ETHICS AND EDUCATIONAL GOVERNANCE

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School Boards Association
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WHAT ARE WE GOING TO TALK ABOUT?

• ETHICS AND VALUES
  – WHAT ARE THEY?
  – WHAT INFLUENCES THEM?
• ETHICAL DILEMMAS AND ISSUES
  WITHIN SCHOOL BOARD GOVERNANCE
  – WHAT ARE THEY?
  – SOLVING THEM
• STRATEGIES TO MINIMIZE POOR
  ETHICAL DECISION MAKING AND
  BEHAVIOR

DISCUSSION 1 (Study Guide)

WHAT IS ETHICAL BEHAVIOR AND CULTURE?

A. What does being “ethical” mean to you as a school board member?

B. What would be some behavioral indicators that a school board member is acting “ethically”?

C. How would you describe an “ethical culture” in a school district?
WHAT ARE ETHICS?

- Ethics
  - Comes from Greek “ethos” meaning “customs” or “usages” of a group, later with notion of “approved” ways of acting
  - A code of moral standards of conduct for what is “good”, “right”, “fair”, and “caring” as opposed to what is “bad” or “wrong”
- Ethical Behavior
  - That which is “right” or “good” in the context of governing moral code
  - Ethical behavior is value driven
- Ethical Dilemmas
  - Situations that require deciding between two “rights”

WHAT DOES “BEING ETHICAL” MEAN TO US?

- CHOOSING RIGHT OVER WRONG (JUSTICE)
  - Respecting others’ (moral/legal) rights
  - Discharging our own (moral/legal) obligations
- CHOOSING FAIR OVER UNFAIR (FAIRNESS)
  - Impartially considering and balancing all affected parties’ interests
- CHOOSING GOOD OVER BAD CONSEQUENCES (CARING)
  - Promoting good consequences
  - Avoiding and minimizing bad consequences
- LIVING VALUES SERIOUSLY (CORE VALUES)
  - Choosing and living core values that guide right, fair and good human conduct
- CULTIVATING GOOD CHARACTER
  - Integrity; Honesty; Responsibility; Accountability; Caring

DISCUSSION 2 (Study Guide)

FACTORS THAT INFLUENCE INDIVIDUAL AND GROUP DIFFERENCES IN THE MEANING OF ETHICS

A. What factors can influence the ethical value system of you as a person and as a school board member?

B. What factors can influence different perspectives in a school district’s constituency groups that then create difficult public relations for you as a school board member?
WHAT FACTORS INFLUENCE OUR ETHICAL VALUE SYSTEMS?

- PEOPLE: gender; age; professional study
- EVENTS: 9/11; school district history
- FAMILY: children; family history and interests
- RELIGION: views on issues such as suicide; homosexuality
- SCHOOLS: size; geography; USA location
- MEDIA: newspaper; TV—local; national; global
- POLITICS: town, county, city, school $ interests
- TIME: generational gap; time of school year
- TECHNOLOGY: use of cell phones; My Space; Face Book
- CULTURE: body language; trust; importance of education

MORAL REASONING FROM DIFFERENT PERSPECTIVES

WHY DECISIONS CAN BE VERY DIFFICULT

Individualism view
Does a decision or behavior promote one's long term self-interests?

Moral-rights view
Does a decision or behavior maintain the fundamental rights of all human beings?

Utilitarian view
Does a decision or behavior do the greatest good for the most people?

Justice view
Does a decision or behavior show fairness and impartially?
CULTURAL RELATIVISM VS. MORAL ABSOLUTISM: WHY WE GET INTO TROUBLE AND WHY WE DISAGREE

<table>
<thead>
<tr>
<th>Cultural relativism</th>
<th>Moral absolutism</th>
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<tbody>
<tr>
<td>No culture's ethics are superior.</td>
<td>Certain absolute truths apply everywhere.</td>
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<tr>
<td>The values and practices of the local setting determine what is right or wrong.</td>
<td>Universal values transcend cultures in determining what is right or wrong.</td>
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<tr>
<td>When in Rome, do as the Romans do.</td>
<td>Don’t do anything you wouldn’t do at home.</td>
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SOLVING EDUCATIONAL ETHICAL DILEMMAS

• A DILEMMA OF YOUR OWN: Using the Questionnaire worksheet in your packet, think of a school board experience when you had to make a decision that was very difficult for you. The reason the decision was difficult was that your choices created a values conflict for you.
  - Briefly describe the situation.
  - What were the conflicting values?
  - What was your decision and why?
  - In retrospect, would you do anything differently if faced with a similar situation again?

AN ETHICAL DECISION-MAKING PROCESS

• Describe the Ethical Dilemma. What are the Conflicting Values?
• Factors that can influence your decision:
  - What do relevant laws and policies dictate?
  - What do professional ethics dictate?
  - What are the public, community and societal (national, global) values and interests around this issue?
  - What are any political interests?
  - What are economic or financial implications?
  - What are your school and school district cultures around this issue?
• Who are the individuals involved and what are their interests?
• What are your choices?
• What are the results and ethical ramifications of each choice?
• What decision can you live with professionally and ethically?
• What can you do to minimize any negative impacts of the decision?
• How can you prevent the issue from happening again (or reduce the incidences or impacts of the issue)?
SIMILARITIES IN ETHICAL DILEMMAS

- Ethics are frequently about difficult choices
- Ethical choices come up in our personal (and professional) lives every single day in ordinary and, sometimes, difficult situations
- Our ethical choices affect people (ourselves and others) and their important interests (well-being, welfare, good)
- Getting to the “best” ethical answers frequently involves discussion with others and detailed reasoning

OUR LEADERSHIP ETHICAL RESPONSIBILITY

Nothing is more powerful for employees than seeing their managers behave according to their expressed values and standards: nothing is more devastating to the development of an ethical environment than a manager who violates the organization’s ethical standards.

Dan Rice and Craig Dreilinger
Authors, Rights and Wrongs of Ethics

“ETHICAL VIOLATIONS IN EDUCATION” (STUDY GUIDE)

A. What do you think are the most common areas of ethical violations for school board members; for administrators?

B. As you review the ethical violations you’ve shared, what do you think are some reasons why an individual might make a bad ethical decision?

C. What are some of the impacts on students of these types of violations?

D. What are some proactive and preventative practices you can put in place in your school district?
ETHICAL ISSUES IN PUBLIC EDUCATION

“What were they thinking?”, 2006-07

• Administrators and Money:
  – Roslyn, New York: $11 million embezzlement
  – Baltimore: $1,600 school district funds for fishing outing for school and city officials
  – New Orleans: $400,000 in work awards kick-back schemes
  – Dallas: Taking bribes for $40 million worth of contracts
  – Charter school directors, FLA, CA; several hundred thousand dollars
• Sex:
  – $250 school funds for viewing porn, Union City
  – Middletown superintendent: sex with junior high school boy
  – NYC Assistant principal, soliciting minors for sex on internet
• Lying:
  – NY Superintendent lied on resume; hired a friend who was convicted sexual offender as a consultant (in 2 districts); hired in Michigan, then Illinois (increasingly larger districts)
  – NYC and Touro College: Administrator and teachers—cash for grades and transcripts
  – Miami, Dade County: 35 teachers fired for selling phony credentials

Students:

• Texas: 14 yr old “I love Alex” on wall-4 months in Alternative Education school
• NY: teacher wrapped student’s head and mouth with tape because he talked too much (ADHD); 30 suspension—1 week lost pay
• Texas: “Fab Five” Cheerleaders
• Arkansas: opening gay student had to read passages from Bible out loud
• Virginia: teacher, outside of school, smears paint on his rear end and presses against canvass (fired)
• Memphis: administrators tampered with tests (54% - 95% student improvement in one year)
• Penfield: 200 student drinking party (125 athletes present)

• BOE (not all 2007):
  – Greenwood, NY: BOE member caught growing fields of marijuana
  – District south of Syracuse: BOE member gets out of seat, goes into audience and yells profanity at rest of Board
  – Hornell, NY: BOE member campaigns against BOE approved capital project

MOST COMMON ETHICAL CONFLICTS

with Boards of Education

• Abusing limits of authority
• Having a special “interest” or “issue”
• Confidentiality issues
• Respect; bullying of others
• Nepotism
• Conflicts of Interest
• Open meetings law
• Breaking the law
• Staff, parents, community with different values
• OTHERS from your experiences?
REASONS WHY SOME SCHOOL BOARD MEMBERS MAKE POOR ETHICAL DECISIONS

• Knowledge gaps
• Arrogance; Ego
• Special Issue(s)
• Personality flaws
• Frustration
• Stress
  – Professional: Pressure from individuals or groups within school and/or community
  – Personal

STRATEGIES FOR ETHICAL DECISION MAKING IN SCHOOL DISTRICTS

• Policies and Standard Practices
  – Codes of Ethics, Conduct, and Core Values
  – Clear and consistently applied District Policies
    • Regular review of BOE Policy Book (ex: 3 year revolving review)
    • Personnel Hiring and Retention practices
      • Job descriptions; interview committees; interviewer training; interview established format, questions and ratings
    • Character Education programs: applied to all school activities
      • District-wide with community interaction; Bullying prevention
  • Reviewing and Communicating Expectations
    – To BOE—annual: review of Code of Ethics, Core Values, communication expectations
    – To Staff—annual orientation: harassment and discrimination (sexual and others); confidentiality; bullying prevention; codes of conduct
    – To Students—annual orientation: code of conduct review; programs such as sexual harassment; bullying prevention; sportsmanship
    – To community—website; parent meetings; newsletter

THE NSBA BOARD ENDORSES THE FOLLOWING CODE FOR LOCAL SCHOOL BOARD MEMBERS:

As a member of my local Board of Education I will strive to improve public education, and to that end I will:

• attend all regularly scheduled board meetings (to the extent possible, and become informed concerning the issues to be considered at those meetings);
• recognize that board members make policy decisions only after full discussion at publicly held board meetings;
• render all decisions based on the available facts and my independent judgment, and refuse to surrender that judgment to individuals or special interest groups;
• encourage the free expression of opinion by all board members, and seek systematic communications between the board and students, staff, and all elements of the community;
• work with other board members to establish effective board policies and to delegate authority for the administration of the schools to the superintendent;
• communicate to other board members and the superintendent expression of public reaction to board policies and school programs;
• inform myself about current educational issues by individual study and through participation in programs providing needed information, such as those sponsored by my state and national school boards associations;
• support the employment of those persons best qualified to serve as school staff, and insist on a regular and impartial evaluation of all staff;
• avoid being placed in a position of conflict of interest;
• take no private action that will compromise the board or administration, and respect the confidentiality of information that is privileged under applicable law; and
• remember always that my first and greatest concern must be the educational welfare of the students attending the public schools
NEW JERSEY’S CODE OF ETHICS FOR SCHOOL BOARD MEMBERS

a. A school board member shall abide by the following Code of Ethics for School Board Members:
   i. I will uphold and enforce all laws, rules and regulations of the State Board of Education, and court
corpus pertinente to schools. Desired changes shall be brought about only through legal and ethical
procedures.
   ii. I will make decisions in terms of the educational welfare of children and will seek to develop and
maintain public schools that meet the individual needs of all children regardless of their ability, race,
creed, sex, or social standing.
   iii. I will commit my own action to policy making, planning, and appraisal, and I will help to frame
policies and plans only after the board has consulted those who will be affected by them.
   iv. I will carry out my responsibilities, not to administer the schools, but, together with my fellow board
members, to see that they are well run.
   v. I will recognize that authority rests with the board of education and will make no personal promises
nor take any private action that may compromise the board.
   vi. I will refuse to surrender my independent judgment to special interest or partisan political groups or
or use the schools for personal gain or for the gain of friends.
   vii. I will hold confidential all matters pertaining to the schools which, if disclosed, would needlessly
injure individuals or the schools. In all other matters, I will provide accurate information and, in
concert with my fellow board members, interpret to the staff the aspirations of the community for its
school.
   viii. I will refuse to appoint the best qualified personnel available after consideration of the
recommendation of the chief administrative officer.
   ix. I will support and protect school personnel in proper performance of their duties.
   x. I will refer all complaints to the chief administrative officer and will act on the complaints at public
meetings only after failure of an administrative solution.

CONCLUSION AND SUMMARY:

“ETHICS” (Study Guide)

• Conclusion
  – What are the top 5 key points of learning for you as a school board member that you will take away with you from our work on ethics?

• Summary
  – What have you learned today that you can use immediately in your present role?

  – Final Reflections?

People working together with integrity and authenticity and collective intelligence are profoundly more effective as a business than people living together based on politics, game playing, and narrow self-interest.

Peter Senge
Author, The Fifth Discipline