

# Teachers' Ethical Dilemmas

## What Would You Do?

Jessica L. Bucholz

Cassandra L. Keller

Michael P. Brady



Mr. Andrews is a special education teacher. He has been writing possible individualized education program (IEP) goals for Chris, a young boy with a developmental disability who will be in second grade the following school year. Some of the goals include telling time to the hour, half hour, and quarter hour. He is a new teacher, and the school psychologist has asked to see his suggested goals before the IEP meeting. While reading Mr. Andrews's proposed goals, the school psychologist takes a red pen and crosses off the goals that would require Chris to learn to tell time. She tells Mr. Andrews that they will be lucky if Chris ever learns to tell time to the hour, let alone any portions of the hour. She instructs Mr. Andrews to rewrite the goals so that they are "more appropriate." Mr. Andrews believes that the goals are appropriate. He believes that all teachers should have high, but reasonable, expectations for their students. Without attempting to teach Chris to tell time, how can they possibly know that he won't be successful? *What should he do? What would you do?*

Teachers face many ethical dilemmas each day in the classroom. How do they know the "right way" to respond to these dilemmas? Professions such as law and medicine have created codes of ethics to communicate the responsibilities of a profession and to improve per-

sonal beliefs, values, and morals. These codes help define a professional's responsibilities to the people they work with and for. Many organizations have review boards that monitor and enforce codes of professional standards (Webb, 2007). Similarly, teachers also have codes of ethics that can guide their decision making during day-to-day professional challenges.

What should Mr. Andrews do about his conflict with the school psychologist? Mr. Andrews could base his actions on the Council for Exceptional Children (CEC) Code of Ethics. This code states "Special education professionals are committed to developing the highest educational and quality of life potential of individuals with exceptionalities" (Council for Exceptional Children, 2003, p.1). If Mr. Andrews changes the goals he believes are appropriate in preparation for the IEP meeting, he may decide that he would be breaking this code. The IEP team is responsible for developing an educational program of the highest quality based on goals developed as a team. The input of the entire team is important. The goals should include high yet realistic expectations for all students. As a result of this information and these conclusions, Mr. Andrews could re-examine Chris's aca-

demical performances and test results. If Chris's performance does indeed show that Chris is likely to learn the telling-time objectives, Mr. Andrews might decide to retain the goals he believes are appropriate. Before the IEP meeting, Mr. Andrews could explain to the school psychologist his rationale for writing the goals. At the IEP meeting, Mr. Andrews could share his IEP goals and his reasons for suggesting them and elicit comments and suggestions from the other members of the IEP team. By presenting all the information to the members of the team, Mr. Andrews would be ensuring that Chris's goals were truly written collaboratively by all team members.

Individuals like Mr. Andrews will face a variety of ethical and moral dilemmas throughout their teaching careers; however, educators do not have a common board that governs its members' ethical behavior. Instead, there are numerous educational organizations that have written their own specific codes for ethical behavior. The Council for Exceptional Children (CEC) has developed a code of ethics for educators who work with persons with exceptionalities (2003). Additionally, the National Education Association (NEA, 1975) has developed a code of ethics for educators with various roles in the profession.

**Table 1. Organizations With Codes of Ethics and Web Sites**

Category	Organization	Web Site
General Education	National Education Association	nea.org
Special Education	Council for Exceptional Children	cec.sped.org
Early Childhood	National Association for the Education of Young Children	naeyc.org
Administration	Association for Supervision and Curriculum Development	ascd.org
School Counselors	American School Counselor Association	schoolcounselor.org
General Education/Administration/Faculty	Phi Delta Kappa	pdkintl.org
Paraprofessionals	National Resource Center for Paraprofessionals	nrcpara.org

Other organizations have similar codes (see Table 1). Most states have also developed codes of ethics for educators within their state. The goal of all of these guidelines is to provide professionals with direction for resolving the ethical dilemmas faced each day in the classroom.

The NEA developed its code of ethics in 1975. The preamble to the NEA's code of ethics sets a clear and noble standard for educators:

The educator, believing in the worth and dignity of each human being, recognizes the supreme importance of the pursuit of truth, devotion to excellence, and nurture of the democratic principles. Essential to these goals is the protection of freedom to learn and to teach and the guarantee of equal educational opportunity for all. The educator accepts the responsibility to adhere to the highest ethical standards.

The NEA code is organized into two main principles. The first principle is based on the commitment to helping each student reach his or her potential and has eight indicators. The second principle is based on the commitment to the profession and public trust and responsibility. It also has eight indicators to guide educators. These indicators are summarized in Table 2.

CEC also has a code of ethics for educators of persons with exceptionalities. CEC's code contains eight principles that guide professional behavior. See Figure 1 for a summary of these principles. Furthermore, CEC has a set of standards for professional practice. The standards deal with professionals in

relation to: (a) persons with exceptionalities and their families, (b) employment, and (c) the profession and the people within the profession. A complete listing of the CEC ethics and professional standards are found in the CEC publication *What Every Special Educator Must Know: Ethics, Standards, and Guidelines for Special Educators* (Council for Exceptional Children, 2003) and on the CEC Web site [www.cec.sped.org](http://www.cec.sped.org).

What is considered ethical often comes down to determining what is in the best interest of the student. "Behaving ethically is more than a matter of following the rules or not breaking the law—it means acting in a way that promotes the learning and growth of students and helps them realize their potential" (Parkay, 2004, p. 195). When

---

What is considered ethical often comes down to determining what is in the best interest of the student.

---

professionals or students engage in unethical behavior it can damage a good student-teacher relationship. Unethical behavior can ruin trust and respect between teachers and their colleagues. In extreme situations unethical behavior can result in a teacher losing his or her teaching position and/or certification. Resolving ethical dilemmas requires difficult educational decisions that do not always have a clear-cut "right" answer. Here we present several

**Table 2. NEA Ethics Indicators for Educators**

Commitment to the Student	Commitment to the Profession
Restraint of individual action and pursuit of learning	Do not make false statements in application of a position
Access to varying points of view	Do not misrepresent qualifications
Do not distort subject matter	Do not assist someone unqualified gain entry into the profession
Protect students from harm	Do not make false statements concerning a candidate's qualifications
Do not embarrass or disparage	Do not assist a noneducator in the unauthorized practice of teaching
Do not discriminate	Do not disclose personal information about a colleague unless required by law
Do not use professional relationship for private advantage	Do not knowingly make false statements about a colleague
Do not disclose confidential information	Do not accept any gift or favor that might influence professional decisions

## Figure 1. CEC Code of Ethics for Special Educators

Special Education Professionals Will:

- ✓ Promote high educational and Quality of Life for persons with special needs
- ✓ Promote and maintain high level of competence and integrity in practice
- ✓ Engage in activities to benefit persons with special needs and others
- ✓ Exercise objective professional judgment
- ✓ Advance knowledge and skills
- ✓ Work within professional standards and policies
- ✓ Uphold and improve laws, regulations, and policies
- ✓ Promote ethical and legal behavior and standards

short vignettes of ethical dilemmas that both veteran and novice teachers have faced. We then ask you to consider the possible solutions for these examples and ask you what you would do if faced with a similar situation. Finally, we analyze each vignette using either the NEA's or CEC's code of ethics, identify ethical indicators that cover the situation, and propose a solution for each dilemma based on the code.

### Ethical Dilemmas

The following ethical dilemmas are based on genuine situations faced by both veteran and novice teachers. These dilemmas include subjects such as conflict with a co-worker and writing appropriate IEP goals. Dilemmas such as these may be experienced by any teacher at any time. Having a framework for handling these situations (or similar ones) in an ethical manner is necessary for professional educators. There is no single "right answer" to the complex situations following, but having a set of guidelines for approaching ethical dilemmas could help make these difficult decisions a little easier to solve. We used both the NEA and CEC codes as tools to solve the following dilemmas.

#### Dilemma 1: Possible Learning Disability

Mrs. Michaels has been a fourth-grade elementary education teacher for 5 years. She has just attended a meeting about one of her students with a parent, a special education teacher, and a special education coordinator. This student had been diagnosed years ago by a med-

ical doctor as having several childhood illnesses and frequent ear infections. Mrs. Michaels is concerned that this student may also have a learning disability that affects her success in the fourth-grade classroom. She has spoken to this student's parent a number of times, and the parent agrees that her child may need further testing. At this meeting, the special education coordinator informs the parent that while her child may in fact be having difficulty with school, she is not the lowest-achieving student in her class. She tells the parent that if she wants her child to be tested her best course of action would be to take the child to a private psychologist and pay for the testing herself. This would expedite the process. Additionally, the administrator informed the parent that if she elected to wait to have her daughter tested by the school district, they could not tell her when they could complete the testing and make an eligibility decision. Furthermore, the delay in testing could be as long as one year. Mrs. Michaels is aware of the laws and regulations supporting special education and the timelines that are to be followed. She knows that this is wrong. *What should she do? What would you do?*

#### Dilemma 2: Assessment Conflict

Ms. Jackson is a new special education teacher finishing her first year of teaching a self-contained class at a local high school. While in college Ms. Jackson took a class on assessment. In this class Ms. Jackson learned all about different types of assessments including standardized, curriculum-based, and informal assessments. Her college instructor

emphasized the importance of strictly following the administration protocol when assessing students with a standardized test. At the end of the year Ms. Jackson's school evaluates all students who have IEPs with a set of standardized tests. Ms. Jackson administered a standardized math test to a student and reported the results to her principal. Her principal expressed concern over the low scores and asked Ms. Jackson specific questions about her student's performance. As a result, the principal instructed Ms. Jackson to give credit for questions the student might have been able to answer correctly but got wrong on the test. Ms. Jackson knows that this will invalidate the test results. Additionally, she believes that it is ethically wrong to alter the test results. *What should she do? What would you do?*

#### Dilemma 3: Medication

Mr. Garrison is a third-grade teacher in a local elementary school. One of the students he teaches in his classroom is Javier. Javier was diagnosed with attention deficit/hyperactivity disorder (ADHD) in the first grade. Javier does not require the services of the special education teacher; however, at the time he was diagnosed his doctor and parents decided to put Javier on medication to help with his ADHD. Javier's parents are now divorced and he lives with his mother during the week; he stays with his father on the weekends. Javier's father and doctor still believe the medication is essential to help him succeed in school. Javier's mother and father disagree about everything. She has begun to withhold Javier's medication. Javier's father still gives his son the medication when he stays with him on the weekends. As a result of the inconsistent medication Javier has had difficulty paying attention in class, completing assignments, controlling aggressive behavior, and interacting with his peers. Mr. Garrison knows the importance of consistency in following medication protocols. *What should he do about this situation? What would you do?*

#### Dilemma 4: Standardized Tests

Mr. Edwards and Mr. Marcus are special education teachers who work with

third-, fourth-, and fifth-grade students. Their school is preparing to take the state's annual standardized achievement tests. This year students in Mr. Edwards's and Mr. Marcus's classes have been identified as having difficulty in reading and are at risk for failure on the standardized test. The principal has made it very clear that he expects the school's scores on this year's standardized test to be an improvement over last year's scores. The day before testing is scheduled to begin, the principal has a meeting with Mr. Edwards and Mr. Marcus. At the meeting he tells them to do whatever is necessary to ensure positive test results. While administering the test, Mr. Edwards realizes that Mr. Marcus is reading parts of the reading comprehension passages to the students. This violates the validity of the test and could result in a false learning profile of his students. Mr. Edwards shares this knowledge with Mr. Marcus, who responds by saying that he is simply doing what the principal instructed him to do. *What should Mr. Edwards do now? What would you do?*

#### **Dilemma 5: Petty Behavior**

Ms. Garcia and Ms. Ming are both sixth-grade English teachers. Ms. Garcia, a new teacher at the school, has additional certification in gifted education. Ms. Ming has been a certified English teacher for a number of years. Ms. Ming has been overheard making negative comments about Ms. Garcia's teaching ability and about Ms. Garcia personally in the faculty lounge. Mr. Daniels, the sixth-grade history teacher, has heard Ms. Ming making negative comments about Ms. Garcia on more than one occasion and he knows that these comments are false. He also knows that Ms. Ming has been angry that Ms. Garcia was asked to teach the advanced English class. This is a class Ms. Ming had expressed a desire to teach. He believes this contributes to her negativity toward Ms. Garcia. *What should he do? What would you do?*

#### **Dilemma 6: Religion**

Mr. Gregory and Ms. Samuels are both eighth-grade science teachers. Ms. Samuels has a strong command of the

science curriculum, and she is also a strong believer in creationism. While Mr. Gregory and Ms. Samuels work together at their weekly planning meeting, Ms. Samuels tells Mr. Gregory that she does not feel comfortable with, nor will she teach her class about topics related to evolution, the subject for the coming week's lessons. She goes on to explain that presenting students with information about evolution will violate her religious beliefs. Mr. Gregory knows that the unit on evolution is a required part of the curriculum. He also knows the importance of teaching students to evaluate different types of information and points of view. *What should he do? What would you do?*

#### **Solutions to Dilemmas**

How might a professional or state organization's code of ethics guide this decision making? As stated earlier, there is no one "right answer" to the complex situations teachers face each day, but grounding guidelines such as NEA's or CEC's Codes of Ethics provide teachers with a problem-solving framework. The principles presented below were drawn from NEA's and CEC's codes as the closest indicators related to the issues; they can be used as a starting point basis for solving each dilemma.

---

There is no one "right answer" to the complex situations teachers face each day, but grounding guidelines such as NEA's or CEC's Codes of Ethics provide teachers with a problem-solving framework.

---

#### **Dilemma 1: Possible Learning Disability**

Mrs. Michaels just faced a very tough meeting with her special education coordinator, and she is not sure what to do. What should Mrs. Michaels do? Mrs. Michaels could turn to the CEC Code of Ethics for guidance. This code states that special educators should "promote and maintain a high level of competence and integrity in practicing their

profession" and special educators "do not condone or participate in unethical or illegal acts, nor violate professional standards adopted by the CEC Board of Directors" (CEC, 2003, p. 1). According to this statement, Mrs. Michaels might be compromising her integrity if she knowingly violates the laws supporting special education and a student's rights to access to those services. Mrs. Michaels could decide that not following an appropriate timeline for testing would be unethical. She may therefore decide to follow the referral procedures that are in place at her school. Furthermore, she may find it helpful and productive to collaborate with the special education coordinator to follow an appropriate timeline for providing the testing this student requires. This could include making a copy of the district's guidelines and providing it to the school's child study team.

#### **Dilemma 2: Assessment Conflict**

Ms. Jackson has been faced with a difficult situation. To solve her dilemma, Ms. Jackson could use the NEA's Code of Ethics Principle I: *Commitment to the Student*. Indicator 3 reads "shall not deliberately suppress or distort subject matter relevant to student's progress" (NEA, 1975). If Ms. Jackson discards or changes students' test results, she is not following this code. Applying this indicator in the ethical code may prompt Ms. Jackson not to change the test results, because doing so would distort information relevant to this student's progress. Instead, Ms. Jackson might retest the student under different conditions to ascertain whether the student actually knows the content. Although it would be difficult, Ms. Jackson may also decide to share the NEA's code with her principal to explain her decision not to automatically discard the test results. Ms. Jackson may also discuss test-administering strategies with her principal in order to avoid this conflict in the future.

#### **Dilemma 3: Medication**

Mr. Garrison is faced with a tough situation, because Javier's mother and father don't agree. What should Mr. Garrison do? Mr. Garrison's actions

could be influenced by NEA's Code of Ethics Principle I: *Commitment to the Student*. Indicator 4 advises that educators "shall make reasonable effort to protect the student from conditions harmful to learning or to health and safety" (NEA, 1975). With protection from harm as a guideline, Mr. Garrison could talk to Javier's mother and explain that he is having trouble paying attention in class and completing assignments. He could also attempt to explain to Javier's mother that when Javier is taking his medication he is much more cooperative and successful in school. Additionally, Mr. Garrison should document the issues he has observed in class, including class assignments and behavioral issues, in order to have specific information to provide to Javier's parents that supports his belief that the medication has been academically helpful to Javier.

#### **Dilemma 4: Standardized Tests**

Mr. Edwards is in a difficult situation with Mr. Marcus, because technically Mr. Marcus is doing what the principal has implied he should do. The CEC Code of Ethics states that, "Special education professionals work within the standards and policies of their profession" (CEC, 2003, p. 1). A literal application of this code would indicate that Mr. Marcus should follow the testing protocol and refrain from reading passages to his students. Mr. Edwards could work collaboratively with Mr. Marcus to review the standardized testing guidelines for the state tests and seek consultation from testing experts in the district.

#### **Dilemma 5: Petty Behavior**

Mr. Daniels is in a very difficult situation, knowing that Ms. Ming is making false statements about Ms. Garcia. What should he do? According to NEA's Code of Ethics under Principle II: *Commitment to the Profession*, Indicator Seven states that educators "shall not knowingly make false or malicious statements about a colleague" (NEA, 1975). Mr. Daniels should talk to Ms. Ming about his interest in maintaining positive professional relationships with all the members of the school team. He

might point out the numerous strengths of all the team members, the benefits of teamwork and collaboration, and the usefulness of the NEA Code of Ethics. Depending on his willingness to intervene, he might offer to help the two teachers find common ground, starting with students, school initiatives, or parent and community projects.

#### **Dilemma 6: Religion**

Mr. Gregory is faced with a difficult dilemma, knowing that Ms. Samuels is not going to teach a required part of the curriculum. According to the NEA's Code of Ethics under Principle I: *Commitment to the Student*, Ms. Samuels is violating two of the indicators (numbers 2 and 3). Indicator 3 informs educators that they "shall not deliberately suppress or distort subject matter relevant to student's progress"; indicator 2 states that teachers "shall not unreasonably deny the student's access to varying points of view" (NEA, 1975). Mr. Gregory should talk to Ms. Samuels about the importance of covering the required curriculum. Additionally, he could show her the NEA's Code of Ethics and discuss with her the ways in which she could maintain her personal beliefs without violating the district's curriculum or her professional code of conduct. This might include collaboratively determining which portions of the curriculum they are best suited to teach and co-teaching portions of the unit. Co-teaching is an effective teaching method that allows teachers to pool their resources, teaching strengths, and ideas while addressing all areas of the required curriculum.

---

Using a code of ethics can help teachers make informed decisions based on the code's principles.

---

#### **Conclusions**

Teachers frequently encounter these types of ethical dilemmas in the classroom and have to take action in situations where all the facts might not be known. Even though there might not be

a definitive right or wrong answer to most dilemmas, teachers can look beyond the short term and consider long-range consequences of their actions, including the impact on their own identities as professionals. Using a code of ethics can help teachers make informed decisions based on the code's principles. Unethical acts can ruin the trust and respect among teachers, students, and others, and in extreme circumstances result in teachers losing their teaching positions and professional licensure. Resolving common ethical dilemmas requires forethought and insight. Analyzing case studies of similar ethical dilemmas may help teachers make the "right decision" when faced with similar situations.

#### **References**

- Council for Exceptional Children. (2003). *What every special educator must know: Ethics, standards, and guidelines for special educators*. Reston, VA: CEC.
- National Association for the Education of Young Children. (2005). *NAEYC Code of ethical conduct and statement of commitment*. Retrieved July 20, 2007, from <http://www.naeyc.org/about/positions/PSETH05.asp>
- National Education Association. (1975). *Code of ethics of the education profession*. Retrieved June 18, 2007, from <http://www.nea.org/aboutnea/code.html>
- Parkay, F. W. (2004). *Becoming a teacher*. Upper Saddle River, NJ: Pearson Education.
- Webb, D. L. (2007). *Foundations of American education*. Upper Saddle River, NJ: Pearson Education.

**Jessica L. Bucholz** (CEC GA Federation), Assistant Professor, University of West Georgia, Carrollton. **Cassandra L. Keller** (CEC FL Federation), Assistant Professor, Lynn University, Boca Raton, Florida. **Michael P. Brady** (CEC FL Federation), Professor, Florida Atlantic University, Boca Raton, Florida.

Address correspondence to Jessica L. Bucholz, University of West Georgia, Department of Special Education, 1601 Maple Street, Carrollton, GA 30118 (e-mail: [jbucholz@westga.edu](mailto:jbucholz@westga.edu)).

TEACHING Exceptional Children, Vol. 40, No. 2, pp. 60-64.

Copyright 2007 TEC.

Copyright of Teaching Exceptional Children is the property of Council for Exceptional Children and its content may not be copied or emailed to multiple sites or posted to a listserv without the copyright holder's express written permission. However, users may print, download, or email articles for individual use.