

Chapter 10

Adolescence to Adulthood Case Studies Constructed Around Research and Ethics

Abstract In this chapter, ethical considerations surrounding research, program evaluation, and practice in applied behavior analysis (ABA) are explored through a series of case studies involving adolescents and adults in home, school, and community settings. When providing ABA services to adults, informed consent is a central ethical consideration faced by behavior analysts. This can be particularly complex with adults with developmental disabilities or cognitive impairments who may not have the capacity to make informed decisions. Throughout this chapter, learners are guided to identify and respond to violations of ethical standards while critically exploring issues such as breaches of confidentiality and conflicts of interest. Further, the cases presented will explore the difficult balance facing behavior analysts when charged with selecting the most evidence-based, yet least restrictive treatment available, including the ethical use of restraint. In this chapter, entitled “Adolescent to Adulthood Case Studies Constructed Around Research and Ethics,” expectations of behavior analysts surrounding protecting the dignity, health, and safety of those they are supporting are explored through five case scenarios in home, school, work, and community settings.

Keywords Adolescents • Adults • Program evaluation • Practice • Ethics • Developmental disabilities • Cognitive impairments • Restraint • Informed decisions • Conflicts of interest

CASE: v-R6 Guest Author: John LaPorta

GUEST AUTHOR

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Include or Exclude?

Setting: Community

Age-Group: Adolescent

LEARNING OBJECTIVE:

- To evaluate the ethical considerations surrounding the adoption of least restrictive evidence-based interventions.

RESPONSIBLE CONDUCT FOR BEHAVIOR ANALYSTS LINKS:

- Integrity (1.04)

KEY TERMS:

- **Evidence-based Practice**
 - The American Psychological Association (2005) defines evidence-based practice as “the integration of the best available research with clinical expertise in the context of patient characteristics, culture, and preferences” (p. 5). Smith (2013), built on this definition, asserting that evidence-based practice in applied behavior analysis “entails more than the analysis of behavior. It requires synthesis of findings into a package that independent providers can adopt and that offers a thorough solution to problems presented by consumers” (p. 24).
- **Least Restrictive Alternative**
 - The Association for Behavior Analysis International (2011) defines the least restrictive treatment as “that treatment that affords the most favorable risk-to-benefit ratio, with specific consideration of probability of treatment success, anticipated duration of treatment, distress caused by procedures, and distress caused by the behavior itself” (p. 104). Before intrusive procedures such as seclusion or restraint are utilized, therefore, less intrusive or restrictive alternatives should be exhausted first (Vollmer et al. 2011).

Include or Exclude?

Derek, a 14-year-old teen with a confirmed diagnosis of Asperger’s disorder, was just beginning high school and was determined to not be thought of as (in his words) “a goof” or “a geek.” The first few days at school were, of course, trying for Derek—and his classmates—with all of the movement and noise as classes changed at unfamiliar times and in unfamiliar patterns. Right away, he became annoyed when he noticed

some of the looks and remarks from his peers as they seemed to zoom right in on his anxiety-reducing mannerisms like rocking (hard) and humming loudly.

Along with his newfound plan to be “cool,” Derek convinced his parents that getting himself back and forth from school on his own was a high school thing, so, obviously, he would do it. To get ready for this new adventure in independence, they mapped out a route and trialed it at times when the other neighborhood grade nine students would not likely be encountered. After a few days of walking the route, Derek eyed a shortcut that he quietly kept to himself. *Seems safe*, thought Derek the first time he came across this path. It was through a lightly wooded area and reduced his walk by 15 min each way.

As Derek was taking this shortcut after the third week of school, he was surprised to find a large dog lying on the path watching him, clearly tense and highly watchful. As he approached, the dog growled menacingly. Derek did not know what to do: His mind was flooded with fear and he felt frozen physically. The two of them (the dog and the teen) stayed motionless until the dog heard its owner calling and left immediately in the opposite direction. Derek breathed a huge sigh of relief and hurried home, avoiding this shortcut to school over the next few days.

Over the weekend, though, he obsessed over this issue of the dog blocking his path (*The dangerous cur*, he thought to himself) and his inability to act to protect himself or drive off the menacing creature. He resolved to try the shortcut again and, this time, act assertively toward the dog. *This would be like other kids would do and also, it would show my independence.*

The next school day while traveling through the wooded area, he rapidly noticed the dog’s presence. This time, the dog scuttled right up to him, bit into his pant leg at the cuff and, growling, worked the material in his mouth, grinding it between his jaws. Again, Derek froze. He could not utter a word nor make any kind of gesture or action, and hot tears of helpless frustration filled his eyes. Again, boy and dog remained in their respective, tense states until the dog’s owner thankfully called for him from the woods. On every instance after this occurrence when Derek tried to take the shortcut, the dog impeded his walk by aggressively dominating him into immobile submission.

Derek never told his parents because he desperately wanted to work this problem out for himself. However, they inadvertently found out about it one evening when, while walking home, the dog approached Derek and blocked his path. Derek was terrified. He stood very still tried to control his breathing until the dog’s owner called for him. For some reason unknown to Derek, the call did not come. Derek’s mind raced through many terrible possibilities as first dusk and then darkness settled. After nearly an hour, Derek thought *I can do this* and tried to quickly walk past the dog. As he did, the dog grasped Derek’s hand in its mouth, hard enough to hold it firmly but without breaking the skin.

At the same time, his parents were also consumed with concern over Derek not having arrived from school at the agreed upon time. They set out to find him by covering the route they had mapped out with him earlier in the school year. While doing so, they came upon the entrance to the shortcut and hurried into it. With their flashlights, they illuminated the frightening scene of Derek’s hand captured in the dog’s mouth. His father strode up to the pair, eyed the dog, and simply said, “Bad

dog! No!” in a firm, clear, deep voice. The dog released Derek’s hand and lay down with a whine. In turn, Derek was embarrassed and ashamed at how easily his father had controlled the animal.

After returning home, Derek’s parents wanted to call the local animal control agency and report the dog. Derek adamantly argued against this, expressing the desire to learn how to respond in this situation—*an important life skill*, he argued. His parents were in a quandary. They wanted to ensure their son’s safety but they also wanted to assist him in his twin goals of growth and independence by providing the **least restrictive, evidence-based** intervention.

The Response: Principles, Processes, Practices, and Reflections

Principles

(Q1) Derek’s parents believed they were adhering to the principal of “least restrictive alternative” when they allowed Derek to walk to and from school on his own. Where they correct? Why or why not?

(Q2) In what situation might a more restrictive option be more appropriate than a less restrictive alternative? Please provide an example. How might this apply to the case of Derek?

Processes

(Q3) In response to the incident between Derek and the dog, Derek’s parents began walking him to school. How might Derek’s parents begin to gradually fade their presence, while allowing him to gradually increase his independence?

(Q4) As Derek’s parents move through the continuum of most to least intrusive supports for Derek, how might they determine when to fade each level of support?

Practices

(Q5) What evidence should Derek’s parents seek to guide them through their decisions surrounding support for Derek?

(Q6) How might Derek’s parents weigh the available evidence? How might you prioritize the types of evidence listed in Question#5? Please explain your decision.

(Q7) If you were a BCBA on this case, what ethical considerations would you need to consider (Reference Ethics Box 10.1, Behavior Analyst Certification Board, 2014)?

Ethics Box 10.1

Professional and Ethical Compliance Code for Behavior Analysts

1.04 Integrity.

(a) Behavior analysts are truthful and honest and arrange the environment to promote truthful and honest behavior in others.

(b) Behavior analysts do not implement contingencies that would cause others to engage in fraudulent, illegal, or unethical conduct.

(c) Behavior analysts follow through on obligations and contractual and professional commitments with high-quality work and refrain from making professional commitments they cannot keep.

(d) Behavior analysts' behavior conforms to the legal and ethical codes of the social and professional community of which they are members. (See also, 10.02a Timely Responding, Reporting, and Updating of Information Provided to the BACB).

(e) If behavior analysts' ethical responsibilities conflict with law or any policy of an organization with which they are affiliated, behavior analysts make known their commitment to this Code and take steps to resolve the conflict in a responsible manner in accordance with law.

Reflections

(Q8) When determining the least restrictive alternative available for Derek, what ethical dilemmas will his parents have to consider?

(Q9) How might Derek's parents address each ethical dilemma listed in Question#7?

(Q10) Looking at your own values and beliefs, aside from the ethics codes, what would be your instinct to do in this case if you were consulting?

Additional Web Links

Evidence-Based Guidelines to Reduce the Need for Least Restrictive Practices in the Disability Sector

<https://www.psychology.org.au/Assets/Files/Restrictive-Practices-Guidelines-for-Psychologists.pdf>

Balancing the right to habilitation with the right to personal liberties: the rights of people with developmental disabilities to eat too many doughnuts and take a nap.

<http://www.ncbi.nlm.nih.gov/pmc/articles/PMC1286212/>

CASE: v-R7

MALCOLM'S IN THE MIDDLE

Setting: Community Age-Group: Adolescence

LEARNING OBJECTIVE:

- To identify and address violations of ethical standards.

RESPONSIBLE CONDUCT FOR BEHAVIOR ANALYSTS LINKS:

- Disclosures (2.08)
- Considerations Regarding Punishment Procedures (4.08)

- Least Restrictive Procedures (4.09)
- Providing Feedback to Supervisees (5.06)
- Being Familiar with This Code (10.06)
- Discouraging Misrepresentation by Noncertified Individuals. (10.07)

KEY TERMS:

- **Breach of Confidentiality**
 - In research, a breach of confidentiality occurs when a researcher shares information about a research subject without first obtaining that subject’s free and informed consent. A breach of confidentiality can also occur when a third party (e.g., other researchers looking to replicate a study) attempts to gain access to research records (Tri-Council Policy Statement 2014).
- **Confidentiality**
 - In research, confidentiality refers to the obligation of an individual or organization to safeguard information, for example, protecting information from unauthorized access, use, or disclosure (TCPS-2, 2014). An important consideration within confidentiality is security, or the steps taken to protect information. This includes physical considerations such as locked filing cabinets, administrative policies such as organizational rules about who can access information, and technical safeguards such as computer passwords, firewalls, anti-virus software, and encryption (Tri-Council Policy Statement 2014).
- **Physically Restraining**
 - Restraint can be defined as “physically holding or securing the individual, either (a) for a brief period of time to interrupt and intervene with severe problem behavior or (b) for an extended period of time using mechanical devices to prevent otherwise uncontrollable problem behavior (e.g., self-injurious behavior) that has the potential to produce serious injury” (Vollmer et al. 2011, p. 104).
- **Protection of dignity**
 - A guiding principle of all research is respect for human dignity. This can include bodily, psychological, and cultural protections (Tri-Council Policy Statement 2014).

Malcolm’s in the Middle

Malcolm not-too-gently put down the last recycling bin from cleaning after the summer’s first weekend sports program, and stood up slowly, his hand automatically searching the pockets on his cargo shorts for his car keys. *Not there*, he mumbled to himself, exhausted by only 9:00 PM after a rousing, rowdy weekend

playing recreational sports and games with a group of adolescents with developmental disabilities. *What was I thinking?* He further wondered, *thinking* ahead to the remaining seven weeks before college returned to session. *I had no idea that taking on this program leadership role would be quite so physically tiring. But I also had no idea that it would be quite so much fun.*

Giving up searching, he pulled open the heavy steel doors back to the inside of the recreation center and made his way back through the gym to the staff room, his footfalls echoing in the strangely quiet gym: a contrast to the rest of the weekend. Figuring that he left his keys either on the staff room table or his locker, he reached out to pull that door open next, pausing to smell the delicious wafts of pizza-scented air that he had just purchased for his staff, which only added to his positive mood. *They worked so hard this weekend,* he thought. *They sure deserve a treat.* But the laughter and conversation he overheard stopped him in his tracks, his hand frozen on the doorknob.

“No way!” crowed one voice. “You have got to be kidding! That is so hilarious. And she didn’t notice it until when? How did you stop yourself from laughing?” Malcolm continued listening and quickly realized they were referring to a fifteen-year-old girl who had come to the program not only with her skirt tucked into the back of her underwear, but also with a nonstatic dryer sheet stuck to her clothing.

“This place is the best!” another voice emphasized. “I had no idea this was going to be so much fun.” *Not exactly the kind of fun I was thinking about just now,* Malcolm grimaced, finally pushing his way back into the staffroom with great reservations.

His group of five staff jumped up guiltily from their seats, where they had been crowded around a laptop, its screen facing Malcolm. On the screen he could see a photograph of that very girl posted on a social media website, and the sentences accompanying it were certainly not flattering. Although he only had a brief glimpse before its owner quickly shut the cover, he knew enough to know that this situation was very, very wrong. Malcolm quickly moved from elation from a job well done to growing feeling of revulsion. “*What is going on here?*” He managed to eke out hoarsely.

An hour later, the true story of the weekend had emerged. *I guess I should have expected this from an inexperienced staff, but I thought these things were just basic common sense that anyone would know,* he reflected, while listening. And the stories just went from bad to worse. Phrases he had learned in his leadership and health and safety training came back to him—**confidentiality, breach of confidentiality, protection of dignity**—scrolling through his mind at a horrifyingly fast pace. At one point, an incident was explained where one of his staff members (the same one using social media to mock the camp attendee with the unfortunate wardrobe malfunction) referred to **physically restraining** one of the youth in a very off-hand manner. When Malcolm rather vehemently questioned him, the staff member shot back, “It wasn’t a big deal. This one kid was pulling food of this other kid’s lunch and tossing it into the garbage can, so I just held his arm behind his back for a second. That’s all it took. It wasn’t fair on the first kid. Plus, it wasn’t like I had time to run around and ask permission for something like that. Anyhow, I know what these things are like—what happens at camp stays at camp, right?”

Malcolm, unsure what to do next, sat down heavily, his formerly elated mood now completely replaced with growing anxiety. His staff members quietly crept around the room packing up their belongings and heading out the door to home, one by one, with their former chatter and laughter noticeably absent. As they were leaving, he heard one of them call himself a behavior analyst, a BCaBA. He was sure that this student was still in university and hadn't graduated. *What now?* He thought, unable yet to speak again. He wasn't even sure what the BACB Professional and Ethical Compliance Code said about this. Feeling significantly uncomfortable, he wondered how he would get through the next seven weeks. *How do I balance the significant needs of these vulnerable kids with building understanding, skills, and ethical behavior in my staff?* The next seven weeks were now looming long in front of him, and his physical exhaustion was replaced with a feeling of great trepidation as he thought about what to do next.

The Response: Principles, Processes, Practices, and Reflections

Principles

(Q1) Look up possible sources for confidentiality legislation for your jurisdiction. What principles are you bound by for confidentiality and breaches of confidentiality?

(Q2) For different professionals, limits to confidentiality exist (e.g., when to report harm to self or others to authorities), including for behavior analysts. For your jurisdiction and role, what are the limits to confidentiality and when it can or must be broken (Reference Ethics Box 10.2, Behavior Analyst Certification Board, 2014)?

Ethics Box 10.2

Professional and Ethical Compliance Code for Behavior Analysts

2.08 Disclosures.

- Behavior analysts never disclose confidential information without the consent of the client, except as mandated by law, or where permitted by law for a valid purpose, such as (1) to provide needed professional services to the client, (2) to obtain appropriate professional consultations, (3) to protect the client or others from harm, or (4) to obtain payment for services, in which instance disclosure is limited to the minimum that is necessary to achieve the purpose. Behavior analysts recognize that parameters of consent for disclosure should be acquired at the outset of any defined relationship and is an ongoing procedure throughout the duration of the professional relationship.

Processes

(Q3) What information or proof does Malcolm need to report to governing bodies or his recreation center regarding the behavior of the staff?

(Q4) List all of the potential ethical concerns that Malcolm must address with the staff. Which concerns would you address first? Why?

Practices

(Q5) What situations in the scenario would require Malcolm to break confidentiality about what occurred? Who would Malcolm be likely to report to, in his circumstances?

(Q6) The *Professional and Ethical Compliance Code for Behavior Analysts* state that Malcolm is responsible to address ethical violations by colleagues as per guideline 7.02. Does the breaching of confidentiality that occurred supersede this principle of talking to colleagues? What would you do first (Reference Ethics Box 10.3, Behavior Analyst Certification Board, 2014)?

Ethics Box 10.3

Professional and Ethical Compliance Code for Behavior Analysts

7.02 Ethical Violations by Others and Risk of Harm.

(a) If behavior analysts believe there may be a legal or ethical violation, they first determine whether there is potential for harm, a possible legal violation, a mandatory-reporting condition, or an agency, organization, or regulatory requirement addressing the violation.

(b) If a client's legal rights are being violated, or if there is the potential for harm, behavior analysts must take the necessary action to protect the client, including, but not limited to, contacting relevant authorities, following organizational policies, and consulting with appropriate professionals, and documenting their efforts to address the matter.

(c) If an informal resolution appears appropriate, and would not violate any confidentiality rights, behavior analysts attempt to resolve the issue by bringing it to the attention of that individual and documenting their efforts to address the matter. If the matter is not resolved, behavior analysts report the matter to the appropriate authority (e.g., employer, supervisor, regulatory authority).

(d) If the matter meets the reporting requirements of the BACB, behavior analysts submit a formal complaint to the BACB. (See also, 10.02 Timely Responding, Reporting, and Updating of Information Provided to the BACB)

(Q7) The use of restraints has been very controversial and thus has to be implemented with caution and appropriate design. Design a procedure for the implementation of restraints that has multiple steps before restraint would be used and abides by guidelines (4.08) Considerations Regarding Punishments Procedures and (4.09) Least Restrictive Procedures (Reference Ethics Box 10.4, Behavior Analyst Certification Board, 2014).

http://www.dhs.vic.gov.au/__data/assets/pdf_file/0005/845348/Toolkit-section-4-Useful-assessment-tools-and-forms-0913.pdf (pp. 20–21).

Ethics Box 10.4

Professional and Ethical Compliance Code for Behavior Analysts

4.08 Considerations Regarding Punishment Procedures.

(a) Behavior analysts recommend reinforcement rather than punishment whenever possible.

(b) If punishment procedures are necessary, behavior analysts always include reinforcement procedures for alternative behavior in the behavior-change program.

(c) Before implementing punishment-based procedures, behavior analysts ensure that appropriate steps have been taken to implement reinforcement-based procedures unless the severity or dangerousness of the behavior necessitates immediate use of aversive procedures.

(d) Behavior analysts ensure that aversive procedures are accompanied by an increased level of training, supervision, and oversight. Behavior analysts must evaluate the effectiveness of aversive procedures in a timely manner and modify the behavior-change program if it is ineffective. Behavior analysts always include a plan to discontinue the use of aversive procedures when no longer needed.

4.09 Least Restrictive Procedures.

Behavior analysts review and appraise the restrictiveness of procedures and always recommend the least restrictive procedures likely to be effective.

Reflections

(Q8) What proactive strategies could Malcolm implement to prevent some of these situations from occurring in the future?

(Q9) Given the state of technology in workplaces today, what other ethical concerns could occur and may need to be addressed in these situations?

(Q10) How would you have reacted in the moment to the situation as a supervisor given the BACB's suggestions for feedback to supervisees? What do you do when a staff claimed they were a BCaBA, and you are quite sure they were not (Reference Ethics Box 10.5, Behavior Analyst Certification Board, 2014)?

Ethics Box 10.5

Professional and Ethical Compliance Code for Behavior Analysts

5.06 Providing Feedback to Supervisees.

(a) Behavior analysts design feedback and reinforcement systems in a way that improves supervisee's performance.

(b) Behavior analysts provide documented, timely feedback regarding the performance of a supervisee on an ongoing basis. (See also, 10.05 Compliance with BACB Supervision and Coursework Standards)

10.06 Being Familiar with This Code.

Behavior analysts have an obligation to be familiar with this Code, other applicable ethics codes, including, but not limited to, licensure requirements for ethical conduct, and their application to behavior analysts' work. Lack of awareness or misunderstanding of a conduct standard is not itself a defense to a charge of unethical conduct.

10.07 Discouraging Misrepresentation by Noncertified Individuals.

Behavior analysts report noncertified (and, if applicable, nonregistered) practitioners to the appropriate state licensing board and to the BACB if the practitioners are misrepresenting BACB certification or registration status.

Additional Web Links

Notice of Alleged Violation—BACB

<http://bacb.com/notice/>

Ethics in Social Media

<https://appliedbehavioralstrategies.wordpress.com/2016/04/26/ethics-in-social-media-2/>

To Report or Not to Report

<https://appliedbehavioralstrategies.wordpress.com/2013/05/14/to-report-or-not-to-report/>

CASE: v-R8

Skilled Practice or Practice Skills?

Setting: Clinic Age-Group: Adult

LEARNING OBJECTIVE:

- To recognize the boundaries of competence and professional practice.

RESPONSIBLE CONDUCT FOR BEHAVIOR ANALYSTS LINKS:

- Boundaries of Competence (1.02)
- Maintaining Competence through Professional Development (1.03)
- Multiple Relationships and Conflicts of Interest (1.06)
- Accepting Clients (2.01)
- Referrals and Fees (2.14)
- Avoiding False or Deceptive Statements (8.1)
- Intellectual Property (8.02)
- Statement by Others (8.03)
- Media Presentations and Media-Based Services (8.04)
- Testimonials and Advertising (8.05)
- In-Person Solicitation (8.06)

KEY TERMS:**• Autism Spectrum Disorder**

- Autism Spectrum Disorder (ASD) is characterized by persistent deficits in social communication and social interaction, restricted and repetitive patterns of behavior, interests, or activities. These symptoms must be present in the early developmental period and result in clinically significant impairment in social, occupational, and/or other areas of functioning. These symptoms may or may not have accompanying intellectual and language impairments (APA 2013; Baio 2014).

• Down syndrome

- Down syndrome is a genetic disorder caused when an individual has an extra copy of chromosome 21. Common physical characteristics include low muscle tone, small stature, and an upward slant to the eyes (NDSS 2015). Down syndrome is a developmental disability, meaning that an individual has deficits in intellectual and adaptive functioning that occur, or are noticed, during the developmental period (during childhood or adolescence). Approximately 1 in 691 babies in the USA are born with Down syndrome (NDSS 2015).

• Private Practice

- The field of behavior analysis continues to grow. The number of practitioners receiving certification as BCBAs is steadily increasing, resulting in many practitioners establishing their own private practices (Dorsey et al. 2009). A private practice is when practitioners choose to be self-employed, open their own businesses to deliver services. In the context of ABA, this might involve an individual that has received their BCBA certification opening up their own business to deliver behavior-analytic services to children, youth, and/or adults.

• Supervised Practice

- The purpose of supervised practice is to ensure the delivery of high-quality behavior-analytic services. This process typically involves a “supervisor” (often a BCBA or Board-Certified Behavior Analyst—Doctoral) observing and providing feedback to a “supervisee” (often a practitioner delivering behavior-analytic services) regarding the extent to which their practice meets standards (BACB 2014).

Skilled Practice or Practice Skills?

“Annnnnnd, enter!” Amelia crowed, stretching her arms and cracking her knuckles in victory, after sending her form off into cyberspace. She took a sip of ice water, followed it up with a hearty, “Ahhhh!” and got to her feet. She picked up the piece of paper her printer sent right onto her carpet, and reviewed it, smiling. She scanned the logo for her business application for her new **private practice** as a behavior consultant specializing in applied behavior analysis (ABA) and reread the business she had created: “Quality Behavioral Consulting.” With pleasure, she inserted it into a large brown envelope along with her payment and other required information to have an official business account number. *That’s it, then!* she thought, satisfied that this long process was finally coming to an end.

Amelia, a fairly new behavior analyst, had been working in the field of ABA supporting individuals with **Autism Spectrum Disorders** (ASD) for about the past five years, first as a student receiving **supervised practice**, and then as a certified professional. She had never worked for a hospital, school, or a large, state-funded program, but had been quite satisfied working under the guidance and supervision of a more experienced behavior analyst who had been running a fairly small enterprise in a small geographic area that did not require much driving within the work day. However, she found the drive at the beginning and at the end of the day a little tiring after these five years and thought about finding something a little closer to home. With her graduate degree in ABA now completed, and her certification as a Board-Certified Behavior Analyst in place, she thought perhaps she was ready to do things a little more on her own terms.

On one of her long trips home about a month ago, she had noticed a sign in the window of one of the community agencies in town that supported small, local business enterprises. She pulled over and took a photograph of the sign with her cell phone to read over later, but its title “Start Your Own Business: Grants Available” really got her *thinking* deeply about making a change. In the weeks since her revelation—both personal and professional—she started the process to do just that, start her own behavior therapy business, ending with the moment of sending that very special brown envelope by registered mail. Then came the more challenging and unexpectedly difficult task of writing a resignation letter to her supervisor, who had been responsible for the development of not only her professional skills, but her professional confidence and competence in providing ABA services for children with ASD and their families. At this point, she was very excited and very ready to take these next steps, but also a little nervous as she imagined her professional future stretching out far ahead of her.

She turned back to her computer and signed into her brand-new email address: amelia@qualitybehaviorconsulting.com. After all her preparations for this series of exciting moments, she was once again thrilled to see that she had new email, including a referral for her business. She was aware that her kind and understanding now former boss—but also a friend and colleague—would be sending her referrals

for her home town if they came up, but she was not expecting it to happen so quickly. She quickly scanned the text of the email and read it again more carefully. *Hmmmmmm*, she thought as she read it once again, *I am not sure about this.*

*Dear Amelia, it read. I have been given your name as a possibility for behavior consultation from a friend of mine who has a child with ASD. She says you have been doing a really good job. To give you a brief idea of our need here at home, I have a daughter who has **Down Syndrome**. She isn't diagnosed with ASD, though a few professionals have told me she is showing signs of this as well. She is a delightful six-year-old who is the joy of our lives. But she is also struggling with what her teacher calls "bad behavior" and we are seeing this at home, too. It has been getting pretty hard for us and we think that we need some help. We are wondering if you would meet with us and think about working with us.*

Well, she thought, tapping the keys of her computer as she considered this request. Behavior is behavior and problem behavior is problem behavior. It doesn't matter if the child has ASD, Down Syndrome, or if the child has no diagnosis at all. Right? The skills I have learned and the experiences I have had will be effective across the board. And in any case, it's really important for me to get things started and to learn more along the way so that my business will be successful. So, it's a YES. Her decision made, she clicked "reply" and started to compose her first professional email in her own business as her own boss, making her own decisions.

Ethics Box 10.6

Professional and Ethical Compliance Code for Behavior Analysts

2.01 Accepting Clients.

Behavior analysts accept as clients only those individuals or entities whose requested services are commensurate with the behavior analysts' education, training, experience, available resources, and organizational policies. In lieu of these conditions, behavior analysts must function under the supervision of or in consultation with a behavior analyst whose credentials permit performing such services.

The Response: Principles, Processes, Practices, and Reflections

Principles

(Q1) In many situations, the statement that ABA works for all behavior is somewhat true, as research has been published with its techniques for many different populations. What do you see, however, as the primary concern with Amelia taking on a client with Down syndrome (Reference Ethics Box 10.7, Behavior Analyst Certification Board, 2014)?

Ethics Box 10.7**Professional and Ethical Compliance Code for Behavior Analysts**

1.02 Boundaries of Competence.

- (a) All behavior analysts provide services, teach, and conduct research only within the boundaries of their competence, defined as being commensurate with their education, training, and supervised experience.
- (b) Behavior analysts provide services, teach, or conduct research in new areas (e.g., populations, techniques, behaviors) only after first undertaking appropriate study, training, supervision, and/or consultation from persons who are competent in those areas.

(Q2) What research has been published in ABA that demonstrates its effectiveness for individuals with Down syndrome? Find and summarize one or two examples.

Processes

(Q3) List 10 differences that need to be addressed when working with the two different populations in this case study (between individuals with ASD and Down syndrome). Why is it important that Amelia be aware of these differences?

(Q4) Read the following article on cultural competence:

<http://www.apa.org/gradpsych/2010/09/culturally-competent.aspx>

How might this apply to Amelia's case?

Practices

(Q5) Before accepting the client, what could Amelia do to increase her competency in order to work with the client who has been referred?

(Q6) Indicate how the guideline (1.06) *Multiple Relationships and Conflicts of Interest* (Reference Ethics Box 10.8, Behavior Analyst Certification Board, 2014) may apply in this situation. Is there anything about which Amelia needs to be particularly conscientious?

Ethics Box 10.8**Professional and Ethical Compliance Code for Behavior Analysts**

1.06 Multiple Relationships and Conflicts of Interest.

- (a) Due to the potentially harmful effects of multiple relationships, behavior analysts avoid multiple relationships.
- (b) Behavior analysts must always be sensitive to the potentially harmful effects of multiple relationships. If behavior analysts and that, due to unforeseen factors, a multiple relationship has arisen, they seek to resolve it.
- (c) Behavior analysts recognize and inform clients and supervisees about the potential harmful effects of multiple relationships.
- (d) Behavior analysts do not accept any gifts from or give any gifts to clients because this constitutes a multiple relationship.

(Q7) In her new business, we can imagine that in the future, Amelia receives many requests from families with children with Down syndrome. Design a retraining program that would ensure that Amelia is competent in delivering services to this population and indicate how would she maintain this (Reference Ethics Box 10.9, Behavior Analyst Certification Board, 2014).

Ethics Box 10.9

Professional and Ethical Compliance Code for Behavior Analysts

1.03 Maintaining Competence through Professional Development.

Behavior analysts maintain knowledge of current scientific and professional information in their areas of practice and undertake ongoing efforts to maintain competence in the skills they use by reading the appropriate literature, attending conferences and conventions, participating in workshops, obtaining additional coursework, and/or obtaining and maintaining appropriate professional credentials.

(Q8) Look at the following checklist (p. 63) to determine if Amelia is competent to practice in this area. What items from the list do you feel are the most critical for her to have obtained or continue to obtain going forward both with individuals with ASD and Down syndrome?

https://books.google.ca/books?id=dWiTAgAAQBAJ&pg=PA60&lpg=&dq=how+to+become+competent+applied+behavior+analysis&source=bl&ots=UOhhu2mYxT&sig=ZMyuruBL0e-2TYeS8ykF_w0mLgI&hl=en&sa=X&ved=0CFcQ6AEwCWoVChMI5t31j5SdyAIVxouSCH1pNAEj#v=onepage&q=how%20to%20become%20competent%20applied%20behavior%20analysis&f=false

Reflections

(Q9) What are other ethical concerns that are common mistakes that new behavior therapists starting their own business may face? What considerations should they take in terms of Public Statements (Guideline 8.0, Reference Ethics Box 10.10, Behavior Analyst Certification Board, 2014)?

Ethics Box 10.10

Professional and Ethical Compliance Code for Behavior Analysts

- 8.0 Public Statements.

Behavior analysts comply with this Code in public statements relating to their professional services, products, or publications, or to the profession of behavior analysis. Public statements include, but are not limited to, paid or unpaid advertising, brochures, printed matter, directory listings, personal resumes or curriculum vitae, interviews or comments for use in media, statements in legal proceedings, lectures and public presentations, social media, and published materials.

8.01 Avoiding False or Deceptive Statements.

(a) Behavior analysts do not make public statements that are false, deceptive, misleading, exaggerated, or fraudulent, either because of what they state, convey, or suggest or because of what they omit, concerning their research, practice, or other work activities or those of persons or organizations with which they are affiliated. Behavior analysts claim as credentials for their behavior-analytic work, only degrees that were primarily or exclusively behavior analytic in content.

(b) Behavior analysts do not implement nonbehavior-analytic interventions. Nonbehavior-analytic services may only be provided within the context of nonbehavior-analytic education, formal training, and credentialing. Such services must be clearly distinguished from their behavior-analytic practices and BACB certification by using the following disclaimer: "These interventions are not behavior analytic in nature and are not covered by my BACB credential." e-disclaimer should be placed alongside the names and descriptions of all nonbehavior-analytic interventions.

(c) Behavior analysts do not advertise nonbehavior-analytic services as being behavior analytic.

(d) Behavior analysts do not identify nonbehavior-analytic services as behavior-analytic services on bills, invoices, or requests for reimbursement.

(e) Behavior analysts do not implement nonbehavior-analytic services under behavior-analytic service authorizations.

8.02 Intellectual Property.

(a) Behavior analysts obtain permission to use trademarked or copyrighted materials as required by law. This includes providing citations, including trademark or copyright symbols on materials that recognize the intellectual property of others.

(b) Behavior analysts give appropriate credit to authors when delivering lectures, workshops, or other presentations.

8.03 Statements by Others.

(a) Behavior analysts who engage others to create or place public statements that promote their professional practice, products, or activities retain professional responsibility for such statements.

(b) Behavior analysts make reasonable efforts to prevent others whom they do not oversee (e.g., employers, publishers, sponsors, organizational clients, and representatives of the print or broadcast media) from making deceptive statements concerning behavior analysts' practices or professional or scientific activities.

(c) If behavior analysts learn of deceptive statements about their work made by others, behavior analysts correct such statements.

(d) A paid advertisement relating to behavior analysts' activities must be identified as such, unless it is apparent from the context.

8.04 Media Presentations and Media-Based Services.

(a) Behavior analysts using electronic media (e.g., video, e-learning, social media, electronic transmission of information) obtain and maintain knowledge regarding the security and limitations of electronic media in order to adhere to this Code.

(b) Behavior analysts making public statements or delivering presentations using electronic media do not disclose personally identifiable information concerning their clients, supervisees, students, research participants, or other recipients of their services that they obtained during the course of their work, unless written consent has been obtained.

(c) Behavior analysts delivering presentations using electronic media disguise confidential information concerning participants, whenever possible, so that they are not individually identifiable to others and so that discussions do not cause harm to identifiable participants.

(d) When behavior analysts provide public statements, advice, or comments by means of public lectures, demonstrations, radio or television programs, electronic media, articles, mailed material, or other media, they take reasonable precautions to ensure that (1) the statements are based on appropriate behavior-analytic literature and practice, (2) the statements are otherwise consistent with this Code, and (3) the advice or comment does not create an agreement for service with the recipient.

8.05 Testimonials and Advertising.

Behavior analysts do not solicit or use testimonials about behavior-analytic services from current clients for publication on their Web pages or in any other electronic or print material. Testimonials from former clients must identify whether they were solicited or unsolicited, include an accurate statement of the relationship between the behavior analyst and the author of the testimonial, and comply with all applicable laws about claims made in the testimonial.

Behavior analysts may advertise by describing the kinds and types of evidence-based services they provide, the qualifications of their staff, and objective outcome data they have accrued or published, in accordance with applicable laws.

8.06 In-Person Solicitation.

Behavior analysts do not engage, directly or through agents, in uninvited in-person solicitation of business from actual or potential users of services who, because of their particular circumstances, are vulnerable to undue influence. Organizational behavior management or performance management services may be marketed to corporate entities regardless of their projected financial position.

(Q10) In wanting to thank her former boss for the referral, Amelia was thinking of sending him a gift card to a coffee shop that they used to go to together. Do you feel this would be appropriate (Reference Ethics Box 10.11, Behavior Analyst Certification Board, 2014)?

Ethics Box 10.11**Professional and Ethical Compliance Code for Behavior Analysts**

2.14 Referrals and Fees.

Behavior analysts must not receive or provide money, gifts, or other enticements for any professional referrals. Referrals should include multiple options and be made based on objective determination of the client need and subsequent alignment with the repertoire of the referee. When providing or receiving a referral, the extent of any relationship between the two parties is disclosed to the client.

Additional Web Links**Standards of Practice for Behavior Analysts in Ontario**

<http://www.ontaba.org/pdf/Standards.pdf>

The Case for Licensure of Applied Behavior Analysts

<http://www.ncbi.nlm.nih.gov/pmc/articles/PMC2854065/>

CASE: v-R9**What's Wrong with a Little Deception?**

Setting: Community Age-Group: Adult

LEARNING OBJECTIVE:

- To recognize conflicts of interest and the importance of disclosure of treatment objectives and interventions.

RESPONSIBLE CONDUCT FOR BEHAVIOR ANALYSTS LINKS:

- Multiple Relationships and Conflicts of Interest (1.06)
- Exploitative Relationships (1.07)
- Debriefing (9.05)
- Promoting and Ethical Culture (7.01)

KEY TERMS:

- **Organizational Behavior Management**
 - Organizational Behavior Management is a subdiscipline of applied behavior analysis. It utilizes the principles of ABA to produce behavior change among employee performance within organizations. Specific emphasis is placed on the identification and modification of environmental variables that might affect observable employee behavior (Williams and Grossett 2011).
- **Conflict of interest**
 - A conflict of interest can arise when an individual in a position of authority has competing professional or personal interests (Gast 2010).

What's Wrong with a Little Deception?

Dr. Ken Bedard, a BCBA-D and supervisor of workplace productivity at (of all things) a vinyl factory, was contemplating just that—workplace productivity—as he watched the factory floor through the observation window of the atrium just adjacent to the factory's large and complex maze of administrative offices. *Sometimes it feels like such an enigma*, he contemplated, *but other times, it seems like the interventions I try around here meet with easy success, just like behavioral science tells me it should. Never, in a million years, would I have believed that my behavior studies and my clinical background would lead me to this place*, he thought, still in awe of his surroundings. Below, he could see what an untrained eye would perceive as an efficient and effective organization of workers and products on the floor. He followed the flow of work, gazing from the raw materials—mostly heavy rolls and piles of multicolored vinyl—to the huge industrial sewing machines, to the packed boxes of gloves, covers for electronic equipment and BBQs, and varied pieces of sporting equipment, ready to ship out into retail outlets. Behind, he thought about the many administrators he had met, organizing, controlling, and leading all with all of the larger departments like finance, to the smaller niche subdivisions like multilingual packaging, and the hard-to-categorize sectors like the creative marketing folks, easy to spot in the hallways with their easy laughter, casual clothes, and their heightened sense of fun. Although he has training in **organizational behavior management**, *measuring their productivity has been a particular challenge*, he recalled from his last struggle at graphing productivity change from the first to second business quarter of this fiscal year. *Whenever I asked questions*, he remembered, *they answered with comments like, "It's a creative process," "It can't be pinned down," and "We need room to fly."* He wasn't even sure what this last one really meant.

The next morning at work found Ken reading a series of articles around—*what else?*—workplace productivity. As part of his regular morning search for literature in his field, he had logged into the behavior databases and found reference to a new series on schedules of reinforcement and workplace productivity in factory settings. Basically, they focused on how employees responded to these different schedules of reinforcement, providing a framework for easy implementation in other similar settings. *How did I miss this?* He wondered, carefully downloading and filing each article in this very exciting series that had been published about five years ago. *I am so going to suggest we do something like this.*

He sent the vice president of the company—his immediate supervisor—a quick text scheduling an afternoon meeting for the next day and settled back down to reading, scrolling, highlighting, and making notes.

During the meeting, Ken and the VP had no trouble making the mutual decision to target the creative folks with their new plan. To collect some baseline data of time on task and time off task as well as “output units” (the number of completed advertising projects), they decided to install the same software that was presented in the literature series that Ken had printed and brought into the meeting. “We can have

our tech team install it for us,” suggested the VP, making a note on his to-do list. “I mean, we are always installing new programs and doing upgrades on everyone’s systems. Nobody will think anything of it, least of all these creative types.”

“Super,” responded Dr. Bedard, standing up from his seated position in the conference area near his boss’s desk. “Then the data will come directly to me in a daily summary. Like I have shown you before, I will graph each of these variables daily, and when we see a stable plan, we can start to implement our first reinforcement condition.”

“Right,” said the VP. More impatiently now, he gestured for Ken to sit back down while checking the time on his cell phone. “But we need to decide now what that will be so we can move ahead right away, as soon as we are ready. After all, we can just do it. It’s not like we need anyone else’s permission to get it going. I really want to have some results for next month’s staff meeting. After that dismal second quarter, they are going to really grab on to any good news about better productivity. And if this goes well, I should be able to increase your contract with us.”

Sitting back down, Ken quickly contemplated both the potential **conflict of interest** he is now facing, as well as the options they had discussed, and followed up with, “Well, how about when the data are stable, we do your first idea: Giving each of the creativity team members who finish a large project a ticket for lottery draw to win a gift certificate for free monthly admission to the new arts center downtown. If we don’t see any success with that, we can try something more immediate, like a smaller prize given right away for our small or large projects, rather than waiting for a draw. They talk a lot about art supplies. Maybe something like that?”

“Great,” said the VP, standing himself this time, rapping his knuckles on the top of his briefcase and preparing to head off. “Obviously, you have got this, and you have my full support.”

A little astounded at the easy success of his suggested initiative, Ken returned to his office to start putting plans in place. Feeling slightly hesitant, he recognized that even though he had support for this project, a little concern about deception was nagging at him, from coursework of years ago in research ethics. But my professors cannot have meant for something like this, Ken quieted those nagging concerns. This isn’t real research; it’s just for us. And besides, sometime a little bit of deception is necessary. After all, we all know that if someone knows they are being “watched,” in any way, their behavior is going to be different that it would otherwise be, and all of our data would be meaningless.”

The Response: Principles, Processes, Practices, and Reflections

Principles

(Q1) Describe when a research ethics board would need to be consulted and when it would not. Would this situation with Ken require ethics clearance to apply a system that employees were not aware of to measure productivity (Reference Ethics Box 10.12, Behavior Analyst Certification Board, 2014)?

(Q2) Describe Ken’s conflict of interest.

Ethics Box 10.12

Professional and Ethical Compliance Code for Behavior Analysts

1.06 Multiple Relationships and Conflicts of Interest.

- (a) Due to the potentially harmful effects of multiple relationships, behavior analysts avoid multiple relationships.
- (b) Behavior analysts must always be sensitive to the potentially harmful effects of multiple relationships. If behavior analysts and that, due to unforeseen factors, a multiple relationship has arisen, they seek to resolve it.
- (c) Behavior analysts recognize and inform clients and supervisees about the potential harmful effects of multiple relationships.
- (d) Behavior analysts do not accept any gifts from or give any gifts to clients because this constitutes a multiple relationship.

Processes

(Q3) What are the ethical dilemmas with having a productivity tracking device on each employee's computer without individual consent?

(Q4) What would be the benefits and downfalls of having individuals aware of the productivity tracking device on their computer?

Practices

(Q5) If Ken were to have his project cleared by a research ethics board, what safeguards would need to be in place for him to put productivity tracking software on employee's computers without their knowledge? What would need to occur after the intervention (Reference Ethics Box 10.13, Behavior Analyst Certification Board, 2014)?

Ethics Box 10.13

Professional and Ethical Compliance Code for Behavior Analysts

9.05 Debriefing.

Behavior analysts inform the participant that debriefing will occur at the conclusion of the participant's involvement in the research.

(Q6) Why did Ken want to wait until the productivity information was stable before implementing the reinforcement condition? What would be another research design Ken could have used?

(Q7) How are multiple relationships different than exploitive relationships? Do you think that this situation could potentially be called an exploitive relationship (Reference Ethics Box 10.14, Behavior Analyst Certification Board, 2014)?

Ethics Box 10.14

Professional and Ethical Compliance Code for Behavior Analysts

1.07 Exploitative Relationships.

- (a) Behavior analysts do not exploit persons over whom they have supervisory, evaluative, or other authority such as students, supervisees, employees, research participants, and clients.
- (b) Behavior analysts do not engage in sexual relationships with clients, students, or supervisees, because such relationships easily impair judgment or become exploitative.
- (c) 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.
- (d) Behavior analysts do not barter for services, unless a written agreement is in place for the barter that is (1) requested by the client or supervisee; (2) customary to the area where services are provided; and (3) fair and commensurate with the value of behavior-analytic services provided.

Reflections

(Q8) What would you have done differently in this situation if your boss approached you and asked you to complete this work on employees' computers without their knowledge? What safeguards would you have put in place to avoid some of the situations Ken has faced?

(Q9) Given the conflict of interest that Ken is embroiled in, what course of action do you think he should take?

(Q10) How does the role of deception affect the workplace (Reference Ethics Box 10.15, Behavior Analyst Certification Board, 2014)?

Ethics Box 10.15

Professional and Ethical Compliance Code for Behavior Analysts

7.01 Promoting and Ethical Culture.

Behavior analysts promote an ethical culture in their work environments and make others aware of this Code.

Additional Web Links

What is OBM?

http://www.obmnetwork.com/what_is_obm

Applying Behavioral Analysis in Organizations: Organizational Behavior Management

https://www.researchgate.net/publication/232529712_Applying_Behavior_Analysis_in_Organizations_Organizational_Behavior_Management

Research Ethics: Deception

<http://psc.dss.ucdavis.edu/sommerb/sommerdemo/ethics/deception.htm>

CASE: v-R10

Include or Exclude?

Setting: Community Age-Group: Senior

LEARNING OBJECTIVE:

- To identify and address ethical considerations associated with program evaluation.

RESPONSIBLE CONDUCT FOR BEHAVIOR ANALYSTS LINKS:

- Behavior Analysts as Supervisors (5.0)
- Supervisory Competence (5.01)
- Supervisory Volume (5.02)
- Supervisory Delegation (5.03)
- Designing Effective Supervision and Training (5.04)
- Communication of Supervision Conditions (5.05)
- Providing Feedback to Supervisees (5.06)
- Evaluating the Effects of Supervision (5.07)
- Behavior Analysts' Ethical Responsibility to the Profession of Behavior Analysis (6.0)
- Affirming Principles (6.01)
- Disseminating Behavior Analysis (6.02)
- Accuracy and Use of Data (9.09)

KEY TERMS:

- **Multidisciplinary Program Evaluation Team**
 - A multidisciplinary program evaluation team is a group of professionals from differing disciplines (e.g., psychology, speech and language pathology, physical therapy, occupational therapy, nursing, medicine) who work together as a team to support the evaluation of a program (Moore et al. 2012).
- **Stakeholders**
 - Stakeholders are those individuals or groups that are affected by an organizations decisions, policies, and outcomes. Stakeholders may include an individual receiving intervention, his or her family, the staff delivering the intervention, and the organization delivering the intervention program (Needham et al. 2011).

Include or Exclude?

After many meetings, careful budgeting, and layers of approval, a local day program for seniors finally decided to “green light” a program evaluation. Although the intention of the evaluation was formally described and transcribed in the paperwork

as leading to improved programming for clients of the program, the undercurrent of conversation—and the body language of the staff—clearly indicated that it would also lead to increased (or decreased) levels of funding from their supporting charitable agency. The BCBA acting supervisor of the program, budget now in hand, led the process of hiring an external consultant to complete the internal program evaluation, along with a **multidisciplinary program evaluation team** chaired by himself. *Since I am acting as a BCBA and an administrator, I will hire a person who is working towards their credentials as the consultant on this case to make it “worth their while.”*

After a careful planning process and an even more carefully planned hiring process, a behavior consultant (Delores Vanderveen) was chosen as a best fit for examining patterns of individual behavior changes in the clients of the day program. She had also begun her course work for the BACB requirements to become a BCBA, so could start to accrue her hours. Along with the program **stakeholders**, she began to formally develop evaluation plans for what she was informed was an “implementation evaluation,” so she began her work with that term. She found that an implementation evaluation can be defined as one which is “needed if a new program is being implemented or if data indicate the goals of an existing program are not being met,” and that it can also help elucidate inform about strengths, challenges, resources, quality, and more (Mertens and Wilson 2012, p. 275). Pretty excited with the prospects about digging deeply into her program evaluation literature once more, she continued to read and make notes throughout the day. Some of her points were from her literature review, including more than one dense textbook from the fields of program evaluation and behavior analysis, as well as her consultations with her multidisciplinary program evaluation team members (and the project chair) who appeared to be heavily invested in a successful evaluation, including these handwritten notes in her project journal:

- *I need to gather data on outcome measures. For example, I must combine some sort of pretest and posttest measure with observational behavioral data.*
- *I need to also spend time gathering output measures. So this could include descriptive data such as the number of clients served on average per month, the number of programs attended (e.g., arts-and-crafts classes).*
- *I need to not only collect these data, but also analyze it, and write up a formal report.*
- *Although I will take the lead on all of this, I need to work closely through each step with the involved agency, its team, the chair, and the important stakeholders.*
- *The final report will be written with all team members as collaborative coauthors, though, again, I will be taking the lead.*
- *Consensus is important and valued here!*

Fast-forwarding six months ahead that flew by like five minutes, Delores stood beside the conference table quite proudly. Carefully stapled copies of her report watermarked diagonally with “DRAFT” on every page were distributed and

reviewed, and she put down the remote control for her slide presentation with a flourish. “Well, what do you think?” she asked, surprised by the wall of silence around her, the obvious glances between staff members, and the raised brows of more than one. The BCBA acting supervisor starred in awe as he realized that each week when he signed her papers, he had not really investigated her behavior approach. In working with as many students as he had at the time, he forgot to check over her methodology, as it was not necessarily going to be the best approach for this population, and in fact would not capture the effects of the intervention.

The chair of the program evaluation stood slowly and spoke tentatively. “Delores, first I think it’s important to thank you for all the hard work you have put into this. I know that you have been very careful about meeting with everyone and communicating by email, as well, at every phase of this program evaluation. As you know, I have been off for the last few weeks on a long-planned vacation, so I am afraid that I have missed some essential information. I am sure everyone else has some input, but I would like to talk to you about some of the graphs that related to program participation. They really don’t show very good results and, in fact, make our program look rather badly run or badly managed, or both. I feel like this is not the kind of information that we want to share with our stakeholders. It’s really going to hurt our opportunities moving forward. Can’t we just leave these off and focus on the positives?” Delores answers, “Sure, I am sure that should be no problem, as it was just the graphs, and I wasn’t really sure how to do them!”

The BCBA acting supervisor stared in disbelief in the situation he found himself in—with multiple ethical dilemmas in his hands.

The Response: Principles, Processes, Practices, and Reflections

Principles

(Q1) List all of the ethical dilemmas that are at play in this scenario.

(Q2) In what manner would a pre-test and posttest group design measure inform a study of this nature? Is this traditional single-subject research design? Why or why not?

Processes

(Q3) When presenting research studies, not all data can always be included due to space restrictions. What are methods that researchers can use in order to be ethical while not presenting all of their research (Reference Ethics Box 10.16, Behavior Analyst Certification Board, 2014)?

Ethics Box 10.16

Professional and Ethical Compliance Code for Behavior Analysts

9.09 Accuracy and Use of Data.

(a) Behavior analysts do not fabricate data or falsify results in their publications. If behavior analysts discover errors in their published data, they take steps to correct such errors in a correction, retraction, erratum, or other appropriate publication means.

(b) Behavior analysts do not omit findings that might alter interpretations of their work.

(c) Behavior analysts do not publish, as original data, data that have been previously published. This does not preclude republishing data when they are accompanied by proper acknowledgment.

(d) After research results are published, behavior analysts do not withhold the data on which their conclusions are based from other competent professionals who seek to verify the substantive claims through reanalysis and who intend to use such data only for that purpose, provided that the confidentiality of the participants can be protected and unless legal rights concerning proprietary data preclude their release.

(Q4) The BACB supervisor finds himself in a scenario where his supervisee did not understand the methodology used and the single-subject research design. He also finds himself in a difficult situation, as he took too many students on and didn't supervise her as much as he should have. What are his next steps in correcting this (Reference Ethics Box 10.17, Behavior Analyst Certification Board, 2014)?

Ethics Box 10.17

Professional and Ethical Compliance Code for Behavior Analysts

5.0 Behavior Analysts as Supervisors.

When behavior analysts are functioning as supervisors, they must take full responsibility for all facets of this undertaking. (See also, 1.06 Multiple Relationships and Conflict of Interest, 1.07 Exploitative Relationships, 2.05 Rights and Prerogatives of Clients, 2.06 Maintaining Confidentiality, 2.15 Interrupting or Discontinuing Services, 8.04 Media Presentations and Media-Based Services, 9.02 Characteristics of Responsible Research, 10.05 Compliance with BACB Supervision and Coursework Standards.)

5.01 Supervisory Competence.

Behavior analysts supervise only within their areas of defined competence.

5.02 Supervisory Volume.

Behavior analysts take on only a volume of supervisory activity that is commensurate with their ability to be effective.

5.03 Supervisory Delegation.

(a) Behavior analysts delegate to their supervisees only those responsibilities that such persons can reasonably be expected to perform competently, ethically, and safely.

(b) If the supervisee does not have the skills necessary to perform competently, ethically, and safely, behavior analysts provide conditions for the acquisition of those skills.

5.04 Designing Effective Supervision and Training.

Behavior analysts ensure that supervision and trainings are behavior analytic in content, effectively and ethically designed, and meet the requirements for licensure, certification, or other defined goals.

5.05 Communication of Supervision Conditions.

Behavior analysts provide a clear written description of the purpose, requirements, evaluation criteria, conditions, and terms of supervision prior to the onset of the supervision.

5.06 Providing Feedback to Supervisees.

(a) Behavior analysts design feedback and reinforcement systems in a way that improves supervisee's performance.

(b) Behavior analysts provide documented, timely feedback regarding the performance of a supervisee on an ongoing basis. (See also, 10.05 Compliance with BACB Supervision and Coursework Standards)

5.07 Evaluating the Effects of Supervision.

Behavior analysts design systems for obtaining ongoing evaluation of their own supervision activities.

Practices

(Q5) Suppose Delores finds herself in an ethical dilemma with two conflicting ethical principles: protecting the confidentiality of the research participants but also potentially withholding data from her research results. In this situation, which ethical principle(s) would you follow and how would you proceed?

(Q6) As a result of the agency supervisors' actions, what is his responsibility to the profession of ABA (Reference Ethics Box [10.18](#), Behavior Analyst Certification Board, 2014)?

Ethics Box 10.18

Professional and Ethical Compliance Code for Behavior Analysts

6.0 Behavior Analysts' Ethical Responsibility to the Profession of Behavior Analysis.

Behavior analysts have an obligation to the science of behavior and profession of behavior analysis.

6.01 Affirming Principles.

(a) Above all other professional training, behavior analysts uphold and advance the values, ethics, and principles of the profession of behavior analysis.

(b) Behavior analysts have an obligation to participate in behavior-analytic professional and scientific organizations or activities.

6.02 Disseminating Behavior Analysis.

Behavior analysts promote behavior analysis by making information about it available to the public through presentations, discussions, and other media.

(Q7) How could Delores discuss some of the negative aspects of the program evaluation in a respectful and constructive way?

Reflections

(Q9) How could the agency supervisor respond to her boss's question at the presentation, so to not embarrass him but inform him of the ethical and research guidelines?

(Q10) What safeguards and assistance would the ethics committees provide Delores in this situation?

Additional Web Links

Requirements for Supervisors of Experience for those Pursuing Certification

<http://bacb.com/supervision-requirements/>

Clinical Supervision and Professional Development of the Substance Abuse Counselor: Information You Need to Know

<http://www.ncbi.nlm.nih.gov/books/NBK64848/>

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