

Chapter 9

Preschool-to-School-Age Case Studies Constructed Around Research and Ethics

Abstract This chapter explores ethical considerations associated with the research and practice of applied behavior analysis (ABA). Through a series of case studies highlighting behavior difficulties experienced by preschool- and school-age children, learners are guided to consider standards of practice, areas of professional competence, and the three questions central to the study of ethics—What is the right thing to do? What is worth doing? And what does it mean to be a good behavior analyst? (Cooper et al. in applied behavior analysis. Pearson Prentice Hall, Upper Saddle River, NJ, 2007). Within the preschool- and school-age years, parental or guardian consent to participate in research or to receive ABA services is a central ethical consideration faced by behavior analysts. At the same time, behavior analysts must also consider the “assent” of the child in receipt of the behavior-change program, and the child’s involvement in key decisions surrounding the behavior-change program he or she is receiving. This can be particularly complex when supporting children with developmental disabilities or cognitive impairments who may not be able to express their assent verbally or nonverbally. Throughout this chapter, the cases presented will highlight the similarities and differences between measurement of ABA practice and ABA research, and the ethical considerations associated with each. Further, learners will critically explore professional competencies required to conduct research and practice and consider the role of behavior analysts in advocating for the protection of those they are supporting. In this chapter, entitled “Preschool-to-School-Age Case Studies Constructed Around Research and Ethics,” the challenges associated with ethical ABA practice are explored through five case scenarios in home, school, clinical, and community settings.

Keywords Preschool • School-age children • Professional competence • Ethical consideration • Ethics • Parental consent • Behavior-change program • Developmental disabilities • Cognitive impairments • Verbal • Nonverbal

CASE: v-R1 Guest Author: Tricia van Rhijn

Stay, Play, and Talk with Me

Setting: Childcare Age Group: Preschool

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LEARNING OBJECTIVE:

- To describe appropriate professional competence to conduct research in applied behavior analysis.

Professional and Ethical Compliance Code for Behavior Analysts:

- Conforming with Laws and Regulations (9.01),
- Characteristics of Responsible Research (9.02),
- Informed Consent (9.03),
- Acknowledging Contributions (9.08).

KEY TERMS:

- **Professional Competence**
 - Professional competence in applied behavior analysis is typically achieved through both academic training and professional experience. Academic training may include graduate-level coursework with a focus in ABA. Professional experience can include obtaining certification from the Behavior Analyst Certification Board, as well as supervised research and practice within an area of specialization; for example, an particular age group, a certain diagnoses, or specific types of challenging behaviors (BACB 2015).
- **Research Ethics Board**
 - A research ethics board is responsible for determining the extent to which proposed research projects meet ethical standards and requirements. Research ethics boards are mandated to clear, reject, ask for modifications, or terminate research projects (Thomson 2012)

Stay, Play, and Talk with Me

As a new faculty member at a large university in a mid-sized city, Tamara was eager to take advantage of the opportunity to utilize the on-campus childcare center for the next phase of a research project which she had been working with a few trusted colleagues. The project focused on the *Stay, Play, and Talk* program, a manual-based, peer-mediated intervention.

A peer-mediated approach, Tamara wrote in her research notebook, involves teaching peers how to interact with the child with a disability, along with adult prompting in the application of these behaviors. Peer-mediated interventions, like Stay, Play, and Talk, have been shown to be one of the most researched, effective methods for increasing social interaction skills in children with social issues, characteristics of an autism spectrum disorder (ASD), or a diagnosis of an ASD (Kohler et al. 2007; Laushey and Heflin 2000; McConnell 2002).

Tamara's research team had focused the previous phases of the research on the children with identified or suspected ASD. Recognizing that social skills are an important developmental domain and the growth of these skills at the preschool age is an important area of research both for children with identified or suspected challenges as well as their typically developing peers. The next phase of the anticipated research would, excitedly, broaden the focus to include these typically developing peers. This childcare center had a strong focus on inclusion, because of this focus Tamara and her colleagues believed that it would be an excellent location to implement the Stay, Play, and Talk program within the centers daily programming. The research group would be interested in both the effectiveness of the program and its related child-based outcomes.

The director, supervisor, and staff at the childcare center were all very enthused about the program and its concurrent research project. Tamara began working on the first steps of the research project, the application to the university's **research ethics board** and planning out the numerous and specific details of running the project. The plan was to draw on the research team members' areas of **professional competence** and conduct a quasi-experimental, pretest/posttest design with a non-equivalent control group. Happily, all of the classrooms at the center were planning to participate with the exception of the three toddler rooms. *One of the preschool classes, Tamara thought, could act as a control group in which the Stay, Play, and Talk program would be implemented immediately following the conclusion of the research project. In the participating classrooms, parents and educators would be invited to complete pre- and posttest measures of social skills for all the children, both those with social-behavioral challenges as well as those typically developing individuals.*

She then planned out an additional component. Single-subject observational data would be collected for children diagnosed with ASD or those displaying traits of ASD. The project received ethics clearance that spring (in early April), training on the Stay, Play, and Talk program was carried out in mid-May, pretest measures were sent to the parents and educators, and the program was implemented within the classroom programming following the training. While carrying out the research project Tamara encountered two significant challenges. The first challenge was with implementation of the single-subject research component, and the second was with the research assistants working on the project with her and her colleagues.

Implementing the single-subject aspect of the research project proved to be challenging due to scheduling and cost. Carrying out the single-subject

observations was a labor-intensive process, with student research assistants committed to observe the focal children at various times of day, in various activities (although primarily free play), beginning with baseline observations followed by observations over the five week course of the program implementation. Despite having daily schedules, the childcare center embraced an emergent curriculum and the flexibility that arose from this approach proved challenging when scheduling the student research assistants' observation times; there were conflicts when scheduled observation times did not match up with free play activities, which were the focus of the observations. In addition, the sheer number of observations that needed to be conducted with multiple classrooms, and some with more than one focal child to be observed, meant that the labor costs for the research assistants were excessively high, and the grant for the research was being stretched thin.

The research assistants working on the project were in their final term as undergraduate students. They both had interest and experience in early childhood education and had previously worked in various roles at the childcare center including practicum students, inclusion facilitators, and teaching assistants. The second challenge related to the research assistants because of their previous experience working at the childcare center. *Although their experience was ideal background for the research, it clearly was not a perfect fit*, reflected Tamara. The childcare center was purpose-built as a laboratory school and has observation booths available; but unfortunately, the observation booths were not available for all of the classrooms, only half of them! In order to be consistent in how the single-subject data were collected, the decision was made to have the research assistants conduct their observations from within the classrooms, rather than the observation booths. This way, they were better able to see and hear their focal child and their interactions with peers, but the downside to this was that the children knew the research assistants from their previous work and were happy to see them. The children did not understand that the research assistants could not play with them during their observation times; this caused confusion and frustration for the children and was a distraction for the research assistants. In addition, the research assistants' experiences in the center also meant that they knew the children and their capabilities very well. They were tempted to prompt the focal children to do engage in behaviors that they were not spontaneously demonstrating. The research assistants also knew what the study was about and found it challenging to conduct their observations in an unbiased manner.

"Good grief," mumbled Tamara at her computer screen while she wrote some additional notes while trying to develop her manuscript. "I had no idea this project was so full of problems that I would have to supervise and solve."

Ultimately the challenges were overcome by conducting frequent team meetings to respond to these issues as they arose. Recognizing that the research assistants were being challenged to be unbiased in their observations, Tamara submitted an ethics change request to allow video recording of the interactions of the focal child to allow for additional reliability checking by an additional observer without

experience at the childcare center. Over time, and with support from the classroom educators, the children learned that when the research assistants had their clipboards, they were not to be disturbed. Scheduling challenges were worked out through communication and cooperation with the childcare center director, supervisor, and educators in each classroom. And the project was, according to everyone involved, a great success where all students learned and practiced new skills, and demonstrated use of them far beyond the boundaries of the walls of the childcare center and far past the months of the project itself.

The Response: Principles, Processes, Practices, and Reflections

Principles:

(Q1) Outline a process that Tamara may have used to recruit participants for this research project that meets the principle of free and informed consent (Reference Ethics Box 9.1, Behavior Analyst Certification Board, 2014).

Ethics Box 9.1

Professional and Ethical Compliance Code for Behavior Analysts

- 9.03 Informed Consent.
Behavior analysts inform participants or their guardian or surrogate in understandable language about the nature of the research that they are free to participate, to decline to participate, or to withdraw from the research at any time without penalty; about significant factors that may influence their willingness to participate; and answer any other questions participants may have about the research.

(Q2) Should Tamara also include an “assent” process for the children participating? Why or why not? If so, what might the process look like (Reference Ethics Box 9.2, Behavior Analyst Certification Board, 2014)?

Ethics Box 9.2

Professional and Ethical Compliance Code for Behavior Analysts

- 1.05 Professional and Scientific Relationships.
(b) When behavior analysts provide behavior-analytic services, they use language that is fully understandable to the recipient of those services while remaining conceptually systematic with the profession of behavior analysis. They provide appropriate information prior to service delivery about the nature of such services and appropriate information later about results and conclusions.

Processes:

(Q3) Since Tamara has applied to the research ethics board, are there other laws that she must abide by (Reference Ethics Box 9.3, Behavior Analyst Certification Board, 2014)? Why or why not?

Ethics Box 9.3**Professional and Ethical Compliance Code for Behavior Analysts**

- 9.01 Conforming with Laws and Regulations.
Behavior analysts plan and conduct research in a manner consistent with all applicable laws and regulations, as well as professional standards governing the conduct of research. Behavior analysts also comply with other applicable laws and regulations relating to mandated-reporting requirements.

(Q4) Tamara mentioned that she needs to resubmit an ethics change form to allow for videotaping of the children. Why does she need to complete this? What other considerations must be taken into account in the childcare center in regard to video taping (Reference Ethics Box 9.4, Behavior Analyst Certification Board, 2014)?

Ethics Box 9.4**Professional and Ethical Compliance Code for Behavior Analysts**

- 9.02 Characteristics of Responsible Research.
 - (a) Behavior analysts conduct research only after approval by an independent, formal research review board.

Practices:

(Q5) Tamara has thought a lot about the effects of having data collectors in the environment on the children's learning. How may this effect the intervention itself, and how could the researchers determine if their presence is having an effect on the intervention itself? Is this an ethical issue itself (Reference Ethics Box 9.5, Behavior Analyst Certification Board, 2014)?

Ethics Box 9.5**Professional and Ethical Compliance Code for Behavior Analysts**

- 9.02 Characteristics of Responsible Research.
 - (b) Behavior analysts conducting applied research conjointly with provision of clinical or human services must comply with requirements for both

intervention and research involvement by client-participants. When research and clinical needs conflict, behavior analysts prioritize the welfare of the client.

(I) Behavior analysts minimize interference with the participants or environment in which research is conducted.

(Q6) Outline a process for Tamara to train the research assistants in the study's procedures. How could she use Behavior Skill Training in this process? How might Tamara determine when the assistants are ready to begin work?

(Q7) What type of single-subject research design would you use in this case? What are any ethical concerns about using this approach?

(Q8) Looking at the Professional and Ethical Compliance Code for Behavior Analysts (BACB, 2014), guideline 9.08, Acknowledging Contributions, who will Tamara need to acknowledge or include in her research publication (Reference Ethics Box 9.6, Behavior Analyst Certification Board, 2014)?

Ethics Box 9.6

Professional and Ethical Compliance Code for Behavior Analysts

- 9.08 Acknowledging Contributions.

Behavior analysts acknowledge the contributions of others to research by including them as co-authors or footnoting their contributions. Principal authorship and other publication credits accurately reflect the relative scientific or professional contributions of the individuals involved, regardless of their relative status. Minor contributions to the research or to the writing for publications are appropriately acknowledged, such as in a footnote or introductory statement.

(Q9) Which guidelines from the Professional and Ethical Compliance Code for Behavior Analysts (BACB 2014) highlights the importance of ensuring that data are accurate when there are multiple individuals collecting data?

Reflections:

(Q10) Does Tamara's employment at the university raise any ethical concerns pertaining to this research being conducted at the on-site childcare center (Reference Ethics Box 9.7, Behavior Analyst Certification Board, 2014)?

Ethics Box 9.7**Professional and Ethical Compliance Code for Behavior Analysts**

- 9.02 Characteristics of Responsible Research.
 - (i) Behavior analysts minimize the effect of personal, financial, social, organizational, or political factors that might lead to misuse of their research.
 - (k) Behavior analysts avoid conflicts of interest when conducting research.

(Q11) Would Tamara’s research assistants be able to ethically conduct their own single-subject design following the completion of this study (Reference Ethics Box 9.8, Behavior Analyst Certification Board, 2014)?

Ethics Box 9.8**Professional and Ethical Compliance Code for Behavior Analysts**

- 9.02 Characteristics of Responsible Research.
 - (c) Behavior analysts conduct research competently and with due concern for the dignity and welfare of the participants.
 - (d) Behavior analysts plan their research so as to minimize the possibility that results will be misleading.
 - (e) Researchers and assistants are permitted to perform only those tasks for which they are appropriately trained and prepared. Behavior analysts are responsible for the ethical conduct of research conducted by assistants or by others under their supervision or oversight.
 - (f) If an ethical issue is unclear, behavior analysts seek to resolve the issue through consultation with independent, formal research review boards, peer consultations, or other proper mechanisms.
 - (g) Behavior analysts only conduct research independently after they have successfully conducted research under a supervisor in a defined relationship (e.g., thesis, dissertation, specific research project).
 - (h) Behavior analysts conducting research take necessary steps to maximize benefit and minimize risk to their clients, supervisees, research participants, students, and others with whom they work.
 - (i) Behavior analysts minimize the effect of personal, financial, social, organizational, or political factors that might lead to misuse of their research.

Additional Web Links**Teaching and Maintaining Ethical Behavior in a Professional Organization**

<http://www.ncbi.nlm.nih.gov/pmc/articles/PMC3592493/>

Using private blog sites to collect interobserver agreement and treatment integrity data

<http://psycnet.apa.org/journals/bdb/19/1/30.pdf&productCode=pa>

Institutional Review Boards Frequently Asked Questions

<http://www.fda.gov/RegulatoryInformation/Guidances/ucm126420.htm>

CASE: v-R2

Show me the evidence

Setting: School **Age Group:** School Age

LEARNING OBJECTIVE:

- To utilize knowledge of applied behavior analysis (ABA) standards of practice to guide evidence-informed decision-making.

Professional and Ethical Compliance Code for Behavior Analysts:

- Reliance on Scientific Knowledge (1.01),
- Responsibility (1.02),
- Maintaining Confidentiality (2.06),
- Maintaining Records (2.07),
- Documenting Professional Work and Research (2.10),
- Contracts, Fees, and Financial Arrangements (2.12),
- Behavior-Analytic Assessment (3.01),
- Environmental Conditions that Interfere with Success (4.07),
- Characteristics of Responsible Research (9.02),
- Timely Responding, Reporting, and Updating of Information Provided to the BACB (10.02),

KEY TERMS:

- **Ethics:**
 - Cooper et al. (2007) express that “ethics refers to three basic and fundamental questions: What is the right thing to do? What is worth doing? What does it mean to be a good behavior analyst?” (p. 660). Every day, these three questions guide every decision, interaction with colleagues, as well as clients, and the research and practice conducted by behavior analysts.
- **Embracing the Scientific Method:**
 - ABA is a science of understanding human behavior. As a science, scientific methods of inquiry such as objective measurement, data-based decision-making, and determining functional and replicable relations between an intervention technique (independent variable) and a behavior change (dependent variable) are adhered to and guide all research and practice within the discipline (Baer et al. 1968).
- **Right to Effective Behavioral Treatment:**
 - Behavior analysts have an obligation to provide only treatments and techniques that have been scientifically validated. In other words, only those interventions which have been demonstrated by research to be effective (Van Houten et al. 1988) based on their associations with improvements in

pro-social behaviors, and/or a reduction in problem behaviors. These associations are typically documented in scientifically sound research studies published in peer-reviewed academic journals.

- **Standards of Practice for ABA:**

- Standards of practice are written guidelines that outline expectations regarding conduct and service provision for practitioners within a field of practice (e.g., ABA). The Behavior Analysis Certification Board has written the “Professional and Ethical Compliance Code for Behavior Analysts” (Behavior Analysis Certification Board 2014) as the guiding standards of practice for behavior analysts. As of 2016, all Board Certification Behavior Analysts must comply with the expectations outlined in this standard.

Show Me The Evidence

As an employee of a community-based program in applied behavior analysis (ABA), Ivan had been working with Eva, a young not-quite-three-year-old child diagnosed with Autism Spectrum Disorder (ASD) for nearly six months. His program is partly privately funded, and as a result of this his program is less sought out by parents—not everyone can afford the fees—but it typically has no wait list for services. When Eva’s parents approached Ivan’s agency, he quickly began his assessment practices in careful consultation with her parents, shared the results, and made some solid goals to move forward with Eva’s therapy. After working between 10 and 20 h a week for the past five months with Eva and her family using evidence-based practices in the field of ASD and ABA to help decrease challenging behavior, teach new skills, and prepare Eva for the preschool environment Ivan received a voice mail message that he was not expecting from her family.

Ivan listened to the voice mail message attentively and then listened again. “Chelation therapy? Dietary change? Seriously?” he spoke back to his cell phone. “What’s this about?”

Ivan was in between community appointments with other clients when he had the chance to stop and check his phone and review his voice messages. He thought about how the last six months of service had been going with Eva and her family, the only concern he had, before receiving the phone call, was that Eva’s parents seemed to be far less invested than anticipated with respect to the agreed-upon programs and protocols. For example, they forgot to fill out their data sheets last week, so Ivan was unable to graph evidence of any further gains in the ABA-base program.

He listened to the message for a third time. *Something is going on*, he thought. *But I don’t get it. Eva has been doing so well; she is making great gains in her skills of everyday living, she has made significant leaps in her communication abilities. Her non-compliance and aggression have both decreased dramatically. So what’s this about?* Finding it difficult to concentrate, he went to his next two appointments, trying to tuck this concern—a mystery, really—into the back of his mind, promising himself he would call the family as soon as his other responsibilities for the day were met.

Pulling into the parking lot outside his building, he quickly keyed in the entry code and went into his personal office to ensure that confidentiality was maintained in his impending conversation. *I will never get caught in that problem again*, he had promised himself many times, recalling when he had once been talking about clients at a restaurant with a colleague and had been inadvertently overheard. *I really understand the **Standards of Practice in ABA**, particularly in the areas of **ethics** and the importance of maintaining privacy. Hopefully, I can do both of those things and still help out these parents with whatever is going on right now.* Ivan had undertaken some additional continuing education credits in the last few years over that lapse in judgment and found that he really enjoyed the presentations and conversations around ethical principles, including the strong focus on **embracing the scientific method** the recommendation of scientifically validated interventions in his field of work.

He dialed his cell after carefully closing his door. “Hello?” Eva’s mother answered after only a few rings.

“Hi.” Ivan responded. “It’s Ivan from *ABA Services Inc.* You left me a voicemail message earlier today and I am calling to follow up with you.”

“Right!” she answered quickly. “Well, to summarize, Eva’s father and I have been going to some talks and meetings with some other parents in the neighboring town. It’s fun to get together with other parents who understand what we are going through, but also we have been learning about some new treatments that we want to try. I mentioned a few of them in your phone messages.”

“Yes,” Ivan responded in turn. “I was hoping to hear a little more.”

“The thing we are really hoping to move forward with—and we were hoping you could help us—is that special diet. A lot of the other parents we have been talking to are using it and they all say that it has worked wonders for their children with autism. We have actually been trying it out some in the last few weeks. It is really hard right now to always give Eva the right foods, but I guess it will take up less of our time once we have bought all the supplies, and when we know where gluten-free, casein-free products are locally available.” Eva’s mother paused.

*Oh boy, thought Ivan, this isn’t what I was expecting to hear. I thought they were going to ask me for information, not tell me that they are already implementing an un-validated treatment. True, it’s not really an intrusive choice, but it’s not one I can support. Both my boss and my credentialing agency would be highly unimpressed to hear me supporting this. I am probably going to be lucky if I keep my credentials if I don’t handle this right. They have a **right to effective behavioral treatment**, not to the popular treatment trend of the time.*

“I think we should probably sit down and talk about this next time I am scheduled to come in ...” Ivan quickly thumbed through his planner and finished his sentence. “... the day after tomorrow.”

As he reflected on his workday so far, Ivan further considered this issue, trying to set aside his own feelings, attitudes, and priorities. Is there really any harm in what these parents are doing? Maybe it would be better if I just “let” them do this diet alongside the things we are already doing—the ones we know work. Will that

make them happy with me? What is the worst thing that could happen? I don't want to lose this client—or my job.

The Response: Principles, Processes, Practices, and Reflections

Principles:

(Q1) The Behavior Analysis Certification Board emphasizes that “Behavior Analysts rely on professionally derived knowledge based on science and behavior analysis when making scientific or professional judgments in human service provision, or when engaging in scholarly or professional endeavors” (BACB 2014, p. 4), but also “operate(s) in the best interest of clients” and uses “informed consent and respects the wishes of client” (BACB 2014, p. 6). Based on these statements, which two guidelines are potentially in conflict?

(Q2) What does it mean to provide “effective treatment” (Reference Ethics Box 9.9, Behavior Analyst Certification Board, 2014)?

Ethics Box 9.9

Professional and Ethical Compliance Code for Behavior Analysts

- 9.02 Characteristics of Responsible Research.
 - (a) Clients have a right to effective treatment (i.e., based on the research literature and adapted to the individual client). Behavior analysts always have the obligation to advocate for and educate the client about scientifically supported, most effective treatment procedures. Effective treatment procedures have been validated as having both long-term and short-term benefits to clients and society.
 - (b) Behavior analysts have the responsibility to advocate for the appropriate amount and level of service provision and oversight required to meet the desired behavior-change program goals.
 - (c) In those instances where more than one scientifically supported treatment has been established, additional factors may be considered in selecting interventions, including, but not limited to, efficiency and cost-effectiveness, risks and side effects of the interventions, client preference, and practitioner experience and training.
 - (d) Behavior analysts review and appraise the effects of any treatments about which they are aware that might impact the goals of the behavior-change program, and their possible impact on the behavior-change program, to the extent possible.

Processes:

(Q3) Describe how you might guide a parent of a young child with a development disability through the process of selecting an intervention for their child. List the

types of questions you would use to encourage parents to consider multiple approaches and scientific-based treatments?

(Q4) Ivan needs to do the billing for this family, as it is the end of the month. He is unsure what to do given what has just happened. List items he should have put in place before starting with the family that would assist in this situation and things that he may have to do now given this new turn of events, regarding billing (Reference Ethics Box 9.10, Behavior Analyst Certification Board, 2014).

Ethics Box 9.10

Professional and Ethical Compliance Code for Behavior Analysts

2.12 Contracts, Fees, and Financial Arrangements.

- (a) Prior to the implementation of services, behavior analysts ensure that there is in place a signed contract outlining the responsibilities of all parties, the scope of behavior-analytic services to be provided, and behavior analysts' obligations under this Code.
- (b) As early as is feasible in a professional or scientific relationship, behavior analysts reach an agreement with their clients specifying compensation and billing arrangements.
- (c) Behavior analysts' fee practices are consistent with law and behavior analysts do not misrepresent their fees. If limitations to services can be anticipated because of limitations in funding, this is discussed with the client as early as is feasible.
- (d) When funding circumstances change, the financial responsibilities and limits must be revisited with the client.

Practices:

(Q5) Ivan is worried about losing his client and the monetary implication that this may have, however, needs to abide by the Ethics Compliance Code (BACB 2014). What does Ivan need to be conscious of in this situation and describe the ethical path he should take (Reference Ethics Box 9.11, Behavior Analyst Certification Board, 2014)?

Ethics Box 9.11

Professional and Ethical Compliance Code for Behavior Analysts

1.01 Reliance on Scientific Knowledge

Behavior analysts rely on professionally derived knowledge based on science and behavior analysis when making scientific or professional judgments in human service provision, or when engaging in scholarly or professional endeavors.

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.

(Q6) Is the level of intrusiveness of the diet something that Ivan should be considering when weighing his options of whether he can support this approach or advocate for an evidence-based approach? Support with references.

(Q7) List all of the methods that Ivan completes to protect the privacy of his clients. What safeguards does he also have to have in place for their records and documentation? What would he do with the records if Eva is no longer a client (Reference Ethics Box 9.12, Behavior Analyst Certification Board, 2014)?

Ethics Box 9.12

Professional and Ethical Compliance Code for Behavior Analysts

2.06 Maintaining Confidentiality.

(a) Behavior analysts have a primary obligation and take reasonable precautions to protect the confidentiality of those with whom they work or consult, recognizing that confidentiality may be established by law, organizational rules, or professional or scientific relationships.

(e) Behavior analysts must not share or create situations likely to result in the sharing of any identifying information (written, photographic, or video) about current clients and supervisees within social media contexts.

2.07 Maintaining Records.

(a) Behavior analysts maintain appropriate confidentiality in creating, storing, accessing, transferring, and disposing of records under their control, whether these are written, automated, electronic, or in any other medium.

(b) Behavior analysts maintain and dispose of records in accordance with applicable laws, regulations, corporate policies, and organizational policies, and in a manner that permits compliance with the requirements of this Code.

2.10 Documenting Professional Work and Research.

(a) Behavior analysts appropriately document their professional work in order to facilitate provision of services later by them or by other professionals, to ensure accountability, and to meet other requirements of organizations or the law.

(b) Behavior analysts have a responsibility to create and maintain documentation in the kind of detail and quality that would be consistent with best practices and the law.

(Q8) Ivan mentions that Eva was doing very well in treatment, but also mentions that he has not been able to reliably graph the data because of the parents not following through with the intervention plan. List some of his next steps based on the guidelines in the Ethics Box 9.13 listed below (BACB, 2014)

Ethics Box 9.13

Professional and Ethical Compliance Code for Behavior Analysts

- 3.01 Behavior-Analytic Assessment.
 - (b) Behavior analysts have an obligation to collect and graphically display data, using behavior-analytic conventions, in a manner that allows for decisions and recommendations for behavior-change program development.
- 4.07 Environmental Conditions that Interfere with Implementation.
 - (a) If environmental conditions prevent implementation of a behavior-change program, behavior analysts recommend that other professional assistance (e.g., assessment, consultation, or therapeutic intervention by other professionals) be sought.
 - (b) If environmental conditions hinder implementation of the behavior-change program, behavior analysts seek to eliminate the environmental constraints, or identify in writing the obstacles to doing so.

Reflections:

(Q9) Do you agree that after Ivan was corrected for some of his ethical misconduct that he is able to continue to practice in the field? What would you be required to complete if Ivan broke these ethical principles again? Do you think that Ivan can continue to provide ABA services to Eva if he completes his due diligence and puts other parameters in place (Reference Ethics Box 9.14, Behavior Analyst Certification Board, 2014)?

Ethics Box 9.14

Professional and Ethical Compliance Code for Behavior Analysts

- 10.02 Timely responding, reporting, and updating of information provided to the BACB.
 - (a) Behavior analysts must comply with all BACB deadlines including, but not limited to, ensuring that the BACB is notified within thirty (30) days of the date of any of the following grounds for sanctioning status:

A violation of this Code, or disciplinary investigation, action or sanction, including charges, conviction or plea of guilty or nolo contendere by a governmental agency, healthcare organization, third-party payer, or educational institution. Procedural note: Behavior analysts convicted of a felony directly related to behavior analysis practice and/or public health and safety shall be ineligible to apply for BACB registration, certification, or recertification for a period of three (3) years from the exhaustion of appeals, completion of parole or probation, or final release from confinement (if any), whichever is later (see also, 1.04d Integrity);

- (b) Any public health- and safety-related fines or tickets where the behavior analyst is named on the ticket;
- (c) A physical or mental condition that would impair the behavior analysts' ability to competently practice; and
- (d) A change of name, address, or email contact.

Ethics Box 9.15

Professional and Ethical Compliance Code for Behavior Analysts

- 9.03 Informed Consent.
Behavior analysts inform participants or their guardian or surrogate in understandable language about the nature of the research; that they are free to participate, to decline to participate, or to withdraw from the research at any time without penalty; about significant factors that may influence their willingness to participate; and answer any other questions participants may have about the research.

(Q10) Some feel that there is no harm in trying an invalidated treatment, provided that it is deemed not very intrusive, may not pose any harm, and appears relatively safe. For example, some might say, “What harm is there in trying a new diet?” Or, “Taking some vitamin supplements seems harmless, since vitamins are good for you anyways.” Do you agree? Why or why not?

Additional Web Links

Evidence-Based Practices for children and adolescents with Autism Spectrum Disorders: Review of the Literature and Practice Guide http://www.kidsmentalhealth.ca/documents/EBP_autism.pdf

Guidelines for Responsible Conduct for Behavior Analysts <http://www.bacb.com/index.php?page=57>

Introduction to Evidence-Informed Decision-Making <http://www.cihr-irsc.gc.ca/e/45245.html>

Implementing Evidence-Informed Practice <http://www.excellenceforchildand youth.ca/sites/default/files/docs/implementation-toolkit.pdf>

CASE: v-R3

Volunteered or Volun-*told*?

Setting: Childcare Age Group: Preschool

LEARNING OBJECTIVE:

- To consider the ethical considerations surrounding the recruitment of research participants.

Professional and Ethical Compliance Code for Behavior Analysts:

- Informed Consent (9.03),
- Using Confidential Information for Didactic or Instructive Purposes (9.04),
- Grant and Journal Reviews (9.06),
- Plagiarism (9.07).

KEY TERMS:

- **Research:**

- Research typically refers to the process of scientific inquiry, or seeking an answer to a question in order to further scientific knowledge. This can be contrasted with evaluation, which refers to providing information for decision-making about a particular program and is often based on furthering policy and program interests.

- **Research Participants:**

- A research participant is an individual that takes part in a research project. Research participants are the target of observations by researchers. Participating in a research project often begins with the potential participant providing free and informed consent, that is demonstrating that they have received information about the research study, they have the capacity to decide, their decision is voluntary and that they have been given enough information to make an informed decision about their participation (Bailey and Burch 2002).

Volunteered or Volun-told?

“Yes!” Darin Vineel crowed. Hovering over the inbox on his email account, he once again opened the most recent email that had just come through his system, alerting his various devices. *I am sure in the right place at the right time right now! Usually I don't get to read my emails properly until late at night, long after the busy-ness of the day has subsided. But I am glad to be here for this one!*

Congratulations! Your research grant proposal has been approved. Please open the attached document for more information. Because he could not quite believe it after months of waiting and wondering—not including the weeks it took him to prepare the grant application in the first place—he reopened and reread his “award letter.”

Congratulations! Your grant proposal has been approved. Please open the attached document for more information. Your approved budget for your “Consulting Briefly with the Brief Consultation Model” research project has been reviewed, and you have been awarded \$5000 for the next six months. These funds will be allocated to you as soon as you have received research ethics CLEARANCE and have supplied us with a certificate of clearance from the research ethics board. Best wishes in moving ahead with your project.

Still not quite believing this stroke of luck, he started to compose and internal email to the other staff of his behavior management team, asking them to attend a mandatory **research** meeting, next Thursday at 5:00 PM. *They need to know what is coming*, he thought. To be sure everyone attended (since he wanted everyone involved), he typed “MANDATORY MEETING!” in the subject line of his carefully prepared email and sent it to allstaff@behmgmt.com right away. He headed for home, but with this news still rolling around in his mind, he barely remembered the adrenaline-fueled trip. After dinner, he went into his home office and reviewed the proposal he had sent off months ago. *It is going to be so exciting for everyone*, he considered. *Rather than having a caseworker for years and years, sometimes with no significant progress, we are going to team up with families for short-term, goal-orientated interventions. Then, if the families still need more support, we can do it all over again!* He was sure of its success, after all he had read in the literature about its success in community settings, and even school environments. *I can't wait until next Thursday, when I get to tell everyone about the project they will be participating in for the next six months...At least!* he added in his head. *After all, we might like it and keep it. Even better: we might get some fantastic data!*

Eager for the project to move ahead, he downloaded his agency's research ethics forms and began to complete them, page by page. When he got to the subheading marked **RESEARCH PARTICIPANTS**, he cut-and-pasted a complex matrix that he had created in anticipation of this application. In this matrix, he matched up his staff with families, using “Therapist 1” and “Family A” and other pseudonyms. He explained in the application how he anticipated 100 % rate of participation from his staff, and his families who would be the recipients of this brief consultation model. *Who would ever want to turn this opportunity down!* Darin thought.

It only took a few days for a decision to be emailed back to him. *That was surprisingly fast*, he thought, very impressed with the speed of the ethics board. But when he read the email that night from ethics@behmgmt.com, he was surprised again, but this time it was a more disappointing surprise than he had experienced days earlier. Dear Darin, it began and continued:

We are unable to complete your ethics review for project 4241, and we are unable to clear it for you to move ahead and begin the data collection phase. Our primary concern is the lack of voluntary participation. Your expectation—and your supervisory role—in your agency may unduly coerce your staff members and your client family members into participation in this project. For example, you have noted that you plan to disseminate the recruitment posters for your research project, your letters of invitation, and consent forms yourself, which may cause potential participants to feel that they are required to take part. To be cleared, participation in this research must be entirely voluntary. When you have updated this section, please resubmit your work for a full review.

“I don’t get it!” He spoke aloud in the empty room. “I keep hearing about how effective work depends on effective collaboration, positive relationships, and individualized attention. Shouldn’t it be better if I meet with everyone and talk with each of them about this research in person? This change just goes against everything I have been taught about working with others in this field. What do I do?”

The Response: Principles, Processes, Practices, and Reflections

Principles:

(Q1) Do you agree with the response that the Research Ethics Board provided to Darin? Why or why not?

(Q2) Darin seems to be confusing voluntary participation with a collaborative approach to research. What distinguishes these concepts?

Processes:

(Q3) Outline a recruitment process that Darin could use that addresses the concerns expressed by the Research Ethics Board.

(Q4) How might Darin ensure that his potential participants are free to decline participation?

Practices:

(Q5) How might Darin ensure that participants are not only voluntarily participating in this research, but also that their decisions are based on informed consent?

(Q6) Describe what Guideline 9.04, *Using Confidential Information for Didactic or Instructive Purposes*, means in practice for Darin (Reference Ethics Box 9.16, Behavior Analyst Certification Board, 2014)?

Ethics Box 9.16**Professional and Ethical Compliance Code for Behavior Analysts**

- 9.04 Using Confidential Information for Didactic or Instructive Purposes.
 - (a) Behavior analysts do not disclose personally identifiable information concerning their individual or organizational clients, research participants, or other recipients of their services that they obtained during the course of their work, unless the person or organization has consented in writing or unless there is other legal authorization for doing so.
 - (b) Behavior analysts 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.

(Q7) How may decisions be biased based on the decision of Darin’s grant review team and his Research Ethics board team if there were the same members (see Guideline 9.06)? What would you do if they were not members of the BACB (Reference Ethics Box 9.17, Behavior Analyst Certification Board, 2014)?

Ethics Box 9.17**Professional and Ethical Compliance Code for Behavior Analysts**

9.06 Grant and Journal Reviews.

- Behavior analysts who serve on grant review panels or as manuscript reviewers avoid conducting any research described in grant proposals or manuscripts that they reviewed, except as replications fully crediting the prior researchers.

(Q8) In completing his Research Ethics Board application, Darin copy and pasted information from his grant. Is this considered plagiarism according to Guideline 9.07, Plagiarism (Reference Ethics Box 9.18, Behavior Analyst Certification Board, 2014)?

Ethics Box 9.18**Professional and Ethical Compliance Code for Behavior Analysts**

- 9.07 Plagiarism.
 - (a) Behavior analysts fully cite the work of others where appropriate.
 - (b) Behavior analysts do not present portions or elements of another’s work or data as their own.

Reflections:

(Q9) If you were a member of the Research Ethics Board reviewing Darin’s project, what additional questions might you raise?

(Q10) How would you feel if you were a family being asked to participate in this research project given the current setup?

Additional Web Links**The TCPS 2 Tutorial Course on Research Ethics (CORE)**

<http://www.pre.ethics.gc.ca/eng/education/tutorial-didacticiel/>

Plagiarism in Higher Education Research

<http://www.ithenticate.com/plagiarism-detection>

log/bid/87,315/Plagiarism-in-Higher-Education-Research#.V3aW2ldWu7Y

Voluntary Participation in Research

<http://www.ncbi.nlm.nih.gov/pmc/articles/PMC4032563/>

CASE: v-R4**Settle in—or Opt Out?**

Setting: School **Age Group:** School Age

LEARNING OBJECTIVE:

- To utilize ethical principles of research to advocate for the protection of a child with exceptionalities in a school setting.

Professional and Ethical Compliance Code for Behavior Analysts:

- Least Restrictive Procedures (4.09)
- Describing Behavior-Change Program Objectives (4.05)
- Describing Conditions for Behavior-Change Program Success (4.06)
- Environmental Conditions that Interfere with Implementation (4.07)

KEY TERMS:

- **Advocacy:**
 - Advocacy is a process in which an individual or a group works to influence decisions. Within the field of applied behavior analysis, for example, the “Association of Behavior Analysis International” works to support the growth of the science of behavior and the adoption of evidence-informed practice by conducting research, providing education, and disseminating best practices (ABAI 2012). Similarly, the Behavior Analyst Certification Board works to support high-quality behavioral practices and protect consumers of behavior analysis services by promoting and disseminating professional standards and increasing the availability of certified behavior analysts (BCBA 2014). *Autism Speaks* is example of an organization that is involved

in advocacy, working to raise awareness to increase support for research and intervention for individuals with ASD. Individual behavior analysts may also act as advocates; for example, providing evidence to school personnel to support accommodations within a classroom for a child experiencing behavior difficulties. When combined, these activities work to influence decisions at organizational, community, and individual levels.

- **Capacity:**

- An essential consideration for requesting research participation is whether the individuals being asked have the ability to understand the information provided to them and appreciate the consequences of their decision (e.g., able to weigh the risks and benefits of participation). For example, young children, individuals with developmental disabilities, or individuals with cognitive impairments may not have the capacity to make a decision on their own about their involvement in a research project (Canadian Institutes of Health Research 2010).

- **Conflict of Interest:**

- Within a research project, a conflict of interest arises when activities place individuals at odds between the responsibilities of research and their organization's interests (Canadian Institutes of Health Research 2010).

- **Free and Informed Consent:**

- Ethical principles, such as free and informed consent, work to ensure that individuals taking part in research activities are protected and treated respectfully. “Free” refers to consent to participate that is given voluntarily, without any influence or coercion, and that may be withdrawn at any time; and (2) “Informed” refers to ensuring that potential participants are provided with enough information about the project (e.g., study purpose, what is involved and expected of them, benefits, risks) to make a knowledgeable decision about participation (Canadian Institutes of Health Research 2010).

Settle In—Or Opt Out?

Demetrios and his family had moved to a large, urban center three years ago when Demetrios was six years old and entering grade one. That year after a lengthy process, most of the school year, he was diagnosed with an intellectual disability. Before moving to the urban area he and his family had been living in a beautiful, rural area where Demetrios enjoyed the freedom afforded to a child growing up in the country.

Once Demetrios entered formal school in his Kindergarten year, before the family's move, it became apparent that he struggled with basic academic tasks,

socialization with his peers, and following the basic rules for behavior in a group environment. While his rural freedom had given him great joy in the outdoors and a great love for child-led exploration, it had left him bereft of same-age play partners. Demetrios was an only child with two devoted parents focusing on him, who made many efforts to find playmates and play dates for him, the distance between not only community activities and their home, but other neighbors with young children and their home, appeared to be a significant barrier to easy socialization. After all their efforts, when Demetrios's final report card at the end of Kindergarten still pointed to "persistent problems with peer-to-peer socialization," they started to make plans for a significant lifestyle change.

They chose their current community due to its proximity to two large hospitals, one connected to a university focused on training graduate students in clinical and developmental psychology. In the family's research, they found that the second hospital had an excellent reputation for adult mental health. The university attached to the hospital had a positive reputation for supporting the professional development of local schools, boards, and the educators within them. The university trained these professionals into developing a strong capacity for supporting students with exceptionalities within inclusive settings. A final draw to this specific community was a large, well-development children's developmental center that appeared to have excellent community support and, again, had the reputation for helping out with local families.

Demetrios's family chose a small home with a large yard nestled carefully within the boundaries of these service areas; in fact, they had limited their house search boundaries to the geographical area inside the area that was surrounded by these center-based services. With such a significant sacrifice, they felt assured that they were ready for what the future held. But they did not anticipate the downside that would work its way into their lives in a couple of years, specifically in Demetrios's grade four year.

Following the family's move and Demetrios's diagnosis of an intellectual disability, Demetrios—and his parents—settled into the community very well. With the diversity evident in their new they had no difficulty finding other parents who were in similar circumstances, they easily discovered a community of care for themselves and Demetrios, and they had no challenges finding a school community which supported full inclusion of all students in the neighborhood, which as a final bonus had plenty same-aged peers for Demetrios. Rather than facing a difficulty FINDING services, they were having difficulty DECLINING services. It seemed like every second day, a permission slip, an information letter, or an email arrived with requests for participation in special events, special services: even research projects from the university community! Their typical response was to "opt out" of most of these while they settled into their new homes and new lives, but as time moved on and Demetrios grew in size, age, and need, they selected a few opportunities for involvement here and there. However, they had strong concerns about their son becoming what they thought of as a "laboratory rat."

When grade four hit, the academic demands grew, peer socialization became even harder, and Demetrios really began to struggle in a way that he had not

experienced before in his new school and inclusive classroom. A few incidents of aggression appeared at school but then these incidents gradually increased in strength, quantity, and intensity and became a daily concern. Demetrios's parents were called into school a first, second, and third time.

After the fourth call, they contacted an advocate at the local children's center and started working with an advocate to attend school meeting with them, as they were feeling overwhelmed with pressures from the school's special education staff. At both meetings two and three, the resource staff—whose role was to support the classroom teachers—strongly recommended including Demetrios in a clinical treatment center at the local university. While this would provide extra personnel and services for his classroom, it would also mean that Demetrios would be segregated in the university classroom and observed daily, and data about his behavior would be summarized. It would also mean that Demetrios would be included in a special, experimental intervention program that had proven results in decreasing aggression at school, and it would lead to more support for Demetrios's academic needs of the classroom. Although Demetrios's parents made it quite clear that they are uneasy about participating in segregated settings—and always have been—they felt a continuing pressure to do so.

On the fourth visit with the classroom teacher, the school administrators, the special education staff, Demetrios's parents, their advocate, and the researchers, problems came to a boiling point. Right before the meeting began, the advocate, whom the school personnel had not met, was waiting outside the staff washroom, and overheard the special education staff expressing their frustration with Demetrios's family in a less than positive way, and sharing ideas about how they might "convince them" to "get on board" and "just sign up and settle in already." The advocate became highly concerned about issues such as free and informed consent and conflict of interest, which undergird the ethics of inclusion and the parents and students rights to stay in the community setting. When she joined the meeting, she immediately raised her hand and said with a severe tone, "I have something urgent to add to our agenda, which I think should be the starting topic of our meeting here today."

The Response: Principles, Processes, Practices, and Reflections

Principles:

- (Q1) List and describe at least three ethical issues present in Demetrios's case.
(Q2) Where the requirements of informed consent met? If so, please explain how they were met. If not, please explain why not?

Processes:

- (Q3) If you were supporting Demetrios and his family, what informed consent process would you recommend for the school?
(Q4) Describe how Demetrios can be included in the consent process.

(Q5) Least Restrictive Procedures are important to try before moving to more restrictive procedures like a segregated setting. List what least restrictive procedures should have been applied first before moving Demetrios to a secluded setting (Reference Ethics Box 9.19, Behavior Analyst Certification Board, 2014).

Ethics Box 9.19

Professional and Ethical Compliance Code for Behavior Analysts

- 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.

Practices:

(Q5) If you were advocating on behalf of Demetrios and his family, how would you respond to the behavior of the school staff? List at least three steps.

(Q6) Given the case study, do you feel that the educators in the classroom have completed both of the Guidelines from the Professional and Ethical Compliance Code by the BACB: (a) Describe the Behavior Objectives (Guideline 4.05) and (b) Describe the Conditions for Program Success (Guideline 4.06 (Reference Ethics Box 9.20, Behavior Analyst Certification Board, 2014))?

Ethics Box 9.20

Professional and Ethical Compliance Code for Behavior Analysts

- 4.05 Describing Behavior-Change Program Objectives.
Behavior analysts describe, in writing, the objectives of the behavior-change program to the client before attempting to implement the program. To the extent possible, a risk-benefit analysis should be conducted on the procedures to be implemented to reach the objective. The description of program objectives and the means by which they will be accomplished is an ongoing process throughout the duration of the client-practitioner relationship.
- 4.06 Describing Conditions for Behavior-Change Program Success.
Behavior analysts describe to the client the environmental conditions that are necessary for the behavior-change program to be effective.

(Q8) List environmental conditions that may interfere with the behavior-change program (Guideline 4.07, Reference Ethics Box 9.21, Behavior Analyst Certification Board, 2014)?

Ethics Box 9.21

Professional and Ethical Compliance Code for Behavior Analysts

- 4.07 Environmental Conditions that Interfere with Implementation.
 - (a) If environmental conditions prevent implementation of a behavior-change program, behavior analysts recommend that other professional assistance (e.g., assessment, consultation, or therapeutic intervention by other professionals) be sought.
 - (b) If environmental conditions hinder implementation of the behavior-change program, behavior analysts seek to eliminate the environmental constraints, or identify in writing the obstacles to doing so.

Reflections:

(Q9) Why might it be important for Demetrios to be included in the informed consent process?

(Q10) What are the pros and cons of a segregated treatment setting versus his inclusive setting he is currently in?

Additional Web Links

Tri-Council Policy Statement: Ethical Conduct for Research Involving Humans

http://www.pre.ethics.gc.ca/archives/tcps-epc/docs/TCPS%20October%202005_E.pdf

The consent process

<http://www.pre.ethics.gc.ca/eng/policy-politique/initiatives/tcps2-epc2/chapter3-chapitre3/>

WHO informed consent form templates http://www.who.int/rpc/research_ethics/informed_consent/en/

CASE: v-R5

Ask for permission, or ask for forgiveness?

Setting: School Age Group: School age

LEARNING OBJECTIVE:

- To distinguish between measurement of practice and research.

Professional and Ethical Compliance Code for Behavior Analysts:

- Rights and Prerogatives of Clients (2.05)
- Treatment/Intervention Efficacy (2.09)

- Ethical Violations by Others and Risk of Harm (7.02)
- Characteristics of Responsible Research (9.02)

KEY TERMS:**• Ethical Review:**

- An ethical review is when ethical principles governing research involving humans (e.g., respect for persons and concerns for welfare and justice) are used to evaluate an application for research. This review is typically conducted by an ethics review board, a group of individuals that meet to determine whether a research project meets ethical standards. Depending on the level of risk associated with a research project, an application might be reviewed by a full ethics board review (often projects involving greater risks), or delegated for review by only one or a few members of the research ethics board (often projects involving minimal levels of risk). The outcomes of an ethical review might involve clearance of research or requesting changes to ensure the protection of research participants (Canadian Institutes of Health Research 2010).

• Intervention:

- In ABA, an intervention involves the application of the principles of behavior to change (increase or decrease) socially significant behaviors. These applications of the principles of behavior are called strategies or tactics and can take place in home, school, or community settings (Cooper et al. 2007).

• Measurement of Practice:

- Measuring occurs when we assign numbers to objects or events. In applied behavior analysis, the effects of the application of behavioral principles on observable behaviors are measured through data collection (e.g., documenting observed behavior in response to behavior-change tactics), visualization (e.g., graphing of data points), and analysis (e.g., examining trends in the data over time). This differs from conducting an evaluation (e.g., determining, sometimes using research designs and methods, if a program being delivered is achieving the intended outcomes) or carrying out research (e.g., using research designs and methods to answer a scientific question) (Bloom et al. 2003).

Ask for Permission, or Ask for Forgiveness?

Ahmed was excited about his new plan. As a consultant hired by the school board, the main focus of his position was to act as an itinerant support for referrals generated by his “family” of 15 public schools in a busy, urban area. Inevitably, though, he found that he spent more time in a few of his schools. These three schools were informally labeled as “inner-city” schools and had many more needs when it came to challenging behaviors than his other schools did. Consequently, Ahmed got to know the staff quite well: the classroom teachers, the special education teachers, and even the school administration. Based on numerous conversations he had been engaged in through the school year, it seemed that there was an issue with not only specific, complex children identified with special needs and, simultaneously, problem behaviors, but also with general issues in classroom management such as noise levels, compliance, and task completion. This issue was seemingly pervasive across many classrooms in all of his family of schools, but was much more pronounced in these three inner-city schools.

His new plan was to focus on a proactive way to prevent—and decrease—these typically occurring problem behaviors. In order to help him consolidate his ideas, he started working through journal articles, in order to ensure the impact of this new, not-quite-yet planned, intervention in his three schools was effective. *This would make a fantastic research project*, he thought. *After all, if you are not collecting data, you are not doing ABA. And if we are collecting this data, we should be sure to publish and disseminate the results, so it can help other educators in similar situations.* That evening after work, he was so pumped about getting this on the go that he pulled out his laptop and dug right back into describing this hopefully upcoming intervention for ethics review and clearance. At the same time, he sent emails to the principals of these three schools, requesting time at each upcoming staff meeting to describe his plans, to request feedback from the involved teachers, and hopefully to elicit excitement about it!

The first two staff meeting presentations Ahmed had prepared slides and handouts filled with visuals, graphs, and descriptions from the literature of how other educators had decreased the incidence of problem behaviors in their own classroom environments with very doable strategies like greeting each student at the doorway every morning. However, he was met with a lot of resistance about the research project itself. Educators were willing to go forward with the intervention, but did not want to trouble of complying with the research ethics board.

At this third meeting, he stumbled over his words from beginning to end. The hot, angry glare from the grade one teacher completely discombobulated him. When she whispered time and time again to her colleagues seated next to her, he wondered what the conversations were, instead of focused on sharing his plans. Even though things were going along so poorly already, he was dreading the question-and-answer period he had planned for the last five minutes of time available to him.

“And why, exactly, would you call this *research*?” the grade one teacher asked, raising her hand as soon as she could. “Why would we do this ethics business instead of just focusing on *the children*? After all, we make changes to our pedagogy all the time. Just yesterday, for example, I decided that I would create an in-box for all the students’ homework, pizza money, and permission forms, because I was tired of being handed things all the time, disrupting both teaching and learning. But I didn’t have to ask our ethics board for *permission* to do this. It is just part of my professionalism as an educator. And I could take data on this if I wanted to do so. But it’s just looking at measuring if this practice works for me and if it works for the students. I don’t need to ask.”

Ahmed froze a little, unsure of what to say next. He quickly scanned the room and noticed that even the principal was nodding agreement with this grade one teacher. He felt quite unsure and extremely uncomfortable, and did not know how to answer. They asked him to come and do the intervention and just not do formal research. Ahmed decided that it would be okay if they were willing to complete the research project with him. He just decided that he could not do formal research and would still be able to present the findings.

The Response: Principles, Processes, Practices, and Reflections

Principles:

(Q1) Research ethics are based on three principles: respect for person, concern for welfare, and justice. Describe each principle and outline how each might apply to Ahmed’s situation.

(Q2) As “scientist-practitioners,” behavior analysts are involved in measurement of practice and can become involved in conducting research. It would not be practical if an ethical review board process were required each time a behavior analyst was preparing to implement and measure the effects of an intervention. When does measurement of practice become research and require a review by an ethical review board?

(Q3) Define the differences between evaluation and research.

Processes:

(Q4) The Professional and Ethical Compliance Code for Behavior Analysts notes that “When research and clinical needs conflict, behavior analysts prioritize the welfare of the client” (BACB 2014, p. 18). How does this statement apply to Ahmed’s dilemma?

(Q5) In some ways, Ahmed has followed the Guideline 2.09 for Treatment Efficacy/Intervention and in some ways he has not. List the ways he has followed this guideline and how he has dismissed it (Reference Ethics Box 9.22, Behavior Analyst Certification Board, 2014)?

Ethics Box 9.22**Professional and Ethical Compliance Code for Behavior Analysts**

2.09 Treatment/Intervention Efficacy.

(a) Clients have a right to effective treatment (i.e., based on the research literature and adapted to the individual client). Behavior analysts always have the obligation to advocate for and educate the client about scientifically supported, most effective treatment procedures. Effective treatment procedures have been validated as having both long-term and short-term benefits to clients and society.

(b) Behavior analysts have the responsibility to advocate for the appropriate amount and level of service provision and oversight required to meet the defined behavior-change program goals.

(c) In those instances where more than one scientifically supported treatment has been established, additional factors may be considered in selecting interventions, including, but not limited to, efficiency and cost-effectiveness, risks and side effects of the interventions, client preference, and practitioner experience and training.

(d) Behavior analysts review and appraise the effects of any treatments about which they are aware that might impact the goals of the behavior-change program, and their possible impact on the behavior-change program, to the extent possible.

Practices:

(Q6) What guideline is Ahmed going against in his final course of action according to the BACB's *Professional and Ethical Compliance Code* (BACB, 2014)?

(Q7) Given the ethical decision-making model at the link below, determine what course of action you would take in the following case. Would it be the same as or different than Ahmeds?

http://www.ryerson.ca/content/dam/ethicsnetwork/downloads/model_G.pdf

(Q8) Since Ahmed will not publish the results and will only present them, does he now comply with the Guideline 9.01, Conforming with Laws and Regulations? In other words, if he does not get research ethics board approval, is he able to present this research (Reference Ethics Box 9.23, Behavior Analyst Certification Board, 2014)?

Ethics Box 9.23

Professional and Ethical Compliance Code for Behavior Analysts

2.05 Rights and Prerogatives of Clients.

- (a) The rights of the client are paramount and behavior analysts support clients' legal rights and prerogatives.
- (b) Clients and supervisees must be provided, on request, an accurate and current set of the behavior analyst's credentials.
- (c) Permission for electronic recording of interviews and service delivery sessions is secured from clients and relevant staff in all relevant settings. Consent for different uses must be obtained specifically and separately.
- (d) Clients and supervisees must be informed of their rights and about procedures to lodge complaints about professional practices of behavior analysts with the employer, appropriate authorities, and the BACB.
- (e) Behavior analysts comply with any requirements for criminal background checks.

9.01 Conforming with Laws and Regulations

Behavior analysts plan and conduct research in a manner consistent with all applicable laws and regulations, as well as professional standards governing the conduct of research. Behavior analysts also comply with other applicable laws and regulations relating to mandated-reporting requirements.

Reflections:

(Q9) How might Ahmed's dual role as both a behavior analyst brought into support the staff and their students, and his desire to simultaneously be a researcher, be contributing to the difficulties he is experiencing with the school personnel? How might this dilemma be resolved?

(Q10) Would Ahmed's behavior be in compliance with the BACB? Would you be required to report his behavior (Reference Ethics Box 9.24, Behavior Analyst Certification Board, 2014)?

Ethics Box 9.24

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, 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).

Additional Web Links

Distinguishing Evaluation from Research

<http://www.uniteforsight.org/evaluation-course/module10>

Similarities and Differences Between Research and Evaluation

<http://www.cihir-irsc.gc.ca/e/45336.html#a2.1>

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