

EDUL 6990 – Ethics for School Administrators

Introduction

Fall 2007

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Welcome to the study of ethics as it relates to education. The study of ethics is likely as old as human civilization. The ancient Greeks engaged in formal studies of ethics, and wrote extensively on the subject. In modern times, one can earn undergraduate and graduate degrees in ethics. Philosophers and theologians have studied, discussed, argued, debated, and delved into the topic of ethics for as long as man has put pen to paper, or chisel to rock, as it were. Indeed, the topic is vast in breadth, and seemingly incomprehensibly complex to the uninitiated who dives headfirst into the *Nicomachean Ethics* without guidance.

But one need not study Aristotle, Plato, or other great philosophers to gain a basic understanding of what the field of “ethics” is and what one’s ethical obligations as a school administrator are. Instead, the first step in defining ethical obligations in any field is to identify and define one’s ultimate moral authority in a given setting. For example, some ethicists practice what is known as “deontological” ethics. Coming from the Greek word “Deos,” meaning God, deontological ethicists hold that there is an ultimate authority, i.e. God, who dictates right from wrong. In deontological ethics, the rule mandated by the ultimate authority is always right, and always applies. Murder is wrong under any circumstances, for example. By contrast, proponents of “teleological” ethics contend that the ultimate authority, or right or wrong, in a given situation is defined by the consequences of one’s actions. The teleological ethicist may argue, for example, that murder may produce the greatest amount of good for the greatest number of people in some situations, and therefore, murder is sometimes right. *Sans* the Greek, one could refer to the two camps as rule-based ethics (deontological) vs. consequence-based ethics (teleological).

It is useful exercise for educators to spend some time thinking about whether they are philosophically more deontological, or teleological in nature. The reason for such contemplation is simple. A problem clearly defined is half-solved. For example, if an educator sincerely believes that it is always wrong to change a grade a student earned under a fair grading system (deontological), then the only ethical question that the teacher faces when asked to change a grade is one of courage. That is to say, “Do I have the courage to do what my sense of ethics tells me to do, and refuse to change this grade?” Certainly, anyone who works as an educator long enough will face ethical challenges, and a well articulated and developed sense of ethics will prove useful when the challenges come.

However, educators in the state of Georgia are aided considerably in the search for guiding ethical principles by two important documents: the Code of Ethics for Government Service and the Georgia Code of Ethics for Educators. The Code of Ethics for Government Service is codified into state law (O.C.G.A 45-10-1), and applies to all government employees in Georgia. The Georgia Code of Ethics for Educators was mandated by state law (O.C.G.A. 20-2-984.1), developed by the Georgia Professional Standards Commission (PSC), and applies to anyone who holds a professional educator's certificate in Georgia. While these two documents can never replace the inner sense of right and wrong inherent to human beings, they can and do serve as a good basis for ethical decision making by school administrators. Further, not only are they good guidelines, educators in Georgia are legally obligated to comply with them, and risk various legal sanctions for failing to do so.

Before going further, let's pause for one moment to define the term *ethics*. For our purposes, a good definition of "ethics" is "the standards of minimally acceptable conduct within the education profession, involving the duties that its members owe one another, and its customers." (Adapted from the definition of "legal ethics" in Black's Law Dictionary, 7th Edition.) Again for our purposes, we will consider the customers of education to be students, parents, and the larger society. An even simpler definition of ethics may be "the integrity with which an educator relates to other educators, students, parents, and society in carrying out his or her professional duties." Yet another way of thinking about ethics is morality in the field of one's profession.

COURSE ASSIGNMENTS FOR EDUL 6990 – Ethics

Student assignments will be completed in cooperative groups of two or three students, via the discussion tool available through WebCT. Each group will be responsible for carrying out a critical discussion on the topic assigned to that group, and arriving at a conclusion, which the group will then post by the assigned deadline. After a group posts its assignment, each of the remaining students is responsible for reading the analysis, and responding if he or she desires to do so.

LOCATE YOURSELF IN ONE OF THE GROUPS LISTED IN THE COURSE

Each group will respond to two scenarios – Assignment A, listed on this page, and another scenario described in the section entitled Group Assignments. Responses should be thoughtful, carefully drafted in accordance with APA guidelines, and address the issue in approximately one to two pages of text. In addition, each individual student will comment, less formally and in a page or so, on the assignment response of another group (a group to which he does not belong), and post that response to the discussion page. Each student is free to choose the assignment to which he would like to respond. However, each student must choose at least one.

Assignment A - (ALL GROUPS); Response to be posted by the **end of the 3rd week of the semester.**

Access the Code of Ethics for Government Service (O.C.G.A. 45-10-1) through the following link: http://www.legis.state.ga.us/cgi-bin/gl_codes_detail.pl?code=45-10-1

Also, access the Code of Ethics for Georgia Educators through the web site of the Georgia Professional Standards Commission (PSC) at the following link: <http://www.gapsc.com/>

Read each of the documents carefully, and respond, in a page or less, to the following questions:

1. What do you think the legislature was trying to prevent when it passed O.C.G.A. 45-10-1?
2. What are the potential consequences for a government employee in Georgia who violates a provision of the Code of Ethics for Government Service? (Hint: You will find the consequences by hitting the “Next” button on the page with 45-10-1, thereby going to 45-10-2, 3, & 4.)
3. What should be the proper reaction of a school principal who discovers that the most effective teacher in the sixth grade has regularly been skipping required professional development sessions? The principal knows that the teacher has been very effective at helping the school’s lowest-achieving students make substantial improvements in their standardized test scores since before the principal even entered the field of education. The principal further knows the teacher in question has a notoriously low tolerance for officialdom, and if pressed on this issue, may transfer to a school district located near the teacher’s new house in the country.

Program of Educational Leadership

TEAM ASSIGNMENTS FOR EOCS 6990

! All teams must have First Assignment turned in by the end of the 3rd week of the semester– Please post on WebCT Discussions – (Team 1 – Assignment 1, etc.) select one person to post, not entire team, but list each team member on the assignment. Do not attach a document. Paste in the discussion box for ease in opening and reading.

ASSIGNMENT 2 – Case Study Response
corresponds with team number (Case 1 – Team 1
etc.) and it **due no later than 6 weeks**
after the start of the semester. Please do
not attach a document, post in the discussion box
only.

ASSIGNMENT 3 – Individual Response to one Case
Study response from a team of your choice – Must
be posted by 1 week before the end of
the semester or sooner.

Group Assignments

Group 1

You are an administrator in a high school located in a small, rural community. It comes to your attention that Mr. Jones, a ninth grade math teacher, took a trip to Las Vegas over the Labor Day weekend. Unfortunately for Mr. Jones, he wound up spending the weekend in jail for driving under the influence. It is now March, and Mr. Jones approaches you about taking personal leave to go back to Las Vegas to plead guilty and pay for his fine. The Clerk of the Court has told Mr. Jones that the judge will not impose any further jail time if he pleads guilty. Describe your response to Mr. Jones concerning the following:

1. The permissibility of using personal leave for this purpose – a keyword search of the Official Code of Georgia may help you here.
<http://www.legis.state.ga.us/htdig/search.htm>
2. How does the Code of Ethics for Georgia Educators inform your actions regarding Mr. Jones?

3. Does the group think that the reaction mandated by the Code of Ethics is appropriate in this situation? Why or why not?

Group Assignments

Group 2

You are a first-year assistant principal at a large high school, and you have been assigned a mentor to help you make the transition from the classroom to a school leadership position. This mentor is a longtime administrator with many friends in the community. Midway through the school year, you are involved in a discipline situation with a student who has been caught in possession of marijuana on campus. You and your mentor meet with the student and the parents, and, in accordance with school district policy, suspend the student for several days. It just so happens that the parents of this student are good friends of your mentor, and one of the parents is also employed by the school district as an administrator at another school. Two days after the incident you discover that, after you left the conference, your mentor promised the student's parents that, even though the child will have to stay home for a few days, he (the mentor) will ensure that the matter isn't recorded on the child's permanent discipline record. He promises to simply list the student as being absent from school on the days he is suspended. You check the records to verify all of this, and sure enough, this is exactly what had been done by the veteran administrator. To further complicate the matters, the principal of your school is in poor health and is away for the remainder of the school year on a medical leave. In his absence, the school is essentially run "by committee," with the committee comprised of all the assistant principals, including your mentor.

What are the legal and ethical ramifications of this situation?

What do you do?

Group Assignment

Group 3

The teacher at your school who teaches the self-contained Behavior Disorder class informs you on August 1st that she will not be able to fulfill her contractual duties for the upcoming school year. As it turns out, her husband, who is in the military, has been transferred to Ft. Eustis, Virginia, effective immediately. You call the district human resources office to see if a good replacement is available, and are told that there is no such candidate with an application on file. You begin to consider your options, including threatening to report the teacher to the PSC for abandonment of contract.

1. Does the Code of Ethics allow an administrator to report to the PSC that a teacher has abandoned his or her contract?
2. Must you report the teacher to the PSC for abandonment of contract?
3. What action toward the teacher do you think would be ethical on the part of the PSC?
4. Are you, as an administrator, ethically obligated to try to find a less contentious way to resolve the matter, rather than reporting to the PSC?
5. In what other way could you handle the situation?

Group Assignment

Group 4

You are a teacher in a high school, and enjoy the trust of the students you teach. As a result, they often come to you for advice. A female student, age 18, comes to you and asks if she can tell you something in confidence, and get some advice from you. After you agree, she tells you that she thinks she is pregnant, and wants to know if she should have an abortion, and if she should tell her parents. To complicate the matters further, she tells you that the father is a teacher at the school, who is married with children. The student says she doesn't want to destroy his family, and asks that you not share the information.

1. How do you respond to this situation?
2. Has a crime been committed?
3. Has an ethical violation occurred?

Search the Official Code of Georgia for information to guide your answer.

<http://www.legis.state.ga.us/htdig/search.htm>

Group Assignment

Group 5

You are a principal of a middle school with a rising gang problem. Your assistant principal and your school resource officer (SRO), in compliance with board of education policy, search a student and find large quantities of gang paraphernalia. You decide to suspend the student from school pending a disciplinary hearing, at which you will recommend that the student be assigned to an alternative school for a period of 12 months. During a conference with the student's parents, the parents offer to record, without the student's knowledge, telephone conversations between their son and his friends, in an effort to discover other members of the student's "gang." They promise to provide to the SRO any information gained from the conversation, in exchange for more lenient treatment of their son.

Discuss the ethical and legal issues involved in this situation. Like most ethical questions, this one requires you first ask if this is something you can do, then if is something you should do.

Group Assignment

Group 6

As a high school Spanish teacher, you decide to take a group of your third- and fourth-year Spanish students to Spain during spring break. As an incentive to you, the tour company pays for the trip of one adult for every six paying students that go on the trip. Since you have 14 students pay, you and your spouse accept the free trips.

1. Does your acceptance of the free trip constitute a violation of the Code of Ethics?
2. What steps should to take to make sure you're on solid ethical and legal grounds?
3. Regardless of PSC requirements, would acceptance of such a perquisite violate your personal code of ethics?

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THE CODE OF ETHICS FOR EDUCATORS
 Effective August 15, 2005

Introduction.

The Code of Ethics for Educators defines the professional behavior of educators in Georgia and serves as a guide to ethical conduct. The Professional Standards Commission has adopted standards that represent the conduct generally accepted by the education profession. The code protects the health, safety and general welfare of students and educators, ensures the citizens of Georgia a degree of accountability within the education profession, and defines unethical conduct justifying disciplinary sanction.

Definitions

“Certificate” refers to any teaching, service, or leadership certificate, license, or permit issued by authority of the Professional Standards Commission.

“Educator” is a teacher, school or school system administrator, or other education personnel who holds a certificate issued by the Professional Standards Commission and persons who have applied for but have not yet received a certificate. For the purposes of the Code of Ethics for Educators, “educator” also refers to paraprofessionals, aides, and substitute teachers.

“Student” is any individual enrolled in the state’s public or private schools from preschool through grade 12 or any individual between and including the ages of 3 and 17.

“Complaint” is any written and signed statement from a local board, the state board, or one or more individual residents of this state filed with the Professional Standards Commission alleging that an educator has breached one or more of the standards in the Code of Ethics for Educators. A “complaint” will be deemed a request to investigate.

“Revocation” is the invalidation of any certificate held by the educator.

“Denial” is the refusal to grant initial certification to an applicant for a certificate.

“Suspension” is the temporary invalidation of any certificate for a period of time specified by the Professional Standards Commission.

“Reprimand” admonishes the certificate holder for his or her conduct. The reprimand cautions that further unethical conduct will lead to a more severe action.

“Warning” warns the certificate holder that his or her conduct is unethical. The warning cautions that further unethical conduct will lead to a more severe action.

“Monitoring” is the quarterly appraisal of the educator’s conduct by the Professional Standards Commission through contact with the educator and his or her employer. As a condition of monitoring, an educator may be required to submit a criminal background check (GCIC). The Commission specifies the length of the monitoring period.

Standards

Standard 1: Criminal Acts - An educator should abide by federal, state, and local laws and statutes. Unethical conduct includes but is not limited to the commission or conviction of a felony or of any crime involving moral turpitude. As used herein, conviction includes a finding or verdict of guilty, or a plea of *nolo contendere*, regardless of whether an appeal of the conviction has been sought; a situation where first offender treatment without adjudication of guilt pursuant to the charge was granted; and a situation where an adjudication of guilt or sentence was therwise withheld or not entered on the charge or the charge was otherwise disposed of in a similar manner in any jurisdiction.

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Standard 2: Abuse of Students - An educator should always maintain a professional relationship with all students, both in and outside the classroom. Unethical conduct includes but is not limited to:

1. committing any act of child abuse, including physical and verbal abuse;
2. committing any act of cruelty to children or any act of child endangerment;
3. committing or soliciting any unlawful sexual act;
4. engaging in harassing behavior on the basis of race, gender, sex, national origin, religion or disability;
5. soliciting, encouraging, or consummating an inappropriate written, verbal, or physical relationship with a student; and

6. furnishing tobacco, alcohol, or illegal/unauthorized drugs to any student or allowing a student to consume alcohol, or illegal/unauthorized drugs.

Standard 3: Alcohol or Drugs - An educator should refrain from the use of alcohol or illegal or unauthorized drugs during the course of professional practice. Unethical conduct includes but is not limited to:

1. being on school premises or at a school-related activity involving students while under the influence of, possessing, using, or consuming illegal or unauthorized drugs; and
2. being on school premises or at a school-related activity involving students while documented as being under the influence of, possessing, or consuming alcoholic beverages. A school-related activity includes, but is not limited to, any activity sponsored by the school or school system (booster clubs, parent-teacher organizations, or any activity designed to enhance the school curriculum i.e. Foreign Language trips, etc).

Standard 4: Misrepresentation or Falsification - An educator should exemplify honesty and integrity in the course of professional practice. Unethical conduct includes but is not limited to:

1. falsifying, misrepresenting, omitting or erroneously reporting professional qualifications, criminal history, college or staff development credit and/or degrees, academic award, and employment history when applying for employment and/or certification or when recommending an individual for employment, promotion, or certification;
2. falsifying, misrepresenting, omitting or erroneously reporting information submitted to federal, state, and other governmental agencies;
3. falsifying, misrepresenting, omitting or erroneously reporting information regarding the evaluation of students and/or personnel;
4. falsifying, misrepresenting, omitting or erroneously reporting reasons for absences or leaves; and
5. falsifying, misrepresenting, omitting or erroneously reporting information submitted in the course of an official inquiry/investigation.

Standard 5: Public Funds and Property - An educator entrusted with public funds and property should honor that trust with a high level of honesty, accuracy, and responsibility. Unethical conduct includes but is not limited to:

1. misusing public or school-related funds;
2. failing to account for funds collected from students or parents;
3. submitting fraudulent requests for reimbursement of expenses or for pay;
4. co-mingling public or school-related funds with personal funds or checking accounts; and
5. using school property without the approval of the local board of education/governing board.

Standard 6: Improper Remunerative Conduct - An educator should maintain integrity with students, colleagues, parents, patrons, or businesses when accepting gifts, gratuities, favors, and additional compensation. Unethical conduct includes but is not limited to:

1. soliciting students or parents of students to purchase equipment, supplies, or services from the educator or to participate in activities that financially benefit the educator unless approved by the local board of education/governing board;
2. accepting gifts from vendors or potential vendors for personal use or gain where there may be the appearance of a conflict of interest;
3. tutoring students assigned to the educator for remuneration unless approved by the local board of education/governing board or superintendent; and
4. coaching, instructing, promoting athletic camps, summer leagues, etc. that involves students in an educator's school system and from whom the educator receives remuneration unless approved by the local board of education/governing board or the superintendent. These types of activities must be in compliance with all rules and regulations of the Georgia High School Association.

Standard 7: Confidential Information - An educator should comply with state and federal laws and local school board/governing board policies relating to the confidentiality of student and personnel records, standardized test material and other information covered by confidentiality agreements. Unethical conduct includes but is not limited to:

1. sharing of confidential information concerning student academic and disciplinary records, personal confidences, health and medical information, family status and/or income, and assessment/testing results—unless disclosure is required or permitted by law;
2. sharing of confidential information restricted by state or federal law;
3. violation of confidentiality agreements related to standardized testing including copying or teaching identified test items, publishing or distributing test items or answers, discussing test items, violating local school system or state directions for the use of tests or test items, etc.;
4. violation of other confidentiality agreements required by state or local policy.

Standard 8: Abandonment of Contract - An educator should fulfill all of the terms and obligations detailed in the contract with the local board of education or education agency for the duration of the contract. Unethical conduct includes but is not limited to:

1. abandoning the contract for professional services without prior release from the contract by the employer, and
2. willfully refusing to perform the services required by a contract.

Standard 9: Failure to Make a Required Report - An educator should file reports of a breach of one or more of the standards in the Code of Ethics for Educators, child abuse (O.C.G.A. §19-7-5), or any other required report. Unethical conduct includes but is not limited to:

1. failure to report all requested information on documents required by the Commission when applying for or renewing any certificate with the Commission.
2. failure to make a required report of a violation of one or more standards of the Code of Ethics for educators of which they have personal knowledge as soon as possible but no later than ninety (90) days from the date the educator became aware of an alleged breach unless the law or local procedures require reporting sooner.
3. failure to make a required report of any violation of state or federal law soon as possible but no later than ninety (90) days from the date the educator became aware of an alleged breach unless the law or local procedures require reporting sooner. These reports include but are not limited to: murder, voluntary manslaughter, aggravated assault, aggravated battery, kidnapping, any sexual offense, any sexual exploitation of a minor, any offense involving a controlled substance and any abuse of a child if an educator has reasonable cause to believe that a child has been abused.

Standard 10: Professional Conduct - An educator should demonstrate conduct that follows generally recognized professional standards. Unethical conduct is any conduct that impairs the certificate holder's ability to function professionally in his or her employment position or a pattern of behavior or conduct that is detrimental to the health, welfare, discipline, or morals of students.

Reporting

Educators are required to report a breach of one or more of the Standards in the Code of Ethics for Educators as soon as possible but no later than ninety (90) days from the date the educator became aware of an alleged breach unless the law or local procedures require reporting sooner. Educators should be aware of local policies and procedures and/or the chain of command for reporting unethical conduct. Complaints filed with the Professional Standards Commission must be in writing and must be signed by the complainant (parent, educator, personnel director, superintendent, etc.). The Commission notifies local and state officials of all disciplinary actions. In addition, suspensions and revocations are reported to national officials, including the NASDTEC Clearinghouse.

Disciplinary Action

The Professional Standards Commission is authorized to suspend, revoke, or deny certificates, to issue a reprimand or warning, or to monitor the educator's conduct and performance after an investigation is held and notice and opportunity for a hearing are provided to the certificate holder. Any of the following grounds shall be considered cause for disciplinary action against the holder of a certificate:

1. unethical conduct as outlined in The Code of Ethics for Educators, Standards 1-10 (PSC Rule 505-6-.01);
2. disciplinary action against a certificate in another state on grounds consistent with those specified in the Code of Ethics for Educators, Standards 1-10 (PSC Rule 505-6-.01);

3. order from a court of competent jurisdiction or a request from the Department of Human Resources that the certificate should be suspended or the application for certification should be denied for non-payment of child support (O.C.G.A. §19-6-28.1 and §19-11-9.3);
4. notification from the Georgia Higher Education Assistance Corporation that the educator is in default and not in satisfactory repayment status on a student loan guaranteed by the Georgia Higher Education Assistance Corporation (O.C.G.A. §20-3-295);
5. suspension or revocation of any professional license or certificate
6. violation of any other laws and rules applicable to the profession (O.C.G.A. §16-13-111); and
7. any other good and sufficient cause that renders an educator unfit for employment as an educator.

An individual whose certificate has been revoked, denied, or suspended may not serve as a volunteer or be employed as an educator, paraprofessional, aide, ~~or~~ substitute teacher or in any other position during the period of his or her revocation, suspension or denial for a violation of The Code of Ethics.

Authority O.C.G.A. § 20-2-200; 20-2-981 through 20-2-984.5