Perspectives

Teaching and Maintaining Ethical Behavior in a Professional Organization

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ABSTRACT

In addition to continuing education mandates by the Behavior Analyst Certification Board (BACB), behavior-analytic professional organizations may adopt systems that teach and maintain ethical behavior in its employees. Systems of ethical supervision and management may allow for an organization to customize training that prevents ethical misconduct by employees. These systems may also allow supervisors to identify ethical problems in their infancy, allowing the organization to mitigate concerns before they further develop. Systems of ethical management and supervision also may help to improve services and promote consumer protection. Additional benefits might include both avoiding litigation and loss of consumers and income. These systems may promote the field of Behavior Analysis as a desirable, consumer-friendly approach to solving socially significant behavior problems.
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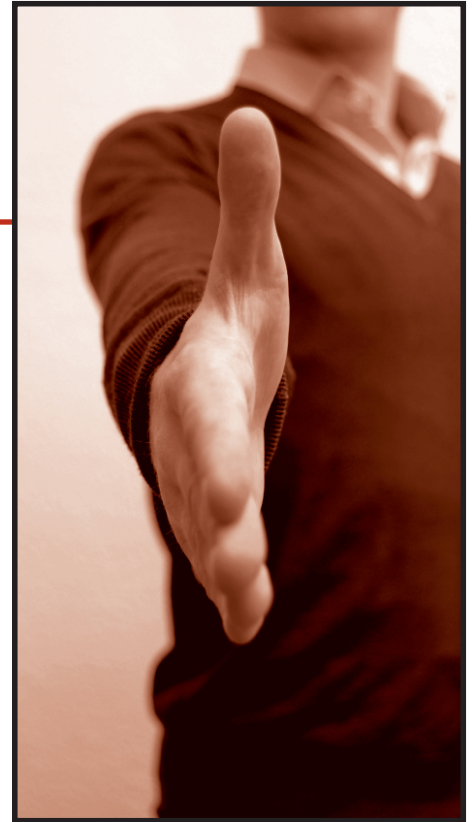
Since the founding of the Behavior Analyst Certification Board® (BACB®) in 1998 (Shook & Favell, 2008), the BACB's (2010) *Guidelines for Responsible Conduct for Behavior Analysts* (hereafter referred to as the BACB Guidelines) have functioned as the governing doctrine of ethical behavior for those earning and maintaining certification by the BACB (for a history of the origin of the field's ethical codes, see Bailey & Burch, 2011). Two of the three options for obtaining BACB certification at the master's and doctoral level require either coursework or teaching experience in the area of ethical conduct (BACB, 2012a). All three eligibility options require passing an examination that currently contains 18 questions directly related to ethical conduct (BACB, 2012b). In order to maintain certification, certificants must earn 36 continuing education hours every 3 years, 3 of which must directly relate to ethics and professional behavior (BACB, 2012c). In summary, the BACB mandates exposure and understanding of the BACB Guidelines throughout the career of its certificants.

Behavior analysts often work with at-risk or vulnerable populations and, as a result, are likely to encounter situations that pose special ethical problems (Bailey & Burch, 2011). Consequently, along with BACB continuing education mandates, a professional organization may wish to adopt additional systems to teach and maintain ethical behavior in its employees that complies with BACB Guidelines. Ethical behavior, like any other professional skill, is a discriminated operant that is learned and maintained through contingencies of reinforcement (Newman, Reinecke, & Kurtz, 1996). An organization should consider ethics training and familiarity with the BACB Guidelines as a standard form of professional development and personnel management because ethical behavior is learned behavior.

When an organization does not foster systems that teach and maintain ethical conduct, employees may exhibit behavior that results in undesirable outcomes for consumers, the employees themselves, and the organization as a whole. Most importantly, systems of ethical monitoring and supervision may ultimately improve consumer care and protection. Additional outcomes may include loss of consumers, damage to the company or a provider's reputation, costly litigation, and/or harm to the general field of applied behavior analysis (ABA). The primary benefit of a system of ethical management is that it can ensure relevant ethical training and on-going ethical supervision of employees and thereby potentially prevent many of these problems. Before we describe the mechanisms of a system of ethical training and supervision, we elaborate on

how a company may benefit from adopting such an approach that teaches and maintains ethical behavior in compliance with the BACB Guidelines.

Benefits of Ethics Training and Supervision

Results in higher quality of care and greater consumer protection. The most important benefit of adopting systems of ethical training and management is that they may allow service providers the opportunity to improve the quality of treatment they provide. Systems of internal monitoring may prevent individuals in the organization from taking more consumers than they can handle, simply in order to increase the agency's bottom line. Having more time to devote to consumers may allow for employees to provide better behavior-analytic services. Employees of some agencies may occasionally feel pressure to take consumers with challenging behaviors, even though they may not be qualified to serve them. A system of internal monitoring may prevent these instances from occurring.

Systems of ethical training and monitoring may also lead to greater consumer protection. Consider a recent case where a female employee worked at a residential facility that provides services to adults with mild intellectual disabilities. The employee asked the resident to attend a pool party with her and her friends. Without proper training, the employee may not recognize that this behavior could lead to loss of consumer confidentiality and the potential for physical harm (e.g., exposure to alcohol or drugs). If an organization provides training and supervision of ethical behavior, they are more likely to prevent this scenario, and ones like it, from occurring.

Provides relevant training to employees. An organization may benefit from teaching ethical behavior to employees because training programs can focus on relevant ethical issues that are likely to arise during practice. For example, employees in an agency that provides consultation to school districts are likely to encounter ethical issues that arise with school district policies (e.g., restrictions on effective teaching procedures and behavior management strategies). Those working in a private clinic are likely to encounter issues with other professionals and parents (e.g., dual relationships). A company-specific ethics training system can provide pertinent information to its employees, based on ethical issues they are likely to encounter, that may not be covered in continuing education workshops or third-party presentations.

It is possible that individuals working for professional organizations may not come in contact with the BACB Guidelines, or relevant continuing education, because they are not pursuing or maintaining certification by the BACB. Unless a professional organization has educational and management systems in place, these non-BACB-certified employees may not obtain adequate ethics training relevant to the field of behavior analysis. This lack of specific training in ethics may put these employees, and the organization, at a higher risk for ethical violations.

Helps to mitigate consumer loss, reputation damage, and litigation. Another benefit of a system of ethical training and management is that an organization may avoid ethical issues that damage the reputation of an agency if it has preventative systems in place. It is possible the effects of a damaged reputation may lead to loss of consumers and ultimately negatively affect the financial soundness of the company. We argue that an antecedent strategy to prevent ethical misconduct is better than taking reactive measures; when damage has most likely already been done. It is also possible for litigation to arise due to inappropriate ethical conduct. Litigation may not only damage the financial state of the organization but also the reputation of that agency and those who manage it. This damage to the reputation of an organization will likely have a negative financial impact as existing consumers may terminate services or potential future consumers may choose other providers.

Promotes the organization and the field of ABA. From a business perspective, organizations that provide services for individuals with autism, for example, compete financially with a number of branded approaches (e.g., RDI, Floortime, and TEACCH). Behavior analysts can produce as much convincing scientific and practice-related data as humanly possible but unless those data are accompanied by appropriate ethical behavior, the reputation of ABA may not effectively compete with other treatments.

When provided a choice between two or more treatments (e.g., ABA vs. TEACCH), consumers may be more likely to focus on the relative ethicality of service providers. Consumers may choose competing service providers unfettered from issues relating ethical misconduct. However, if behavior analysts engage in behavior that exceeds the standards of consumers, organizations can possibly avoid the negative outcomes mentioned above, recruit and maintain more consumers, and ultimately become more financially sound. Perhaps most important is that consumers will recognize the field of ABA as dedicated to protecting its consumers.

Finally, the field of ABA may benefit from an organization that teaches and maintains ethical behavior because this class of behaviors is likely to promote the field as a viable and respectable profession. Individuals who engage in undesirable ethical conduct have a tendency to give ABA a "bad name," regardless of good work being disseminated by others in the field. An example is the event in Sunland, Miami where the misuse of behavior-analytic principles scarred the reputation of the field of ABA. Specifically, an individual implemented restrictive and harmful strategies such as long-term restraint and forced public masturbation in the name of "behavior modification" (see Bailey & Burch, 2011).

We propose in this article a model for a professional organization[1] to teach and supervise ethical behavior that complies with the BACB standards and helps meet the goals described above. Individuals in supervisory positions may wish to adopt these systems in order to improve the ethical behavior of their employees. Researchers interested in applied ethics may also wish to systematically evaluate these approaches in order to evaluate the efficacy of our recommendations. Therefore, researchers and supervisors may both have interest in the following. Ultimately, these systems may aid in the development and maintenance of behavior that complies with BACB standards and meets the needs of the organization by promoting it as a reputable company, minimizing consumer loss, enhancing financial gain, and, most important, promoting consumer care and protection. We also propose directions for future researchers to explore regarding the development of ethical management systems and technologies.

Ethics Training and Supervision

Because of the possible benefits of adopting a system of ethics training and supervision, an organization may wish to consider the role of a supervisor in overseeing the system to ensure it runs smoothly. We have proposed a role to fulfill the position of overseeing ethical training and supervision, the *ethics coordinator*. The ethics coordinator serves as the first component within the larger system of ethical management. Using what is sometimes referred to as a front-end analysis, we have identified what we feel are the ideal skills and job objectives of the ethics coordinator based on the skills of experts in the field of behavior analysis. The following description serves as a best-case scenario. Organizations may wish to modify our proposed criteria to meet their individual needs. For example, the ethics coordinator could be a stand-alone position or a role in addition to other responsibilities.

Company Supervisor of Ethical Behavior (Ethics Coordinator)

The ethics coordinator functions as the resident expert of ethics by overseeing and monitoring individual and group supervision of ethical behavior and may also lead the discussion in meetings (described below). They also develop and revise training materials for the acquisition of ethical skills and report to the director of the organization on the ethical conduct of employees. In accordance with BACB Guideline 1.03 (Professional Development; BACB, 2010), the ethics coordinator would attend local, state, and national conferences and workshops to remain up to date on current issues of ethical conduct.

From our analyses, an ideal ethics coordinator is a Board Certified Behavior Analyst (BCBA) who has a master's or doctoral degree in behavior analysis (or equivalent). We propose that an understanding of behavior analysis is essential, especially if an ethical dilemma arises that involves the use of behavior-change procedures. For example, suppose an ethical concern arises when an employee is using a punishment-based procedure to decrease behavior without having first tried function-based treatment strategies. If the ethics coordinator is overseeing the supervision of this employee, they could identify this ethical concern and draw attention to functional analysis methodology (e.g., Iwata, Dorsey, Slifer, Bauman, & Richman, 1982/1994) and the function-based treatment literature. Article BACB Guideline 2.10 is applicable here, where "in those instances where more than one scientifically supported treatment has been established, additional factors may be considered in selecting interventions" (BACB, 2010, p. 5). Here, the ethics coordinator not only helps the therapist select a more socially acceptable treatment, but he or she would also help to protect the consumer from the potentially harmful effects of the misuse of punishment interventions.

In addition to the skills listed above, the ethics coordinator should have considerable supervision experience and have an advanced understanding of the BACB Guidelines (in accordance with BACB Guideline 7.03, Being Familiar With These Guidelines; BACB, 2010). The ethics coordinator could serve as a reference for those in the organization with less knowledge about ethics and ABA. He or she should have a well-developed understanding of relevant local, state, and federal laws for the same reason. BACB Guideline 1.04 (Integrity) states "the behavior analyst's behavior conforms to the legal and moral codes of the social and professional community of which the behavior analyst is a member" (BACB, 2010, p. 2). Therefore, it is important for an organization to have steps in place to make sure these laws and regulations are followed.

Mandated reporting serves as a specific example of why an ethics coordinator should be familiar with state laws, because mandating reporting statutes differ from state to state (Child Welfare Information Gateway, 2010). Behavior analysts who work with children or the elderly need to be familiar with local mandating reporting laws, and the ethics coordinator could serve as a good source of information regarding the law in case an issue of mandating reporting or other related concerns arise during the course of professional practice, again facilitating greater consumer protection.

The ethics coordinator is also responsible for drafting a declaration of professional services (Bailey & Burch, 2011) for each type of service the company provides (e.g., one for in-home services and one for school-based consultation services). According to Bailey and Burch, the declaration of professional services is a document that helps to "clarify rules and boundaries with consumers at the initiation of services, before the meteor shower of ethical issues comes raining down" (p. 260). In this

declaration, the ethics coordinator describes the company and employee's area of expertise, the nature of the professional relationship (including limitations and risks), the responsibilities of the consumer, and the employee's commitment to the BACB Guidelines. The declaration also describes confidentiality, appointments, cancellations, and fees. Before any employee begins providing services to a family or organization, Bailey and Burch recommend they review and sign this document as an antecedent strategy for preventing ethical issues from occurring. The ethics coordinator is responsible for ensuring that the employees in his/her organization are administering this declaration to their consumers (see Bailey & Burch for a sample declaration).

Depending on the size and/or resources of an organization, the ethics coordinator may be a stand-alone position or a responsibility within an existing position (e.g., a regional coordinator or vice president). If the responsibilities are in addition to professional responsibilities, then the ethics coordinator would monitor ethical behavior and provide training on an agreed-upon basis. That way, anytime the individual is not providing training and supervision on ethical behavior, he or she could provide professional services or complete other administrative tasks.

The president of the organization or a committee familiar with applied ethics may wish to hire or appoint the ethics coordinator. The ethics coordinator may also report to this committee, or the agency director, on a monthly basis. Regardless of who supervises the ethics coordinator, the organization should periodically review his or her and supervise them in a way that monitors the integrity and effectiveness of this position.

Individuals who propose the creation of an ethics coordinator role or position may have a difficult time doing so due to concerns from upper management. For example, it is likely that the time the ethics coordinator spends on managing ethical issues cannot be billed to funders. The company may also express concern about spending money on additional supervision and training. We suggest that organizations consider the payout of adopting such a role or position, given the potential benefits we described above. One may propose adopting the ethics coordinator role for a trial period. This may allow the organization to come into direct contact with the benefits of such a position. Finally, future research in this area may provide empirical support for cost savings due to time spent on managing and training ethical behavior. In the remainder of the paper, we describe other specific roles of the ethics coordinator in more detail.

Individual Supervision and Training

BACB Guideline 5.11 (Training, Supervision, and Safety) states that "behavior analysts [should] provide proper training, supervision . . . to their employee or supervisees and take reasonable steps to see that such persons perform services responsibly, competently, and ethically" (BACB, 2010, p. 10). Therefore, supervisors should make ethics a topic of discussion in addition to providing supervision of other skills (e.g., developing treatment plans).

Components of individual training and supervision. Supervisors should actively promote discussion of ethical behavior during individual supervision meetings that occur on at least a biweekly basis. When a supervisor promotes such discussion, it makes dialogue more likely to occur than if the supervisee is left to his or her own devices to raise potential ethical concerns. When discussing how to prevent or address an ethical problem, the supervisor can provide feedback and guidance to the supervisee during problem-solving exercises. If the supervisor has any questions regarding the course of action, the ethics coordinator will serve as a reliable local reference. This also serves as an ideal time to address company policies that are related to issues of ethical conduct, such as dual relationships and practicing outside of the scope of competence. The ethics coordinator is responsible for overseeing the individual supervision meetings and receives feedback from those meetings in order to improve the individual supervision process.

The following examples highlight the importance for supervisors to encourage conversation about possible ethical conflicts. A mother of a student receiving in-home services from a direct-line employee asks that employee to drop her child off at daycare after the treatment session. If the employee fulfills the mother's request, he or she may not have the skills to identify the potential for creating a dual relationship that may impede upon the original professional relationship. By promoting discussions related to policies on dual relationships, as well as the BACB guidelines, the supervisor is likely to discover and remedy this situation, not as a form of punishment for the employee but as a measure for resolving the situation and preventing confrontations that may arise in the future (e.g., the mother expecting additional services from the direct-line employee other than those outlined in the service agreement).

Another example of the importance of encouraging discussion of ethical behavior is when a teacher confronts a behavior analyst consulting in a public school and asks the behavior analyst to provide services to a different student who has food selectivity behaviors. When discussing this request with his or her supervisor, the employee will learn that, before he or she can provide services, potential medical causes for food selectivity must be ruled out. Because of the feedback the employee received from his or her supervisor, they can now address the teacher's request while remaining within the boundaries of behavior-analytic practice.

In both cases, the supervisor provides feedback to the

supervisee regarding the appropriate course of ethical action. The goal of this feedback is to increase the probability of desirable ethical behavior occurring in the future, to resolve current problems, and to prevent potential problems (or from becoming more significant). In addition to providing feedback on behavior to change, the supervisor should reinforce appropriate responses to ethical conflicts when they occur. Finally, when the supervisor meets with the ethics coordinator, the ethics coordinator can provide feedback on the courses of action taken by the supervisor like those described above. After the supervisor solves the ethical problem, he or she should document the scenario that took place. Along with the benefit of having written documentation (e.g., in case the situation leads to litigation), the company can maintain an archive of ethical issues that have arisen during practice. The company will benefit from having this archive because the ethics coordinator will be able to incorporate relevant past scenarios into future company-wide training described below.

Group Training and Supervision

In some instances, the ethics coordinator may identify an ethical issue he or she may want to address during a group discussion due to the complexity or scale of the situation. For example, a concern may focus on a child who shows signs of physical abuse. The ethics coordinator may supervise a discussion between the relevant members of the professional team on the appropriate course of action (e.g., discussing how to document suspected instances of abuse and reviewing local mandated reporter laws). The organization may conduct this training in a group format while disseminating or discussing other information (as in the case of a company in-service training that occurs the last Friday of every month). Alternatively, the organization may devote an entire training day to ethical behavior. We encourage an organization to integrate such trainings in a way that best meets their financial and logistical needs.

Components of group training and supervision. Regardless of the nature of the situation, employees may benefit from discussing ethical dilemmas among themselves during formal group meetings and training sessions conducted by the ethics coordinator. In this situation, employees can share their ideas and rationale for determining a course of action to an ethical problem. Furthermore, the ethics coordinator can provide feedback on the appropriateness of emitted responses and ultimately shape the repertoire of problem solving ethical dilemmas. The ethics coordinator should also stress the potential benefits of behaving ethically, especially the benefits of higher quality services and greater consumer protection. Employees can present current questions regarding ethical behavior or the coordinator can pose prepared questions. This dialogue resembles the guided practice phase of performance-based instruction (Brethower & Smalley, 1998), where learners work through scenarios under the guidance and supervision of an expert (i.e., the ethics coordinator).

The following example describes how this discussion may occur. The ethics coordinator reads a scenario where an employee has agreed to provide childcare services for a consumer after a therapy session. The ethics coordinator then asks the employees to identify whether or not an ethical problem is present.[2] Employees are then asked to describe the exact nature of the violation and how they can resolve it. Throughout the discussion, the ethics coordinator provides differential feedback depending on the appropriateness of employee responding.

In terms of the difficulty and frequency of discussions, for those with little or no experience in solving ethical problems, the ethics coordinator should provide clear and simple scenarios. As the skills of the employee improve, the scenarios can become more complex. Some organizations may wish to devote entire sessions to teaching and discussing ethical behavior, while other organizations will incorporate ethics training into other established training (e.g., functional analysis training).

In terms of curriculum, when considering topics for discussion, the organizations should present previously documented ethical problems in order to prevent those problems from occurring in the future. Bailey and Burch (2011) offer some excellent examples of practice scenarios that include ethical dilemmas. When designing instructional curricula from a behavior-analytic perspective, the observable skills employees obtain from the training program should be articulated (Mager, 1977).

The overall goals of ethics training may be to improve the ethical conduct of employees by familiarizing them with the BACB code of ethics, teaching them to recognize and manage ethical dilemmas when they occur, and/or teaching them to prevent ethical dilemmas before they occur. In addition, objectives tied to observable behavior should be generated. For example, when given a written scenario, participants will identify instances of practicing outside of one's boundaries. Such objectives provide the organization with an observable behavior to measure in order to evaluate the effectiveness of the group discussion and training. Of course, it is in the best interest of the organization to evaluate the training it provides in order to improve its instructional systems. Feedback from performance measures and informal information (e.g., social validity surveys) may help the company improve teaching tools.

Evaluating Ethical Behavior in Practice

As is the case for any intervention, behavior analysts should continuously evaluate the effectiveness of training and supervision programs. Below, we provide suggestions for how an organization may internally monitor the ethical behavior of

its employees in addition to the general recommendations we described above.

Organizations may wish to administer periodic tests to employees in order to evaluate their skills in making ethical decisions. For example, a test may include 10 scenarios (7 of the scenarios describe problems that have or are likely to occur in the company, and 3 questions describe scenarios where no action is needed). This evaluation should test their ability to identify the problem, describe why it is a problem, and provide a description of how they can solve the problem. After completing the test, the employee should then review their answers with the ethics coordinator who should provide performance feedback and administer a re-test if necessary.

An organization may wish to monitor the number of complaints they receive from consumers. Complaints about ethical behavior may be monitored over time, both in the presence and absence of ethical management systems. Though it may not be feasible or practical to monitor the occurrences of complaints in the absence of systems of ethical management, organizations still may wish to monitor this variable. Even if an organization receives few, if any, complaints, they may wish to send out periodic surveys to consumers that address the ethical performance of employees. It is possible that consumers may have concerns regarding the ethical behavior of service providers, but may not otherwise be willing to bring them to the agency's attention.

Finally, an organization may have the ethics coordinator, or supervisor, accompany each employee for a given period of time, at least on an annual basis, in order to observe their ethical conduct during the course of professional practice. For example, the ethics coordinator could observe the employee during business meetings with consumers and caregivers, or observe the employee implementing behavioral interventions. Though the presence of the supervisor may influence the behavior of the employee, the supervisor could at least identify any potential issues that may arise for that specific employee, allowing for the opportunity to discuss those possibilities and to provide feedback on how to deal with potential problems.

Summary

To date, researchers have not systematically evaluated organizational systems of ethical training and supervision for behavior-analytic service providers. Until researchers develop these models, general systems of ethical management and training, like those mentioned above, may provide a fruitful starting point for an organization wishing to teach and maintain ethical behavior in its employees. In addition to supervision scenarios mentioned above, structured training programs may also generate desirable behavior change at all levels of the organization. We hope future researchers explore these options.

In this paper we map out a potential system for an organization to implement in order to teach and maintain ethical

behavior and familiarity with the BACB Guidelines in addition to BACB mandated training. Though we describe what we determined to be an ideal design, we encourage organizations to change the model to meet their individual needs. In our model, the ethics coordinator oversees individual and group training and supervision sessions. The purpose of this arrangement is to develop a permanent antecedent intervention within the organization that prevents ethical dilemmas from arising. If problems do arise, we hope our model provides a strategy for identifying issues and correcting them before more problems surface. Finally, companies that keep track of previous ethical problems can use those scenarios as baseline data for future trainings and to inform them while they improve the quality and relevance of employee training.

We hope our suggestions convey the importance of understanding and applying the principles outlined in the BACB Guidelines. Ultimately, companies should promote an organizational culture that makes a commitment to the BACB Guidelines paramount. The BACB Guidelines describe considerations that are germane to practicing behavior analysis and to the field as a whole. Behavior that stays within the guidelines will, by default, result in all of the benefits we described above, with consumer protection and quality care as the centerpiece of these benefits.

Notes

[1]Those who are self-employed may wish create an informal coalition with colleagues and peers that adopts the strategies outlined in this paper.

[2]Organizations should consider providing scenarios where there is not an ethical dilemma. This may help to establish discriminations between appropriate and inappropriate ethical behavior.

Author Note

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