

Welcome to Special Learning's

Review of Ethics and Changes in Professional and Compliance Code

Ethics Training Series



A word cloud of ethics-related terms including: belief, goodness, integrity, natural law, imperative, conventionalities, moral principles, moral values, standards, mod, principles, right-minded, honesty, and conscience.

Ethics in Practice Training Series

Jon Bailey, PhD, BCBA-D



Speaker Bio



Dr. Bailey received his PhD from the University of Kansas and is currently Professor Emeritus of Psychology at Florida State University where he was a member of the graduate faculty for 38-years and produced a record 63 PhDs. He is currently Director of the FSU Panama City Masters Program in Applied Behavior Analysis.

Dr. Bailey is a Board Certified Behavior Analyst. He is Secretary/Treasurer and Media Coordinator of the Florida Association for Behavior Analysis, which he founded in 1980.

Dr. Bailey has published over 100 peer-reviewed research articles, is a past editor of the *Journal of Applied Behavior Analysis*, and is co-author of *Research Methods in Applied Behavior Analysis*, *How Dogs Learn*, *Ethics for Behavior Analysts*, *2nd Expanded Edition*, *How to Think Like a Behavior Analyst*, and *25 Essential Skills and Strategies for Professional Behavior Analysts*, all co-authored with Dr. Mary Burch.



Learning Outcomes

1. Participants will know the additions, deletions, and revisions made to the *Professional and Ethical Compliance Code*.
2. Participants will understand international issues that may pose conflicts with compliance.
3. Participants will understand the importance of Ethics to the field of Behavior Analytics.
4. Participants will know the reasons behind the BACB's decision to move to the new **Professional and Ethical Compliance Code for Behavior Analysts**.
5. Participants will understand have an initial understanding of the concept of Ethics Code Compliance and Triage.
6. Participants will know how to incorporate ethics into their everyday decision making.**



Key Questions

- Why is Ethics important to the field of behavior analytics?
- What is the history in the development of ethics?
- Why did the BACB replace the *Guidelines for Responsible Conduct for Behavior Analysts and Professional Disciplinary and Ethical Standards* with **Professional and Ethical Compliance Code for Behavior Analysts**.**



Overview of Professional and Ethical Compliance Code

- 1.0 Responsible Conduct of Behavior Analysts
- 2.0 Behavior Analysts' Responsibility to Clients
- 3.0 Assessing Behavior
- 4.0 Behavior Analysts and the Behavior-Change Program
- 5.0 Behavior Analysts as Supervisors**



Overview of Professional and Ethical Compliance Code

- 6.0 Behavior Analysts' Ethical Responsibility to the Profession of Behavior Analysis
- 7.0 Behavior Analysts' Ethical Responsibility to Colleagues
- 8.0 Public Statements
- 9.0 Behavior Analysts and Research
- 10.0 Behavior Analysts' Ethical Responsibility to the BACB**



Additions to the Code

- ❑ **Multiple Relationships and Conflicts of Interest** - Element 1.06(d) was added to clarify that behavior analysts do not accept gifts from or give gifts to clients.
- ❑ **Exploitative Relationships** - Element 1.07(c) was added to explicate that, “Behavior analysts refrain from any sexual relationships with clients, students, or supervisees, for at least two years after the date the professional relationship has formally ended.” ----
- ❑ **Supervisory Volume** - Element 5.02 was added to directly address supervisory volume. The new section requires that supervisors ensure that their supervisory volume is “commensurate with their ability to be effective.”
- ❑ **Evaluating the Effects of Supervision** - Element 5.07 was added to require behavior analysts to “design systems for obtaining ongoing evaluation of their own supervision activities.” This element is consistent with the BACB’s Supervisor Training Curriculum.
- ❑ **Behavior Analysts’ Ethical Responsibility to the BACB** - Section 10.0 has been added to include many of the current Disciplinary Standards and other guidelines that relate specifically to the BACB**



Revisions to the Code

- **Behavior Analyst as a Teacher** - Section 5.0 was revised to focus solely on the supervisory relationship in practice to eliminate confusion from referring to two roles within the section (i.e., teacher and supervisor). Teacher-related activities were removed altogether, as behavior analysts who function in this role have other organizations (e.g., universities) that influence and monitor their professional teaching behavior.
- **Avoiding False and Deceptive Statements (8.02[b] relating to non-behavior-analytic interventions)** - A substantial change appears in element 8.02, where the Code explicitly addresses individuals who combine behavior-analytic and non-behavior-analytic interventions.
- **Media Presentations and Media-Based Services** - Element 8.05 has been revised to clarify issues related to social and other media and highlight the primacy of the Code in such activity.
- **Testimonials and Advertising** - Element 8.06 has been revised to provide further guidance on the use of client testimonials, including a requirement that all testimonials be labeled as unsolicited.
- **Behavior Analysts and Research** - Section 9.0 has been substantially streamlined to highlight the critical responsibilities surrounding research without repeating every research requirement imposed by research-oversight bodies (e.g., institutional review boards). **



Removed from the Code

- **The Behavior Analyst and the Workplace** - Section 6.0 was removed based on the advice of legal counsel. Although the provisions were not an issue when they originally appeared in the Conduct Guidelines, they are not appropriate for an enforced ethics code. Instead, violations of a workplace contract (determined by a third-party) would be reportable and possibly actionable under Sections 2.12 and 10.02(a).



Selected Scenarios



1.05 Professional and Scientific Relationships

“If a BCBA is in a leadership role, such as teaching or supervising, and if asked for suggestions about a situation in which he/she is not the BCBA working with that client, is it ethically acceptable to give suggestions when he/she does not know the client’s entire situation? If so, how should he/she present the information in a way that makes it clear that they are only possible suggestions and that the BCBA on the case should be consulted for any changes?”



1.06 Multiple Relationships and Conflicts of Interest

“...looking for practical advice on how to handle situations when a family offers water, small food items. At times, it is culturally sensitive to refuse, on the other hand, the technical definition of "gift" would seem to dictate that we can accept nothing. I've made it a point to stress to families from the beginning that I can't accept anything, but have heard from other BCBA's that I may be interpreting the rule too strictly.”



1.06 Multiple Relationships and Conflicts of Interest

“I work as currently the only BCBA in a large social service agency that provides a large array of services for clients with special needs and families. We are located in a rural community and are really the only special education preschool service for several counties and many districts. We are also a large employer, nearly 1,000 people across 3 counties.

My own child receives early intervention physical therapy from my agency and thus from a colleague of mine. As a special education teacher and behavior analyst working with our autism program it is not a stretch to imagine a situation where I would be in a position to provide services to a coworker or supervisor's child either in the classroom or itinerant setting or as a consultant to our other classrooms. I'm curious about the implications of dual relationships in this scenario.”



1.06 Multiple Relationships and Conflicts of Interest

“I have often run across situations in which the behavior analysts have established a very close relationship with the mom of the child. Rather than a client / professional relationship, they have formed a relationship that is akin to a friendship. As an example, the mom shares personal information about her marriage and other matters that are not appropriate to maintaining professional boundaries.

As an outside party, what is the best way for me to address this situation? Is it even my responsibility to address this matter? Why? ”



5.07 Evaluating the Effects of Supervision

“During my supervision sessions, I was never asked for any feedback. And since I only had one supervisor during my coursework, it was difficult to determine how effective my supervisor was as compared to others.

What are some metrics that can be used to measure the effectiveness of a supervisor and the quality of supervision?”



7.02 Ethical Violations by Others and Risk of Harm

“An ethical dilemma that troubles me the most is when working with a supervisor/boss who does not maintain the same BCBA standards as I do. That boss is not a BCBA, but provides direction and a course of action that she expects to be followed. I am currently seeking another position so as to remove myself from this conflict. I am concerned I will get fired if I contest her opinions. How I currently handle the situation is to do what I know is correct and avoid reporting back to her directly not a comfortable situation to be in?”



International Scenarios and Consideration



Ethics and International Considerations

“Interest in the International nuances of our profession is not that strong, and the road to a really international board of behavior analysts is still long. There are many aspects of the Code that are difficult for us to accept or even to deeply understand as being part of a different cultural context.”



Ethics and International Considerations

“As an International BCBA, we are often facing the dilemma of helping some children a bit or more of them but a very little bit, and almost never have the possibility to offer treatment models that respect the standard and the real need of our clients. Is something better than nothing in this situation?”



Ethics and International Considerations

“Many international schools will not accept students with moderate to severe special needs. For expat students who need to attend an international school due to language requirements (i.e English vs local language), the options are very limited. I have 2 students who are moderately impacted (low spontaneous speech, self-stim behaviors, sometimes aggression).

One goes to a German public school because they could not find an English speaking international (aka private) school to accept them and the other goes to a private international school.

In both cases, I think the school is not offering the proper level of intervention, but there really are no options. In those cases, its difficult to know how to proceed. I provided 1-2 hours per week of intense instruction and gave information and feedback to the school for them to try to implement. But if we were in the US, I would be telling those parents to advocate for a placement change.”



Ethics and International Considerations

“When many children are not even diagnosed and all of them are underserved how can we support a cultural, economical and diagnostic change in a country in evident economical recession? ”



Ethics and International Considerations

“In the total absence of special schools and in the land of full inclusion is there literature we can reach for in the behavioral journals relevant to our practice in schools?”



Implications



Why Do We Care?

- How should ethics affect BCBAs in their daily lives?
- Does compliance make someone a better behavior analyst?
- Why do you need to keep ethics in top of mind above all else when making decisions / recommendations, etc.
- How should you begin to change the way you think to incorporate ethics into your everyday decision making?



Impact to the Field?

What are the consequences to the field of behavior analysis and those professionals who provide behavior analytic services if we neglect to keep ethics as a central tenant of how we practice?



Thank you for attending Special Learning's Ethics in Practice Training Series

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If you have any questions, please send an email to:

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