

“Ethics is not for  
sissies.”

Guided Notes

for

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Ethics is not for sissies

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Atlanta, GA

Sponsored by

The logo for DataFinch Technologies features the word "DataFinch" in a bold, sans-serif font, with "Data" in black and "Finch" in red. Below it, the word "TECHNOLOGIES" is written in a smaller, all-caps, black font. A small red bird icon is positioned to the left of the "i" in "Finch".



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## Case #1

I am a BCBA who works with children diagnosed with ASD. I attend IEPs with BCBA "Behavior Specialists" at the school.

One of these Behavior Specialists recommends "sensory diet and weighted vest" as the intervention for a target behavior.

## Case #2

"I am a Behavioral tutor and go to parent's homes to aid the child in sessions. The setting is the bedroom which contains a big master bed, a twin bed sideways to it, a bathroom, and a closet.

The family stays in the living room so that we may work. My client is a 5-yr old child with autism who is non-verbal. He has lots of sensory stims and nothing entertains or motivates him, except playdough which he eats and makes it impossible to have data-collection time.

He started kicking the window and I stopped him, then I reinforced the stopping by turning on his movie, then he started kicking the window again making eye-contact with me and laughing.

After I stopped him several times he continued so the mother came in--the child got what he wanted, mom reinforced his negative behavior."

### Whitewater rapids are rated on a 1 to 6 scale

Level 1: Very small rough areas, requires no maneuvering Skill Level: None

Class 2: Some rough water, maybe some rocks, small drops, might require maneuvering. (Skill Level: Basic Paddling Skill)

Class 3: Whitewater, medium waves, maybe a 3–5 ft drop, but not much danger. May require significant maneuvering. (Skill Level: Experienced paddling skills)

Class 4: Whitewater, large waves, long rapids, rocks, maybe a considerable drop, sharp maneuvers may be needed. (Skill Level: Whitewater Experience)

Class 5: Whitewater, large waves, continuous rapids, large rocks and hazards, maybe a large drop, precise maneuvering  
(Skill Level: Advanced Whitewater Experience)

Class 6: Whitewater, typically with huge waves, huge rocks and hazards, huge drops, but sometimes labeled this way due to largely invisible dangers. Class 6 rapids are considered hazardous even for expert paddlers using state-of-the-art equipment, and come with the warning "danger to life or limb." (Skill Level: Expert)

# What Makes a Case Ethically Difficult?

Complicated violation of Code of Ethics  
High Probability of Harm to Client, Others  
Violation of Client Rights  
Multiple steps to solution that involves other parties, you have little influence  
Serious Conflict with Employer or Colleagues  
Risk of being fired  
Legal Issues.

## Difficult Questions for You

Are you prepared to quit?  
Are you prepared for backlash or retribution?  
Will your action prevent harm?  
Will your action protect your client's rights?  
Can you muster the political will to reach a solution?  
Do you have the time to devote to the solution?  
Are you prepared to hire an attorney?

## A Behaviorally Anchored Rating System

### Level 1:

- Clear violation of ethics code,
  - No harm is being done,
  - No violation of client rights,
  - Is in your authority to resolve
- (Skill Level: BCaBA).

### Level 2:

- Clear violation of ethics code,
  - Some probability of harm,
  - Some violation of rights,
  - Is in your authority to resolve
- (Skill Level: BCBA).

### Level 3:

- Fairly clear violation of ethics code,
  - Increased probability of harm,
  - Likely violation of rights,
  - Is in your authority to resolve with cooperation from others
- (Skill Level: BCBA with at least 2-years experience).

### Level 4:

- Clear violation of ethics,
  - Probable harm,
  - Violation of rights is likely,
  - Is not in your authority alone to resolve
- (Skill Level: BCBA with at least 3-years experience).

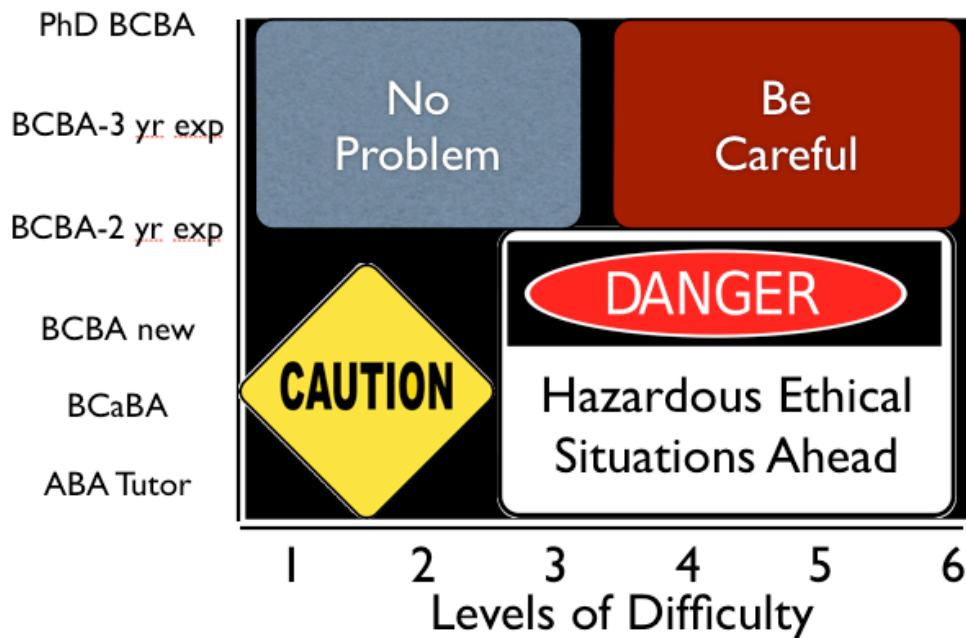
**Level 5:**

- Serious violation of ethics,
  - High probability of harm,
  - High probability of violation of rights,
  - It is not in your authority to resolve,
  - Multiple step solution required,
  - Some politics involved
- (Skill Level: BCBA-D with at least 2-years supervisory experience plus 1-year administrative experience).

**Level 6:**

- Violation of ethics code is serious and/or complicated,
  - Physical or psychological harm is imminent,
  - Violation of rights is imminent,
  - It is not in your authority to resolve,
  - Multiple-step solution required,
  - Inter-agency or inter-office politics and/or legal issues involved,
  - You are at risk of being fired if you take action
- (Skill Level: Expert BCBA-D with at least 5-years supervisory experience plus experience on Human Rights Committees or similar).

### Behavior Analysts Dealing with Levels of Difficulty



## The 7 Steps to Success

Step 1: Is the incident covered by the Guidelines?

Step 2: The Risk:

- a) Is there possible to risk to the client from your proposed action?
- b) Is there possible risk to others nearby (e.g. classroom) or relatives?
- c) Is there possible risk to you, the BCBA or BCaBA?

Step 3: Who are the Players?

- a) The BCBA or BCaBA
- b) The client
- c) Supervisors
- d) The agency head
- e) Other organizations

Step 4: The Ethics Contingency Plan

- a) A simple meeting to address the issues and have a meeting of minds
- b) Maneuvering within your organization to bring pressure for a solution
- c) Negotiating complex agreement across agencies, calling in favors, making

Step 5: The Skills & Clout

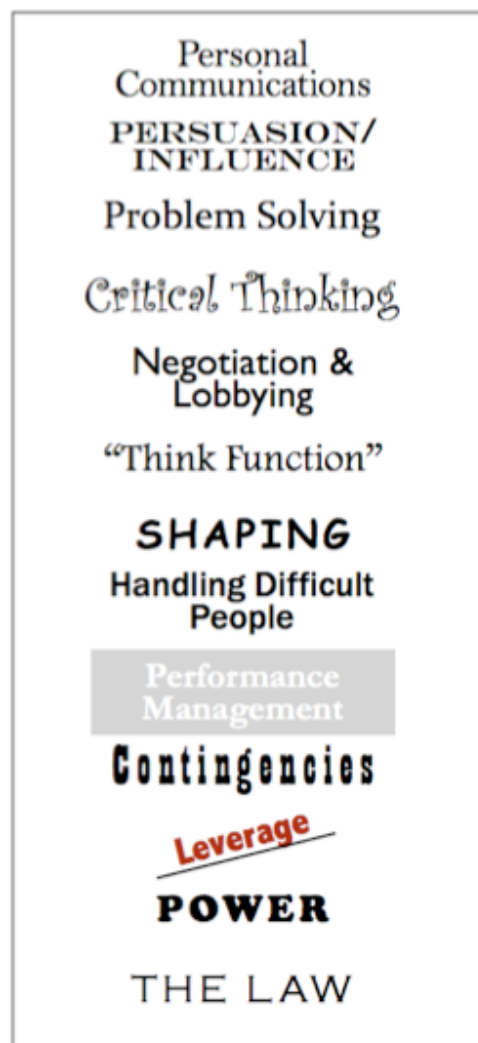
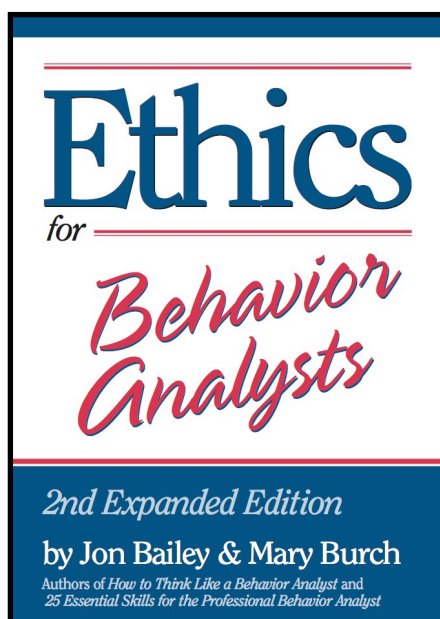
- a) What are they
- b) Who has them?

Step 6: The Implementation

- a) By whom?
- b) Timing, location, paperwork

Step 7: The Evaluation of the Outcome:

- a) What was the outcome?
- b) Was it positive?
- c) Lessons learned



Case #1



# CONTINGENCY PLANS *for Ethics*

Phase 1 **Persuade the Behavior Specialist to drop recommendation**

Personal Communications

PERSUASION/INFLUENCE

Phase 2 **Contact the Supervisor, make aware of violation of Guidelines**

Problem Solving

Personal Communications

**Leverage**

Phase 3 ???

Case #2



# CONTINGENCY PLANS *for Ethics*

Phase 1 **Persuade the mom to let tutor do her job**

Problem Solving

Personal Communications

PERSUASION  
INFLUENCE

Phase 2 **Determine controlling variables for mom, try shaping**

“Think Function”

Handling Difficult People

SHAPING

Phase 3 **Power move: “We will remove services from the home.”**

Negotiation & Lobbying

Contingencies

**Leverage**

THE LAW

Being Ethical...

Can create **CONFLICT** with...  
Colleagues  
Clients  
Supervisors  
Management  
Funding agencies  
Government entities.

Resulting in loss of friendships

And possible income, job opportunities

Requires **COURAGE** and Practice

Requires support from others

Requires well developed repertoire

Prepare for potential job loss

**Ethics is Difficult, Complicated, and Risky**

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