

**PROFESSIONAL  
ETHICS  
EDUCATION  
AND LAW  
FOR CANADIAN TEACHERS**

**EDITED BY  
BRUCE MAXWELL  
NICK TANCHUK  
CARLY SCRAMSTAD**

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**Bruce Maxwell  
Nick Tanchuk  
& Carly Scramstad**

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*To Robert Crumlin, Joe Lafrance and Brad Stelmach,  
three teachers we remember for their  
outstanding professionalism.*

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## FOREWORD

Since the early 1990's, educational scholars and researchers have increasingly investigated and illuminated the inherent moral and ethical dimensions of teaching from both empirical and philosophical perspectives. Woven throughout much of the literature in this area is an implicit connection between the moral and ethical nuances, challenges, dilemmas, expectations, practices, decisions, judgments, and behaviours embedded in the dynamics of the teacher's daily work and the explicit conceptualization of professional ethics in teaching. Thus, teacher ethics, while comprising the interpretation and application of formalized ethical standards, codes of conduct, and related legal requirements, is concomitantly defined just as much by the less formal, and frequently unplanned, moral and ethical complexities of professional practice. One of the commonalities in this field is that many of us writing in it, from a variety of international perspectives, have consistently lamented the general neglect of teacher ethics as a clear, intentional, and central component of initial teacher education (ITE) programs; this is accompanied by a perhaps consequent lack of attention to ethical aspects of teaching within schools and an absence of a shared moral or ethical language among practitioners (Colnerud, 2006; Sanger & Osguthorpe, 2013; Sockett, 2012).

Encouragingly, this polygraph, *Professional Ethics Education and Law for Canadian Teachers*, edited by Bruce Maxwell, Nicolas Tanchuk, and Carly Scramstad, portrays a somewhat different picture of the field today, specifically through a mostly Canadian lens. It uses as its starting point the conclusion that not only is there more general interest in the ethics of teaching among teacher educators, but also that

ITE programs offer a greater range of ethics-relevant courses than has been previously assumed. This eight-chapter book has its origins in a symposium that sought to bring together some of those scholars and teacher educators invested in the teaching of professional ethics, law, and teacher professionalism with the intention of examining shared and varied understandings about the ethics of teaching. Consequently, the collective will to harness a mutual commitment to the preparation of new teachers, who are capable of recognizing, appreciating, and dealing with ethical issues of professional practice, has extended the symposium discussions into this compelling and timely volume.

The conclusion that ethics as a topic of study is not as absent from ITE programs as normally believed is based on research evidence drawn from studies by co-editor Maxwell. However, despite the acknowledgement that support for stand-alone and integrated curricula on ethics is more prevalent, Maxwell reports that the evidence also reveals a highly fragmented picture of what is included under a very broad label of educational ethics. In other words, what is being represented and taught as “ethics” in ITE programs is, as noted in the Introduction, in “a state of radical heterogeneity.” The editors further state that “there is nothing even remotely resembling a common curriculum in professional ethics in teaching either across or within the OECD countries surveyed, including Canada.”

I take from these observations two thoughts, the first being more pessimistic than the second, which, thanks to this new book, embraces a spirit of optimism in moving the discussion of teacher ethics forward in productive and promising ways. Firstly, however, if indeed there is no uniformly shared interpretation of what ethics in teaching constitutes, then it may not be a conceptual stretch for teacher educators who believe fervently in the “rightness” of the content they teach—politically, ideologically, pedagogically, and across a range of curriculum—to represent it as “ethical.” Whether this adjective holds up to philosophical scrutiny is not often considered or addressed. Yet, its potential to skew the definition of ethics in teaching away from the foundational meaning of professional ethics exists broadly in contemporary teacher education programs (Campbell, 2013).

The foundational meaning has its cross-disciplinary roots in the well-documented ethical principles of non-maleficence, beneficence, justice, and autonomy (as further discussed in the chapter here by Tanchuk, Scramstad, and Kruse). They have traditionally underpinned much of the required professional ethics curricula found in faculties of medicine, law, business, social work, nursing, and engineering, among others, and they guide and instruct individuals on the expected behaviour and practices of personally responsible, accountable, and ethical professionals. A second, increasingly more prevalent, interpretation of ethical teaching is based less

on the character qualities and practices of the practitioners and more on the content, orientation, and influence of their teachings; the focus shifts to macro-type issues, initiatives, causes, and beliefs across a spectrum of sociopolitical agendas. While not necessarily defined as ethics of teaching, they are often represented as being ethical things to teach by their advocates and by activists. Regardless of one's opinion of this second perspective, loosely aligned by some with ethics, it is not the same as the first, which is the core of teachers' professional ethics as documented in the research literature (Campbell, 2013).

If the reported growth in interest and attention to ethics within ITE programs is based more on the increasing presence of this second perception of ethics (macro "ethical" issues as opposed to professional ethics), then I would argue that this is not a positive indication that the ethics of teaching is finally becoming a significant core component in teacher education, as the literature in the field has been appealing for over considerable time. Quite the contrary; this would seem to suggest that perspectives on teacher ethics are so diffuse, and possibly incompatible, as to defy efforts to develop a common ethical foundation for the teaching profession (similar to what has been achieved in other professions) that could be seen as relevant and applicable across teaching contexts.

Alternatively, my second and more optimistic thought is that there is indeed a reinvigoration of the search for a common ethical foundation, as evidenced by this collection of chapters. And this quest is not driven by a conceptually vague attempt to unite diffuse, and likely overstated, interpretations of what ethics in teaching and teacher education means, as addressed above, but rather by those seeking to identify with clarity and purpose the *professional* ethics of teachers and how they are both realized in practice and communicated in ITE programs. While the exact form and substance may remain open to discussion and debate, at least the general agreement seems to be framed around viewing teacher ethics as being professional ethics that govern the work and behaviour of practitioners rather than the result of inculcation of broader sociopolitical perspectives vying for "ethical" superiority within teacher education.

Such a resurgence of interest in professional ethics in teaching is well captured in the chapters that follow. Thematically, they overlap and address complementary areas of inquiry in order to, as the Editors' Introduction explains, search for common ground in teacher ethics and think about "how to translate that common ground into a more coherent, meaningful and consistent ethics curriculum in initial teacher education." Areas addressed in this mission include the need for a fairly homogeneous framework for the interpretation of ethical expectations and their application to practice; the interconnectedness of ethics and the law, professional codes, and examples

of cases—both positive and negative—from practice; the fostering of professional judgement and the role of reflective practice in this endeavour; teachers’ professional autonomy and its legal and ethical limits; moral dispositions, character, and identity of teachers and teacher candidates.

For twenty-five years, my own research has focused on the ethics of teaching and teacher education, ethical dilemmas and complexities facing teachers, the role of teachers as moral agents, and ultimately the cultivation of their ethical knowledge. As a Canadian scholar, I found colleagues mostly elsewhere, notably from the United States and Sweden, but also from Finland, The Netherlands, Australia, Israel, and the United Kingdom. We often shared similar research findings and compatible understandings about the ethical and moral dimensions of teaching. Now, in this new volume, we see scholars doing work in this field, mostly from Canadian perspectives, with renewed dedication to the significance of professional ethics in teaching. As the editors claim, this book’s aim is to “convince more Canadian teacher educators that professional ethics belongs at the core, not the periphery, of teacher education and that the systematic foregrounding of ethics in teacher education is essential to the professionalization of teaching.” I believe the arguments presented in this book can go a long way to stimulating such an appreciation of professional ethics in teaching that will hopefully and positively influence the future practices of teachers and teacher educators, both here in Canada and internationally.

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May 2018

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## EDITORS' INTRODUCTION

This book, a collection of papers by some of the most prominent Canadian scholars working in the area of professional ethics in teaching, represents the completion of one small portion in a much larger puzzle. The puzzle is this. Many people seem to accept as a truism that doctors, engineers and dentists need a solid grounding in the ethical standards their profession. Tell the same people that you teach professional ethics to future teachers, however, and they are likely to reply, “What is there to learn about that?”

In the academic literature on ethics education for teachers, commentators tend to be quick to point out that teacher education has lagged behind other professions in making a dedicated ethics course a requirement for professional certification and various explanations are advanced in those writings as to how things could have come to this (for an overview see Maxwell & Schwimmer, 2016). Few of the standard explanations, in fact, stand up to scrutiny. Professional education in other fields is also slow to integrate new curriculum, has equally crowded program schedules and is no less driven by a practice-based logic. And teaching, it hardly needs to be said, does not always enjoy exceptionally high levels of public trust.

Until recently, however, there was very little evidence one way or another that the topic of professional ethics was being neglected in the practice of initial teacher education. So it was that, in the early 2010s, and with financial support from the *Fonds québécois de recherche—société et culture* and in collaboration with teacher

educators in Australia, Canada, England, the Netherlands, and the United States, one of the editors of this volume (B.M.) embarked on a project to try to shed some light on the question (the results are reported in Maxwell et al., 2016 and Maxwell, Tremblay-Laprise & Filion, 2015).

How does teacher education compare with other professions when it comes to providing students with instruction on what society expects of them in terms of ethical conduct at work? We now know that a required course in educational ethics is nowhere near as rare as the pessimists in teacher education thought and that teacher educators overwhelmingly consider ethics to be an important part of the teacher education curriculum. We also know that many teacher educators believe strongly that ethics content in teacher education is best handled as integrated curriculum.

That teacher educators tend to favour an integrated approach to ethics curriculum is a small wonder considering the idea's impressive pedigree in policy and compelling conceptual basis. It is well known that John Goodlad's influential report on the future of teacher education in the United States (see Goodlad, 1990) came out strongly in favor of curricular integration of ethics content. Conceptually, integrated ethics curriculum aligns with an inherent feature of teaching as a profession and public service. Teachers are called upon to play a uniquely formative role. Unlike root canal surgery or financial advice at tax time, the services teachers offer are not one-off and punctual but involve close and sustained personal social contact with the people they serve. It is not just that teachers *can* have an influence on the young people they come into contact with. The whole education system is *designed* so that teachers will have a significant and permanent impact on their pupils' personal development and social prospects. This is presumably why, as David Carr (2006) has advanced, that excellence in the teaching profession implies not only delivering important public services in accordance with ethical standards of conduct but being an ethical person too.

Be that as it may, another noteworthy outcome of the survey on ethics content in initial teacher education was that ethics education, even when it is packaged up in a stand-alone course, comes in a very wide variety of forms indeed. As the study's content analysis of course descriptions revealed, it is no exaggeration to say that there is nothing even remotely resembling a common curriculum in professional ethics in teaching either across or within the five OECD countries surveyed, including Canada (Maxwell et al., 2016). In this regard, and in opposition to the anecdotal reports in the academic writings bemoaning the neglect of ethical issues in teacher education, the practice of teacher education does seem to mirror the scholarly discourse closely. As Elizabeth Campbell (2008) concluded on the basis of a major review of the research, despite extensive scholarly work in the area of teacher ethics

over several decades, no broad agreement has emerged on what a shared ethics of teaching might consist of. The results of the survey confirmed that a state of radical heterogeneity pertains in connection with all the main dimensions of teaching and learning about professional ethics in teaching: the role and goals of ethics curriculum and its thematic content; models for handling ethics content in teacher education; and how to evaluate student teachers' ethical development in university-based education (Maxwell et al., 2016).

Which brings us to the rationale for this volume. Heeding Campbell's (2008) call to work towards the "advancement of a clear professional ethics in teaching" (p. 377) through the promotion of a shared ethical vision for teacher education, in late 2016 the co-editors of this volume set about to convene a research meeting that would bring together as many nationally recognized experts in professional ethics in teaching as we could muster. The meeting was held in Toronto in the early summer of 2017 on the site of Canada's first Normal School, today on the campus of Ryerson University. The result is this collection of essays which, having gone through a peer-review process starting from planned responses delivered during the event itself, we now happily submit to you, the reader.

It should be said that the decision to organize this event in Canada with Canadian teacher educators was not a mere matter of convenience. A surprise finding of the study on ethics content in initial teacher education was that Canadian universities appear to be significantly ahead of those in the other OECD countries surveyed when it comes to making a dedicated ethics course a requirement of teacher certification. With approximately half of Canadian teacher education programs including at least one required ethics-related course, Canada came out clearly as the leader (Maxwell et al., 2016).

So Canada seemed like a promising place to begin searching for common ground in teacher ethics and thinking about how to translate that common ground into a more coherent, meaningful and consistent ethics curriculum in initial teacher education. In retrospect, the stated goal of the symposium to "cultivate a common discourse regarding core values and ethical problems within the field of professional ethics in teaching" was almost certainly too lofty. We did, however, succeed in achieving the more modest aim of strengthening and, in some cases, creating new professional ties between the motley crew of scholars and teacher educators actively publishing on the topic of professional ethics in teaching in Canada.

If nothing else, we sincerely hope that the papers in this volume will convince more Canadian teacher educators that professional ethics belongs at the core, not the periphery, of teacher education and that the systematic foregrounding of ethics in teacher education is essential to the broader movement towards the professional-

zation of teaching. The book that emerged from the symposium reflects at once the diversity of current approaches to thinking about professional ethics in teaching and criss-crossing points of unity. All contributors brought to the table work that pays heed to both theory and practice, to ethical aspirations and the realities within which ethical judgments must be made. In every piece there is a deep respect for the work that teachers do each day, in the service of students and society. The thematic categories into which we have divided the contributions reflect a manner of emphasis more than any sharp categorical differences in the contributions themselves.

The three chapters that comprise Part I: Teaching and Learning, engage most directly with the content and pedagogy of ethics in preservice teacher training. Derek Truscott and Liam Rourke, in “Seeking a Common Ethical Foundation in Canadian Initial Teacher Education,” calls us to engage productively with an unsettling fact. In numerous studies, the ethical reasoning of educators is found not only to be weaker than in other university and college students, but not to improve over the course of one’s degree program. Drawing on empirical evidence, Truscott charts a way forward that blends professional expectations with reflection on ethical dilemmas and cases toward growing teachers’ professional ethical capacities. In “Building Ethical Judgment and Reasoning for Preservice Teachers,” Dianne Gereluk and J. Kent Donlevy advance and defend a similar view of teacher ethics curriculum wherein the existing legal and professional standards of a jurisdiction are a necessary but not sufficient condition of moral adequacy. Over and above teaching professional standards, Gereluk and Donlevy call on us to appreciate the need for teachers to cultivate practical wisdom by interpreting ethical cases and forming considered judgments about them. In Chapter 3, “Fostering Ethical Professionalism in Continuing Education for Teachers,” Déirdre Smith articulates a fully inductive approach to identifying the content of teacher ethics. Smith’s approach draws on her experience working with members of the teaching profession and the public in Ontario, in dialogue with phenomenology and critical pedagogical theory, to define the aims of professional practice. In support of this vision, Smith shares a number of practices that the Ontario College of Teachers uses to implement these aims collaboratively with teachers.

Part II: Conceptual Framing shifts the focus from the process of initiating teachers into a reflective relationship with existing professional standards to questions about the history, structure, and justification of that relationship. France Jutras, in “Is the Applied Ethics Framework Relevant to Teachers’ Professional Ethics?” situates the rise of ethics in teaching historically, arguing that the reality of teachers day-to-day ethical experiences fits well with the applied ethics approach that has emerged in other professions. For Jutras, this approach does not consist merely in applying normative theory to particular cases but involves engaging in situated judgements

much of the sort championed by the authors in Part I. In Chapter 5, “The Four Principles of Educational Ethics?” two of this volume’s editors (N.T. and C.S.) in collaboration with Marc Kruse argue that in diverse societies, a professional ethics that eschews reflection on meta-normative questions about the nature and value of beneficence, non-maleficence, autonomy and justice risks eliding significant cultural differences. Though not denying the importance of case based inquiry, the authors of this paper pragmatically recommend theoretical reflection on these questions which, they argue, are implicitly universal to the life of a moral agent and hence belong to any adequate conception of teacher ethics.

Part III: Empirical Inquiry examines the realities that make up the ethical life of teachers. In Chapter 6, “Measuring Preservice Teachers’ View of Ethical Behavior: A Pilot Study,” Helen Boon shares findings from a pilot study exploring the measurement of 139 pre-service teachers’ ethical dispositions. Boon performs a Rasch analysis on the results of the Professional Interactions and Behaviours Scale (PIBS), a previously validated survey measure. She finds that while novice pre-service teachers had ethically well-informed conceptions of how to interact with students, the PIBS measure is insufficiently nuanced in capturing the range of possible levels of ethical behavior. Denis Jeffrey, in Chapter 7, “Teacher Insubordination: An Analysis of Canadian Cases,” examines the legal rulings demarcating the lines of teacher insubordination and authority in Canada. Jeffrey argues that many of these boundaries are ill-defined, as teachers move across the spheres that make up their public and private lives. In addition to the vague boundaries defining a teacher’s professional life, Jeffrey’s work finds that cases of insubordination are often the result of deteriorating work-place relationships. In light of these facts, he suggests that new structures, like conciliation committees, may be worth exploring. Finally, in Chapter 8, Christine Bellini’s “Teacher Ethics and Professional Identities: A Delphi Study” explores the idea of teacher identity and how it shapes our understanding of ethics in teaching. Drawing from her background in psychoanalysis, she focusses on notions of self-reflection and self-care as ways to strengthen teacher training programs and provide a more robust foundation for understanding teacher identity.

The arc of this volume’s three parts mirrors the task we set in convening this community of scholars: to reflect upon what we do as teacher educators, searching for common practices and conceptual structures, toward guiding our empirically situated work with greater nuance and unity. It is fitting, then, that it ends with a meditation on the identity of the teacher faced with navigating the expectations of her society. This process of reflective engagement, between teachers as unique individuals and the rules we establish together to govern professional lives is as true to our ethical life as educators as any theme that emerges in this volume.

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# **PART I TEACHING AND LEARNING**

# TEACHING PROFESSIONAL ETHICS AND LAW: BLENDING THE PROFESSIONAL EXPECTATIONS AND REFLECTIVE PRACTICE APPROACHES

DEREK TRUSCOTT & LIAM ROURKE

**M**ore so than for any other profession, ethics are essential to teaching (Campbell, 2014; Maxwell & Schwimmer, 2016). This is because, like all professionals, teachers are expected to behave ethically (Walker & Bergmann, 2013) as well as, unlike any other profession, serve as ethical role models (Campbell, 2008). Moreover, ethical reasoning skill is associated with better teaching in the form of being more empathic toward students, tolerant of diverse viewpoints, teaching more responsively, motivating students' learning, and promoting students' social development (Cummings, Harlow, & Maddox, 2007; Cummings,

Maddux, Cladianis, & Richmond, 2010). The ability to reason ethically is also related to teachers seeing their role as more facilitative than directive, using rules to protect students' rights, collaborating with students concerning their needs and interests, and advancing student understanding and responsibility (Clark & Peterson, 1986; Johnston, 1989; Johnston & Lubomudrov, 1987; MacCallum, 1993).

Poor ethical reasoning skill, in contrast, is associated with seeing the teaching role as authoritarian with an emphasis on maintaining control in the classroom, considering discipline situations from the teacher's perspective rather than that of their students, and acting as the ultimate decision maker concerning how and what students should learn (Clark & Peterson, 1986; Johnston & Lubomudrov, 1987; MacCallum, 1993). It is also associated with less effective mentoring in the form of advocating a singular approach to instruction and negatively evaluating higher functioning student teachers (Reiman & Peace, 2002; Thies-Sprinthall, 1984).

The need for ethics training in Canadian initial teacher education is particularly pressing because the ethical reasoning ability of education students is inferior to other post-secondary students as well as, in fact, to the average adult (Cummings et al., 2001; Derryberry, Snyder, & Wilson, 2006; Greer, Searby, & Thoma, 2015; McNeel, 1994; O'Flaherty & Gleeson, 2017; Rest, 1986; Yeazell & Johnson, 1988). Even more troubling, the ethical reasoning ability of pre-service teachers does not improve from freshman to senior year (Cummings et al. 2001; McNeel, 1994; Yeazell & Johnson, 1988; Ünal, 2011) in contrast with the usual effect of students' ethical reasoning abilities improving as they proceed through college (Bakken & Ellsworth, 1990; Boom & Molenaar, 1989; Mayhew, Seifert, & Pascarella, 2010; Rest, Narvaez, Bebeau, & Thoma, 1999). This pattern is observed despite the fact that the teaching profession attracts individuals who have altruistic motives (Brookhart & Freeman, 1992; Joseph & Green, 1986), care about the future of their students (Lin, Shi, Wang, Zhang, & Hui, 2012), and desire to make a moral contribution to society (Sanger & Osguthorpe, 2013a).

It stands to reason that in order to meet their professional ethical responsibilities, teachers must know what is expected of them and act accordingly (Carr, 2006). Unfortunately, while most teachers do recognize that they are ethical role models (Bergem, 1992; Campbell, 2003; Colnerud, 2006; Sanger & Osguthorpe, 2013b), few have a strong knowledge base of moral education strategies (Sanger & Osguthorpe, 2011; Thornberg, 2008) and, as a group, teachers have less well-developed ethical reasoning skills than other professionals (Cummings et al., 2001; Derryberry et al., 2006; Greer, Searby, & Thoma, 2015; McNeel, 1994; O'Flaherty & Gleeson, 2017; Rest, 1986; Yeazell & Johnson, 1988). It follows that the goal of ethics instruction for

pre-service teachers ought to be that they both learn the ethics of teaching and how to live up to them. A consequence of the fact that these two goals are best achieved via different pedagogies, however, is that there are divergent approaches to ethics instruction in Canadian initial teacher education. One approach—*professional expectations*—seeks to have teachers learn the ethical standards of the profession so that they might abide by them. The other approach—*reflective practice*—seeks to instruct teachers in how to reflect upon how their moral character is manifested in their actions as a teacher so that they might refine it.

In this chapter, we will describe the strengths and weaknesses of the professional expectations and the reflective practice approaches. We will then outline how teachers can learn to use the strengths of each to overcome the weaknesses of the other, and thereby be more reliably ethical and law-abiding. Finally, we argue that blending the two approaches can achieve a common ethical foundation in Canadian initial teacher education.

## **Professional Expectations**

The traditional approach to professional ethics education rests on the premise that teachers must know what is expected of them in order to do the right thing. This professional expectations approach undertakes the review of teacher codes of ethics, standards of teaching practice, educational laws, and legal decisions involving teachers. After all, if teachers fail to meet any of them they can be professionally and legally sanctioned, so it is reasonable that they should know the standards they are expected to meet. Within this approach, pre-service teachers are considered prepared to practice ethically if they have adequate knowledge of the professional standards to which they will be held accountable. This learning objective is met by having pre-service teachers demonstrate knowledge of how the Canadian legal system perceives the profession of teaching and the ethical basis of professional standards of conduct.

Fortuitously, the educational objectives, learning activities, and forms of student assessment associated with the professional expectations approach cohere with the depiction of pre-service teachers' ethical reasoning that emerges in the literature. Guided by the idea that moral reasoning develops in stages over the life course, several researchers have assessed the character of pre-service teachers' reasoning. Cummings and colleagues' (2007) review of this literature suggests that the average pre-service teacher functions at the *conventional* stage in which obeying rules, laws, and society's expectations is seen as important, and adherence to rules is relatively rigid. The professional expectations approach to ethical instruction, in which factual

knowledge is transmitted and assessed in an objective authoritative manner, thus creates a comfortable learning environment for pre-service teachers.

The professional expectations approach also benefits from the fact that society's expectations of teachers are based on what is expected of all members of society. Our nation's laws, as well as the codes of ethics and standards of conduct for teachers, are deontological and teleological. Deontology considers right actions to be those arising from duties that any rational being would want to be universal. It obligates us to treat others as worthy of respect in accordance with accepted ethical duties of autonomy, providing care, maintaining trust, and building community (Truscott & Crook, 2016). Teleology considers ethical actions to be those that produce desired outcomes and unethical actions to be those that produce undesired outcomes. It obligates us to behave in ways that are likely to produce the greatest amount of good for the greatest number of people (Truscott & Crook, 2016). Teachers are expected to act in accordance with the duties articulated in codes of ethics, standards of practice, and laws, *except* when doing so would result in abhorrent consequences such as death or serious harm. When such an outcome is inevitable, they are expected to do whatever is reasonable to prevent it even if doing so violates a duty.

### **Limitations of Professional Expectations**

Codes of ethics, standards of practice, and laws serve the important function of articulating how members of a profession ought to behave in order to meet society's expectations. However, ethics codes, professional standards, and laws are developed by scholars, experts, and lawyers who tend to view ethics from the high ground of rationality and think in terms of applying philosophical principles to solve problems. But the reality of teaching rarely entails obvious ethical dilemmas in need of solutions. Teaching involves a succession of often messy, ill-defined situations with ethics embedded or implicated yet seldom obvious or central.

The knowledge within professional expectations is thus not sufficient to enable teachers to be ethical. New ethical expectations arise too quickly and in greater variety than codes, standards, or legal decisions could possibly address in a timely manner. Even if teachers were able to memorize all the duties, expectations, and legalities of teaching, they would still find themselves unsure how to act in many situations. The classroom is simply not the place to be weighing all possible combinations of actions and non-actions from a deontological position of duties or teleological position of consequences. Excessive conscious reasoning causes people to focus on discrete categories of experience. This introduces so much inefficiency as we try to piece them back together that our ethical reasoning system can "crash."

Teachers—like other professionals—are left with no choice but to rely on habits of practice and what they feel is the right thing to do as they make their way through a typical day.

Another limitation of training in professional expectations is that while some teachers do fail to meet their ethical obligations because they didn't know what was expected of them, most do so because their ethical intuitions are at odds with society's expectations of them as professionals. People rarely deliberate carefully about what they should or shouldn't do in a situation involving matters of right and wrong. They almost always do what feels right, with ethical knowledge or deliberation playing a limited role in their ethical consciousness. Studies of academic misconduct, for example, find it uncorrelated with ethical reasoning skill (Cummings, Maddux, Harlow, & Dyas, 2002). And in surely the most graphic example of the inadequacy of knowledge, ethics professors are no more ethical in their day-to-day behaviour than other professors (Rust & Schwitzgebel, 2013; Schwitzgebel & Rust, 2014).

### **Reflective Practice**

We all possess ethical intuitions—instinctive beliefs of right and wrong—that are the product of evolution and the lessons learned over the course of our lives about how we ought to treat other people (Haidt & Joseph, 2004). They are efficient for making the sorts of decisions teachers must make every moment of every day by narrowing their options to a few—often very few—choices. Ethical intuitions tend to be so much a part of our understanding of the world that we just *feel* them as “moral emotions” (Haidt, 2003) independent of conscious thought or deliberation. And they arise so much more quickly than conscious thought that whatever knowledge we have about professional expectations has little or no opportunity to influence them, at least in the short term.

Ethics instruction that focuses on professional expectations does not inherently promote ethical reasoning skills or ethical behaviour, and may be one reason why teachers tend not to acquire a more principled approach to ethical reasoning during their training (Cummings et al., 2001). The best approach that we know of for promoting ethical judgment is reflective practice (Rest, Narvaez, Bebeau, & Thoma, 1999). Reflective practice is thus considered a basic skill for all teachers because it enables them to explore the ethical beliefs that shape their intuitive choices (Russell & Martin, 2017; Schön, 1987). Reflective practice goes beyond conscious consideration of the deontological and teleological implications of classroom practices by encouraging an examination of the personal and professional beliefs and values embodied in the assumptions teachers make about the methods and goals of teaching (Larrivee, 2000). Within this approach, pre-service teachers are considered sufficiently pre-

pared for ethical practice if they can demonstrate adequate mastery of the methods of reflective practice.

Reflective practice is grounded in the ethics of virtue and care. Virtue ethics focuses on our character rather than our duties and on the motives behind our actions rather than on their consequences (Truscott & Crook, 2016). Virtue ethics obligates teachers to be ethical at all times rather than only when confronted with an ethical challenge and to develop character traits that will result in their meeting ethical expectations. The ethics of care (Noddings, 1992) is predicated on the fact that we are all members of social groups and the belief that we are obligated to promote the well-being of those in our network of social relations. Care ethics encourages us to consider the welfare of individuals and the group as a whole as we seek to do the right thing.

Ethical intuitions are best refined through such purposeful reflection on what we *actually* do, not what we *think* we do (Ditto, Pizarro, & Tannenbaum, 2009). By deliberately and critically reflecting on their actions, teachers-in-training can deduce the otherwise inaccessible nature of their ethical intuitions and intentions. When we stop to reflect on our subjective experience, an opportunity is created to exercise at least some rational control over our intuitions in order to do the right thing (Truscott & Crook, 2016).

### **Limits of Reflective Practice**

Just as knowledge is not always sufficient to ensure ethical behaviour, sometimes what feels right is not the right thing to do (Reynolds, 2006). Teachers are expected to be able to justify their behaviour with reference to accepted professional standards and ethical reasons. When teachers respond to ethically challenging situations by relying on their “gut” the risk of failing to meet society’s expectations increases tremendously, as does the risk of someone making a complaint against them.

Because ethical intuitions are shaped by a teacher’s unique personal history and may or may not be congruent with their professional expectations, self-reflection will not necessarily uncover aspects of ethical reasoning in need of development. Ethical beliefs are usually implicit, often contradictory, and those that are most influential are typically learned before we are old enough to question them. Most ethical intuitions have never been subjected to rational scrutiny and are therefore difficult to change. This is probably why philosophical self-reflection training is among the weakest instructional approaches in ethics education (Mulhearn, Steele, Watts, Medeiros, Mumford, & Connelly, 2017). Even more problematic, there is no quantitative evidence for the effectiveness of reflective practice *per se*.

One barrier may be the disjunction between the learning objectives and activities of the reflective practice approach and the learners' stage of moral development. As we saw earlier, on average, pre-service teachers occupy the *conventional* stage in which behaviour is considered ethical if it adheres unquestioningly to rules, laws, and norms. The reflective practice approach, in contrast, indexes a *post-conventional* form of deliberation incorporating the perspective of all those affected, and the contemplation of whether codes, laws, and standards promote or compromise ethical principles. For pre-service teachers who are not at this stage of moral development, the call to reflect deeply is a perplexing and frustrating task that can prompt appeals to their instructors for unambiguous explications of ethical principles and clear directions on professional expectations.

In particular, because ethical intuitions arise without conscious effort, we rarely question their presence in our minds any more than we question whether something has a particular shape, texture, or taste. That is, we trust them as much as we do our perceptions. The *feeling* that something is the right (or wrong) thing to do is therefore usually experienced as a *fact* about what we ought to do (or not do). This means that, even with training in reflective practice, we can arrive at choices that seem obviously to be correct but which may be inconsistent with professional expectations. Even more problematically, the feeling of right or wrong can just as easily arise out of sentiments that are not necessarily ethical, such as self-interest. And when people confuse ethical and non-ethical motives, their subjective experience is often just as righteous as if they were acting from purely ethical intentions (Monin & Merritt, 2012).

From a practical point of view, without reference to an external standard, pre-service teachers can only be judged to be ethical based on their ability to apply the methods of reflective practice. However, the fact remains that one can proceed through the appropriate processes of reflective practice and still not manifest actions consistent with society's ethical expectations of teachers. Codes of ethics, standards of practice, and laws have been developed for a reason—they are expectations against which teachers are held accountable.

### **Blending Professional Expectations with Reflective Practice**

We are all capable of using conscious reasoning to rigorously and rationally evaluate the conclusions arrived at by intuition (Craigie, 2011). The difficulty is that conscious reasoning is slow and inefficient, requires more time and is a lot more effortful than intuition. It involves a methodical, logical, critical process that incorporates ethical duties and legal standards. This is the means by which teachers are expected to be able to justify their actions. However, given that intuitive reasoning

is the raw material that conscious reasoning makes use of, good ethical decisions do not result from using one form of reasoning rather than the other, but by making the best use of both (Warnick & Silverman, 2011).

This is why there are two “golden rules” for ethics education (Mulhearn, Watts, et al., 2017). The first is that either the specific ethical issues and expectations of their profession or those which are general to all professions should be taught but that seeking to balance specificity and generality should be avoided. It could be argued that pre-service teachers should possess a basic understanding of ethical issues that cut across all professions. It could also be argued that teachers should be apprised of the ethical issues specific to teaching to assist them in conducting professional work responsibly (Maxwell, 2017). Although both profession-general and profession-specific ethical issues may be relevant for all teachers throughout their career, any given training program should be tailored to the general or specific, not both (Mulhearn, Watts, et al., 2017).

Initial teacher education programs should pursue the track best suited for the needs of their pre-service teachers rather than confounding the unique benefits of a specific or general focus (Mulhearn, Watts, et al., 2017). By adopting one of these two foci, a program can more effectively specify learning objectives, deliver educational content, and evaluate pre-service teachers’ learning. In short, the decision with respect to profession specificity of content will contribute to an effective foundation for the program and provide a basis for all subsequent program development decisions (Goldstein & Ford, 2002).

The second “golden rule” in ethics education is to include instruction in processes for arriving at ethical outcomes. Pre-service teachers cannot be expected to resolve complex ethical issues based solely on knowledge of the rules and ethical principles applicable to a given situation. Rather, deliberate analysis of ethical issues, coupled with a basic understanding of relevant situational characteristics, contributes to decision making that is more ethical (Mumford et al., 2016). Indeed, one of the most effective types of ethics training emphasizes processes such as ethical decision making for navigating through ambiguous ethical situations (Hartwell, 1995; Mulhearn, Watts, et al., 2017).

Case-based knowledge has been found to be both effective and appealing to pre-service teachers (O’Flaherty & McGarr, 2014; Toom, Husu, & Tirri, 2015). Cases can help them evaluate the relevant features of an ethical situation as well as develop ethical heuristics to guide future decision making. One unique feature of cases is that they allow the instructor to embed specific instructional features into the case itself. Case studies that have low to moderate complexity, affectivity, and realism have been found to be most effective (Watts et al., 2017). Opportunities for

practicing instructional content should be frequent, primarily individual based, and appropriately spaced throughout the course (Watts et al., 2017).

Practice exercises can further reinforce an ethics lesson by asking students to actively engage with the material. For example, in role play scenarios pre-service teachers can act out characters in an ethical scenario and provide a solution, providing a realistic preview of a situation they may encounter in the future (Goldstein & Ford, 2002). Alternatively, large or small group discussion can be used to elicit responses, or greater levels of interaction. Pre-service teachers can work in small groups deliberating a specific ethical problem or discuss personal experiences in large groups to further elaborate on a broader ethical theme.

No single teaching method or activity—lecturing, group-based, problem-based, active participation, case-based, or discussion—is patently more effective in enhancing ethical outcomes (Watts et al., 2017), although instruction that emphasizes ethical decision making strategies does seem to be the most effective approach of those studied (Mulhearn, Watts, et al., 2017). In other words, relying on a single instructional technique may limit our ability to effectively convey the complexity of being ethical. An emphasis on multiple delivery methods and activities stressing professional and legal issues such as student rights, teaching controversial topics, and teacher-student boundaries through case-based instruction has been found to be more effective (Antes et al., 2009; Waples et al., 2009). One potential explanation for the effectiveness of this blended approach is that decision making strategies provide pre-service teachers with tools to manage the ambiguous, ill-defined nature of ethical challenges. Indeed, many of the decisions made in ethical situations are not black-and-white, such that providing pre-service teachers with strategies to work through these inherent complexities is a viable approach to ethics instruction (Warnick & Silverman, 2011).

By conscientiously working through ethical conundrums in a deliberate reflective manner, pre-service teachers can achieve a greater appreciation of the usefulness of professional and legal standards and of the true nature of their own ethical beliefs and values. As they encounter more and more ethically challenging situations and repeat this process, their ethical values and intuitions become more congruent with the explicit ethical expectations of the profession through greater awareness of ethical circumstances, enhanced ability to incorporate personal intentions into ethical reasoning, repeated exposure to the ethical and legal expectations of teachers, and experience with the consequences of their actions. In this manner, pre-service teachers can develop a more “informed ethical intuition,” and decisions that are congruent with professional ethical and legal expectations become more reflexive. This also helps them become more internally motivated, resulting in higher engagement in ethical and legal challenges, better quality ethical reasoning, more persistence, and

leads them to assume greater responsibility for the consequences of their actions (Bebeau, 2014).

Teachers can learn to translate a rational understanding of ethical and legal standards into reliably ethical and lawful behaviour by reflecting on the extent to which their behaviours align with their own values and with the ethical and legal expectations of teachers. Blending the professional expectations approach and the reflective practice approach would thus achieve a common ethical foundation that could be taught in pre-service teacher education without requiring extensive revision to existing programs.

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# BUILDING ETHICAL JUDGMENT AND REASONING FOR PRESERVICE TEACHERS

DIANNE GERELUK & J. KENT DONLEVY

Meno. Can you tell me, Socrates, whether virtue is acquired by teaching or by practice; or if neither by teaching nor practice, then whether it comes to man by nature, or in what other way?

—Plato, 380 BCE/n.d., para. 1

**T**eacher education programs have both a legal and a moral<sup>1</sup> responsibility to prepare preservice teachers to enter into the lives of students, parents, colleagues, and the institution of education. To be prepared for this task, pre-service teachers require knowledge of professional expectations and with the ability to both recognize ethical situations as they arise and to be able to engage in a reasonable ethical analysis of those situations.<sup>2</sup> The parameters of a teacher's ethical analysis

<sup>1</sup> For the purpose of our paper, we define *moral* as the ability to distinguish between right and wrong and to live according to that which is right. Morality is therefore the foundation of ethics, which is the philosophy of how morality guides human behavior.

<sup>2</sup> We accept that a postmodern view of ethics would differ from our approach, but from a professional point of view, with the existence of professional codes of conduct in teaching, and the zeitgeist of moral relativism in society, a deontological approach to ethics seems best suited to institutions teaching ethics in education, at least as the foundation of professional ethics. Other schools of ethical thought, utilitarianism, virtue ethics, etc., may be examined thereafter.

are bounded by both provincial codes of professional ethics and the legal responsibilities in various provincial statutes. For example, notwithstanding receiving information on a confidential basis, a teacher is compelled legally to report to the authorities suspected acts of child abuse and other such matters. In Alberta, for instance, this would fall under Section 4 of the Child, Youth and Family Enhancement Act (Province of Alberta, 2000):

Reporting child in need

4(1) Any person who has reasonable and probable grounds to believe that a child is in need of intervention shall forthwith report the matter to a director.

...

(2) Subsection (1) applies notwithstanding that the information on which the belief is founded is confidential and its disclosure is prohibited under any other Act. (p. 16)

Nevertheless, pure analysis, however rational, can miss the mark in not fully understanding the ethical nuances crucial to a satisfactory resolution of an ethical dilemma faced by a teacher, particularly in extremis. For example, a comparative analysis between Canada, the United States, England, Australia, and the Netherlands indicates that, “despite a broad consensus on the ethical dimensions of the teaching profession, and long-standing efforts to align teacher education with wider trends in professional education, little is known about how teacher candidates are being prepared to face the ethical challenges of contemporary teaching” (Maxwell et al, 2016, p. 1). In that respect, teacher education programs must raise the ethical consciousness of their preservice education students, which includes an awareness of the students’ own implicit and explicit ethical dispositions that may adversely affect their ability to exercise sound professional judgment when facing ethical situations as teachers. That sensitivity—or raised ethical consciousness—is critical for education students to achieve practical wisdom, as opposed to purely theoretical reasoning,<sup>3</sup> in the ethical crucible of the day-to-day life of a teacher. This practical wisdom is important due to the praxis of education in the classroom.

## The State’s Interest in the Ethical Education of Preservice Teachers

Teaching children is necessarily a moral endeavor. Despite the centrality of ethics and morality in the teaching profession, education has been late to attend to

<sup>3</sup> We understand practical wisdom in the Aristotelian sense. In *Nicomachean Ethics*, Book 6, we see that practical wisdom deals with practical reasoning bound up with deliberation and action.

this component in its programs, unlike other professions such as medicine or law (Maxwell, 2008; Maxwell & Schwimmer, 2016; Warnick & Silverman, 2011). The moral judgments and discernments in answering classroom questions and dealing with difficult situations concerning children and especially adolescents as they go through the often painful and angst-ridden stages of growth are complex and voluminous. Such moral considerations cover the spectrum of both the informal, incidental occurrences that happen over a day and the formal moral judgments that inform teachers' professional practice. How should children be taught? How are children to conduct themselves in a classroom? How are teachers to conduct themselves both during school hours and when off duty? How should teachers respond to perceived inappropriate behavior? How should teachers negotiate and cultivate relationships among students, colleagues, and parents?

The role of teachers as moral models can extend to that of cultivating moral character or virtues with children (Carr, 2006), or further, to whether schooling itself is the cultivation of moral dispositions for the broader society. To the extent that teachers are moral agents of the state (Boon, 2011; Campbell, 2011), they will necessarily imbue particular moral judgments in students within the classroom, which necessarily places the moral endeavor at the heart of teaching. If we start with the premise that teaching is a moral endeavor, in the sense that it involves conversations and actions, which demand that the teacher as actor has a sense of right and wrong, then there is unquestionably a central role that teacher education must play in raising the ethical awareness of future teachers (Maxwell & Schwimmer, 2016).<sup>4</sup>

### **Ways to Imbue Ethical Awareness in Preservice Teachers**

Different approaches to building preservice teachers' ethical judgment and reasoning prioritize methodological, theoretical, phenomenological, and empirical perspectives (Maxwell & Schwimmer, 2016). One approach that aims to cultivate ethical dispositions is creating a dedicated course in ethics and law, with two components. Student teachers commonly understand the legal component required of their profession, found in the codes of professional conduct and legislative statutes to which they must comply. The second component is that of ethical judge-

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<sup>4</sup> For a discussion on the importance of teaching how to approach ethical dilemmas in classrooms, see Elloian's (2017) interview with Meira Levinson, professor of education at Harvard University's Graduate School of Education and founder of JusticeinSchools.org. Levinson spoke of her co-authored 2016 book, *Dilemmas of Educational Ethics: Cases and Commentaries*, which deals with complex ethical problems in education beyond the classroom, such as vouchers and religious education (Elloian, 2017, 12:50).

ment and reasoning.<sup>5</sup> How do teachers discern and navigate the minefield of ethical dilemmas that naturally are inherent in teaching young children about themselves and the world they inhabit?

In this paper, we build upon the assumption that ethics is a necessary and central component of the teaching profession. Given this position, ethics must be explicitly taught to preservice teachers. We argue that tools such as the review of case law, provincial and federal statutes, and professional guidelines are insufficient to assist for pre-service teachers to develop the practical wisdom necessary to deal with the ethical conundrums that will arise regularly in their classrooms. Such pieces of a preservice ethics and law course may well fail to address the assumptions and dispositions held by those preservice teachers, and these assumptions and dispositions frame the subjective template upon which ethical situations play out in their classrooms and schools.

In many cases, preservice teachers do not know how they may be predisposed to act, which may be unethical in so far as the profession or the law is concerned. This paper will provide examples of teachers' ethical and hence professional blindness in public education, parochial education, and constitutionally protected Catholic separate schools. We take the position that if experienced teachers fail to apprehend the ethical nature of what has been construed as professional misconduct, then professional prudence demands that teacher preparation programs provide opportunities to preservice teachers to see themselves in a critical fashion as potentially and in some cases complicit in unethical and thus unprofessional behavior.

## **The Praxis of Teaching Ethics to Preservice Teachers**

An array of methodological and theoretical approaches has surfaced in addressing how to build ethically astute teachers (Maxwell & Schwimmer, 2016). Recent research on the topic suggests these methods have had limited impact in changing preservice teachers' dispositions and attitudes regarding their heightened professional role. This lack of efficacy is particularly evident in teachers' responsibility to imbue and foster moral reasoning, both for themselves and collectively for their students and the broader profession. Warnick and Silverman (2011) noted that it is reasonable to ensure that preservice teachers understand their obligations under the codes of professional conduct. In this way, the notion that moral relativism governs

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<sup>5</sup> Chapman, Forester, and Buchanan (2013) offers an interesting view of pre-service teachers maneuvering through ethical tensions. The authors argue that "previous accounts of teacher education have highlighted a deep appreciation of the value-laden nature of teaching, as well as teaching as a moral craft, and teachers' own sense of their work as moral in nature (Beyer, 1997; Campbell, 1997). More recently, it has been suggested that ethics education requires a multi-dimensional approach to avoid problems of relativism and moral despair, but must also avoid overemphasis of highly structured ethical reasoning, which can undervalue narrative moral sensibility . . . (p. 132). An earlier paper by Benninga (2003), "Moral and ethical issues in teacher education" addressed two components related to the moral and ethical preparation of teachers: issues related to the identification and assessment of professional education, and . . . [the] foundations and specific models for the preservice training of teachers of character.

the profession is clearly problematic; teachers are bound by, at minimum, to an ethical code. Failure to comply with professional codes may be grounds for reprimand, dismissal, or revoking of one's teaching certification.

Knowing that such codes exist is a first step toward recognizing one's responsibility as a teacher to the profession. Yet the nature of these codes, as they are written, tends to be overarching and relatively broad and ambiguous, leading to a wide pluralism in their interpretation, implementation, and enforcement. In addition, in the case of some provincial jurisdictions, such as Alberta, there is a conflation of roles. Professional bodies are required to enforce the collective obligations as set in the codes of professional conduct. Yet in some instances, the professional body also may advocate on behalf of the teacher, who may be in direct violation of the code, as part of its role as a union. The rendering of ethical conduct decisions in these cases then seems to be set within a larger quagmire of ethical dilemmas on the roles and responsibilities of the teaching professional bodies themselves.

Several cases have come to the fore that suggest that unethical behavior by teachers has not resulted in disciplinary action by the respective provincial professional bodies. Let us allude to a couple:

- The *Saskatoon Star Phoenix* claimed in 2013 that over the previous 18 months, over 10 cases of unethical behavior by teachers, including slapping a student's buttocks, doing drugs at a party and driving impaired, uploading a nude picture (of the teacher herself) to the Internet, and inappropriate touching, did not warrant any disciplinary action (French, 2013).
- The *Calgary Herald* noted in 2014 that 37 accusations of inappropriate or sexual relationships with students had been filed against Alberta teachers in the previous five years (McClure, 2014).

We want to make three claims. First, ethics education should not be simply for teaching the minimum threshold of what a professional code of conduct entails for the profession. Second, the implications of what *in loco parentis* means for teachers in comparison to other professions has heightened the collective ethical and legal responsibilities that professional bodies and teacher education programs owe to their teachers, preservice teachers, and the broader public. Third, ethics education should address scenarios in which teachers conduct illegal or unethical behavior. This approach demands that a concerted effort be made to raise the ethical consciousness of preservice teachers not just through an understanding of the law and professional duties but also with regard to the implicit and explicit belief systems that underlie their decision-making processes.

## The Law as a Partial Tool in Ethical Development

The overarching aim of codes of professional conduct help make explicit the collective norms and values of the profession and the general public, and set the minimum threshold that individuals can expect educators to adhere to as part of their professional obligations. Maxwell (2017) distinguished between two approaches to the ways in which codes of professional conduct tend to be written. One approach is regulatory, making explicit the regulatory aspects of the profession if ethical standards are breached (Banks, 2003). The other is aspirational. Aspirational codes of professional conduct have overarching values to which individuals should aspire. Values such as dignity, respect for students, and ethical integrity are common ethical dispositions considered to be at the core of the profession.

Codes of professional conduct provide a baseline for making explicit the moral and ethical compass of the teaching profession. Yet, educators may still grapple with the interpretation of such codes in their daily practice. Levinson and Fay (2016) noted this conundrum:

Many teachers and school and district leaders, for example, agonize about having perpetrated injustices or failed to treat others ethically in the course of their everyday decisions. But they lack tools for, and practice in, analyzing and making collective decisions about these kinds of practical ethical conundrums. Rather, ethical challenges remain private affairs, embarrassing for educators and policy makers to reveal to others lest they expose themselves as having potentially perpetrated unjust or ethically questionable acts. Ethical uncertainty is treated as an admission of weakness rather than an opportunity for collective learning. (p. 2)

Although codes of professional conduct provide the foundation for making explicit the ethical endeavour that is central to teaching, they do not assist much for individuals grappling with the ethical challenges that undoubtedly arise under these broader collective norms and values.

If the first approach in discussing codes of professional conduct is a necessary, but insufficient starting place for developing student teachers' ethical reasoning, one may draw upon precedence from legal cases to illuminate the ethical dilemmas. A common practice to develop more robust consciousness around potential ethical issues is for preservice teachers to examine previous legal cases, providing them with precedence of conduct that has gone to court and where a judgment has been made. This examination provides preservice teachers with clear, real examples of the nature of the ethical dilemmas and the discernments that were made in coming to a decision. Case law provides them with an opportunity to consider the factors that give rise to the allegation and judgment, and further, to recognize the central ethical

issue as it applies to a teacher in those particular circumstances.

In many cases, teachers, let alone preservice teachers, do not know that they may be predisposed to act in a manner that constitutes professional misconduct and may be seen by the public as unethical. Indeed, even if not predisposed, they may be ignorant of the nuances involved with determining what is ethical and what is unethical—from a professional perspective. What follows are examples of such instances reflected in the common law.

In *Schewan v. Abbotsford* (1987),<sup>6</sup> a married couple teaching in Abbotsford were suspended for their private behavior. Mr. and Mrs. Schewan were junior/senior high school and junior high school teachers, respectively, of high repute when Mr. Schewan took a picture of his wife nude from the waist up and submitted it into a contest called “The Girls Next Door” being held by *Gallery* magazine in the United States. Mrs. Schewan won the contest, and a picture of her “lying on her back on a bed with the top of her body uncovered . . . wearing stockings, high heels and a garter belt” (*Abbotsford School District 34 (Board of Trustees) v. Shewan* (1986), para. 12) was published internationally. The magazine was sold in Abbotsford, and when the school board was made aware of the picture, the couple was suspended for six weeks for misconduct. After a Board of Reference decision in favor of the Schewans, the school board appealed for judicial review, and the British Columbia Supreme Court found against the Schewans. Upon further appeal to the Court of Appeal by the Schewans, the Court found again for the school board. It is interesting that from the first hearing, the Schewans saw their action as reasonable. In fact,

When asked about the appropriateness of submitting the photograph to the magazine, Mr. Shewan said he felt it met community standards. The superintendent said it was not appropriate and he would not be surprised if the school board felt the same way. Mr. Shewan replied that in his view those opinions did not reflect the community. (*Abbotsford School District 34 (Board of Trustees) v. Shewan* (1986), para. 13)

It was only after seeing her picture in the magazine that Mrs. Schewan saw a problem, according to the Court, which said she knew it was wrong to display herself in that way in that company, and that such conduct was well below the standard expected of teachers. That is borne out by the fact that when she saw the magazine she was “alarmed” and

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<sup>6</sup> Legal citation can be a bit confusing to the uninitiated. We cite quotations from both the trial court decision and the appeal court decision. The case name changed after the appeal. At trial the case was cited as *Abbotsford School District 34 v. Schewan*. (1986). 70 B.C.L.R. 40 (B.C.S.C.). Upon appeal the new name of the case became *Shewan v. Board of School Trustees of School District #34 (Abbotsford)*, 1987 CanLII 159 (BC CA). We use the Court of Appeal decision when we refer to the case in general, as it was the final judgement.

“concerned” that if the school board members saw it, her job would be in jeopardy. (*Shewan v. Abbotsford*, 1987, para. 21)

The fundamental error on the part of the teachers, and of many B.Ed. students in teaching programs in our experience, is that they did not realize that their behavior would be deemed unethical, meaning contrary to a professional standard, on an objective test, not a subjective test offered by any particular community, by their friends, or by their own personal beliefs. As the Court of Appeal said,

In our opinion, the extent to which Canadians generally will tolerate the exploitation of sex is not, by itself, the standard to be applied in deciding whether a teacher has failed to meet the special standards expected of one who holds that position. (*Shewan v. Abbotsford*, 1987, para. 16)

. . . The question in this case is not whether the photograph is obscene, but whether the publication of such a photograph of a teacher in such a magazine will have an adverse effect upon the educational system to which the teacher owes a duty to act responsibly. (*Shewan v. Abbotsford*, 1987, para. 17)

In other words, the point to be made to students in education is that ethical behavior in the teaching profession is not tied to a community standard but rather the effect of the behavior in question upon the institution of education. Our experience is that most students do not come into faculties of education with this understanding.

Student teachers should know that ethical behaviour extends not only to what one does, but also what one fails to do as was evident in a case in an independent school in Alberta. The Court said

The annual Christmas formal dance for STS [Strathcona-Tweedsmuir School] students in grades 10, 11 and 12 was arranged for December 11, 2006 at the Calgary Golf and Country Club. The Country Club is a very old and established exclusive club and is centrally located. The venue was chosen for these reasons and the event was largely organized by the school’s prefects. A number of faculty chaperones had been selected for the event. It figured prominently in the school’s assemblies and emphasis was placed on the need for students to behave in accordance with the expectations of the school. (*J.O. v. Strathcona-Tweedsmuir School*, 2010, para. 6)

One of the parents held a “pre-dance get-together at which they served snacks and a glass of champagne and orange juice for approximately 10 students” after which the students went by limousine to the dance (para. 7). During the ride, “not

surprisingly, somebody brought alcohol . . . and a female student, “J” , continued drinking “either more champagne or rum or both” (para.7). At the dance she became ill. J was drunk and her boyfriend, “P” took her to the women’s washroom and lifted her so that , “she was seated on the counter and P was assisting her in cleaning herself up so that she could return to the dance” (para. 9). Unfortunately, several elder female members of the club entered the washroom, Mrs. Lougheed among them, and was surprised to see that there was a young man in formal attire with his back to her. Seated in front of the young man was a young woman with either a short skirt or her skirt hiked up to her thigh level. He had his hands in front of him and he did not turn around right away (para. 11).

Upon the above being reported to the school administration, “J” was given the opportunity to withdraw from the school or be expelled (para. 23). This lack of due process in determining the culpability of a student’s actions when the stress of political pressure is upon a teacher or administrator is, we suggest, common. The court said,

In my view, the procedure followed in J.’s case fell considerably short of meeting STS’ duty of fairness. Even if I accept the Defendants’ position that all that was required was the “minimum standard” that J. be given notice of the case against her and an opportunity to respond to it, I am of the view that that minimum standard was not met. No one at STS took the time to consider J.’s side of the story. (*J.O. v. Strathcona-Tweedsmuir School*, 2010, para. 34)

The Court identified the rationale for the school’s decision,

In my opinion, STS’ actions smack of a rush to judgment. Both Mr. Addley and Mr. Ditchburn placed considerable emphasis on the identity of the only witness to whom Mr. Addley spoke, Mrs. Lougheed. I find that both were unduly influenced by this witness’ standing at the Calgary Golf and Country Club and in the community. Mr. Addley, in particular, made no efforts to seek accounts other than Mrs. Lougheed’s. It seemed as though, having learned the identity of the “prominent” witness and obtained what he took to be some measure of confirmation from J., he concluded that he had what he needed. Mr. Ditchburn, too, referred to the reputation of Mrs. Lougheed. Mr. Ditchburn also acknowledged that he received a number of phone calls from people in the school community, both apprising him of Mrs. Lougheed’s reputation and telling him that the incident was being talked about and that the school needed to take it seriously. (*J.O. v. Strathcona-Tweedsmuir School*, 2010, para. 43)

An ethical approach demands due consideration of all of the circumstances in a case, the application of practical wisdom, but also fairness which was absent in this case. The Court said,

I find that it was not. While J. was not formally expelled from STS and no formal expulsion appears on her record, she was required to leave and I find that the process by which the decision to require her leaving was arrived at fell short of the duty of fairness owed to her. Therefore, I find that STS is in breach of its contract. (*J.O. v. Strathcona-Tweedsmuir School*, 2010, para. 47)

Ethical behaviour also involves not acting in an overt manner so as to not unwittingly engender in a student the belief that you want to have a personal relationship with the student. Of course no reasonable teacher would do so, but for a young student teacher that wants to be helpful to a student she likes, and thus is overly personally helpful, the results can be horrendous to both the student and the student teacher. Such was ostensibly the case of one such student teacher, Mr. Heart.

At the time, the appellant [Mr. Heart] was a 25-year-old student teacher completing his practicum at a school on Vancouver Island. As part of that practicum, he taught a Social Studies class. The complainant, who was 14 years of age and in grade 9, was a student in his class. During the appellant's practicum, the complainant spent time talking with the appellant both on her own and in the presence of two friends, B. and R. Eventually, these conversations became a regular occurrence before and after school. The complainant often returned on her own to the appellant's classroom to talk to him. This evidence was corroborated by the testimony of B. and R., and shows a great deal of imprudence on Mr. Hart's part, to say the least. Ultimately, the complainant told the appellant she had a "crush" on him. The allegations include assertions that the relationship progressed to the extent that the appellant kissed her once during the last week of his practicum and that a second kiss occurred on the last day when everyone was saying goodbye. (*R. v. Heart* (2000), BCCA 245, para. 3)

Mr. Heart denied the above allegations of inappropriate conduct but had difficulty at trial as he had sought out the complainant after the school year had finished and had been instrumental in finding her summer employment, even driving her to work. He was charged with two counts under the Criminal Code of Canada as

being a person in a position of trust or authority towards a young person, [the Complainant], or a person with whom that young person is in a

relationship of dependency, he did, for a sexual purpose, touch, directly or indirectly, with a part of his body, the body of that young person, contrary to Section 153 of the *Criminal Code*. (*R. v. Heart* (2000), BCCA 245, para. 2)

He was convicted at trial but on appeal to the BC Court of Appeal, the Court found him not guilty because, in

view of the substantial difficulties with the complainant's evidence, conceded by the Crown, and the independent evidence that in my view raises a reasonable doubt, I must conclude that this is an unreasonable verdict unsupported by the evidence. . . . The evidence in this case is simply inadequate to support a conviction. (*R. v. Heart* (2000), BCCA 245, para. 37)

If one believes Mr. Heart's evidence, that he was imprudent in acting as a "friend" to the complainant, then one must conclude that his naiveté led him to unethically act such that the complainant misunderstood his actions as being an invitation to an improper – indeed illegal – relationship. Beginning teachers, especially of a young age can mistake empathy simpliciter as a professional attribute. That misunderstanding can lead to not only unethical behaviour but also a few hard years in a federal penitentiary.

The last case we will refer to is from the United States of America, and it too deals with a student teacher.

The Commonwealth of Massachusetts operates Salem State College. Matriculation there offers students, inter alia, the opportunity to obtain both a baccalaureate degree in education and a teaching certificate (a sine qua non to securing a faculty position in a public school within the Commonwealth). The issuance of such a certificate, in turn, hinges on successful completion of a student teaching practicum. When the events giving rise to this suit transpired, the appellant [Mr. Hennessy] had completed three years of a four-year curriculum at Salem State. In the first semester of his senior year, he enrolled in a class on multiculturalism taught by Dr. Mary-Lou Breitborde, the chair of Salem State's Department of Education. Over the course of the semester, Breitborde became concerned about the appellant's unusually forceful espousal, at inappropriate times, of religiously oriented views on subjects such as homosexuality and abortion (e.g., his submission of a paper wrapped in a picture of a fetus, even though the paper had

nothing to do with reproductive rights). In light of these experiences and corroborative reports received from other docents, Breitborde met with the appellant to address his suitability for pursuing a teaching career in the public schools. (*Robert J. Hennessy v. City of Melrose*, 1999, para 1-2)

In January, 1996, Salem decided that Mr. Hennessy, who had given assurances that “he would refrain from proselytizing in the classroom”, would be placed at an elementary school for his practicum. By March of that year, four events led to a crisis point. The quotation from the Court record is a bit long but necessary to give the reader the flavour of the situation.

The Everson Conversation. During a conversation that took place on an undetermined date, [Hennessy] . . . showed a picture of an aborted fetus to a teacher, Carol Everson. His behavior and demeanor frightened Everson and she voiced her trepidation to Horace Mann’s principal, Dr. Judy DeLucia. -Family Fiesta Night. On March 26, the appellant balked at participating in a multicultural assembly called “Family Fiesta Night”-an event in which his fourth-grade class was actively involved, [calling] the dancing “silly” and “inappropriate,” and left almost immediately. He made no bones about the fact that he considered the performances lewd and offensive to principles of “biblical sobriety.” -Regarding Art. Three days later, [Hennessy’s] class attended a presentation by parent volunteers entitled “Regarding Art.” One of the presenters introduced a well-known painting by Renato Cesaro which parodied a traditional (Leonardo da Vinci) rendition of the Last Supper and depicted Hollywood stars in lieu of Christ and the apostles. The appellant termed the display “disgusting,” branded the Cesaro painting “obscene,” and stormed out of the class. . . . -The DeLucia [the principal] Interview. The contours of the practicum called for the appellant to function as the fourth-grade class’s sole instructor during the following week. . . . In mid-day, . . . DeLucia summoned [Hennessy] . . . to her office and inquired about the Family Fiesta Night and Regarding Art episodes. [Hennessy] . . . explained that “you can’t serve God and Mammon,” that he had chosen the former, and that he was more interested in pleasing God than in pleasing the principal. According to DeLucia, he then stated that he viewed her as “the devil” and the Horace Mann faculty as her disciples. When the

appellant persisted in arguing that it was wrong to allow religion to be denigrated in the public schools, DeLucia terminated the interview and the appellant returned to his fourth-grade class. (*Robert J. Hennessy v. City of Melrose*, 1999, para 5- 9)

The case ended with Mr. Hennessy being removed from the school and not being reassigned another school by Salem State College. Later, the City of Melrose school system refused to allow Hennessey to be placed in its schools and hence the legal action commenced. As a result of his inability to complete his practicum, Hennessy failed his practicum and could not graduate. He argued that his actions at the school were not academic in nature. The Court said,

The appellant's conduct at Horace Mann had academic significance because it spoke volumes about his capacity to function professionally in a public school setting. Bearing this in mind, we find no factual information of a significantly probative nature that suggests that Salem State's decision to fail the appellant rested on anything other than the faculty's academic judgment that he had neither completed the required assignments nor demonstrated the practical qualities necessary to perform efficaciously as a public school teacher. Although this judgment by its nature had a subjective cast, it nonetheless fell well within the sphere of constitutionally permissible academic decision-making. (*Robert J. Hennessy v. City of Melrose*, 1999, para 43)

The ethical point, which was lost on Hennessy, was that his moral worldview, informed by his religion, must necessarily give way in a democratic institution based upon and charged with fostering the common good as that term is defined by the institution. As a corollary to that definition, institutional practices which engender a sense of community and which are based upon human rights codes and relevant case law must be adopted by the preservice student. Ethically, if one takes upon oneself the mantle of a teacher in a public institution and accepts the substantial benefits of that position: pension, association protections, etc., then one must accept that for the purposes of the profession one must at least *publicly* espouse and act in concert with those ethical values as defined by the institution and the law. To the student teacher this may seem Kafkaesque in that to be professionally ethical one must be immoral – in terms of own religious or beliefs. This sense of ethical ataxia is often a difficult emotional situation to deal with and a confusing intellectual point for student teachers to fully grasp. Hennessy is an extreme case of this phenomenon, but it is an example of the necessity of complying with the institution of education's beliefs,

practises and principles notwithstanding conflict with one's own moral and ethical belief system.

The matter becomes more complex when speaking of ethical behavior in independent religious schools and with constitutionally protected Catholic separate schools in Ontario, Saskatchewan, and Alberta. Students in B.Ed. programs who seek positions within those schools have not only the above criteria for professional ethical behavior to be concerned with, but also the peculiarities of an array of religious beliefs or rules which they may or may not know in detail, but to which they will nevertheless be bound by in their employment in a religious school. For example, living in a common law relationship, promoting same sex marriage, or arguing that a Wicca experience should be part of the curriculum would not be acceptable in a fundamentalist independent Christian school, an Islamic school, or a Catholic school. These are well-known taboos in such schools. However, what may not be generally known is that when a teacher states her intention to the school board to transition due to gender dysphoria, that action alone can be seen as deeply unethical and result in termination of employment, as in the recent Buterman case in Alberta (Johnston, 2017). The point is that what is deemed “ethical” in teaching is not dependent upon local community standards, including, in the case of religious schools, seeking a reasonable and psychologically necessary medical procedure.

This nuanced approach to understanding what is ethical in the profession is necessary, we argue, for students in B.Ed programs to come to grips with before they enter the profession. Besides the Buterman case (Johnston, 2017), student teachers going into religious schools should be made aware that the religious beliefs of the faith-based institution will allow their employer to go far beyond merely *reacting* as a result of, say, having a magazine brought to them. School administrators in religious schools may be proactively intrusive into teachers' private lives in order to ensure that ethical behavior requirements—as defined by their religion—have not been breached.

This point was clearly made by the Supreme Court of Canada in the Caldwell case (*Caldwell v. Stuart*, 1984). In Caldwell, a teacher in a Catholic school married a divorced man in a civil ceremony, which was seen by the Catholic Church as an illegitimate union and thus being contrary to the Catholic faith. Due to the perceived illegitimacy of the ceremony, the couple was seen by the school as living in a common law relationship contrary to Church teaching. Hence, she was not hired by the Catholic school to teach the following year. Catholic schools in British Columbia are not constitutionally protected as they are in Ontario, Saskatchewan, and Alberta, and so the Catholic school board sought protection for its decision under the provincial Human Rights Code, claiming that living according to the Catholic faith was a bona

fide qualification of employment for teachers in a Catholic school. The Supreme Court of Canada agreed, saying,

To carry out the purposes of the school, full effect must be given to this aspect of its nature and teachers are required to observe and comply with the religious standards and to be examples in the manner of their behaviour in the school so that students see in practice the application of the principles of the Church on a daily basis and thereby receive what is called a Catholic education. (*Caldwell v. Stuart*, 1984, p. 618)

*The Board found that the Catholic school differed from the public school.* This difference does not consist in the mere addition of religious training to the academic curriculum. The religious or doctrinal aspect of the school lies at its very heart and colours all its activities and programs. *The role of the teacher in this respect is fundamental to the whole effort of the school, as much in its spiritual nature as in the academic.* It is my [Name of person] opinion that objectively viewed, having in mind the special nature and objectives of the school, the requirement of religious conformance including the acceptance and observance of the Church's rules regarding marriage is reasonably necessary to assure the achievement of the objects of the school. It is my view that . . . the requirement of conformance [to the faith] constitutes a *bona fide* qualification in respect of the occupation of a Catholic teacher employed in a Catholic school, the absence of which will deprive her of the protection of s. 8 of the *Human Rights Code*. (*Caldwell v. Stuart*, 1984, p. 624, 625, emphasis added)

In Alberta, which does have constitutionally protected Catholic separate schools, the same requirement of religious conformity followed in the *Casagrande* case (*Casagrande v. Hinton*, 1987). In that case, the Hinton Roman Catholic Separate School Board had a policy requiring teachers to follow a lifestyle consistent with the teachings and beliefs of the Roman Catholic Church. That required abstinence from premarital sexual intercourse. After having had one child out of wedlock, the applicant in the case was warned by the board that any further premarital sexual intercourse on her part would result in her dismissal. She subsequently became pregnant again and applied for maternity leave. Her request was denied, as was her request for an extended leave of absence. She was dismissed, and the Board of Reference supported the school board. Although she challenged the dismissal on constitutional grounds under Section 15 of the Canadian Charter (Government of Canada, 1982),

among which, we note with interest, was discrimination based upon the fact that she was female, the Court of Queen's Bench found against her (*Casagrande v. Hinton*, 1987).

It is important in this age to remind preservice teachers that what is ethical or unethical professionally in a public or religious school is not what is ethical or unethical colloquially, or personally. This can be a hard message for some, but we take the position that it is one which must be taught before they enter the profession. Through discussion in class with their peers, the instructor, and guest speakers, preservice teachers begin to appreciate the term "ethical" in relation to the profession of education is nuanced, complex, and will at times conflict with their own personal sense of morality and ethics.

The benefit of critically studying case law is that preservice teachers learn the process of legal analysis and the legal principles underlying the decision. Moreover, they move to a better understanding of the law as being not just an application of rules having a certain pedigree, as suggested by positivism (Hart, 1979), but as a system of principles which also constitute the law although they are not stated expressly in legislation or common law (Dworkin, 1998). In addition to such views, there is also a specific view of ethics and law in natural law theory (Finnis, 1980). This deep understanding of the meaning of law, when combined with ethics, leads preservice teachers to reflect upon mere obedience to a rule, as suggested by Austin's (1832/1995) command theory of law, and hence the social-political-legal and ethical nature of decision-making through an application of practical wisdom.

When using the law as part of the matrix of teaching ethics, it is important to keep Dickens' (1839/1970) words in mind. In *Oliver Twist*, he related this conversation between Mr. Bumble and Mr. Brownlow:

"It was all Mrs. Bumble. She *would* do it," urged Mr. Bumble; first looking round, to ascertain that his partner had left the room.

"That is no excuse," returned Mr. Brownlow. "You were present on the occasion of the destruction of these trinkets, and, indeed, are the more guilty of the two, in the eye of the law; for the law supposes that your wife acts under your direction."

"If the law supposes that," said Mr. Bumble, squeezing his hat emphatically in both hands, "the law is an ass—a idiot. If that's the eye of the law, the law is a bachelor; and the worst I wish the law is, that his eye may be opened by experience—by experience." (Dickens, 1839/1970, p. 489)

Clearly Mr. Brownlow was not exercising practical wisdom. Unlike the three cases presented above, one might contend that most incidences that preservice teachers will reconcile as teachers are the day-to-day ethical judgments that may not give rise to the formal allegations of a legal case, yet may still be cause for reprimand by parents, administrators, or a school jurisdiction. For instance, the notion of empathy has commonly been applied in helping preservice teachers develop ethical dispositions in considering an issue through the eyes of another. As we argue below, this pedagogic approach to ethical discernments, although well-intentioned, may do little to help build ethical reasoning, and may actually create inappropriate responses to situations despite the teacher's best intentions. Let us pursue the limitations of such an approach.

### **Ethical Judgment and Reasoning in Daily Teaching Practice**

The vast majority of students who enter teacher education programs have altruistic and good intentions. Students commonly note that they entered the teaching profession because they truly and deeply care about children and wish to make a positive difference in their lives. In reading the codes of professional conduct, most will see themselves as easily upholding the obligations and values that underpin these documents. They see themselves as providing dignity and respect to children, upholding the notion of care and safety, and creating inclusive classrooms. They do not see themselves abusing their power through personal financial gain, nor do they consciously or purposefully circumvent the protocols and processes for working collegially among colleagues, administrators, and the teaching professional bodies.

When codes of professional conduct are considered and understood together with legal cases involving ethical dilemmas, the emphasis is on noncompliance or negligence in some capacity. Yet, an ethical dilemma is one that is not easily rectified and difficult to resolve. Complexity and nuance require both a sense of practical wisdom and judgement, and usually some experience in navigating such murky ethical terrain. We suggest that it is often when teachers are trying to consider the best interests of the child and think that they are upholding the dignity and respect of children that other factors may be obscured or not considered. To illustrate this point, we consider two examples of ethical dilemmas. First, a teacher assists a child who has confided in her regarding domestic troubles at home. Second, a teacher posts pictures of himself on social media as a body builder wearing a speedo. Despite the differences, each case calls into question the collective norms and values that are implicit and explicit in codes of professional conduct. Let us turn to each example accordingly.

One of the key values fostered in teacher education programs is that preservice teachers should develop a trusting relationship with their students when they enter the student practicum so that students feel supported and safe in the learning envi-

ronment. Preservice teachers are advised to set up a positive ethos and culture in the classroom, to create conditions for learning to occur. Based on this common advice, a student teacher may enter her practicum with the best of intentions to be an agent in creating that supportive and trusting learning environment. In the process, a 10-year-old child confides that her parents are arguing a lot and is worried that they may get a divorce. The teacher, with the intention of providing support and care to the child, decides to provide her personal email account to the student with the message that the student should contact her for support when needed.

Let us pause for a moment now. In Alberta, the Alberta Teachers' Association (2017) *Code of Professional Conduct* has a number of standards of professional conduct. For the purposes of this example, let us turn to relevant professional standards regarding a teacher's conduct in relation to pupils:

4. The teacher treats pupils with dignity and respect and is considerate of their circumstances.
5. The teacher may not divulge information about a pupil received in confidence or in the course of professional duties except as required by law or where, in the judgment of the teacher, to do so is in the best interest of the pupil. (Alberta Teachers' Association, 2017, paras. 6–7)

If the preservice teacher looks to the code of professional conduct for guidance in how to respond to the child, she may say that there was no lack in ethical judgement. She was upholding the standards of professional conduct by treating the child with dignity and respect, and not divulging information about a pupil in confidence. Yet, the lines between the personal and professional have been blurred given that the teacher provided a personal means of communication, isolated from the school, and has not involved the administrative or counselling apparatus provided by the school. The lack of practical wisdom is evident in this case as in effect, the teacher has not acted in the best interests of the child due to a flawed interpretation and application of the code.

In this case, preservice teachers may say that there is no clear answer regarding whether the teacher acted ethically. On the one hand, the values stated in the codes of professional conduct might lead one to believe that her actions upheld the dignity and respect of the student, and furthermore, she did not divulge confidential information. On the other hand, the preservice teacher, having provided her personal email address, blurred, albeit unwittingly, the professional and personal lines of communication. When presented to an ethics class, it would not be surprising for some students to advocate for the stance of the preservice teacher, suggesting that she was only doing what was ethical and in the best interests of the child. However,

one would hope that other students might suggest that even though the teacher's action was well intentioned, she did not consider the requisite professional obligation of exercising discretion of sharing personal information, such as a personal email. In any event, the university instructor should lead the class to an understanding of the importance of practical wisdom and the nuances involved in the interpretation of codes and, indeed, laws.

In this example, going over the overarching obligations and values that are explicit in the codes of professional conduct helps to provide some minimum threshold of awareness but may be too ambiguous for preservice teachers to understand how their interpretation and enforcement may be applied. The legal case may help to some extent, but legal cases are commonly such that the grievous action tends toward unethical or noncompliant behavior. In the case of the personal email, one might see the ethical dilemma. The teacher truly believes that she has developed a trusting relationship and a bond with this student, who is struggling to cope with her domestic circumstances, and the teacher may not see the problematic nature of her actions. However, despite her good intentions, she has not given enough consideration to the exchange of personal and potentially sensitive topics through her personal email. Yet, despite the nature of the ethical dilemma, one might suggest that such a dilemma—being the withholding of information provided by a student which may impact her welfare—would not in itself trigger a professional or legal complaint by parents, nor formal disciplinary action by the professional body. Arguably, the action of nondisclosure, if public, would be cause for a meeting of the teacher, the student, her parents, and school administrators, ending with a cautionary warning or small disciplinary action or apology. This example suggests that the contested ethical domain commonly lives in the mundane, day-to-day experiences found within the teaching profession that may not see the light of civil litigation or sanctioning by a professional body.

There are other examples of ethical lapses in teachers, which student teachers should consider. One such example is the in class use of the “F-Bomb”. Some young student teachers may emulate a few teachers in education faculties who believe that it is “cool” to use such language in their class rooms. We are certainly aware of such colleagues. Student teachers should learn that to use such language is unethical and will be seen as disrespectful to the profession. In one such case in Alberta,

A teacher had employed the use of a mild fine system as a penalty for students who swore in class. However, the teacher himself was known to swear on many occasions, in class, to students. He was reprimanded by the employer on several occasions for using the very language for

which he had admonished his students. The teacher used the proceeds from the fine system to buy treats for the students. (Schreiber, 2016b, para 2.)

In this case the Alberta Teachers' Association found against the teacher.

In its decision, the hearing committee noted that the teacher “legitimized and trivialized the use of profanity in the classroom” and further determined that teachers are expected to establish and maintain an appropriate climate in classrooms in a manner that demonstrates a suitable response to inappropriate behaviour. To do otherwise does not maintain the honour and dignity of the profession. The committee found the member guilty and ordered a letter of severe reprimand to address the situation (Schreiber, 2016b, para 3.)

In another case of professional ethical lapse, we see that it is sometimes difficult for some teachers to grasp that their ethical obligation is not just to themselves and their students but also to the profession. A very difficult ethical situation for a teacher is when her child is in a school within the school district in which she is a teacher. The Alberta Teachers' Association provides one such example.

In this example, a teacher had a son in a school within the jurisdiction in which the teacher taught. The teacher joined an unofficial group of parents who had concerns about the school administration and became embroiled in the activism to the extent that she became recognized by others as an informal leader. On behalf of the group, the teacher co-wrote letters addressed to external stakeholders and public figures, letters that criticized administrative practices at the school. The teacher also participated vociferously at several public meetings where she challenged and criticized the school administration's professional practice. One school administrator recorded the public meetings and the teacher's comments. At no time did the teacher provide the school administration with advance notice of her criticism, nor did she provide a copy of the critical letter to the administrators. The teacher did not provide her criticism to “proper officials” as reflected in the Code of Professional Conduct. The teacher received a penalty of two letters of reprimand to encompass three charges against her. (Schreiber, 2016a para 2- 3)

The difficult ethical point for teachers, particularly pre-service teachers, to grasp is that their professional responsibility to act ethically as defined in the profession trumps their own desire to act immediately and emotionally on their own to address what they consider a fact pattern involving their children. The professional restraint that even a concerned parent must exercise because she is a teacher – is one of the most difficult emotional aspects of abiding by the ethics of teaching. It is a point not known to many pre-service teachers and some teachers.

In other cases, it might be that preservice teachers do not see their professional role as requiring a higher moral threshold beyond the formal hours of employment. In these cases, preservice teachers grapple with the implicit threshold of upholding a higher moral standing in the public eye. These cases come in a variety of forms, usually involving teachers' digital footprint on social media and how they conduct themselves in public. Most commonly are pictures or statements made on social media that preservice teachers may not see as a violation of their codes of professional conduct, such as our example of a teacher posting pictures of himself wearing a speedo. Although preservice teachers recognize that there ought to be discretion online regarding their physical persona, they may not realize the extent to which their postings may be seen as unethical. Teacher education programs commonly note concerns about one's personal Facebook persona: postings with nudity, profanity, drugs, or alcohol should be avoided. Preservice teachers are urged to set their Facebook settings to private. Yet in the grey ethical domains, they may still be caught out on the receiving end of disciplinary actions related to social media sites despite heeding the advice of using discretion and privacy settings.

## **Conclusion**

To make explicit that teaching is an ethical endeavour, teacher education programs must continue to ensure that developing ethical reasoning and moral judgment among teachers is at the heart of their work. At minimum, all teacher education programs need to ensure that preservice teachers understand their requisite obligations under the collective norms of the profession as set by their local school jurisdiction and professional bodies. Further, beyond the applicable statutes, faculty would do well to consider drawing upon the common law to help to elucidate the key factors that give rise to rendering a particular decision. Faculty must also not forget that much of society's ethical reasoning and moral judgment does not live in the culmination of the law, but rather in the day-to-day judgements where teachers are constantly called upon to exercise their practical wisdom in determining issues of ethical import. We have suggested that the primary pedagogical task in teaching ethics in a B.Ed program is to make explicit the implicit, intuitive, and taken-for-granted ethical

discernments that teachers make, so that teachers are attentive and can reasonably and effectively defend their ethical judgments in the public square. This nuanced blend of approaching ethical dilemmas that arise in interactions with pupils, parents, and the community through codes of professional conduct, legal cases, and the application of practical wisdom is of a weight that is difficult to negotiate and navigate as a novice teacher. So, in answer to Meno's question stated at the beginning of this paper, we say with regard to teaching, "Virtue is a state of action grounded in practical wisdom and informed by professional codes and the law, but also by the personal choices teachers make to act morally, knowing that ultimately teaching is reaching out to students and in that professional relationship developing trust."

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### 3

## FOSTERING ETHICAL PROFESSIONALITY

DÉIRDRE SMITH

**E**ducators require extensive ethical knowledge and understanding in order to make ethical decisions and engage in ethical actions that support an equitable and emancipatory education for all within a democratic society. Ethics is the basis for democratic teaching, learning and educational leadership. It is imperative that the development of ethical insight and the formation of an ethical stance become fundamental elements within initial teacher education, continuing teacher education, leadership development and ongoing education.

The ethical professional is deeply committed to advancing and advocating for an education for all learners guided by the principles of equity, justice, respect, inclusion, emancipation and the democratization of voice. This ethical mission is inherent within the practice of teaching and requires educators to engage in ongoing formation in the area of ethics in order to individually and collectively achieve this complex and essential task. Educators must be adept at cultivating ethical cultures

within schools and districts. They need to know how to effectively foster the collective ethical capacity of all those with whom they are called to serve.

To ensure an integrated approach to ethical professional practice and action, the collective ethical knowledge, sensitivity, awareness, confidence and efficacy of the teaching profession must continue to evolve. The ongoing ethical formation of the teaching profession is essential for the public's continued trust and confidence in the ethical action of the educational community.

Educative processes designed to enhance the collective ethical capacity of the teaching profession are explored in this inquiry. These processes involve critical reflection and dialogue and focus on the lived ethical experiences of educators. These inquiry-based processes hold considerable promise for fostering the ethical sensitivity, efficacy and confidence of educators.

### **Context for Ethical Capacity Building**

“As a principal, I must enact my leadership vision from an ethical place. I am called to share and reinvent this vision with staff, students and the community” (Ontario College of Teachers, 2012, pg. 12). The Ontario College of Teachers (the College), as the self-regulatory body for the teaching profession in Ontario, is responsible for the development and enforcement of the *Ethical Standards for the Teaching Profession* (Ontario College of Teachers, 2006a). These standards were collaboratively developed with 10,000 members the teaching profession and the public. The policy development process for this important vision for ethical professionalism was comprised of six phases: strategic planning, consultation, policy drafting, policy validation, Council approval and provincial release, and policy implementation (Table 1).

PHASE 1	Strategic Planning	<ul style="list-style-type: none"> <li>- Background and Literature Review</li> <li>- Interviews with Key Informants</li> <li>- Environmental Scan</li> </ul>
PHASE 2	Consultation	<ul style="list-style-type: none"> <li>- Focus groups</li> <li>- Online Surveys</li> <li>- Open Space Technology</li> </ul>
PHASE 3	Policy Drafting	<ul style="list-style-type: none"> <li>- Standards of Practice and Education Committee</li> </ul>
PHASE 4	Provincial Validation	<ul style="list-style-type: none"> <li>- College of Teachers Website</li> <li>- Electronic Distribution</li> <li>- Mail Distribution</li> <li>- Bilingual Regional Forums</li> </ul>
PHASE 5	Council Approval and Provincial Release	<ul style="list-style-type: none"> <li>- Regional Institutes</li> </ul>
PHASE 6	Policy Implementation	<ul style="list-style-type: none"> <li>- Ongoing Ethical Institutes</li> <li>- Collective Ethical Capacity Building to Enhance Teacher Professionalism</li> <li>- Teacher Education Resource Development and Dissemination</li> </ul>

Table 1.  
Ethical Standards Collaborative Development and Implementation Phases

The *Ethical Standards for the Teaching Profession* (Figure 1) were co-constructed with the profession and the public through a collection of various dialogic methods (Table 2).

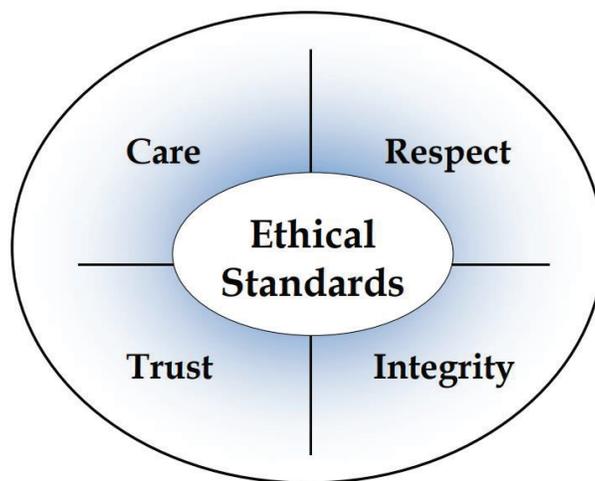


Figure 1.  
Ethical Standards for the Teaching Profession

DIALOGIC METHODS	TOOLS	RESULTS
CONSULTATION	Strategic Planning	<ul style="list-style-type: none"> <li>- Background and Literature Review</li> <li>- Interviews with Key Informants</li> <li>- Environmental Scan</li> </ul>
DISCUSSION	Consultation	<ul style="list-style-type: none"> <li>- Focus groups</li> <li>- Online Surveys</li> <li>- Open Space Technology</li> </ul>
FOCUS GROUPS	Policy Drafting	<ul style="list-style-type: none"> <li>- Standards of Practice and Education Committee</li> </ul>
CASE ANALYSIS	Provincial Validation	<ul style="list-style-type: none"> <li>- College of Teachers Website</li> <li>- Electronic Distribution</li> <li>- Mail Distribution</li> <li>- Bilingual Regional Forums</li> </ul>
SURVEY	Council Approval and Provincial Release	<ul style="list-style-type: none"> <li>- Regional Institutes</li> </ul>
OPEN SPACE TECHNOLOGY	Policy Implementation	<ul style="list-style-type: none"> <li>- Ongoing Ethical Institutes</li> <li>- Collective Ethical Capacity Building to Enhance Teacher Professionalism</li> <li>- Teacher Education Resource Development and Dissemination</li> </ul>

Table 2.  
Ethical Standards Dialogic Methods

The enforcement or integration of the *Ethical Standards for the Teaching Profession* through ongoing teacher education, research and knowledge mobilization is a key object and mandate of the College. The enforcement of these ethical principles is understood as an ongoing process of ethical education and strengthening of ethical professional practice. Ongoing education in ethics enables educators to effectively respond to the many multifaceted ethical challenges encountered in practice by activating highly informed professional judgment to guide their ethical decisions and actions.

The ongoing enhancement of the collective ethical capacity of the teaching profession is a central public obligation of the College as a self-regulatory body. The public entrusts the teaching profession to engage in continual ethical self-regulation. The enforcement of this self-regulatory process through the vision and framework of the ethical standards is an essential public and moral responsibility of the College. Ongoing education in ethics, based on the ethical standards, is essential for fostering the collective ethical capacity of the teaching profession.

## Theoretical Constructs

The theoretical constructs that support this exploratory inquiry are rooted in the traditions of phenomenology (Buber, 1923/1970; Merleau-Ponty, 1942/1962; Ricoeur, 1990/1992), narrative (Bruner, 1986; Connelly & Clandinin, 1990; Lyons & LaBoskey, 2002; McEwan & Egan, 1995; Witherell & Noddings, 1991), case work (Goldblatt & Smith, 2005; Jenlink & Kinnucan-Welsch, 2001; Ontario College of Teachers, 2006b, 2006c; Shulman, 1992; Shulman & Colbert, 1988; Smith, 2006; Smith & Goldblatt, 2009; Shulman, Whittaker, & Lew, 2002), ethics (Haynes, 1998; Langois & Lapointe, 2010; Langois, 2012; Ontario College of Teachers, 2006d; Smith, 2014, 2016; Starratt, 2004, 2012; Strike & Soltis, 1998), self-study (Bullough & Pinnegar, 2004; Hoban, 2004; Loughran & Northfield, 1998), and self-regulation (Karoly, 1993).

The theoretical framework for exploring ethical knowledge and practice through the lived experience of educators is rooted in the traditions of phenomenology (Ricoeur, 1990/1992; Buber, 1923/1970; Merleau-Ponty, 1942/1962). Phenomenologists (van Manen, 2003; Merleau-Ponty, 1942/1962) understand and analyze the essence of an experience by acknowledging that wisdom and knowledge are founded in the lived experience of people. Teachers' stories are examples of lived experience that reveal the essence of ethical practice. These narratives make theory observable in the work of the practitioners they describe. It is the lived ethical experience and the wisdom gleaned in real situations that were viewed by the College as being important to be studied. These lived experiences elucidate what it means to be an ethically guided educator.

Core dimensions of educators' ethical practice were phenomenologically explored (Ricoeur, 1990/1992; Merleau-Ponty, 1942/1962) through multiple dialogic (Buber, 1923/1970) inquiry processes. Engaging in conversations regarding the ethical professional practices of the teaching profession served to enhance awareness of the importance of the framework of the ethical standards for the collective ethical practice of Ontario's teaching profession. These dialogic encounters also served to illuminate the significance of ethical thought, action and reflection for effective professional practice and for the ongoing ethical evolution of the profession. The dialogic experience also requires that individuals be prepared to alter their own frames of reference (Mezirow, 1985) or theories of practice (Cranton, 2006) and replace them with other perspectives and awareness derived with the conversation (Buber, 1923/1970; Kogler, 1992/1996).

The College staff inquiry team believed in the richness (Geertz, 1973) of educators' lived experiences along with their ability to reflect on, share and analyze their

ethical practice through narrative processes. Ethical practice lies at heart of teaching and leadership. The moral landscape (Ayers, 2004) of teaching and leadership requires a strong moral purpose (Fullan, 2003) and a deeply rooted moral compass (Sergiovanni, 1992; Langlois, 2004). Moral purpose and direction enable the individual to recognize and to commit to supporting learning as a moral enterprise (Starratt, 2004). With this commitment comes a requirement that educators make ethical decisions consistent with their values, beliefs and with a sense of authenticity (Langlois, 2004).

### Ethical Knowledge and Action

Advanced levels of ethical knowledge enable educators to engage in ethical action. Ethical knowledge and action are inextricably linked as one informs the other. It is important to view ethical knowledge and action from an interrelated perspective. As educators work towards supporting the ethical agency of learners and colleagues, it is useful to understand this connection and view ethical knowledge as an interrelated set of ethical dimensions: *ethical awareness*, *ethical sensitivity*, *ethical confidence* and *ethical efficacy* as illustrated in Figure 2.

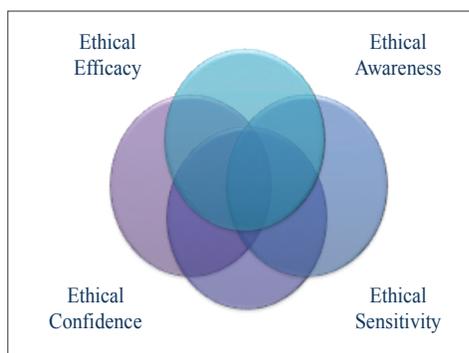


Figure 2.  
Ethical Knowledge and Action (Smith, 2014)

Ethically aware educators are able to consciously view, interpret and analyze experience from an ethical perspective. They innately see and understand experiences through an ethical lens. These educators are able to recognize the ethical dimensions and issues associated with situations, interactions, policies and practices. They are “awake” to the ethicality that is inherent within life experiences.

Ethical sensitivity enables educators to understand and respond to ethical experiences with a depth of compassion and empathy. Narveaz (2006) has described ethical sensitivity as being a combination of ethical skills that lead to ethical action. The skills associated with ethical sensitivity include being able to interpret emo-

tions, perspective taking, responding to diversity, connecting to others through care, preventing social bias, working with interpersonal and group differences, generating options and interpretations and identifying consequences of options and actions.

Educators are more able to recognize ethical challenges and issues and gain ethical confidence as their ethical awareness and sensitivity deepen. This ethical confidence enables educators to more consistently question and interrogate practices and policies that are unjust, unfair, inequitable or exclusive. Ethical efficacy becomes the driving force for educators as they come to believe and trust that they can make an ethical difference through exercising decisions, mobilizing resources and engaging in specific actions that ultimately and undoubtedly lead to an ethical stance.

Educators contribute to an ethical school culture when they mindfully and respectfully support, extend and scaffold the ethical awareness, sensitivity, confidence and efficacy of learners and colleagues. Processes that incorporate critical reflection, open dialogue and utilize the actual lived ethical challenges of educators can be catalytic forces for fostering ongoing ethical formation and for nurturing ethical cultures within schools and school systems.

### **Ethical Capacity Building Processes**

“It became readily apparent that there remains much work to do. As they say, however, the ‘longest journey begins with the first step’ and clearly we took a giant step forward at this Summer Ethical Leadership Institute” (Ontario College of Teachers, 2014, p. 7). The Ethical Standards for the Teaching Profession (Ontario College of Teachers, 2006a) provide a solid ethical framework for guiding the ethical practice of educators. Ongoing education in ethics enables educators to effectively respond to the many multifaceted ethical challenges encountered in practice by activating highly informed professional judgment which serves to inform and guide ethical decisions and actions.

Processes designed to enhance the collective ethical capacity of the teaching profession involved ongoing education in ethics and ethical leadership and integrating this education within Additional Qualification (AQ) courses and accreditation practices. The College supported a variety of inquiry based educative processes to advance the ethical knowledge and action of educators within the contexts of initial teacher education, continuing teacher education, leadership development and professional practice.

Educative processes that involved critical reflection and dialogue focused on the lived ethical experiences of educators have proven highly effective for increasing ethical sensitivity, efficacy and confidence. The College’s ethical resources, educative processes and continuing teacher education policy guidelines help to provide

ongoing education in ethics based upon the ethical standards. Educative processes for advancing and mobilizing the ethical knowledge, awareness and sensitivity of initial teacher education candidates and experienced educators have included,

- Ethical Inquiry Process - Figure 3
- Framework for Ethical Decision-Making – Table 3
- Ethical Leadership and Practice: Reflective Inquiry Matrix – Table 4.
- Ethical Consensus Workshops –Table 5, Table 6
- Ethical Institutes for Teacher Educators
- Ethical Leadership Profile Typology – Table 7, Figure 4
- Narrative-based Resources and Ethical Leadership Institutes
- AQ Course Policy Development and Accreditation Practices

These various ethical inquiry methods invite educators to identify and investigate the tensions, issues and dilemmas inherent within professional practice that occur within an educational landscape that is publicly committed to an equitable and emancipatory education of all. The written narratives, cases, visual narratives, completed ethical decision making frameworks, collective ethical profiles and the reflective comments and feedback received from participants illuminate the significance and importance of providing educators with ongoing and varied opportunities to delve deep into their ethical knowledge and to engage in a variety of emancipatory educative processes designed to foster ethical professionalism.

### **Ethical Inquiry Processes**

I had not previously realized how important ethical inquiry and analysis was to ethical practice until this ethical leadership institute. I found it to be a thought provoking exercise in consensus building, narrative inquiry, and realized that the dialogic ethical inquiry cycle was a process I needed to incorporate into my daily practice. I came away very impressed, and eager to move the process further along for both myself and the school community. (Ontario College of Teachers, 2014, p. 35)

Ethically responsible educators are adept at incorporating ethical analysis and critique as core dimensions of their thinking and reasoning (Duigan, 2006). These educators are conscious of the impact and implications of their decisions and actions (Smith & Goldblatt, 2009). Ethical inquiry processes serve as catalysts for professional learning designed to support educators' ethical criticality, ethical analysis and acquisition of new ethical insights and perspectives. The following ethical inquiry process (Figure 3) was initially designed for use within an ethical leadership summer institute involving fifty participants. Given the success of this inquiry tool to invoke deep critical reflection and inform ethical knowledge, it was then incorporated into

a teacher education resource, *Exploring Interprofessional Collaboration and Ethical Leadership* (Ontario College of Teachers, 2015a). Several professions are now using this resource to support interprofessional collaboration and ethical leadership within practice. It is also being employed as a resource within the initial education of various professions.

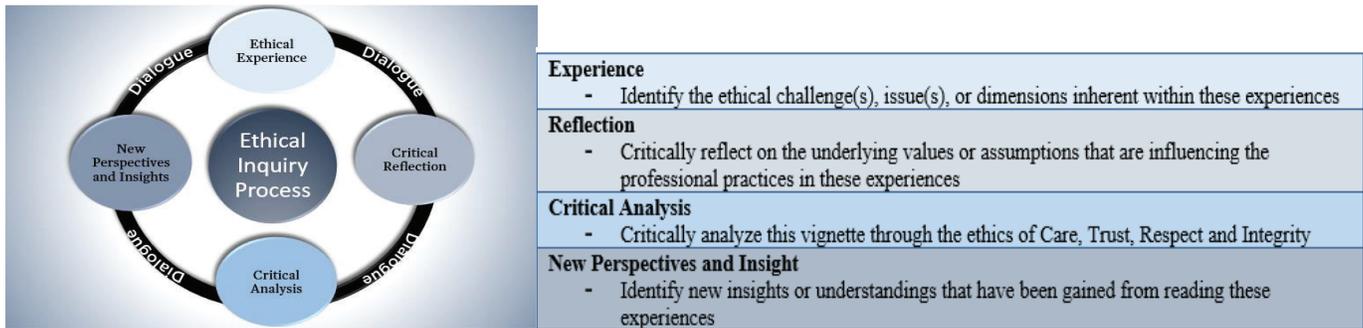


Figure 3.  
Ethical Inquiry Process (Smith, 2013)

## Framework for Ethical Decision Making

“I gained deeper understanding of several frameworks for understanding and exploring ethical issues and challenges” (Ontario College of Teachers, 2012, p. 12). The decisions and actions of educators can be significantly informed through the use of ethical frameworks (Smith & Goldblatt, 2009). The use of ethical decision-making frameworks can assist educator’s reflexivity. The framework for ethical decision-making (Table 3) can serve as a guide to identifying issues, complexities, perspectives, impacts and dimensions involved in making ethical decisions that serve all involved in a situation. It also helps to surface the personal values that influence decisions and actions.

Ethical Dilemma/Issues <i>What ethical dilemma or issue has emerged in practice?</i>	Judgement/ Decision <i>How would you respond?</i>	Principle/Value Guiding Decision <i>What principle or value is guiding your action(s)?</i>	Rationale for Decision <i>What are the reasons for your actions?</i>	Implication of Decision <i>What are possible consequences of your decision(s) or actions(s)?</i>	Reflections on Ethical Dilemmas of Practice and Action <i>What new insight or understanding have you gained from listening to your colleagues?</i>
<ul style="list-style-type: none"> <li>• <i>What observations can you make regarding your own actions, principles and reasons for decisions?</i></li> <li>• <i>What themes emerge regarding your decision-making?</i></li> <li>• <i>Do these observations affirm the educator you are and want to be or invite you to consider changes to your thinking and practice?</i></li> </ul>					

Table 3.  
Framework for Ethical Decision-Making (Smith, 2001)

This particular ethical decision-making framework has been used for seventeen years in every principal qualification course in the province. Principal course instructors and course candidates continue to comment on the significance of this ethical inquiry tool for guiding and informing their ethical decision-making processes. The process of explicating and critically discussing the individual values and principles guiding the decisions of educators when confronted with an ethical dilemma or challenge has been viewed as an essential benefit of this ethical decision-making framework,

The most important dimension of this framework is having principal course candidates identify their own values related to situations. Inviting them to share and discuss these values and the principles that influence their judgements helps to make their values visible for reflection and scrutiny. (Ontario College of Teachers, 2018c, p. 23)

The use of the framework for ethical decision-making also serves to open conversations related to how practitioners negotiate the complex ethical landscape inherent within educational practices using their own individual ethical frames of reference and the collective frame of the *Ethical Standards for the Teaching Profession* (Ontario College of Teachers, 2006a).

## **Ethical Leadership and Practice: Reflective Inquiry Matrix**

The matrix highlights specific areas that I can reflect on and explore as I work with our school community to foster ethical knowledge and an ethical school culture. It is also a tool I can share with teachers and use with our community of inquiry. (Ontario College of Teachers, 2018c, p. 19)

A reflective inquiry matrix focused on ethical leadership and practice can serve as a tool for educators to contemplate and explore school culture, pedagogies and learning from an ethical perspective. The matrix invites educators to inquire into professional practice from an integrative ethical lens. The intersection of both the individual and collective perspectives and actions of educators are illuminated within the matrix inquiries. The Reflective Inquiry Matrix (Table 4) was designed to support practicing school principals in fostering ethical professionalism within schools and to help nurture an ethical culture within these complex environments. The matrix invites school principals to consider important elements related to ethical school cultures: ethical spaces, ethical pedagogies, ethical reflection, and ethical dialogue. It also encourages the utilization of ethical lens when developing and implementing educational policies and practices.

<i>Ethical Reflective Inquiry</i>	<i>Reflecting on My Ethical Leadership</i>	<i>Reflecting on Teaching and Pedagogy in our School</i>	<i>Reflecting on Learners and Learning in our School</i>
	How do I co-create ethical spaces in our school to enable ethical dialogue and ethical inquiry to flourish?	What does the ethical stance of educators look and sound like in our school?	What are we doing as a school community to foster the ethicality of students?
	How do I support the ethical knowledge of teachers, students and members of our educational community?	What ethical decision-making frameworks do educators employ to guide their professional judgments?	How is the ethical leadership of students nurtured and promoted?
	What ethical decision making frameworks do I use when confronted With an ethical dilemma or ethical issue?	What opportunities exist for educators to collectively and critically interrogate their practices through the lenses of power, privilege and anti-oppressive frameworks?	How would our students describe the ethical culture of our school?
	What are the shared ethical principles that our school community has committed to in resolving ethical challenges?	What ethical and critical pedagogies are visibly apparent in our classrooms?	What ethical lenses are we employing to ensure the curriculum, instructional practices, educational resources and assessment processes are ethical?
	How would our school community describe ethical leadership and ethical actions?	How would the educators in our school articulate the ethical vision of teaching and learning that we share as community of critical pedagogues?	How do the curriculum and the learning experiences afforded to students reflect the ethics of care, justice and critique?
	What actions have we taken as a school to explore and enact ethical pedagogies?	What forms of ethical reflection and education are staff engaged in within the context of our school?	What is the impact of using ethical and critical pedagogies upon student learning and engagement?
	What processes do I employ to transparently and explicitly share the ethical decision making frameworks I utilize with teachers, students and families to help build collective ethical capacity?		What are the implications of our ethical vision of teaching and learning upon the transformation of our school community and society?
	What actions have I taken, or plan to take, to foster ethical dialogue in our school?		What forms of ethical reflection are students engaged in within the context of our school?
	Who are the ethical scholars that I refer to help advance my own ethical sensitivity and knowledge?		
What does my ethical leadership profile look like?			

Table 4.  
Ethical Leadership: Reflective Inquiry Matrix (Smith, 2016)

### Ethical Leadership Consensus Workshops

The Ethical Leadership Consensus Workshop (Table 5 and 6) methodology has been consistently employed as a collective knowledge creation process for exploring the core dimensions of ethical leadership with initial teacher education candidates, practicing teachers and educational leaders. This methodology supports the co-construction of knowledge and the democratization of voices that are essential for ethical professional practice. This conceptual framework illuminates the collective ethical knowledge, insight and thinking of educators and can reveal gaps in thinking and understanding, thus making it an educative tool for addressing areas of further ethical scaffolding for the educators involved.

<i>Conditions for Ethical Practice</i>	<i>Critique</i>	<i>Context</i>	<i>Dispositions</i>
Public Transparency	Knowledge	Autonomy Of what? Resist or conform – transmit or transform?	Balance - Moderation
Transparent, shared	Values – whose?	Action / Voice	Love
Ethics, policy, administration, career, position, compromise, conflict	Whose knowledge or what?	Breaking Policy	Intuitive
Fluid	Wisdom - story	Professional judgment	Conscience
Ethical Space and Ethical Language	Self-reflections – know thymself	Cycle, clarity, inquiry	Confidence
Trust and Safety	Reflective	Flexibility	Courage
Uncertainty – Vulnerability	Choice – knowledge	Many voices inform my professional judgment	Intent
Oasis	Inquiry	Autonomy of trust	Judgment is inherent in people
	Mindfulness – deep reflection in action	Discerning	Respect
	Understanding	Audit – society – negative effects on teaching practice	Responsibility
	Spiritual	Educational environment context	Care
	Experience	Experts?	Equity not Equality
	Authentic		Acting in others best interest

Table 5.  
Ethical Leadership Consensus Workshop (Ontario College of Teachers, 2012)

Dialogic Self-Regulatory Processes	Culture of Ethical Professionalism	Critical and Ethical Inquiry	Reciprocal Relationship Building	Institutional Framework for Public Trust	Embodiment of an Ethical Stance
Inclusion of diverse voices and perspectives	Know one-self	Ongoing discussion to shape our thoughts with others in the profession & to mindfully apply this using the common vision	One voice to question and challenge – get at the heart of stance	Self-regulation - First understanding what is our framework for ethical behaviour	Professional Knowledge
Leadership and engagement of the profession and the public	Self-Knowledge - Our values - Our cultural landscape - How do we experience and interpret those experiences	Inquiry a) Willingness to look outside box b) New technology c) New ways working	Ethical Decision Making	Ethical and transparent quality assurance practices	Embodiment of the ethical standards of practice, PLF
Engaging in Dialogue	Valuing Knowledge a) Self b) Others	Ethical reflection (institutionalized, self, staff, etc.)	Transparency	Accountability	Knowledge of our Profession - Pedagogical lens - Ethical lens
Reflection Past → Present → Future [Cyclical]	Learning Styles of the Learner (e.g., the child)	Forward Thinking a) Where are we going in future	Listening	Trust	Ongoing ethical capacity building
Democratic, relational, dialogic policy development/ implementation	Mindfulness	Sharing	Institutionalized ethical leadership and action (open, honest, respect, etc.)	Ethical governance structures - Council and committees	Walk the Talk
Ethical inquiry	Humility vs Arrogance	Inquiry	Empowerment	Professionalism – meaning how do we self-regulate in a non-biased way	Commitment to Lifelong Learning
Collaboration	Meta-cognition	Willingness to listen and share	Multiple Perspectives and Contexts	Evolving and innovative practices	Value variety in/of experiential professional learning
Listen	Collective Wisdom	Dynamic Informing Next Steps	Respect for Self and Others	Trust as Earned	Ethical
Self-Efficacy - One's belief in one's ability to succeed in specific situations or accomplish a task	Self-reflective stance	Spontaneity	Value Setbacks/Obstacles		Praxis

Table 6.  
Self- Regulation and Collective Ethical Professionalism – Consensus Workshop (Ontario College of Teachers, 2014)

Educators consistently identify the consensus workshop methodology as being transformative as it visually reveals the collective ethical wisdom of the group and invites deep reflection related to ethical leadership and practice. It also clearly illustrates the ethical stance of the group. Teacher educators, school leaders and graduate course instructors immediately embrace this methodology as a valuable tool for exploring the complex and interrelated dimensions of ethical practice.

### **Ethical Institutes for Teacher Educators**

I need to begin with myself as an Additional Qualification course designer and instructor . . . I need to ask myself a series of questions: What do I value in this course for adults? What are my biases? What are my privileges? What is my understanding of anti-oppressive educational frameworks? What worldviews am I planning to include? Who is represented in this course? Who is not being represented? How am I fostering agency? How is the voice of the learner being privileged in the course?

—Ontario College of Teachers, 2018b, p. 14

Ethical institutes are educative forums designed to invite educators and teacher educators to critically explore the ethical dimensions inherent within their professional practice alongside colleagues. The institutes are offered in a variety of formats and include classroom teachers, vice principals, principals, supervisory officers and teacher educators. The formats include ethical case writing, narrative discussions, open space technology, consensus workshops and world café conversations. Many teacher education resources (Table 8) have been co-constructed with institute participants during these inquiry-based professional learning sessions. To date, approximately 400 teacher educators who support continuing teacher education in Ontario have participated in a series of ethical practice institutes intended to foster conversations and reflection upon how they intentionally foster an ethical stance, ethical knowledge and ethical practices within additional teaching qualification courses for educators. These institutes have explored themes such as *Integrating Indigenous Perspectives*, *Adopting an Inquiry-Based Stance*, *Intentional Design in Adult Education Courses* and *Critical Pedagogy and Anti-Oppressive Frameworks*. The teacher educators complete feedback forms identifying key professional insights they gained from the institute and generate priorities for their individual action plans related to how ethical concepts and practices can be more explicitly and intentionally integrated into the adult education courses they design and facilitate for educators.

Key professional insights that teacher educators have shared during these institutes reveal intentions to make significant shifts in practice, commitments to engage in more consciously explicit inquiries using a critical lens and plans to transform their course design to include anti-oppressive frameworks.

The following are some examples of key professional insights articulated by teacher educators. The first example illustrates the role a critical and ethical stance can have in course design,

I see teaching as a political act. There is no neutral act or neutral thinking. I need to ask, who is marginalized? Who is served? I try to get people to dig deep into their own thinking and actions. An anti-oppressive approach is decolonization. Decolonization from an Indigenous rights perspective shouldn't be mixed up with settler based anti-oppressive pedagogies. In a book study, I use key theorists from anti-oppressive frameworks such as Gloria Ladson-Billings and Geneva Gay. (Ontario College of Teachers, 2018b, p. 28)

The next illustration reveals the importance of personal investigation and exploration within course design and course facilitation,

I now recognize that including a module in the course design that starts with the personal is vital. Through reflective practice I can invite the educators to unpack biases and stereotypes and look at issues of power and privilege and how that impacts instructional decisions, what programs we design, how we interact with learners and their families and the legacies they are bringing with them and how we honour that in the classroom. (Ontario College of Teachers, 2018b, p. 28)

The last example, reveals the internal thinking of one teacher educator who critically reflects on her experience as a course designer within the institute as she contemplates including ethical approaches into her teacher education practices,

As an Additional Qualification (AQ) course developer I did not take critical pedagogy or anti-oppressive approaches into consideration in the design of these courses for teachers. This priority should have come to mind and been at the forefront as I reflected on the conceptual framework for the courses I designed. I recognize now that critical pedagogy and anti-oppressive approaches needs to be 'infused' into each AQ course. I plan to re-design the courses with these perspectives in mind. (Ontario College of Teachers, 2018b, p. 89)

## Ethical Leadership Profile Typology

I have to say that the ethical profile presentation last weekend at the principal's qualification course was very powerful, so thanks again. I'm looking forward to this opportunity for self-reflection and learning as I explore my own ethical profile in the context of my professional practice.

—Ontario College of Teachers, 2014, p. 33

To date, close to 3,000 initial teacher education candidates and experienced educators have completed an ethical leadership profile (Langlois, 2012). These ethical leadership profiles provide a summary of each individual's ethical orientations related to the ethical leadership dimensions outlined by Starratt (2004) and Langlois (2007, 2009, 2012). These leadership dimensions are characterized through the *Ethic of Justice*, *Ethic of Care* and *Ethic of Critique* (Starratt, 2004). The ethical leadership profile also includes a typology of ethical competence (Table 7 and Figure 4), (Langlois & Lapointe, 2010) as well as a suggested action plan for continued development related to ethical knowledge and sensitivity.

Development of an Ethical Competency/Score	Definition/Meaning
<b>TRACES</b> 1 à 3,5	Your ethical leadership profile shows attitudes which tend toward the following ethical dimensions: (justice, critique or care)
<b>EMERGENCE</b> 3,6 à 4,4	Your ethical leadership profile indicates the emergence of the following ethical dimensions: (justice, critique or care)
<b>PRESENCE</b> 4,5 à 4,8	Your ethical profile indicates an ethical leadership geared toward the following ethical dimensions (justice, critique or care). You are able to perceive ethical challenges when facing ethical dilemmas and to demonstrate ethical sensitivity.
<b>CONSOLIDATION</b> 4,9 à 5,5	Your ethical leadership profile indicates that the following ethical dimensions are being consolidated: (justice, critique, care). These dimensions are actualized in both your reflection and your day-to-day professional behaviour and practice. You are aware of ethical stakes and perceive interesting solutions. Your ethical competency is well consolidated.
<b>OPTIMISATION</b> 5,6 à 6	Your ethical profile indicates that you demonstrate optimal ethical leadership and that you fully exercise your professional judgment. Your ethical competency is well consolidated and you are able to make a valuable ethical contribution.

Table 7.  
Typology of an Ethical Competency (Langlois & Lapointe, 2010)

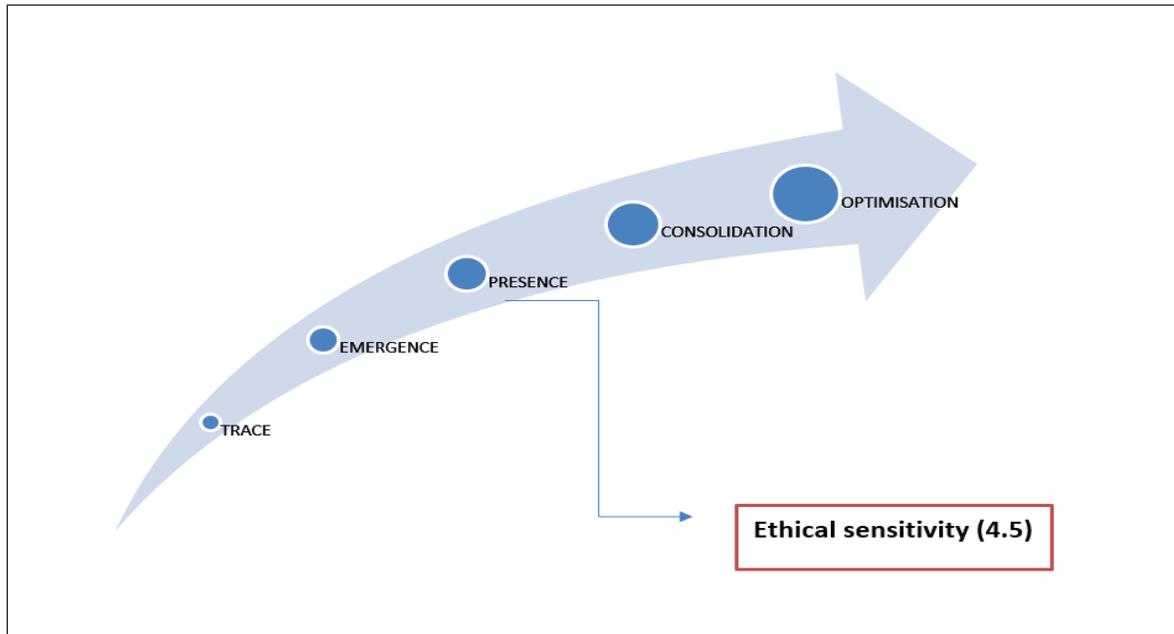


Figure 4.  
Ethical Competency Typology: From Trace to Optimization (Langlois & Lapointe, 2010)

Educators who engaged in this educative process consistently identify the ethical leadership profile and ethical competency typology as transformative. They recognize both the individual and systemic value of these tools for inquiring into and extending professional knowledge and action.

### **Narrative-Based Resources and Institutes**

Students should become informed, rational and moral individuals who do not accept injustices but question them and for teachers to teach them this. They challenge educators to instill a social conscience that is both just and informed so that the next generation will be one of moral righteousness. (Ontario College of Teachers, 2018d, p. 3)

The College has also created with both initial teacher education candidates and experienced educators a library of visual narratives, discussion guides, case-books and written narratives (Table 8) designed to support deep inquiry into the ethical dimensions associated with professional practice and to ultimately enhance ethical knowledge, sensitivity and action. The lived experiences and ethical challenges of educators become the core content of these resources.

These ethical resources depict the diverse contexts in which educators practice as well as the lived complex tensions, challenges and dilemmas encountered daily within schools. Twenty-five ethical leadership institutes have also been

designed which have enabled educators to collaboratively explore the ethical challenges inherent within professional practice alongside the support of colleagues. The lived ethical experiences of educators provide the core focus of these educative institutes. These institutes have resulted in the development of many ethical resources, which are currently being used within initial and continuing teacher education and professional practice. These teacher education resources include two published books, three resource kits, 11 visual narratives, four discussion guides and 12 ethical inquiry booklets. 140,000 posters depicting the ethical standards of *Care, Trust, Respect* and *Integrity* through Anishinaabe Art as well as the accompanying discussion guide (Ontario College of Teachers, 2016) have been requested by members of the teaching community and the public. These posters are being used as pedagogical tools throughout teacher education, leadership development courses and in classrooms across the province. A First Nation Education Director sent the following email requesting copies of these ethical standards posters,

I would like to send a set of the ethical posters to the schools within our school board for display in their buildings:

- Wasaho Cree Nation School in Fort Severn, ON;
- Victoria Linklater Memorial School in North Spirit Lake, ON;
- Deer Lake First Nation School in Deer Lake, ON;
- Ahgwahbuush Memorial School in Poplar Hill, ON;
- Keewaywin School in Keewaywin, ON;
- Keewaytinook Internet High School in Thunder Bay, ON; and
- Keewaytinook Okimakanak Board of Education (KOBÉ) office in Balmertown, ON.

I would also like the large ethical poster sizes for our First Nations private schools to display within our school communities. (Personal communication, 2017)

The ethical teacher education resources developed by the College with the profession serve as catalysts for fostering ethical conversations and for advancing ethical knowledge. The following reflection illuminates how one educator creates meaning from viewing *Caring for Haiti*, one of the College's ethical leadership visual narratives,

Pere has a vision for Haiti. He wants to see an education system where students will graduate with not only high academic achievement but

also ethical standards that will allow them to serve their country with integrity and intelligence and to bring change in an honorable way. (Ontario College of Teachers, 2018d, p. 3)

This same visual narrative which was developed by a school principal invokes ethical reflection by another educator who connects this narrative to her own practice,

I strive to achieve this in my classroom by modeling an atmosphere of mutual respect, practicing care and compassion, stimulating their desire to be contributing members within the classroom in open forum discussions on moral dilemmas, informing them of what others have done before them (for example, Craig Kielburger and Ryan Wells) and how they can work towards social justice and change. (Ontario College of Teachers, 2018d, p. 3)

### **Additional Qualification Course Policy Development and Accreditation**

It made me aware that having the same skin colour as another individual did not necessarily translate to sharing the same thinking, and/or having the same values or ethics. Subsequently, I attended many equity workshops to improve my understanding of how my own life journey played such an integral part in shaping the new teacher that I had become. This in turn led me to additional qualification courses in special education.

—Ontario College of Teachers, 2018a, p. 52

Ethical capacity building is also integrated into the College's policy development and accreditation processes for AQ courses for educators in Ontario. The College is responsible for collaboratively developing policy guidelines for AQ courses for teachers. There are currently 374 AQ courses available in English and 374 available in French for educators in Ontario. Each year, approximately 39,000 teachers take these courses. The College, along with the teaching profession, educational partners and members of the public develop AQ course guidelines which identify the essential professional knowledge, skills and practices associated with each individual AQ. Learners from grade four to university level have participated in this provincial policy development process and this has conveyed significant messages regarding how teacher education policy can be approached can be informed through the inclusion of learners' voices and perspectives. Ethical dimensions associated with each domain of teaching become core conversations in the AQ policy development process.

The *Ethical Standards for the Teaching Profession* (Ontario College of Teachers, 2006a) form the foundation of each of these AQ courses. Ethical knowledge, pedagogies and practices are also explicitly integrated into each AQ course guideline. The College's ethical resources for teacher education (Table 8) are referenced in each AQ guideline and course designers and instructors are encouraged to use these materials in their courses. Ethical concepts that can be found in all AQ courses (Ontario College of Teachers, 2018e) include,

- advancing a culture of critical inquiry that collectively examines biases, assumptions, beliefs and understandings associated with teaching and learning within the context of this Additional Qualification
- promoting a culture of shared leadership that thoughtfully examines critical pedagogy as a theoretical foundation associated with multiple ways of knowing and being in community
- cultivating an ethical culture that openly engages in critical reflection and dialogue to enhance collective ethical leadership, ethical sensitivity and ethical efficacy
- nurturing a culture of ethical leadership that critically inquires into practices to promote responsible and active environmental stewardship, ecological consciousness, social justice and democratic citizenship within local, national and global contexts
- fostering a community of shared leadership committed to critically inquiring into how the school and/or system promotes openness to innovation, change, culturally-inclusive pedagogies and the democratization of knowledge
- cultivating a culture of inquiry and dialogue related to individual and systemic manifestations of power and privilege and their implications for teaching and learning.

The course guidelines are used by AQ course providers to design individual AQ courses for teachers. These courses are then submitted to the College for accreditation. In the accreditation process, the College is looking for alignment between the course submitted by the AQ provider and the AQ guideline issued by the College. This is an opportunity to assess the extent to which the ethical standards, ethical pedagogies/andragogies and ethical concepts are explicitly integrated into the theoretical framework of the course, into the learning opportunities and inquiries embedded within the course and to review how the resources used in the course support ethi-

cal knowledge, leadership and practice. For instance, the Principal's Qualification Program (PQP) is based on a Critical Theoretical Framework that supports ethical concepts and practices,

The adoption of a critical pedagogical lens and an inquiry stance are core theoretical underpinnings of the PQP. Course candidates will be invited throughout the course to engage in critical reflection as they explore a variety of leadership theories central to creating and sustaining ethical, equitable, just, inclusive, engaging and empowering learning environments. (Ontario College of Teachers, 2017a, p.5)

The accreditation process for this AQ involves inquiring into the course submission to ascertain how these ethical concepts are incorporated and addressed within the course designed to prepare future school leaders.

An integrative approach to ethical formation of the teaching profession becomes apparent as the ethical concepts that emerge from the lived experiences of educators become explicitly identified in the AQ policy guidelines. These concepts are then further supported through the inclusion of the College's ethical inquiry processes and ethical resources within AQ courses. Finally, the accreditation process then serves to further reinforce the significance of the inclusion of ethical concepts and practices within the AQs.

### **Emancipatory Educative Processes: Significance**

I would love to have the Anishinaabe representations of the ethical standards posters in the large size for our school on Walpole Island First Nation. I am interested in completing the ethical assessment as well as receiving feedback on how to improve other ethical dimensions of my practice (personal communication, 2017).

The significance of the College taking a leadership role in fostering the collective ethical capacity of the teaching profession is clearly depicted through the increased ethical agency of the educators involved in the various educative processes, the development of many resources that support ethical inquiry and in the submission of additional qualification courses for accreditation that explicitly incorporate modules on ethics, anti-oppressive frameworks and critical pedagogies.

The ethical standards resources (Table 8) that have been developed with the profession are consistently used within the contexts of initial teacher education, continuing teacher education, leadership development and within professional practice. They are also core components of the accreditation processes for both initial and continuing teacher education in Ontario. Integrated together, these processes, practices and policies support the ongoing ethical formation of the collective teaching profession.

The ethical institutes, profiles and teacher education resources have served as catalysts for fostering the ethical leadership of educators. Educators with a deeply integrated ethical knowledge and volition are more likely to advocate for and provide an equitable and emancipatory education for all. Educators engaged in the ethical leadership institutes have recommended that the College continue to support teachers' ongoing education related to ethical knowledge, sensitivity and action. The extremely important role of ethics education throughout the continuum of teacher education and ongoing professional learning continues to be strongly punctuated by all educators involved in the College's ethical education processes, AQ policy development practices and in the accreditation of AQs.

The College's educative efforts to support the ongoing enforcement of the ethical standards and advance the collective ethical formation of the teaching profession through engaging in a diversity of emancipatory professional education processes, provincial capacity building approaches and knowledge mobilization efforts have been highly successful and promising.

It is evident from practitioners' own reflections that the institutes, ethical profiles, ethical frameworks and inquiry-based resources are opportunities for educators to actively engage in the ethical self-regulatory work of the College and to support the collective ethical capacity of the profession. One educator expressed, "I gained a better understanding of my ethical knowledge and how I can better support an ethical organizational culture as an educational leader" (Ontario College of Teachers, 2012, p. 2).

It is also becoming more apparent that practitioners that have engaged in critical inquiry related to ethical professional practice are coming to understand the *Ethical Standards for the Teaching Profession* in deeper ways and are engaging in intentional practices related to ethical professionalism. This is evidenced in the teacher education resources developed by educators, in the AQ courses that are being submitted for accreditation and in the explicit inclusion of ethical concepts and pedagogies within teacher education additional qualification course guidelines.

Conversations regarding ethical professionalism continue to emerge through the multiplicity of knowledge mobilization efforts employed by the College. The significance of these conversations is affirmed when educators share their understanding of the importance of ethical professionalism as a result of being involved in educative opportunities designed to ignite ethical reflection and dialogue and are committed to taking responsibility and action for nurturing ethical consciousness,

As educators, we are called to instill moral values and have the power to foster the 'beautiful ethical souls' within our students. When we nurture the ethical spirit within our students, we can speak to their conscience and social responsibility. (Ontario College of Teachers, 2018d, p2)

Fostering the ongoing ethical formation of the teaching profession is a shared social responsibility. It requires an ethical commitment and the embodiment of an ethical stance on the part individual educators, school boards, teacher education programs, Ministries of education and teacher organizations. Ethical practice is informed through ethical consciousness, ethical knowledge, ethical sensitivity and ethical insight. Ongoing education in ethics is a collective task that must be emerge as a top priority for all educational institutions.

A secondary school educator who contributed to a College teacher education resource entitled, *Strengthening the Vision: A Critical Discourse on the Ethical Standards for the Teaching Profession* (Ontario College of Teachers, 2017b) shared his understanding of teaching as an ethical profession that requires ongoing ethical formation. He views dialogue as central to this process and recognizes the importance of interactive frameworks and the intersectionality of experiences in this shared pursuit for ethical professionalism,

The *Ethical Standards for the Teaching Profession* is the first stage in terms of authenticating education as an ethical profession. The Ethical Standards not only identifies the inherent ethical and social responsibilities within the teaching profession, but it also shapes the core identity of a professional educator. It is designed to inspire dialogue among educators to develop the notion that education is an ethical profession. Sources for this dialogue may originate from personal anecdotes, interpretations of legislation, or knowledge from other theoretical frameworks within education. Without this interactive framework, educators' understanding of ethics would default to a realm of subjectivism, limiting their range of ethical and academic responsibilities. (Personal communication, 2017)

<b>Living the Ethical Standards</b>	
Resource Title	Description
Facilitator’s Guide: Living the Standards	Booklet 1
Classroom Practice: A Teacher’s Story	Booklet 2
Vignettes from Practice	Booklet 3
Facilitating a Standards Professional Learning Session	Booklet 4
Cases from Daily Practice	Booklet 5
Dimensions of Practice	Booklet 6
DVD Category: Teacher Education Video: Classroom Practice: A Teacher’s Story	Multi Media Resource
DVD Category: Teacher Education Video: District School Board	Multi Media Resources
DVD Category: Teacher Education Video: Continuing Teacher Education	Multi Media Resources
DVD Category: Teacher Education Video: Initial Teacher Education	Multi Media Resources
DVD Category: Educational Leadership Video: Part I: Exploring Ethical Dilemmas	Multi Media Resources
DVD Category: Educational Leadership Video: Part II: Case Discussion	Multi Media Resources
DVD Category: Educational Leadership Video: Part III: Case Writing	Multi Media Resources
DVD Category: Self-Regulation in the Public Interest Video: Parents Talk About Effective Teaching	Multi Media Resources
<b>Ethical Standards <i>In Practice</i></b>	
Resource Title	Description
Standards in Practice: A Resource for Educators	Facilitators Guide
Casework Inquiry for Educators	Booklet 1
Exploring Ethical Knowledge Through Inquiry	Booklet 2
Reflecting on Practice through a Case Script and a Case Scenario	Booklet 3
<b>Learning from Experience: Supporting Beginning Teachers and Mentors Resources</b>	
Resource Title	Description
Facilitator’s Guide	Booklet 1
Using the Case Method in Induction	Booklet 2
Exploring Professional Practice with Beginning and Mentor Teachers: Vignettes	Booklet 3
Implementing a New Teacher Induction Workshop	Booklet 4
Research Summary	Booklet 5
<b>Exploring Ethical Leadership &amp; Practice</b>	
Resource Title	Description
Cases for Teacher Development: Preparing for the Classroom	Casebook
Casebook Guide for Teacher Education	Casebook Guide: This educative guide is intended to support implementation of the casebook: Cases for Teacher Development – Preparing for the Classroom
Exploring Leadership and Ethical Practice through Professional Inquiry	Leadership Development Book
Foundations of Professional Practice	Booklet
Ethical Standards for the Teaching Profession and Standards of Practice for the Teaching Profession	Standards Poster
Principal’s Story: One At A Time	Digital Story
Exploring Ethical Professional Relationships: A Self-Reflective Resource	Leadership Development Book
Inquiring into the Ethical Dimensions of Professional Practice	Guidebook for Educators
A Self-Reflective Professional Learning Tool	Guidebook for Educators
Exploring Interprofessional Collaboration and Ethical Leadership	Guidebook for Educators
Acting on our Ethics: Caring for Haiti	Digital Story
Acting on our Ethics: Caring for Haiti	Discussion Guide
Voices of Wisdom	Digital Story
Knowledge Keepers	Visual Narrative and Discussion Guide
Exploring the Ethical Standards for the Teaching Profession through Anishinaabe Art	Book
Exploring the Standards of Practice for the Teaching Profession through Anishinaabe Art	Book

Inquiring into Professional Practice: Narratives of Educators of Mathematics – A Resource for Initial and Continuing Teacher Education	Guidebook for Educators
Exploring Leadership Practices through Case Inquiry: Supporting Inclusive Schools	Guidebook for Educators
Teaching: A Professional Commitment – Ethical Standards for the Teaching Profession	Digital Resource
Teaching: A Professional Commitment –Standards of Practice for the Teaching Profession	Digital Resource
<b>Exploring the Ethical Standards for the Teaching Profession through Anishinaabe Art</b>	
<b>Resource Title</b>	<b>Description</b>
Care	Painting
Respect	Painting
Trust	Painting
Integrity	Painting
<b>Exploring the Standards of Practice for the Teaching Profession through Anishinaabe Art</b>	
<b>Resource Title</b>	<b>Description</b>
Ongoing Professional Learning	Painting
Professional Practice	Painting
Leadership in Learning Communities	Painting
Professional Knowledge	Painting
Commitment to Students and Student Learning	Painting
<b>Vision of the Ethical Educator &amp; Learner</b>	
<b>Resource Title</b>	<b>Description</b>
Leadership	Painting
The Educator	Painting
The Learner	Painting
Supporting Indigenous Learning and Holistic Well-Being	Painting

Table 8.  
Ethical Standards Based Resources

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## **PART II CONCEPTUAL FRAMING**

# IS THE APPLIED ETHICS FRAMEWORK RELEVANT TO TEACHERS' PROFESSIONAL ETHICS?

FRANCE JUTRAS

**T**he requirement of an ethical behaviour is tied to many fields of practice, and concerns more particularly people's interpersonal relationships at work. Teachers most certainly fit in this category. Not only their work is complex and multidimensional, but also teachers must constantly make spur-of-the-moment decisions. Society expects them to behave in a professional manner that is morally irreproachable. No matter the level of education in which they find themselves, their actions have consequences upon people's development. This is the reason why they must examine and question their actions, self-evaluating in order to auto-regulate the courses of actions they set into place and the ways they behave in their interactions with others in their work area.

An overview of the results of conceptual and empirical studies on this topic shows that teachers' professional ethics can neither be based solely on the mea-

ning of work, the end purpose of each action, nor only on the various regulatory frameworks to which they are subject. It requires exercising professional judgment. From the start, the question asked in Plato's *Meno* remains of current interest because it concerns the sources of morally acceptable behaviours:

Can you tell me, Socrates, whether virtue is acquired by teaching or by practice; or if neither by teaching nor practice, then whether it comes to man by nature, or in what other way? (Plato, 1994)

This line of questioning relates to Kohlberg's famous work on moral development. Like Piaget, who inspired his empirical studies, Kohlberg shares the presupposition that intelligence is a natural part of individuals. These researchers have shown that moral development takes place while people who are confronted with the same situation discuss it from the perspective of their practical reasoning (Legault, 2016). In this perspective, the deliberation process may lead to better understanding and decision making in situations containing moral stakes. This is related to the development of professional judgement. In this chapter, in order to understand the relevance of the general framework of applied or practical ethics to the teaching profession we first present an overview of this framework and show how it integrates professional ethics. Then, we examine the professional relationship in light of this general framework. Finally, we analyse how it sheds light on teachers' professional ethics, and their training in this regard. The examples examined are taken from the context of teacher practice and training in Quebec.

### **Applied or Practical Ethics**

Throughout the 20th century, discussions surrounding ethics were not limited to academic debates on moral philosophy or fundamental ethics. Events such as the Nuremberg Trial after World War II, developments such as biotechnologies that introduced the use of techniques to save and prolong lives and the advent of pluralist societies — no longer defined by a single conception of good and evil — have revealed limits in normative points of reference and traditional ethics, or even the necessity of thinking otherwise. In this section, we present how an interdisciplinary approach was developed to reflect novel situations that concern morality in order to make informed decisions. We explain how this approach gave rise to the expressions “applied ethics” and “practicaethics” in order to distinguish this kind of ethical perspective of reasoning from a more traditional kind tied to philosophical speculation.

### **Development of Applied Ethics or Practical Ethics in North America**

In general, ethics concerns the assessment of human behaviour and, more particularly, of those that have consequences on others. The philosophical tradition includes

normative ethics — the study of principles that should guide our existence (Gensler, 2002) — and meta-ethics — the philosophical foundations of how we define goodness, fairness, and duty (Gerbiere, 2003). But this analytical, theoretical, and abstract tradition proved insufficient with respect to contemporary moral problems rooted in real, novel, and controversial situations whose social repercussions are considerable. Shehadi and Rosenthal (1988) provide a large number of examples of situations for which solutions had to be found or at least for which provisional decisions had to be made from the 1960s on in the United States: euthanasia, abortion, genetic research, nuclear weapons and war, the moral responsibility of businesses, moral influence on politics, professional conduct, ways of allocating public funds, human responsibility for animals, the environment and future generations, racism, sexism, and positive discrimination. In short, a set of social situations posed a moral problem because the line between what was morally acceptable and unacceptable was being disrupted. Philosophers, theologians, jurists, sociologists, and anthropologists were called on to participate in the analysis of concrete situations and practical problems not only to help find solutions to problems, but also in order to create new models for reflecting that take into consideration the context and possible consequences of the actions contemplated for making decisions.

During the 1970s, the field of applied ethics became well rooted in three sectors corresponding with very distinct fields of interest: bioethics, professional ethics (including business ethics), and ethics related to the environment. Parizeau (2004) considers that these sectors are related to three major concerns in our industrialized societies: advances in biomedicine, socio-economic relations with respect to human rights in societies, and the future of the planet's natural balance.

First, the meaning of applied ethics has to be clarified. One may intuitively think that the notion of applied ethics refers to the application of a theory of ethics to a concrete situation. In other words, to solve a moral problem within a complex situation or a grey area, principles stemming from a theory that is relevant may be applied in a situation to solve a problem. And yet, the importance given to the analysis of the context of the problem and the consequences resulting from a decision shows the contrary. Rather than to apply a theoretical ethics model according to a deductive model to solve the problem, the purpose of the analysis is to attain the best solution in the specific practical circumstances (Legault, 2016). The emphasis is put on the analytical aspects more than the search of the right theory or model to reach the decision. However, one is correct to think that analysis within this framework has a normative purpose, particularly by considering the real or future consequences of an action. In this sense, it has common aspects with teleological moral theories, such as utilitarianism and consequentialism. What characterizes the applied ethics

framework is the analytical process centered on deliberation to solve moral practical problems linked to action in particular contexts (Legault, 2006).

### **Professional Ethics as a Sector of Applied or Practical Ethics**

The expansion of applied or practical ethics came not only from work in North America, but also from the United Kingdom, Germany, and Australia. Because of the significance granted to the context, some sociocultural dimensions related to its development have clearly left their mark on the applied ethics framework and on the conceptions associated with it. For example, Dubar, Tripier and Boussard's (2015) analyses suggest elements for interpreting sociological models of work shaped by the history of religious ideas and of work activities as actions taken on the world and forms of economic and political organization. These authors begin by contrasting two theoretical models of work from the Reform and Counter-Reform in Europe: professional bodies similar to the catholic-based model of professional bodies in France and that of the brotherhood or guilds derived from Germanic law and puritan tradition's collegial model. The model of professional bodies is more holistic since, according to its state, everybody can find a place within the hierarchy. The second is more individualistic because it is tied to God's call to each person to follow their vocation in order to achieve salvation here on Earth. They present a third model, that puts the two previous models in contrast because it is not linked to religion, but rather to the free market economy and English parliamentary democracy. This is the liberal model according to which work is perceived as a source of individual and collective wealth within a market economy. Finally, the authors confront the liberal model with a fourth model, the Marxist social model, a utopia in favour of social justice. The models can overlap. For example, in Quebec, because of our history, language and geography, it is possible to observe the coexistence of French and Anglo-Saxon conceptions, which has repercussions on the conception of professional ethics.

Professional ethics covers a very large part of social life. Because of cutbacks in the number of employees needed for agricultural production and because of the relocation of manufacturing companies to countries where labourers' wages are lower, the transformation of economies in Western countries during the 20<sup>th</sup> century was marked by the development of the service sector. Even services historically associated with religious community work, such as teaching and nursing, morphed into professional activities. The delivery of these services often requires specialized knowledge and competence, is, in this sense, professional. What was once done spontaneously through vocation, natural talent or experience was professionalized with theoretical and practical knowledge (Legault, 1999). This is how initial and

continuing education that grants access to professions and limits their practice to those who hold those particular professional qualifications quickly became mandatory.

While the fact that our societies were structured according to service economies enabled new jobs and new professional practices to emerge, at the same time, people have been fighting to limit practices and fields of practices to specific professions, while excluding others — a phenomenon largely studied by functionalist sociology. Lessard (1991) provides an explanation that sheds light on the North-American model of professionalization:

Professionalization defines the sociohistorical process through which a group of professionals, on the point of being implemented in a field of activity deemed important, and propelled by a strong and structured leadership, struggles to be recognized, to gain some legitimacy, and to reach the appropriate social status (i.e., high). More often than not, at least in established liberal professions that act as compulsory reference points, professionalization is perceived as being complete and crowned with success when a group of professionals achieve the near-monopoly of activities in their field, control training for and access to the profession, and enjoy great autonomy with respect to the conception and execution of their work. (p. 18)

In Quebec, professional activities are structured within this model of professionalization that has been well defined by functionalist sociology. An Act regulates professions: the Professional Code (2018). For example, to obtain the title of Psychologist and provide psychological services and treatments, a person must be a member in good standing of the Order of Psychologists. However, people who are not psychologists can present themselves as therapists and offer therapies as long as they do not claim to do psychological therapy. Although psychologists and therapists do not offer the same kind of intervention, their clients depend on them for particular needs that the clients cannot meet by themselves. The same can be said for different categories of professional services. When a profession is recognized under the law in Quebec, an association must bring its members together in a professional corporation. One of the mandates of a corporation is to clarify professional ethics related to the field of practice of the profession in question and its core values. For example, for medical doctors, the fundamental value is health; for lawyers, protecting legal rights; and for journalists, informing the public. When we deal with a professional, we expect them to respect the core values of their profession and professional practice (Goldman, 2004). But professional ethics goes even further; it includes a reflection, according to Parizeau

(2004), on practical or socioprofessional problems that members of a profession may face and, more broadly, on the social role of the profession, its responsibilities, its purpose, its goals, its attitude toward risk and the environment. In short, professional ethics concerns both the professionalism on which each professional's practice is based and the profession's mission in society. For example, we expect all journalists to demonstrate professional ethics when they write articles and to act in line with the prevailing values in their profession, which is, journalism. It is in this sense, according to their field of practice and social mission, that each profession is informed or even defined by its own professional ethics. These dominant values and specific standards are explained in the code of ethics or code of good practice that each member of the profession must respect. In the case of complaints or shortcomings, a member can be sued or subject to sanctions should the complaint be proven.

From this perspective, professional ethics call on the profession's purpose and the moral authority of peers to regulate the practice, professionalism being associated with the profession itself. However, with the transformation of management methods in large businesses, another form of ethics has appeared: a business ethics centered on customer service (Legault, 2006). This new kind of management concerns not only private businesses, but also public institutions such as health care facilities. The service relationship that characterizes professions then extends to the notion of customer service. In this way, many businesses and public organizations have developed documents that detail their mission, vision, and values. These documents are widely distributed to assert the uniqueness of the business or organization, to give indications as to the purpose of the work executed, and to develop management tools that make it possible to attain these goals. Some will even write and adopt codes of ethics, showing their clients and customers that ethics is indeed a concern. When business ethics is included in the field of professional ethics, this professionalism concerns client or customer satisfaction. The logic behind this extension of the service relationship between professionals and their clients into institutional professionalism has also evolved in the field of education. For example, although the law does not require it, school boards, public and private schools, and socioeducational facilities have drafted documents that declare their mission, vision, and values, and have even developed codes of ethics or codes of good practice in order to outline the basic professional behaviours expected in their field.

The conception of professional ethics that developed during the 20<sup>th</sup> century into the sector of applied ethics has taken root in actual situations of practice. Legault (2016) summarizes its main traits: emphasis is placed on the decisions to be made in problematic situations; morals or ethics are at the heart of practical reasoning; dialogical processes that are set up to help decision-making enable the people or groups

involved make collective decisions or agree on shared reasons. Before the analysis of the teaching profession and its professional ethics, we will examine a model of professional relationship that comes from the applied or practical ethics framework.

### **Professional Relationships According to the Applied Ethics Framework**

Professional ethics always concerns work oriented toward others. Although it can be a business relationship (e.g., clients pay their consultation with a psychologist), a professional relationship targets the client's well being and cannot simply be reduced to a mercantile relationship in which professionals are only looking after their own benefit. It is noteworthy that a professional relationship may be examined from a micromorality as well as from a macromorality perspective. Micromorality concerns the relationship between a specific professional and a specific client in a specific context, whereas macromorality involves broader considerations particular to all of the members of a given professional group giving it a structure. Figure 1 provides our representation of professional ethics within a professional relationship. As Hogan (2011) observes, the ethics of any practice must rely on “the inherent purposes and the predicaments of the practice itself” (p. 38).



Figure 1.

Professional Ethics Within a Professional Relationship

The overall representation of professional ethics shows that each particular relationship is part of a specific context as well as a larger social framework. The fact that this relationship is part of a social phenomenon illustrates the existence of possible forms of regulation for relationships and of professional expectations.

Although, with the applied ethics framework, professional ethics and business ethics are part of the same category, we must set apart the client approach (welfare) from the consumer approach (business) within the relationship. As shown above, the professional relationship cannot be equated with a relationship between a salesperson and a consumer. The very purpose of the relationship between a professional and a client is for the former to seek to solve the latter's problem. Whether the issue is physical health or mental health, the management of property and rights, education or otherwise, clients recognize their need for a professional to intervene in order to solve their problem or attain their objectives. It is professionals' access to knowledge, their knowledge itself, and their know-how that enable them to intervene in a competent manner. In fact, this explains why a market is closed to all but those who are qualified to practise a given profession. In the sociological model of the regulation of the practice of professions, qualifications are based on two criteria: the diploma that recognizes the training itself and the success at professional exams passed in order to become a member of a given profession.

Postulating that a professional's competence is used to harness the necessary knowledge to intervene according to a client's specific need means that intervention itself rests on professional judgment. Therefore, professionals must be able to diagnose the problem or situation, choose the most appropriate intervention strategy for the circumstances, implement it, then assess its effects, and make adjustments or take the necessary corrective measures. This is where the quality of a professional relationship is put to the test: because a relationship of trust must be established between professionals and their clients, it is as much an issue of the quality of the intervention itself as it is of the quality of the communication and know-how applied to the relationship.

When clients do not possess the professional knowledge needed to solve problems and therefore call on professionals for help, it places them in a vulnerable position in relation to the professionals. Although clients may gather information, they still do not possess the knowledge and tools that would allow them to forgo professional help. Professionals hold knowledge that enables them to intervene appropriately. According to Legault (2006), several mechanisms aim specifically to anticipate any deviation that would modify a professional relationship so that the power of helping clients transforms into power over clients — which opens a door to the abuse of power and other negative tendencies.

In Figure 1, the regulatory process is represented by the circles of professional ethics and of society, and the triangle of self-regulation. The representation of social regulation as a component of professional ethics within the professional relationship makes it possible to identify professional responsibility. Professionals must not only be able to analyze a situation and harness their knowledge in order to make decisions that will lead to actions, but they must also be accountable for their decisions and interventions. They are accountable to someone at any given time: clients, colleagues, groups of peers, professionals from other fields, and the wider public. To be “accountable for” means being able to make decisions and actions from an evaluative perspective, that is, basing them on fundamental values and standards with respect to the profession’s purpose, and not only on how effective they are. Ideally, professionals must self-regulate. However, because a professional relationship is fundamentally unequal where knowledge and the capacity to act are concerned, the risk of one side manipulating or instrumentalizing the other to reach one’s own goals is always present. This justifies the existence of explicit means to regulate ethics through standards, rules, and codes of ethics. The autonomy of professionals rests both on the ability to self-regulate according to one’s analysis of specific situations and on guidelines of professional practice that come from such broad frameworks. Micro and macromorality meet where professional autonomy is present. This fundamental aspect of the regulation process associated with the ethical framework concerns all professionals, including teachers.

### **Professional Ethics of Teachers: The Situation of Teachers in Quebec**

Because teachers in Quebec are not members of a professional corporation they do not share an explicit code of ethics, unlike other professionals who are required to be members of a corporation to hold a practice permit. Social expectations of the teachers’ ethics are expressed in the Education Act (2018) and in the ministerial document outlining their training (Gouvernement du Québec, 2001) in which the components of ethical competence are enumerated. They include the importance of showing others respect in their interpersonal relationship at work, accountability for one’s actions and capacity to detect values, analyze moral problems, and respect standards. Methods of regulating teachers’ actions thus appear to come from knowledge acquisition, an educational practice based on guidelines predefined by the State, and conformity with principles or standards. In this method of regulating actions, the State is the regulatory body, whereas with professional corporations, it is one’s peers. State-run social regulation does not provide the same kind of legitimacy as self-regulation by the group. In a professional corporation, one’s group of peers establishes guidelines collegially. They are used to guide one’s practice with a code of ethics usually mani-

fested, on the one hand, in a document that defines the professional service and, on the other, accepted standards of practice. In the case of State-run regulation, education policies and official documentation prescribe the desired professional conduct. The representation of professionalism is inevitably affected.

Nevertheless, during the professionalization era, various stakeholders recognize the importance of professional ethics as a means of regulating teachers' actions or practice: teachers, through their professional groups and unions; the State, by enumerating the necessary competencies for teaching; and the scientific community, through recommendations from research. Viewing ethics, professional ethics and professional relationships according to the applied ethics framework can give some perspectives regarding how to conceptualize teachers' professional ethics.

We find, first and foremost, that the inductive approach, which characterizes applied or practical ethics, is appropriate for teachers' experience and the way they think. Preservice and in-service teachers in no way adhere to the idea that behaviours can be deduced from theoretical principles, whether from a pedagogical or an ethical theory. According to their perceptions, theory does not pass the test of reality, because their reality in the classroom is highly contextualized, their practice is particular and idiosyncratic, and their pupils and groups of pupils are all unique. In teachers' point of view, theory is too decontextualized to be relevant to their particular circumstances. However, in pre-service teacher training or in continuing education, when using an inductive approach to deliberate on authentic situations that draw on ethics, that is, in interpersonal relationships at work, they find it relevant to highlight the elements that pose a problem in the context, the possible consequences of actions, normativities (implicit and explicit, rules and laws), and the values involved in making decisions that lead to action. In short, they value inductive deliberations carried out by a group of peers on situations that really interest them. This way of sharing in a group gives them the opportunity to develop and strengthen their professional judgment while bringing up in words and thoughts many significant elements that contribute to their reflection and to the formalization of the rules for their professional practice.

The Schön reflexive practitioner model has been widely used though time in pre-service and in-service training (Tardif, Borges & Malo, 2012). It is not sufficient to tell people to reflect on their actions: we must provide activities that model the process. The importance given to the analysis of situations in context within the applied ethics framework fits well with the modeling needed to learn to exercise professional judgement. Indeed exercising professional judgment requires taking into consideration multiple contextual variables of a given situation. This supposes also the development of the sensitivity toward the situation as well as an ability to

analyze it, which are far from what is used when making technical judgments. The fundamental characteristic of technical judgment is that it concerns a fixed number of variables in a closed system: this solution for that problem. Technical judgment is used, for example, when repairing a toaster: there are a limited number of pieces, which limits the number of possible problems and, in turn, the number of solutions. However, professional judgment concerns complex situations experienced by human beings, which means an indeterminate number of variables within an open system. This is why, in their interpersonal relationship to and with others, teachers cannot merely apply knowledge or standards prescribed by education authorities in a technical manner. Rather, they must decide to act taking into consideration particular aspects in relation to those involved in a given situation.

The representation of a professional relationship that we discussed earlier with Figure 1 is relevant when describing teachers' work: teachers must use their professional judgment to harness their knowledge in order to choose an intervention according to their pupils' specific need in a specific educational situation. The process leading up to an intervention relies on taking into consideration the multiple contextual variables involved, the intervention's objectives, the knowledge and skills required to execute the intervention, and the associated standards. The ministerial formulation of the ethical competence required from teachers "to act ethically and responsibly" makes a lot of sense: professional ethics does not only concern what people call ethical problems, but also the capacity to "be accountable for" everything that concerns the daily professional practice.

The general topic of professional judgment is present in all discourses on the subject of professionalizing teaching. Today, it is no longer possible to only have the vocation to teach, as it was in the old days of education led by religious communities. All teachers must be professionally qualified. When they complete their initial teacher training and reach the qualifications standards, they are granted a teaching certificate that legally recognizes their knowledge and know-how in the subject matters taught, in didactics and in pedagogy. Teacher educators have nevertheless observed some gaps in pre-service teachers' understanding of the stakes involved in schooling for pupils and schools in society. The objective is not to fill this gap with more cultural, sociological or philosophical knowledge, but with something more encompassing: seeking and appropriating the value that is central to one's educational practice. The recognition of this value should give meaning to their training, the development of their expertise, their ability to recognize pupils' needs, and, consequently, to the practice of their profession. If the importance of education is the prevailing value, it should become significant for teachers' professional identity and truly be applied on a daily basis.

## Conclusion

Teachers, even reflexive teachers, are not philosophers. They are involved in the realm of practice and action with people, students, colleagues, administrative staff, and all school staff, as well as with parents and society. Their work however requires of them to rely on various educational theories, learning and teaching practices, interpersonal relations and communication duties. As individual teachers and members of an important group in society, their work does not limit itself to classrooms. It has an impact on people's lives. Although there are various ethical frameworks on which we can rely, none pertain solely to the educational field.

Analysis of the conception of professional ethics within the framework of applied or practical ethics makes it possible to identify its contribution to understanding teachers' professional ethics. First, we note the importance of a group of peers in the definition of professional ethics itself and in the deliberation on the topic of problems that emerge when teaching. For their professional ethics to be meaningful, teachers must actively participate in its construction as opposed to simply receiving something already made, outside of their experience or thought out by others, for example, solely with The Education Act.

Second, as professionals, teachers cannot merely be content to know the regulatory aspects that guide their practice and then just technically apply them. They must act professionally, which means basing their actions on their professional judgment. Like other professionals, they face complex human situations that are often new and in which their power to intervene rests on decisions needing to be thought through and justified. In this way, teachers' actions must be accounted for with valid reasons. And still, the direction of peer-led deliberations, which are part of the framework of applied ethics, constitutes a preferred way of supporting professional accountability throughout one's career.

In addition, the framework of applied ethics reveals the importance of values and calling on values when making decisions. And yet, a value judgment is not binary, that is, either good or not. Rather, it is better to weigh the distribution between the pros and the cons (Legault, 2016). The process of ethical deliberation offers professionals a framework and tools to help them determine and justify the best course to follow given the circumstances.

Finally, the framework of applied ethics highlights the importance of appropriating the profession's fundamental value and of finding the values applied in interventions. Thanks to this, it is possible to clarify teaching's particular contribution to people's lives and to society. This is therefore an interesting framework for teachers' professional ethics because it integrates micro and macromorality. To further the

analysis of the micromorality of a person in a situation, we can count on approaches centred on sensitivity and empathy whereas for macromorality, we can count on approaches based on law and justice.

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## THE FOUR PRINCIPLES OF EDUCATIONAL ETHICS?

NICK TANCHUK, CARLY SCRAMSTAD & MARC KRUSE

**R**ecent empirical research has found significant divergence in values, courses, and topics within the professional ethics of teaching (Maxwell, Tremblay-Laprise, & Filion, 2015). In this chapter, we use a version of Beauchamp and Childress' (2013) widely influential four principles of biomedical ethics to reframe the way we see and respond to this disunity. In the professional ethics of teaching, we recommend explicit instruction in four questions, derived from Beauchamp and Childress' approach: What is autonomy? What is beneficence? What is maleficence? and What is justice? By reframing disagreement about values as responding to these four fundamental ethical questions implicit in our lives, we offer a pragmatic basis to see ethical disagreement in teacher ethics as rooted in a deeper structural unity.

In the first section of this essay, we argue that ethical unity is an appropriate goal for teacher educators to pursue because it is a necessary condition of disagreement

about ethical values. In the second section, we outline the minimalist version of Beauchamp and Childress' (2013) four principles of bioethics that we propose importing into the professional ethics of teaching as a means to work toward ethical agreement and unity. We argue that the questions constituting our version of the four principles are already a part of our lives wherever we can ask the ethical question "How should one live?" Despite the universality of the four questions, we acknowledge that answers to the questions can diverge. To address this ethical divergence, we recommend that ethics educators help teachers develop articulacy about the nature and value of the four principles. By building such philosophical articulacy, teacher educators create the opportunity for teachers to engage in inquiry about questions of value that may otherwise be impossible and, in so doing, allow teachers to practice a unifying ethic of inquiry amidst difference in values.

In the third section, we illustrate how our four-principles framework creates this possibility of unifying ethical inquiry even in cases of deep disagreement on values by considering a case study. Drawing on a real labour dispute involving teachers in a Manitoba First Nations community, we carry out a thought experiment from the perspective of a teacher who must decide whether or not to try to unionize in the face of opposition from local school officials. We show how inquiry into the nature of the four principles opens up a more complete understanding of the case and more nuanced practical solutions. We suggest that the strength of our four principles approach in such cases of deep disagreement reveals the way it may add nuance to more mundane disagreements about value in diverse educational contexts. In section four, we reflect on the implications of the approach and develop replies to two possible objections: first, that the approach is not robust enough to guide action and, second, that it is too abstract or time-consuming. Against the first objection we argue that forging agreement on values is a precondition of non-coercively guiding action; in essence, our recommendation is instrumental, not moral. Against the second we argue that the issues we propose addressing are already present in the practices of teachers and that ignoring these questions limits our understanding of professional ethics.

### **Ethics in Teaching: A Fractured Discourse**

It is perhaps no surprise that the professional ethics of teaching is a domain lacking in uniformity. What it is ethical for a practitioner to think or do depends heavily on the kind of person educators ought to create through their efforts. In pluralistic societies (which may be all societies), that question is controversial. Given the relationship between other elements of school life and the fundamental aims of education, questions about what teachers owe to colleagues, to the institution of tea-

ching, to the communities they serve, and to themselves are morally complex and controversial in all but the most banal cases.

Research confirms what normative philosophical reflection would lead us to expect: in pre-service teacher-training, if professional ethics is taught at all, then how it is taught, when it is taught and what is taught varies significantly (Maxwell, Tremblay-Laprise, & Filion, 2015; Warnick & Silverman, 2011). In response to such variability, Maxwell et al. (2015) suggest that ethics educators chart a course toward greater unity through collaboration:

[T]here is a currently insufficiently met need for opportunities for relevant constituencies in teacher education to engage in professional and scholarly dialogue about issues such as the role and goals of ethics curriculum and its thematic content in ITE [initial teacher education], models for handling ethics content in teacher education, and how to evaluate student teachers' ethical development in university-based education (p.17).

We agree with Maxwell et al. (2015), that working toward greater unity is desirable in the ethics of teaching and offer this instrumental argument as part of a practical consensus building process. The argument we offer is instrumental in the sense that it is advanced not as a moral theory but as a means to pursue knowledge of ethical truth for all those who think that the capacity to do so is an appropriate one for teachers to cultivate.

At the same time, we acknowledge that it is possible to deny this call to search for ethical commonality and truth in the name of an ideal of robust diversity. Some diversity in teaching ethics is surely appropriate. Regional and situational differences must factor into any sound ethical analysis, even where broad ideals are shared. So, we concur with the many authors who write on teaching ethics that claim there ought to be room for a diversity of approaches and techniques for inquiring into codes, concrete concepts, particulars, and cases (Strike & Soltis, 2009; Warnick & Silverman, 2011). Homogenizing all practices across regions with different political histories and institutions, in our view, would be a mistake. We think that importing a version of the four principles of bioethics framework, toward forging greater ethical unity is nevertheless warranted for at least two reasons, both of which we will unpack in detail below. First, a commitment to an appropriate form of ethical unity reflects the conditions upon which ethical disagreement is intelligible and significant. Second, once one notices that disagreement in ethics depends on a commitment to the aim of ethical unity, one can learn to see an additional latent structure within ethical questions informed by the nature and value of autonomy, beneficence, nonmalefi-

cence and justice. These four questions mirror the four principles of bioethics, providing reasons to adopt a version of the four principles of approach beyond bioethics fields, wherever we pursue ethical truth.

All reflective agents—and therefore all teachers and students—we will argue can, in principle, learn to recognize this structure of ethical principles if it is made explicit through reflection or instruction. Where this structure of principles is recognized as a set of questions, we will argue that we increase the number of points of unity that orient our disagreements, adding nuance to our ethical inquiries. If discerning ethical truth is a sensible aim of ethical inquiry for pre-service teachers, then we think adopting a framework that foregrounds points of unity and adds nuance to our discourse shows promise for aiding teachers in better grasping the nature of the ethical dilemmas they encounter.

Before turning to unpack these two considerations in favour of importing a version of the four principles of bioethics to the ethics of teaching, it is important to stress the instrumental rather than moral nature of our recommendation. We claim only that if one seeks the truth about ethical questions, as an educator or otherwise, then it is useful to make the structure constituting our version of the four principles of bioethics explicit. We leave open the possibility of moral skepticism, however, and so unlike various deliberative theorists of ethics, do not claim to establish *that* seeking the truth about ethics is necessary or objectively important (Cf. Habermas, 1984; Martin 2009; Peters, 1966). This openness to skepticism places us also in contrast to other theorists who treat avoiding moral relativism as either a necessary condition or desiderata of a method of inquiry in the ethics classroom (Bowie, 2003; Warnick & Silverman, 2011). Moral nihilism and skepticism are ways of answering the four moral questions we propose that in our view warrant serious consideration and should not be ruled out in advance. With this caveat about the modesty of our claim noted let us turn to the two reasons why we think the minimalist version of the four principles approach we recommend is a useful structure for seeking truth in the teaching ethics classroom.

The first reason to adopt a modified four principles approach is the relationship between ethical disagreement and the aim of ethical unity. Ethical disagreement is a basic and well known descriptive fact of life in modern societies (Rawls, 1993; Strike, 2003). This fact of fragmentation, however, cannot be the whole story when it comes to understanding the questions of value that often prove divisive. As Carol Rovane (1998) argues in her work on the metaphysics of personal identity, making sense of the fact of ethical disagreement between individuals presupposes the existence of a “common topic” or question of “ethical significance” (p. 107-109). To disagree there must be something that we disagree about. What we disagree about

is a point of unity, a common ethical question that we respond to differently. Only because of this shared question can we see parties as at odds in the answers they live or propose to live. If everyone lives a response to the question of how we ought to live, then the very fact of disagreement suggests that we are all already engaged in an effort toward unity.

As noted, the idea that it is appropriate to work toward ethical unity may seem to contradict John Rawls' (1993) famous claim that “the fact of reasonable pluralism” about the good life is a natural consequence of human reason operating under conditions of non-oppression (p.36-37). Ethical unity, if disagreement is inevitable and persistent, we might think, with Rawls, is just not a sensible goal. This Rawlsian objection might be convincing, were it not for the robust moral reasoning that it requires to have us converge on its ethical answer. While we can't recapitulate the literature on these issues in depth in the space of this chapter, we can briefly offer some reasons to think it is not fatal to our recommendation. Rawls (1993) argues that we should accept the fact of reasonable pluralism because in his view all should accept what he calls the “burdens of judgment” (p. 54). The burdens of judgment are a set of epistemic beliefs that Rawls maintains all ought to accept as a matter of justice and that make consensus on a single form of the good life very unlikely, due to the very nature of moral knowledge. These beliefs about the nature of moral knowledge, however, as Eammon Callan (2004) points out, contradict many sincerely held moral and philosophical views. In demanding that all accept the burdens of judgment, Rawls (1993), in effect, asks that all accept a liberal ethos that prioritizes liberal values above their other commitments. This may or may not be ethically correct in the final analysis. What should be clear is that Rawls (1993), even if he officially denies it, is also committed to a form of unity about the good life, as other commentators have noted (Levinson, 1999; Macedo, 1990). Following these theorists, we take it that Rawls' (1993) “fact of reasonable pluralism” need not deter efforts to forge ethical unity; agreement that such pluralism is *morally reasonable* presupposes argued ethical unity in its own right.

If we agree the aim of ethical unity is an appropriate aim for teachers and teacher educators to pursue, then we have reasons to adopt practices that reflect any additional unity already present in the lives of teachers and learners. In the next section we will argue that all agents—and therefore all teachers, students, and citizens—live in response to a structured set of questions, whether they are aware of the fact or not, about (at least) the nature and value of beneficence, nonmaleficence, autonomy, and justice. These questions, in turn, underwrite possibilities for intercultural and intracultural moral disagreement about ethical standards. We will illustrate how each question follows from being able to ask the ethical question “How should live?” be-

fore turning to illustrate how these four questions—which make up Beauchamp and Childress’ (2013) four principles of bioethics—can add sophistication and nuance to questions of cross-cultural engagement within Canadian teacher education.

### **Four Principles of Educational Ethics: A Fact of Life?**

As Akeel Bilgrami (2006) has argued, to be a reflective agent—that is to say, a person able to execute a considered life plan—one must possess a point of view that is rightly subject to normative “reactive attitudes,” to criticism about what is best to think and do (p. 81-82). In lay terms, to have a life to plan, evaluate, and live, one must be able to think about whether one should pursue one course of action or another. Any teacher subject to a moral dilemma—a problem arising in determining “How should one live?”—then, must be capable in principle of reflective self-criticism of this sort. If we can derive the four principles of bioethics as they were labelled by Beauchamp and Childress (2013)—namely, beneficence, nonmaleficence, autonomy and justice—from the presuppositions of being a moral agent, then we will be able to see that these questions, as topics of reflective criticism, are as basic to educational ethics (and ethics more broadly) as they are in biomedical fields. Indeed, these topics will be shown to be part of what it is to be an ethical being at all. To derive the four principles, we need to reflect on what living an answer to the ethical question of how one ought to live involves, particularly when it occurs alongside others.

### **Beneficence and Nonmaleficence**

If agents are rightly subject to criticism about what is best to think and do, then they also stand in relation to a question of beneficence and nonmaleficence—that is to say, a question of how to do good and avoid harm. One may endorse different conceptions of what is ultimately of value—a life of hedonism, a life of religious duty or a life of pursuing knowledge, for example. But whatever the deepest standard one accepts, one accepts some such standard. At the core of every educational act then, is a question of beneficence at the heart of human action more generally: we are called to ask what is best for our students and the profession to pursue. This question is widely considered in the literature on educational ethics (Hansen, 2001; Higgins, 2011; Noddings, 1984). If this is right, then, whether we understand doing good on an “objective list” theory (Nussbaum, 2011) or a non-cognitive metric such as desire satisfaction or hedonic utility (Parfit, 1987), education involves taking a stand on questions regarding the nature of goodness. This is so, even if we believe that the chief good we ought to promote in schools is autonomy to choose a concep-

tion of the good (Callan, 2004; Levinson, 1999; Macedo, 2003).

There are some obvious forms of maleficence—of physical, psychological, and sexual harm, for example—that schools ought to avoid, although where to draw the lines between harmful and tolerable behavior remains open to dispute. The use of corporal punishment in schools, for example, varies significantly between the US and Canada, in part due to disputes about whether or not it causes psychological harm or is simply an appropriate deterrent. Conservatives in some jurisdictions, due to their conceptions of moral virtue, continue to oppose safe-spaces for LGBTTTQ youth, denying in effect that deterring LGBTTTQ ways of life is an intolerable harm in and of itself. If, in addition, with the Truth and Reconciliation Commission of Canada (2015), we consider the possibility that cultural displacement and cultural genocide are among the genuine harms schools may perpetrate, then to avoid maleficence—“inflicting evil or harm” in Beauchamp and Childress’ (2013) terms, the relationship between questions of good and evil becomes even more complex and weighty (p. 151). Various answers to the question, what is ultimately good and what is bad, at least in part underwrite these practical disagreements about how to shape the lives of colleagues and students.

## **Autonomy**

As agents, part of what we evaluate when planning our lives and weighing options is the nature and value of this process of evaluating options itself, in our lives and in others’. The nature and scope of parental, teacher, student, and state autonomy are hotly contested in the ethics of childhood and philosophy of education (see Callan, 2004; Hannan & Vernon, 2008; Lecce, 2008; Levinson, 1999). Different conceptions of the nature and value of autonomy suggest different courses of action. Beauchamp and Childress (2013), for example, have a “three-condition theory” of autonomy, where an act is autonomous if the agent acts “(1) intentionally, (2) with understanding, and (3) without controlling influences that determine their action” (p.104). Where Beauchamp and Childress’ (2013) conception of autonomy emphasizes the absence of influence from others, in the case study discussed below we will see that not all cultural traditions see autonomy and freedom this way. Mirroring this pattern of cultural difference, some theorists see autonomous action as flowing from the presence of the “right reasons” for action rather than the absence of others’ influence (Borrows, 2016; Watson, 1974). To figure out whether education is correctly conceiving the value of the autonomy of students, parents, and teachers we need to know what this ideal requires—that is to say, whether it involves the space to pursue one’s subjective preferences in a context or some more demanding concept of standing in the right relations to the world and to others within it.

## Justice

The last principle, justice, arises as we aim to answer the three questions about the nature and value of autonomy, beneficence, and nonmaleficence. Sorting out what the nature and value of promoting goodness, avoiding harm, and appropriately respecting self-determination raises the further question of what the best distribution of each object of moral concern ought to be—of what we owe to each other. This is a question about justice. Here we include the distribution of rights, responsibilities, qualitative relations, and other social goods among the things that can be located in various ways across various individuals. In education, as in healthcare, debates about the nature of justice are urgent. Distributive questions have a deep impact on the relationships forged between teachers and students at both the level of classroom decisions and policy. To decide how to use our time, energy, and resources within the classroom or to decide which educational goals are just, we must first have ideas about the shape that benefits, burdens, relations, rights and responsibilities ought to take, first in the classroom and later in society. We are faced, for example, with questions such as: should we simply aim to maximize the goal of learning, regardless of the sacrifices borne by some students, for the sake of the greater good? Or is equality between students, in some dimension, itself a part of our aim in planning and resourcing just and ethical instruction? If equality is a goal of justice, then we may sometimes have to reject maximizing aggregate academic achievement for the sake of promoting those worse off through additional supports (Brighouse, Ladd, Loeb, & Swift, 2018).

Questions of distributive justice have been widely studied with sub-branches of philosophical inquiry looking at either the form or structure that a just educational system would take (Drummond & Rosenbluth, 2013; Koski & Reich, 2006; Satz, 2007) as well as the different content, the good (or burden) to be distributed (Brighouse et al., 2018; Parfit, 1987; Powers & Faden, 2006; Rawls, 1993; Nussbaum & Sen, 1993). We suggest here, as elsewhere, that if we want teachers to learn to discern ethical truth—not merely to bow to prevailing convention—then we ought to help teachers learn to should sort out questions about what justice is as they also learn to make practical determinations.

By recommending that we aim to work out the truly best accounts of contradictory theories of justice, we depart from Beauchamp and Childress' (2013) approach, which does not aim to sort out disagreements between the contradictory views (p. 262). Instead, they recommend using theories instrumentally as “resources” or “lenses” for addressing issues of social justice (Beauchamp & Childress, 2013, p. 262), much like some theorists in the ethics of education (Strike & Soltis, 2009).

True views cannot be in contradiction with one another. So, if we aim to prepare teachers to seek ethical truth, then we claim that it would be a mistake to acquiesce into accepting contradictory views of justice as equally true, or to treating each as a mere tool, contrary to the intentions of, for example, Kantian and Utilitarian theorists.

A truth-seeking approach, we believe, has significant advantages. In our view, Beauchamp and Childress' (2013) instrumental approach to theorizing justice succumbs to a central criticism it faces in the literature: that it fails to provide action guidance on many if not all of the most important practical issues. To reiterate a common complaint of parallel issues in the ethics of teaching, if different parties can weigh different values radically differently as "resources" for their individual or group's deliberative purposes, then there is ultimately no deep difference between one's or one's group's pre-existing preferences and "justice" (cf. Bowie, 2003; Warnick & Silverman, 2011). In cases of disagreement, political power defines what is just due to the lack of standards to weigh considerations or determine which can be rightly introduced. Whichever view is most politically powerful is then given a *moral gloss* by this philosophical approach, getting dubbed, in effect, as ethical common sense. We think that if there is an adequate view of justice, then it should normatively guide action in cases of dispute. We suggest working toward establishing such a view, which can be mutually recognized as true by disagreeing parties, or accepting moral skepticism as the right description of our situation.

Given the fundamental place of these four ethical questions in the life of an agent, it is no surprise, in our view, that beneficence, nonmaleficence, autonomy, and justice comprise the four principles of biomedical ethics, made famous in the Belmont Report (1978) and Beauchamp and Childress' subsequent bioethics textbook (i.e., Beauchamp & Childress, 2013). Nor it is a surprise that these principles are reflected in debates that, while somewhat siloed or fractured, are already present in the literature on educational ethics. The principles identify fundamental topics of ethical importance that follow directly from the possibility of having a life to live, universally and cross culturally. The adoption of the four principles within biomedical ethics, therefore, reflects aspects of ethical reality. Following Durand (2013), we advocate importing the categories employed in this framework into the ethics of teaching, as a contribution to the emerging discourse of professional ethics in the field. Unlike Durand (2013), however, we do not claim that Beauchamp and Childress' (2013) approach, which specifies the definitions of the four principles in advance, is sufficient. Instead, consistent with the analysis presented above, we recommend a process of truth-seeking co-inquiry into these four unifying questions, leaving open the possibility of moral skepticism.

In biomedicine, the “four principles” approach is considered by many bioethicists to be the beginnings of “a basic moral language and a basic moral analytic framework” (Gillon, 2015, p. 115). By recognizing these bases of disagreement in relation to questions of value, we expand the possibilities for seeing one another as responding to common intellectual challenges. By noticing where we answer common questions differently and disambiguating our ethical terms, we may also increase the likelihood that we are talking to, rather than past each other when we disagree. To illustrate what this approach might look like when educating pre-service teachers, we will now turn to an example of using this approach to engage with cross-cultural questions of educational ethics in practice.

### **Should we Unionize? Manitoba Teachers Society Services and First Nations’ Schools**

To illustrate how treating the four principles of bioethics as universal questions can work to strengthen and unify ethical discourse in the field of education, it is helpful to turn to a case that foregrounds divergent cross-cultural interpretation of the principles. Any case of actual or possible deep ethical disagreement would suffice for this purpose. We might, for example, have chosen to examine disagreements between adherents to religious traditions that clash with current liberal democratic legal norms of sexual ethics as they relate to curriculum content, student groups, or teacher misconduct in religious schools instead. In part because of our collective concern with issues of decolonization and indigenization of Canadian education, we have chosen to draw on a case that one of the co-authors of this essay has taught in a course on ethics and educational law for pre-service teachers. Another reason why we selected this case is because it illuminates many issues present in other cases of cultural dissent from liberal norms, increasingly relevant in a mobile and diverse world. Cases like this one are of exceptional ethical interest because they are not easily handled by conventional ethical problem solving procedures. Owing to this feature, they force one to reflect on how and to what extent rethinking such procedures and their underwriting values may be desirable or necessary.

In addressing this teachers’ labour rights case, students were asked to imagine teaching on a First Nations’ reserve. The question posed to students was whether they would work to have a union, *The Manitoba Teachers’ Society* (MTS), represent teachers working in their school even if they have been told by the community they work in that teachers found trying to unionize would be fired. To establish a context of facts for the case, students first read excerpts of Brian Anderson’s (1987) thesis on the legal and social circumstances that led to MTS’s withdrawal of services to teachers working in reserve schools. Anderson’s study documents the attempt of teachers to

unionize at Fort Alexander Reserve, the teachers' subsequent dismissal for these activities, and, eventually, a Canadian Labour Tribunal decision in favour of teachers' right to unionize on reserve that was left unenforced by the federal government. Under these conditions, MTS decided no longer to offer its services to First Nations schools and to this day only operates in two band run schools on ad hoc agreements.

At a superficial level, it is easy to draw up a laundry list of considerations weighing for and against the decision. A lack of union representation deprives teachers working in reserve schools of many services, creating material incentives for leaving indigenous communities. This may, as a result, have a negative impact on the educational outcomes of the students in these communities. Moreover it might seem that teachers' right to unionize is a basic professional ethical concern, whether or not it is a universal human right. On the other hand, issues of paternalism and colonialism may seem to be at odds with liberal commitments to autonomy and freedom. By using the four principles framework to attend to deeper cultural divides, we can further enrich our understanding of the nature of the disagreement in this case and others where communities dissent from a school's or a school's teachers' claimed ethical practice. In so doing, we add complexity to the factors on our list of considerations and reveal points of unity.

Anderson's thesis, which involved interviews with the Fort Alexander Chief and Council, and teachers, as well as the analysis of background historical documents, makes it clear that issues of cultural and ethical integrity were held to be a driving force in the opposition to unionization. A "Statement by the Algonquin People," written at the time of this debate and cited by Anderson as exemplifying concerns in the case, articulates the following position against unionization: "no institutions reflecting outside values and capable of imposing them upon our children and their duly constituted government will be allowed to establish and to function upon our reserve homelands" (Anderson, 1987, p. 65). One reason to avoid unionization if one wants to ensure the transmission of distinct cultural values is to create conditions for indigenous educators, who are more likely to hold such values, to educate indigenous children. The teachers who wanted to unionize were described in a document by the First Nations Confederacy, again, cited by Anderson (1987), as "removed from an understanding of the lives within which their students will function as adults" (p.64). The issue, importantly, was not framed as one of race, but of cultural competency and awareness of ethical difference often associated with growing up in an indigenous family or community. Anderson (1987) places this ethical rejection of unionization on reserve by an "outside" organization with "outside" values within broader indigenous efforts in Canada and in First Nations' education to resist Pierre Trudeau's "white paper liberalism," which aimed to create a just society for all de-

fined by liberal democratic values (p. 8-16).

Even though indigenous children are often taught liberal values, particularly off reserve, resistance to such values remains a recurring theme in the thought of leading thinkers in the Anishinaabe tradition, which is the indigenous tradition relevant to the case in question. Edward Benton-Banai (1988/2010), Leanne Simpson (2017), and John Borrows (2016), for example, all provide alternative conceptions of the nature of beneficence, nonmaleficence, autonomy and justice placed in explicit opposition to those championed in Trudeau's white paper liberalism. In keeping with the four principles approach, to make visible the differences between the alternative answers to these questions in the case, teacher candidates read chapters from Sandel's *Justice: What's the Right Thing to Do?* (2009) outlining two different liberal perspectives of value. One is a libertarian view owing to Robert Nozick (1974/2013) and John Locke (1690/1980). The other is a liberal-democratic view owing to John Rawls (1993, 2003). In addition, they studied a third perspective, a set of Anishinaabe views advanced by Benton-Banai (1988/2010), Simpson (2017), and Borrows (2016). The purpose of presenting these views to the students was to open their eyes to the variety of conceptions of what we may owe to ourselves as teachers, to students, and to the community in the case in question. Finally, we contrasted the Anishinaabe views with some readings by John Dewey (1916) that set out the value of learning as a fundamental ethical basis for a democratic community's way of life, noting many symmetries and some asymmetries with the Anishinaabe tradition.

In considering each view, we worked to identify the different ways beneficence, nonmaleficence, autonomy and justice are articulated. Drawing on the work of Rawls (1993, 2003), Nozick (1974/2013), and Borrows (2016), we discussed the difference between liberal conceptions of autonomy, understood as doing what one pleases or desires (or "conceiving and reconceiving one's values", to employ another formulation), consistent with the right of others to do the same, and Anishinaabe conceptions that see freedom or autonomy as living a truly good life, defined in accordance with discovered responsibilities to others, including plants, animals, and the rest of the natural world. Whereas for Rawls (1993) autonomy centres on the power of individual choice, or the ability to "form, revise, and rationally pursue a conception of the good life" (p. 30), again, consistent with others' right to choose a different plan of life, Borrows (2016) explains,

In Anishinaabe tradition, freedom can be characterized by healthy interdependencies, with the sun, moon, stars, winds, waters, rocks, plants, insects, animals and human beings. Freedom is holistic and does not just exist in an individual's mind. It is much more than a product of an individual's will; it is lived. In Anishinaabemowin the word for living

a good life is *mino-bimaadiziwin*. While its practices and meanings can be contested this word can be roughly translated as ‘living well in this world’ (p. 6).

Seeing such differences naturally supports a discussion of the different accounts of the nature of goodness and beneficence. Drawing on work situated within Anishinaabe traditions by Simpson (2017), Benton-Banai (1988/2010), and by Kruse, Tanchuk, and Hamilton (2018), we explored how goodness might be grounded in a commitment to “learning from the world” in a holistic sense. Following Kruse, Tanchuk and Hamilton (2018)’s theoretical grounding of Simpson’s (2017) work, we considered a view of the Anishinaabe tradition in which all humans are called to support each other as learners in addition to creating contexts where plants, animals, and insects can thrive and learn from the world as well. We contrasted this approach with liberal conceptions that require privatizing one’s conception of the good and that, as a result, reject grounding teachers’ public responsibilities in an ideal of goodness rather than a right to autonomously choose a conception of the good life. By putting these contrasting ethical conceptions in dialogue, radically different visions of justice emerged. For the Anishinaabe, the Earth is our mother; it is absurd to think of our maternal relationship in terms of ownership. The appropriate response to your mother is to love and seek to understand her, supporting her flourishing through your own flourishing and that of others’, including the plants, animals, and insects. This tradition clashes with liberal views such as Locke’s (1690/1980), Nozick’s (1974/2013) and Rawls’ (1993) which teach that you can own other life and the land and legitimately use them for private purposes. Unlike on standard liberal conceptions such as those advanced by Locke (1690/1980), Nozick (1974/2013), and Rawls (1993), justice, on this Anishinaabe view, cannot be modelled as a social contract between human individuals alone. To do so misrepresents the focus entailed by the nature of autonomy and goodness on Anishinaabe pictures of value. On the Anishinaabe but not the liberal account, a life is autonomous only if is lived in a good way, in accord with one’s responsibilities to other life. For the Anishinaabe, such freedom involves fulfilling our responsibilities to the flourishing of all of our relations, including the plants, insects, animals and earth upon which we depend. Maleficence, by contrast undermines these responsibilities. Borrows (2010) reminds us:

Anishinbek people believe in a Creator, Kitchee Manitou, who gave form and meaning to the Earth following a vision...Later stories convey important spiritual insights by providing instruction about how the Earth must be honoured and respected. Within these teachings is the

general recognition that the Earth has a soul (*chejauk*) that animates its many moods and activities. Many believe that the Creator, as the Great Master of Life, created a universal bond between all living things that placed the Earth at the centre of a vast web of kinship relations. Great power can be attached to these relationships because of the spiritual energy that flows between, from, and through them. (p. 242)

By making visible differences in modeling goodness, maleficence, justice, and autonomy through this kind of interpretative work, pre-service teachers mainly not from indigenous communities were able to gain access to a more ethically complete vision of why indigenous communities may be concerned about assimilating to liberal visions of value and society within educational practice. In such communities' views, liberal values may be fundamentally confused or incomplete. This is not to insist that it is wrong to assimilate to liberal norms. Our purpose in dealing with these contrasts exposed by the case study was to underline what is at stake in at least one such case of conflict—namely, when a community, as has happened, resists teachers' efforts to unionize through a liberal-democratic labour organization. Different answers to these four deep questions of value, once their fundamental place in our lives as agents is unearthed, also support different visions about the content of curricula, individual versus collective student responsibility in classroom disciplinary practice, and the form of economic life that schools may or may not prepare students to participate within. If we are not to reduce teacher ethics to mere dominant conventions, taking these moral issues seriously is crucial; it opens up the possibility of raising questions and considerations immanent to one another's different worldviews by making the shape of those worldviews visible. This in turn opens up the possibility of working toward intellectual and, perhaps, moral progress. The four questions of educational ethics: What is beneficence? What is maleficence? What is autonomy? What is justice? reveal points of unity within this dispute, forged in the very possibility of facing the question of how to live.

It is important to stress that the exploration of questions of value surrounding the four principles need not and, in our view, should not come at the expense of pre-service teachers' learning to make concrete practical determinations about what should be done in a particular case. Rather, in teaching a case of this sort, we maintain that it is important to practice arriving at the most concrete recommendations possible based on the most complete and nuanced view of the ethical issues involved. If, through inquiry, we come to see merit in a competing view of goodness, freedom, and justice, then we may arrive at different concrete determinations. In this case, we may recognize, for example, that even if a teachers' union has a role on reserve, that

role might appropriately be grounded in a different vision of justice, goodness, and autonomy than that held by current provincial unions. As teachers, we also encounter a question in this case about whether and why we should see ownership of the land and other living things as a morally appropriate relationship. By engaging with Anishinaabe ethical perspectives as possibilities for all our lives—as a response to a common question set—we open up space for the possibility that if such perspectives are illuminating, they may rightly shift and influence Canadian education as well. In our view, this form of inquiry, which allows us to see unity amidst difference, has the potential to be a move towards reconciliation through a natural goal of education—forming an ethos committed to the search for truth—while at the same time enriching our professional ethics as educators.

### Discussion

What is illuminating in the case of First Nations' education discussed above may also be helpful in understanding other instances of high interest in educational ethics. To name but a few: teachers sometimes must decide whether to stand with or against religious parents who reject liberal-democratic sexual education and health curricula; whether to openly live (or stand in solidarity with teachers who live) a non-heterosexual life when the religious schools that employ them have the legal right to dismiss them on that basis; and whether to express dissenting views from dominant society when off duty and on their own time. All these ethical situations invite us to consider differences in fundamental ethical values—questions of beneficence, maleficence, autonomy, and justice—that may clash with the political values and conventions of professional teaching ethics in a time and place. By reflecting on the nature and justification of such values as a part of teachers' pre-service ethics education, teacher educators open up space for future teachers to develop deeper cross-cultural competency and a sense of the deeper questions that animate conventional teacher ethics codes and concepts, as they are and as they *ought to be*. Despite these virtues, two significant objections to this approach deserve consideration.

First, a dominant line of criticism against Beauchamp and Childress' (2013) view might be raised against our recommendation: that by not providing a mechanism for resolving dilemmas and weighing principles, it fails to be an action-guiding theory (Rhodes, 2015). In response to this objection, we agree that establishing action-guiding principles is desirable. We also think that action-guiding truths are the sorts of things we need to identify through moral and metaphysical argument, as it is only by considering what is real, practically possible, and what really matters, that we can improve our grasp of reasons for moral action. This doesn't mean that we won't sometimes have to take action before we can identify what the content of each prin-

principle is, where we disagree. It is to say that to best understand the moral principles that guide us and avoid being forced into coercive relationships with each other we need to forge agreement on what the ultimate values and facts that will guide us are. This is something that occurs in degrees alongside other constraints. Theoretical inquiry takes time. How much time is a question to be sorted out in context, in relation to the other demands we face, and in reference to the scales of value we actually hold. One possible model, used in the course where the labour case above was studied, allocates roughly a third of the course to exploring issues in value theory, a third to political issues that construct the ethical situation of teachers, and a third to micro-level classroom dilemmas and practices.

A second line of critique rejects the very effort to seek abstract truths about the nature of value as part of the ethics of teaching. Kenneth Strike (1990), for example, argues that it is a mistake to think, as we have suggested, that the curriculum of professional ethics education for teachers is a form of moral education requiring inquiry into ultimate values. First, Strike (1990) claims, it is “naive” to think that, in the short period of an ethics course, we can reform teachers’ characters (p. 48). In Strike’s (1990) words, “[c]haracter is the product of a lifetime” (p.48). Second, Strike thinks that the content of general ethical views are not specific enough to teaching to be of aid to teachers. Instead, Strike (2003) proposes that the content of professional ethics curricula should be derived from three sources: values implicit in subject areas, drawing out the ethics of the hidden curriculum of non-ethics teacher education courses, and explicitly teaching education specific concepts not in general moral theories, for example, “due process” in grading or “intellectual honesty” (p.53).

Strike’s (1990) first feasibility objection to morally educating teachers is paradoxical. Surely, the belief changes he proposes as teachers learn new concepts are a type of character reform, in degrees. But if that is right, it is not obvious that any other form of moral belief change would not be feasible as a means to character reform. If this is right, then it can only be a question of whether the proposed belief changes are relevant to the practice of teaching. If they are, and they are morally important, then we should not simply capitulate if there is insufficient room in the teacher education curriculum for teachers to learn of these important aspects of their practice. We should instead name this barrier to ethical truth and work to change it within the course of study. If hiring or training more faculty to grapple with these deep philosophical questions is necessary, we recommend that we take on these challenges as well, to the extent that we aim to search for the truth in ethics together.

This brings us to Strike’s (1990) second objection, which seems to suggest that considering general moral views is irrelevant for teacher education. We agree with

Strike that teachers must carefully attend to various particular notions local to teaching—like what it means to grade fairly with respect to some context. With that said, we do not see this as inconsistent with recognizing a latent structure in ethical particularity, if, as we have suggested, this latent structure of questions follows from the nature of agency. To the contrary, all of these value laden notions will depend upon presuppositions built into the four core questions of educational ethics: what is goodness, what is maleficence, what is autonomy, and what is justice?

To emphasize a point made above, by recognizing such structure in moral concepts, we are better able to see our different answers in current cases as sourced in points of unity. This unity allows us to notice analogies and disanalogies with others who have different points of view. We can see, for example, different cases as involving disagreement about the nature of freedom and beneficence in sometimes similar and sometimes different ways. This in turn, creates more rather than fewer possibilities for common inquiry and displays a more rather than less nuanced appreciation of the nature of the particulars and less abstract concepts. To deny this fact, then, in our view, is to obscure important relations that constitute the shape of particularity in reality. To insist, for example, as Strike (2003) recommends, that in teacher ethics we “attempt to resolve issues with minimal invoking of abstract philosophical theories” distorts the extent to which the tradition of teacher ethics itself rests upon answers to these abstract philosophical questions (p. 511). As educators, we ought to strive to avoid dogmatism, especially in a teacher preparation discourse that promises to shape many future citizens’ views of social reality. To avoid dogmatism, we take it to be of great import to notice the four questions: What is beneficence? What is maleficence? What is autonomy? What is justice? as educational topics and sources of latent commonality that orient our lives. Provided we care about preparing educators to search for ethical truth with nuance and a sense of common challenges, we believe that inquiry into the nature of ethical value itself, drawing on the four principles of bioethics could greatly enhance teacher education.

## **Conclusion**

In this essay, we have argued that, as a remedy to the fractures that have been observed within the values underwriting contemporary ethics of teaching, teachers of professional ethics in education can greatly benefit from drawing on a minimalist version of Beauchamp and Childress (2013) four principles of biomedical ethics. In the first and second sections of the paper, we defended the goal of ethical unity as a desirable one and provided an outline of how the four principles might be used as a vehicle for philosophical inquiry to enrich case-based reflections, drawing on universal questions entailed by possessing agency. We illustrated in the third section

how such an inquiry might proceed by examining a case study involving indigenous sovereignty and teacher labour relations. While the inquiry based approach we propose in response to universal questions affords flexibility, it also offers us a language in which to forge a common discourse in the professional ethics of teaching on the condition that the position can withstand a pair of objections handled in the fourth section: that it does not guide action and that it is too abstract.

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## **PART III EMPIRICAL INQUIRY**

# AN AUSTRALIAN VALIDATION STUDY USING RASCH ANALYSIS TO MEASURE PRESERVICE TEACHERS' VIEWS OF ETHICAL BEHAVIOUR

HELEN BOON

**T**he work of teachers has long been recognised to be fostered by ethical dispositions. This is inherent in their roles as both moral agents and values educators. For this reason, from as early as the 1970s scholars have advanced that teacher candidate selection should be based on their character traits (Halamanderis & Loughton, 1972) as well as academic factors. This view has become more widespread in recent years (Caena, 2011). The proposition that distinct character traits and dispositions are essential for successful completion and transition into teaching is reinforced in Australia by data that show 30 % of Australian students entering university do not complete their course, and a further 30 % do not remain in the

profession after 3–5 years (Productivity Commission, 2012). These professional attrition figures are comparable to those for other OECD countries, including Canada (Karsenti & Collin, 2013).

In parallel, teacher quality, considered to be the most influential factor in student attainment (Hattie, 2008), is a growing focus of educational reform worldwide, with new policies attempting to ensure that only the ‘best and brightest’ are selected for the teaching profession. In order to ensure that graduate teachers demonstrate exemplary professional ethics, the Australian Institute for Teaching and School Leadership (AITSL), the regulatory body responsible for professional standards and teacher training accreditation, requires that all preservice teacher candidates are selected on the basis of three criteria: academic qualifications, teaching ability, and disposition to be a teacher (Teacher Education Ministerial Advisory Group (TEMAG), 2014). Furthermore, as in some Canadian provinces (notably Quebec and Ontario), preservice teachers may not graduate until they have been rated as proficient in the domain of professional ethics and responsibilities. These ratings are obtained during practicum and are based on preservice teachers’ engagement with colleagues, parents/carers and the practicum school communities (Australian Institute for Teaching and School Leadership (AITSL), 2015). It is therefore important for tertiary institutions to be able to assess and develop the ethical understandings of entrants to the profession. To achieve this aim a suitable instrument to assess preservice teachers’ understanding of professional ethical behaviours is desirable; Morris, Watt and Richardson (2012) developed such an instrument in Australia.

Morris et al. (2012) state that development of the Professional Interactions and Behaviours Scale (PIBS) instrument was based on a set of standards for the behaviour and conduct of all Victorian teachers in the Victorian Government Teaching Service and the non-Government sector set by the Victorian Institute of Teaching (VIT). The Code of Conduct (VIT, 2008) encompasses aspects of professional conduct, personal conduct and professional competence, and stresses issues related to relationships with students, colleagues, parents/guardians and communities. The 30 item instrument (Appendix A) was validated with a sample of 197, 3rd year preservice teachers from Melbourne University (Morris et al., 2012). Morris et al. (2012) used Principal Components Analysis (PCA) and Confirmatory Factor Analyses (CFA) to validate the PIBS. As a result, the authors reduced the items of the PIBS to 20, and concluded that the items loaded satisfactorily upon four dimensions which they termed, “befriending behaviour”, “hugging”, “external engagement” and “teacher disclosure” based upon the information contained in the items. The statistical validation of the instrument was based on acceptable fit indices of the CFA (see Morris et al., 2012). This instrument has been

used once since it was validated in a study in Norway (Helleve, Almås, & Bjørkelo, 2013); among other things Helleve et al., (2013) used the PIBS to examine prospective teachers' social network use during their practicum.

### **Purpose of Study**

The purpose of this study was to examine the PIBS more closely using Rasch analysis in order to ascertain if it is a suitable instrument for measuring preservice teachers' understanding of professional ethical behaviour. In this context 'measure' refers to the utility of an instrument to space and separate participants along a finely graded continuum which represents their understanding of professional ethical behaviour, much like a metre can be used to determine one's height. The current requirements for teacher registration and initial teacher-education program accreditation in Australia, and elsewhere, are such that professional ethics must be assessed in order to be deemed suitably developed by the end of a teacher qualification. Such a task requires preservice teacher programs to have the means to measure preservice teachers' conceptions of professional ethical behaviour.

### **Methods**

In order to gauge preservice teachers' professional ethical behaviour conceptions so as to prepare them to navigate future ethical dilemmas, the PIBS was used in a first year class of educational psychology. The participants were a mixed group of elementary, early childhood and secondary preservice teachers. The anonymous survey was distributed to students at the end of a two-hour introductory lecture in preparation for the introduction of the ethics component of the course. Ethical clearance was obtained from the university ethics committee. A research assistant informed students of the purpose and details of the survey. Students were told that participation in the anonymous survey implied informed consent as determined by the ethics of the university. The students were then invited to participate in the survey in the absence of the instructor of the course so that no-one felt compelled to participate; they were told that participation was voluntary, that no data could be used to identify respondents and it did not count towards any assessment. Students were instructed to place their completed anonymous surveys in a box at the front of the class as they were leaving the lecture room. As a result, 139 completed surveys were received, representing a 69.5% response rate; the original 30 item PIBS survey took about 15 minutes to complete.

## Results

Student responses showed that they were very aware of the ethical dimensions of teaching and appropriate professional behaviour as determined by the 30 items in the PIBS. Differences found in the respondents’ answers might be accounted by the different specialist areas of the preservice teachers’ sample. For example, an early childhood preservice teacher might respond differently from a secondary specialist to question 20: “Hugging a student as a form of consolation”. In addition, the questions had the possibility to be interpreted variously, for example, question 3 might be interpreted as giving a gift of pencils in an elementary setting which could ostensibly be thought of as appropriate in certain circumstances.

Table 1 shows students’ answers; they do not reflect a large deviation from ethically determined professional behaviour with the exception of a very small number of responses. Results of this study are comparable to the results of the 2012 validation study, with the exception of questions 1, 2, 10, 24, and 27. Differences in results between the two applications of the PIBS might be accounted for by the sample of the validation study which involved only secondary preservice teachers, though given the nature of these questions the higher agreement indicated for those questions could be viewed as problematic. Indeed as shown through Rasch analyses a higher score indicates lower ethical understanding because of the way the Likert answers of the survey were coded (‘Unacceptable’ rated 1, ‘Usually unacceptable’ rated 2, ‘Sometimes acceptable and sometimes unacceptable’ rated 3, ‘Usually acceptable’ rated 4, and ‘Acceptable’ rated 5).

Question	2016	2016	2012	2012
	Mean	S.D	Mean	S.D
1. Giving your private phone number to a student	<b>1.45</b>	<b>0.70</b>	<b>2.11</b>	<b>0.84</b>
2. Text messaging with a student (SMS)	<b>1.25</b>	<b>0.54</b>	<b>1.74</b>	<b>0.84</b>
3. Giving gifts to a student	2.54	0.91	2.24	0.88
4. Showing photos of significant personal events to a student (e.g. wedding, new pet, newborn child)	3.04	1.00	3.10	0.91
5. Inviting a student to a social party	1.11	0.37	1.31	0.57
6. Having a personal friendship with a student	2.31	1.10	2.34	1.10
7. Being involved in community activities alongside students (e.g. sports clubs)	4.16	0.89	3.97	0.91
8. Accepting an expensive gift from a student	2.11	1.08	2.17	0.91
9. Offering advice to a student on how to deal with family problems	3.07	1.20	3.23	0.79
10. Giving your private email address to a student	<b>1.58</b>	<b>0.82</b>	<b>2.30</b>	<b>1.00</b>
11. Discussing your partner or significant other in the company of a student	2.08	1.09	2.11	0.95
12. Using hugging as a means of congratulating a student	2.11	1.08	2.02	0.93
13. Sharing your own personal problems with a student	1.30	0.61	1.43	0.66
14. Accepting a hug from a student	2.82	1.13	2.46	0.98
15. Being friends with the parent of a student on a SNS (e.g. Facebook)	2.63	1.15	2.33	0.91
16. Driving a student somewhere in your car	2.12	1.02	2.38	0.86
17. Giving a student an expensive reward for achievement	1.54	0.83	1.52	0.71
18. Accepting an invitation to a student’s social event (e.g. dinner or party)	1.49	0.72	1.77	0.85
19. Using cheek kissing as a form of greeting a student	1.11	0.46	1.19	0.47
20. Hugging a student as a form of consolation	2.49	1.13	2.43	1.02

21. Giving a student a pat on the back to congratulate them	3.82	1.19	3.90	0.93
22. Being friends with a student on a Social Networking Site (e.g. Facebook)	1.24	0.59	1.66	0.87
23. Giving a student money	1.63	0.81	1.76	0.82
24. Interacting online with students through online blogs/discussion forums	<b>2.28</b>	<b>1.28</b>	<b>3.00</b>	<b>1.14</b>
25. Talking about your social life outside of school, with a student	2.15	1.11	2.33	0.92
26. Speaking with a student on the phone about non-school related topics	1.40	0.70	1.73	0.80
27. Letting a student take photos of you with their personal camera	<b>1.60</b>	<b>0.83</b>	<b>2.26</b>	<b>0.94</b>
28. Giving advice and guidance to a student for their personal problems	3.09	1.26	3.10	0.89
29. Having sex with a student who is over 18	1.01	0.08	1.03	0.16
30. Having sex with a former student who is over 18	1.59	1.16	1.65	0.90

*\*Note: The scores presented in the table are mean scores by item derived from participant responses in the 2012 and 2016 studies respectively. The emboldened scores are significantly different across the two times.*

Table 1.

Means and Standard Deviations of responses to PIBS: current study N=139 (2016); validation study N = 197 (2012)\*

To examine whether the above results were indicative of clear differences between students, and to assess whether this instrument was suitable to differentiate students’ professional ethical understanding, Rasch analysis was employed. Rasch analysis can verify whether the scale measures a unidimensional latent trait or construct and whether it provides a sufficiently nuanced instrument for use in preservice teacher programs. The analyses undertaken involved both the original 30 item survey results as well as results from only the 20 items retained in the validated PIBS.

### Rasch Analysis

Although Classical Test Theory (CTT) is widely used in the construction of survey instruments, it has two major limitations: a lack of an explicit ordered continuum of items that represent a unidimensional construct, and the lack of additivity of rating scale data. These make it unsuitable for the development of this instrument. Factor analysis which is widely used in psychometrics to investigate the dimensionality of empirical data, also assumes interval item scores whereas the item responses are ordinal by nature. Distances on the scales developed via CTT are interpreted as equal over the full range of the scale. The scale is treated as an interval scale based on ordinal level item scoring whereas the Rasch scale is a statistically proven interval scale (Fox & Jones, 1998). Results from studies using these methods are therefore disputable. Schumacker and Linacre, (1996) argue forcibly that factor analysis “is confused by ordinal variables and highly correlated factors. Rasch analysis excels at constructing linearity out of ordinality and at aiding the identification of the core construct inside a fog of collinearity” (p. 470).

The Rasch model provides a scaling methodology that enables the examination of the hierarchical structure, unidimensionality, additivity of PIBS measures, and

item parameters to ensure they are invariant across populations assuming the model fits the data (Zickar & Broadfoot, 2009). Another advantage of using Rasch analysis on the PIBS instrument is that it deals with missing data, since the Rasch algorithm compares each observed item score to an expected score, based on the overall scaling model, and uses expected score information when accounting for missing data. This procedure offers a significant advantage when using the questionnaire at an individual level (Fox & Jones, 1998; Wright & Stone, 1979). As a member of the family of item response theory (IRT), the Rasch model (Rasch, 1960) requires more stringent assumptions to be met than CTT analyses. The usefulness of IRT models depends on the extent to which these assumptions are met. The assumptions are (1) unidimensionality: this assumption requires that a set of items must measure one and the same latent construct in a homogenous way; (2) local stochastic independence: this means that the response to one item may not influence the response to another, except for an influence that can be explained by the latent variable that is the measurement objective of the set of items; (3) parallelism of the item characteristic curves: this means that each item in the Rasch scale should contribute uniquely to the scale. Items with extremely high or low discrimination power indicate a violation of this assumption (DeMars, 2010). When an instrument satisfies the three assumptions of the Rasch model, the instrument can reliably and validly be used for measuring the latent construct in question, in this case teachers' Professional Interactions and Behaviours (PIBS).

Preservice teachers' responses to the 30 item instrument analysed using Rasch measurement techniques permitted both preservice teachers' performance and item difficulties to be measured using the same metric, and subsequently they were placed on the same scale. Rasch calibration was used to evaluate the fit of data to the unidimensionality of the Rasch model to validate the PIBS instrument. As Linacre (2014) notes:

In test construction, the guiding principle is 'all items must be about the same thing, but then be as different as possible'. The central idea is that there is a latent variable, or construct, which we are attempting to measure people on. The empirical definition of the latent variable is the content of the items. Essentially, we should be able to summarize the items into a sentence which matches our intended definition of the latent variable. Latent variables can be very broad, e.g., 'psychological state' or 'educational achievement', or very narrow, e.g., 'degree of paranoia' or 'ability to do long division'. In other words, all items share something in common, but each item also brings in something that the others don't have (p. 479).

The 30 items were analyzed using the Rating Scale Model, which is employed when a set of items share the same rating scale structure (Linacre, 2014). Items were calibrated in terms of the degree to which teachers agreed with the items (this corresponds to item ‘difficulty’ for the survey) and the category/step thresholds were estimated for each item. A high item ‘difficulty’ means low levels of agreement with the item. The Winsteps Rasch analysis program (version 3.81.0) was used for all analyses.

From the matrix of raw scores, the model estimating a linear ability for each teacher and a linear difficulty for each item was developed. These were scaled along a unidimensional continuum ranging from minus to plus infinity (Bond & Fox, 2007). Measurement units were expressed in logits, a logarithm of the ratio of ‘pass’ and ‘fail’ probabilities. Zero was the average item difficulty, in keeping with convention, to overcome known limitations of raw scoring an observational, categorical scale. Computed fit statistics indicated the extent to which data were unidimensional (Smith, Conrad, Chang, & Piazza, 2002); closeness of observed scores to predicted scoring pattern was expressed by (1) outlier-sensitive fit (outfit: sensitive to unexpected behaviour affecting responses to items far from a teacher’s ability level); and (2) information-weighted fit (infit: sensitive to unexpected behaviour affecting responses to items matching teacher’s ability). Both fit statistics must approach 1.0, with acceptable values between 0.6 and 1.4 (Bond & Fox, 2007). Point-biserial correlation coefficients were computed for each item, indicating the extent to which teacher’s scores on an item correlated with whole test scores, thus indicating predictable behaviour of items in relation to ability, or in this case, teachers’ Professional Interaction and Behaviours. The item difficulties and step thresholds were examined as well as indicators of the extent to which each item fitted the model. The point-biserial correlations ranged from 0.19 to 0.65, indicating that items aligned well with the underlying construct.

### **Rasch Validation of PIBS Instrument**

The PIBS was Rasch analysed for unidimensionality and person-item fit. The 30 items demonstrated unidimensionality and were able to fit on a unidimensional scale (Figure 1). This is rather like a ruler wherein the items and the persons’ ability are measured along the same continuum. In this instance, because of the way the PIBS items were coded, the higher on the scale a person is placed the less ethical. Moreover, the items on the top of the scale are the ones that were most difficult to endorse as acceptable because they represented behaviours that are considered inappropriate. For example, item 29, which states ‘Is it acceptable to have sex with a student who is over 18’ is at the top of the item scale over 3 deviations above the mean (indicated by the letter M).

Rasch measures are computed as below or above the mean, so some are negative and some are positive, indicating below or above average ability (for a person) or below or above average difficulty (for an item). Because negative measures are more difficult to interpret for non-technical readers, the measures were rescaled to fit between 0 and 100 units with higher numbers indicating a greater probability that the item would be endorsed (for Item ranking) and a greater PIBS measure for each preservice teacher (person 'ability'). This is for the convenience of the readers only and does not imply that a person whose score is 25 has attained 25% of the subscale measured; it means simply that a person with a score of 25 has greater difficulty endorsing the items on the PIBS than a person whose score is 55. All items are listed in Appendix A.

The aim of the Rasch analysis was to provide a psychometrically sound measurement of PIBS and the items which were estimated to fit the Rasch model perform this function well, with the exception of item 24 and 30 whose fit indices are somewhat outside of the acceptable range. This means that when the respondents were answering those questions they did not conceive them as belonging to the same latent construct but rather to a separate dimension, possibly one indicating interactions with students after they had left school. Fit indices for item 30 indicate that it degrades the scale so should be removed, while those for item 24 show that it is unproductive for measurement, thus redundant. The fit indices for the 30 items are documented in Appendix B; summary fit statistics for the overall survey are very good (Appendix C).

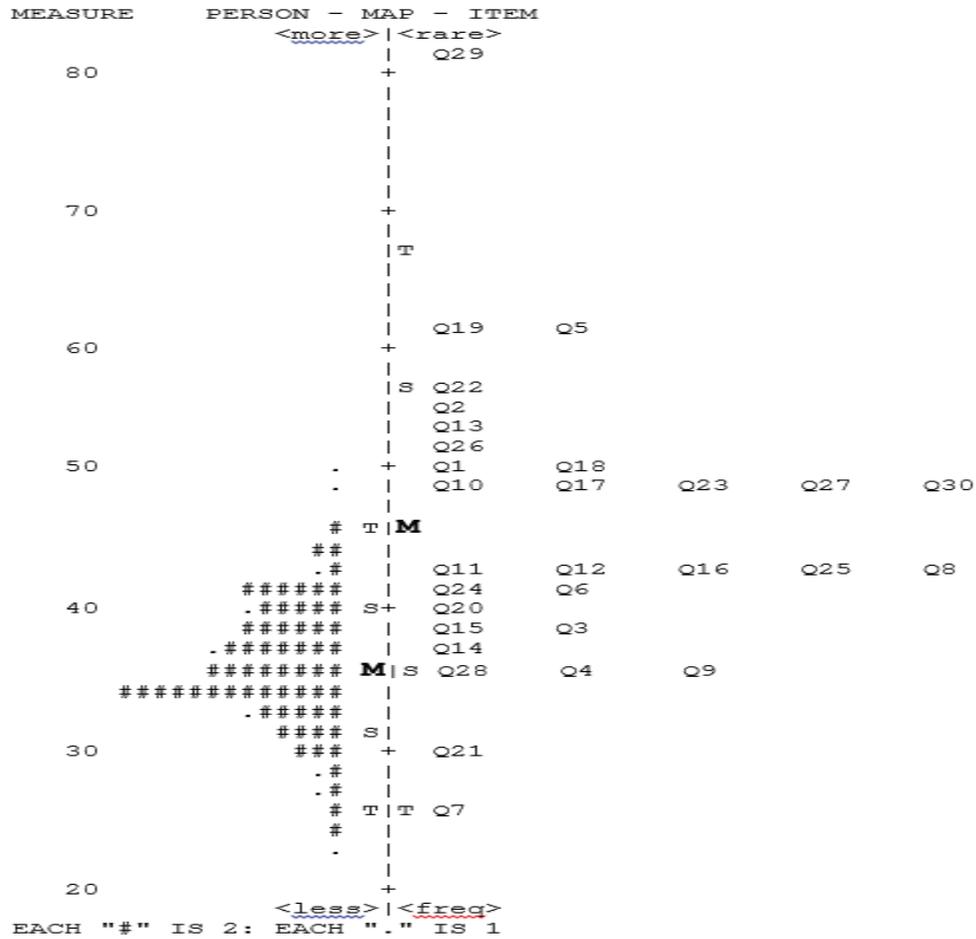


Figure 1.  
Item and Person Map

A major assumption of the Rasch model is that the performance on a set of items is unidimensional in terms of being explained by one latent trait (Kingston & Dorans, 1985). To conform to a unidimensional structure, person and item mean squares should be as close to 1 as possible, with the mean standardised fit statistics as close to 0 as possible (Linacre, 2009). The item Infit MNSQ and Outfit MNSQ were 1.04 and 0.98, respectively, with their standardised Infit and Outfit equaling 0.1 and 0.0, respectively (Appendix C); the person Infit MNSQ and Outfit MNSQ were 1.00 and 0.98, respectively, with their standardised Infit and Outfit means equaling -0.1 and 0.1 (Appendix C). Overall, therefore the data demonstrate good fit to the Rasch model. The reliability of the item difficulty estimates is very high 0.97 on a 0 to 1 scale. This reliability is interpreted on this 0 to 1 scale in the same way as Cronbach’s alpha is interpreted. The person reliability is 0.85 which is moderately high.

Critically, results in Appendix C, and in Figure 1, show that the person separation index is 2.36 logits (or units) with a reliability of 0.85 which illustrates that the responses of the preservice teachers were clustered towards the bottom of the ‘scale’.

The items were not well targeted for the sample population because they did not differentiate, or measure, responses finely enough to separate the preservice teachers according to various levels on the trait measured by PIBS. This is because the items were too hard (inappropriate behaviours) to endorse. In other words, preservice teachers were unanimous in reporting most behaviours were unacceptable, a result that is appropriate given the nature of the items on the instrument.

The instrument as it stands therefore, even when only 20 items were analyzed, is too ‘coarse grained’ to provide insight into, or discriminate, the ethical understanding of preservice teachers because questions Q29, Q19, Q5, Q2, Q22, Q13, Q26, Q1, Q18, Q10, Q17, Q27, Q30, Q23 (arranged in descending order of difficulty) obtained very uniform results from respondents; that is, they all disagreed that these behaviours were appropriate. On the other hand, questions 28, 4 and 9 are representative of the mean person ‘ability’ on the PIBS, (see Figure 1) since answers of those questions lie on the mean of person ‘ability’ (“M” on the vertical axis on Figure 1). Above and below the mean, persons lie along a continuum two standard deviations on either side of the distribution of ethical behaviour (marked S and T respectively on Figure 1). The mean difficulty of the items was located at 0 on the scale (marked M on Figure 1) with items 10, 17, 23, 27 and 30 being questions just above the mean item (question) ‘difficulty’ level. To illustrate what this means in relation to the PIBS scale the responses of the individuals with the lowest and highest scores on the PIBS are presented in Appendix A. A computation of the measure of professional ethical behaviour calibrated to 1-100 shows that the PIBS measures for the participants ranged from 22.8 (most cautious responses to all items and most ethical) to a top of 50.4. An analysis of variance test (ANOVA) between male and female participants revealed no significant differences in PIBS between the 41 male and the 98 female preservice teachers; an unexpected finding given that females were predominantly primary and early childhood specialists while males were mainly training to teach students of high school age.

## **Discussion**

The aim of this study was to apply the PIBS survey to a group of preservice teachers to gauge the level of their understanding of professional ethical behaviours in order to tailor the delivery of an ethics unit to that group of students. The second aim of the study was to assess whether the PIBS instrument was an appropriate instrument as a sensitive, generic measurement instrument that could differentiate preservice teachers’ understanding of professional ethical behaviours. Results showing the Means and Standard Deviations of responses to the items in this study showed that they conformed to the results of the validation study of 2012. This showed that

the survey was reliable. However, Rasch analyses demonstrated that the instrument was far from valid for its purpose, as it was not a sensitive method of deciphering the ethical understandings of the participants. The PIBS did not contain items that targeted participants' deep considerations, a finding only possible through the application of Rasch analysis. The PIBS clumped the sample onto one end of the continuum as participants responded mostly in uniform ways, regardless of different genders and specialist teaching areas.

Ethical dilemmas arise many times in the course of a day of teaching. They can involve students, colleagues, parents and/or community members in a variety of contextual circumstances (Boon, 2011). Usually these dilemmas are more nuanced than the behaviours listed on the PIBS and require sensitive and possibly prolonged deliberations. Whilst the PIBS is useful to initiate discussions about professional ethics and behaviours in preparation for an ethics course, it does not provide tertiary educators with a substantial indication of preservice teachers' sensitivity to professional ethical understanding. Tertiary educators need to know preservice teachers' conceptions about ethics in order to construct targeted learning experiences whereby preservice teachers can reflect at length upon ethical dilemmas. Sometimes dilemmas encountered in the classroom challenge personal beliefs and a lengthy deliberation is necessary to review the potential perspectives of all 'actors' in a challenging classroom scenario, and the possible outcomes of decisions taken by the teacher. The PIBS does not offer any means to assess such reasoning or sensitivities to ethical dilemmas arising through professional practice. Yet, it is essential that preservice teachers have the opportunity to reflect and discuss these matters because as Colnerud (2015) succinctly summarized:

Teachers express their deliberations, their feelings of frustration and their ambiguity in relation to various situations in which profound moral choices arise. They encounter dilemmas where external rules and institutional constraints come into conflict with their conscience. They also describe dilemmas where the conflict is intrapersonal, which implies that the dilemma is created when various personal values and norms conflict and teachers have to rely only on their own judgement. The values at stake in those intrapersonal dilemmas are those internalised social values that are widely shared in society such as privacy, fairness and protection from harm. (p. 352)

Instruments to measure ethical reasoning and/or judgements/sensitivities have been constructed in the past (e.g., Barrett, Casey, Visser & Headley, 2012; Brabeck et al., 2000; Johnson, 2008). Qualitative studies designed to examine teachers' ethical decision making processes have also been conducted for the purpose of redesigning teacher professional development programmes (e.g., Shapira-Lishchinsky,

2016). However, neither of these approaches alone can give tertiary educators a basis upon which to design a targeted, developmentally appropriate ethics course. This is a necessary educational pedagogy since one's cognitive moral developmental stage directs ethical decision-making processes (Bebeau, 2014). The former, quantitative survey method cannot shed light on the interpretive and reasoning processes that take place in preservice teachers' decision processes; the latter, qualitative scenario-based tests, are not quantified to allow for an assessment of gains in ethical understanding.

It is suggested therefore that the way forward requires the construction of an instrument that can be used to measure a preservice teacher's professional ethics' understanding of critical incidents or ethical scenarios on a continuous or interval scale; an instrument that can actually measure qualitative responses to ethical dilemmas. The development of such an instrument is possible with the use of Rasch analysis. Rasch analysis not only yields measures of a person on particular constructs, such as ethical behaviours, it can also yield measures of distinct facets within constructs so that a person can see in which factor, within a multifactorial construct, they are strong and where they need to make gains. The ability to gauge preservice teachers' ethical understanding and sensitivity is an urgent matter for teacher training institutions since they will need to design and offer courses to ensure that upon graduation preservice teachers are cognisant of their professional ethics, and the ways their personal ethics potentially interact with professional ethical decision-making. Graduate teachers must be able to unambiguously deliberate upon dilemmas that they are certain to face in their professional practice.

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## Appendix A

*PIBS Scale (30-item version; shaded items are those items retained post validation by means of Classical Test Theory analyses in 2012) and highest and lowest scoring respondents' answers.*

To what extent do you view each of the following behaviours as acceptable for teachers to engage in? Please circle a rating from 1= Unacceptable; Usually unacceptable = 2; Sometimes acceptable, sometimes not =3; Usually acceptable = 4; Acceptable = 5. (Shaded items remained in the PIBS after developers' analyses)

Item on PIBS	Respondent 192 (Highest score on PIBS : 50.4)	Respondent 10 (Lowest score on PIBS : 22.4)
1. Giving your private phone number to a student	sometimes acceptable sometimes not	unacceptable
2. Text messaging with a student (SMS)	sometimes acceptable sometimes not	unacceptable
3. Giving gifts to a student	usually unacceptable	usually unacceptable
4. Showing photos of significant personal events to a student (e.g. wedding, new pet, newborn child)	acceptable	unacceptable
5. Inviting a student to a social party	unacceptable	unacceptable
6. Having a personal friendship with a student	acceptable	usually unacceptable
7. Being involved in community activities alongside students (e.g. sports clubs)	acceptable	sometimes acceptable sometimes not
8. Accepting an expensive gift from a student	usually unacceptable	unacceptable
9. Offering advice to a student on how to deal with family problems	acceptable	usually unacceptable
10. Giving your private email address to a student	usually unacceptable	unacceptable
11. Discussing your partner or significant other in the company of a student	acceptable	unacceptable
12. Using hugging as a means of congratulating a student	acceptable	unacceptable
13. Sharing your own personal problems with a student	sometimes acceptable sometimes not	unacceptable
14. Accepting a hug from a student	acceptable	unacceptable
15. Being friends with the parent of a student on a SNS (e.g. Facebook)	usually unacceptable	unacceptable
16. Driving a student somewhere in your car	acceptable	unacceptable
17. Giving a student an expensive reward for achievement	usually unacceptable	unacceptable
18. Accepting an invitation to a student's social event (e.g. dinner or party)	usually unacceptable	unacceptable
19. Using cheek kissing as a form of greeting a student	usually acceptable	unacceptable
20. Hugging a student as a form of consolation	acceptable	unacceptable
21. Giving a student a pat on the back to congratulate them	acceptable	unacceptable
22. Being friends with a student on a Social Networking Site (e.g. Facebook)	unacceptable	unacceptable
23. Giving a student money	sometimes acceptable sometimes not	unacceptable
24. Interacting online with students through online blogs/discussion forums	usually unacceptable	usually unacceptable
25. Talking about your social life outside of school, with a student	acceptable	unacceptable
26. Speaking with a student on the phone about non-school related topics	usually acceptable	unacceptable
27. Letting a student take photos of you with their personal camera	sometimes acceptable sometimes not	unacceptable
28. Giving advice and guidance to a student for their personal problems	acceptable	usually unacceptable
29. Having sex with a student who is over 18	unacceptable	unacceptable
30. Having sex with a former student who is over 18	acceptable	unacceptable

**Appendix B**

*Item measure, misfit statistics and point biserial correlations of 30 original items.*

Item measure, misfit statistics and point biserial correlations for 30 items.				
ITEM	Measure	Infit MNSQ	Outfit MNSQ	Point bis. correlation
Q29	4.6	0.96	0.28	0.19
Q30	0.35	<b>2.29</b>	<b>2.18</b>	0.24
Q24	-0.58	<b>1.76</b>	<b>1.75</b>	0.26
Q22	1.26	1.23	1.14	0.29
Q3	-0.88	0.89	0.95	0.31
Q5	2	1.11	0.72	0.31
Q19	1.99	1.46	0.88	0.37
Q10	0.38	1.1	1.1	0.37
Q17	0.45	1.08	1.12	0.38
Q2	1.22	0.86	0.79	0.40
Q15	-0.95	1.17	1.17	0.41
Q7	-2.62	0.94	0.97	0.42
Q23	0.29	0.93	0.93	0.42
Q18	0.55	0.85	0.88	0.42
Q1	0.65	0.87	0.9	0.43
Q13	1.05	0.93	0.76	0.43
Q27	0.33	0.98	0.94	0.43
Q8	-0.38	1.09	1.08	0.45
Q11	-0.34	1.09	1.21	0.46
Q16	-0.4	0.9	1.02	0.48
Q26	0.77	0.82	0.7	0.52
Q9	-1.39	1.02	1.05	0.53
Q21	-2.19	1.17	1.16	0.54
Q28	-1.41	1.01	1	0.60
Q6	-0.61	0.81	0.83	0.60
Q20	-0.81	0.83	0.81	0.61
Q4	-1.37	0.62	0.64	0.61
Q25	-0.43	0.88	0.83	0.61
Q14	-1.14	0.77	0.76	0.63
Q12	-0.38	0.79	0.76	0.65
Mean	0	1.04	0.98	
SD	1.39	0.32	0.33	

PERSON: REAL SEP.: 2.36 REL.: 0.85 ... ITEM: REAL SEP.: 6.09 REL.: .97

### Appendix C

#### Summary model fit, mean measure and separation for PIBS (30 items)

Summary of 139 measured person									
	TOTAL			MODEL	INFIT		OUTFIT		
	SCORE			S.E.	MNSQ	ZSTD	MNSQ	ZSTD	
Mean	61.6	29.8	-1.33	0.23	1.01	-0.1	0.98	0.1	
P.SD	12.5	0.5	0.64	0.03	0.43	1.4	0.47	0.8	
S.SD	12.6	0.5	0.65	0.03	0.43	1.4	0.47	0.8	
Max.	105	30	0.54	0.38	2.89	4.7	2.8	3.2	
Min.	37	28	-3.12	0.2	0.27	-3.7	0.3	-1.5	
Real RMSE	.25	True SD	.59		Separation	2.36	Person reliability	.85	
Model RMSE	.23	True SD	.60		Separation	2.57	Person reliability	.87	
S.E. Of person mean = .05									
Person raw score-to-measure correlation = .98									
Summary of 30 measured items (non-extreme)									
	MEASURE			M O D E L	INFIT		OUTFIT		
	S.E.			MNSQ	ZSTD	MNSQ	ZSTD		
Mean	285.5	137.9	0	0.15	1.04	0.1	0.98	0	
P.SD	110.1	1.4	1.39	0.16	0.32	2.1	0.33	1.9	
S.SD	112	1.4	1.41	0.17	0.32	2.1	0.34	1.9	
Max.	578	139	4.6	1	2.29	6.9	2.18	5.4	
Min.	140	134	-2.62	0.08	0.62	-4	0.28	-3.8	
Real RMSE	0.22	True SD	1.37		Separation	6.09	Item reliability	.97	
Model RMSE	0.22	True SD	1.37		Separation	6.25	Item reliability	.98	
S.E. of item mean = .26									
Item raw score-to-measure correlation = -.89									

# INSUBORDINATION CASES IN TEACHING: DATA AND ANALYSIS

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**F**or nearly twenty years, we have been conducting research aimed at clarifying the professional standards for Quebec's teachers. Through this work, we have identified laws, rules and norms that govern their professional practices. However, it seems that existing regulations regarding their professional autonomy are particularly incomplete and imprecise. Our interest in court rulings concerning teachers accused of professional misconduct and unethical conduct stems from this observation. As it turns out, many of the rulings we examined involve charges of insubordination. As we will see in this paper, the rulings of courts of law and other tribunals on insubordination shed light on the standards that limit teachers' professional autonomy. What this analysis of the jurisprudence revealed was that teachers' professional autonomy is rather limited. In addition, our findings highlight aspects

of the relationships between teachers and school administrators that are especially fragile. Conflicts over insubordination issues, it seems, can sometimes bring to light negative power relations and ill-defined boundaries around the responsibilities of different actors in the school setting. We begin the paper by outlining the background and general orientation of this research into cases of teacher insubordination. Next, we explain in more depth the concepts of insubordination and disciplinary actions in terms of how they play out in real workplace conflicts. Finally, we present and discuss our analysis of the court decisions concerning teacher insubordination.

### Research on Insubordination

At the turn of the millennium, we began an extensive research project to study court decisions concerning teachers' professional misconduct.<sup>7</sup> We compiled several hundred cases from all levels of the judicial system, from labour arbitration tribunals to the Supreme Court of Canada. The work of compiling the cases was aided by searchable legal databases, including the Canadian Legal Information Institute (CanLII), the *Société québécoise d'information juridique* (Quebec Legal Information Society, or SOQUIJ), Quicklaw, Azimut, and Natquest. In spite of how comprehensive and powerful these databases are some rulings, even well known ones, did not come out in our keyword searches. Another methodological strategy we used was to search for articles that discussed reports of teachers' professional misconduct in three important French-language newspapers in Quebec (*Le Devoir*, *La Presse*, and the *Journal de Montréal*) and in Google. We sought exclusively articles and reports that presented teachers as lacking professional ethics.<sup>8</sup>

The findings of this research project extend and confirm the very thorough study conducted by Piddocke, Magsino, and Manley-Casimir (1997) twenty years earlier. Without our realizing it at first, our general research objectives were closely aligned with those of this research group from Western Canada.<sup>9</sup> Furthermore, we too concentrated on the legal decisions that revealed the judges' deliberations concerning ethical and legal rules that affect teachers and their work, both inside and outside the school.

In the course of our research, we noticed that disciplinary actions are regularly taken against teachers for insubordination. Among those cases brought before the *Tribunal d'arbitrage du secteur de l'éducation du Québec*, insubordination was the most common type of professional misconduct charge made against teachers.<sup>10</sup>

<sup>7</sup> This study was supported by a grant from the Social Sciences and Humanities Research Council of Canada.

<sup>8</sup> The term "ethics" is used in a wider sense of professional conduct regulation.

<sup>9</sup> Indeed, we only discovered their research in 2017. We realized that we had come to the same conclusions, even though we had not always examined the same cases.

<sup>10</sup> We studied 227 cases (1970–2007) concerning questions of professional standards. Insubordination was involved in 49 cases, classroom discipline problems in 41, incompetence in 24, and lack of ethics in 18. The other cases included, most notably, physical and sexual abuse, theft, alcoholism, and discrimination.

However, it is rare for teachers to be penalized for insubordination alone. Most often, insubordination intersects with issues of pedagogical incompetence and classroom management, which subsequently leads to conflicts between teachers and their employers.

From a professional ethics standpoint, studying cases of insubordination reveals practice and labour norms regarding the professional responsibilities of teachers. Several questions are raised. Can teachers refuse to obey an order from a member of their school administration? Do teachers have to obey their superiors even if they disagree? And in cases where they do disagree with a member of the school administration, do teachers have the option of defending themselves with sound arguments?

Studying teacher insubordination cases exposes the power relationships between school administrations and teachers. If a large number of teachers have contested accusations of insubordination, it is because they thought that the accusations were unfair. From the outset, this shows that the responsibilities of school administrators and teachers are not always well-defined. It also becomes apparent that the concept of insubordination is often misunderstood, if not unknown, in the world of teaching. This lack of clear standards or guidelines risks engendering acrimonious relationships between teachers and administrators. Indeed, while some members of the school administration may see insubordination where there is none, teachers may themselves fail to accept that their behaviour does constitute insubordination when insubordination does in fact occur. This can lead to power struggles and dramatic debates concerning the limits of the responsibilities of the parties involved.

Of the insubordination cases involving teachers covered by our research, those we compiled came from databases of rulings from various Quebec and Canadian courts. This means that our sample was biased in favour of cases which, we assume, could not be settled. One can also assume that a number of insubordination cases, perhaps even very serious ones, were resolved before ending up in front of the education arbitration board. Parties sometimes prefer a compromise to a legal battle and it can happen as well that teachers admit that they have made a mistake. In such cases, the school administration may deem it unnecessary to pursue disciplinary action against the teacher. Another option for a school principal is to give a warning and pursue the matter no further.

In short, we did not have access to information about cases of insubordination that were settled out of court or that did not lead to grievances. We analyzed only those cases that underwent the full judicial process, cases in which teachers therefore challenged what they deemed to be unjust accusations of insubordination before a tribunal.

For the purposes of our study, we examined 49 cases of insubordination brought before the Quebec tribunal board between 1970 and 2007. Among these cases, we

chose 24 to conduct a more in-depth analysis, based on the three criteria: 1) the nature and seriousness of insubordination and the disciplinary action; 2) the role of the teacher's professional behaviour considering the complexity of the case; and 3) the presence of conflict in which the personalities of those involved had led to an impasse. Ultimately, we chose insubordination cases that enabled us to discover, on the one hand, the limits of teachers' academic, pedagogical, and disciplinary freedom and, on the other hand, the extent of school administrators' power over teachers.

### **Insubordination, School Authority, and the Disciplinary System**

In this section, we will define the three aspects of insubordination, and then we will clarify the nature of the disciplinary actions taken for this type of case.

#### **Defining Insubordination**

Insubordination involves various types of behaviour considered unacceptable in the workplace. Insubordination usually involves intentional non-compliance. However, neglecting one's work, incompetence, or inability to undertake one's responsibilities can also be seen as insubordination. The person or persons in power must then decide on the seriousness of the case and on the action to be taken. Even though there are many types of behaviour that constitute insubordination (Le Corre, Larochette, & Bernier, 2013), we divided them into three categories for practical and heuristic reasons.

The first category describes situations in which teachers do not respect the rules of their institution. Here are some examples to illustrate: teachers leaving the room before the end of the class without advising the administration; taking a vacation without being entitled to time off; being often late; being unhygienic or wearing inappropriate clothing; not respecting the school's educational agenda; and taking too long to submit grades at the end of the term. These examples of insubordinate behaviour suggest that teachers expose themselves to the charge of insubordination when they fail to know or care about the rules, procedures, and legal measures that govern their work.

The second category involves situations in which teachers do not respect an order from a person in a position of authority or responsibility. For example: teachers did not show up for a meeting with a member of the school administration; they did not hand in their required pedagogical planning to the administration; they refused to participate in a training activity that is meant for them personally; or they did not complete a task recommended by the school administration. These examples of insubordination often reveal confrontational behaviour between a teacher and a member of the school administration.

The third category includes cases of insubordination involving extreme behaviour, specifically behaviour that is incompatible with basic rules of civility: teachers insulted a colleague or a member of the administration; they denigrated students; they made scornful or hurtful remarks when talking to students' parents; they used vulgar language during a teachers' meeting; they posted acerbic and vicious remarks on Facebook about decisions made by the school administration; they harassed a person of authority in the school. These types of behaviour are seen as insubordinate insofar as teachers must uphold professional standards in all situations and be beyond reproach concerning respect for others. In a case where there are crude, rude or inappropriate remarks (Commission scolaire des Samares, 2013) made by teachers, the arbitrator will often state that they must always respect duties of civility and collegiality.

As shown below, at school, teachers may refuse to follow the orders of an administrator in authority. It is important to highlight at the outset that an order from a person in authority represents the exercise of power. When a school administrator gives an order to teachers, often, he or she is legally authorized to do so and has legal authority over the teachers. The same situation applies when teachers, who are also in a position of authority, give orders to students for learning and disciplinary reasons.

Teachers refuse to obey orders from a member of the school administration for various reasons: the order was neither clear nor specific; the person in authority abused their power or was domineering; the teacher was unable to undertake the task required or was not responsible for undertaking it. Their refusal challenges the legitimacy of the school administration's authority. These teachers will, of course, be expected to explain their refusal by supporting their point of view with sound arguments. We noted that instead of presenting arguments to defend their stance, some teachers resorted to anger and vindictiveness, particularly in the three following cases: Commission scolaire régionale de Tilly (1983), Commission scolaire de la Haute-Gatineau (1992), Commission scolaire Chemin-du-Roy (2005). Some of these teachers showed their disagreement by being aggressive, threatening, and intimidating. Obviously, these types of reactions are seen as unacceptable in interactions between teachers and school administrators.

The range of orders from school authorities can be very broad, relating to pedagogy, classroom management, ethical conduct, and any other activity connected to teachers' work within the scope of their duties, and sometimes beyond the scope of their duties. In this regard, the school administration may forbid teachers to participate in an activity organized by students off school grounds. For example, a school in Roberval (Commission scolaire du Pays-des-Bleuets, 2004) had forbidden its

staff from participating in the students' graduation after party. Disciplinary actions were taken against two members of the school staff, a psychologist and a teacher, because they had disobeyed the order by attending the after party, which was held on June 21st, after the school year had ended. The teacher challenged the disciplinary action before the education grievance board, but the arbitrator ruled in favour of the administration.

This decision shows how much disciplinary power school administrators have over their teachers. In the well-known case of *Audet (R. v. Audet, 1996)*, the judges of the Supreme Court of Canada wrote that teachers are in a position of authority and trust concerning the students at their school, even after classes. The details of this complex ruling aside, because the Court ruled that Audet was "in a position of authority" for the purposes of applying the statutes of the Criminal Code of Canada regarding consent for sexual relations, the ruling could be seen as implying that teachers are in principle on duty 365 days a year, 24 hours a day, thus raising questions about whether teachers can fully enjoy the right to a private life, as other Canadian citizens do. In the case of *Ross (Ross v. New Brunswick School District 15, 1996)*, the same judges concluded that teachers must be role models both at school and in their private lives. Their decision in the Ross case is perfectly understandable as it involved an anti-Semitic teacher. However, the idea of being a role model has frequently been used by school boards in order to take disciplinary action against teachers whose moral transgressions were minor. This is contrary to the spirit of the Supreme Court's decision, as emphasized by the Chief Justice's remark: "I do not wish to be understood as advocating an approach that subjects the entire lives of teachers to inordinate scrutiny on the basis of more onerous moral standards of behaviour. This could lead to a substantial invasion of the privacy rights and fundamental freedoms of teachers" (Ross, 1996, para. 45). Nevertheless, in these two cases, the Supreme Court of Canada decided that the authority that school administrators have over their teachers applies even off school grounds as, for example, when a school principal forbids teachers from exhibiting certain types of behaviour during an extramural school activity (Jeffrey, 2016; Jeffrey, Deschênes, Harvengt, & Vachon, 2009).

We noted that conflicts between teachers and school administrators arise most often when orders are found to be in a grey zone, when the responsibilities of each person are not clearly detailed, when orders are not reasonably justified, or when they pertain to extracurricular activities outside the school. If an order is not reasonably justified, a teacher might interpret it as an abuse of power and feel that their professional integrity or personal worth is being targeted. Teachers, our research shows, are often particularly sensitive to orders that seem inappropriate, abusive, or condescending.

## Disciplinary Actions

School administrators have managerial rights over teachers' work and behaviour. Therefore, legally and practically the administrators of a school can take various measures to correct what they see as teachers' inappropriate behaviour or misconduct. There are disciplinary actions and administrative measures that can be taken. According to Daudelin and Trudeau (2011), misconduct can be either intentional or unintentional. If it is intentional, Daudelin and Trudeau (2011) claim, the action should be disciplinary, but if it is unintentional, then the measure should be administrative. An administrative measure is usually of lesser legal importance and cannot be disputed before a board of arbitration. It aims to remedy an unacceptable situation. Misconduct that leads to an administrative measure can stem from the physical or psychological inability of an employee to perform specific tasks because they are, for example, addicted to drugs.

According to the Quebec Labour Code, a disciplinary action constitutes "any measure [...] taken by the employer following the behaviour of a paid employee considered by the employer as wrongdoing" (Gouvernement du Québec, 2018, article L. 1331-1; author's translation). The first goal of a disciplinary action is to point out to the teacher that they must correct their behaviour. The action does not aim to punish the teacher as a person, but rather to correct the act committed. The disciplinary action has a deterrent value in that the teacher in the wrong is given reasons to immediately stop behaving inappropriately. In addition, this type of disciplinary action becomes a way of re-asserting the legitimacy of rules and professional standards, and of reminding teachers guilty of misconduct to take their responsibilities into account. Teachers normally have twenty days to contest a disciplinary action.

Insubordinate behaviour can lead to various actions being taken against a teacher, from a disciplinary warning to dismissal. According to the standards of labour rights, a school board must respect three principles concerning actions taken. First, the severity of the actions should be proportional to the seriousness of the type of misconduct. Second, the principle of gradation of disciplinary measure applies. A first offence should be treated less severely than an offence committed repeatedly. Third, the same offence may not be punished twice. An implicit rule stipulates that an employee must first obey authority figures and then make a complaint, unless the employee takes steps to avoid committing an illegal or discriminatory act or to avoid creating a dangerous situation. There are factors that may necessitate harsher disciplinary measures, including the nature of the employee's role, a previous disciplinary file, premeditation, the formulation of excuses, age, and seniority. There are also factors that may reduce the punitive force of a measure, such as a clean record,

attenuating circumstances, lack of premeditation, provocation, the isolated nature of the act, the employee's attitude, and seniority.

Our study shows that school authorities have been rather strict concerning teachers, especially since the mid-1990s. The rule for the gradation of possible actions is not always adhered to. Yet when a rule is disputed, the arbitrator generally settles in favour of the teachers. All types of actions can be disputed in front of an arbitration board. The decisions of the arbitrators can vary significantly, but we have observed that they usually respect school hierarchy.

## Research Results

The cases we chose for our analysis were taken from Quebec's education arbitration board. An arbitrator hears the cases of teachers disputing disciplinary actions for insubordination, and the arbitrator is then responsible for settling the disputes. Although some cases went back to the 1970s, we noted that not much has changed regarding how arbitrators view insubordination. We observed a strong coherence between legal decisions made in the past and those made today.

Let's look at the case of Mr. Tessier (Commission des écoles protestantes du Grand Montréal, 1996), who had been teaching French and history for twenty-one years. In February 1995, the school council ratified a new rule concerning the grading of students' work: teachers were no longer to give a grade below forty percent on student report cards, unless an exemption was granted by the school administration. This rule had been previously accepted by the majority of teachers, with the notable exception of Tessier. He wrote a letter of protest to the Ministry of Education and another to the head of education services at his school board. The school board strongly supported the school administrators. In October 1995, Tessier nevertheless awarded grades below forty percent on some students' report cards. In turn, he received a letter of reprimand in which he was asked to change the grades, but he refused and was suspended for three days without pay for insubordination. Although Tessier disputed his suspension in front of an arbitration board, the arbitrator maintained the decision. However, Tessier did not give up, and he again wrote grades less than forty percent on some students' second report cards. School administrators intercepted the report cards and changed the grades before sending them to the parents. Tessier then wrote to some of the parents to inform them that their child should have received a lower grade than the one written in the report card. This action earned him a five-day suspension. He disputed the disciplinary action a second time before the arbitration board. Again, the arbitrator upheld the decision.

Unfortunately, the matter did not stop there. For the third report card of the year, Tessier once more gave some of his students grades below forty percent. During a

discussion with school administrators, he called the principal, among other things “a despicable person” (Commission des écoles protestantes du Grand Montréal, 1996). In the end, Tessier was suspended for 48 days without pay; another disciplinary action that he appealed. Although the arbitrator did reduce the suspension from 48 to 20 days, he also specified that the school board was in its right to impose a third sanction against the teacher. The arbitrator concluded his decision by clarifying that, “Just because Mr. Tessier has a great deal of experience as a teacher, it does not mean that he is not subject to the school’s authority and policies. Experience and seniority do not grant immunity” (Commission des écoles protestantes du Grand Montréal, 1996, author’s translation). In other words, the arbitrator criticized the harshness of the sanction, but he in no way defended the teacher’s conduct. In fact, he acknowledged that Tessier went beyond his responsibilities and had to respect school rules. Tessier may have had good reasons to challenge a rule that he felt was wrong and that, in his eyes, distorted the reality of the students’ grades. However, he could have expressed his disagreement without entering into a practical conflict with his colleagues and school administration. This case reveals that legally, grading is a prerogative that belongs to the school’s administration. When a policy concerning grading exists, teachers must respect it because they have a legal duty based on collegiality and loyalty.

In many cases studied, teachers made decisions that went against a reasonable interpretation of the best interests of their students; for example, a teacher named Xavier punished a student by giving her pages and pages to recopy from a history book and hand in the next day (Commission scolaire de l’Énergie, 2001). The arbitrator in this case specified that the Education Act gives teachers a certain amount of disciplinary freedom in the classroom, but that the type of discipline must fall within the school’s educational aims. Moreover, he reminded Xavier that his own rights as a teacher were secondary to those of his students:

The plaintiff’s autonomy has limits. Neither the law nor the collective agreement allows for a teacher’s professional autonomy to have precedence over the rights of students, or exempts him from his duty to collaborate in ensuring that students’ needs are met and their rights are respected. (Jeffrey & Harvengt, 2016, p. 96, author’s translation)

We were also interested in an arbitration decision that concerned bodily aesthetics and dress code. The new principal of the Centre multiservice des Samares (which offered many professional health programs) wished in particular to forbid jeans, beards, and colour-treated hair (Commission scolaire des Samares, 2012; Jeffrey & Harvengt, 2016). In this case from 2009, the arbitrator asserted that the school prin-

cipal's orders were detrimental to teachers because they infringed on their freedom of expression and private lives. To support the decision that the school administration had not proven the goal pursued to be sufficiently legitimate or important, the arbitrator quoted a passage from the law specialist Anne-Marie Delagrave:

At any rate, some requirements pertaining to physical appearance constitute a gross infringement on the right to privacy, particularly when the employee is limited in choices concerning their appearance not only during work hours, but after as well. ... Banning beards and colour-treated hair, as well as imposing requirements concerning hair length, are good examples. We find that all these elements of physical appearance rely on choices that are, by nature, fundamentally private or intrinsically personal and, therefore, protected a priori by employees' right to privacy. (Jeffrey & Harvengt, 2016, p. 107, author's translation).

The issue of teachers' authority over and hence responsibility for students outside of educational settings was discussed in several grievances. A teacher is in a position of authority over all of the students at their school during work hours. If they work in a large high school, they are duty-bound to intervene in any part of the school with any student to re-establish order. They have presumptive authority in all school spaces, including the schoolyard, the sports centre next to the school building, and the bus that transports students (Commission scolaire régionale de Tilly, 1983). In several cases, teachers claimed that they were not responsible for the students since the activity in question had not been organized by the school, but by the students themselves (Commission scolaire régionale Dollard-des-Ormeaux, 1972; Commission scolaire du Pays-des-Bleuets, 2004). Arbitrators' decisions were unanimous for these kinds of cases: teachers are assumed to be in a position of authority and responsibility for all activities that involve students from their school, whether or not the activity takes place on school grounds and whether or not it is organized by the school. It is clear that a teacher who accompanies students either for a sports tournament or on a sightseeing trip remains fully responsible for the students. The same institutional rules apply during these activities to both students and teachers. When the activity is organized by students and takes place off school premises, school administrators can prohibit their staff from participating. If a teacher still decides to participate in a student activity that is prohibited, they consequently find themselves in a position of authority over and responsibility for their students.

However, there are still grey areas in terms of the authority a teacher has over and responsibility for the conduct of students outside of the school. Should we assume that a teacher is on duty the moment they meet students by chance in a shopping

mall or sports centre, or on a golf course, for example? This issue was addressed in cases in which teachers found themselves in a drinking establishment frequented by students. In two cases, the arbitrators mentioned that the teachers involved should have told the waiter if they thought the students were underage. As for other public places, we did not encounter cases that shed light on the situation. We know that in the cases of Audet (1996) and Ross (1996), the judges of the Supreme Court of Canada ruled that teachers are in a position of authority or trust concerning their students 365 days a year, 24 hours a day, and that they have to be excellent role models, even after school hours. One could argue that the requirements established by these key decisions are incompatible with teachers' right to privacy and hence cannot be applied to the letter.

When we look closely at these requirements, we must acknowledge the fact that they are not realistic. We cannot take for granted that a teacher has authority over a student or has gained their trust. Every situation should require some evidence in order to ensure that teachers are presumed innocent and have a right to privacy. To ensure this, we must be able to assess teachers' capacity to enforce their authority over students outside of the school setting. Can a teacher realistically discipline students off school grounds? Will students recognize a teacher's authority, for example, if the teacher asks them at the movie theatre to be politer in their interactions with others? This would require students to accept that their teacher is on duty. And yet, in such a situation, students know that teachers are not on duty, which means that teachers may not have effective authority over them. At least, teachers have no more effective authority over them than any other citizen. For the purposes of comparison, it might be desirable for an off-duty police officer to have no more authority to arrest a suspect than any other citizen. This might be a good thing since it would protect police officers' privacy. The same could be said for teachers and the authority they have in relation to pupils in and out of school settings.

The following four criteria can be used to determine if a teacher is on duty, which means that they would be in a position of authority and responsibility for the conduct of students, even off school grounds. First, does the context include a school-related activity? Because a teacher is in a position of authority and is responsible for the conduct of students during all school activities, one who meets students by chance at a movie theatre or sports centre can be considered to be in a position of authority and responsibility for the conduct of students if they are there for school-related work. Second, are there clear instructions from the school administration confirming that teachers are in a position of authority over and responsibility for the relevant group of students in an activity taking place outside the school setting? School administration can clearly prohibit teachers from participating in an activity unrelated to school

that is organized by students. Applying the precedent to cases of this kind, it would mean that a teacher who is present at this type of activity, as a private citizen and without the employer's consent, would even then be in a position of authority over the students. Third, what is the nature of the setting? In places reserved for adults, for example, teachers have a responsibility to not condone, through acts of omission, illegal activity on the part of students. While this duty to report illegal behavior may be construed as a duty of any citizen, it accrues additional weight for teachers when the omission of reporting the behavior would signal to students a moral indifference toward their misconduct. Fourth, combining the criteria above, is it an unexpected meeting with one or many students in a setting or at an activity that is unrelated to school, and without any school instructions? Indeed, it is difficult to ascertain the authority of a teacher in situations where they accidentally meet students in public or private places (at the teacher's home or at a parent's home). In this context, if the students are with other people in legal authority, then the teacher is reasonably seen as no longer legally responsible for the students' conduct. However, if the teacher is the only adult, then the extent of their authority over and responsibility for the conduct of the student must be assessed. The presence of a student does not automatically mean that the teacher has to be either an authority figure or a role model. Because situations can be quite varied and complicated, we would have to examine each one by taking into account the context and the people present. When a teacher seduces a student to obtain an amorous or sexual relationship, we think that the teacher's responsibility to not engage in such behavior is obviously in effect. But since this is a peculiar situation, it cannot be generalized to every disciplinary situation in which a teacher meets a student outside of school.

However, the idea that teachers can be at all times in a position of authority with respect to their students, as claimed by the judges of the Supreme Court of Canada in the cases of *Audet*, is rather simplistic:

The conduct of a teacher is evaluated on the basis of his or her position, rather than whether the conduct occurs within the classroom or beyond. Teachers are seen by the community to be the medium for the educational message and because of the community position they occupy, they are not able to choose which hat they will wear on what occasion, teachers do not necessarily check their hats at the school yard and may be perceived to be wearing their teaching hat even off duty. (Ross, 1996, p. 858)

Even if a teacher is recognized as a teacher by the students, we cannot assume that they will recognize the teacher's authority over them. Teachers, therefore,

keep their identity as teachers in the eyes of students (because it is a sociological designation), but it does not mean that students will necessarily recognize teachers' disciplinary authority over them when they are not working. Unfortunately, teachers do not always have that authority over students outside of school settings, and they may very well not have it at school either. In fact, studies show that lack of discipline in the classroom remains the biggest problem for teachers (Nault & Fijalkow, 1999). That is to say, even in class, teachers find it difficult to have their authority recognized by students.

In short, teachers' authority over students and responsibility for student conduct must be evaluated in each situation; it cannot be assumed. Outside of school settings, we would need to provide reasonable evidence that students can accept teachers' disciplinary directives. In this way, teachers' authority over students remains open to interpretation. How do we establish in a rigorous manner, for example, if a teacher is in a position of authority over all students in the school or just those in their classes? Furthermore, is a teacher in a position of authority over students they previously taught, but who now go to a different school? Is a teacher in a position of authority over all the students in their region or their school board? Many other questions remain unanswered as well. How do we evaluate a teacher's authority? How do we know if a teacher's authority is recognized by students? For someone's authority to be effective, is it necessary that it first be acknowledged? What is a teacher's authority truly worth? Moreover, should we conclude that a school administration maintains authority over teachers at all times and in all situations, or that it has authority over teachers only when the teachers themselves have authority over students, even during an activity held outside of school hours? These questions should be clarified both ethically and legally.

Other cases have helped to clarify the limits of teachers' freedom of expression (Commission scolaire Marguerite-Bourgeoys, 2007), academic freedom (Commission des écoles protestantes du Grand Montréal, 1996; Commission scolaire Chemin du Roy, 2005), disciplinary authority in the classroom, rights to educational materials they themselves have produced, and duties in terms of collegiality (Commission scolaire régionale Orléans, 1984) and social interaction (Commission scolaire des Samares, 2013). The arbitrator Jean-M. Morency wrote the following on the subject of pedagogical freedom: "It is therefore unfair and ill-founded to believe and allege that teachers have absolute power in their classrooms and that they can exercise this power as they see fit, without regard for the school administration" (Commission scolaire de l'Énergie, 2001, author's translation). In another case, the arbitrator Blouin clarifies "that an employer has the right [...] to impose some guidelines, and that it is up to the teacher to conform to school requirements, not the other way around"

(Commission scolaire Chapais-Chibougamau, 1978, author's translation). Most of the cases analyzed focused on teachers' professional autonomy, but in one important case the arbitrator reversed the decision against a teacher who was involved in union activities (Commission des relations du travail, 2004).

Our work on insubordination makes it easier to understand the limits of teachers' professional autonomy, the rules that structure their pedagogical freedom, and the value of both their disciplinary authority over students and school administrations' disciplinary authority over them. Several factors can explain situations of insubordination, but it is not surprising to note that insubordination is often the result of difficult relationships between a teacher and a school administrator. Teachers' interpersonal difficulties with administration are most frequently expressed through a teachers' refusal to meet with a member of the administration, to hand in pedagogical planning, to get involved in the organization of extracurricular activities, to respect a school rule, or to respect an order from a member of the school administration. Refusal must be intentional because arbitrators consider that, in order for there to be insubordination, a teacher must show ill will or a desire to disobey orders. Unintentional misconduct should be noted, but should not be subject to disciplinary action. We also found that teachers who behave in an arrogant or intimidating manner toward a member of the administration, a parent, or a colleague are generally found to be legally in the wrong from the outset. Any behaviour or gesture that is violent is generally found to represent an act of insubordination. The only factor that may be extenuating is the context that led the teacher to become angry or act in a violent manner.

Our study showed that teachers' professional autonomy is, in the end, difficult to define. During a grievance, the arbitrator analyzes the facts but also takes into account the teacher's moral condition. The arbitrator asks questions relating to the teacher's ability to protect the honour of the profession, their credibility, integrity, professionalism, and intentions (the teacher must always act in the best interest of the students), as well as the possible damage to the reputation of the school. Finally, the arbitrator questions the teacher on their ability to transmit the values of our democratic society.

## **Conclusion**

Each case is unique and reveals different aspects of insubordination in the teaching profession. Indeed, insubordination can take many forms: refusal to respect directives, non-compliance, breaking school rules, insults, lack of loyalty, public denunciations, careless pedagogical behaviour, disrespectful conduct, and so on. Such situations of insubordination all demonstrate the limits of teachers' professional au-

tonomy. The cases we analyzed show that some school administrations can be very strict, sometimes imposing heavy sanctions, particularly when professional collaboration with teachers is no longer possible. Dismissal, however, is rarely the first disciplinary action. Instead, it is often the result of a worsening conflict between a teacher and their school administration. When the situation degenerates and obstinacy prevails, it's usually the teacher who ends up paying the price.

To avoid sanction, if a teacher intentionally places himself in a situation of insubordination, she or he must first justify their actions with arguments that reflect their professionalism. Brieschke (1985) acknowledged that there is a certain type of insubordination that can be advantageous in terms of creativity. It is characterized by the fact that workers choose not to apply guidelines that they perceive as not well-adapted to their workplace or as creating more problems than solutions. In reality, each situation of insubordination must be examined in context and assessed keeping in mind that each employee possesses an inalienable dignity.

Why are there so many insubordination cases? The complexity of relations between workers is partly to blame. Consider the resistance that new government directives can provoke from teachers. Following the educational reform in Quebec in the early 2000s, many teachers did not see the relevance of shifting from an objectives-based to a skills-based pedagogy (Mellouki, 2010). Some teachers quietly questioned this reform, and others challenged it more openly. Such protest could be considered as insubordination. The line is sometimes very thin between a defiance of authority and a reasonable reaction from an employee confronted by a new workplace arrangement (Schwartz, 1993, p. 765). Furthermore, we must admit that administrators are not always well-trained to introduce new procedures to employees or to recognize what is insubordination and what is not. In this way, the teachers' resistance to the ministry of education's guidelines for the most recent school reform could be viewed as a healthy reaction. An employee's negative reaction to something new, to a change in tasks, or to a transformation in working conditions is not necessarily an act of insubordination. In fact, making mistakes, asking questions, requiring further explanation, showing poor judgment, and even not following guidelines given by a person in authority are not necessarily insubordination (Nelson, 1984, p. 120).

Finally, although schools became more democratic in the early 1970s, they still maintain a hierarchical regime with paternalistic tendencies. In future work, we propose exploring ways to diffuse some of these tendencies. For example, to settle disputes between teachers and their school administration, including cases of insubordination, one might explore the possibility of setting up a conciliation committee composed of representatives from both sides. Such a committee might be called

on before resorting to an arbitration board. Our analysis of insubordination cases reveals that most of them could have been settled amicably. Such a strategy may be preferable to legal confrontations performed, often with plenty of theatrics, in front of a judge.

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# TEACHER ETHICS AND PROFESSIONAL IDENTITY: A DELPHI STUDY

CHRISTINE BELLINI

**O**n my fortieth birthday I decided to end my career as a psychotherapist and return to school to become a teacher. Eight months later I proudly walked across the stage at convocation wearing a new hat. However the pride I felt was short lived. A month later someone asked me what I did for a living and I replied, “I am a teacher.” For the next half hour, I stood silent as I was told that teachers were overpaid, lazy, and complained all the time despite having two months off every summer. This person clearly felt entitled to judge me without even knowing me.

What surprised me most about this interaction was not the vilification of teachers, but rather the fact that up until a month ago, I would have answered, “I am a psychotherapist” and received a very different response. Clearly I had not changed

as a person, but my identity had, and this new one continues to challenge me.

How does a teacher come to terms with his or her new identity? Who prepares them for the public judgment and continual criticism of their profession? Who helps them balance the fine line between public accountability and public intrusion on their professional and personal lives?

This article is based on my doctoral thesis on ethics. It led me down several trajectories relating to teacher identity, teacher education, and teacher conduct. This chapter focuses on the contested world of teacher identity and how we, as a profession, do very little to prepare teacher candidates for a drastic shift in identity that will impact them the rest of their lives.

Teaching is like no other profession. It is steeped in contradictions, at the forefront of every political platform, and is the only profession that allows the public to judge a person's professional and personal life on the same scale. As long ago as the mid-1800s in Canada, moral expectations were placed on teachers; male teachers could not drink, smoke, or play pool in public, and women teachers were routinely fired for getting pregnant, even if they were married (Richter, 2006). Before World War I, teachers were not allowed to go to the theatre, but by the 1930s, that ban was lifted and replaced by bans on card playing, gambling, swearing, and dancing (Pidcocke, Magsino, & Manley-Casimir, 1997). Some school boards regulated when a teacher had to be home at night, and friendships between opposite sexes were frowned upon (Pidcocke et al., 1997).

O'Neill and Bourke (2010) maintained that "This is because teachers are moral examples: they are expected to model socially acceptable and desirable behavior on behalf of the children and families they serve in their local community; they must be 'good' and be seen to do 'right'" (p. 162). Many educators do not have a problem with being a role model in the classroom, but they consider what they do after-hours their own business. Several famous Supreme Court cases: *Abbotsford School District 34 v. Shewan* (1986), *Ross v. New Brunswick School District No. 15* (1996), and the *Ontario College of Teachers v. Frederick Paul Fromm* (2007) argued this exact point. In each of these cases, the Supreme Court of Canada and the Ontario College of Teachers in Ontario ruled that what a teacher does outside of school hours can affect public trust and confidence. If a breach of trust occurs due to conduct, then a teacher can be dismissed or have his or her licence revoked. There appears to be no limit on society's power to judge a teacher.

### **The Self and Identity**

The Multiple Ethical Paradigm (Starratt 2004, 2012) framed this study and provided a foundation to examine various concepts relating to ethics including the ethics of justice, care, critique, profession, and community. What appeared absent from the

literature was the ethic of the self and any connection to self-care and self-reflection.

The self, according to Freud (Tyson, 2006), is the core of a person's being whereas identity is a social construct that influences a person's sense of who he or she is. The self is fixed and does not change, whereas identities shift and change as the person experiences life. Developing an identity is a complex and ongoing process since a person's identity is never permanent, but is considered unstable or fluid as he or she grows and matures (Tyson, 2006). As Tyson (2006) stated:

The self-image of a stable identity that many of us have is really just a comforting self-delusion, which we produce in collusion with our culture, for culture, too wants to see itself as stable and coherent when in reality it is highly unstable and fragmented. We don't really have an identity because the word identity implies that we consist of one, singular self, but in fact we are multiple and fragmented, consistent at any moment of any number of conflicting beliefs, desires, fears, anxieties, and intentions. (p. 257)

Multiple identities come together in an educator to develop his or her own belief system and sense of self. However, if an educator does not have a well-developed belief system or sense of self, that connection, becomes weak or unstable. A teacher's identity is further compromised if he or she is not allowed to develop and assimilate his or her own belief system, but rather have one imposed.

Beauchamp and Thomas (2009) noted that the elevation of a teacher's identity beginning in the 1800's to that of saint-like proportions has made their fall from grace more severe. Carter (2009) added that the image of teacher-as-saint is a fabrication of our westernized society, stating that:

Teachers, like traditional housewife-mothers, are usually constructed as angels or saints or, at the least, clergy, thought to work from "love" or one of its synonyms (passion, engagement, involvement, caring). They "care" for their students and want to "make a difference" (*what* difference is often left unarticulated). They are widely expected to channel all-but-divine resources of patience and affection to allow them to "help" or "save" even the most difficult student. (p. 65)

She further argued that this image of the selfless, pious teacher is gender-specific and more often associated with mothers, not fathers. On this view:

Mothers, like teachers, are often referred to as "saints" or "angels" for their undercompensated, underappreciated work with no clear "quitting time," their tending of children's emotional and spiritual

well-being, and the standards of morality (i.e., sexlessness) that are expected to be upheld in public. (p. 66)

Cavanagh (2007) held that a female teacher's sexual identity was, and still is, controlled by the community and media. Until the 1980s, female teachers were forced to resign if they got pregnant because it was thought it would upset male students (Cavanagh, 2007). Female teachers have always been influenced to remain pure and chaste. Even today, they are strongly discouraged to wear 'provocative' clothing to school or be seen in public in any sexualized manner (Cavanagh, 2007).

Cavanagh (2007) noted that the image of female-teacher-as-saint was shattered in 1997 by Mary Kay Letourneau, a pretty, married, Christian mother of three who had sex with her twelve-year-old student. Letourneau went to jail, but never said she was sorry or publicly repented for what she did. Instead, she gave birth to two children with her former student, and then married him.

Cavanagh believed that Letourneau's ongoing behavior set both Canadian and American education systems into a panic. Here was a female teacher who defied the community, legislation, and the patriarchal Westernized Christian image of female teacher-as-saint. Letourneau did not fall from grace the way she should have. Instead of being humiliated by being called a "whore" Letourneau reveled in it, appearing in photographs wearing provocative clothes, her arms draped around her young lover (Cavanagh, 2007).

By contrast, the identity of male teachers has never been contested in the same way as female teachers (Carter, 2009). Male teachers are often presented as wise, intelligent authoritarian figures that command and receive respect. This is not surprising considering that gender bias is embedded in Western culture.

Rodgers and Scott (2008) also identified the importance of acknowledging a teacher's past experiences, both personal and professional, in helping to shape his or her identity as an educator. Olsen (2008) discovered that teachers who had a former career often transferred their skills and knowledge. Their entry point into teaching was quite different compared to first-career teachers. He concluded that second-career teachers had a better understanding of their shifting identities and were often more confident professionals (Buchanan, 2015, p. 708). He also noted that second-career teachers were older and had more lived experience that helped them understand the education system, whereas first-career teachers were often young and just out of school themselves. Whereas second-career teachers already identified themselves as professionals, first-career teachers often still identified themselves as students.

The shifts in a teacher's sense of identity are important to identify since they relate to a teacher's sense of power and professionalism. At times, the teacher may feel in control of his or her classroom and confident that he or she is a good teacher. At

other times, if under scrutiny or judgment by administration, parents, or the media, he or she may feel like a “bad” teacher.

Hargreaves’ (2000) work on teacher identity referred to four specific phases that align with the history of education. The first phase occurred in the early twentieth century where male teachers were seen as technicians and female teachers as babysitters or surrogate mothers. Hargreaves referred to this as the “pre-professional” stage of teacher identity where teachers did not have a great deal of status or power. The second stage occurred in the 1960s alongside social reform and liberation movements. In this stage, unions were formed and teachers were aligned with other unionized workers. Hargreaves described this as the “autonomous professional” stage where teachers were allowed to work in isolation with little interference from the government, parents, or public. The third stage in the 1980s saw a rise in collegialism and the education reform movement encouraged teachers to work collectively in terms of curriculum and standards. This was known as the “collegial professional” stage.

The last stage is still to be determined as Hargreaves (2000) predicted sixteen years ago that two things could happen: teachers would either rise to the position of a modern professional, with accreditation and status, or they would regress into the role of technician and surrogate mother. Buchanan (2015) argued that we have clearly moved backwards towards a deskilled profession with a lack of autonomy and voice. He believed that “The current emphasis on standards, accountability, and curriculum fidelity does not value teacher autonomy or authentic collegiality, but rather appears to resemble the post-professional model that Hargreaves feared” (Buchanan, 2015, p. 702).

### **Analysis Versus Reflection**

Analysis in traditional Freudian terms refers to the intellectual, emotional, and spiritual journey of reflection and self-discovery (International Psychoanalytic Association [IPA], 2016). Through reflection, a person brings information from his or her unconscious to the conscious to better understand himself or herself. Analysis is the treatment method used in psychotherapy, which is commonly called “talk therapy” (IPA, 2016). The person talks to a therapist on a regular basis and the therapist becomes the person’s guide through the murky waters of his or her unconscious world.

Foucault (1993, 1994, 1997), who was a proponent of Freud, talked about the concept of reflection, or *reflechir*. Reflection, like analysis, was a means of looking inward and spending time developing your self. Foucault believed reflection was a necessary step towards personal freedom, and that a person needed to invest time to take care of him or herself before they could help others.

While Freud was researching and writing about the power of analysis in Vienna, John Dewey, an American educator and philosopher, began to focus his work on the cognitive benefits of reflective thinking (Rodgers, 2002). Freud's and Dewey's trainings, approaches to human behavior, and end goals of analysis were strikingly different. Freud was a trained doctor who rebelled against the medical system and developed a radical form of treatment that was not grounded in science or fact. The success of psychoanalysis was dependent on the relationship between the patient and doctor; and it was precisely this relationship that was the catalyst to achieving enlightenment (Pepper, 1996).

In contrast, Dewey (1910) was a philosopher who utilized a fairly conservative positivist approach to identify the process of reflection. His work on teachers did not focus on their having a mentor or guide to help them become enlightened. Instead, teachers were the drivers of their knowledge, using reflection in the process as a self-help tool to become better teachers. The teacher was the guide *for his or her students*, and the goal was student success, not teacher success (Rodgers, 2002).

Dewey identified six phases of reflection that began with a description of an experience and an interpretation of the events. The next stage involved identifying a problem or issue that arose from the experience. For example, this could refer to a lesson plan that was not successful, a student failing a test, or a student skipping classes. The teacher then gave a list of possible reasons for the negative event, followed by suggestions to fix the problem. The last step involved the teacher trying new initiatives and beginning the cycle of reflection once again (Rodgers, 2002).

Clearly, this process was not at all what Freud (Tyson, 2006) described as analysis or what Foucault (1997) later labeled reflection. Dewey's (1910) concept of reflection was a process to improve a teacher's practice. It was not about self-enlightenment, ownership, or emancipation. Instead, it was a quick fix for teachers to get the job done.

Having been trained as a psychotherapist, teacher, and administrator, I will share my radically different experiences regarding analysis and reflection. To become a member of the Ontario Society of Psychotherapists (the precursor organization to the College of Registered Psychotherapist of Ontario) I had to attend a university or institute that mandated participation in individual psychoanalysis or group therapy, followed by two more years of weekly supervision or peer support upon commencement of private practice. This practice is still common today as the International Psychoanalytic Association (2016) states, "There are three different training models...all of which require the personal analysis of the candidate, the attendance at theoretical, technical and clinical seminars, and the supervision of the trainee's work. Psychoanalytic training takes an average of five to ten years."

As budding psychotherapists, analysis was explained to us as the profound examination of our thoughts and behaviors. The concept of ownership was fundamental in our analysis, and our conversations and writings were not about the other, but about ourselves. This made my training personal, and there was no escaping having to look deeply into the experiences and beliefs that shaped who I am today.

When I entered teacher training, I discovered that the language used was similar to my psychotherapy training, but its application different. As teacher candidates we were told we needed to reflect on our practice. This was done by handing in written assignments about our experiences in our practicum and discussing our reflections in groups. I was taken off-guard by how impersonal, judgmental, and superficial my classmates' comments were. These were highly educated people who were being told to follow a different set of rules, one that focused on the other, the student. Whereas the goal of psychotherapy training was to develop a strong sense of self and identity in order to help others, what I experienced in education was a complete disconnection between the self and others. We were to help others without ever really questioning our selves.

Most teachers would not know the difference between Freud's definition (Tyson, 2006) of analysis in contrast to Dewey's (1910) concept of reflection. Teachers are taught one method to reflect, and that, according to some critics (Brookfield, 2009), may not even be as effective as others claim. Reflection in teaching is depersonalized and instead is "professionalized." Meaning, the entire focus is on the "other" the student, and in the process of having such a narrow focus, the teacher's self or identity are obliterated. By not being able to form their own identity, their own sense of self, and take care of that self, educators are left with little choice but to accept a professional and personal identity imposed and enforced by society.

## The Study

This study used a Delphi Method (Somerville, 2008) which involved identifying an issue and creating a research question. The second step was to identify experts from various related disciplines such as education, law, and government. The experts did not need to be identical but rather a mixture of professionals and areas of interest was encouraged. The third step involved sending an "Invitation to Participate" email and explaining the process. The last step involved asking a series of questions and giving the group time to respond to each other.

A list of potential experts was generated by cross-referencing University of Toronto library databases using terms such as *ethics in education*, *ethics and education*, and *ethical issues in education*. Given this dissertation focused on the Canadian education system, names of Canadian scholars were chosen first from this list. A second list was generated using computer searches for potential experts who work

at educational institutions. Finally, I looked at the area of education law and lawyers that went beyond their role as litigators. Examples of this were lawyers who researched, published, and presented at education law conferences or held dual positions as educators as well. In total, 24 potential participants were invited and 13 agreed to participate.

### *Participants*

Name*	Current Career	Career Path	Education
Participant 1 Diane	Education Organization	Child & Youth Worker, Teacher, Administrator, Professor, Education Organization	B.A., B.Ed., M.Ed., PhD.
Participant 2 Fiona	Education Organization	Teacher, Administrator, Superintendent, Education Organization	B.A., B.Ed., M.Ed.
Participant 3 John	Faculty of Education	Teacher, Professor	B.A., B.Ed., M.Ed., PhD.
Participant 4 Laurie	Faculty of Education	Teacher, Professor	B.A., B.Ed., M.Ed., PhD.
Participant 5 Judy	Education Law Firm	Lawyer, Professional Development Of Educators	B.A., LLB
Participant 6 Valerie	Administrator, First Nations Schools	Teacher, Principal, former Director of Educational Association, Council Member Self Regulatory Body	B.A., B.Ed., M.Ed.
Participant 7 Wren	Federation	Teacher, Federation Administration	B.A., B.Ed.
Participant 8 Gerald	Student Advocate	Student, Provincial Student Trustee, Director of Student Association	B.A.
Participant 9 Nancy	Band Member, Educator	College Educator, Social Service Worker, Government Association	B.A., B.Ed.
Participant 10 Robert	Faculty of Theology	Professor, Ethicist	B.A., M.A., PhD.
Participant 11 Sarah	Faculty of Education	Teacher, Professor	B.A., B.Ed., M.Ed., PhD.
Participant 12 Peter	Policy	Teacher, Principal, Superintendent, Education Consultant	B.A., B.Ed., M.Ed.
Participant 13 Jill	Faculty of Education	Lawyer, Professor	B.A., M.Ed., LLB, PhD.

\*The participant names used throughout this dissertation are pseudonyms.

Table 1.  
Participants

## The Questions

The following questions were asked to the participants in the Delphi Study over a nine month period. These questions were not written first and then presented to the participants. Instead, each question was formulated after the participants commented on the prior question. Question one was the only question predetermined to start the conversation.

1. How do educators engage in conversations on ethics?
2. When have you, and when do you, engage in conversations in ethics?
3. What creative solutions, other than case studies which many of you already mentioned, can you think of to help teachers get past the internal barriers that prevent them from being able to address or just talk about ethics?
4. Which path (informal or formal Professional Development) do you prefer and why? Which path do you like the least and why?
5. Do you agree there is a disconnect between legislation, professional education, the profession, and the self? What would you label it and do you have any idea why it exists?

### **Data Analysis: The Manufacturing of Teachers' Identities**

Finally, there is the issue of professional identity. What does it mean to be a teacher? How do the hundreds of thousands of teachers in the profession for 10, 20, 30 or more years answer that question?

—Robert

The most contested comments in the study did not center on ethics, but rather on teacher identity. The participants unanimously agreed that teacher identity is one of the most problematic aspects of the profession. Teachers' identities are constantly being judged and some of the participants felt that the tension that exists between educators and the community relates to the historical tradition of the community having the authority to regulate a teacher's private and professional life.

Wren who is directly involved with teacher federations, discussed how the community can vilify and destroy a teacher's career, even when proven innocent of any wrongdoings. She wrote of a particularly disturbing incident where a teacher was falsely accused of professional misconduct. "The emotional toll of right-wing radio and newspaper comments calling for his "castration" throughout the various court appearances and finally the trial was so great that he could not face returning to the classroom."

Fiona, who works outside of the field of public education, discussed how the power of community judgment stifles an educator's ability to discuss ethics in any sort of safe capacity and that "It forces educators to be defensive to protect themselves."

The discussion on society and community judgment and intrusion led most of the participants to conclude that teachers have a very good reason to hide themselves. John, Robert, and Sarah identified a teacher's sense of powerlessness. Their comments resonated with both Buchanan (2015) and Hargreaves (2000) whose research in this area noted that teachers' lack of power has affected both their sense of self and any real attempt to construct a strong teacher identity.

Robert stated, "It becomes difficult to construct a professional self that coincides with one's personal self when ethics is presented as a list of 'new' commandments." John agreed with Robert and responded, "Discussion is needed to help navigate the space between these extremes by developing one's own personal professional identities and decision-making processes."

Robert stated that the de-skilling of the teaching profession has stripped teachers of their identity and has taken away their sense of ownership. He stated:

When teachers do not own the exercise of their own profession, they begin to feel like cogs in a wheel. When teachers are not allowed to develop an operative vision of teaching and learning in their school, they become alienated from the education process. When the center of responsibility for education is located outside the individual teacher and the community of teachers in a particular school, the moral quality of what is happening in a school, in a classroom loses its core. The center does not hold anymore.

### **The Lost Self in Education**

All of the participants agreed that there is a clear disconnect between the self and educators. The "deskilling" of the profession has created a group of educators who no longer can think for themselves; the government, federations, school boards, or public do it for them. When given the opportunity to think for themselves most educators are lost. Jill pointed out:

I would agree that in general there is a disconnect within the profession. As to the self, I see an even greater disconnect, in that not all professionals get training in ethics and much is at the discretion/interest of the individual educator. Also, as with everything, those persons more inclined to choose a professional development course in ethics are often the ones most likely not to need it.

Laurie agreed that the disconnect between the self and the teacher did not mean that educators were not being ethical; it was that they were not aware of it. She expressed, “it is about enabling people and people who truly want to be ethical make the connections between their ethical self and the details of their professional responsibilities and their daily work in schools.”

The conversation on identity and community judgment was prompted by the participants. However, they did not make the connection on how this affects an educator’s sense of self. The only participant who did address his self was Robert who does not work in the field of education. None of the participants raised the issue of the selfless teacher, even when directed to address the issue of the self. If leaders in the education field grappled this much with their own sense of self and ownership, then it should be no surprise that teachers would experience even a greater struggle. What became evident in the data was the selfless educator in the participants themselves.

Overall the concept of the self was incredibly significant to this study since the self is where we all begin our lives. The impact of not taking care of the self has come at a great cost to educators who struggle to define who they are, what they believe in, and how to conduct themselves both inside and outside of the classroom.

If teachers do not have a voice and do not own their professional identity, how do they develop a sense of ethics? Basically, they cannot. By not being able to form their own identity, their own sense of self, and take care of that self, educators are left with little choice but to accept a professional identity manufactured for them.

In 2006, *Manufactured Landscapes*, a documentary about the work of Canadian photographer Edward Burtynsky showed the world the power and destruction of consumerism in our capitalist society (De Pencier, Iron & Baichwal, 2006). Its opening image of 23,000 Chinese workers all dressed the same, standing the same way, and having the same facial expression was visually stunning and did not need a narrative to describe what the audience saw. In education, teachers’ identity has been created for them by faculties of education, school boards, politicians, federations, self-regulatory bodies, the community, and the media. Whether it is 23,000 workers from China or 237,000 teachers in Ontario, their constructed identity in a capitalist society is driven by the education system, not by teachers themselves.

### **The Concept of Care and Self-Care: From Selfish to Selfless**

Even though all of the participants agreed that the concept of care is extremely important since the field of education is responsible for the daily care of children, their comments did not go into any depth in exploring the concept of self-care. As a former psychotherapist, I interpreted this as an indication of the lack of balance in

the profession, yet to be fair to the participants, I did not specifically ask them about self-care at any point.

The closest conversations came to self-care were the numerous comments made about reflection. Robert stated, “The notion of insight, honesty, conscience, and responsibility all play a role in my reflective practice, but I do not use them in an analytic fashion. They usually center around [sic] the experience of students.”

None of the six participants connected reflection to freedom or any type of emancipatory act. Instead, their assumptions were consistent with each other and Dewey’s (1910) seeing reflection as a means to increase student success. The second purpose of reflection, they believed, was to create caring teachers, not as part of a process relating to self-care.

John, Laurie, Wren, Robert, Sarah, and Jill stated that teaching the art of reflection to teacher candidates was an essential part of their training. John stated:

I urge teacher candidates to reflect on events in which choices were made or dilemmas of practice. I encourage them to tell the story then analyze the incident from the perspectives of different places, and then based on their understanding of professional guidelines.

Jill stated, “I draw on reflection to break barriers and address ethics. Reflection is an active, complex and intentional process that weaves theory and practice together.”

According to Foucault (1983), “the most important principle in ancient philosophy was to ‘know thyself’” (Lecture Number 3). Throughout this study, philosophers, activists, and academics have mulled over the concept of the self, the importance of taking care of the self, and the essential practice to “know yourself” before anything else. In *The Ethics of Identity*, Appiah (2005) focused his thoughts on the process of identity formation, ethics, and identity politics:

The idea of finding one’s self – of discovering, by means of reflection or a careful attention to the world, a meaning for one’s life that is already there, waiting to be found. This is the vision we can call *authenticity* [sic]: it is a matter of being true to who you already really are. (p. 17)

Appiah (2005) believed that we all have an individual identity and a collective social identity as well. Our two identities exist in relationship to each other, but if we do not have a strong individual identity to begin with, our social identity becomes difficult to understand and navigate. Like Foucault (1993, 1994, 1997), Appiah valued the notions of self-reflection and caring for the soul in order to know who you are first, and what you are, second.

My understanding of the benefits of reflective thinking was drastically different from the participants and I struggled with their focus on the students rather than on themselves. The next section on recommendations focuses on some of the changes I propose teacher education programs consider.

### **Recommendations: Let Us Find Our Selves and Take Back Our Voice**

The hierarchal nature of the education system, the role of the government in creating and implementing legislation, the stakeholder model, and the power of media and social media, create an incredibly tight web of systemic barriers that prevent educators from having their own voice. Perhaps it is time for educators to acknowledge and understand the detriment of putting their selves last. Christian ideology has exploited the teaching profession for many years by creating an identity based on martyrdom and selflessness (Cavanagh 2007, Carter 2009). Educators need to put their self first, take care of their self, and create boundaries within a profession that is asking too much too often.

The double standard of how female teachers are expected to act and be role models is antiquated and we need to shed the conservative clothing of the schoolmarm for good (Ontario Ministry of Education, 1990, Clause 264 (1) (c); Cavanagh, 2007). Female teachers need to be seen as professionals who take care of themselves and balance the duties of a teacher, with their own personal and professional lives. Feminist educators need to advocate having the standards of the profession in policy brought into the twenty-first century. The Judeo-Christian values of the Ontario Education Act under *Duties of Teacher*, (Ontario Education Act, 1990, Item 264, 1 (c)) need to be revised. A teacher's "purity" has nothing to do with their ability to be a good teacher; it is a direct judgment on their character that needs to be removed from the Education Act.

The next step for advancement in educational scholarship in ethics is to integrate work being done by business scholars who are addressing issues of the self and identity in large organizations. Rozuel and Kakabadse (2010) believed that an employee's sense of self is indicative of his or her sense of ethics and morality. The more organizations encourage nourishing the self in their employees, the stronger the company. Rozuel and Kakabadse (2010) wrote:

Individuals who maintain a pure and solid connection to their self act in greater awareness of the other's humanity while enacting their ethical values and principles; on the other hand, those who failed to connect to their self yield more easily to the pressure of social conformity, relinquishing their personal responsibility by claiming to be just an agent within the system. (p. 426)

Educators have to follow a set of rules and orders that has little to do with their personal beliefs. The compartmentalizing of personal and professional values is one reason why educators seem to have such difficulty taking ownership of the profession. This compartmentalizing, Rozuel and Kakabadse (2010) noted, was damaging to both the employee (in this case teachers) and to the organization (in this case the education system). Employees develop a false sense of self as a means of survival, and Rozuel and Kakabadse (2010) warned that this is even more dangerous because the employee's actions become inauthentic.

Faculties of education in Ontario and across Canada need to help teachers find their voice, not suppress it by simply telling them what to do. Conversations need to be owned by the teacher candidates first, and by the instructors second. If teacher educators continue to guide teacher candidates on how to reflect, think, act, and behave, in a controlling fashion, then teachers' voices will never be genuine and the disconnection to the self will continue to happen.

### **If We Borrow From Psychology, Then Let's Use the Same Definitions**

We need to address the use of the terms *self-reflection*, *reflection*, or *reflexive thinking* in teacher education programs. If education wants to borrow terms from psychology, then the terms should have the same definition and meaning. It is unclear when and how education changed the terminology to mean something different; nevertheless, it is John Dewey (1910) who is credited as the first education scholar who used the term reflection as a means of improving practice and increasing student success.

Since Dewey's (2010) concept of reflection has little similarity to Freud's (Tyson, 2006) or Foucault's (1993, 1994), I propose that faculties of education teach Dewey's definition with caution, and include Freud and Foucault in teacher preparation programs. The sole purpose of reflection should not be to increase student success, but rather to increase an educator's sense of self-awareness and identity. The end result should be to foster and nurture strong professionals in the field, but this cannot be done by putting the other first. Perhaps one of the biggest casualties of the education system is the lack of self-care, self-development, and enlightenment educators have been afforded.

## **The Limitation of Case Studies: Let's Find Other Ways to Address Ethics**

Even though this article focuses on teacher identity, I included this suggestion on finding other ways to address ethics since part of the issue with identity and the self in education is judgment. What was evident from the Delphi study is that using case studies seems to be the dominant teaching method used by faculties of education. Kenneth Strike (1990) made several bold claims regarding popular methods used to teach ethics, the first being that approaching it with “horror stories” of teacher misconduct was inappropriate. Second, he believed that “teachers who engage in child abuse or who sell drugs to children do not need to be taught that it is wrong. They already know that” (p. 47).

Laurie, Robert, and Sarah believe the only way to have a safe conversation on ethics is to remove all judgment. Case studies become problematic since they are inevitably judgmental and as Robert suggested:

Instead, [teaching] the philosophy of ethics would remove all of the judgment-laden conversations beginning with teacher candidates and continuing on with experienced teachers. Teacher candidates would be encouraged to think rather than just obey, and experienced teachers could discuss the topics more freely.

Warnick and Silverman (2011) and Robert believe that ethics need to be taught through philosophy, not case studies. If teacher educators are not knowledgeable about ethics in philosophy, then they cannot teach it effectively. As Strike pointed out in 1990 and applies even today, it appears what is being taught is a very superficial form of ethics that has little depth and more scare tactic.

Maxwell (2016) suggested that the teaching profession change how it addresses ethics to teacher candidates across Canada. Rather than use case studies to illustrate right or wrong behavior, Maxwell suggested that faculties of education concentrate on the psychological process that occurs rather than the judgment of right and wrong. He believed if teacher candidates had more time to truly examine their own psychological processes and motives, then their approach to ethics as an educator would be more authentic.

It was interesting to discover that many other professions and institutions related to ethics had a step-by-step ethical decision-making framework. None of the participants who taught at faculties of education mentioned using a framework like these in their classrooms. Telling teachers to think and behave ethically is simply not enough. Teaching them a step-by-step cognitive process that is straightforward and being used successfully in medical schools (Trillium Health Partners, 2016) would help the teaching profession enormously.

Second, using an ethical decision-making framework could significantly impact our education system by lessening the political edge that seems constant in education. If educators continue to be scrutinized, then we really need to give them as many tools as possible to arm themselves.

## Conclusion

What is the impact of having our profession steeped in stakeholders' agendas, politicians' platforms, and social media's judgment? It has obliterated any sense of the self in educators. It has made all conversations on ethics not just uncomfortable but dangerous, whether in teacher education programs, staff rooms, or public hearings. Like most contentious issues, no one wants to talk about ethics because no one wants to be implicated. As mentioned by Robert, this silencing has come with a cost as educators have retreated into their profession, relinquishing their role to that of a deskilled worker.

Most teacher education programs have primed educators to reflect for the sake of the other, to put their selves aside and assume a new identity, and to placidly acquiesce their personal and private life over to society to judge them and decide whether or not they are worthy of employment. We need to take away the focus on judgments of good teacher/bad teacher, and begin with caring for our teachers in a way that is respectful, thoughtful, and professional. This care needs to extend for an educator's entire career.

One of the answers to solving the issues raised in this article is to admit that the education system has a dysfunctional relationship with society, and the cost of this has been the annihilation of teachers' own identity. The flawed model that currently exists in teacher education programs only perpetuates this dysfunction and clearly it is not working. As stated by the participants, it requires a shift in mindset by all stakeholders that will result in changes in policy, teacher education curriculum, the community's power, and educators' attitudes towards their personal and professional identities.

It makes perfect sense, considering my past training and profession, that something did not feel right to me from the very beginning of my career as an educator. At this point in my life I am in a very privileged position as an administrator and a faculty of education instructor who can draw upon my professional and academic knowledge to teach and mentor both new and experienced teachers. I can raise the conversation on identity in classes, in staff meetings, at administrator meetings, and at faculty of education staff meetings. If Freud and Foucault were still alive, I think they would agree with me - that it really is time to focus on teacher identity and it starts right now.

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