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Teachers' professional ethics and student relationships: how do these connect?

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ABSTRACT

Formal statements about 'professional ethics' for teachers have become part of the current standards and accountability regime. Such codes of conduct serve many purposes: to define acceptable principles of personal and professional relationships; as a set of protocols by which teachers' conduct may be judged both within and outside the profession; as a political exercise to reassure the wider community of the high expectations held by the teaching profession; and importantly, to provide teachers with a guide in their interactions with students. While relationships with students, particularly those that will enhance learning outcomes, are cited often in teachers' codes of professional ethics, how teachers make ethical decisions concerning students is far less studied and understood. What frames of reference are available to ensure that decisions are (and are seen to be) right, fair and just? How might such ethical frameworks be examined?

In this paper, I analyse examples of teachers' codes of professional ethics from three countries (Australia, Canada, New Zealand) to consider how notions of the 'ethical teacher' are discursively produced. I then examine critical frameworks from relevant literature that may be useful to guide teachers' interactions with students; finally, I discuss how I work with these frameworks to help pre-service teachers to explore ethical decision-making.

Introduction.

As a teacher educator in a large metropolitan Australian university, over the last five years, I have developed and taught a final year unit called 'Becoming a Professional Educator' as part of a two-year pre-service postgraduate course. A significant focus of this unit is on professional ethics: what are these, how do teachers understand them, how do these help teachers to act justly and fairly in their relationships with students and with colleagues? Together with the theme of 'teachers and the law', this focus is repeatedly named by my soon-to-be graduate teachers in their unit evaluations as both the most engaging as well as challenging of the topics covered. In this paper, I compare three codes of teachers' professional ethics; explore the literature and frameworks around ethics in teaching; and briefly describe a process I use to explore different ethical stances with the next generation of teachers. Finally, I consider why such a focus is a central concern, particularly now in the field of education, in these post-modern times and in a 'cosmopolitan' world.

However, as a means of grounding my discussion in the context of classroom realities, I begin with a summary of a recent experience. The classroom is my own and the topic is my final year teacher education students' experiences during their teaching rounds in secondary schools. I lead the 'debriefing' session, which initially ranges widely on the basis of the 30 students' classroom teaching experiences, their successes and failures, what they learned—and loved—about working with their students, as well as their assessments of the cultures of the schools in which they have been located. However, before long, discussions turn to how their host schools 'managed' the national benchmark testing regimes' that occurred while they
were on teaching rounds. One young woman, Elspeth, tells the class how she was shocked to
discover that the students in the school where she was placed, students from language
backgrounds other than English (LBOTE), were exempted from taking the test by the school
principal. Since the school was located close to a Language Centre where new migrants and
refugees were placed to learn English in their first six months in Australia, there were
significant numbers of LBOTE students in the school. When she enquired as to why they
were ‘excused’ from the tests, she was told that the principal was concerned that they would
‘pull down’ the overall score of the school and he didn’t want to risk the school’s reputation
in the wider community. This took place in a government secondary school.

Out of this discussion a range of questions came to the fore – all of which I suggest have an
ethical dimension to them. Was exempting those students from language backgrounds other
than English from sitting the aptitude tests:
   a) done out of concern for their well being—(how would they feel if they ‘failed’ the test,
      that is fell below their peer group at the school?)
   b) done for the ‘greater good’ ie., if the school’s scores ‘dropped’, the middle class parents
      might choose to send their children elsewhere and thus deprive the school of cultural and
      social capital, resources that work to benefit ALL the students; or
   c) an ill-considered decision taken by the principal where the complexity of the student
      population was ignored and the overall wellbeing of the school as a whole was jeopardised,
      since the test results would give a false picture of how well all students were doing. Thus, on
      the basis of the test scores, additional resourcing for LBOTE students would not be made
      available, because the school would appear to be doing fine?

Each of the positions above emerged from the group discussion of Elspeth’s story. Each was
passionately argued by a number of her fellow student teachers on the basis of particular
beliefs and values. Each argument, I suggest, attempts to take account of current political,
social and economic realities that schools and more particularly, teachers and principals,
continually face, and each argument also endeavours to work through the dilemma from an
‘ethical stance’.

Trying to make sense of such dilemmas—and every time the pre-service teachers return from
their practicum, new situations are described, appears to be a significant challenge – not
because the soon-to-be graduates are without a moral code of their own but because many
situations experienced in schools today are complex and difficult to assess easily. Relying on
personal values and beliefs does not adequately provide a range of possible ways to think
through such situations.

Within the last decade, codes of ‘professional ethics’ for teachers, such as those from the New
Zealand Teachers Council, the Victorian Institute of Teaching (2005) or the Ontario College
of Teachers (2006) have been produced. As examples, these provide fairly succinct and
straight-forward ‘standards’ outlining professional ethics. These codes of conduct serve many
purposes: to reflect mainstream beliefs regarding acceptable standards of personal and
professional conduct and competence; as a set of protocols by which teachers’ conduct may
be judged both within and outside the profession; as a political exercise to reassure the wider
community that teaching as a profession can set and uphold high standards of behaviours; and
as a basic framework for teachers to guide their interactions with students. In the
accountability and standards regime that has become part of the teaching profession and
teacher education courses nationally and internationally, formal statements as to what
constitutes ‘professional ethics’ are now seen to be mandatory by many teacher organizations
in part because of the increasing scrutiny that the profession comes under every time there is
another report in the media of inappropriate behaviour between teachers and their students.
Yet, the rhetoric around ‘professional ethics’ offers little insight into how such standards are understood and, more particularly, operationalised in the daily lives of teachers. While ‘relationships’, particularly those that will enhance student outcomes, are cited often in such codes, the ethical decision-making that teachers enact in their relationships with students, colleagues and parents is far less studied and understood. What frames of reference are available to make decisions that are seen as right, fair and just — by teachers? And, more particularly, how can the next generation of teachers develop understandings of and confidence in such professional ethics when endeavouring to treat students fairly and ethically?

Below, I briefly compare and contrast three different professional codes of ethics, ie., those from Victoria, Australia, Ontario, Canada, and New Zealand in order to identify common discourses as well as different approaches. I then review some current educational literature concerning ethical teaching and discuss how I work with four ethical frameworks to enable pre-service teachers to think critically about interactions with students. Drawing on work using these frameworks, I consider how pre-service teachers engage with scenarios built around classroom-based examples of ethical dilemmas.

**Contexts of professional ethics and analysis: comparison/contrast between three examples from different countries.**

I chose to consider three different professional codes of ethics firstly, to determine what if any ethical attributes are viewed as essential or common among the profession of teaching as defined by different countries; that is, are there any shared qualities that are viewed as fundamental regardless of different national contexts? Secondly, I wanted to examine the ways in which the various ethical stances were presented: are they described as intuitive characteristics, or logical frameworks to guide behaviours or perhaps as aspirational goals to aim for? What is the status of such declarations? Thirdly, I wanted to consider whether such codes of ethics were sufficient to provide graduate teachers with enough information/scope to critically analyse complex situations—or whether their primary purposes was that of reassuring others outside of the profession of the probity within the profession.

I chose to look at these three codes for a number of eclectic reasons: firstly, the Victorian Institute of Teaching’s Code of Ethics is the one I am most familiar with and I wanted to see how it measured up to others, and in particular with that of Ontario’s, since both codes are developed by state-based teacher organizations, in contrast to New Zealand’s national code of professional ethics. Secondly, from an historical perspective, there are some commonalities among all three countries, that is, all were British colonies at one time and therefore, it might be assumed that certain common discourses regarding ethics might be shared among the three. Each remain immigrant countries, with a shared commitment to ideals of ‘multiculturalism’ and each have teacher populations that do not reflect the complexity of the overall population in terms of diversity. Since codes of ethics draw at least in part on shared values, or those values held to be of importance by the dominant culture, the above commonalities between different ethical standards of three countries offered possibilities for comparison.

The table below briefly summarises the key points from the Ontario College of Teachers ‘Ethical Standards for the Teaching Profession; the New Zealand Teachers Council’s Code of Ethics for Registered Teachers and the Victorian Teaching Profession Code of Ethics, produced by the Victorian Institute of Education, Melbourne, Australia.
<table>
<thead>
<tr>
<th>FROM:</th>
<th>Ontario, Canada</th>
<th>New Zealand</th>
<th>Victoria, Australia</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Overview Statement</strong></td>
<td>‘The Ethical Standards for the Teaching Profession describe the professional beliefs and values that guide the decision-making and professional actions of College members in their professional roles and relationships. The four ethical standards — Care, Respect, Trust and Integrity — establish the core ethics of teaching and are implicit in the Standards of Practice for the Teaching Profession’ (p. 7).</td>
<td>‘Teachers registered to practice in New Zealand are committed to the attainment of the highest standards of professional service in the promotion of learning by those they teach, mindful of the learner’s ability, cultural background, gender, age or stage of development. This complex professional task is undertaken in collaboration with colleagues, learners, parents/guardians and family/whānau as well as with members of the wider community. The professional interactions of teachers are governed by four fundamental principles:’</td>
<td>‘As teachers, we use our expert knowledge to provide experiences that inspire and facilitate student learning. We are a significant force in developing a knowledgeable, creative, productive and democratic society. The values that underpin our profession are integrity, respect and responsibility.’</td>
</tr>
<tr>
<td><strong>Definition of key attributes</strong></td>
<td>Care</td>
<td>Autonomy</td>
<td>We demonstrate our integrity by:</td>
</tr>
<tr>
<td></td>
<td>The ethical standard of Care includes compassion, acceptance, interest and insight for developing students’ potential. Members express their commitment to students’ well-being and learning through positive influence, professional judgment and empathy in practice.</td>
<td>to treat people with rights that are be honoured and defended</td>
<td>• acting in the best interests of students</td>
</tr>
<tr>
<td></td>
<td>Trust</td>
<td>Justice</td>
<td>• maintaining a professional relationship with students, parents, colleagues and the community</td>
</tr>
<tr>
<td></td>
<td>The ethical standard of Trust embodies fairness, openness and honesty. Members’ professional relationships with students, colleagues, parents, guardians and the public are based on trust.</td>
<td>to share power and prevent the abuse of power</td>
<td>• behaving in ways that respect and advance the profession.</td>
</tr>
<tr>
<td></td>
<td>Respect</td>
<td>Responsible Care</td>
<td>We demonstrate our responsibility by:</td>
</tr>
<tr>
<td></td>
<td>Intrinsic to the ethical standard of Respect are trust and fair-mindedness. Members honour human dignity, emotional wellness and cognitive development. In their professional practice, they model respect for spiritual and cultural values, social justice, confidentiality, freedom, democracy and the environment.</td>
<td>to do good and minimise harm to others.</td>
<td>• providing quality teaching</td>
</tr>
<tr>
<td></td>
<td>Integrity</td>
<td>Truth</td>
<td>• maintaining and developing our professional practice</td>
</tr>
<tr>
<td></td>
<td>Honesty, reliability and moral action are embodied in the ethical standard of Integrity. Continual reflection assists members in exercising integrity in their professional commitments &amp; responsibilities.</td>
<td>to be honest with others and self.</td>
<td>• working cooperatively with colleagues in the best interest of our students.</td>
</tr>
</tbody>
</table>
Even a cursory glance at the table highlights some common attributes identified across the different codes, including notions of ‘care’, used once each in the NZ and Victorian codes and three times in the Ontario code; ‘respect’, used four times in Ontario’s and three times in Victoria’s but not at all in NZ; ‘integrity’, used six times: twice in the Victorian code and four times in the Ontario Code; ‘responsible’ or ‘responsibility’, named in both NZ’s and Victoria’s codes but not in Ontario’s; ‘justice’, named once each as an ethical attribute in New Zealand and Ontario codes but not in Victoria’s. Both Ontario and NZ codes name ‘cultural’ recognition but this is not named as an ethical attribute in Victoria’s. There are also ‘attributes’ that are not shared across any of the codes, eg. ‘trust’ is named six times but only in the Ontario code; only NZ names ‘truth’, ‘autonomy’ and ‘minimising harm’ as central to ethical stances; and only the Ontario code names ‘honesty’ as an essential ethical attribute.

It is outside the scope of this paper to do the close and critical analysis that would highlight the ways that key terms are used to signify shared and contrasting meanings and how such meanings might be deconstructed to gain insight into governing discourses. Additionally, while it may seem somewhat disingenuous to suggest that the mere number of times a particular ‘ethical’ attribute is named is indicative of its’ significance, nevertheless, I use this brief summary to suggest that there are ‘code’ words, used across three documents developed in three different countries, that signal commonality around discourses of professional ethics and the ways that teachers desire to be viewed. These code words operate to reassure not only experienced and novice teachers but also the communities in which they work, that there is an agreed-upon and standardized mode of operation. Additionally, across all three codes of ethics there is a strong emphasis on collegiality; respect for the parents and caregivers in the community; and a strong emphasis on professional knowledge and reflection. These are key points that any profession might assume and insist upon. However, what these ‘standards’ mean to practicing teachers is not so obvious. Next, I discuss a number of key texts that outline some of the ways that such attributes might be better understood and critically analysed.

Theoretical frameworks concerning teachers’ professional ethics.
Peter Singer, an internationally recognised ethicist, argues that ‘...the whole point of ethical judgments is to guide practice’ (Singer 2000, p. 8). The study of ethics attempts to address ‘what we ought to do’ and as such it is linked to ‘morality’, the notion of good character. Haynes (1998, p. 3) suggests that understanding ethics is particularly important for teachers, not only as means to guide their own actions, but also because ‘they are responsible for the moral well-being of their pupils, the future generation.’ To be a member of the education profession requires one to act ethically. While this may always have been so, codes of ethics take on new urgency in light of the growing anxiety concerning ‘correct conduct’ (Foucault, 1982) between teachers and their students, a result of the increasing angst on the part of parents to ensure that they are entrusting their children into the care of other adults who at the very least, will ‘do no harm’.

Questions concerning how to behave/act in an ethical manner are not new. Many writers in the area of ethics in teaching (eg., Campbell 2003; Freakley & Burgh 2000; Haynes 1998) track ethical questions back to Aristotle and Socrates. However, perhaps because of the demise of studies in philosophy of education, soon-to-be teachers may be left with formal codes of ethics to which they are held accountable, without adequate examination of the history and contexts against which such codes of behaviours have evolved. Pre-service teacher education courses, while held accountable by accreditation bodies to ensure that graduates are versed in the dimensions of professional ethics, like their counterparts in
primary and secondary schooling, also face the ‘crowded curriculum’. Finding ways then to
explore the dimensions and complexities of the standards to which they will be held with pre-
service teachers is an ongoing challenge.

As a means to assist teacher education students to ‘understand where their own ethical values
come from’ (Haynes 1998, p. 3) and develop familiarity with some ethical frameworks that
might help them reflect critically on situations in which they find themselves, I begin
exploring questions of ethics with my students through consideration of four different ethical
stances. Briefly summarised, the first is ‘non-consequentialism’ or the ethics of justice. Here
what one ‘ought’ to do can be reasoned out from ‘universally’ agreed-upon measures or
principles such as justice, fairness, honesty. Ethical decisions are based on the premise that all
human beings, regardless of circumstances, have the right to be treated fairly according to set
principles of justice; decisions as to how to act should be made on the basis of such universal
principles, what Haynes (and others) call ‘consistency’; or the ‘objective/rational’. In this
ethical framework, consideration of the consequences of actions is not relevant in reaching a
decision regarding what one ‘ought’ to do (thus, the name, ‘non-consequentialism’).

To develop a deeper understanding, a few of the critiques of non-consequentialism as an
ethical stance are also canvassed. For example, the need to work from established principles
and to reason ‘dispassionately’ concerning what one ought to do, mean that decisions should
be non context-based, that is the particularity of situations, the specificity of needs, and the
foreseeable consequences of one’s actions—even when these are negative—are meant to be
left out of the decision-making. ‘Rules are rules...what’s fair for one is fair for all’ is one
way of summarising this approach. Yet, is it always true that treating everyone the same
means treating everyone fairly? Students struggle with this issue, particularly in light of work
done around recognising and addressing differences—cultural, gender, social class, etc.
Additionally, are ‘universal’ principles really universal or are they based on western
constructs of liberal humanism? Examining these issues encourages the pre-service teachers
to better understand this framework.

The second ethical stance is that of ‘consequentialism’, sometimes referred to as
‘utilitarianism’ and summed up as ‘We should act to provide the best consequences’.
(Freakley & Burgh 2000, p. 133). Singer contrasts this ethical framework with non-
consequentialism when he says,

Consequentialists start not with moral rules but with goals. They
assess actions by the extent to which they further these goals...The
classical utilitarian regards an action as right if it produces as much or
more of an increase in the happiness of all affected by it rather than
any alternative action... (Singer 2000, p. 8)

Ethical decisions in this framework are made on the basis of cause and effect rather than on
the basis of a set of external principles, (Haynes, 1998, p. 14) and moral value is based on
specific situations and contexts—ie., consequences for all involved must be considered.
Sometimes summarised as ‘the end justifies the means’, or ‘the greatest good for the greatest
number’, this framework weighs up the social benefits and the social harm in reaching the
decision regarding what one ‘ought’ to do. However, some difficulties in acting on the basis
of consequentialist ethics to bring about the ‘goal’ of the greatest good centre on the question
of whether it is possible to ever really know what the consequences of our actions will be.
Additionally questions concerning how individual rights and needs should be accounted for in
this emphasis on achieving the greatest good for the greatest number are central to critiques of
this approach.
The third framework, that of ‘virtue ethics’, is described as an ethic of agency or ‘an agent-based system’ because it asks the question ‘What ought we to be?’ (Burgh, Field and Freakley 2006, p. 21) in contrast to the previous two frameworks which are often categorised as ‘action-based’ because they focus on the questions concerning what ought I do? Campbell (2003, p. 12) notes that virtue ethics are built around the ‘ancient principles definitive of the medical ethical tradition: autonomy, justice, non-maleficence (‘do no harm’) and beneficence.’ She also goes on to state that most of the codes of professional ethics outlined for teachers are based in this framework. Certainly, when considering the repetition of such ‘virtues’ as ‘respect’, ‘responsibility’, ‘integrity’, ‘autonomy’ as outlined in the earlier section that compared the three different codes of ethics, her observation appears to be equally applicable to these codes. In this framework, then, ‘moral agency concerns both what teachers hold themselves to ethically and what they seek to impart to students as contributing to their moral education.’ (Campbell 2003, p. 23). However, this approach also has its problems. Firstly, with the focus on what one ought to be, this approach, unlike the two early ethical frameworks doesn’t offer much assistance in reaching ethical decisions on the spot. Instead, it emphasises the importance of becoming exemplars of such ‘virtues’ and behaving in keeping with notions of compassion, honesty, patience and tolerance, as examples. However, not everyone, including those in the teaching profession is of virtuous ‘character’. Additionally, what is viewed as a ‘virtue’ by one person or within one community, may not be seen as so across all locations or within all contexts. Campbell offers the example of a teacher who saw vegetarianism as an ethical stance, a ‘viliuous’ position, but who was placed in a farming community to teach, where livelihood depended on raising cattle.

The fourth framework, that of the ethics of care draws significantly on the work of feminist educator, Carol Gilligan (1982; 1988). Care is defined by Gilligan as ‘the function of responsibility...not a matter of logic or justice, but more a matter of caring within a circle or web or responsibility’ (Gilligan 1982, p. 134). This framework stands in particular contrast to those frameworks categorised as ‘action-based’, that is, non-consequentialism and consequentialism since working through what one ‘ought’ to do is based on notions of caring for all concerned. Gilligan emphasises that such caring is built around ensuring that those involved are kept involved in achieving an outcome. She says, ‘While an ethic of justice proceeds from the premise of equality—that everyone should be treated the same—an ethic of care rests on the premise of non-violence—that no one should be hurt.’ (Gilligan 1982, p. 174). Freakley and Burgh (2000 p. 137) state that in this framework, ‘Ethical deliberation...places emphasis on relation, moral emotion and the virtue of care...contextual and situational demands...seek to maintain human connectiveness.’

Achieving an ethical outcome based on this framework is not without it’s problems as well. Caring for all who might be involved in a school-based problem or concern can be far more time consuming than, for example, the straight-forward application of specific rules built around fairness and justice. It may also require significant skills in active listening, negotiation and working towards a mutually agreed upon outcome. Like virtue ethics then, this may work well in the long term but be difficult to apply in situations that pose ethical dilemmas and require quick resolution.

Discussion
The teacher education students find working with the various ethical frameworks both challenging and enjoyable. In small groups, they consider a number of different ‘dilemmas’, often summaries based on examples of experiences that students have encountered during their teaching rounds, or ones that are built around teachers’ narratives gathered from interviews with experienced teachers. The example in the Introduction, that of the principal
who ‘excused’ LBOTE students from taking the national benchmarking tests, when examined through the lenses of the four ethics frameworks, raised a range of issues: should the principal apply principles of fairness and treat the LBOTE students the same as everyone else? Did the (unforeseeable) possible consequences of losing status among the local parents justify his decision to exclude the students who might do less well? If the school lost the support of the middle class parents, wouldn’t the consequences for all (‘the greater good’) be dire and thus the means used justifies the end? What ‘virtue’ was exemplified (or not) by denying all students the chance to demonstrate what they could do? If the principal was genuinely concerned that students who did less well on the tests would feel shamed or lose confidence, who should have been involved in caring for these students? What other (better?) solutions were possible? What other dilemmas might emerge?

The purpose of this work is not to endorse a particular ethical framework over another, but to help students understand that there are many ways to work through some of the issues they encounter with regards to building and maintaining relationships with students, parents, colleagues and principals. Comparing and contrasting the various frameworks and considering dilemmas from a range of perspectives provide different lenses to see/think about moral dilemmas experienced in professional lives (‘What ought I to do?’). Becoming familiar with the different frameworks also assists in developing deeper skills in critical reflection. In turn, this can help to make sense of why (and how) some decisions in classrooms, schools and the community are arrived at.

I also suggest that an examination of the range of ethical frameworks helps to contextualise the formal professional codes of ethics, including those produced by the New Zealand Council of Teachers, the Victorian Institute of Teaching and the Ontario College of Teachers. It opens these up for consideration as to why there is the emphasis on ‘virtues’. In turn, such discussions give teacher education students opportunities to consider more deeply how, through curricula, pedagogies and especially relationships between themselves and students, such an ethical stance might be enacted. What kinds of relationships in classrooms on a day-to-day basis will help them, not only to demonstrate their own ‘good character’, but also to develop virtues of honesty, compassion, etc in their students?

Here, by comparing three professional codes of ethics, I aimed to demonstrate how these codes are located within the ethical framework of ‘virtue ethics’. While such an approach is rich and relevant in the long term, codes of professional ethics that utilise this stance may not be sufficiently action-based to assist teachers new to the profession to work through and understand the ethical dimensions and complexities of teaching. Familiarity with a range of frameworks including those of non-consequentialism, consequentialism and the ethics of care may enable educators to understand better their professional obligations in a range of situations and to colleagues as well as to self. For example, consideration of the ethics of care, in particular, has generated rich discussions around questions of how soon-to-be graduate teachers might ‘care’ for themselves in their first years of teaching in order to maintain their own sense of well being and commitment.

While professional codes of ethics have become much more widespread within the teaching profession in the past decade, more work needs to be done in investigating how such codes are understood by teachers and other members of the education community and how they are/not enacted in the daily classroom relationships between teachers and students. Much more research also needs to be done to consider how such codes are culturally derived. To what extent do such professional codes of conduct help the next generation of teachers to work in a ‘globalised’ world, or in international settings? These are starting points for deeper and wider investigations.
References


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1 Benchmarking tests in Australia are recent phenomena. They occur now in all states at the Year 3, 5, 7 and 9 levels and cover both literacy and mathematics competencies. On the basis of these tests, students and their parents are informed as to where they are ‘placed’ in relation to their national peer group, ie., norm established and either below, meeting the standards or above the standards for their age group.