

## Ethics Adjudication at the State Level

CSAP Spring 2006

Panel Presentation: Ann Burford Bilodeau, Indiana  
Celeste Blackmon, South Carolina  
Bob Fifer, Florida  
Theresa Rodgers, Louisiana

David Mills, PhD, a former Administrative Officer of Ethics for the American Psychological Association made the following comments and definitions:

An Aspirational Code of Ethics: set expectations of almost the highest standards of endeavor.

A Quandary Code of Ethics (also called "basement ethics"): adjudicatory in nature.

He expressed concern for organizations with limited resources to enforce a rule based ethical system secondary to time, effort, costs and liabilities. In such cases, an association is better off with a code of ethics that describes the highest standard to which all members should aspire.

Dr. David Denton, ASHA Director of Ethics, indicated that he was unaware of any state association who currently adjudicated ethical violations. ASHA does and has a rigorous set of standards and procedures. ASHA also has the resources required and provides a certification process; this necessitates a system for adjudication.

### Results of CSAP Member Survey on Ethics (conducted April 2006)

*33 members responded and represented 31 states.*

91% Have a written Code of Ethics

Comments: many noted that their code is adapted from ASHA's or that they adhere to ASHA guidelines.

56% Have a team or committee devoted to ethics.

Comments: have a committee but have trouble getting members to serve; have either ethics education committee or professional standards committee.

38% Adjudicate ethics violations against members.

Comments: many rely on ASHA or refer to the appropriate licensure board. "In MS, violations are reported to the EB by the professional standards committee. EB reviews and refers to the advisory council for licensure board with the MS department of health who determines appropriate sanctions." "All we can do is deny them membership."

6% Aware of any liability issues related to an action taken against a member.

Comments: "We have been informed by an attorney that the mere discussion of an ethics issue by a team violates the accused of their rights." "...not sure the association would suffer any liability since it is a volunteer organization.. We cannot force people to be part of it and my understanding that is the reason we have adjudicative authority."

87% Refer members to an appropriate agency to address ethical concerns.

Comments: many noted referral to ASHA or state licensure boards as appropriate. One state reported they had an attorney they could refer to with any consultation cost covered by the member seeking advice.

A code of ethics by itself may not prevent ethical wrong doing, but it will certainly convey a strong message both internally and externally about the organization's values.

A code should be relatively short and express the fundamental shared values that the {members} accept as vital to their ability to carry out their mission.

An effective code of ethics reflects shared organizational values and, as such, expresses norms of conduct; it is not designed to be the organizational equivalent of a criminal code. Along these lines, careful thought should be given to how the code should be enforced if and when the occasion arises.

A healthy organization with a healthy code of ethics will consider the code as part of its organizational culture and not as a set of rules for catching and disciplining misbehavior.

To be both relevant and effective, the code requires annual maintenance.

After a code is established, it should be reviewed each year...by the board for possible revision. This critical step assures your organization that the language will continue to serve the expectations and needs of the organization.

The principle rationale for having a code of ethics...is to express a shared vision of the organization's beliefs, cultures and values. Additionally, a code of ethics provides a glimpse of the organization's values to the public.

Excerpts taken from:

"Developing an Ethics Program: A Case Study for Nonprofit Organizations" (1999)

Charles E.M. Kolb, President of the Committee for Economic Development [www.ced.org](http://www.ced.org)

**National Center for Nonprofit Board [www.ncnb.org](http://www.ncnb.org)**

Policy Statement Concerning the Parapsychology Association's Ethical System, November 1986

### **Recommended reading:**

#### **Why Ethics Education Is a Must for Your Association**

By Karen L. Niles [http://www.asha.org/about/ethics/assoc\\_ethics\\_ed.htm](http://www.asha.org/about/ethics/assoc_ethics_ed.htm)