disabilities, FAQ about Section 504 and students with disabilities https://www.2.ed.gov/about/offices/list/ocr/504fao.html

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

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

22

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

23

A Process - Rosenberg & Schwartz, 2019 Why does this trigger my ethical radar? Brainstorm solutions Evaluate solutions Client Safety, Dignity, Outcomes, Self Determination Impact on relationships

- Impact on relationship
 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.

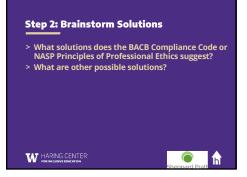


Step 1: Clarify the Problem

- > 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 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

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- Client/student outcomes
- Impact on your relationships with other parties
 Family preferences

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.

29

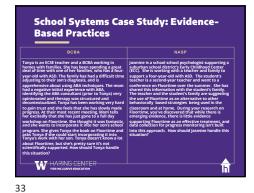
Step 6: Reflect upon the results

- > 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?



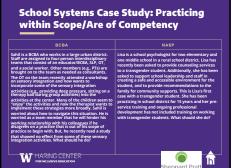




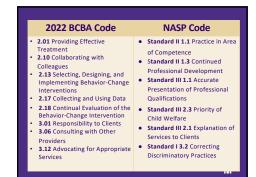


2022 BCBA Code	2020 NASP Principles
 2.01 Providing Effective Treatment 2.09 Involving Clients and Stakeholders 2.13 Selecting, Designing, and Implementing Behavior-Change Interventions 3.01 Responsibility to Clients 3.12 Advocating for Appropriate Services 	 Standard II 3.12 Intervention Selection Standard II 2.2 Progress Monitoring Standard II 13.3 Parental Involvement in Intervention Planning Standard II 2.3 Appropriateness of Recommendations



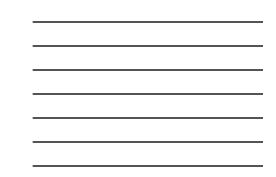








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 2.01 Providing Effective Treatment 2.04 Third-Party Involvement in Services 2.09 Treatment/Intervention Efficacy. 2.19 Addressing Conditions Interfering with Service Delivery 3.01 Responsibility to Clients 3.06 Consulting with Other Providers 3.12 Advocating for Appropriate Services 	 Standard III 3.1 Cooperating with Other Professionals Standard III 3.3 Altering Reports Standard III 3.4 Normative Data Standard II 3.1 Interpretation of Results Standard II 3.2 Assessment Techniques Standard II 3.3 Instrument Selection



